
by

SUZANNE ELIZABETH GRAHAM

THESIS

Submitted in partial fulfilment of the requirements for the degree

DOCTOR OF LITERATURE AND PHILOSOPHY

in UNIVERSITY OF JOHANNESBURG

POLITICS

at the

UNIVERSITY OF JOHANNESBURG

SUPERVISOR: PROF DJ GELDENHUYS

JANUARY 2013
DECLARATION

I hereby declare that the thesis submitted for the D Litt et Phil degree in Politics to the University of Johannesburg, apart from the help recognised, is my own work and has not been formerly submitted to another university for a degree.

Suzanne Elizabeth Graham
January 2013
SUMMARY

This study places on record South Africa’s UN voting data from 1994 to 2008. It also investigates consistency in terms of South Africa’s declared foreign policy and its actual voting practices at the UN during that period. The voting data and related speeches are drawn from the UN’s Index to Speeches available through the UN Documentation Centre as well as from an examination of the recorded votes in the UN Index to Proceedings and the United Nations Bibliographic Information System (UNBISnet) – the two main databases concerning voting records in the UN and found in the Dag Hammarskjold online library.

Using its own three-step model of voting behaviour, the study traces South Africa’s declared foreign policy on selected issues in the first step; the Republic’s voting actions on the issues in the second step, and then interpretations of the voting actions taken in the final step. By organising the voting data in this way, the study intends to make the examination of South Africa’s voting behaviour within this multilateral forum more manageable. The model is applied to four themes identified as prominent within South Africa’s foreign policy in the years under review. A table is also employed to assess if the voting is inconsistent, partly consistent or consistent with the declared policy under review.

The Republic’s voting behaviour is examined with regard to the following four themes: the promotion of human rights and democracy; disarmament and related non-proliferation issues; the advancement of African interests and the consolidation of the African Agenda within the context of North-South relations, and reform of the UN and the promotion of equitable global governance.

The study concludes that between 1994 and 2008 there was congruity between South Africa’s declared foreign policy and its UN voting behaviour in most respects. The Republic was mostly consistent on issues of UN reform, followed by the promotion of African interests, then disarmament issues and lastly with regard to human rights and democracy promotion.

It is evident that South Africa has stumbled at times and sidelined certain principles, human rights promotion in specific countries most especially. It could be said that South Africa’s foreign policy evolved from one unsure how to deal with human rights issues at the UN, to one rooted firmly in nurturing solidarity with its Southern partners in Africa and the rest of the world. This reflects a young democracy finding its way in the multilateral organisation and attempting to balance external expectations of the Republic with its foreign policy priorities. Overall South Africa demonstrated a fair commitment to its declared foreign policy, and principles, in its UN voting behaviour.
I would like to thank the following people for their kindness, support and encouragement:

- Professor Deon Geldenhuys, my supervisor and invaluable work colleague. Your interest in the topic, and readiness to offer advice and guidance at every turn, gave me the willpower to undertake this journey. Our frequent discussions over coffee and “a full English” also proved to be an essential part of this process.

- Professor Pieter Fourie for his friendship during trying times.

- Professor Chris Landsberg and Mrs Rae Israel at the Department of Politics at the University of Johannesburg for their good-natured teasing about getting the job done!

- Zelda Geldenhuys of the University of Johannesburg library.

- The UJ Faculty of Humanities, especially Professor Ronel Johl and Professor Lionel Posthumus, for their support.

- Claudia Forster-Towne and Auriel Niemack for their efforts to scout out “vanished” sources in the early days of this work and Professor Craig Mackenzie for his editing assistance.

- Rachel, Lucian, Miska and Michael: my niece and nephews who were all born during the time it took me to complete this work and whose endless enthusiasm for playing helped keep me sane along the way.

- My brothers Antony and Richard and sisters-in-law, Ilonka and Robyn, for their patience and cheerful support.

- Justin van der Merwe for the valuable discussions and for his friendship and constant encouragement.

- My Mom and Dad and Jim for their unwavering belief and optimism.

- My twin sister Vicky who saw me through every step of my doctorate, literally, as we sat across the table from each other, and as she worked on completing her doctorate simultaneously.
# CONTENTS

## CHAPTER ONE: INTRODUCTION AND ANALYTICAL FRAMEWORK

1.1. Background  
1.2. Purpose and contribution of the study  
1.3. Literature review  
1.4. Analytical framework and research methodology  
  1.4.1. Step 1: declared foreign policy  
  1.4.2. Step 2: voting action  
  1.4.3. Step 3: interpretations of voting action: government views and observers’ views  
1.5. Conceptualisation for contextual relevance  
  1.5.1. Multilateralism and multilateral diplomacy  
  1.5.2. Acting in the UN  
    1.5.2.1. State roles at the UN  
    1.5.2.2. Permanent missions and delegations  
  1.5.3. UN voting  
1.6. Structure of the research  
1.7. Conclusion

## CHAPTER TWO: SOUTH AFRICA’S FOREIGN POLICY: PINPOINTING PRINCIPLES AND THEMES

2.1. Introduction  
2.2. Conceptualising foreign policy  
2.3. South Africa’s foreign policy, 1994-2008  
  2.3.1. Principles  
  2.3.2. Themes  
    2.3.2.1. The promotion of human rights and democracy  
    2.3.2.2. Disarmament and related non-proliferation issues  
    2.3.2.3. The advancement of African interests and the consolidation of the African Agenda within the context of North-South relations  
    2.3.2.4. Reform of the UN and the promotion of equitable global governance  
2.4. Conclusion

## CHAPTER THREE: SOUTH AFRICA’S VOTING ON HUMAN RIGHTS AND DEMOCRACY ISSUES AT THE UN

3.1. Introduction  
3.2. Human rights at the UN: a background review  
3.3. South Africa and human rights at the UN  
  3.3.1. South Africa’s voting actions  
    3.3.1.1. Votes on country-specific situations  
    3.3.1.1.1. Voting at the UNSC  
    3.3.1.2. Votes on thematic issues in the UNGA and UNCHR/HRC
CHAPTER FOUR: SOUTH AFRICA’S VOTING ON DISARMAMENT AND NON PROLIFERATION ISSUES AT THE UN

4.1. Introduction 122
4.2. Disarmament and non-proliferation at the UN 124
4.3. South Africa’s disarmament policy and voting on nuclear controls at the UN 128
   4.3.1. Voting actions at the UN 133
      4.3.1.1. Votes on nuclear disarmament and non-proliferation issues 134
      4.3.1.2. Biological and chemical weapons 140
      4.3.1.3. Conventional weapons issues 141
      4.3.1.4. Regional disarmament and security 145
      4.3.1.5. Related disarmament measures and international security 147
      4.3.1.6. Outer space 150
      4.3.1.7. Institutional aspects of disarmament 150
   4.3.2. Voting action at the UNSC 154
4.4. Interpretations of voting action: government views and observers’ views 155
   4.4.1. Nuclear non-proliferation 155
   4.4.2. Anti-personnel landmines 159
   4.4.3. Arms sales 161
   4.4.4. The UNSC 165
4.5. Conclusion 169

CHAPTER FIVE: ADVANCING AFRICAN INTERESTS AND CONSOLIDATING THE AFRICAN AGENDA WITHIN THE CONTEXT OF NORTH-SOUTH RELATIONS

5.1. Introduction 172
5.2. The emergence of a Southern bloc at the UN 173
5.3. South Africa at the UN: champion of Africa and the South? 180
   5.3.1. Voting at the UNGA 188
      5.3.1.1. Votes on issues related to South Africa’s African Agenda 189
      5.3.1.2. UNGA Second Committee votes 191
      5.3.1.3. UNGA Fourth Committee votes 194
      5.3.1.4. UNGA Plenary votes 196
   5.3.2. Voting at the UNSC 197
5.4. Interpretations of voting action: government views and observers’ views 202
   5.4.1. NEPAD and the Situation in Africa 204
   5.4.2. South Africa and South-South cooperation 206
   5.4.3. The UNSC 209
5.5. Conclusion 211
CHAPTER SIX: SOUTH AFRICA'S VOTING ON REFORMING THE UN AND PROMOTING EQUITABLE GLOBAL GOVERNANCE  214

6.1. Introduction 214
6.2. The reform agenda at the UN: a summary 216
6.3. South Africa and reform at the UN 222
   6.3.1. South Africa’s voting behaviour 226
      6.3.1.1. UNGA Fifth Committee votes 227
      6.3.1.2. UNGA Sixth Committee votes 238
      6.3.1.3. UNGA Plenary votes 240
      6.3.1.4. Equitable financial global governance: UN resolutions on the BWIs 251
6.4. Interpretations of voting action: government views and observers’ views 253
   6.4.1. Concerns over consensus 253
   6.4.2. “Ping-pong” reform politics 254
   6.4.3. South Africa’s dream: reform of the UNSC 258
6.5. Conclusion 260

CHAPTER SEVEN: CONCLUSION: REVIEW AND FINDINGS  263

7.1. Scope, rationalisation and theoretical framework 263
7.2. Key findings of the study 267
   7.2.1. Consistency ratings 274
7.3. Contribution to the field of study 277
7.4. Areas for further research 278

APPENDIX  280

BIBLIOGRAPHY  282
### LIST OF TABLES

<table>
<thead>
<tr>
<th>TABLE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Model of voting behaviour</td>
<td>9</td>
</tr>
<tr>
<td>2. Voting assessment and consistency table</td>
<td>13</td>
</tr>
<tr>
<td>3. South African foreign policy areas of focus in multilateral institutions</td>
<td>43</td>
</tr>
</tbody>
</table>
| 4. UNGA Third Committee: country-specific resolutions on human rights  
  – South Africa’s vote | 78 |
| 5. UNCHR/HRC: country-specific resolutions on human rights  
  – South Africa’s vote | 79 |
| 6. South Africa’s membership of and leadership roles (if any) in organisations representing Africa and the Global South | 203 |
| 7. South Africa’s “consistency” rating between 1994 and 2008 expressed as averages | 274 |

### LIST OF FIGURES

<table>
<thead>
<tr>
<th>FIGURE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. South Africa’s UN votes between 1994 and 2008 on human rights issues (in clustered sub-themes)</td>
<td>268</td>
</tr>
<tr>
<td>3. South Africa’s UN votes between 1994 and 2008 on disarmament issues (in clustered sub-themes)</td>
<td>270</td>
</tr>
<tr>
<td>4. South Africa’s UN votes between 1994 and 2008 on promoting the interests of Africa and the Global South (in clustered sub-themes)</td>
<td>272</td>
</tr>
<tr>
<td>5. South Africa’s UN votes between 1994 and 2008 on UN reform issues in clustered sub-themes</td>
<td>273</td>
</tr>
</tbody>
</table>
## ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABM Treaty</td>
<td>Anti-Ballistic Missile Treaty</td>
</tr>
<tr>
<td>ACABQ</td>
<td>Advisory Committee on Administrative and Budgetary Questions</td>
</tr>
<tr>
<td>ACHPR</td>
<td>African Charter on Human and Peoples’ Rights</td>
</tr>
<tr>
<td>AEC</td>
<td>Atomic Energy Corporation</td>
</tr>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>AMIS</td>
<td>African Mission in Sudan</td>
</tr>
<tr>
<td>AMISOM</td>
<td>African Union Mission in Somalia</td>
</tr>
<tr>
<td>ANC</td>
<td>African National Congress</td>
</tr>
<tr>
<td>ANWFZ</td>
<td>African Nuclear-Weapon-Free Zone</td>
</tr>
<tr>
<td>APRM</td>
<td>African Peer Review Mechanism</td>
</tr>
<tr>
<td>Armscor</td>
<td>Armaments Corporation of South Africa</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>Awav</td>
<td>Adopted without a vote</td>
</tr>
<tr>
<td>BAPA</td>
<td>Buenos Aires Plan of Action</td>
</tr>
<tr>
<td>BASIC</td>
<td>Brazil, South Africa, India and China</td>
</tr>
<tr>
<td>BTWC</td>
<td>Biological and Toxin Weapons Convention (Full Title: Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction)</td>
</tr>
<tr>
<td>BWI</td>
<td>Bretton Woods Institution</td>
</tr>
<tr>
<td>CAB</td>
<td>Conventional Arms Branch</td>
</tr>
<tr>
<td>CAT</td>
<td>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</td>
</tr>
<tr>
<td>CBW</td>
<td>Chemical and Biological Weapons</td>
</tr>
<tr>
<td>CCW</td>
<td>Convention on Certain Conventional Weapons (Full Title: Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects)</td>
</tr>
<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>CERD</td>
<td>Committee on the Elimination of Racial Discrimination</td>
</tr>
<tr>
<td>CD</td>
<td>Conference on Disarmament</td>
</tr>
<tr>
<td>CMP</td>
<td>Capital Master Plan</td>
</tr>
<tr>
<td>CMW</td>
<td>Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</td>
</tr>
<tr>
<td>COPUOS</td>
<td>Committee on the Peaceful Uses of Outer Space (UN)</td>
</tr>
<tr>
<td>CPA</td>
<td>Comprehensive Peace Agreement</td>
</tr>
<tr>
<td>CPC</td>
<td>Committee for Programme and Coordination (UN)</td>
</tr>
<tr>
<td>CPPNM</td>
<td>Convention on the Physical Protection of Nuclear Material</td>
</tr>
<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
</tr>
<tr>
<td>CSD</td>
<td>Commission on Sustainable Development</td>
</tr>
<tr>
<td>CSR</td>
<td>Convention on the Status of Refugees (UN)</td>
</tr>
<tr>
<td>CTBT</td>
<td>Comprehensive Nuclear-Test-Ban Treaty</td>
</tr>
<tr>
<td>CTBTO PrepCom</td>
<td>Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organisation</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Title/Description</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>CWC</td>
<td>Chemical Weapons Convention (Full Title: Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction)</td>
</tr>
<tr>
<td>DDA</td>
<td>Department for Disarmament Affairs (UN)</td>
</tr>
<tr>
<td>DESA</td>
<td>Department of Economic and Social Affairs (UN)</td>
</tr>
<tr>
<td>DFA</td>
<td>Department of Foreign Affairs</td>
</tr>
<tr>
<td>DIRCO</td>
<td>Department of International Relations and Cooperation</td>
</tr>
<tr>
<td>DPI</td>
<td>Department of Public Information (UN)</td>
</tr>
<tr>
<td>DPKO</td>
<td>Department of Peacekeeping Operations (UN)</td>
</tr>
<tr>
<td>DPRK</td>
<td>Democratic People’s Republic of Korea</td>
</tr>
<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
</tr>
<tr>
<td>DTI</td>
<td>Department of Trade and Industry</td>
</tr>
<tr>
<td>ECA</td>
<td>Economic Commission for Africa</td>
</tr>
<tr>
<td>ECE</td>
<td>Economic Commission for Europe</td>
</tr>
<tr>
<td>ECESA</td>
<td>Executive Committee on Economic and Social Affairs</td>
</tr>
<tr>
<td>ECLAC</td>
<td>Economic Commission for Latin America and the Caribbean</td>
</tr>
<tr>
<td>ECOSOC</td>
<td>Economic and Social Council</td>
</tr>
<tr>
<td>EMG</td>
<td>Environmental Monitoring Group</td>
</tr>
<tr>
<td>EPTA</td>
<td>Expanded Programme of Technical Assistance</td>
</tr>
<tr>
<td>ESCAP</td>
<td>Economic and Social Commission for Asia and the Pacific</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FMT</td>
<td>Fissile Material Treaty</td>
</tr>
<tr>
<td>FNLM</td>
<td>Forces Nationales de Liberation</td>
</tr>
<tr>
<td>G-4</td>
<td>Group of 4</td>
</tr>
<tr>
<td>G-5</td>
<td>Group of 5</td>
</tr>
<tr>
<td>G-7</td>
<td>Group of 7</td>
</tr>
<tr>
<td>G-8</td>
<td>Group of 8</td>
</tr>
<tr>
<td>G-20</td>
<td>Group of 20</td>
</tr>
<tr>
<td>G-77</td>
<td>Group of 77</td>
</tr>
<tr>
<td>HCOC</td>
<td>Hague Code of Conduct against Ballistic Missile Proliferation</td>
</tr>
<tr>
<td>HLPTCC</td>
<td>High-Level Panel on Threats, Challenges and Change</td>
</tr>
<tr>
<td>HRC</td>
<td>Human Rights Council</td>
</tr>
<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
</tr>
<tr>
<td>IBRD</td>
<td>International Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>IBSA</td>
<td>India-Brazil-South Africa</td>
</tr>
<tr>
<td>ICC</td>
<td>International Criminal Court</td>
</tr>
<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
</tr>
<tr>
<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
</tr>
<tr>
<td>ICJ</td>
<td>International Court of Justice</td>
</tr>
<tr>
<td>IFC</td>
<td>International Financial Institution</td>
</tr>
<tr>
<td>IGO</td>
<td>Intergovernmental Organisation</td>
</tr>
<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
</tr>
<tr>
<td>INPRO</td>
<td>International Project on Innovative Nuclear Reactors and Fuel Cycles</td>
</tr>
<tr>
<td>INVO</td>
<td>Iraq Nuclear Verification Office</td>
</tr>
</tbody>
</table>
JIU  Joint Inspection Unit (UN)
LDC  Least Developed Country
MAP  Millennium Africa Recovery Programme
MDGs  Millennium Development Goals
MINUCI  United Nations Mission in Côte d'Ivoire
MINURSO  United Nations Mission for the Referendum in Western Sahara
MINUSTAH  United Nations Stabilisation Mission in Haiti
MONUC  United Nations Organisation Mission in the DRC
MONUSCO  United Nations Organisation Stabilisation Mission in the DRC
MTCR  Missile Technology Control Regime
NAC  New Agenda Coalition
NAI  New African Initiative
NAM  Non-Aligned Movement
NAP  South Africa’s National Action Plan for the Promotion and Protection of Human Rights
NCACC  National Conventional Arms Control Committee
NECSA  Nuclear Energy Corporation of South Africa
NEPAD  New Partnership for Africa’s Development
NGO  Non-Governmental Organisation
NIEO  New International Economic Order
NNWS  Non-Nuclear Weapons States
NPC  South African Council for the Non-Proliferation of Weapons of Mass Destruction
NPT  Nuclear Non-Proliferation Treaty
NSG  Nuclear Suppliers Group
NV  Non-Voting
NWS  Nuclear Weapons States
O5  Outreach-5
OAU  Organisation of African Unity
OEWG  Open-Ended Working Group
OFF  Oil-For-Food
OHCHR  Office of the High Commissioner for Human Rights (UN)
OHRLLS  Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN)
OIC  Organisation of Islamic Cooperation
OILOS  Office of Internal Oversight Services (UN)
ONUB  United Nations Operation in Burundi
OPCW  Organisation for the Prohibition of Chemical Weapons
OSAA  Office of the Special Advisor on Africa
P5  Permanent Five
PAP  Pan-African Parliament
PBC  Peacebuilding Commission
POCDATARA  Protection of Constitutional Democracy Against Terrorist and Related Activities Act
POLISARIO Front  Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro
SACBL  South African Campaign to Ban Landmines
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SADR</td>
<td>Saharawi Arab Democratic Republic</td>
</tr>
<tr>
<td>SAIIA</td>
<td>South African Institute of International Affairs</td>
</tr>
<tr>
<td>SANAE</td>
<td>South African National Antarctic Expedition</td>
</tr>
<tr>
<td>SIPRI</td>
<td>Stockholm International Peace Research Institute</td>
</tr>
<tr>
<td>SUNFED</td>
<td>Special United Nations Fund for Economic Development</td>
</tr>
<tr>
<td>SU/SSC</td>
<td>Special Unit for South-South Cooperation</td>
</tr>
<tr>
<td>TCDC</td>
<td>Technical Cooperation among Developing Countries</td>
</tr>
<tr>
<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
</tr>
<tr>
<td>UFC</td>
<td>Uniting for Consensus</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNAMID</td>
<td>AU/UN Hybrid Operation in Darfur</td>
</tr>
<tr>
<td>UNAT</td>
<td>United Nations Appeals Tribunal</td>
</tr>
<tr>
<td>UNBISnet</td>
<td>United Nations Bibliographic Information System</td>
</tr>
<tr>
<td>UNCCD</td>
<td>United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification Particularly in Africa</td>
</tr>
<tr>
<td>UNCED</td>
<td>United Nations Conference on Environment and Development</td>
</tr>
<tr>
<td>UNCHR</td>
<td>United Nations Commission on Human Rights</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
</tr>
<tr>
<td>UNDC</td>
<td>United Nations Disarmament Commission</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>UNDT</td>
<td>United Nations Dispute Tribunal</td>
</tr>
<tr>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
</tr>
<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
</tr>
<tr>
<td>UNGA</td>
<td>United Nations General Assembly</td>
</tr>
<tr>
<td>UN-Habitat</td>
<td>United Nations Human Settlements Programme</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
</tr>
<tr>
<td>UNIDIR</td>
<td>United Nations Institute for Disarmament Research</td>
</tr>
<tr>
<td>UNIDO</td>
<td>United Nations Industrial Development Organisation</td>
</tr>
<tr>
<td>UNIOSIL</td>
<td>United Nations Integrated Office in Sierra Leone</td>
</tr>
<tr>
<td>UNIFIL</td>
<td>United Nations Interim Force in Lebanon</td>
</tr>
<tr>
<td>UNMEE</td>
<td>United Nations Mission in Ethiopia and Eritrea</td>
</tr>
<tr>
<td>UNMIL</td>
<td>United Nations Mission in Liberia</td>
</tr>
<tr>
<td>UNMIS</td>
<td>United Nations Mission in the Sudan</td>
</tr>
<tr>
<td>UNMIT</td>
<td>United Nations Integrated Mission in Timor-Leste</td>
</tr>
<tr>
<td>UNMOVIC</td>
<td>UN Monitoring, Verification and Inspection Commission</td>
</tr>
<tr>
<td>UN-NADAF</td>
<td>United Nations New Agenda for the Development of Africa</td>
</tr>
<tr>
<td>UNOCI</td>
<td>United Nations Operation in Côte d’Ivoire</td>
</tr>
<tr>
<td>UNODA</td>
<td>United Nations Office for Disarmament Affairs</td>
</tr>
<tr>
<td>UNPAAERD</td>
<td>United Nations Programme of Action for African Economic Recovery and Development</td>
</tr>
<tr>
<td>UNROCA</td>
<td>United Nations Register of Conventional Arms</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
</tr>
</tbody>
</table>
VDPA  Vienna Declaration and Programme of Action
VIGC  Vote in Good Company
WA   Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies
WB   World Bank
WMD  Weapons of Mass Destruction
WSOD World Summit Outcome Document
WSSD World Summit on Sustainable Development
WTO  World Trade Organisation
ZC   Zangger Committee
CHAPTER ONE
INTRODUCTION AND ANALYTICAL FRAMEWORK

“Decisions and actions in the international arena can be understood, predicted and manipulated only in so far as the factors influencing the decision can be identified and isolated” (Wolfers quoted in Kegley and Blanton, 2012: 188).

1.1. Background

South Africa became a member of the United Nations (UN) on 7 November 1945. Although it was never expelled from the organisation for its apartheid policies (the United Kingdom (UK), United States (US) and France vetoed any resolutions with this purpose in mind), it was denied voting rights in the UN General Assembly (UNGA) from 1974 until 1994 (Hamill and Spence, 1997: 225-227; Dickey, 2001: 466). The new South Africa was welcomed back to full participation in the UN by the Assembly on 23 June 1994 (Osmańczyk, 2003: 2145). On this occasion the country’s first Executive Deputy President Thabo Mbeki expressed South Africa’s position as the following:

South Africa can be counted on to adhere to the pursuit of important goals of international peace and security and is committed to being a good citizen of the world (UN Chronicle, 1994: 4).

In 1994 the African National Congress (ANC), the ruling party in South Africa’s new government, stated that:

the changing nature of global society has increased the importance of the UN in the search for peace ... has improved the prospects for multilateralism ... and has underlined the necessity for South Africa to approach many international questions from a common perspective: judicious multilateral diplomacy will enhance South Africa’s international standing (ANC, 1994: Internet).

Indeed, since 1994 South Africa has, in its diplomatic efforts, attempted to represent the country as a “voice of reason in world affairs” (Landsberg, 2004: 185). In accordance with this promise South Africa has fully participated in and contributed to international organisations (IGOs), treaties and conventions concerned with global policies (Muller, 2003: Internet; Permanent Mission of South Africa to the United
Nations, 2006: Internet). South African foreign policymakers have remained convinced that the “multilateral system of global governance is the best hope for the challenges that face humanity” (South Africa – The Good News, 17 October 2006).

The government stresses, in particular, support for the UN as the most important facilitator of international peace and security (DFA Annual Report 2002/2003, 2003: Internet, 26; Landsberg, 2005: 726). Many others have adopted a similar stance since, in the absence of an alternate world body, the UN is the central site for multilateral diplomacy, and the UNGA is centre stage (Karns and Mingst, 2004: 97; The Star, 21 October 2006). Aspects of foreign policy and voting in the UNGA are closely related (Rai, 1972: 589) and it is with this in mind that post-apartheid South Africa has “deliberately sought to play in the premier league of world affairs” (Landsberg, 2004: 185).

In 1999 Deputy Director-General for Africa (in the Department of Foreign Affairs - DFA), Welile Nhlapo (quoted by Dludlu in Financial Times, 20 September 1999), declared that the South African government understood the need to focus its policies to ensure their effectiveness and that “people must know where we stand in terms of our track record and there must be a systematic way in which we engage in foreign policy matters.” Seven years later, on 16 October, for the first time in history, South Africa was chosen by 186 states to represent Africa”s regional grouping and take up a non-permanent seat on the UN Security Council (UNSC). It would hold this seat from January 2007 to December 2008. This development enabled South African Foreign Affairs Minister Nkosazana Dlamini-Zuma to declare the country”s “readiness to serve the peoples of Africa and the world” (BBC News, 17 October 2006).

With the above statements in mind, however, South Africa”s voting activities in the UNSC left its “admirers slack-jawed” as to the “apparent incongruity of its positions” (Wines quoted in The New York Times, 23 March 2007; The Washington Post, 12 May 2008; The Washington Post, 28 May 2008; Habib, 2009: 143). In January 2007 the international community looked on in stunned bemusement as South Africa sided with China and Russia to crush a mild UNSC resolution demanding an end to
political repression and human rights violations in the military-ruled Myanmar (Neuer, 2007: Internet).

Several suggestions concerning the reasons behind South Africa’s unexpected vote exist. Perhaps the country was building up its „strategic relationship“ with China (which backs the dictatorship in Myanmar), or it was merely „testing“ its political clout. Mailer (2007: Internet) proposed that the Republic may have been “deliberately sabotaging the [UNS]council’s efforts to make a wider point as a „southern hemisphere“ African nation.” Perhaps most worrying of all was the perception that South Africa’s leadership was undecided over the purpose behind its foreign policy (Africa Research Bulletin, 2007: 17025-17026; The New York Times, 23 March 2007; Wheeler, 2007: 3).

The question raised by observers and analysts with regard to South Africa’s voting behaviour in its first term on the UNSC is: Why? South Africa’s voting in the UN has only lately attracted media attention; previously (since 1994) this has not been the case (Mail & Guardian Online, 21 January 2007; The Economist, 17 February 2007). Does this imply therefore that South Africa has always voted „respectably” in the past (since 1994)? This study intends to answer these questions and others set out below.

1.2. Purpose and contribution of the study

The primary intention of this study is to place on record South Africa’s UN voting data, systematically by theme over a number of years, and to investigate consistency in terms of South Africa’s declared foreign policy and its actual voting practices at the UN.

The following are some of the questions that will guide the study conceptually and thematically:

- Is there a rationale behind South Africa’s voting behaviour in the UN?
Does South Africa consistently take the moral high ground when casting each vote? Has South Africa always voted “respectably” since 1994?

Is there congruity between South Africa’s declared foreign policy and its UN voting behaviour?

In its voting record does South Africa take the middle road or align with others – perhaps in the developing world?

The study will focus on the period 1994-2008 for two main reasons:

• The period starts with South Africa’s first post-apartheid participation in the UNGA. It will cover 14 UNGA sessions from the 49th session which opened in September 1994 up to and including the 62nd session which ended in September 2008 and which coincided with the end of South African President Thabo Mbeki’s second term in office; and

• The final two years under investigation, 2007-2008, also include South Africa’s first term on the UNSC as a non-permanent member.

During the 1990s the number of resolutions in the UNGA averaged 328 annually (Karns and Mingst, 2004: 109-110). Based on this average a possible 4,592 resolutions, and related votes, would need to be examined over the stated period. This would be a close-to-impossible task considering how time-consuming such an endeavour would be. Therefore specific attention will be paid to the most important areas in South African foreign policy in the context of the UN. These areas are laid out in Chapter 2 in the form of themes.

It is important to examine how South Africa votes in the UN because, according to some, in politics “perception is reality” (Wheeler, 2007: 3) and South Africa’s reputation internationally and domestically is dependent on how it is perceived and perceives itself regionally, on the continent and internationally. South Africa’s re-emergence into the ‘family of the UN’ brought with it serious obligations and expectations. If South Africa aims to assume a permanent position in the UNSC one day then its history of voting, the congruity – or lack thereof – in its foreign policy
positions, its alignments, and controversies will all play a part in its potential to become a standing „global player“ within this institution.

As mentioned previously, it would be near impossible to record and analyse South Africa’s voting behaviour since 1994 in its entirety, at least for the purposes of a single study. However, this venture should not be excluded from future research enquiry. Nevertheless, the specific issues under review in this study remain strategically important to South Africa’s foreign policy within multilateral institutions and therefore deserve such in-depth attention. This study has the potential to offer an original contribution to a specific area of South African foreign policy as yet unexamined – the Republic’s voting data at the UN from 1994-2008.

1.3. Literature review

Three main bodies of literature concerning voting behaviour in the UN exist. The first body pertains to studies on the various policies of Member States within the UN system as well as reference to their voting behaviour (see Foot (1979); Kaufmann (1980); Berridge and Jennings (1985); Alger, Lyons and Trent (1995); Krause and Knight (1995); Weiner (2002); Young and Rees (2005); Smith (2006), and Vijapur (2011)). Few studies exist describing African voting in the UNGA (Hovet (1963); Meyers (1966); Vengroff (1976); Abate and Brunn (1977)). Others examine how certain aspects of foreign policy and voting in the UNGA are closely related (Rai (1972); Vincent (1972)), as well as lessons that can be learnt from the use and misuse of UNGA roll-call votes (Tomlin, 1985). For useful introductory notes and real-world examples of UN roll-call votes, see Newcombe, Ross and Newcombe (1970), Newcombe, Schopen, Wert, and Young (1975), and Newcombe, Klaassen, and Klaassen (1988).

The second body incorporates the particular use of quantitative techniques to study voting behaviour in the UNGA (see, for example, Rieselbach (1960); Todd (1969); Newcombe and Newcombe (1978), and Lebovic and Voeten (2006)). These methods are however better suited to bloc analysis (see Ball (1951); Hovet (1960); Goodwin (1960); Lijphart (1963); Alker (1964); Alker and Russett (1965); Newcombe
et al. (1970); Vincent (1972); Resnik, (1978); Powers (1980); Holloway (1990); Kim and Russett (1996: 631); Young and Rees (2005); Cornelissen (2006: 30-32)).

Qualitative discussions of voting alignments have been attempted in the third body of literature. General voting procedures and administration in the UN can be found in much detail in Bailey (1969; 1988); Newcombe et al. (1975); Rai (1982); Newcombe et al. (1988); Bailey and Daws (1994); Quester (1995); Hume (1997); United Nations (2000); Dickey (2001); Osmańczyk (2003); Karns and Mingst (2004); and the US Department of State (2007: Internet). Recent analysis of voting in the UNGA offered by Kim and Russett (1996) identifies issue-dimensions emergent in a post-Cold War era UNGA, including the resurgence of North-South issues, and by Voeten (2000), who discusses emergent powers, particularly India and China, voting in opposition to US hegemony. Shichor (2006: Internet) provides a brief analysis of China’s voting behaviour in the UNSC and Metzgar (2001: Internet) considers France’s behaviour with respect to the UN.

Examples of literature examining consistency in foreign policy include an analysis of the European Union’s (EU’s) foreign policy, see Olsen (2008), Toje (2008), and Reynaert (2012); continental pursuits, for example, Africa’s ambiguity in peacekeeping efforts (Ferreira, 2011); and individual states” policies (see Lynch, 2001 (Russia); O’Brien, 2007 (New Zealand); Bow, 2010 (Canada), and Chung, 2011 (China)).

Hirschmann (1973), Heunis (1986) and Shearar (2011) focus on South African activities in respect of the UN during the apartheid era. Recent studies of South Africa and the UN refer to said country’s hopes and input regarding UNSC reform (see Saksena (1993); Geldenhuys (1996); Field (1998); Murphy (1998); Ntshabele (2001); Adebajo (2005); Okumu (2005: Internet); Motisi (2005) and Bot (2006: Internet)). Although many sources are available on South African foreign policy post-1993, including questions over consistency (see Barber (1993; 1998); Geldenhuys (1993); Spence (1996); Henwood (1997); Vale and Taylor (1999); Muller (1999); Black (2001), Schraeder (2001); Vickers (2002); Bischoff (2003); Landsberg (2004; 2006); Black and Wilson (2004); Alden and Le Pere (2004); Nathan (2005) and
Spies (2009), there is a definite gap in the literature regarding South Africa"s post-apartheid voting record in the UN.

1.4. Analytical framework and research methodology

This study is qualitative and descriptive and based on a wide array of published material. The sources comprise speeches of South African delegates and representatives to the UN from the UN Documentation Centre as well as an examination of the recorded votes in the UN Index to Proceedings and the United Nations Bibliographic Information System (UNBISnet) – the two main databases concerning voting records in the UN and found in the Dag Hammarskjold online library.

Selected aspects of foreign policy analysis and multilateral diplomacy within the IGO context, specifically voting behaviour of states, will form the core theoretical framework for the research. The framework will draw on fundamental strands from these areas, making use of elements of rationalism (neorealist and neoliberal) and constructivism. Due to space constraints it is important to note that this study will examine a specific area of South African foreign policy implementation, in particular its voting behaviour in the UN, and not the actual foreign policymaking process preceding implementation.

As regards a state"s foreign policy in practice (at the UN specifically for this study), particularly useful are the three areas of interest highlighted by Breuning (2007: 7-8): decisions, behaviours and outcomes. Examining foreign policy decisions involve learning why a particular foreign policy option was chosen – that is, what objectives guided a state"s foreign policy. The foreign policy behaviour is the acting out of a decision or, as Hudson (2008: 12) defines it, the “observable artefacts of foreign policy ... specific actions and words used to influence others in the realm of foreign policy.” A foreign policy outcome indicates the “end result of a state”s foreign policy in interaction with the foreign policy behaviour of other states” (Breuning, 2007: 8).

Analysing consistency in foreign policy behaviour is decidedly normative and descriptive. It is necessary to acknowledge that there are many instances in
international relations where a state’s foreign policy and its actions have been wholly inconsistent for various reasons. As argued by March and Olsen (1998: 944):

individual states are imagined to act rationally in the service of coherent goals, to form mutually beneficial coalitions with others, to seek understandings that are mutually satisfactory and to use all available resources to maximise the attainment of separate national objectives. Such attainment is limited primarily not by explicit rules regulating international encounters but by the simultaneous competitive efforts of other states to maximise their own objectives.

Although a state’s national interests may remain consistent, “the circumstances to which they must react are not” and so many “countries make up their foreign policy as they go along” (Mayall quoted by Spence, in Nathan, 2005: 361-362). Additionally, those

who look for coherence and consistency in a well-structured foreign policy underestimate contingent and unforeseen factors and the developments and forces that lie outside the control of even the most skilful bureaucracy and political class (Spence quoted in Nathan, 2005: 361).

Nevertheless, in order for foreign policy to be convincing, it must have a rationale and “it must have consistent objectives and a global pattern of implementation” (Rockefeller in Vital Speeches of the Day, 15 June 1980). State behaviour also involves more than actions: it reflects “an ongoing set of practices that both restrict and comprise norms and interests” (Mills and Lott, 2007: 517).

Considering the above, this study defines consistency as recurring patterns demonstrating a link between foreign policy declarations and foreign policy actions. Moreover, the study does not expect to find a wholly consistent South African foreign policy between 1994 and 2008 at the UN. However, the study is an attempt to highlight, using the voting data available, where South Africa’s votes do and do not match its declared foreign policy in order to better understand what it is that South Africa wants internationally. As mentioned above, if a state professes particular issue areas to be “central pillars” of foreign policy, it is important to establish the government’s commitment to implementing those pillars (Riddell-Dixon, 2005: 1067).

When empirical data in the form of recorded votes is used in conjunction with foreign policy statements, an interesting mix presents itself. In order to assess how
“consistent” a state’s foreign policy may be in terms of its voting behaviour aligning or non-aligning with declared policy principle, three steps need to be identified and examined in a „model of voting behaviour” (summarised in Table 1 below).

<table>
<thead>
<tr>
<th>Table 1. Model of voting behaviour</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Step 1. Declared foreign policy (government information)</strong></td>
</tr>
<tr>
<td>- Foreign office/Head of governments” office</td>
</tr>
<tr>
<td>- Press office/Media briefings</td>
</tr>
</tbody>
</table>

*Guiding question:*
- What are the themes driving a state’s foreign policy?

**Step 2. Voting action**

- Yes/No/Abstain/Non-Voting/Adopted without a vote (consensus)

*Guiding questions:*
- What is the actual voting stance taken by the state within the UN?
- Does the vote align with a particular group?
- Is the vote consistent with the state’s foreign policy?

**Step 3. Interpretations of voting action**

- Government views and observers’ views (other states, the media, IGOs, non-governmental organisations (NGOs), analysts, other observers)

*Guiding questions:*
- Did the state attempt to explain its voting action at the UN (through speeches or press releases)?
- What was the state’s perception of its vote?
- What does the vote signify (if anything)?
- Was there an external response to the state’s voting action? (External meaning statements by other states, the media, interested observers, analysts, academics and the like). If so, what were the responses?

The study’s framework will unfold in a logical ordering of three steps. The process from Step 1 to 3 below is referred to in this study as a model of voting behaviour. This is so because the behaviour (how a state comes to decide and act and respond to outcomes in its foreign policy practices) incorporates all three steps:
1.4.1. Step 1: declared foreign policy

A state’s foreign policy is “declared” in the sense that it is made available in the public realm through official government records – for example, speeches by the head of state or government, statements by official policymakers and members of other related bureaucratic and political structures, party documents and policy plans.

Holsti (1970: 233) asserts that foreign policy behaviour may be characterised by “patterned or recurring decisions ... by governments.” Therefore, if a state makes use of repetitive phrases in its foreign policy declarations, the perception created is that a state means to act internationally based on those intentions.

This study proceeds from the perspective that in terms of foreign policy decision-making rationalism and constructivism both have something to offer. Rationalists contend that a state has set interests, and all actions taken by the state are focused exclusively on the pursuit and attainment of those interests, without thought about “how their actions cohere with international norms or expectations” (Borer and Mills, 2009: Internet). Within rationalist thought, both neorealists and neoliberals “view foreign policymaking as a process of constrained choice acting rationally and strategically” (Carlsnaes, 2008: 92).

Constructivists assert that state interests are tied to state identity, and as a state’s identity alters over time, due to changes at home or within the international arena, so too might its interpretations over what constitutes national interest (the debate over national interest will be examined briefly in Chapter 2) (Walt, 1998: 29; Borer and Mills, 2009: Internet). Constructivism also “focuses on the cyclical relationship between an actor’s interests, identities and behaviour and the social context in which the actor exists” (Van Wyk, 2004: 105). Although rationalism and constructivism often conflict, they may interact in different ways, as posited by March and Olsen (1998: 956), Risse (2000: 2-3), and Mills and Lott (2007: 497-498). Similarly, Borer and Mills (2009: Internet) argue that it is possible to see situations where:

state action is primarily determined by traditional state interests, where state behaviour appears to be guided more by expectations of what the state should do,
where such expectations are in conflict and thus lead to confusing and conflicted behaviour, or where both traditional state interests and expected behaviour simultaneously explain a particular action or set of actions on the part of the state.

When examining a state’s public commitments to certain themes in its foreign policy, the tension between idealism and realism or between morality and self-interest could play a part. This may result in a situation which has foreign policymakers “using idealism to justify their actions and realism to calculate their interests” (Du Plessis, 2006: 135). “We can only make sense of what governments do”, Frost (2006: 83) declares, “in terms of their declared policies, political philosophies, preferred long term goals and so on.” Similarly, Lahneman (in Serrão and Bischoff, 2009: 374) calls this “the declaratory component” of a state’s international behaviour, or what the state’s leadership indicates the focus and action plan of a state’s foreign policy to be.

From the above, the following question can be formulated, and this will guide the first step in the model:

- What are the themes driving a state’s foreign policy?

Foreign policy themes will be determined in Chapter 2 by questioning what the most important issue areas or distinctive features of foreign policy oft-repeated in government speeches, statements, press releases, foreign policy documents and other official government information are.

Tomlin (1985: 205) asserts that a state’s foreign policy orientations can be identified through its voting actions at the UN. This constitutes the second step of the model.

1.4.2. Step 2: voting action

Like Tomlin above, Holloway (1990: 279) contends that voting at the UN is important for demonstrating how world politics is reflected in that organisation and “votes ... have been used as indicators of foreign policy behaviour.”

Studying how states interact and vote at the UN “over a long period of time and across different issue areas should reveal changes in the behaviour of states”
(Voeten, 2000: 185-186). Naturally, as the world they live in changes, so do states’ affiliations and allegiances (Kim and Russett, 1996: 631; Baehr and Gordenker, 2005: 54). Another point to consider is that “the best predictor of UN voting behaviour is the voting group a state identifies with” (Russett, quoted by Griffin, 2004: Internet, 17).

Acknowledging these points, three questions will direct the second step of the model:

- What is the actual voting stance taken by the state within the UN? (This vote must be understood with the declared foreign policy in mind, and as taking place within a specific environment of conference diplomacy and institutional rhetoric.)
- Does the vote align with a particular group?
- Is the vote consistent with the state’s foreign policy?

As one of the purposes of this study is to evaluate the consistency of South Africa’s voting behaviour against its foreign policy declarations at the UN between 1994 and 2008, Table 2 below will also be used throughout the study as a way of assessing this constancy. In order to recognise the aforementioned problem of “consistency” and therefore to allow for context and flexibility, three possible areas of “consistency” will be considered.

For the purposes of this study a voting action will be considered „consistent‘ if the voting action is directly in line with a foreign policy statement. Conversely, if the vote is contrary to a declared policy, then it will be labelled as „inconsistent“. Votes that reflect a confused or obscure action but have official explanations moderately in line with a foreign policy direction or orientation may be regarded as „partly consistent“. „Official explanation“ will be assessed according to context and whether or not South African foreign policymakers had openly declared a „change of heart“ concerning policy prior to the vote.

As this study covers a period of 14 years, and as UNGA resolutions are often repetitive, it is likely that the same or very similar resolutions will surface annually.
This means that a state could potentially vote for the “same” resolution 14 times, and a state’s voting action could vary over the years depending on, among other things, evolving foreign policy declarations or perspectives on matters under consideration. Naturally this will have to be acknowledged when consistency is assessed.

<table>
<thead>
<tr>
<th>Table 2. Voting assessment and consistency table</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Was the state’s UN vote congruent with the state’s declared foreign policy on the issue in question?)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UN vote information: (Title of the UNGA or UNSC resolution)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

Explanation: (State explanation before or after the vote, context of the vote and any other relevant, supporting notes on the action in question).

The declaratory component of foreign policy has been established in Step 1, as has the act of voting in Step 2. The next step refers to the outcomes or responses to this action.

1.4.3. Step 3: interpretations of voting action: government views and observers’ views

Observers” views refer to other states, the media, IGOs, NGOs, regional groups, analysts, and other observers. Step 3 is important, as it speaks to the question of consistency by offering a multi-sided impression of events, and thereby may possibly shed light on why a particular voting action was taken. Multiple causes “help to generate a rich and complex explanation of the foreign policy behaviour of states” (Breuning, 2007: 163).

Barber (2004: 199) holds that a state”s international status and image are dependent not only on its self-image, but on external judgments – on the views, values and interests of other states, organizations and the media – both in general terms and in response to individual events.
Similarly, Schoeman (2007: 92) refers to how a state may see its role in a certain way ... but this might not reflect the role others wished to allocate it or even the way it is viewed by others.

Jervis (in Hudson, 2008: 21) notes how perceptions and misperceptions of state behaviour can influence states’ decisions; and how such decisions can influence outcomes in international politics. There is a difference between what a state holds its values and preferences to be and upon which it will act (referred to as the psychological environment) and the physical environment, in other words “reality” or where its policies must be executed (Holsti, 1995: 271). The gap created between “anticipated versus actual behaviour” (emphasis added) when examining foreign policy decisions (Borer and Mills, 2009: Internet) should try to be explained.

Step 3 of the model will be guided by the following points:

- Did the state attempt to explain its voting action at the UN (through speeches or press releases)?
- What was the state’s perception of its vote?
- What does the vote signify (if anything)?
- Was there an external response to the state’s voting action? (External meaning statements by other states, the media, interested observers, analysts, academics and the like). If so, what were the responses?

The three steps described above will form the framework for the remainder of the study. South Africa’s foreign policy between 1994 and 2008 will be conveyed according to four themes. Each theme will be examined separately using the three-step model, while Table 2 reflects the assessment of consistency in terms of South Africa’s voting actions.

In order to understand a state’s voting behaviour within the UN, it is necessary to provide a conceptual breakdown of the issues involved. These are the concepts of multilateralism and multilateral diplomacy as well as the voting environment found within the UN.
1.5. Conceptualisation for contextual relevance

As mentioned previously, in a study examining South Africa’s foreign policy actions at the UN the areas of foreign policy analysis, multilateralism and diplomacy, and voting behaviour need to be clarified in terms of their contextual relevance to such a specific setting. This context is necessary only in the sense that the environment within which South Africa is voting must be understood first, before the four themes of South Africa’s foreign policy are identified in Chapter 2 for use throughout the rest of the study.

1.5.1. Multilateralism and multilateral diplomacy

When designing foreign policy, states may choose multilateralism as an approach (Taylor and Williams, 2006: 2-5). Indeed multilateralism, which denotes “multi levels” or “many sides,” has become a preferred method of state interaction in multilateral organisations such as the UN (Keohane, 1990: 731; Nel, Taylor and Van der Westhuizen, 2001: 11; Kegley, 2009: 119). It involves at a minimum three actors collaborating, co-ordinating and cooperating with each other in order to seek long-lasting solutions to major international problems (Petrovski, 1998: Internet; Taylor and Williams, 2006: 2; Mingst, 2008: 203). Multilateralism is based on three norms: firstly, states agree to interact with each other based on a set of accepted rules; secondly states share in the costs and benefits of said interaction; and thirdly states endeavour to be patient in terms of their expectations and to be open to compromise on a range of issues (Nel et al., 2001: 11).

States engage in multilateralism for a variety of reasons. From a realist’s viewpoint, states participate in multilateral institutions based on how useful or profitable the institution may be for the state. Constructivists offer the notion that states participate multilaterally because they “become the “conveyor belts” of reigning international norms” (Nel et al., 2001: 5). A third approach explains the extent of a state’s multilateral activities as extensions of its domestic politics. When a state is drawn into “societal cleavages, and therefore no longer can act as an honest broker; the state’s multilateral behaviour reflects the interests of a particular societal group or coalition” (Nel et al., 2001: 5).
Regardless of the diverging theoretical views above, it is generally agreed that the UN is a core diplomatic framework through which the international arena attempts to control the complex character of current world affairs (Muldoon, 1999: Internet). South Africa’s first attempts at multilateralism, post apartheid, took place within the UN, and its instrument of choice was multilateral diplomacy (Taylor and Williams, 2006: 15).

Berridge (2001) and Berridge and James (2003) define diplomacy as

> the conduct of relations between sovereign states through the medium of officials based at home and abroad, the latter being either members of their states’ diplomatic service or temporary diplomats.

Diplomacy is an instrument of foreign policy used to achieve goals in the interests of the state and accomplished by accredited state representatives (Muller, 1999: 858; Hill, 2003: 139). Foreign policy and diplomacy studies provide a micro-perspective of global relations by highlighting how the state interacts with the broader global milieu (Du Plessis, 2006: 126). They also provide an evaluative purpose from which a possible checklist of do’s and don’ts can be formulated by assessing the successes and failures of foreign policy externally and a critical contemplation of foreign policy and diplomacy internally. This is essential since foreign policy is “not an objective self-contained truth” (Du Plessis, 2006: 126). It concerns the interplay between values and facts against a backdrop of „diplomatic speak‟.

Moreover, diplomacy is a business and an art form. Regarding the former, it is a business armed with diplomatic agents (Du Plessis, 2006: 125). States have bureaucratic frameworks or ministries of foreign affairs covering the area of diplomacy. Ministries employ people with specialised skills and knowledge who become professional diplomats. These people are expected to pursue predetermined diplomatic goals on behalf of the government without bias or subjective interests. As legal representatives of states, professional diplomats’ roles are to facilitate and manage diplomatic processes (Spies, 2006: 287-288; 304). Latterly, diplomacy has been dependent on the communicative skills of the diplomat who essentially acts out his/her government’s decisions abroad. During recent decades, the main change in the field of modern diplomacy has been the growth in
the practice of multilateral and conference diplomacy, as opposed to the use of bilateralism (Smith, 2006: 2).

Although multilateral diplomacy is sometimes used synonymously with „pluralist diplomacy,” „parliamentary diplomacy” or „conference diplomacy” (Berridge, 2005: 151; Smith, 2006: 2), it should be made clear that parliamentary diplomacy and conference diplomacy are distinct types of multilateral diplomacy. Early writers referred to parliamentary diplomacy in connection with the UNGA constituting the parliaments of the emerging international system. Later during the 1960s conference diplomacy had become a widely expressed concept; far broader than parliamentary diplomacy, as it also covered behind-the-scenes negotiations (Kaufmann, 1996: 3). Multilateral diplomacy is the act of practical involvement of officials of state in institutions that facilitate cooperation between three or more states (Nel et al., 2001: 9).

This type of diplomacy is “institutionalised in the UN and its specialised agencies” (Holsti, 1995: 133; Farnsworth, 1999: 562; Stemmet, 2002: 19). Indeed, the UN can be regarded as a standing or permanent international conference (Appathurai, 1985: 94). It is the world’s largest example of a multilateral institution with 193 Member States. It is also the best-known IGO and the most popular and frequent opportunity for the practice of multilateral diplomacy (Archer, 1992: 24-25; Bennett, 1995: 43; Kegley, 2009: 163).

For a country to be effective in its representation at the UN, it needs to step away from traditional diplomatic techniques and embrace the skills necessary for multilateral diplomacy (Muldoon, 1999: Internet; Karns and Mingst, 2004: 105-106). Therefore an analysis of South Africa’s voting behaviour at the UN should adhere to the following statement by Nel et al. (2001: 11):

the study of the multilateral diplomacy of an actor should not only consider how the particular actor conducts itself with respect to individual multilateral institutions and initiatives, but should also be concerned with how the particular actor orientates itself towards and conducts itself with respect to the broader phenomenon of multilateralism as an institution.
1.5.2. Acting in the UN

The primary purpose of participants in international decision-making is to pursue the interests of the actor they represent. This is the job given to permanent and other representatives of Member States in the UN (Smith, 2006: 2). States may make use of the UN *inter alia* to: legitimise their foreign policies by gaining international approval, gather information about other governments' policies and attitudes, and continue interaction in the international community, as this maintains a state's good reputation, including compliance with international rules and norms (Karns and Mingst, 2004: 250; Mingst, 2008: 168-169).

Smith (2006: 4) offers a rather apt analogy of the UN and its political processes as a global dance. Every meeting is a dance and states either move into partnerships with others or are forced to watch from the sidelines. Sometimes states are swept along in the rhythm and sometimes feet are trodden on and the flow disrupted. How then do states merge with the music? Trent (1995: 466) offers the following for consideration:

> for most states, most of the time, the United Nations is primarily an instrument of foreign policy to protect interests, enhance influence, or achieve specific goals. Few states (if any) have a coherent United Nations policy in which the United Nations is seen as an object into itself. Even middle powers support the United Nations because it is in their interest to do so.

Member States represent their interests at the UN in two ways: through the role they play at the UN and through their permanent missions, particularly the personal attributes as well as the autonomy of their delegates (Smith, 2006: 21-51).

1.5.2.1. State roles at the UN

States' names are used as identifiers at the UN: for example, Russia and China abstain or South Africa votes no. In truth, it is not the state but its representatives or delegates who reveal the decisions. However, for the purposes of clarity and simplification, this study will use the terms „state” and „delegates” interchangeably since delegates are the public face of their state at the UN. It is important to bear in
mind that UN members are states (Member States), not governments, and that “once a [state] becomes a member, any governmental changes thereafter do not affect continuance of membership” provided the state fulfils its Charter obligations (Dickey, 2001: 12).

On paper it would appear to be true that as each state possesses one vote, all states have an equal degree of influence over results. However, the varying degrees of state power outside the UN do not automatically evaporate upon entry into the UN chambers. Indeed, it is a widely known reality that what a state can actually achieve at the UN “has much to do with appreciating the resources and other capabilities it can use” to steer the UN on the Member State’s chosen passage (Smith, 2006: 21). A state’s ability could be based on its relative position internationally, financial resources at its disposal, its membership in voting coalitions, and the importance of its participation in addressing an issue. Its desire to impact events may be influenced by its policy history related to the UN, its reputation or status in the UN, and its expertise on salient “niche issues” (Smith, 2006: 24-29).

Depending on the circumstances, states’ representatives may make use of varying strategies in their attempt to influence a decision within the multilateral diplomatic context of the UN (Smith, 2006: 251). Positional power strategies depend for example on the votes, resources or reputation of actors and include majority or minority-based strategies and broker strategies. Majority-based strategies are used by a large number of states sharing a common goal to influence the behaviour of an organisation wherein one state has one vote. This type of strategy was a primary method used by developing states in the UNGA throughout the 1960s. The sheer power of their numbers enabled them, through their voting strength, to bring to the attention of the world their concerns and priorities, for example colonialism and the South African apartheid regime. However, it became more difficult for developing states to consistently agree on common positions, and they soon realised that a win for them in the UNGA did not necessarily ensure legitimate action or a victory when the matter reached the UNSC. Although consensus decision-making became more apparent in the 1970s and onwards, majority-based strategy is not obsolete in UN organs (Stokman, 1977: 6; Smith, 2006: 251-254).
Minority-based strategies can be used by one actor alone or by a small number of actors who have an extraordinary amount of power and resources external to the organisation which can then be converted into real clout internally (Smith, 2006: 251-252). US spokesmen, for example, have stated in the past that if certain countries consistently voted against the US in UN bodies, this would affect the US’s decision on distribution of aid funds (Kaufmann, 1996: 155).

Brokers at the UN are usually small or middle states, for example, South Africa helped broker a deal on UN budgeting for peacekeeping in December 2000 (Smith, 2006: 260). They are sometimes referred to as „bridge builders“, since they attempt to build coalitions and shape agreements; „like-minded states“ reflecting internal togetherness; „fire brigades“, as they are usually prepared to come to the rescue in particularly controversial situations (Kaufmann, 1996: 66); or simply „the good guys“, since they improve the overall success of the UN as an IGO. Generally, „the good guys“ states should remain impartial in an issue. Their foreign policy goals should be in line with those of the UN, thereby allowing them a kind of moral authority and they may want to contribute financially or otherwise to facilitate the agreement they are assisting in reaching (Keohane, 1967: 222; Smith, 2006: 259).

Strategies based on the personal attributes of individual representatives – for example, charisma, negotiating skill, autonomy or public speaking ability – can be successful. In 1967 the Maltese ambassador to the UN, Arvid Pardo, used the power of ideas in an inspiring speech before the UNGA: he proposed that the wealth of the sea should be regarded as the „common heritage of mankind“. His emotive wording led to the authorisation of the third UN Conference on the Law of the Sea (Woo, 1999: Internet).

Delegate personality at the UN does not cause national policy to change, but it can have an effect on the efficacy of the policy at the UN, as it is up to the skill and initiative of the delegates to sell their home governments’ plans of action to the world (Smith, 2006: 262-263). Long-term working relationships can impact formal exchanges between various delegates and establish „long-term voting patterns“ so that agreement or consensus is reached.
Procedural manipulation of formal and informal UN processes may also be used as a strategy to influence a decision. Often votes on procedural questions are more important than votes on the substantive issues with which they are associated (Keohane, 1967: 233). States see substance and procedure as distinct and use this in their decision-making. Sabel (1997: 3-4) asserts that

states frequently choose to contest an issue through use of procedural motions rather than contesting the substance of the issue … when a state estimates that it is easier to garner support for its position on an ostensibly neutral procedural issue.

Generally, though, states would rather wield influence through substance and use procedural manipulation as a last resort. Smith (2006: 267) argues a good point by asking:

why [should states] risk long-term damage to [their] reputation through procedural tricks and traps when [they] could have won a debate based solely on the readily apparent weaknesses of a rival proposal or the merits of [their] own?

Whatever strategy a state may use to influence a vote, its delegates must be fully aware of their government’s goals internationally and how the goals meet domestic and foreign interests. Would a state be willing to “burn bridges” to achieve an outcome? Are states aggressively pursuing short-term outcomes with no thought to the development and nursing of long-term partnerships? (Smith, 2006: 268). States should instead know what sells and what does not sell at the UN. They would need to research the content of issues and be aware of all interested parties in a debate (Smith, 2006: 267). A delegation might, for example, by analysing past voting records, be able to estimate how many votes a proposal may receive (Kaufmann, 1980: 131).

1.5.2.2. Permanent missions and delegations

A permanent mission is a state’s embassy at the UN tasked primarily with representing national interests at the UN (Kaufmann, 1996: 109). States wishing to play any type of serious role in the organisation rely heavily on the indispensable character of permanent missions. At the helm is usually an ambassador, who is a state’s permanent representative at the UN, and below him/her are the foreign
service personnel. One of the most important factors affecting the nature of the relationship between the home government and its UN personnel is the “political strength, stature and personality of the permanent representative” (Finger, quoted by Smith, 2006: 41). Delegations are temporary and composed of members accredited to represent a country at a particular UN meeting or series of meetings (Kaufmann, 1980: 103; Smith, 2006: 33).

The ambassador and supporting staff have several key functions as members of a state’s permanent mission, including: reporting on developments that may impact a state’s policy or areas of interest; information-gathering on positions; disseminating information, acting as general liaison with the Secretariat of the UN, and contributing to the process of formulating the state’s policy in the first place (Kaufmann, 1996: 111; Smith, 2006: 34). The UN, as discussed earlier, is a multilateral and highly visible environment and as such the ambassador has to pay extra attention to the “image which his [or her] country projects abroad” (Appathurai, 1985: 98). Missions must therefore be aware of how to manipulate UN rules of procedure and be prepared to initiate new proposals on a wide range of issues (Smith, 2006: 34).

Could a mission be regarded as a shadow or mini foreign ministry, left to act relatively autonomously by the home government? Not necessarily, although experienced practitioners of diplomacy have reportedly admitted to the feeling of increased freedom of action in multilateral settings (Smith, 2006: 34). Smith (2006: 34) contends that it all depends on the nature of the issue, the quality of the mission’s staff, the size of the foreign policy office at home, and the attitude of the government towards the UN. For example, how does the home government view the importance of the UN in its foreign policy, and does it consider the opportunities provided by the UN as necessary for the achievement of its international goals?

Understanding the behaviour of any participant in UN decision-making must be considered against the backdrop of the abilities and priorities of the state that he/she represents (Smith, 2006: 46). Naturally an aptitude in the art of multilateral diplomacy would be beneficial, especially since individuals are often forced to “balance the sometimes contradictory challenges of simultaneously representing the interests of their state and participating in the give-and-take of UN politics” (Smith, 2006: 41).
Personal attributes include past experiences, knowledge, competencies, charisma, character, perseverance, tolerance, ambition, and negotiating skill. Some, if not all, of these skills can aid a delegate in successfully reaching his/her state’s goal regardless of the state they represent (Smith, 2006: 41-42).

A delegation’s political authority stems from the Ministry of Foreign Affairs primarily, and this authority is then passed onto other government departments and related parties in the state itself if needed. The UNGA passed resolution 125(II) in 1947 urging governments to establish appropriate procedures for the coordination of their states’ policies at home and abroad with their delegations to the UN (Kaufmann, 1980: 110).

It is more common for delegates to have choices made for them by their home government. Multilateral delegates:

are diplomats acting under more or less comprehensive instructions from their governments about the goals that they should seek, the opinions they should express and the general line of conduct they should follow (Peterson, 1986: 284).

Sometimes delegates are sent to New York sans instructions to “take care of that part of the policy” for the state. On the other end of the spectrum is a delegate who is overly instructed – that is, a delegate receives detailed instructions about every vote, and has all of his/her speeches sent verbatim from his/her capital (Smith, 2006: 46). Delegates can be instructed by home governments to ensure their state does not become isolated on an issue, and this could mean delegates are told what specific votes to cast and to which voting patterns of another state or regional group the delegate should align – if at all (Smith, 2006: 47). For example, a number of ex-UN diplomats have revealed that at times they would receive instructions from their prime ministers and ministries at home to „VIGC” or „vote in good company” (see Pipes, 1988: Internet and Prud’homme, 2003: Internet). VIGC is “diplomatic speak for voting with people like the North Americans, the European Union and other developed countries” (Downer, 2005: Internet).

Various practitioners have added to the discussion on determining how detailed a delegate’s instructions will be (see Jacobson, 1979: 109-110, Finger, 1990: 22 and
Ziring, Riggs and Plano, 2000: 80). The most common influence is the importance of an issue to a particular state. A home government will have a greater role to play in how a delegate should vote on an issue whose outcome is of extreme importance to it, than in a vote on a general issue of less pressing importance.

The role played by a delegate is a slippery one, because if he/she constantly has to refer back to his/her capital for approval, he/she risks being overtaken by events. Moreover, a delegation will not only have to absorb the written letter of instruction but will also have to understand the spirit in which it is written. The positions taken by the government in the past must be remembered in order to keep up the appearance of consistency (Kaufmann, 1996: 155).

As noted above, how a state views the UN can have an impact on its foreign personnel’s activity in the organisation. Those “leading” UN processes, as rotating chairs, for example, have more liberty to act, since they have additional duties in the overall management of negotiation. A state supporting all UN action and political processes will be less likely to provide a delegate with a strict script to follow. States wary of the UN or singled out negatively by the UN will provide their delegates with more detailed instructions. A state’s domestic political structure could also play a role. Delegates may also have less freedom to act on the UNSC than in the UNGA, for example (Smith, 2006: 48). The freedom of action of representatives is often dependent on their financial and political obligations at the UN as established by the home state (Kaufmann, 1980: 110). The size of a state and its level of economic development may also affect the autonomy of its delegates (Smith, 2006: 47).

Procedural issues generally invite less home instruction than substantive issues. Substantive issues refer to the content of the debate; procedure refers to the mechanism through which it is debated (Smith, 2006: 266).

Hanif (quoted by Smith, 2006: 49) identifies four types of UN delegates: hunters, farmers, traders and trappers, whose roles can change over time or an issue. Hunters are delegates with incredible focus who are relentlessly determined and unyielding in their perspective. Farmers are patient and willing to work toward consensus, to cultivate relationships. Traders are a mix of the two previous types,
preferring to bargain and strike deals between competing interests. Trappers lure others in with promising bait and then renege on their promises after a vote.

After defining the terms multilateralism and multilateral diplomacy as well as describing the environment experienced by states and their delegates in the UN, it is now necessary to examine their use of voting in this context.

1.5.3. UN voting

The UN (2011a: Internet) has six principal organs: the UNGA (consisting of 193 Member States); the UNSC (comprising 15 seats – 5 permanent (P5) China, France, Russia, the UK and the US, and 10 elected non-permanent members); the Economic and Social Council ((ECOSOC) with 54 elected members); the Trusteeship Council (which suspended operation on 1 November 1994); the Secretariat; and the International Court of Justice (ICJ) (Bennett, 1995: 63; Mingst, 2008: 172).

Participation at the UN is a state’s foreign policy in action. In simple terms, it allows a state, through opening statements, speeches, voting rules and procedures, to succinctly communicate to the rest of the world what it thinks about issues, what it intends to do about these issues and with whom it agrees or disagrees on these matters. The voting itself is *prima facie* a relatively minor action undertaken by each state”s representative, but is the result of a complicated behind-the-scenes network of actors and decisions in the world”s largest international organisation. Still, the votes and related speeches are the historical record of how a nation”s representative acted in a multilateral forum. Voting is the formal mechanism by which the UNGA and UNSC make their decisions (Todd, 1969: 61).

Every year the UNGA meets for regular sessions lasting usually three months, beginning in September. Most of the work during these sessions is conducted through six „Main Committees” (United Nations, 2000: 8; Dickey, 2001: 23; Karns and Mingst, 2004: 104). These Committee meetings are less formal than the plenary meetings, where formal or ceremonial functions occur, including adoption of resolutions, decisions on all agenda items, and addresses by heads of state or government (Dickey, 2001: 23).
Each Member State has one vote in the UNGA based on sovereign equality; therefore regardless of size, military power or wealth, even the smallest state can legitimately hold its own in a multilateral forum (Dickey, 2001: 23-24; Karns and Mingst, 2004: 99).

However, “votes in the UN are an imperfect measure of influence in world affairs, since votes cannot alter world-power relationships to any significant degree” (Bennett, 1995: 93). This view is shared by others who characterise the UNGA as “merely a passive arena” for state interaction and voting in the Assembly as mostly symbolic (Voeten, 2000: 185-186). Despite these perceptions the UNGA provides the only regular opportunity for such a large number of states to meet and to vote on matters concerning the international community (Voeten, 2000: 186). Similarly despite criticism of the UNSC as “marginal”, especially during the Cold War, the Council remains “central to the life of international diplomacy” and decisions made there have an impact on international peace and security matters (Luck, 2006: 4-5). Notwithstanding criticism of voting structures in the UN, voting arrangements become more important to a state’s delegates when an organisation deals with matters that they consider pertinent to their national interests (Baehr and Gordenker, 2005: 97). Member States acknowledge this and so implement strategies in order to influence voting behaviour. Voting therefore does play a role and should be understood conceptually and contextually.

Voting within the UNGA takes the form of a simple majority vote, except for decisions on important questions that must be made (in terms of article 18 of the Charter) by a two-thirds majority of the “members present and voting” – meaning members voting yes or no. Those who abstain are considered not voting (Baehr and Gordenker, 2005: 54). Voting may be by a show of hands, by roll-call, or by ballot in certain cases such as elections (Dickey, 2001: 23-24; Rittberger and Zangl, 2006: 69). Roll-call votes are recorded and clearly reveal the positions of individual states within the UNGA (Karns and Mingst, 2004: 108). Any single representative can ask for a roll-call vote. A possible motivation for using such a vote is that if “forced to take a stand”, certain delegations which might otherwise have abstained or not participated in the vote will vote “yes” (Kaufmann, 1996: 27).
In the UNSC nine of the 15 members should say yes for procedural questions to pass. In non-procedural (substantive matters), the nine yes votes must include all of the P5. The P5 have the right to veto and can cripple a proposal with one negative vote if they wish (Bennett, 1995: 90; Berridge, 2005: 167).

UN voting has become decidedly more complex over time. Initially states favouring a resolution voted yes, no if they disagreed, abstained if they did not support a resolution but did not oppose it enough to vote against it entirely, or merely refrained from participating in the vote, whether present or absent (Baehr and Gordenker, 2005: 54). However, decades later the abstention has often come to mean an entirely negative vote (Shearar, 2011: 90). Moreover, the membership of the organisation has grown with the result that in order to seek agreement “a frequent lessening of the significance of the contents of resolutions” has taken place (Kaufmann, 1980: 129). In addition, states often have a tendency to cast their votes in a way obscuring their real intentions: a yes vote can mean anything from enthusiastic support at one end of the range, to: I do not like the text at all, but find it inconvenient to distinguish myself by voting against it. An abstention can signal: yes, but ...., or no, but ... A no vote has kept most of its unambiguity. It is rare for a country to vote no although it really likes the text. However, this may occur if a country aligns itself with a vote of other members of its group (Kaufmann, 1980: 129).

Naturally, the ambiguity surrounding what states really mean by their votes has led to the greater use by states of an „explanation of vote“, which has become a legitimate tool used by states prior to or after a voting action (Bailey, 1988: 191). Delegates may want to explain their voting behaviour if they: believe they have not yet made their position clear in earlier statements; failed to take the floor earlier due to last-minute instructions from their government, or their voting decision differs from what they themselves had indicated during the earlier debate (Kaufmann, 1996: 159).

Prior to the actual vote, delegates in the UNGA introduce draft resolutions for consideration. A draft resolution is the draft of a decision in a specific form with two parts: a preamble setting forth the reasons why a certain action or recommendation is necessary, and an operative part, which contains the action or recommendation
(Baehr and Gordenker, 2005: 42; 52). Although is it understood that few resolutions are mandatory and are dependent on the more powerful and influential governments being prepared to implement them, delegations nevertheless go to great lengths in order “to amend, defeat or avoid draft resolutions even when these contain very vague language” (Kaufmann, 1980: 119). Delegations attach great value to resolutions even though the sometimes long-winded and technical wording involved may have no more effect than allowing states to voice or shout their opinion when they have the chance (Baehr and Gordenker, 2005: 54; Kegley, 2009: 167). A resolution may welcome, condemn or applaud any situation or development. UNSC resolutions are made under Chapter VII of the UN Charter and are considered binding (Kegley, 2009: 167).

“The very process of proposing and deciding on resolutions engages the attention of governments” (Baehr and Gordenker, 2005: 52-53). Resolutions adopted in the UNGA command a certain moral authority. The impact of this authority is directly related to either the support it receives from a large majority in the UNGA, or if it is backed by representatives of several regional groups or is favoured by states that are considered to be “influential”, including India, Egypt, Brazil, Canada, Pakistan, Argentina and Australia. Resolutions proposed in the UNGA force governments to take public positions on matters that they may sometimes prefer to handle privately (Baehr and Gordenker, 2005: 54).

Delegates may use tactics in an attempt to oppose a proposal to allow for more time for discussion with a home government or with a voting group. As such they may introduce a competing draft resolution in such a way that the sponsors of the first resolution are forced to negotiate some compromise. They could also argue that no financial or human resources are available for a proposed activity, that the timing is off, or that other organisations are effectively dealing with the question (Kaufmann, 1996: 149). They may also try to get the UNGA to define a particular issue as „important”, thus requiring a two-thirds majority for adoption (Baehr and Gordenker, 2005: 51-52).
Other tactics for opposing resolutions resemble well-known games or plays. For example:

Black Peter: (I dislike this proposal, but I tell people I support it, expecting that country X which is against it will be left with the stigma of having been responsible for its rejection); Hide and Seek: (my arguments are hidden beneath a mass of rhetoric and of largely irrelevant considerations. If you search carefully you may uncover some of them but it will not change things); Ping-Pong: in organisation B – we must not do this in this organisation. It is probably outside its terms of reference. Besides organisations, X, Y and Z are working on it. These arguments may be repeated in X, Y, Z. Similarly the same game can be played between different organs of the same organisation; Hurdles: new hurdles are erected when one or more have been taken. (Financial, or a reference to one’s parliament, or …); and Poker: I hide my hand, I have lots of trumps, but I do not show anything (Kaufmann, 1996: 150).

Another strategy employed by states in voting or drafting resolutions is to align with members in a bloc. A voting bloc, according to Ball (1951: 3) and Meyers (1966: 215), is any group of states whose members are bound to consistently vote as a unit on all or particular kinds of issues. However this definition is somewhat limiting as it gives the impression that states are unanimous in their decision-making when in reality they can and do face internal division within their bloc. Broader definitions erase this false impression by simply saying that groups exist within the UN that engage in caucusing (Kay, 1967: 99). A caucus is not as rigid as a voting bloc, but it is a group of Member States having some degree of formal organisation which holds periodic meetings concerning matters before the UNGA (Meyers, 1966: 214). Caucusing groups in the UN include other multilateral groups such as the Group of 77 (G-77) (Karns and Mingst, 2004: 108).

Smith (2006: 61-78) identifies three different types of voting groups in the UN, which he admits have overlapping membership: geographical, common interest, and ad hoc negotiating groups. It is more common for states sharing the same geographic region to form coalitions, thereby attempting to mould a common perspective on specific issues and to control a bloc of votes. Baehr and Gordenker (2005: 52) contend:

multilateral consultations in regional groupings indirectly contribute to making decisions at a higher, government level, according to some diplomats who are familiar with the process. During the consultations, numerous issues that do not have a direct bearing on the agenda of the UNGA come to the surface. Delegates can
probe each other’s views for better information or understanding. Such conversations are reported to the respective governments for consideration while they are preparing for more formal deliberations. Thus, the talks relating directly to the work of the UNGA may have broad effects on the position of governments.

However, this is not always the case. Changes in voting alignments can happen depending on changes in types of issues under consideration or alterations in the personnel or policies of involved states and therefore one can examine “[UNG]Assembly voting as it relates to politics outside the UN walls” (Meyers, 1966: 213-226). Young and Rees (2005: 195-196) quote Belgium’s permanent representative at the UN in 1999, André Adam, as stating that:

the UN system is composed of sovereign states, not regional unions and as such not all members of the EU (despite being obliged in its articles to coordinate actions in the UN) act or behave like a single nation in the UN.

Smith’s (2006: 67) second type of UN group refers to “common interest groups”. They may lack structure or geographic ties but their members share common interests or economic or political goals. The G-77 and the Non-Aligned Movement (NAM) are the largest of these groups. Some common interest groups also share geographic ties as in smaller UN groupings such as the 54-member African Union (AU). The third political group refers to the negotiators who aim to resolve controversial disagreements: for example, ad hoc negotiating groups helped push through the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996 (Smith, 2006: 78).

1.6. Structure of the research

The study will consist of seven chapters. The current discussion introduced the topic by providing background and establishing a purpose for the study. It also served to lay the foundations for the study in the conceptualisation of key terms and in the contextual examination of UN voting. More particularly it established a model of voting behaviour and a consistency table to be utilised in the rest of the study.

Chapter 2 will identify the four prominent themes characterising South Africa’s foreign policy between 1994 and 2008. These themes will comprise Step 1 of the
model – the state’s declared foreign policy on these specific issues. The chapters thereafter will make use of each theme and continue with Step 2 of the model, an investigation of the actual voting practices, and then Step 3, an interpretation of perceptions surrounding those votes, including explanations of votes.

Chapter 3 will use the theoretical framework provided in Chapter 1 to begin examining South Africa’s voting behaviour within the UN in the field of human rights. The following chapter will analyse South Africa’s voting record with regard to disarmament and related non-proliferation issues. In Chapter 5 North-South issues including the promotion of African interests will be examined. The sixth chapter will discuss South Africa’s voting position on matters relating to reform of the UN and the promotion of equitable global governance.

The final chapter will conclude the study by providing a summary of the main points discussed throughout the study, and highlighting the key findings and implications for South Africa’s international image at the UN. It will also indicate areas for further academic inquiry in this field.

1.7. Conclusion

This chapter provided a conceptual understanding of key issues affecting the topic under study: multilateral diplomacy and voting within the UN. What does voting behaviour at the UN encompass? Simply put, voting is the action reflecting a decision made by a state through its representatives based in the organisation. The act of saying yes or no or abstaining from a vote is a conscious choice made in a sometimes high-pressured, confusing and complicated arena, where states, dependent on resources and autonomy, are battling wits and interests in the chamber while slowly cultivating friendships in the hallways. A three-step model of voting behaviour provides the framework for the study, and encompasses an analysis of a state’s declared foreign policy through speeches, draft proposals, formal and informal meetings as well as its voting actions and alignments and involvement in voting groups, all of which play a part in the final vote. Interpreting this voting action must include explanations from as many varied sources as possible, including the state and other observers.
Tables 1 and 2, repeated below, reflect the model of voting behaviour and a method of assessing consistency to be used in this study.

Table 1. Model of voting behaviour

<table>
<thead>
<tr>
<th>Step 1. Declared foreign policy (government information)</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Foreign office/Head of governments’ office</td>
</tr>
<tr>
<td>- Press office/Media briefings</td>
</tr>
</tbody>
</table>

**Guiding question:**
- What are the themes driving a state’s foreign policy?

<table>
<thead>
<tr>
<th>Step 2. Voting action</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Yes/No/Abstain/Non-Voting/Adopted without a vote (consensus)</td>
</tr>
</tbody>
</table>

**Guiding questions:**
- What is the actual voting stance taken by the state within the UN?
- Does the vote align with a particular group?
- Is the vote consistent with the state’s foreign policy?

<table>
<thead>
<tr>
<th>Step 3. Interpretations of voting action</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Government views and observers’ views (other states, the media, IGOs, non-governmental organisations (NGOs), analysts, other observers)</td>
</tr>
</tbody>
</table>

**Guiding questions:**
- Did the state attempt to explain its voting action at the UN (through speeches or press releases)?
- What was the state’s perception of its vote?
- What does the vote signify (if anything)?
- Was there an external response to the state’s voting action? (External meaning statements by other states, the media, interested observers, analysts, academics and the like). If so, what were the responses?

Table 2. Voting assessment and consistency table

(Was the state’s UN vote congruent with the state’s declared foreign policy on the issue in question?)

<table>
<thead>
<tr>
<th>UN vote information: (title of the UNGA or UNSC resolution)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

**Explanation:** (State explanation before or after the vote, context of the vote and any other relevant, supporting notes on the action in question).
A state’s foreign policy influences how its delegates will vote at the UN and it helps to define the state’s image and reputation internationally. What is South Africa’s image at the UN? Does it have the ability and desire to wield influence in the UN and if so what strategies does it use? Does it align with certain common interest groups or regional groups? Are its delegates hunters, farmers, traders or trappers or none of these? Most importantly, is South Africa’s voting behaviour at the UN between 1994 and 2008 congruent with its declared foreign policy? These questions will be answered throughout the study, but first it is necessary to establish, in the next chapter, what themes emerged in the development of South Africa’s foreign policy during this period.
CHAPTER TWO
SOUTH AFRICA'S FOREIGN POLICY: PINPOINTING PRINCIPLES AND THEMES

“At the heart of the study of foreign policy is the desire to understand countries’ actions and behaviors towards other countries and … towards … the international environment generally” (Breuning, 2007: 5).

2.1. Introduction

The purpose of this chapter is to lay the foundations for the rest of the study by reviewing South Africa’s declared foreign policy between 1994 and 2008 and thereby homing in on those aspects deemed as important for the country in its external affairs. The identified foreign policy themes will be used in later chapters to analyse whether or not there is congruity between South Africa’s declared foreign policy and its UN voting actions. This chapter will be guided by Step 1 of Chapter 1’s model referring to South Africa’s foreign policy declarations. It will examine what motivated or drove South African foreign policymakers in the development of policy during the years under analysis. What themes can be derived from the government’s focus on particular issue areas in its foreign policy? This question will be addressed in this chapter.

When foreign policy is investigated it is often the case that there are many overlapping and seemingly interchangeable terms used, such as foreign policy “priorities”, “goals”, “principles”, “strategies”, “objectives”, “tenets” and the like. Although in a general sense these terms can be used to provide a more simplified explanation of foreign policy, their use can be confusing when a country’s foreign policy is examined in-depth. Therefore the next step will be to attempt to clarify the terminology used in this study.

2.2. Conceptualising foreign policy

In its broadest sense a country’s foreign policy reflects the sum total of its approaches toward and interactions with the world beyond its borders (Breuning,
Hill (2003: 3) and Vale and Mphaisha (1999: 89) offer similar definitions. Foreign policy ranges from sending a diplomatic note, attending regional or international conferences or announcing a doctrine, to making an alliance, or fashioning far-reaching objectives such as „world peace“ or a „new world order“ (Holsti, 1995: 83). For the purposes of this study a state will refer to “the government and political system of a country”, meaning the entire system of government (D“Anieri, 2011: 89).

In summary, Webber and Smith (2002: 2) offer a slightly more detailed definition of foreign policy as:

composed of the goals sought, values set, decisions made and actions taken by states, and national governments acting on their behalf, in the context of the external relations of national societies. It constitutes an attempt to design, manage and control the foreign relations of national societies.

Foreign policy goals, or objectives since the two terms have been used interchangeably (see, for example, Holsti (1995: 84); Webber and Smith (2002: 39); Akokpari, (2005: 183); Adar (2006: 111); Amstutz (2008: 73); and Russett, Starr and Kinsella, (2010: 134)), refer to “vision[s] of a future state of affairs that policymakers aspire to bring about by influencing the behaviour of other state and nonstate actors” (Russett et al., 2010: 137). States usually have to prioritise if their foreign policy goals clash or if limited resources do not allow for the simultaneous pursuit of goals. Some goals – for example, security and power – are said to be national interests (Frieden, Lake and Schultz, 2010: 134).

However, considerable debate has taken place over “making distinctions between fundamental national interests and the goals of foreign policy” (Webber and Smith, 2002: 43). Conventionally the concept of the national interest refers to a state”s security, defined “in terms of the ability to maintain the integrity of the state”s borders through military defence” (Breuning, 2007: 64). However, the concept “is open to interpretation” (Breuning, 2007: 64). The debate centres on who defines national interest and who defines goals and to what end. Moreover, essentially any action taken by a state could be argued by policymakers to be in the state”s national interest (Roskin, 1994: Internet; Frost, 1997: 232; Miskel, 2002: 96-104; Van...

The grey areas in defining these foreign policy terms must be acknowledged. This is especially true since South African foreign policymakers have made use of all of them at one point or other. See the following examples with emphasis added: Mbeki (quoted in Wheeler, 1995a: 22) spoke of building a democratic international system “to be one of the objectives of [South Africa”s] foreign policy”; an ANC (1994: Internet) discussion document on foreign policy spoke of South Africa”s “foreign policy objectives ... based on fundamental national interests”; Nzo (1996: Internet) asserted that South Africa”s foreign policy “would play a coordinating and facilitating role to further that single most basic goal of helping to create a better life for South Africa”s people”; a 1997 ANC discussion document considered foreign policy principles to be essential in “defining the national interest” (ANC, 1997: Internet); Selebi (1999: 207) referred to foreign policy as the “pursuit of priorities internationally” and referred to “broad foreign policy goals and strategies” as South Africa prepared for a new millennium; Pahad (quoted in DFA Strategic Plan 2003-2005, 2003: Internet, 9) declared South Africa”s foreign policy to be “premised upon its national interests ... and values; Ntsaluba (quoted in DFA Strategic Plan – March 2004, 2004: Internet, 15; 17) spoke of both “priorities and objectives outlining the core thrusts of the DFA”s work”, “priority interests” being South Africa”s “role and responsibilities within the international arena”, and the “general orientation of [South Africa”s] foreign policy – which serves to define [South Africa”s] national values ... and strategies.”

Despite this grey conceptual area, it can be argued that a state”s foreign policy may be held against a benchmark of principles (identified by policymakers) which guide policymakers in the formulation and implementation of policy. Whether „acting in” or „reacting to” the external environment, a government has a range of possible options available. A chosen option is known as the foreign policy decision, already mentioned in Chapter 1, and which includes choosing to do nothing, and the enactment of such a decision is the foreign policy behaviour (Breuning, 2007: 180; Hudson, 2008: 12). All foreign policies are the same in the sense that all governments must meet certain challenges existing in their regional and international
settings. However, foreign policies are also unique given the variety of demands facing foreign policymakers and the responses to the implementation of foreign policy (Webber and Smith, 2002: 4). Therefore, it can be argued that a state has distinctive issues or areas in its foreign policy that it intends to pursue, and this study will refer to these as foreign policy themes.

In order to make sense of, and ultimately evaluate, any foreign policy behaviour, for example a state’s voting action at the UN, it is first necessary to understand what constitutes a „successfully implemented“ foreign policy:

> a successful implementation of any foreign policy depends not only upon a clear definition of objectives and on a sound choice of instruments, but also – and rather crucially – on the interplay between the actor’s strategy and the context surrounding it (Brighi and Hill, 2008: 118).

Determining success in terms of ticking off a checklist of these necessary conditions stated above seems too simplistic. But as Rosenau (2008: vii) contends

> in order to cope with the enormous variety of phenomena that may be relevant to the study of foreign policy one has to select some of them as important and dismiss others as trivial in so far as one’s inquiry is concerned.

It follows then that when foreign policy behaviour is analysed, one can limit the study to a specific aspect of that behaviour – for example, consistency in implementation of declared goals. Implementation, in this sense, would refer specifically to a state’s voting action taken at the UN. This begs the question, as briefly discussed in Chapter 1, of whether or not a uniform or consistent foreign policy is possible. This is particularly pertinent when it is acknowledged that the international context is “fluid and difficult to manage” (Brighi and Hill, 2008: 134), and therefore despite the perceived clarity of initial goals or objectives, foreign policymakers must be able to adapt these goals to changing circumstances.

In terms of legitimacy or credibility internationally, however, there are valid reasons for states to attempt to be as consistent as possible in their foreign policy behaviour. The phrase „walk the talk,” or as it applies to international relations, the ability of a state to translate policy positions into practice (Riddell-Dixon, 2005: 1068), holds
merit. Put another way, a state must at times reconcile aspirational with operational interests and therein lies the potential for inconsistency. Despite this being “a familiar part of politics”, it cannot be ignored that “when [a state’s] principles conflict with the national interest” it often results in governments behaving insincerely (Kirkpatrick in *Commentary Magazine*, November 1979).

At this point, it is worth repeating that the purpose of this study is to record how South Africa has voted at the UN between 1994 and 2008, its reasons why and what impact this has had on its foreign policy and vice versa. With the key features of foreign policy defined, it is necessary to clarify South Africa’s foreign policy in the period under review.

2.3. South Africa’s foreign policy, 1994-2008

In 1995, a DFA discussion document referred to foreign policy as “a multidimensional set of policies, principles, strategies, objectives, and plans that cannot easily be packaged into a neatly described formula” (DFA Annual Report 2003/04, 2004: Internet, 22). This document also warned against the impracticality of attempting to “distinguish between aspirations, general objectives and underlying philosophy in foreign policy.”

While recognising the wide-ranging complexities involved in examining such a policy, it is nevertheless possible to highlight statements over the years as well as review visible, recurring strategies and choices of actions. This section is an attempt to examine South Africa’s foreign policy since 1994 in general and by so doing home in on four themes around which South Africa’s voting behaviour at the UN may be examined.

Some observers refer to South Africa’s initial foreign policy from 1994 to 1996 as “heroic” (Van Wyk, 2004: 109) and “principled” (South African Institute of International Affairs (SAIIA), 2008: 1-4); followed by a period of uncertainty and re-evaluation through 1997 (Mills, 1997: 3); then routine-based, with a redefined operational focus on multilateralism from 1998 to 2000; and back to „heroics” with

In the „circus” of world affairs, South Africa’s foreign policy could be described as a tightrope act, tipping in favour of the developed North initially, then righting itself through reorientation, then tipping in favour of the developing South. South Africa may be a champion of the South and Africa in particular, but not without an understanding of the need for economic support from the North (Nel, 2006: 115). This balancing act requires distinct demands and expectations on both the Global North and the Global South and is rooted in different principles of South Africa’s international relations approach (Serrão and Bischoff, 2009: 374).

These broad descriptions offer an overarching perspective on South Africa’s international relations, but they cannot explain the reasons behind South Africa’s foreign policy choices. In the words of the current South African Minister of International Relations and Cooperation, Maite Nkoana-Mashabane (2009: Internet):

> the framework and value system we [South African government] established for our foreign policy (during the first four years of democracy) remains our pillar to this day ... We have been consistent since 1994 in what we do in our international relations, but there have also been areas of change by virtue of the dynamic nature of the environment we work in and lessons we learn.

This „framework and value system” will now be investigated in the form of the government’s declared foreign policy principles.

### 2.3.1. Principles

The blueprint or framework referred to above is based on the „first foreign policy manifesto” of the ANC, which was already circulating in November 1993. These guidelines or principles, laid out below, have often been cited since by South African presidents, deputy presidents, foreign ministers and other government officials in speeches, heads of mission meetings, conferences, seminars and in discussion documents (see Mandela (1993: 87); ANC (1994, Internet); Nzo (UN speech: 1995); DFA Annual Report 2003/04 (2004: Internet); DFA Strategic Plans 2003-2005 (2003:
Democratic South Africa’s first Minister of Foreign Affairs, Alfred Nzo, stated in 1996 that:

principles constitute the broad aspirational tenets of our approach to foreign policy, and, if consistently adhered to will render our foreign policy predictable and in line with our perception of the kind of nation we seek to be, and the kind of world we seek to live in. They also serve as a yardstick by which the quality of our practical foreign policy decisions may be measured, and are consequently a very useful policy tool (quoted in DFA, 1996: Internet).

The six overarching principles guiding South Africa’s international engagements have not changed since their initial publication in late 1993:

- A dedication to advancing all human rights;
- The encouragement of democracy globally and in particular the belief that South Africa’s foreign relations must reflect the country’s deep commitment to the consolidation of democracy domestically;
- A belief in justice and that international law is necessary to guide international relations;
- The acknowledgment that international peace is the ultimate goal of all nations and all should agree on mechanisms to resolve conflicts on the way to reaching that goal (including effective arms control regimes);
- A responsibility towards the African continent. South African foreign policy choices should reflect the concerns and interests of Africa in world affairs; and
- A commitment to, in a globalised world, South Africa’s economic development through regional and international economic co-operation.

As circumstances began to change over the years, for example the transformation of the Organisation of African Unity (OAU) into the AU, additional principles informed South Africa’s foreign policy, including safeguarding South Africa’s territorial integrity.
and sovereignty; interacting with African partners as equals; striving to be a responsible global citizen; the pursuit of friendly relations with the whole world; advancing multilateralism, and the belief that foreign policy is wholly connected to domestic policy aimed at ensuring the security and welfare of all South Africans (DFA, 1996: Internet; DFA Annual Report 2003/04, 2004: Internet, 22-23).

Although many considered some of these principles to be too idealistic or ambitious (Frost, 2006: 83; SAIIA, 2008: 4; Serrão and Bischoff, 2009: 374-378), it was commonly agreed that South Africa should exercise choices between available options in the international arena based on the country"s interests and means (DFA Strategic Plan 2005-2008, 2005: Internet, 17).

A 1997 ANC document, entitled Developing a Strategic Perspective on South African Foreign Policy, suggested that the identification of these principles should not be viewed as a shift in the government"s focus away from the realities of national interest, but rather as a necessary part of defining the national interest. Southall (1995a: 40) too offers the view that if South Africa"s national interests can be defined as sustaining its democracy then its foreign policy "should be driven by democratic as much as by economic values". Similarly, Wheeler (quoted by SAIIA, 2008: 4) argues that a state"s foreign policy can be characterised by strong normative elements,

because the espousal of certain beliefs and values becomes identified with the national interest (rather than opposed to). Such values may include: sustainable development for all the people of South Africa and Africa; fairer international trading and security systems and a commitment to bringing peace to the whole of Africa.

Based on this perspective, a state"s national interests may also be its principles, and therefore a balance must be struck between hardcore realism and idealism in foreign policy implementation. This study will use these commitments or principles, as mentioned earlier, as a "yardstick by which the quality of South Africa"s practical foreign policy decisions may be measured" (Nzo quoted in DFA, 1996: Internet).

South Africa"s voting actions at the UN will be examined in relation to the country"s declared foreign policy principles. Indeed, Director-General of Foreign Affairs in
1996, Rusty Evans, declared that South African foreign policymakers would focus on those areas that were “consonant with the principles on which the [government’s] foreign policy was based” (Evans, 1995: 31).

After 1994 South Africa soon came to realise that, on its own, it lacked the capabilities to implement foreign policy goals (Lee, Taylor and Williams, 2006: 205). The development of South Africa’s multilateral relations was therefore identified as “the most important new dimension of [the Republic’s] foreign policy”, especially those relations within the UN system (Evans, 1995: 31). In 1995 the Chief Director of the DFA’s multilateral desk, Tom Wheeler (1995b: 63), argued that South Africa faced many challenges in converting its principles into practice and that it was vital for South Africa to cement the positions that its delegations would be instructed to adopt in debates at the UNGA in New York.

Moreover, in a 1996 discussion document the DFA clearly indicated that the South African government considered “UN resolutions or special initiatives as well as other multilateral international procedures and projects” to be useful criteria in the recognition of special foreign policy issue areas for the government’s urgent attention (DFA, 1996: Internet). The government’s strategic approach therefore would be to make use of multilateral diplomacy at the UN.

The objective of multilateral diplomacy is “to limit the possibility of unilateral actions by major powers” by strengthening a rules-based system, the benefit of this being to provide the opportunity for smaller states “to participate on an equal footing on the world stage” (Schoeman, 2000: Internet). South Africa steadily carved a niche for itself within multilateral diplomacy. Global equality became a persistent theme in its foreign policy rhetoric, especially during former President Thabo Mbeki’s first term. In his 2002 address at the opening of the World Summit on Sustainable Development (WSSD) in Johannesburg, Mbeki (2002a: Internet) famously labelled the world system as indicative of a “global apartheid”.

Over the years many government speeches, papers, discussion documents and strategic plans have articulated South Africa’s foreign policy goals within the multilateral setting (ANC, 1994: Internet; Wheeler, 1995b: 64; DFA, 1996: Internet;

As mentioned previously, South African foreign policymakers and other government officials have over the years referred to goals, priorities, interests, and objectives as interchangeable terms. In order to avoid confusion, this study will simply refer to foreign policy in four distinctive issue areas or themes. The themes have been drawn from the declared areas of focus laid out in Table 3 below.

<table>
<thead>
<tr>
<th>Table 3. South African foreign policy areas of focus in multilateral institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>From 1994 onwards</strong></td>
</tr>
<tr>
<td>Promote human rights and democracy; defend African interests (including finding solutions to conflict in Africa through peacekeeping efforts); reform of the UN; South-South cooperation; South-North relations; improved relations with South Africa’s primary trading partners and with the Group of 7 (G-7), and nurturing traditional friendships and the encouragement of new partnerships.</td>
</tr>
<tr>
<td><strong>Reaffirmed in 1997 and onwards</strong></td>
</tr>
<tr>
<td>Pursue wealth creation and security more assertively; promote African interests (Southern Africa, Africa, South-South, North-South); disarmament, nuclear non-proliferation and landmines; promote human rights and democratisation; enhance South Africa’s image globally; campaign for trade and investment; promote compliance with international law; actively engage in conflict prevention and resolution.</td>
</tr>
<tr>
<td><strong>Restated in October 2006</strong></td>
</tr>
<tr>
<td>Develop a working relationship between the AU and UN to prevent conflicts in Africa; consolidate the African Agenda; promote the interests of Africa and the South; seek peace in the Middle East; reform the UN.</td>
</tr>
</tbody>
</table>

From the above table, the following four issues can be deduced as overlapping strategic themes and will be used in examining South Africa’s voting behaviour in the UN for the period 1994-2008:

- The promotion of human rights and democracy;
- Disarmament and related non-proliferation issues;
• The advancement of African interests and the consolidation of the African Agenda within the context of North-South relations; and
• Reform of the UN and the promotion of equitable global governance.

The following section will elaborate on these themes in order to provide context, which will suggest why South African foreign policymakers considered these areas to be matters of central concern.

2.3.2. Themes

The four themes to be discussed here comprise the declaratory component of the voting behaviour model laid out in the first chapter. These themes indicate those areas which South African foreign policymakers and others have publicly pronounced to be important to the Republic’s foreign policymaking since 1994.

2.3.2.1. The promotion of human rights and democracy

By the close of 1993, soon-to-be President Mandela (1993: 97) wrote, with a very optimistic tone, that South Africa will “not be indifferent to the rights of others” and that:

South Africa’s future foreign relations will be based on our belief that human rights should be the core concern of international relations, and we are ready to play a role in fostering peace and prosperity in the world we share with the community of nations.

On 25 September 1996 at the UNGA’s 51st session, South Africa’s Foreign Affairs Minister Nzo expressed his government’s human rights position to the world community. He explained how South Africa’s
common cause against tyranny, to act together in defence of our very humanity. Let it never be asked of any one of us what we did when we knew that another was oppressed." Mankind should learn to act against all tyranny in a unified manner through the United Nations. This should be our basic aim for the future (Nzo, UN speech, 1996: 18).

In an effort to work towards accomplishing these goals, South Africa became a member of the United Nations Commission on Human Rights (UNCHR) three times between 1995 and 2006. In 1998, it chaired the 54th session, vice-chaired the 58th session in 2002, and represented the African group as co-coordinator on human rights issues during the 59th UNCHR session in 2003 (A/61/889, 2007).

Fifteen years after Minister Nzo’s statements, human rights remained an important principle in South Africa’s foreign policy. In 2005, the DFA defined South Africa’s foreign policy in the following way:

our Presidents and Foreign Ministers have enunciated the principles underlying South Africa’s foreign policy since 1994 in various forums. These include State of the Nation addresses, budget vote speeches, addresses to international and regional bodies such as the United Nations, the African Union and the Non-Aligned Movement, as well as in various foreign policy discussion documents such as those for Heads of Mission Conferences and Strategic Planning initiatives. Despite some significant changes and developments in the global environment, these principles have remained consistent and enduring, and have taken on even greater significance given current international developments (DFA Strategic Plan 2005-2008, 2005: Internet, 13; emphasis added).

In the DFA’s Strategic Plan published in 2004, the top two principles serving as guidelines for the conduct of South Africa’s foreign relations remain unchanged from those in 1994: a commitment to the promotion of human rights and democracy (DFA Strategic Plan – March 2004, 2004: Internet, 18). The DFA’s Strategic Plan 2003-2005, published eight months previously on 5 July 2003, used the same language (p.14). Foreign Affairs Minister Nkosazana Dlamini-Zuma (DFA Strategic Plan 2003-2005, 2003: Internet, 6) explained the reasons behind South Africa’s commitment to human rights by arguing that because of South Africa’s history of human rights abuses, the new democracy demanded a commitment to the protection and promotion of the civil, political, social, cultural and development rights of all South Africans and that “naturally” such a commitment would extend to South Africa’s foreign policy.
The DFA Strategic Plan for 2005-2008 (2005: Internet, 54) offered the following in a section under multilateralism:

in the South African context, human rights issues occupy one of the highest positions in the list of priorities that constitute the transformation agenda. In pursuit of an overarching human rights agenda and the right to development, the greatest challenge faced by the majority in the developing world, including South Africa, is global poverty and underdevelopment in the face of advancement in technology and globalisation (emphasis added).

Although subtle, the shift in emphasis is clear: human rights issues occupy one of the highest positions, and are not necessarily the priority. Holistically, South Africa’s foreign policy may have changed direction or focus, but it should be noted that between 1994 and 2007, South Africa continually demonstrated its commitment to playing a prominent part in human rights bodies at the UN. Indeed, South African foreign policymakers were eager to point out, in the state’s 15 year review, that South African delegates had been part of the process for “establishing and operationalising the UNCHR, as an agency with resources to advance the Universal Declaration of Human Rights (UDHR)” (The Presidency, 2008: 69). As mentioned previously, South Africa was elected to the UNCHR from 1997-1999, during which South African Ambassador to the UN, Jackie Selebi, chaired the Commission at its 54th session (1998), and again from 2001-2006.

South African delegates from its Permanent Mission to the UN submitted an aide-memoire in April 2007 in support of South Africa’s candidature for election to the new Human Rights Council (HRC) for the period 2007-2010 in which the following was written:

following the first democratic elections in 1994, South Africa returned to the international community in 1995 to assume its rightful place among the community of nations. The experience in this relatively short period has been richly rewarding and South Africa has played a key role in the shaping of the international human rights agenda including the constant development of international human rights and humanitarian law. A central consideration in South Africa’s foreign policy is the commitment to the promotion, protection and fulfilment of human rights and fundamental freedoms and the advancement of democracy (A/61/889, 2007).
South Africa also used the following statement to underscore its pledges to the HRC:

it should be underlined that South Africa by its very nature and for historical reasons is among the countries within the United Nations that takes the international human rights agenda very seriously.

In 2008 Foreign Affairs Minister Dlamini-Zuma (2008: Internet) affirmed that South Africa “has played a major role in the establishment of the HRC charged with the responsibility of pursuing the observance and respect for human rights globally.” South Africa was elected by the UNGA as one of the initial 47 members of the HRC (behind Ghana, which topped the voting for the 13 African seats (UN, 2009: Internet).

Yet despite this constant reference to human rights promotion in speeches and primary foreign policy documents (see DFA Strategic Plans for 2003-2005 (2003: Internet); March 2004 (2004: Internet); 2005-2008 (2005: Internet) and discussion documents (ANC, 1994: Internet; ANC, 1997: Internet)), since 1994 none offered „specific“ priorities or goals in how to implement this task. This lack of specificity is confusing. Either the DFA had no direct plan of action on human rights promotion, or it had an overarching human rights agenda under which all other priorities fell. It may be that in its declared policy, human rights promotion was almost taken for granted. What is interesting to note is the following declaration made in a 1997 ANC discussion document (ANC, 1997: Internet), which highlights a dilemma in South Africa’s human rights agenda since 1994:

we need to work out what it means in practice to place human rights, justice and democracy at the forefront of our foreign policy. This certainly should not mean that we should refuse to conduct any diplomatic and trade relations with countries whose record in human rights or democracy we regard as unsatisfactory. But it should also not mean that when we engage with the governments of such countries, we ignore, marginalise or subordinate these principles and only concentrate on trade and diplomacy.

The key then is to untangle how foreign policymakers defined human rights and how this impacted on their decision-making.
According to the 1997 ANC discussion document (ANC, 1997: Internet):

universally accepted human rights are often disputed in their interpretation and relevance among different societies and cultures, and among countries at different levels of development. How to translate our [South Africa’s] call for human rights into effective policies requires an analysis of the current international situation and South Africa’s place and role in it.

It could be argued that Deputy Foreign Affairs Minister at the time, Aziz Pahad, settled the question of South Africa”s „place and role” after Deputy President Mbeki’s official visit to China in 1998, when he said: “I think we all agree that there are specificities in each country, which are not universal forms of human rights. We are adapting to the specific condition of each country” (quoted in Corrigan, 2009a: 10).

Deputy President Zuma (2000, Internet) grounded the pursuit of universal human rights in terms of global poverty with his comments that talk of universal human rights “will remain largely theoretical and elitist to thousands of people who live in abject poverty.”

This study will now attempt to pinpoint those human rights and democracy issues alluded to by official foreign policymakers and recognised by academic and other observers. From 1994 onwards, South Africa’s declared human rights foreign policy would be guided by the following:

- A belief in human rights, as central to international relations, which extends beyond political and civil rights and freedoms, embracing also economic, social and environmental rights, coupled with the belief that society has obligations towards individuals;
- An understanding that South Africa must play a central role in the worldwide human rights campaign, in line with the ANC’s (as well as other liberation movements”) previous global efforts to end apartheid; and
- The recognition that human rights are directly related to the promotion of democracy the world over.

With the above in mind, South African foreign policymakers would work towards: preventing gross violations of human rights and promote democracy and respect for
humanitarian law worldwide (this relates directly to the rights of women, children and the disabled; respect for sovereignty and the responsible use of force; infectious disease; environmental degradation; transnational illicit crime, and terrorism); promoting institutions that, in a democratic way, seek to protect and respect diversity; combating xenophobia, racism, sexism and other related intolerances (by using the UN system and related international conferences); promoting "people-centred" development based on democratic values; consolidating democracy and investing in peace in conflict-ridden states especially in Africa, for example Burundi, the Democratic Republic of Congo (DRC) and Côte d’Ivoire; responding to African and global humanitarian crises, for example the food crisis and poverty alleviation, in a more decisive manner; and promoting reconciliation in Zimbabwe and encouraging continuous dialogue between political parties and other role-players in that country, not only through multilateral organisations but also bilaterally. This links up with the effort to promote "democratic realism" in southern Africa not simply because the cause is just but because regional stability is in South Africa’s national interests: economic development will not take place without stability and without democracy there is no stability (Mandela, 1993: 89; 1994: Internet; ANC, 1994: Internet; Stremlau quoted in Morgan and Webber, 2002: 240; DFA Strategic Plan 2003-2005, 2003: Internet; March 2004, 2004: Internet; 2005-2008, 2005: Internet; Carlsnaes and Nel, 2006: 17-18; Barber, 2005: 1079; Borer and Mills, 2009: Internet).

South Africa’s foreign policymakers may have occasionally chosen not to hoist the flag of human rights promotion, but the next strategic theme has often been firmly and enthusiastically waved in international forums.

2.3.2.2. Disarmament and related non-proliferation issues

According to the DFA News and Events (2008, Internet):

it has been a primary goal of South Africa’s foreign policy since 1994 to reinforce [its] role to responsibly deal with issues related to defence products and advanced technologies in the nuclear, biological, chemical and missile fields. In so doing, [South Africa] also promote[s] the benefits which disarmament, non-proliferation and arms control hold for international peace and security for all.
Three main factors have given direction to South Africa’s declared nuclear foreign policy. Firstly, South Africa is unique in that it is the only state to voluntarily discontinue its nuclear weapons programme, which it did in November 1989. This fact has assisted in establishing South Africa’s moral authority post-apartheid (Ogilvie-White, 1999: 321; Leith and Pretorius, 2009: 349). Secondly, due to its acknowledged possession of advanced nuclear technologies, South Africa is considered a “developed state” in the nuclear technology sector (Leith and Pretorius, 2009: 349).

Finally, South Africa stands out as the only African country and NAM member that benefits from membership of all of the significant nuclear non-proliferation organisations, for example the Nuclear Non-Proliferation Treaty (NPT), to which it became a signatory on 10 July 1991; the International Atomic Energy Agency (IAEA) in 1957, the Zangger Committee (ZC) which South Africa joined on 21 October 1993, and the Nuclear Suppliers Group (NSG) which it joined on 5 April 1995 and which it chaired for the period 2007-2008 (White Paper on the South African Defence Related Industries, 1999: Internet; DFA, 2003a: Internet; Taylor, 2006: 176-177; Mnguni, 2006: 11; Leith and Pretorius, 2009: 349; Nuclear Threat Initiative, 2010: Internet).

In October 1994, during the 49th UNGA session, South African permanent representative to the UN, Vernon Steward, announced that in pursuit of South Africa’s national interests:

South Africa’s Government of National Unity has committed itself to a policy of non-proliferation and arms control which covers all weapons of mass destruction [WMD] and extends to our concerns about the proliferation of conventional weapons. To implement this policy South Africa is in the process of taking numerous substantive steps (Van der Merwe, 2003: Internet).

These steps, following best international practices, included legislation and control procedures in the areas of conventional arms, such as small arms, light weapons and anti-personnel mines; non-proliferation of WMD; ammunition, explosives and pyrotechnics; riot-control; foreign military assistance; and activities in support of countering terrorism (DFA, 2003b: Internet; DFA Strategic Plan 2005-2008, 2005:...
A primary goal of South Africa’s nuclear policy is to:

reinforce and promote South Africa as a responsible producer, possessor and trader of advanced technologies in the nuclear, biological, chemical and conventional arms fields. To this end, a new conventional arms control system has been established; participation in the various non-proliferation regimes and suppliers' groups is actively being pursued; and positions which publicly support the non-proliferation of weapons of mass destruction have been adopted (DFA, 1996: Internet).

The South African Council for the Non-Proliferation of Weapons of Mass Destruction (NPC) was established as a result of specific legislation in the form of the Non-Proliferation of Weapons of Mass Destruction Act No. 87 of 1993 (DTI, 2009: Internet). The NPC’s central functions include South Africa’s international co-operation and obligations in the supervision and implementation of matters arising from international conventions, treaties and agreements related to proliferation affairs entered into or ratified by the government; as well as obtaining the cooperation of, exchanging of information with, and giving assistance to, governments of other states and also foreign and international bodies that have objectives similar to those of the NPC; and obtaining membership of international bodies with such goals (DTI, 2008: Internet).

South Africa’s clear objective has been to use its nuclear non-proliferation history and reputation to play a leading role internationally (DFA News and Events, 2008: Internet; Leith and Pretorius, 2009: 349). In 2003, Foreign Affairs Minister Dlamini-Zuma (in DFA Strategic Plan 2003-2005, 2003: Internet, 7) was keen to convey South Africa’s consistent nuclear foreign policy, asserting that her government “will continue to play an active role in areas of disarmament.”
The ANC convened a conference in February 1994 on the „Nuclear Policy for a Democratic South Africa“ in which Minister for Trade and Industry, Trevor Manuel, rather passionately declared that:

the African National Congress does not want a nuclear weapons capability in South Africa. We have endorsed the OAU declaration calling for the African continent to be a nuclear weapon-free zone. The ANC has also endorsed the Nuclear Non-Proliferation Treaty ... What is more, we shall not tolerate circumstances in which policy on issues as critical as a nuclear programme be confined to experts in dark, smoke-filled rooms. The debate must be public and the actions transparent (quoted in African National Congress-Environmental Monitoring Group (ANC-EMG), 1994: 5).

The Republic’s foreign policy approach to non-proliferation can be summarised in the August 1994 speech by its Minister of Foreign Affairs, specifically that South Africa should:

be an active participant in the different multilateral non-proliferation regimes and supplier groups; openly give its support to the non-proliferation of WMD with the aim to promote peace and security; use its position as a member of the suppliers regime and the NAM for the promotion of non-proliferation; and ensure that control measures would not prevent developing states from gaining access to advanced technologies for development needs and peaceful purposes (Van der Merwe, 2003: Internet).

South Africa played an instrumental role in the creation of the African Nuclear-Weapon-Free Zone Treaty (ANWFZ), which opened for signature on 11 April 1996. The treaty was adopted at the Pelindaba headquarters of South Africa’s Atomic Energy Corporation (AEC) and is subsequently sometimes also known as the Pelindaba Treaty. The ANWFZ aims at the encouragement and promotion of regional and sub-regional programmes and international co-operation in the peaceful uses of nuclear science and technology. South Africa ratified the Treaty on 27 March 1998 (White Paper on the South African Defence Related Industries, 1999: 52).

In the words of Minister Dlamini-Zuma (DFA Strategic Plan 2003-2005, 2003: Internet, 7), South Africa’s “leadership took the principled stance that [its] country and people have a right to feel safe and secure, and therefore should be free from fear of Nuclear and other Weapons of Mass Destruction.”

The following principles underpin South Africa’s foreign policy on conventional arms control measures and are based on the principles of the UN Charter, international
law, and recognised international arms control systems, including economic, ethical, political, and military and security considerations:

- If military expenditure was reduced, the remaining budget could be used instead for social and economic development;
- In terms of the UN Charter, all sovereign countries have the inherent right of self-defence, but transferred conventional arms must not be used in violation of the purposes of the Charter;
- There is a need to control the transfer of conventional arms and related technologies through effective national mechanisms;
- Bearing national interests in mind, South Africa promises to provide data and information as required by the UN resolution establishing the Register of Conventional Arms; and
- “Excessive and destabilizing conventional arms build-up pose threats to national, regional and international peace and security. Sales to countries in war-prone regions should be continually evaluated and reviewed to limit the possible escalation of regional conflict” (White Paper on the South African Defence Related Industries, 1999: Internet, 56);
- Ensuring no transfers and trade in arms where they would likely be used to suppress fundamental human rights and freedoms; or breach South Africa’s international obligations; or contribute to regional instability and conflicts. No deals will be made if arms are used by the recipient state for any other military action besides legitimate national security interests; or to support terrorism; or be re-routed within the recipient state or re-exported for reasons contrary to South Africa’s policies, or have a negative impact on South Africa’s trade or diplomatic relations with other states (White Paper on the South African Defence Related Industries, 1999: Internet, 57).

In order to achieve the above, South African foreign policymakers would work towards: protecting South Africa’s territorial integrity and sovereignty; fulfilling the task of all governments to protect the rights of its people and which is necessary for the overall economic and social development of the state; promoting international peace and security by preventing the increase of nuclear weapons and advancement
of weapons technology; and promoting the peaceful uses of nuclear energy. South Africa believes in the immutable right of all states to research, develop, produce, and use atomic energy, nuclear technology and fuel cycle policies for peaceful purposes. All states, including developing states, have a right to make their own choices consistent with their national priorities and interests; to call for the orderly and progressive eradication of nuclear weapons in an all-inclusive, collective, even-handed and demonstrable manner; to ensure discipline, accountability and self-control in the cautious transfer and trade in weapons, equipment, technology and services, and to continue not to trade in arms with states engaged in repression, aggression and terrorism. This is in accordance with South Africa’s principles as these relate to non-proliferation, disarmament and arms control, and the implementation of international humanitarian law (South African Defence Review, 1998: Internet, 5; National Conventional Arms Control Act, 2002, in Government Gazette, 20 February 2003; DTI, 2008: Internet).

The government would also try to utilise South Africa’s position as a State Party to Treaties, as a member of the Control Regimes and of the African Group and the Non-Aligned Movement to promote the importance of non-proliferation, disarmament and arms control and to ensure that these controls do not become the means whereby the developing countries are prevented from obtaining access to the advanced technologies which they require for their development (DTI, 2008: Internet).

In a 2004 statement, NPC Chairperson Abdul Minty (2004: Internet) declared:

the South African Government shares the international community’s concern over the illicit transfer of nuclear and nuclear related dual-use technology and materials that could be used in weapons of mass destruction and encourages the sharing of information that would identify individuals or entities involved in such illicit activities with a view to prevent, combat and eradicate this illicit trade.

Moreover, in terms of the transfer and trade in arms, the South African government committed itself to the promotion of an effective international arms control system, in support of the fundamental goal of an international cooperative security strategy based on respect for human rights and fundamental freedoms, the UDHR and the African Charter on Human and People’s Rights. South Africa therefore would
consider its obligations to international arms control agreements and treaties, whether or not the arms sale was in South Africa”s national and foreign interests:

the nature and cost of the arms to be transferred in relation to the circumstances of the recipient country, and the objective of the least diversion of human and economic resources for armaments (White Paper on the South African Defence Related Industries, 1999: Internet, 57).

The Republic”s foreign policymaking on this theme would also involve attempts to: responsibly acquire arms to equip and defend South Africa against acts of aggression; successfully implement the Republic”s “policies and national interests in the field of disarmament and non-proliferation, including areas of weapons of mass destruction, small arms, light weapons and conventional weapons” (Mnguni, 2006: 10-11); cooperate with states across the world in the eradication of organised crime and to promote South Africa”s views on human trafficking, drug trafficking, vehicle trafficking and money-laundering; use multilateralism to counter the threat posed by non-state actors or terrorists acquiring nuclear or related materials and technologies, for example – Mbeki (quoted in Mail & Guardian Online, 19 November 2004) referred to the IAEA as a “critically important principle and practice of multilateralism”; and in the wake of the events of 11 September 2001, contribute to the UN campaign against terrorism and ensure South Africa”s compliance with the relevant UNSC resolutions on the combating of terrorism (South African Defence Review, 1998: Internet, 5; Schraeder, 2001: 233; National Conventional Arms Control Act, 2002, in Government Gazette, 20 February 2003; Mnguni, 2006: 10-11; DTI, 2008: Internet).

While this aforementioned theme is especially important to South Africa”s projected disarmament reputation, the third theme, discussed next, is geographically, symbolically, culturally and historically significant to South Africa.

2.3.2.3. The advancement of African interests and the consolidation of the African Agenda within the context of North-South relations

Just prior to the 1994 elections, the ANC argued that once in government it would dedicate South Africa”s foreign policy “to helping to ensure that Africa”s people are
not forgotten or ignored by humankind” (quoted in Morgan and Webber, 2002: 234). Similarly, President Mandela vowed that the new South Africa “would place the concerns and interests of the continent of Africa at the heart of foreign policy” (quoted in Carlsnaes and Nel, 2006: 17-18). In 1996 Foreign Affairs Minister Nzo officially declared that Africa would be a clear foreign policy priority in the coming years (quoted in DFA, 1996: Internet).

Over a decade later, this theme persisted. In the DFA Strategic Plan 2005-2008 (2005: Internet, 10), Foreign Affairs Minister Dlamini-Zuma reinforced South Africa’s commitment to Africa and declared that South Africa’s international agenda was to advance the cause of national liberation, the right to independence of nations in Africa and the rest of the world and to full equality of all the world’s people:

the South African Government firmly believes that the future of South Africa is inextricably linked to the future of the African continent and that of our neighbours in Southern Africa. Therefore national visions of building a united, non-racial, non-sexist and prosperous society are also relevant in the context of our vision for the Continent. Coupled with this is the understanding that socio-economic development cannot take place without political peace and stability as they are a necessary condition for socio-economic development. Conversely socio-economic development is necessary in the context of addressing the root causes of conflict and instability. Within this framework, our efforts are directed at creating an environment in which all states on the Continent can achieve their full potential.

The greatest challenge in this regard was to “consolidate the African Agenda and, in this way, to contribute to the victory of the African Renaissance.” The African Renaissance (to be discussed in Chapter 5) became the main pillar of South Africa’s international policy not only relating to Africa, but in all its external relations worldwide during Mbeki’s presidency (ANC, 1997: Internet; Mbeki, 1998a: Internet; Van Nieuwkerk, 1998a: 45; 2006: 40; Bongmba, 2004: 291-316). This is what Landsberg (2005: 723) refers to as the development of South Africa’s “African-centred globalist” foreign policy.

Africa’s emphasis as a foreign policy priority has been informed by a number of considerations. Firstly, South Africa is unavoidably part of Africa and as such its economic development is strategically linked to the continent’s well-being. Secondly, South Africa has regional weight and there are expectations as to what to do with it.
In September 1995 Deputy President Mbeki, in his address to a South African Heads of Mission Conference, explained the following:

the Southern Africa region expect that South Africa interact with them as a partner and ally, not as a regional superpower ... There are also expectations from Africa that South Africa should make a significant contribution towards peace and development on the continent (quoted in Chhabra, 1997: 71-72).

Thirdly, South Africa’s ruling party, the ANC, was keen to create foreign policy that would help reverse apartheid’s ill-effects in Africa as well as to repay some of the support offered to the ANC during those decades. Furthermore, South Africa had a desire to spearhead a continent-wide rethink over Africa’s position in the world, nurtured by President Mbeki during his terms in office, which would be a stepping stone to overcoming the North-South divide (ANC, 1997: Internet; Schoeman, 2000: Internet; Morgan and Webber, 2002: 234; Alden and Le Pere, 2006: 52).

South Africa’s “African Agenda” has come to represent a particular attitude towards the country’s relations with the continent. This mind-set acknowledges the irrefutable fact that for Africa to prosper, which is wholly in South Africa’s national interests, there must be a close relationship on the continent between democracy and good governance, peace and security and socio-economic development. Multilaterally, the caretaker for such a philosophy is the AU, formerly the OAU. This agenda is critical to South Africa as it cannot isolate itself from developments in its neighbourhood (Landsberg, 2007: 195; SAIIA, 2008: 4).

South Africa’s South-South orientation was evident as early as October 1994, when in a stirring speech at the 49th session of the UNGA President Mandela vowed that South Africa would not rest while millions of people “suffered the pain and indignity of poverty in all forms” (quoted in Chhabra, 1997: 78).

This noble objective became firmly entrenched in South Africa’s foreign policy documentation over the years. In 2003, the DFA (Strategic Plan 2003-2005, 2003: 7) described South Africa’s situation at home, a dual-nation of rich and poor, as a microcosm of the wider world and the material gap between Global North and South countries. South Africa finds underdevelopment to be a global problem and therefore
it is in its national interests not only to attempt to eradicate poverty at home, but also to extend this objective in its foreign policy to include the protection of the vulnerable and the poverty-stricken worldwide.

The following principles underpin South Africa”s "Africa” policy:

- A responsibility towards the African continent;
- The cultivation of the African Renaissance through which South Africa can empower the continent to act for itself and its interests;
- Discontinue neo-imperialism and end the latest phase in the historical scramble for Africa;
- A commitment to peace and stability on the continent, without which the Renaissance cannot take place;
- The use of multilateralism as the appropriate institutional means in the pursuit of foreign policy implementation, for example the OAU/AU and Southern African Development Community (SADC) (Mbeki quoted in Mills, 1999: 10).

Bearing these in mind, South African foreign policymakers would work towards: raising Africa”s profile at the UN; acting as a bridge between the South and the North; integrating Africa into the world economy based on good governance, transparency and mutual responsibility; encouraging cooperation in the belief in stable African democracies, sustainable development, rapid economic growth, the elimination of armed conflicts, resolving political conflicts without resorting to armed force, and the protection of national sovereignty (DFA Strategic Plan 2005-2008, 2005: Internet, 19-23; 72-73; ANC, 2007: Internet).

South Africa”s role on the continent and its performance in the UN are linked (Ajulu, 1995: 51). By ignoring the rest of Africa or failing to step up to the plate, South Africa risks damaging its longer-term foreign policy goals of firstly reforming the UN with continental backing, and secondly benefitting directly from this reform in the position of Africa”s elected representative on an enlarged UNSC. This leads into the fourth strategic theme on South Africa’s foreign policy agenda: UN reform.
2.3.2.4. Reform of the UN and the promotion of equitable global governance

In 1998 DFA Director-General Jackie Selebi declared that:

since South Africa’s main foreign policy objective is to be part of shaping the global agenda, we would want to become a permanent member of the Security Council. We do not want others to decide for us (quoted in Schoeman, 2000: Internet and Vickers, 2003: 161; emphasis added).

Selebi had served as South Africa’s Permanent Representative to the UN for the previous four years.

This bold statement succinctly represented South Africa’s foreign policy goal within the UN system. Ten years later, this sentiment remained strong. In response to its controversial voting positions in the UNSC in 2007, Wheeler argued that

South Africa wants reform of the Security Council, come hell or high water and they’re using practically any means to do it. They’ve got almost a bee in their bonnet – that this is the way to go; to force the issue in this way (quoted by Wines in The New York Times, 23 March 2007).

Several considerations have influenced South Africa’s foreign policy on UN reform. The country’s reinstatement at the UN in 1994 coincided with a new energy at the body centring on the necessity for reflection in a changing environment, more specifically the end of the Cold War; institutional reform, and the increase in „soft” security threats transcending national borders (Saksena, 1993: 181). This renewed enthusiasm had already been witnessed two years previously, when the UNGA adopted resolution 47/62, in December 1992, calling for a review of the UNSC composition (Luck, 2006: 113). At the time, the nagging efforts of Germany, Japan and the NAM had resulted in the UNGA launching a Working Group whose full name launching a Working Group whose full name was almost as lengthy as subsequent deliberations over its contents: The Open-Ended Working Group on the Question of Equitable Representation and Increase in the Membership of the Security Council and Other Related Matters to the Security Council (to be discussed further in Chapter 6) (Strydom, 2007: 16; Spies, 2008: 102).

South Africa soon became embroiled in the rhetoric surrounding this debate, and, in an effort to clarify South Africa’s position, President Mandela voiced his support for
structural UN reform in the interests of democracy, and accountability and to prevent the organisation"s control by one state or group of states (in Vickers, 2003: 78). In an address to the 53\textsuperscript{rd} UNGA, Mandela (1998: 16) stated that:

 She very Organization, including its important Security Council, must itself go through its own process of reformation so that it serves the interests of the peoples of the world, in keeping with the purposes for which it was established.

The thinking behind South Africa"s approach to UN reform is informed by the state"s need for effective multilateralism. The best way for African states to attain their goals and to deal with continental and global problems is through multilateral efforts. Unfortunately, though, according to the DFA (Strategic Plan 2003-2005, 2003: 25-26):

 the current multilateral system is highly skewed in favour of the developed countries and is in serious need of reform. The issues, however, cannot wait for the system to be reformed, so a two-track approach is needed: making the best of the available opportunities that the system has to offer, while working from within for reform. Prime candidates for reform are the UN itself, especially the Security Council.

In early 1997, in a speech in the South African Parliament, Foreign Affairs Minister Nzo (quoted in Chhabra, 1997: 80) broached the subject of UN reform. He stated that the DFA fully supported efforts to make the UNSC more democratic; that the Council should reflect the current global situation, not that of 1945; and, perhaps most importantly, that Parliament should consider whether South Africa is prepared to serve as a permanent member of a restructured UNSC. Moreover, the need for a South African position on this issue was urgent, as this was also a matter of serious debate at the then OAU (quoted in Chhabra, 1997: 80).

The DFA (Strategic Plan – March 2004, 2004: 10) referred to the events of 11 September 2001 and the "illegal" 2003 war in Iraq as examples of the need for urgent reform at the UN. Great powers can take unilateral action without real censure. Therefore, the South African government"s view was that there was a need for greater equality in the global system and that the UN was the closest the world had to a "global government" where many decisions were made affecting the world.
South Africa has repeatedly declared its willingness to make a contribution to the debate on UN reform:

as our President [Mbeki] indicated in his address to the 58th General Assembly, we believe that the United Nations must be a legitimate expression of the collective will of all the peoples of the world, the principal guarantor of international peace and security, must be capable of addressing the matters that are of concern to all humanity, and therefore must enjoy the confidence of [all] the peoples of the world (DFA Strategic Plan – March 2004, 2004: Internet, 10).

Calls for UN reform have included a restructuring of the UNGA, UN regional organisations, ECOSOC and bodies such as the UNCHR, but the UNSC is most in need of transformation (DFA Strategic Plan 2005-2008, 2005: Internet, 57).

During their terms in office, Mbeki and Dlamini-Zuma have both stated that South Africa is ready to serve on a restructured UNSC as a permanent member in order to serve Africa and the world (BBC News, 17 October 2006). Such a position would surely be in South Africa’s interests too, not only in terms of status and prestige, but also in terms of potential power and influence it may yield on the continent as a result.

Perhaps Minister Maite Nkoana-Mashabane’s (2009: Internet) statement provides the most accurate summary of South Africa”s developing foreign policy position on UN reform:

the transformation of the global multilateral system will be to the benefit of all. Hence we continue to call for the transformation of the international system for a better world and Africa – such transformation will be about making organisations such as the UN more effective and efficient in discharging their roles and responsibilities. As countries of the South, we are advocating against the North wanting to limit the UN reform programmes to administrative matters pertaining to the Secretariat. Our stance is for a reform programme that will ensure relevance, equity and the democratisation of the institution.

Statements such as these above have resulted in South Africa”s foreign policy being described as „reformist” (Van der Westhuizen, 2001: 142; Nel, 2006: 115); „anti-imperialist” and „anti-neo-colonial” (ANC, 1997: Internet; Nathan, 2008: 5) or „progressive” (Landsberg and Monyae, 2006: 131). Others contend that South Africa is simply indignant over the veto powers of the P5 and the influence they carry as a
result. The antidote would be for the developing world to have greater authority in the organisation’s policies and actions (The New York Times, 23 March 2007).

All ongoing proposals for reform consider increasing the size of the Council, restraining the power of the veto and alterations to the Council’s working methods (Spies, 2008: 102). Three major groups have emerged with proposals. First was the Group of 4 (G-4) made up of Brazil, Germany, India, and Japan; followed by the Uniting for Consensus (UFC) coalition or unofficial „Coffee Club” made up of, inter alia, China, Pakistan, Italy and Mexico. The African group then established the AU’s Common African Position on the Proposed Reform of the UN or the „Ezulwini Consensus” in March 2005, after drawing on the 1997 Harare Declaration in which the OAU called for an enlarged UNSC with two permanent and five non-permanent African seats (Adebajo, 2005; Motsi, 2005: Internet; Okumu, 2005: Internet; Spies, 2008: 103).

Former UN Secretary-General Kofi Annan issued a report in 2004 in which two models of reform were proposed. The report of the High-Level Panel on Threats, Challenges and Change (HLPTCC) was supported financially by 29 governments. Of these, South Africa was one of only two African states to offer support (the other being Mauritius) (A/59/565, 2004: 6). The panel was appointed “to recommend clear and practical measures for ensuring effective collective action [on] future threats to peace and security” (DFA Strategic Plan – March 2004, 2004: Internet, 41). The report’s proposed criteria for possible new membership of the UNSC included the examination of a state’s financial capability; its representative nature relative to its region; its democratic track record; and its contributions to the UN financially, militarily and diplomatically. Model A provided for “six new permanent seats, with no veto being created, and three new two-year term non-permanent seats, divided among the major regional areas”, whereas Model B did not provide for any new permanent seats, instead creating a new category of eight four-year renewable-term seats and one new two-year non-permanent (and non-renewable) seat (High-Level Panel on Threats, Challenges and Change (HLPTCC) Report, 2004: 81).

Neither model allowed for an African veto power. The African group rejected both models, though South Africa later hinted at a willingness to join with the G-4’s
proposal in which an African veto power would be set aside at first in favour of ensuring two permanent African seats on a new UNSC (Okumu, 2005: Internet; Spies, 2008: 105).

It is true that South Africa’s position at the UN is significantly influenced by the country’s identity as a member of the African bloc within the UNGA (Cornelissen, 2006: 34). Initially this was evident in South Africa’s backing of the Ezulwini Consensus, or Africa’s “common position” on UN reform (DFA Strategic Plan 2005-2008, 2005: Internet, 57). In his speech to the 62nd session, President Mbeki expressed support for the Ezulwini Consensus when he argued that despite espousing universal norms of freedom and equality, the UN had not yet itself ensured these noble ideals within its own organisation. However, rather inconsistently, South African Ambassador to the UN Dumisani Kumalo later argued against the realistic nature of such a common strategy (Kumalo, 2006a: 47). He also made a striking statement in clarification of South Africa’s view of its African brethren at the UN declaring that “it’s no good organizing Africans on an African issue. You’re not going to get anywhere [just getting support from] people who agree with you” (Kumalo, 2005: Internet).

The resulting conundrum facing its representatives at the UN is to present South Africa as a champion of the developing world bloc by visibly promoting certain positions on key issues, without intentionally breaking the “common position” of African solidarity. While demonstrating its commitment to reforming systems of global governance, South Africa has simultaneously been cultivating its symbolic influence as a leading spokesperson for the developing world through the hosting of high-profile, mainly UN, conferences (Van der Westhuizen, 2006: 143). However South Africa is fully aware that the UNSC is undeniably the most powerful forum in global governance and Africa remains the largest regional group without permanent representation on the Council (Spies, 2008: 106).

South Africa has not been able to find a quick fix to this problem but it has steered its foreign policy down other global avenues of interest, including that of the establishment of the International Criminal Court (ICC). The country provided considerable “backstage” diplomatic assistance in the adoption of the Rome Statute

South Africa’s foreign policy on UN reform and promoting equitable global governance through the reform of the Bretton Woods Institutions (BWIs), also known as the International Financial Institutions (IFIs), is driven by the principles of:

- Promoting multilateralism as a tool to ensure a rules-based international order; and
- Enhancing respect for and contributing to the formulation of international law.

In order to advance these principles, South African foreign policymakers would work towards: reforming international organisations; actively pursuing multilateralism; establishing regular dialogue with all nations to obtain support for South Africa’s positions on UN reform and the primacy of multilateralism and respect for international law; and contributing to the codification, formulation and progressive development of international law (DFA, 1996: Internet; DFA Strategic Plan 2003-2005, 2003: Internet, 10; Alden and Le Pere, 2006: 52).

2.4. Conclusion

This study’s key research question is to establish whether/to what extent South Africa’s voting behaviour at the UN between 1994 and 2008 was consistent with its declared foreign policy. It was established that the „declaratory component“ of a state’s international behaviour or the declared policies of the state’s political leadership indicate the focus and action plan of a state and help one to make sense of how a state behaves.

Based on official foreign policymakers’ speeches, discussion documents, strategic plans, reports, and government legislation, as well as searching through a pool of academics” and researchers” observations of government, four significant strategic
themes became apparent in the conduct of South Africa’s external relations since 1994: (1) the promotion of human rights and democracy; (2) disarmament and related non-proliferation issues; (3) the advancement of African interests and the consolidation of the African Agenda within the context of North-South relations, and (4) reform of the UN and the promotion of equitable global governance.

The chapter then examined these themes in turn, providing context and ultimately establishing a list of principles for each theme drawn from government sources. In keeping with Chapter 1’s model, this framework of South Africa’s specific foreign policy declarations will be used for the rest of the study as a benchmark against which to critically assess South Africa’s voting actions on these issues at the UN. The next chapter will begin to examine the first of these four themes in South Africa’s voting behaviour within the UN, namely human rights and democracy promotion.
CHAPTER THREE
SOUTH AFRICA'S VOTING ON HUMAN RIGHTS AND DEMOCRACY ISSUES AT THE UN

“Human rights foreign policy, at the UN or elsewhere, will always be about balancing concern for human rights with other competing interests” (Clapham, 2007: 77).

3.1. Introduction

This chapter examines South Africa’s voting behaviour at the UN between 1994 and 2008 in those sub-organs or committees associated with human rights and democracy issues. This is the first of four strategic themes, identified in Chapter 2, characterising South Africa’s foreign policy during this period. Having already noted the country’s ‘declared’ policy on the promotion of human rights and democracy, the purpose of this chapter is to apply the remaining two steps of the model set out in Chapter 1. The study will record South Africa’s actual voting actions on human rights and democracy issues at the UN, and then interpret observers’ responses to its voting behaviour as well as the government’s own explanations for its voting actions.

During the early stage of South Africa’s transition, when the state was en route to democracy, Evans (1991: 709) asked two fundamental questions that were in the minds of many curious onlookers: “what will South Africa be like in the future?”, and more specifically, “how will it behave in local, regional and global politics?” The ANC’s decades-long campaign against the apartheid system was essentially a human rights one (Daniel, 1995: 32), and therefore it was not out of character for the ANC government to place high value and focus on this specific area of foreign policy. In what better arena could they publicly embrace this declared foreign policy goal than at the organisation where South Africa’s human rights record had been most attentively discussed in recent decades – the UN?

Indeed, South Africa had sought to elevate its prominence in the UN based on a strong commitment to human rights as one of the professed cornerstones of the country’s foreign policy (Borer and Mills, 2009: Internet). A general perception noted by Ibrahim Gambari, Chairman of the UN Special Committee against Apartheid, on
23 June 1994, was that a new era had been ushered in in South Africa, and what a glorious era it promised to be “not only for the people of South Africa but also for the southern African region, the African continent and the world as a whole!” (A/48/PV.95, 1994: 5). However, in later years South Africa was widely referred to as having a “tarnished human rights reputation” at the UN (Sunday Independent, 8 September, 2008), as experiencing what resembled a split personality in terms of its goals globally (Serrão and Bischoff, 2009: 370), and perhaps most extremely as resembling “a rogue democracy” (Baker and Lyman, 2008: 5).

As mentioned in Chapter 1, South Africa’s voting in the UN on human rights issues has only recently attracted significant media attention. Does this imply that, since 1994, South Africa had always voted to promote human rights and therefore stuck closely to its foreign policy principles? What were South Africa’s foreign policy voting actions in those 14 years that, by the commencement of its term on the UNSC in 2007, the state merited such a dire international assessment? These questions will be addressed in this chapter. Furthermore, the chapter intends to clarify post-1994 South Africa’s historical record on human rights voting at the UN in an effort to ascertain how consistent its voting practices have been with its declared foreign policy on this theme. Before beginning the discussion on South Africa, it is necessary to briefly describe the human rights and democracy environment at the UN.

3.2. Human rights at the UN: a background review

The exact meaning of human rights is contested throughout the world. Like many other political terms, “human rights” is a normative phrase, often bandied about with reference to the rights of human beings to certain things and freedom from others, as well as reference to first-, second- and third-generation human rights (Donnelly, 1999: 71-102; 2003: 1-2; Forsythe, 2000; Oberleitner, 2007: 36; Mingst, 2008: 310-312; and Landman and Carvalho, 2010: 16-24).

Burchill (2005: 67) offers a well-rounded definition of human rights as deriving from:

the worth and dignity of the human being. These rights are inherent in that they are the birthright of all persons; inalienable since they cannot be forfeited or taken away;
and universal in the sense that they apply to all people irrespective of race, gender, nationality or status.

As this study is intended to review and analyse South Africa’s voting record at the UN on human rights and democracy promotion, it stands to reason that the definition and content of human rights and democracy created by global human rights institutions should form the basis of this chapter.

International human rights institutions create international human rights law. The UN is the only multilateral governmental agency with universally accepted international authority for universal human rights legislation (Oberleitner, 2007: 36). Article 55 of the Charter highlights the UN’s responsibility to promote “universal respect for, and observance of, human rights and fundamental freedoms for all,” while Article 56 places an obligation on Member States “to take joint and separate action in cooperation with the Organisation [UN] for the achievement of the purposes set forth in Article 55.”

Human rights language has developed through international legal documents, the most prominent of which is the UDHR, consisting of 30 listed principles. The UDHR was adopted by the UNGA on 10 December 1948 (resolution 217(III)[A]) (Davidson, 2004: 1). UDHR signatory states “pledged themselves to achieve, in co-operation with the UN, the promotion of universal respect for and observance of human rights and fundamental freedoms” (Preamble to the UDHR). In 1948 South Africa did not vote in favour of the UDHR, preferring instead to abstain, as the UDHR did not align with South African domestic policy at the time (Baehr and Gordenker, 2005: 104; Clapham, 2007: 42). Despite South Africa’s view, the UDHR’s preamble regarded the Declaration as a “common standard of achievement for all peoples and all nations.” It also affirmed that the “recognition of the inherent dignity and of the equal and inalienable rights of all” human beings was “the foundation of freedom, justice and peace in the world” (Preamble to the UDHR).
The UDHR and the UN Vienna Declaration and Programme of Action (VDPA) (A/CONF.157/23, 1993) expanded on the meaning of human rights. Article 2 of the UDHR (1948) asserts that:

everyone is entitled to all the rights and freedoms set forth in [the UDHR], without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

The VDPA (A/CONF.157/23, 1993) reaffirmed this declaration 45 years later describing all human rights as:

universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.

ANC members had been invited to attend the Vienna World Conference on Human Rights in June 1993 as special delegates. Since 1994 the new ANC-led government became “fully associated with the Vienna Declaration and Programme of Action” adopted at the conference (Office of the High Commissioner for Human Rights (OHCHR), 1998: Internet).

The UDHR, taken together with the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966, forms the International Bill of Rights (Davidson, 2004: 1).

The UN encompasses a number of organs, institutions and committees. Those specifically related to human rights, and therefore important for the purposes of this chapter, are the UNGA”s Third Committee and the UNCHR/HRC. The Third Committee, officially the Social, Humanitarian and Cultural Affairs Committee, has universal membership and deals with agenda items allocated to it annually by the UNGA. These agenda items relate to humanitarian affairs and human rights questions affecting people worldwide (Dickey, 2001: 23).
The UNCHR, established in 1946, was the UN’s primary body charged with achieving the Charter’s purpose of promoting respect for human rights and protecting fundamental rights and freedoms (Lebovic and Voeten, 2006: 861). For the next 60 years this 53-member body became the battleground upon which states lined up their human rights issues (Oberleitner, 2007: 63). However, the Commission eventually wore out its usefulness. It failed primarily due to political infighting in the form of political blocs preventing action over human rights violations in particular states, and secondly due to the domination of the UN by stronger states (Jacobs and Kollapen, 2009: 215). These fundamental concerns led to its dissolution in 2006 (Oberleitner, 2007: 44).

The HRC replaced the UNCHR in mid-2006, after resolution 60/251 of 15 March 2006 was adopted by the UNGA. Council members were expected to commit themselves to cooperating with the Council and to upholding the highest standards in the promotion and protection of human rights (Eliasson (Swedish Ambassador appointed Deputy Secretary-General to the UN since 1 July 2012), UN speech, 2006: 3). The new HRC has had its share of critics, though, including Clapham (2007: 162), who doubted how plausible it was for states willingly to sideline national interests in order to make objective apolitical assessments of the human rights behaviour of other states. Nevertheless, the HRC is currently the main human rights body within the UN (Fasulo, 2004: 161-163) established primarily to promote “the effective coordination and mainstreaming of human rights in the UN system” (A/RES/60/251, 2006: 2).

Becoming a party to one or all of the human rights instruments mentioned above should indicate an affinity with the texts and a willingness to adhere to the stated principles within those documents. However, despite states’ recognition and acceptance of the UN covenants and the declaration, in reality states’ behaviour often demonstrates a half-hearted compliance with their acknowledged human rights obligations (Baehr and Gordenker, 2005: 109). Does South Africa fall into this category of states? This question will now be addressed as the chapter moves on to South Africa’s formal commitments and its actual voting record on human rights and democracy issues at the UN between 1994 and 2008.
3.3. South Africa and human rights at the UN

The salient "declarations" that have guided South Africa’s human rights foreign policy since 1994 were established in the previous chapter. This section builds on that background with particular reference to the country’s human rights foreign policy at the UN. The Republic’s international relations were directed by *inter alia* an understanding that South Africa should play a central role in the worldwide human rights campaign, in line with the ANC’s previous global efforts to end apartheid; and the recognition that human rights were directly related to the promotion and consolidation of democracy the world over.

South Africa’s National Plan of Action for the Promotion and Protection of Human Rights (NAP) was submitted to the UN’s Office of the High Commissioner for Human Rights in 1998. This plan was crafted by the South African government, in consultation with civil society, and based on the premise that all human rights were “universal, indivisible and interdependent” (OHCHR, 1998: Internet).

More specifically, the National Plan separated human rights under three broad headings. The first referred to civil and political rights. These rights incorporated: equality (all people are equal before the law regardless of sex, gender, sexual orientation, pregnancy, marital status, race, ethnicity, colour; age, disability, belief, religion, culture, conscience, language or birth); life; freedom and security of the person; privacy; labour and political rights; access to justice and just administrative action; citizens (all citizens are equally entitled to the rights, privileges and benefits of citizenship); aliens (aliens should be given the same human rights as state nationals, with the exception of certain aspects of political rights); refugees (who have a right to non-discrimination); expression; and the rights of arrested, detained and accused people (OHCHR, 1998: Internet).

The second group of rights namely, economic, social and cultural rights, included employment, housing and shelter, health, food, water, land, social security, education, freedom of culture, religion and language, and rights of children and young people. The third area referred to the rights to development, self-determination, peace and a protected environment. It drew from South Africa’s own
progressive Bill of Rights (Chapter 2 of its Constitution) and from “the provisions of relevant international and regional human rights instruments like the UDHR ... [and] The African Charter on Human and Peoples’ Rights (ACHPR)” (OHCHR, 1998: Internet).

In its 15 year review published in 2009, South Africa’s DIRCO singled out human rights as having been an “important focus” of South Africa’s foreign policy since 1994 (DIRCO, 2009: 56). In terms of the Republic’s overt support of human rights mechanisms since then, this was a truthful statement. South Africa ratified the ICCPR in March 1999 and acceded to its optional protocol in November 2002 (Davidson, 2004: 247). When South Africa signed up to the ICCPR it essentially agreed to safeguard positive rights such as the right to life, liberty, fair trial, freedom of movement, thought, conscience, peaceful assembly, family and privacy. It also agreed to prohibit slavery; torture; cruel, inhuman or degrading treatment and punishment; discrimination; and arbitrary arrest and imprisonment (Clapham, 2007: 49).

The Republic signed the ICESCR in 1994. However, despite government statements in support of the ICESCR since 1995 and repeated allusions to progress towards ratification of the treaty since 2007, by 2011 this ratification had still not taken place (see Community Law Centre Parliamentary Programme, 2011: Internet). Having signed the ICESCR, South Africa committed itself to provide for the rights of individuals which encompass, *inter alia*, the right to social security, education, health, water, food, an adequate standard of living and fair labour laws (OHCHR, 2007: Internet).

Besides those already mentioned, South Africa became a party to another 26 international human rights conventions/treaties, including the Convention on the Elimination of All Forms of Racial Discrimination (CERD – created in 1965); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW – 1979); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT – 1984); the Convention on the Rights of the Child (CRC – 1989); the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW – 1990); the United Nations Convention on the Status of Refugees (CSR – 1951) and the ACHPR (1996) and on the Rights and

South Africa also demonstrated its commitment to democracy by joining the Community of Democracies, an informal association of states dedicated to promoting and strengthening democracy at home and abroad, and signing its Warsaw Declaration in June 2000. The Republic was later asked by Poland and the US to become one of the lead governments of this group, based on its public desire to make democracy promotion abroad a priority of its foreign policy (Community of Democracies, 2010: Internet). By 2004 the Community of Democracies officially convened as a „democracy caucus“ within the UNGA with the express purpose of:

strengthening a process of consultation and coordination at the UN in order to encourage and facilitate the Community of Democracies’ interested participants’ actions dedicated to promote and defend democracy, and the human rights and fundamental freedoms protected under democracy (Council for a Community of Democracies, 2004: Internet).

During his presidency Mandela was adamant that South Africa would not only immerse itself in international human rights legislation and democracy promotion, but would also actively participate in multilateral forums, most importantly the UNCHR and the UNGA’s Third Committee. Bodies such as these were central in the defence of human rights worldwide (Barber, 2005: 1080). Furthermore, the ANC was quick to stipulate that, “some of these steps [we] will take are symbolic but, in [our] efforts to canonise human rights in our international relations, [we] regard them as far more than this” (ANC, 1994: Internet).

South Africa had been warmly welcomed back into the international community post-1994, but early on members of the government were wary of this “honeymoon period” (Pfister, 2000: 2). By 1996, in a discussion document, the DFA (1996: Internet) warned that many expectations about South Africa’s international role had been created, and that these brought with them assumed and “demanding responsibilities.”
Moreover, in May 1999, the then Director-General of Foreign Affairs, Jackie Selebi, cautioned that despite South Africa’s “proud track record” in the field of human rights and democracy, the first five years of its foreign policy had taught the government that in this field “the wrong tactics and strategies [could] undermine the goals that [it] sets [itself]” (Selebi, quoted in Black and Wilson, 2004: 29). He was surely referring to primarily South Africa’s diplomatic faux pas over Nigeria in 1995, when President Mandela’s unilateral action against Nigeria’s President Sani Abacha was frowned upon by fellow African heads of state (to be discussed later in this chapter) (Van Aardt, 1996: 115).

It has to be said that the world’s reaction to South Africa’s newfound democracy was to a large extent fuelled by South Africa’s own often idealistic statements. Mandela’s (1993: 88) oft-cited “human rights will be the light that guides our foreign affairs” is a particular example. It is evident that on paper the promotion of democracy and human rights characterised South Africa’s foreign policy under Mandela from 1994 to 1999 (Olivier, 2006: 174). A second factor making for high international expectations of South Africa was the perception of the Republic as a “miracle” country, because of its relatively peaceful transition to democracy, and as the “darling” of the international community. These exaggerated perceptions were, according to some, bound not to be realised (Sidiropoulos, 2008: 108).

Ironically, almost as a foreshadowing, the 1994 ANC foreign policy document vowed that South Africa “would take seriously [its] wider obligation on the human rights front … as … [South Africa] should never again become the focus of international attention on human rights violations” (ANC, 1994: Internet). A little over a decade later South Africa was exactly that, the negative focus of international attention, specifically on the UNSC, over its stance on human rights violations in Myanmar (to be examined later in this chapter).

The above-mentioned ANC policy document (1994, Internet) furthermore promised that South Africa would never let issues of principle be “sacrificed to economic and political expediency.” South Africa would also not be selective in its commitment to human rights concerns in its bilateral relations, assuring that it would not be afraid to “raise human rights violations with countries where [South Africa’s] own and other
interests might be negatively affected.” The Nigerian dilemma a year later would lead to the realisation by South Africa’s government that it would not always be easy to practise what it preached. By 2007 UN Watch (2007a: Internet, 16) had singled out South Africa’s performance in the HRC’s first year as deserving a “particular mark of shame” considering its democratic image and supposed advocacy of human rights. Together with Pakistan, Cuba and Sri Lanka, South Africa received UN Watch’s lowest score of this 47 member body on actions concerning human rights and democracy (UN Watch, 2007a: Internet, 26).

With an understanding of South Africa’s human rights commitments at the UN established, the next step is to review the Republic’s actual voting practices re human rights and democracy issues at this organisation.

3.3.1. South Africa’s voting actions

As noted previously, voting in the UN is significant because it is the official method of recording which resolutions are passed or fail to be passed and more importantly it can be used as an indicator of a state’s foreign policy behaviour (Holloway, 1990: 279). The act of voting is symbolic because it is a succinct statement of a state’s position on a matter. It indicates to the press and to participating and interested parties, civil society and NGOs and to communities around the world, whose side, for all intents and purposes, a state is on.

As mentioned, the main UN bodies considered in this chapter are the UNGA’s Third Committee and the UNCHR/HRC between the years 1994 and 2008. South Africa was a member of the UNCHR from 1997-1999 and 2001-2006. It was then elected to the HRC from 2006-2010. In this study South African votes cast in the HRC up to and including the 9th session (8-26 September 2008) will be recorded. South Africa’s two years as a non-permanent member on the UNSC (2007-2008) will also be reviewed later in the chapter, in respect of human rights issues. Of the 4241 resolutions adopted by the UNGA between the 49th and 62nd sessions, one-fifth were put forward under the Third Committee and relate to human rights.
The UNGA’s Third Committee and the UNCHR/HRC are organised around thematic or country-specific issues brought to the attention of the organs by their members. Each UN session documents “resolutions” adopted and “decisions” taken. (Resolutions describe the situation and the actions that will be taken by the UN, essentially indicating the ‘will of the organisation’; whereas a ‘decision’ is taken on non-substantive or routine matters about an internal affair affecting the UN only, such as elections, appointments and times of meetings (UN, Dag Hammarskjöld Library, 2009: Internet)). Sometimes the same draft resolutions and decisions are placed on the table year after year, perhaps with minor changes.

For the purposes of clarity, this study will focus only on resolutions (not decisions). This chapter, in particular, will divide the votes based on two broad themes (see Democracy Coalition Project, 2006: Internet):

1. country-specific situations – these refer to resolutions on the situation of human rights in a particular country/territory; and 2. thematic issues falling under human rights, such as the advancement of women, the protection of the rights of children, indigenous peoples’ rights, the treatment of refugees, and the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the advancement of the right to self-determination.

Other important social development questions related to youth, family, elderly people, persons with disabilities, crime prevention, and criminal justice are also considered under thematic issues.

The tables set out below intend to offer a more immediate and accessible view of South Africa’s voting action in these bodies. The tables have been compiled using the official voting records as documented for each resolution by UNBISnet (Dag Hammarskjöld Library) as well as press statements, reports and speeches (Index to Speeches) recorded by the UN’s Department of Public Information (DPI).

Within the tables Y means “yes”, N means “no”, A equals “abstain”, and NV means “non-voting”. “Awav” refers to resolutions “adopted without a vote”, in other words resolutions adopted by general consensus and therefore without the need to technically record individual country votes.
In Chapter 1 the types of voting actions were discussed. To repeat very briefly here, during a vote on a substantive matter (i.e. a vote on a specific topic being discussed), state representatives may abstain rather than vote „yes“ or „no“, and this generally means that a state does not support the resolution being voted on, but does not oppose it enough to vote „no“, or it is used as a way to avoid voting against a resolution, which can help a resolution to pass. Abstentions “cut both ways (countries sometimes abstain to make a principled stand on a resolution when they feel they cannot vote counter to the wishes of regional or other alliances)” (Democracy Coalition Project, 2006: Internet). If a state’s representative votes „yes“ it supports the proposed resolution, and if it does not agree with the draft resolution the representative votes „no“.

A no-action motion is a procedure that, if passed, prohibits the debate of a specific draft resolution by members of the UN. This motion has been used often by China and others, but also the US, and essentially allows states to avoid having to make a public decision on a politically sensitive issue and thereby evade unwanted scrutiny (Baha’i World News Service, 21 November 2008).

3.3.1.1. Votes on country-specific situations

Tables 4 and 5 (below) indicate South Africa’s voting action in the UNGA Third Committee and UNCHR/HRC respectively on resolutions pertaining specifically to the Situation of human rights in various hot-spots around the world or „country-specific situations“. Where the table is blank, it signifies that no resolution on the subject was tabled for that year. Resolutions on situations of human rights are critical of the human rights situations in the respective states (mentioned below). Criticism ranges in strength from direct „condemnations“ to „expressions of concern“ over human rights abuses in those areas.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Belarus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>N</strong> A**</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>N</strong> A**</td>
</tr>
<tr>
<td>Cuba</td>
<td><strong>N</strong></td>
<td><strong>N</strong></td>
<td><strong>N</strong></td>
<td><strong>N</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Democratic People's Republic of Korea (DPRK)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>A</strong> A A**</td>
</tr>
<tr>
<td>DRC</td>
<td></td>
<td></td>
<td>Y Y</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
<td>A A</td>
</tr>
<tr>
<td>Iran</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
</tr>
<tr>
<td>Iraq</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
<td><strong>A</strong></td>
</tr>
<tr>
<td>Kosovo</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lebanese (arising from Israeli military operations)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Myanmar</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>A</strong> A**</td>
</tr>
<tr>
<td>Nigeria</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sudan</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
<td><strong>A</strong></td>
<td><strong>N</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwanda</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turkmenistan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uzbekistan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 4: Y=Yes; N=No; A=Abstain; Awav=Adopted without a vote
Table 5: UNCHR/HRC: country-specific resolutions on human rights – South Africa’s vote

<table>
<thead>
<tr>
<th>Situation of human rights in:</th>
<th>‘97</th>
<th>‘98</th>
<th>‘99</th>
<th>‘01</th>
<th>‘02</th>
<th>‘03</th>
<th>‘04</th>
<th>‘05</th>
<th>‘06</th>
<th>‘07</th>
<th>‘08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belarus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cuba</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DPRK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>DRC</td>
<td>Y</td>
<td>Awav</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Timor</td>
<td>A</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iran</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iraq</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>NV</td>
</tr>
</tbody>
</table>
| The Federal Republic of 
  Yugoslavia (Serbia and 
  Montenegro), the Republic 
  of Croatia and Bosnia and 
  Herzegovina                | Awav |    |    |    |    |    |    |    |    |    |    |
| Kosovo                        |    |    |    |    |    |    |    |    |    | A  |    |
| Myanmar                       | Awav | Awav |    |    |    |    |    |    |    |    |    |
| Nigeria                       | Y  | Y  | Awav |    |    |    |    |    |    |    |    |
| Occupied Palestinian Territory (reports of gross, widespread and flagrant violations of human rights in the Occupied Palestinian Territory) |    |    |    |    |    |    |    |    |    | Y  | Y  |
| Occupied Palestine            | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  |    |    |
(confirms and defines the inalienable rights of the Palestinian people, particularly their right to self-determination)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied Syrian Golan</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Parts of south-eastern Europe</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Republic of Chechnya</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rwanda</td>
<td>Awav</td>
<td>Awav</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southern Lebanon and Western Bekaa</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lebanon (caused by Israeli military operations)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Sudan</td>
<td>Awav</td>
<td>Y</td>
<td>Awav</td>
<td>Y</td>
<td>A</td>
<td></td>
<td></td>
<td>Awav</td>
<td></td>
</tr>
<tr>
<td>Turkmenistan</td>
<td></td>
<td></td>
<td></td>
<td>A</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uzbekistan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 5: Y=Yes; N=No; A=Abstain; Awav=Adopted without a vote, NV= No vote

By studying these tables it is clear that South Africa abstained from any resolution in the UNGA’s Third Committee on Myanmar’s situation from 2006 onwards. This may indicate that even before its time on the UNSC in 2007 South Africa was not keen to make any decisive statement on the country. This vote will be discussed later in the present chapter. A prominent result on the first table is South Africa’s apparent change of heart over the human rights situation in Iran. For 1994 and 1995 South Africa voted “yes” to resolutions over the status of human rights in Iran. However, by 1996 and for the next six years South Africa abstained each time on similar
resolutions (in the UNGA and in the UNCHR/HRC). Then from 2003 to 2008 South Africa consistently voted against any resolutions on Iran. South Africa has also remained steadfast in its no-vote against criticism of human rights in Cuba in both the UNGA Third Committee and in the UNCHR/HRC. Abstaining is a favourite action of South Africa, as it took this route on every resolution concerning human rights in North Korea since 2003. It also moved from a seven-year run of “yes” votes since 1994 on resolutions over Iraq’s human rights situation, to two years of abstentions in 2001 and 2002.

South Africa abstained on a Third Committee resolution criticising Sudan’s lack of human rights in 2001 and voted “no” in 2002 on a similar resolution. Previously it had voted “yes” to resolutions on the human rights situation in Sudan. After the year 2001, South Africa has not voted in favour of any resolution over human rights situations in a particular territory apart from those in the occupied Palestinian Territory and occupied Syrian Golan, where South Africa has consistently voted in favour of these resolutions on the UNCHR.

UN vote information:
The situation of human rights in ... (see Tables 4 and 5):

| Inconsistent | X |
| Partly consistent |
| Consistent |

Explanation: Formally, in official documents, South Africa could be said to “commit” itself to human rights. However, as a summary of the situation of human rights expressed in Tables 4 and 5 (UNGA and UNCHR/HRC respectively), South Africa has not always voted against human rights abuses and therefore has not consistently supported the promotion of human rights as declared in its foreign policy documents and speeches.

As assessed above, South Africa’s votes on situations of human rights in the UNGA and UNCHR/HRC were inconsistent with its declared foreign policy of human rights and democracy promotion. However, before discussing the second area of human rights issues within the UNGA and UNCHR/HRC, namely thematic votes, it is appropriate firstly to consider South Africa’s votes on country-specific situations in the UNSC. Although UNSC resolutions on country situations fall under this particular UN organ’s mandate to maintain international peace and security and refer most
often to peacekeeping operations, they also speak to the human rights status of the civilians involved in war-torn areas and their right to live in peace. As such UNSC resolutions on country-specific situations are discussed below.

3.3.1.1.1. Voting at the UNSC

During South Africa’s 2007-2008 UNSC term, 103 UNSC resolutions were adopted on country-specific situations. Sixty-eight of those concerned African situations and will be considered later in the study in Chapter 5 (see section 5.3.2.). Another focused on the situation in Iraq over the termination of the IAEA’s Iraq Nuclear Verification Office (INVO) which will be discussed in Chapter 4 (section 4.3.2.). The remaining 34 are recorded below.

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolutions 1764, 1785 (2007). The situation in Bosnia and Herzegovina. South Africa voted „Y“.</td>
</tr>
<tr>
<td>Resolutions 1758, 1789 (2007); 1818, 1847 (2008). The situation in Cyprus. South Africa voted „Y“.</td>
</tr>
<tr>
<td>Resolutions 1748, 1757 (South Africa „A“), 1759, 1773, 1788 (2007); 1815, 1821, 1832, 1848, 1852 (2008). The situation in the Middle East. South Africa voted „Y“.</td>
</tr>
<tr>
<td>Resolution 1850 (2008). The situation in the Middle East, including the Palestinian question. South Africa voted in favour.</td>
</tr>
</tbody>
</table>

| Inconsistent |
| Partly consistent |
| Consistent | X (abstained once) |
Explanation: In February 2007, a month after South Africa's controversial UNSC vote on Myanmar, the Republic voted in favour of UNSC resolution 1745 on The extension of the mandate and increase in the strength of the UN Integrated Mission in Timor-Leste (UNMIT) (S/RES/1745). UNMIT was established in 2006 (through the adoption of UNSC resolution (1704)) to, inter alia, “assist in further strengthening the national capacity for the monitoring, promotion and protection of human rights” in East Timor (UNMIT, 2012: Internet). A year later South Africa (alongside Australia, New Zealand and Portugal) sponsored UNSC resolution 1802. This came after attacks on the President and Prime Minister of East Timor in February 2008. Resolution 1802 requested UNMIT to “support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building” (UNMIT, 2012: Internet). South Africa’s Ambassador Kumalo applauded the government of East Timor on its “considerable progress in the areas of election, formation of a democratic government and the general improvement in the security situation” of the country (quoted in S/PV.5843, 2008: 19).

Of the 34 resolutions adopted, and recorded above, South Africa abstained only once. UNSC resolution 1757, on the establishment of a Special Tribunal for Lebanon, was adopted with 10 votes in favour and five abstentions (South Africa, China, Russia, Qatar and Indonesia). The resolution, sponsored by the UK and the US among others, authorised the formation of an international tribunal to try suspects in the 2005 assassination of former Lebanese Prime Minister Rafiq Hariri and other Lebanese leaders (S/RES/1757, 2007: 3). Ambassador Kumalo, in an explanation before the vote, stated that South Africa utterly condemned the assassinations and was in full support of the establishment of the tribunal as long as it was under Lebanese ownership. That is, his delegation believed it was of “paramount importance” for the tribunal not to be imposed upon Lebanon (Kumalo, UN speech, 2007a: 4). Another contentious issue for South Africa was the use of Chapter VII of the UN Charter in the wording of the resolution. Chapter VII covers UNSC responses to “threats to the peace, breaches of the peace, and acts of aggression”. Kumalo (UN speech, 2007a: 4) added the following in further explanation of his country’s abstention:

> We maintain that it is not appropriate for the Security Council to impose such a tribunal on Lebanon, especially under Chapter VII of the Charter of the United Nations. In that regard, my delegation has frequently cautioned that the Security Council should be judicious in its invocation of Chapter VII of the Charter. In discarding the Lebanese Constitution the Security Council is contravening ... the need to respect the sovereignty ... of Lebanon. The Security Council is mandated to act with impartiality and without bias. It cannot be seen to be taking sides in internal Lebanese politics.

South Africa’s abstention did not prevent the adoption of resolution 1757. The Republic’s behaviour cannot be considered as inconsistent as it has expressed a commitment to state sovereignty before in its foreign policy declarations. However, it should be mentioned that this commitment has altered slightly in certain cases – at least in rhetoric (see 3.3.1.2. voting clusters on the promotion of democracy and its consolidation).

In 2008, South Africa voted in favour of a draft resolution presented by the US and Russia on the Situation in the Middle East, including the Palestinian question. Although South Africa expressed disappointment over the limited scope of the resolution, South Africa was pleased that the resolution reaffirmed a commitment to a „Two-State” solution to the Israeli-Palestinian conflict (Kumalo, UN speech, 2008: 11). The resolution was adopted as S/RES/1850 (2008).

The following section will consider the second area of human rights issues within the UNGA”s Third Committee and the UNCHR/HRC, namely thematic votes.
3.3.1.2. Votes on thematic issues in the UNGA and UNCHR/HRC

South Africa’s votes on resolutions pertaining to thematic human rights and democracy issues have been grouped here under four broad headings or clusters. These headings encompass the South African government’s declared perspective on rights mentioned earlier: civil and political rights; economic, social and cultural rights; the rights to development, self-determination, peace and a protected environment; and, finally, the recognition that human rights are directly related to the promotion of democracy and its consolidation the world over.

Resolutions linked to civil and political rights

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UNGA Third Committee: Protection of human rights and fundamental freedoms while countering terrorism. South Africa voted „Y“ in 2003.</strong></td>
</tr>
<tr>
<td><strong>Human rights and terrorism. South Africa „A“ in 2001 and voted „Y“ in 2003 and 2004.</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** In October 2001, following the 11 September terror attacks in the US, South African Ambassador Kumalo (UN speech, 2001a: 16-17) declared at the UNGA, on behalf of South African President Thabo Mbeki and the South African cabinet, that

South Africa condemns terrorism without any equivocation. Attacks against civilians cannot be justified ... These principles inform the core values of our constitution ... the world should unite in the fight against terrorism. In this effort, the immediate task is to ensure that the perpetrators meet their just deserts. In the medium term, the challenge is to understand the root causes of these despicable acts and to eradicate them worldwide.

However, two months later, South Africa chose to abstain on UNGA resolution 56/160 entitled *Human rights and terrorism*, condemning acts, methods and practices of terrorism in all its forms and manifestations. (It had also abstained in 1999 and in 2001 on the UNCHR). It abstained; it did not vote against the resolution (which was later adopted) (A/56/PV.88, 2001). South Africa failed to explain its choice of abstention, though it voted in company with Canada, the US and Zambia among others who expressed concern over wording in the resolution. South Africa’s lack of explanation indicates a slight wavering in its principled stance on terrorism (emphatically expressed just two months previously) and therefore the Republic’s voting behaviour in this regard cannot be considered *fully* consistent.

According to the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/6/17, 2007), the South African government “does not see terrorism as a major threat (domestically), but remains vigilant”.

The country adopted counter-terrorism legislation, the Protection of Constitutional Democracy against Terrorist and Related Activities Act (POCDATARA), in 2004.

**UN vote information:**

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: In these resolutions South Africa voted in favour of condemning Israel for holding Lebanese citizens in Israeli prisons as hostages for bargaining purposes.

**UN vote information:**

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: The judgment here is that South Africa has been partly consistent. South Africa has stated its intent to play a constructive role in addressing the Israel-Palestine stalemate (DFA Strategic Plan 2005-2008, 2005: Internet, 40); however, it has consistently supported the Organisation of Islamic Cooperation (formerly Organisation of the Islamic Conference) (OIC) members over Israel in the above resolutions (creating the perception* of bias in favour of one side over the other – to be discussed under section 3.3.1.1).

**UN vote information:**
<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Most often sponsored by Cuba, this resolution asks that “the family” continued to be considered the basic unit of society. It is the duty of all to promote the reunification of families. Restrictions on families and on their ability to send remittances hindered that. The US is in opposition arguing that states should determine the scope of their economic relations with other states, and citizens and residents were expected to act accordingly in their own financial transactions. South Africa’s failure to declare why it abstained three times (intermittently over the years) on these votes awards the Republic a partly consistent assessment.

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: These resolutions strongly condemn all the extrajudicial, summary or arbitrary executions that take place throughout the world and are line with South Africa’s domestic abolishment of the death penalty.

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>


UN vote information:

Elimination of crimes against women committed in the name of honour. South Africa voted „Y” in 2000.

The elimination of rape and other forms of sexual violence in all their manifestations, including in conflict and related situations 2007. South Africa opposes original draft offered by US).*

| Inconsistent | | | | |
| Partly consistent | X |
| Consistent | | | | |

Explanation: These resolutions called for the continued need to protect and promote the rights of women around the world. *To be discussed under section 3.3.1.2.

South Africa also voted in the UNGA Third Committee in favour of resolutions on the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002), and protection of migrants (2000). The Republic also voted in favour of resolutions in the UNCHR/HRC on promoting the right to peaceful assembly and associations (2005); the right to freedom of opinion and expression (1998); protection of the human rights of civilians of armed conflicts (2005); the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002); assistance to Equatorial Guinea in the field of human rights (2002); impunity (2001); Khmer Rouge trials (2002); the integrity of the judicial system (2003); prohibition of forced evacuations (2004); strengthening of popular participation, equity, social justice (2005); indigenous populations (2004 and 2005); and the Working Group on Indigenous People (2003).

**Resolutions falling under economic, social and cultural rights**

UN vote information:


| Inconsistent | | | | |
| Partly consistent | | | | |
Consistent | X
---|---

| Inconsistent | Partly consistent | Consistent | X
---|---|---|---
**Explanation:** On behalf of the G-77 and China, Ambassador Kumalo in November 2006 stated that following the events of 11 September 2001 ... it is regrettable that the fight against terrorism has been equated with Islam, which has given rise to racial and religious intolerance. This has manifested itself in new forms of discrimination and xenophobia against Muslim and Arab peoples ... The Group of 77 and China therefore calls upon the international community to make all efforts to combat all forms of defamation of religions ... and believes that while freedom of expression remains a valuable component of a democratic society, its exercise should not infringe on the rights of others (Kumalo, 2006b: Internet).

**UN vote information:**

**UNGA Third Committee:** Elimination of all forms of religious intolerance. South Africa voted „Y“ in 2003-2006 and 2007.


The elimination of all forms of intolerance and of discrimination based on religion or belief. South Africa „A“ in 2007.

Elimination of all forms of religious intolerance: South Africa voted „Y“ in 2003.

**UN vote information:**

**UNGA Third Committee:** Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. South Africa voted „Y“ in 2001.


**UNCHR/HRC:** World Conference against Racism, Racial Discrimination, Xenophobia and


Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance. South Africa voted „Y” in 2004 and 2005.

| Inconsistent | 
| Partly consistent | 
| Consistent | X |

Explanation: In 2008, the DFA (2008: Internet, 33) declared that one of the tenets instructing South Africa’s approach to foreign policy was a commitment “to combat xenophobia, racism, sexism and other related intolerances” (by using the UN system and related international conferences).

In addition, South Africa voted in favour of resolutions in the UNGA Third Committee and UNCHR/HRC on: access to medication in the context of pandemics such as Acquired Immune Deficiency Syndrome (AIDS), tuberculosis and malaria (2002 and UNCHR/HRC in 2001); the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2003 and UNCHR/HRC in 2005); Office of the Special Representative of the Secretary-General for Children and Armed Conflict (2003); human rights and extreme poverty (UNCHR/HRC in 1998); religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem (UNCHR/HRC in 2007); the effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights (UNCHR/HRC in 2001-2005); the promotion of enjoyment of cultural rights (UNCHR/HRC in 2004); the right to food (UNGA 2001-2007; UNCHR/HRC in 2001, 2003-2005); the question of the realisation in all countries of the economic, social and cultural rights contained in the UDHR and in the ICESCR, and the study of special problems which the developing countries face in their efforts to achieve these human rights (UNCHR/HRC 1998, 2004, 2005).
Resolutions pertaining to the rights to development, self-determination, peace and a protected environment

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNCHR/HRC: Right to development. The resolution was „Awav‟ in 1997. In 1999 South Africa co-sponsored this resolution with China on behalf of NAM and the resolution was again „Awav‟. South Africa later voted „Y‟ on these resolutions from 2001-2005. The resolution was „Awav‟ in 2006.</td>
</tr>
</tbody>
</table>

| Inconsistent | |
| Partly consistent | |
| Consistent | X |

Explanation: South Africa has consistently voted „yes‟ to resolutions on the right to development, which it considers to be vital to the interests of the developing world. It has demonstrated an affiliation with its NAM partners and the UN African Group in this regard.

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
</table>

| Inconsistent | |
| Partly consistent | |
| Consistent | X |

Explanation: Most often sponsored by Cuba, these resolutions are a condemnation of the US’s sanctions against Cuba. It consistently urges states against the use or encouragement of the use of economic, political or any type of measures to coerce another state thereby subverting its sovereign rights. In this case, South Africa’s initial abstention in 1996 is made less significant given its consistent votes in favour of similar resolutions thereafter. As such the assessment is that South Africa was consistent on these votes.

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA Third Committee: Use of mercenaries* as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. South Africa voted „Y‟ from 1994-2007 (only failing to vote twice, in 1999 and 2001, with no explanation).</td>
</tr>
</tbody>
</table>

| Inconsistent | |
| Partly consistent | |
| Consistent | X |
**Explanation:** In 14 years South Africa consistently voted against the use of mercenaries and the danger they constitute to peace and security in Africa and other developing countries. *To be discussed under section 3.3.1.2.

**UN vote information:**


<table>
<thead>
<tr>
<th></th>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** Dumisani Kumalo (2000a: Internet) expressed South Africa’s view on this point in a statement to the UNGA in October 2000:

South Africa firmly believes that peaceful negotiation is the only means of ensuring lasting peace, security and stability in the region. Furthermore, [it] believes that the achievement of the inalienable rights of the Palestinian people to self-determination and independence is pivotal to the achievement of a sustained and comprehensive peace in the Middle East.

**UN vote information:**

UNGA Third Committee: Promotion of peace as a vital requirement for the full enjoyment of all human rights by all. South Africa voted „Y“ in 2007.


<table>
<thead>
<tr>
<th></th>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** South Africa supports resolutions which stress that

- the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace and security and stability (Johannesburg Declaration on Sustainable Development, 2002: 2);

- all states have a sacred right to peace; and

that the preservation and promotion of peace demands that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations (UNCHR, 2003: Internet).
UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** These resolutions

reaffirm the right of peoples, without external interference, to determine methods and to establish institutions regarding electoral processes and that, consequently, States should ensure, in accordance with their constitutions and national legislation, the necessary mechanism and means to facilitate full and effective popular participation in those processes (A/RES/54/168, 1999).

On the issue of Zimbabwe‟s controversial violent 2008 elections (Amnesty International, 2008: Internet), South African Ambassador to the UN, Dumisani Kumalo (as President of the UNSC for the month of April) was asked about possible UN involvement in the electoral process. Kumalo responded with the following statement:

what's happening in Zimbabwe is an election. Many countries hold elections. Some do it well, some others don't do it so well and others take long, others take longer, so we will see. We are also watching to see when the results come out. I will be very surprised if it came before the Security Council (UN/Feed, 2008: Internet).

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** In 1994 South Africa became a party to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. The Convention “aims to protect human health and the environment against the adverse effects resulting from the generation, management, transboundary movements and disposal of hazardous and other wastes” (Basel, 2011: Internet). In accordance with this Convention South Africa does “not export hazardous waste to other developing countries and/or countries with no adequate infrastructure to manage the waste in an environmentally sound manner” (E/CN.4/1998/10/Add.2: report of the UN Special Rapporteur to South Africa in 1997 on toxic wastes, Fatma-Zohra Ksentini; Basel, 2011: Internet).
Resolutions related to the promotion of democracy and its consolidation the world over

UN vote information:


Inconsistent
Partly consistent X
Consistent

Explanation: In 2000 South Africa voted against, and was the only African state to do so, the resolution, entitled The promotion of a democratic and equitable international order (A/RES/55/107) sponsored by, inter alia, Cuba. The resolution affirmed that a democratic world order “fosters the full respect for and realisation of all human rights for all.” South Africa gave no explanation for its voting behaviour. It abstained the following year also without explanation. Each resolution also intended to draw attention to the close relationship between socio-economic conditions at the international level and their impact on human rights. From 2002 onwards South Africa voted in favour of such resolutions, along with other NAM members.

UN vote information:


Inconsistent
Partly consistent
Consistent X

Explanation: These resolutions noted with satisfaction that an increasing number of UNGA Member States were using elections as peaceful means of discerning the will of the people and confidence-building. South Africa is founded on the values of Section 1 (d) of its Constitution: universal suffrage, regular elections and a multiparty system of democratic government.

UN vote information:


Inconsistent
Explanation: At the UNCHR/HRC, international solidarity is considered the cornerstone of Member States’ responsibility to humanity and for building a better global society, and as glue for social cohesion and a guarantee against marginalisation, exclusion and excessive disparities. Resolutions on this topic aim to examine ways and means of overcoming existing and emerging obstacles to the realisation of the right of peoples and individuals to international solidarity.

UN vote information:


Inconsistent
Partly consistent X
Consistent

Explanation: In 2000 and 2001, the years South Africa abstained, the resolutions on the topic above had been watered down. The texts had “raised and singled out selective issues within the Charter and suggested sovereignty was a shield to protect human rights abusers” (M2 Presswire, 28 November 2001). The debate at the time revolved around the UN being denied the right to intervene where human rights violations might be taking place; and that it was in fact obliged to intervene.

South Africa’s views on the issue of intervention versus sovereignty can be most adequately expressed in former President Mandela’s words at the 1998 OAU summit in Burkina Faso that:

Africa has a right and a duty to intervene to root out tyranny … [We] must all accept that we cannot abuse the concept of national sovereignty to deny the rest of the continent the right and duty to intervene when behind those sovereign boundaries, people are being slaughtered to protect tyranny (quoted by Adebajo in Sunday Independent, 27 February 2012, and in Landsberg, 2007: 199).

In February 2002, President Mbeki expressed similar a sentiment “that national sovereignty should no longer serve as a barrier behind which African governments could hide and do what they liked” (quoted in Olivier, 2003: 818). Mbeki reiterated his position when addressing the Nigerian Institute of International Affairs in Lagos the following year,

because we share a common destiny … We should not allow the fact of the independence of each one of our countries to turn us into spectators when crimes against the people are being committed. It is true that each of our governments derives its mandate and legitimacy from its electorate. This would seem to suggest that everybody else should therefore stay out of the business of each of our states. But … we will have to proceed from the position that we are each our brothers and sisters keeper (quoted by The Presidency, 2003: Internet and in Geldenhuys, 2010: 156).

Despite the above statements, which are in line with South Africa’s principled stance on human rights promotion, in practice South African President Mbeki was unable to follow through on these “moral sentiments” (Olivier, 2003: 819). Instead Mbeki behaved in a wholly contradictory manner during his terms as president with his „soft diplomacy” approach towards Zimbabwean President Robert Mugabe’s ruthless regime (Graham, 2006: 116).
UN vote information:


<table>
<thead>
<tr>
<th></th>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: South Africa’s declared commitment to a fairer world is reflected in its expressions of concern over the geographic imbalance in the High Commissioner’s staff and in its calls to have UN personnel hired from those developing countries not yet represented (the principal human rights official at the UN is the High Commissioner (2008-2012), currently South African lawyer Navanethem Pillay).

UN vote information:


<table>
<thead>
<tr>
<th></th>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: South Africa’s declared commitment to the „right to development” finds its home here. It has consistently voted in favour of resolutions calling on UN Member States to “promote equitable and environmentally sustainable growth for managing globalisation”, and that the growing gap between the “developed and developing countries had contributed to deepening poverty and had adversely affected the full enjoyment of all human rights, particularly in developing countries”(A/RES/56/165, 2001).

South Africa also voted in favour of resolutions in the UNGA Third Committee on: promoting and consolidating democracy (2000 and 2004); the UN's role in enhancing
elections and promoting democratisation (1997); the importance of the universal realisation of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights (1994), and on the universal realisation of the right of peoples to self-determination (2003). South Africa voted in favour of resolutions in the UNCHR/HRC on: continuing dialogue on measures to promote and consolidate democracy (2001); further measures to promote and consolidate democracy (2002); interdependence between democracy and human rights (2003); and enhancing the role of regulatory and other organisations in consolidating democracy (2004).

South Africa also voted in favour of resolutions on: the working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994 (UNGA 2006); the promotion of equitable and mutually respectful dialogue on human rights (UNGA 2006 and UNCHR/HRC in 2005); the enhancement of international cooperation in the field of human rights (UNGA 1996); UN promotion of human rights through international cooperation and the importance of non-selectivity, impartiality and objectivity (UNGA 1997); the report of the Human Rights Council (UNGA 2007); the Intergovernmental Working Group on the Review of Mandates (UNCHR/HRC in 2006); the Sub-Commission on promotion and protection of human rights (UNCHR/HRC in 2005); human rights and special procedures (UNCHR/HRC in 2004); and the enhancement of the effectiveness of the working methods of the Commission on Human Rights (UNGA 2002).

From the above sections it is evident that South Africa has in many instances voted in congruence with its declared foreign policy tenet of human rights promotion and a commitment to democracy. It has, however, sometimes voted inconsistently in this regard and it is these instances that have sparked controversy. Of course another factor has to be accounted for: the possibility that a government may simply change its mind over the course of 14 years. After all, governments have to deal with changing relationships, circumstances, contexts and events continuously. This would naturally imply an alteration in voting stance as a result.
The controversy arises when states seemingly respond to events or act in a way that is contrary to what they themselves regard to be *unwavering bedrock* tenets that guide them in all foreign policy decisions. Former UN Special Envoy for Humanitarian Needs in Southern Africa, James Morris, argued that to ensure “consistent government policies … [government] cannot keep changing tactics or chasing the media spotlight from one crisis to another” (quoted in the *Sunday Independent*, 17 December 2006). Consistency in policy is after all “important for effectiveness” (Titus, quoted in Corrigan, 2009a: 32).

Between 1994 and 2008, did South Africa consistently manage to operationalise its aspirational policies? Did the Republic „walk the talk” at the UN? The third step in the model will now take this question into consideration by dissecting a few cases and considering the recorded perceptions of the government and interested observers.

### 3.3.2. Interpretations of voting action: government views and observers' views

Before considering responses to country-specific votes or thematic issues, this section aims to provide an overall perception of South Africa’s UN human rights policy at the UN.

South Africa’s human rights foreign policy has been described as disorganised, contradictory, confused and ambiguous (Ryall, 1997: 397; Bischoff, 2003; Black and Wilson, 2004: 27; Nathan, 2005: 361). Mid-way between 1994 and 2007, the *Natal Witness* (14 September 2002) declared that “there is inconsistency in South Africa’s foreign policy utterances, apparently not recognised by the government itself, but probably quite obvious to international observers.”

Others, however, have argued that over the years the Republic’s foreign policy had shown “signs of maturing” (*Financial Times*, 20 September 1999) and that it reflected an all-embracing fusion of realism and liberalism (Williams, 2000: 73) or a meshing of the ANC’s internationalism with the DFA’s neo-realism (Black and Wilson, 2004: 27). In this sense foreign policymakers became more realistic about the link between what they declared in their policy aims and what they could actually accomplish, or between aspirational and operational interests.
In 1995, Raymond Suttner, Chairperson of the Portfolio Committee on Foreign Affairs in the National Assembly of the South African Parliament, argued that South Africa’s declaration of a foreign policy committed to human rights and the promotion of democracy, although admirable, tended to be “too broad to serve as guidelines to understand the actual choices and decisions to be made”, resulting in unclear decisions taken by the DFA without publicly explaining the reasons (Suttner, 1995: 2). This lack of clarity, according to Suttner, appeared to be most evident in South Africa’s performance at the UN.

During the initial years of South Africa’s democracy, a number of factors left over from the ANC’s anti-apartheid struggle still influenced foreign policymaking. These included a mismatched relationship between fighting for a liberation movement and making and conducting policy on behalf of a state; coordinating multiple role-players’ activities; and various inherited external relationships that could not be forgotten (Suttner, 1995: 3).

When Mandela was criticised about the dubious human rights records of some of the countries he visited during his presidency (1994-1999), he stated that South Africa would not be influenced by the differences which existed between internal policies of a particular country and South Africa itself. His argument was that since countries with human rights violations had been accepted by the UN and by NAM, why then should South Africa depart from what others were doing? (Baker and Lyman, 2008: 12).

Mbeki’s foreign policy between 1999 and 2003 was characterised by three ideological elements: Africanism, anti-imperialism and democracy. The democratic element is placed last here as it tended to be pushed to the sidelines in favour of the first two African-driven foci. Subsequently the defence of human rights, which in the ANC’s view was an issue connected to democracy, was also seemingly pushed into the background (Barber, 2005: 1088; Jacobs and Kollapen, 2009: 215).

Many have argued that when South Africa’s human rights language proved difficult to operationalise in the international arena, the government chose to take a more cautious approach (Van der Westhuizen, Taylor and Nel, 2001: 116). South Africa
gradually began replacing its original stand-alone human rights role with the notion that, “where appropriate, South Africa”s advocacy of and support for human rights should occur through multilateral institutions and quiet bilateral diplomacy” (Le Pere and Van Nieuwkerk, 2002: 173).

Yet, in its 15 year review, DIRCO (2009: 56) stated that South Africa had since 1994 participated actively in UN deliberations and influenced decisions on issues related to economic, social and cultural rights, the right to development, and vulnerable groups. It was eager to underline South Africa”s continued commitment to human rights: “South Africa became party to all the major international human rights instruments. It advocated a holistic approach that put equal emphasis on civil and political rights and social and economic rights” (DIRCO, 2009: 56-57).

Many observers (The Washington Post, 16 April 2007; Neuer, 2007: Internet; Bogert, 2008: Internet; Corrigan, 2009b; VOA News, 20 February 2009) would disagree with this so-called commitment given South Africa”s voting behaviour in the UNCHR/HRC (UNGA, and with regard to certain draft resolutions in the UNSC) in which it chose not to address human rights issues. Others are keen on emphasising South Africa”s bold and independent „Southern” perspective which has emerged over the years and outshone its commitment to human rights (this „Southern” perspective will be examined in greater detail in Chapter 5 of this study) (Sutterlin, 2007).

Somewhat ambiguously, South Africa”s Minister of International Relations and Cooperation, Maite Nkoana-Mashabane, declared at the Heads of Missions meeting in August 2009 that South Africa had been and continued to be guided in its foreign policy by its firm belief in the principles of respect for human rights, the promotion of democracy and international rule of law. What is interesting is that this line was preceded by another statement emphasising the country”s continued quest to influence global issues in its foreign policy. Clapham (2007: 59) queries where the promotion of human rights and democracy ranks when in competition with such other interests.

Although South Africa did vote in favour of UNSC resolutions supporting continued improvement in the domestic situations of certain countries (see section 3.3.1.1.1.)
while serving on the UNSC in 2007-2008, it cannot be ignored that the Republic also “opposed or declined to support resolutions for victims of human rights violations in Sudan, Belarus, Uzbekistan, Burma, Iran, Zimbabwe and North Korea” (Human Rights Watch, 2009: 120). All of these states (save Iran) are listed in the bottom or near the bottom of Freedom House’s annual ‘World’s Worst’ report identifying those countries assessed as having the worst human rights conditions in the world (Freedom House, 2009: Internet).

Based on this ‘selective’ decision-making, it is worth considering if any alterations were made by the DFA in its foreign policymaking prior to South Africa’s assumption of its seat on the UNSC. In November 2006, members of the DFA (2006a: 4), during a roundtable dialogue, discussed South Africa’s upcoming membership of the UNSC for 2007-2008. The presentation highlighted, among other challenges, the dominance of the P5 in the UNSC and the tendency of the Council to infringe on the work of other UN bodies.

A government official was cited in 2007 as saying that the Republic had two possible routes to take on the UNSC: either fit in with the crowd, go where the wind blows and get good publicity and be popular; or be an independent thinker at the risk of being unpopular. The official went on to say that the second option was surely the only one because South Africa would have to be consistent in its foreign policy and be able to recognise itself after the two years. “The UN should not change us. We should change the UN” (quoted in Kagwanja, 2009: 275).

South Africa’s Chief Director of Human Rights and Humanitarian Affairs in DIRCO, Pitso Montwedi (quoted in Corrigan, 2009a: 18), defended South Africa’s time on the UNSC by stating that the country had adopted a “distinct approach to human rights issues.” Similarly, in an address to the South African Institute of International Affairs (SAIIA) in May 1999, Selebi (1999: 207), Director-General of Foreign Affairs, declared that “South Africa has adopted a very consistent approach to foreign policy issues”. He said that this had been possible because “certain principles have always been regarded as fundamental” to South Africa’s foreign policy and “would remain so in the future”. Selebi then listed these principles, with “the promotion of human rights and democracy” in fourth place directly after the principle of “non-interference in the
internal affairs of other countries”. Instructively, this is not how DFA Strategic Plans have ordered these principles.

Participants at a two-day workshop in March 2010 in Johannesburg and Cape Town, which focused on South Africa’s foreign policy regarding human rights, generally observed that human rights had been severely deprioritised in South Africa’s conduct at the UN and that the official reasons for doing so were not compelling. South African officials in attendance admitted that their department was failing to communicate its positions accurately to all interested parties and indicated that it would need to engage more with civil society. This is a valid point, since “many observers were dismayed that South Africa seemed actively determined to protect human rights abusers” (Corrigan, 2009a: 10).

Lynch (in *The Washington Post*, 16 April 2007) affirms this, stating that “[Ambassador Dumisani] Kumalo’s government is seeking to counter an imbalance of global power” in the UNSC, where the P5 use their authority to attack enemies and to shield friends. Kumalo made his government’s position plain, insisting that South Africa was not on the UNSC as “window dressing” and would not simply be a rubber stamp (quoted in Jordaan, 2008: 555).

UN Watch (2007b, Internet) accused South Africa of having the worst voting record in the UN in respect of human rights especially with regard to situations in specific countries, because of its voting record on the HRC and UNSC. South Africa’s response was that “in fact the HRC adopted close to 100 resolutions a year and only around 10 per cent of them concerned countries” (Montwedi quoted in Corrigan, 2009a: 19). This somewhat flippant remark implies, perhaps falsely, South Africa’s lack of concern regarding human rights situations in countries as they were consigned to „only one tenth of all’ the matters to be addressed at the UN body.

Montwedi (quoted in Corrigan, 2009a: 19) offered an explanation for his comments by stating that:

> in South Africa’s experience, country-specific resolutions tend not to be the most productive route to pursue. South Africa is not comfortable with naming and shaming,
where there is a reality of people suffering. The reports are too hostile and are counterproductive in South Africa’s view, especially those proposed resolutions on the situation of human rights in the DRC and Burundi.

This perception is shared by the African Group as a whole at the UN, and the group asserts that only at the request of the country involved would these states consider investigating domestic human rights policies (Democracy Coalition Project, 2008: Internet, 11). Interestingly, South Africa did not react in quite the same way when it came to focusing specifically on Israel and its conduct in the Palestinian territories. In this respect South Africa „named and shamed” ad nauseam. Since 1994, the Republic voted without fail in favour of all resolutions proposed by Pakistan or members of the OIC concerning the „maltreatment” of Palestinians (see Tables 4 and 5 and section 3.3.1.2).

Considering the above, the study will now investigate selected country-specific and thematic human rights and democracy issues. Due to space constraints it is not possible to analyse all of the human rights-related voting actions undertaken by South Africa on these issues between 1994 and 2008 in depth. They are recorded, however, in the tables compiled in this chapter and certainly deserve future analysis.

3.3.2.1. Explanations of South Africa’s votes on country-specific situations

As previously mentioned, members of the international community have, at times, reacted with criticism to South Africa’s foreign policy behaviour as being at odds with its declared foreign policy goals since 1994. However, Borer and Mills (2009: Internet) point out that “those expecting such consistent behaviour ignore other powerful forces which mitigate against such expectations.” In South Africa’s case, the forces may be the ANC government’s historical relationship with certain states.

Between 1994 and 1999, Mandela maintained strong loyalty to government leaders and regimes that had supported the ANC during apartheid, regardless of their poor human right records. During the period under review in this study, South Africa remained close with Indonesia, Libya and Cuba and since 1996 with China (Baker and Lyman, 2008: 11). These relationships have impacted on South Africa’s voting
actions at the UN, as it has opposed resolutions in the UNHRC against any of these governments.

**Libya, Cuba, China and Indonesia**

In 1995 Deputy Minister of Foreign affairs Aziz Pahad described South Africa”s foreign policy as “being very nice to the rich and powerful, nice to the potentially rich and powerful and kind to old friends who are neither” (quoted in Shubin, 1995: 11).

Mandela had been a long-time supporter of Libya”s President Muammar Qaddafi (*The Atlantic*, 6 September 2011). In January 2003, South Africa took the lead in nominating and actively supporting Libya”s chairmanship of the UNCHR, despite US objections (Tupy, 2003: Internet; Ronen, 2008: 195). Some observers (Cornelissen, 2006: 39; Ronen, 2008: 195) suggested that this was really an attempt to regain Libya”s good favour. South Africa had, only a month previously, excluded Libya from the African Peer Review Mechanism (APRM) created under the New Partnership for Africa”s Development (NEPAD) – aimed at encouraging Western investments on the continent – due to concern that Libya”s involvement would deter support from the West.

In December 1995 South Africa voted against a UNGA resolution calling upon the government of Cuba to cease its violations of human rights (A/RES/50/198, 1995). It consistently did so in the UNGA from 1994 to 1998 (see Table 4) and in the UNCHR from 2001 to 2005 (see Table 5). Thirteen years on South Africa remained steadfast in its continued good relations with Cuba. In a speech at the UNGA”s 63rd session in 2008, Ambassador Kumalo praised Cuba”s involvement in South Africa”s liberation history.

South Africa and China initiated formal diplomatic ties in February 1998, and during his official visit to Beijing, Deputy President Mbeki decided not to raise human rights issues with the Chinese President, saying it was “not in line with international trends” (quoted in *The Citizen*, 14 April 1998). After his return to South Africa, Deputy Foreign Minister Pahad defended Mbeki”s position by arguing that South Africa had to adapt to the specific conditions of each country regardless of whether or not they
adhered to universal human rights norms (Corrigan, 2009a: 3). Ten years later Deputy Minister of Foreign Affairs Sue Van der Merwe (2008a: Internet) confirmed that South Africa still highly valued its relations with China and regarded China as an important strategic partner.

In January 2007, South Africa sided with China (and Russia) to crush a, US-sponsored, mild UNSC resolution demanding an end to political repression and human rights violations in military-ruled Myanmar (Neuer, 2007: Internet). This action prompted the following response from a Western UN delegate: “South Africa is reflexively against anything we’re for – we in the States, we and the British, we in the North. South Africa is more Chinese than the Chinese!” (Africa Research Bulletin, 2007: 17026).

However, foreign policy decisions are more complex than simply considering each event in isolation. Bilateral relations influence choices in multilateral situations, as the following examples demonstrate. South Africa and Indonesia are active members of the NAM and have worked together in promoting the ideals of South-South co-operation. “Both countries have played a crucial role in advancing the cause of the South and in the promotion of North-South dialogue” (South Africa, Embassy in Jakarta, 2010). As far back as 1955, Indonesia hosted the Bandung Asia-Africa Conference and invited the ANC to represent South Africa at this event.

In 1997 President Mandela, who had a long-standing friendship with Indonesian President Suharto, agreed to South African arms sales to Indonesia when visiting the country. This was despite the ANC’s long-time sympathy for the liberation movement in East Timor – against whom the arms would likely be used. Moreover, South Africa abstained on resolutions in the UNCHR condemning Indonesian violence against the Timorese in 1997 (see Table 5) and 1998 (Baker and Lyman, 2008: 12). Abstaining can be perceived as “ignoring” an issue. These actions were confusing considering that a year later Ambassador Kumalo (S-PV-4043-Resu.1, 1999: 2) explained that South Africa’s involvement in East Timor “was more than just political” and that “due to [its] commitment to democracy”, South Africa was naturally keen on sending its own “election experts, who had learned how to monitor the birth of a democracy by
helping in nurturing [their] own”, to assist the UN-organised referendum on independence in East Timor in August 1999.

Eight years later, Ambassador Kumalo made a statement in the UNSC (S/PV.5843, 2008) in an attempt to reassure East Timor that South Africa supported all steps towards consolidating democracy there. He declared, quite remarkably, that South Africa regarded East Timor as “the centre of the world.”

Belarus, Uzbekistan and the Middle East

Despite creating the impression that it cared about human rights situations, South Africa continued its “poor track record by failing to use its influence in international bodies to defend human rights victims. It voted against [UNGA] resolutions critical of Belarus, Iran and Uzbekistan” (Democracy Coalition Project, 2006: Internet).

In November 2006 the US, Canada and the EU introduced a resolution in the UNGA criticising the situation of human rights in Belarus. Initially South Africa, along with 66 others, attempted to block the debate but was unsuccessful. The resolution was adopted in December by 72 “yes” votes to 32 “no” votes (of which South Africa was one) and 69 abstentions (A/61/PV.81, 2006: 29). Perhaps South Africa’s unwillingness to place Belarus under pressure was influenced by the fact that the two states had committed themselves to increased economic cooperation just three months earlier (Masango, 2006: Internet). Such was the “advancing ... relations between South Africa and Belarus” that South African Foreign Minister Dr Dlamini-Zuma was awarded a professorship in July 2007 by the Belarusian State University in recognition of her “brilliant merits and exceptional qualities in the service of her country” (DFA News and Events, 2007a: Internet).

South Africa’s commitment to staying friendly with Belarus may have further influenced its vote on another resolution put forward during the November 2006 UNGA session mentioned above. Belarus and Uzbekistan introduced a resolution (A/C.3/61/L.31/Rev.1, 2006) calling for the promotion of equitable and mutually respectful dialogue on human rights. The resolution stressed the need to avoid “politically motivated and biased country-specific resolutions and confrontational
approaches on human rights” (A/C.3/61/L.31/Rev.1, 2006: 2). A vote in favour of its adoption would signify, according to some (Democracy Coalition Project, 2006: Internet), a deliberate attempt to eliminate one of the UN”s tools to put pressure on the worst human rights abusers. South Africa voted „yes”, along with 76 others, leading to its successful adoption.

It is interesting to note that when Belarus sponsored a draft resolution condemning democracy and human rights abuses in the US (A/C.3/61/L.42, 2006) in December 2006, most likely in retaliation for a similar resolution against it the month before, South Africa abstained on the vote. The resolution was rejected by a recorded vote of 114 against to 6 in favour, with 45 abstentions.

Moreover, South Africa (along with India, Indonesia, Botswana, Barbados and the Philippines) voted in favour of a motion for no action on the resolution on the human rights situation in Uzbekistan (A/C.3/61/L.39, 2006) during the same Assembly session. This motion was approved by a recorded vote of 74 in favour to 69 against, with 24 abstentions. A vote against this motion was a vote to keep debate open on Uzbekistan”s poor human rights record. In effect South Africa successfully helped to block a draft resolution that would have seen the UNGA express serious concern over persistent human rights violations in that country (Democracy Coalition Project, 2006: Internet). In March 2007, South Africa voted to discontinue scrutiny of violations by Uzbekistan (and Iran).

However, South Africa has demonstrated a keenness for protecting some people”s human rights in the Middle East. In 1999 Ambassador Kumalo (A/54/PV.65, 1999: 14) affirmed South African support for “the struggle of the Palestinian people.” He also expressed his government’s belief in “their inalienable right to self-determination and independence.” When South Africa chaired the UNSC in March 2007 (S/PV.5638, 2007), it urged that Israel should refrain from taking unilateral action (such as the building of settlements and the separation wall) that may harm the living conditions of the Palestinians. Moreover, while serving on the HRC in 2006/7 South Africa helped to censure Israel for its human rights violations nine times (UN Watch, 2007a: Internet, 4-5).
South Africa had voted in favour of UNGA resolutions condemning human rights violations in Iraq from 1994 to 2000. However, in 2001 (A/RES/56/174) and 2002 (A/RES/57/232) it preferred to abstain on similar resolutions (as it did with UNGA human rights resolutions on the DRC from 2001 to 2005; Turkmenistan from 2003 to 2006; and the DPRK from 2005 to 2007 (see Table 4). In 2002 South Africa”s UN representative spoke out in opposition to sanctions against Iraq as causing “endless suffering” of the Iraqi people (S/PV.4625, 2002: 6).

In October 2002 Ambassador Kumalo was credited with forcing a previously closed UNSC debate over an imminent US invasion of Iraq into the open UNGA, thereby allowing the world to express their views on the subject (Sunday Times, 2 February 2003). Firstly in a letter (document S/2002/1132) and then in a speech at the UNSC (S/PV.4625, 2002), Kumalo took the lead in representing NAM and the AU in proving that you do not need to be in the Security Council to contribute to international peace and security. [South Africa] have forced the only public debate on Iraq, where more than 100 countries spoke (Kumalo quoted by Malala in Sunday Times, 2 February 2003).

As mentioned in Tables 4 and 5, South Africa in 1994 and 1995 voted in favour of resolutions condemning the status of human rights in Iran. However, by 1996 and for the next six years South Africa abstained each time on similar resolutions. Then from 2003 to 2008 South Africa consistently voted against any resolutions on Iran. South Africa voted unsuccessfully in favour of a no-action motion on the draft resolution proposed by Canada on the situation of human rights in Iran in November 2006. It later voted against the resolution on Iran (A/C.3/61/L.41, 2006), choosing to stay in close company with members of the OIC and the African Group. Despite this, the resolution was adopted by 70 “yes” votes, to 48 “no” votes and 55 abstentions (Democracy Coalition Project, 2006: Internet). Perhaps the status of South Africa’s bilateral relations with Iran since 1994 offers some insight into its voting behaviour.

According to the DFA (2010: Internet), South Africa and the Islamic Republic of Iran have shared good historical bilateral relations and the latter supported the South African liberation movements during apartheid. Relations have expanded significantly since 1994 in areas of trade and in political matters South Africa’s
interest in cooperating with Iran also falls within its broader goal of South-South cooperation. This demonstrates South Africa’s foreign policy areas of interest and provides clues to South Africa’s voting behaviour also in other cases.

Burma/Myanmar

A report entitled *Threat to Peace: A Call to the UN Security Council to Act in Burma* was published in September 2005 by the global law firm of DLA Piper Rudnick Gray Cary. The report was commissioned by the former President of the Czech Republic, Vaclav Havel, and Bishop Desmond Tutu, Archbishop Emeritus of Cape Town (DLA, 2005: Internet). This report became a precursor to a number of draft resolutions put forward by France among others at the UN in an attempt to address the human rights situation in Burma/Myanmar.

South Africa voted “no” to a UNSC draft resolution on Myanmar (S/PV.5619, 2007) in January 2007. This vote received much media attention and South Africa’s first month on the UNSC was considered to have been controversial and “disappointing” (*The Washington Post*, 16 April 2007). (This was not the first time that South Africa had shown reticence at the UN as regards Myanmar: it abstained on a UNGA 2006 resolution (A/RES/61/232, 2006) criticising Myanmar and as a result bolstered its standing, according to some, among the G-77 and NAM). Kumalo explained South Africa’s negative vote of January 2007 in the following terms:

> the text would compromise the “good offices” of the Secretary-General in dealing with sensitive matters of peace, security and human rights; the draft dealt with issues that would be best left to the Human Rights Council; and, most importantly, it did not fit with the mandate conferred upon the Council by the Charter (UN Press Release, 2007a: Internet).

In an effort to answer a barrage of probing questions, South Africa’s Minister of Foreign Affairs, Dlamini-Zuma, elaborated on her country’s vote:

> [The Republic] is of the view that there is a growing tendency to undermine multilateral and other institutions of the UN by taking issues to the Security Council that should be handled by the relevant UN institutions. The adoption of this resolution would have set a precedent for the work of the Council because any member of the Council could bring any country for consideration, even though they may not pose a
threat to regional and international peace and security (DFA News and Events, 2007b: Internet).

South African Defence Minister, Mosioua Lekota, in February 2007 responded to criticism over South Africa’s “being insensitive to human rights violations” regarding its position on Myanmar. He gave assurances that South Africa “totally condemned” abuses of human rights and arrests of pro-democracy leaders anywhere in the world and this included Myanmar. Indeed, the Republic did not doubt that the actions of the Myanmar government against groups within its country should be condemned; it was merely “… unhappy that this matter was being placed in the incorrect forum” (DFA, 2007a: Internet). “Issues of human rights, correctly speaking, are not issues for the Security Council. They have to come before the Human Rights Council”, Lekota maintained.

Later in 2007 Portugal, on behalf of the EU, called for an HRC special session on the situation of human rights in Myanmar. Resolution A/HRC/RES/S-51 (2007) was adopted without a vote during this session and South Africa was part of that decision, even though it had made no effort to introduce the topic onto the HRC agenda itself (HRC, 2007: Internet).

Lekota (quoted in DFA, 2007a: Internet) explained in February 2007:

we have observed over some time now that there is an attempt to move issues from some of the institutions of the United Nations towards the Security Council, and in this way to cut out bigger numbers of the nations who are part of the UN from participating and being part of the discussions towards decisions on how these matters should be dealt with. To take a matter of human rights to the Security Council is to place it in an arena where it becomes inaccessible to countries, which correctly speaking ought to have a very big say in it.

Moreover, Lekota argued that South Africa would not consider abstaining on Myanmar’s situation, as South Africa’s UNSC “no” vote had been “very well considered”. South Africa had followed its “conscience and [we] voted accordingly.” The Republic remained firmly “convinced that [it] was right.”

In further explanation, Lekota (quoted in DFA, 2007a: Internet) indicated that it is a very dangerous thing to „hive off” questions and issues that need to be considered by
other „relevant institutions“ of the UN to the sole attention of a limited number of countries within the UNSC. Furthermore,

it is increasingly important that more nations are heard on issues rather than fewer because this in itself weakens democracy at international levels. The issue on the voting on the [Myanmar] matter in the UN has to do with the matter of affording more countries of the world to have a say. This is in the interests of the people of Myanmar, that more nations of the world are participant in what happens in that country. When people own a decision there will be greater support for it.

In summary, South Africa insisted it would not abstain on the Myanmar issue in 2007; it utterly condemned human rights abuses in that country; and it was in the interests of the Myanmar citizens that more states had a say in their future (not only the 15 of the UNSC). It is interesting to note here that in 2006 and 2007, in the UNGA, the UN’s largest grouping of states, South Africa abstained on resolutions pertaining to human rights situations in Myanmar (see Table 4). In November 2008, South Africa voted in favour of taking no action on a draft resolution proposed by France on the human rights situation in Burma/Myanmar at the 63rd UNGA, but this motion was rejected. South Africa later abstained on the resolution (Democracy Coalition Project, 2008: Internet). It is not surprising that these inconsistent actions continued to spur questions as to the Republic’s “real” policy on human rights.

The Republic’s response to the Burma/Myanmar question was perceived by some as vacillation, “hidden behind the discourse of human rights and a somewhat technical debate around UN reform” (Vale in Business Day, 11 October 2007). Bearing this technical argument in mind, it could be suggested that South Africa made use of procedural manipulation (mentioned in section 1.5.2.1. of Chapter 1) as a decision-making strategy over its Myanmar vote. A rather telling headline accused South Africa of using its seat on the UNSC to score points instead of fighting for human rights (Cape Argus, 4 June 2007) and another accused the Republic of “cosying up to nasty regimes” (The Economist, 15 November 2008).

**Nigeria, Sudan and Zimbabwe**

In 1995 Nigerian President Sani Abacha ordered the hanging of Nigerian human rights activist Ken Saro-Wiwa and eight other Ogoni activists, thereby completely
ignoring President Mandela’s plea for a stay of execution. This set off a string of events, including South Africa’s call for sanctions against the Abacha regime. Around this time South Africa also voted in favour of three “mildly condemnatory” resolutions on Nigeria in the UNGA in 1995, 1996, and 1997 (see Table 4) and in the UNCHR in 1997 and 1998 (see Table 5), urging the reinstatement of democracy in Nigeria and condemning the arbitrary execution of Saro-Wiwa (The Independent, 19 September 2000). It broke ranks with other African states by voting in support of a motion to have a UN investigation of human rights abuses in Nigeria in 1997 (A/52/PV.70, 1997: 29).

These actions were not well received by others in the African community. Mandela later had to back-pedal to avoid a full scale conflict between Nigeria and South Africa. South Africa vowed “never again to allow itself to be positioned outside (and presumably embarrassed by) the African consensus” (Alden and Le Pere, 2003: 19). The Republic soon realised that African solidarity trounced its human rights-centred hopes for the continent.

A view exists that South Africa has had to ignore the quality of democracy or human rights records of possible allies in order to make up the numbers in support of its African Agenda and in order to have a greater political voice globally (Serrão and Bischoff, 2009: 363). South Africa’s relationship with Sudan may be an example of such a view. In December 1995 South Africa voted in favour of a UNGA resolution recommending the continued UN monitoring of the serious human rights situation in Sudan (A/RES/50/197, 1995). The change in voting stance came in 2001 when South Africa abstained on a UNGA resolution (A/RES/56/175, 2001) expressing “deep concern at the impact of the ongoing armed conflict on the situation of human rights and its adverse effects on the civilian population” in Sudan. The following year it voted against a UNGA resolution (A/RES/57/230, 2002) calling on the Sudanese government to “end impunity for human rights violations and to try perpetrators in accordance with the rule of law.”

In November 2006 South Africa helped to scupper a strongly condemnatory HRC resolution introduced by Canada and Finland, on behalf of the EU, urging the Sudanese government to prosecute those responsible for murdering, raping and
injuring civilians in Darfur. Instead, South Africa”s vote helped in the adoption of a weaker text offered by the UN”s African Group that “excluded any reference to follow-up action by the Council and to the Sudanese government”s duty to protect civilians” (UN Watch, 2007a: Internet, 24; Nathan, 2008: 1).

The following year South Africa rejected a draft UNSC resolution threatening sanctions against Sudan. Ambassador Kumalo declared that any reference to sanctions was “totally unacceptable” (BBC News, 17 July 2007). South Africa did vote in favour of a resolution adopted at the end of July 2007 (S/RES/1769, 2007) authorising the deployment of a 26 000-strong AU/UN Hybrid Operation (UNAMID) in an effort to end conflict in Darfur (Sangqu, UN speech, 2007a: 9).

In November 2007 Mbeki hosted Sudanese President Omar Al-Bashir in Cape Town. During this visit Mbeki called Sudan “a strategic partner” and toasted South Africa”s “friendship” with Sudan, its president and its people (DFA News and Events, 2007c: Internet; Nathan, 2008: 1). Perhaps it is not surprising then that South Africa in 2008 was accused of attempting to suspend or delay the ICC”s case against Al-Bashir for alleged war crimes in Darfur (Stuijt, 2008: Internet).

In Nathan”s (2005: 361-172; 2008: 1-17) view, South Africa”s attempts to tone down international responses (in the UNSC and HRC) to Sudan”s “severe humanitarian and human rights crisis”, was influenced by a number of considerations. Increased business interests in Sudan (agreements on economic and trade cooperation were signed in 2007); Mbeki”s desire to bring stability to Africa, in Sudan”s case through the championing of Sudan”s 2005 Comprehensive Peace Agreement (CPA), the African Mission in Sudan (AMIS) and the UNAMID); and an anti-imperialist philosophy all played a role.

Additionally, South African foreign policymakers were convinced that coercive measures only worsened situations and that in seeking positive change, diplomatic engagement only was essential (Nathan, 2008: 16). Some might suggest that South Africa”s use of diplomacy was merely a euphemism for continental solidarity, which had at times been at odds with its human rights principles. For example, the UN African Group including South Africa had previously (2005) used a no-action motion
at the UNCHR to prevent any decision and debate on human rights in Zimbabwe (Jacobs and Kollapen, 2009: 225).

In March 2007 South Africa opposed a request by the British UN representative, Emyr Jones Parry, that the UNSC discuss the deteriorating situation in Zimbabwe, including recent attacks there on opposition leader Morgan Tsvangirai. South Africa had assumed the presidency of the UNSC for that month. South Africa”s Ambassador Kumalo referred to Jones Parry”s request as “surprising” and that his country would not bring the issue of Zimbabwe before the Council, as it did not signify “a threat to international peace and security” (Kumalo, quoted in Heinlein, 2007: Internet).

The following year South Africa also voted in the UNSC against sanctioning President Robert Mugabe”s regime after flawed elections in Zimbabwe in June 2008 (Mbeki and Sidiropoulos, 2008: Internet; Jacobs and Kollapen, 2009: 216). In July 2008 Kumalo (UN speech, 2008a: 5) expressed quite clearly his government”s thoughts on this matter:

South Africa as a member of both SADC and the AU is obliged to follow the decision of those regional leaders. For that reason, my delegation will vote against the draft resolution ... [UNSC draft resolution, S/2008/447 (2008), concerned the situation in Zimbabwe and the imposition of sanctions and an arms embargo against Zimbabwe as well as a travel ban and financial freeze against Zimbabwean President Robert Mugabe and 13 other government members] (The Times, 15 July 2008).

The intimation here was clear: the UNSC must give space for the AU Summit decision on Zimbabwe of June-July 2008 to be implemented and thereby protect Mbeki”s mediation efforts at the time. The US found South Africa”s stance on Zimbabwe under Mbeki baffling and the US Ambassador to the UN at the time, Zalmay Khalizad, considered Mbeki to be out of touch with trends in his own country (VOA News, 20 February 2009).

Ambassador Kumalo”s allusion to regional leaders (above) does not tie in with his statement that dissenting votes on Zimbabwe and Burma/Myanmar were simply votes against considering these issues in the UNSC. He argued that South Africa did
care about human rights, just not as issues to be discussed by the Council, and that his government"s voting actions:

should not be interpreted as blocking a human rights agenda. We didn”t want human rights to be used as a tool: if I don”t like you I trot out human rights violations that you may have, but when it is Guantanamo Bay, they keep quiet and you know when it is Gaza they keep quiet (Kumalo quoted in VOA News, 20 February 2009).

According to Kumalo, the US and others wilfully mischaracterised South Africa”s policies on the UNSC:

we didn”t do things the way the British and the Americans wanted us to do them and if you don”t do it like the big ones, the French and the Americans and the British, the way they want to do them, then you are a cheeky African, well I am happy being a cheeky African (Kumalo quoted in VOA News, 20 February 2009).

Britain”s UN Ambassador responded to these comments by Kumalo describing him as a “bit of a maverick.” In reference to Chapter 1”s „type of UN delegate”, Kumalo might be described as a „hunter”, a delegate with incredible focus who is “relentlessly determined and unyielding in his perspective” (Hanif quoted by Smith, 2006: 49).

In 2008 DFA officials asserted that, in spite of criticism, South Africa “took principled positions on the situations in the Middle East ... Myanmar ... and Iran” in the UNSC (quoted in Mashaba, 2008: 11). If the officials were referring to the guidelines that the DFA had often espoused in official documents since 1994, then its „principles” should have been its commitment to the promotion of human rights and democracy.

However, South Africa favoured a technical debate that effectively quashed human rights resolutions on the UNSC. It did so arguing that it was simply defending the rules of the Council. South Africa used the so-called ping-pong tactic to oppose these resolutions (Kaufmann, 1996: 150), asserting that the UNSC is not the correct arena in which to discuss human rights; such issues should instead be the focus of the HRC. South Africa”s foreign policy practitioners were fully aware that “international politics is mostly about perceptions and that technical reasons are not understood or appreciated" (Van Nieuwkerk, 2007: 75). Therefore, South Africa”s argument about using UN organs and bodies „correctly” – in other words, that human rights belonged in the HRC not the UNSC – unfortunately gave the impression that
the Republic would rather play petty power politics than put its energy into human rights concerns (Habib quoted in Corrigan, 2009a: 13).

South Africa’s decision to refrain from co-sponsoring any country resolutions at the UNCHR addressing human rights concerns in specific contexts may be evidence of its desire to protect sovereignty as a fundamental right of all states. However, this decision was perceived by some, Van der Westhuizen et al. (2001: 117) included, as definitely implying South Africa’s “loss of ardour on human rights issues.”

Moreover, the ANC’s vow in 1994 that the government would never let issues of principle be “sacrificed to economic and political expediency” was for the most part too ambitious. South Africa’s repeated commitment to the promotion of human rights and democracy meant nothing when it failed to do just that in Myanmar, Sudan, Zimbabwe, Uzbekistan and Belarus. This reflects inconsistency in South Africa’s human rights foreign policy.

It would be unfair, however, to criticise South African voting behaviour by highlighting its controversial UN votes alone. There is truth to Montwedi’s point that situations of human rights in specific countries are not the only human rights-related resolutions to consider.

3.3.2.2. Explanations of South Africa’s votes on thematic issues

South Africa has consistently voted in favour of resolutions in the UNGA and UNCHR/HRC, asking for renewed efforts in the fight against racism, racial discrimination, xenophobia and related intolerance. This is a particular area within the field of human rights that South Africa had since 1994 promised it would place special emphasis on (Nzo, UN speech, 1994: 12). In August-September 2001 South Africa hosted the UN’s first World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban. The „Durban Declaration and Programme of Action” was adopted as a result (UN, 2001a: Internet).

In view of its recent „racist” history, South Africa ensured that it continued to shine a light on issues related to racial discrimination. In 2006 South Africa took the lead in
introducing a draft resolution at the UNCHR/HRC (A/C.3/61/L.53, 2006), on behalf of the G-77 and China, bemoaning the fact that “there had been a lack of political will to advance the anti-racism agenda and that [South Africa and others] were concerned that that had resulted in a resurgence of racism in many parts of the world.” It also sponsored another resolution that year, together with Cuba, Belarus and Zimbabwe, urging that “all broadcasting of ideas based on racial superiority or hatred, incitement to racial discrimination” be considered illegal (A/C.3/61/L.48, 2006).

Considering South Africa’s persistent condemnation of human rights abuse based on race, the Republic was criticised by its domestic Jewish community for apparently failing to co-sponsor a January 2007 UNGA plenary resolution (A/RES/61/255, 2007) condemning any denial of the Holocaust. It was also accused of purposefully absenting itself from the plenary when the resolution was adopted. South African Minister of Defence Lekota flatly denied the accusations. He explained that no government instruction was issued to South Africa’s UN delegates to hesitate or resist on this matter, but that some “practical matters on the ground” might have played a role in South Africa’s seeming inaction on this resolution (DFA, 2007a: Internet).

Another controversial human rights issue presented itself in the form of mercenaries. South Africa had consistently voted at the UN since 1994 against the use of mercenaries and highlighted the danger they constituted to peace and security in Africa and other developing countries. It therefore proved greatly embarrassing for the government to receive reports that South African mercenaries were involved in Sudan, Sierra Leone and Côte d’Ivoire. The arrest of South African mercenaries in Equatorial Guinea and Zimbabwe in 2004 led to South Africa’s Foreign Affairs Minister Dlamini-Zuma (quoted by BBC News, 15 March 2004) expressing how disturbing it was to hear that every time the world dealt with mercenaries, in Africa in particular, South Africans were among them … We definitely do not like the idea that South Africa is a pool for mercenaries.

To address the fact that South Africa had become a recruiting ground for private military and security companies, President Mbeki signed South Africa’s Mercenary
Activities Act in 2007, though by 2010 this had still not been enforced (West Cape News, 25 November 2010).

A further hiccup in South Africa’s human rights agenda came in November 2007 when the US delegation introduced a draft resolution in the UNGA (A/C.3/62/L.16/Rev.2, 2007) calling for the elimination of rape and other forms of sexual violence in all their manifestations, including as instruments to achieve political or military objectives. South Africa and others in the African Group (such as Angola) judged that the style of the resolution was too politicised and selective, creating the impression that rape was condemned only if perpetrated for political and military purposes. They also strongly considered that this would have created two categories of rape, depending on whether it was committed by military and militia groups or by civilians (Kumalo in Mail & Guardian Online, 10 November 2007).

Amendments were introduced that sought to redress this imbalance and by making certain that there was no politicisation of rape. “It was important for the General Assembly to send a strong and non-politicised message that rape was a brutal, despicable and violent act whether perpetrated by civilians, the military or armed groups” (Pahad quoted by DFA News and Events, 2007d: Internet). Some observers contend that any real value of the original resolution was consequently lost in the final version’s watered-down language (The New York Times, 17 November 2007). While Kumalo defended South Africa’s response to the resolution, the country was singled out by the US for blocking its initiatives at the UN.

Opposition parliamentarian Sheila Camerer also perceived South Africa’s position as disconcerting and odd, “particularly in view of the fact that one of the most important decisions taken at the UN Women’s Conference in 1995 in Beijing was that rape in a conflict or war situation should be treated as a war crime” and that South Africa had been at the forefront of ensuring this point’s inclusion in the conference declaration (Camerer, 2007: Internet).

Solidarity with the UN African Group has also created domestic difficulties for South Africa. For years South Africa had voted in favour of resolutions calling for an end to extrajudicial, summary or arbitrary execution (see section 3.3.1.2.). However, in
November 2010 South Africa sided with the African and Arab bloc in favour of removing any reference to the phrase “sexual orientation” within this resolution (A/C.3/65/L.65, 2010). South Africa’s UN representative explained that the vote was based on the fact that as yet no one had decided on a definition for sexual orientation and so division existed over the phrase.

This resolution effectively disempowered “activists to lobby against laws dealing with hate crimes against gender variant people” (Pambazuka News, 25 November 2010). South Africa received a “jab-in-the-gut” reminder from critics at home that its Constitution specifically protected all citizens against discrimination, including sexual discrimination. A month later DIRCO were quick to announce an about-turn on this resolution, voting to have the phrase reinstated at the UN and admitting that the South African Constitution guarantees the right to life and the “protection of people who are killed because of their sexual orientation” (DIRCO, 2010b: Internet).

The general perception of those criticising South Africa’s voting conduct in the UN is that it has failed to live up to the hope it had embodied in so many ways in 1994. Despite its declared human rights foreign policy on paper, it has not always translated this into practice internationally. Instead, it has refused to address these issues when it has a platform to do so either in the UNSC or in the HRC (VOA News, 20 February 2009).

It must be noted that South Africa entertained a real concern that it might be perceived as an agent of Western interests in the South, and this has affected its foreign policy decisions. Kumalo considers the North and South to be “locked in a cold war on the correct approach to human rights” (quoted in Nathan, 2008: 7), and South Africa is determined to oppose the North’s perceived abuse of multilateral forums such as UN agencies. This has created the impression, at least to some observers, that South Africa has abandoned judging each case of human rights abuse elsewhere on its merits in favour of solidarity with the South against the North (Jordaan, 2008: 557).

Nathan (2008: 7) describes this choice of action as South Africa’s anti-imperialist paradigm. It has pushed South Africa’s commitment to human rights into the
background (Black, 2001: 80); instead, South Africa has slowly taken on a new commitment of respecting state sovereignty by calling for caution above all else when discussing states” internal problems (Jordaan, 2008: 556). Voeten (2000: 213) recognises what he calls a counter-hegemonic voting bloc emerging at the UN post-Cold War, with China leading one side in opposition to US hegemony. South Africa is emerging as a player in this game with its constant references to Western dominance and misuse of the UN.

Van Nieuwkerk (2007: 75) is correct in his assertion that South Africa”s foreign policymakers will have to “rise to the difficult challenge of finding a balance between principle and reality” and be able to manage effectively the perceptions created along the way.

3.4. Conclusion

Bearing in mind the Republic”s declared human rights foreign policy established in Chapter 2, this chapter recorded its actual voting actions on human rights and democracy issues at the UN between 1994 and 2008 (see Appendix), and this was followed by an analysis of explanations for its voting behaviour. South Africa”s actions with regard to country-specific and clustered thematic issues in the UNGA”s Third Committee, the UNCHR/HRC and the UNSC were investigated.

South Africa”s voting behaviour on human rights at the UN between 1994 and 2008 is mixed. It deserves neither the description of a rogue democracy nor does it deserve to be considered a crushing disappointment. What is apparent is that it is a young democracy born with the pressing desire to provide fundamental human rights in South Africa and it has experienced difficulties in its attempt to live up to expectations (both external and self-imposed).

It is evident, though, that South Africa has failed to indicate to the domestic public and the international community its strategic move away from prioritising human rights to the overriding importance of other competing interests. It is apparent that there is not always a clear link between South African policy and practice in the field of human rights and this creates confusion, the perception of uncertainty and a lack
of credibility in its foreign policy activities. The promotion of human rights is not the priority it once was, despite government assurances to the contrary. What is most evident is South Africa’s determination not to be lost in the crowd and to take, in its own words, “principled” decisions when voting. But what principles exactly?

Based on evidence presented, three considerations have, at times, trumped human rights in South Africa’s voting conduct between 1994 and 2008:

1. Incongruence in foreign policymakers’ position on human rights.

It is disingenuous of South Africa on the one hand to draw on its human rights language in every policy review, including its applications for membership in the HRC and its ratification of international human rights legislation, and on the other to downplay the promotion of human rights when it has the opportunity to act in defence of these rights. Government officials have expressed a need at times to “tone down” idealistic goals in favour of the protection of perceived national interests and old friendships. What results is, in essence, a tension between universal human rights and South Africa’s other (baser) interests.

2. Respect for state sovereignty and solidarity.

In an effort to remain on good terms with its African and Southern partners, human rights have taken a back seat and African solidarity, South-South solidarity and the sovereignty of states are now prominent. South Africa’s decision to avoid co-sponsoring any country resolutions at the UNCHR/HRC addressing human rights concerns in specific contexts is telling. In a singular example, despite its insistent acknowledgments of the abuse of human rights in Myanmar, it failed to make any move to place the issue on the table of the UN’s “relevant institution”.

3. An unwillingness to be dominated by the West.

South African struggles against “imperialist” agendas at the UN, especially within the UNSC, are evident. Unfortunately, this has created the perception of South Africa as a petulant child who simply will not be told what to do and who sticks its tongue out
at the US and the UK mostly. More charitably, South Africa seems genuinely and deeply committed to the Global South, Africa in particular, in what it sees as an unjust, Western-dominated global political and economic order. South Africa sees itself as a champion of the South and Africa’s foremost spokesman in the quest for a more equitable system of global governance.

The irony is that South Africa’s attempt to battle for a higher rung on the multilateral diplomacy ladder may come to nothing if its human rights foreign policy is already perceived by many to be on shaky ground.

Attention will now turn to a second area in which South Africa’s reputation post-1994 created high expectations for its foreign policy behaviour: the arena of nuclear weapons. The next chapter will therefore analyse South Africa’s voting record at the UN with regard to disarmament and non-proliferation issues since 1994.
CHAPTER FOUR
SOUTH AFRICA’S VOTING ON DISARMAMENT AND NON-PROLIFERATION ISSUES AT THE UN

“... given the fact that arms trade has a bearing on foreign policy, trade guided by ... principles will play a supportive role in enhancing confidence and security building and the status and prestige of South Africa ...” (Cilliers, 1995a).

4.1. Introduction

The purpose of this chapter is to examine the second of four strategic themes laid down in Chapter 2 characterising South Africa’s foreign policy in action at the UN between 1994 and 2008. This chapter focuses on the voting behaviour displayed by South Africa in those sub-organs or committees at the UN and its related agencies associated with non-proliferation and disarmament. Having already noted the country’s “declared” policy on such issues in the second chapter, the purpose of this section is to apply the remaining two steps of the model set out in Chapter 1.

As noted under section 2.3.2.2. (Chapter 2), on the eve of the demise of apartheid South Africa became the only country to voluntarily dismantle its nuclear weapons programme (Stumpf, 1995/1996: 3-8; Ogilvie-White, 1999: 322; Boureston and Lacey, 2007: Internet; Cape Argus, 27 August 2009; Sunday Independent, 27 September 2009). Nuclear weapons dismantlement began in 1990 (some suggest November 1989) and was completed by June 1991, though it was not until March 1993 that South African President FW de Klerk publicly revealed that South Africa had ever developed nuclear weapons (Horton, 1999: Internet; Adeniji, 2002: 197).

Since then the country’s presidents, ministers and other foreign policymakers have worked to keep this status alive highlighting this fact as often as possible in the multilateral arena (Mandela, 1993: 87; Mbeki, 1995: Internet; 2004: Internet; Nzo, UN speech, 1995: 3; Pahad, 2003: Internet; Minty, 2007: Internet). Disarmament and arms control became “high priority” agenda items for the DFA (DFA, 2004a: Internet; DFA 2004b: Internet; GC(48)/OR.1, 2004: 20) and it could be argued that South Africa had on paper “developed one of the world”s more comprehensive
commitments to limit the spread of weapons" conventional and otherwise (Skosana, 2002: 5).

Within two years of democratisation South Africa’s nuclear diplomacy was tested when it found itself as linchpin in a tug of war game between those possessing nuclear weapons and those who did not at the 1995 NPT Review and Extension Conference (Defence News, 12-18 June 1995; Southall, 1995b; Masiza and Landsberg, 1996). Almost a decade later in September 2004 a German engineering firm operating in South Africa came under the international spotlight for its involvement in the Pakistani scientist Abdul Qadeer Khan’s global nuclear smuggling network (Mail & Guardian Online, 12 September 2007). The South African government worked quickly to investigate this embarrassing incident in order to fully restore its reputation as a strong advocate for nuclear non-proliferation. In 2006 and 2007 South Africa received negative media attention for what appeared at first to be its growing nuclear relationship with Iran and later its “apparent” unwillingness at the UNSC to chastise Iran for its growing nuclear ambitions (Business Day, 25 August 2006; Mail & Guardian, 26 July 2007).

Its moral international arms-related image had since 1994 also faced criticism when the country was accused of selling arms to human rights violators, for example, Algeria, Colombia, Pakistan, Rwanda and Sierra Leone amongst others (Southall, 1995b: 4-5; Batchelor, 1998: 57; Human Rights Watch, 2000: Internet; Maynier, 2009: Internet; the Stockholm International Peace Research Institute (SIPRI) Arms Transfers Database, 2011: Internet). Such dealings created the impression that there had “been a growing contradiction between South Africa’s arms export practices and its stated foreign policy objectives” (Skosana, 2002: 1).

Despite these controversies the new South Africa was determined to establish itself as a responsible participant in the multilateral non-proliferation and disarmament regimes, the most prominent of which were the UN and its related bodies, including the IAEA (Mandela, 1993: 89). By 2004 the Republic was described by its first secretary for disarmament at the UN as “an active player in the international forums” that sought “to find security in disarmament rather than in weapons proliferation” (Makupula, 2003: 59). In its 15 year review, DIRCO (2009: 57) affirmed
South Africa’s status as a “distinguished” role-player in the international disarmament and arms control arena.

South Africa may have been „active” but activity does not necessarily imply consistency in terms of foreign policy practice. Did South Africa’s voting behaviour on these issues at the UN reflect its declared disarmament and non-proliferation policies? This question will be answered later in the chapter.

The UN and its related disarmament and arms control mechanisms will be highlighted next before delving into South Africa’s participation in these agencies.

4.2. Disarmament and non-proliferation at the UN

The UN was created in 1945 with the central purpose to maintain international peace and security. Since then disarmament and arms control have been sought-after goals by the organisation and its related bodies. Disarmament has been defined in slightly varied ways as a process and as a desired result (see Burns, 1982: 53-63; Tulliu and Schmalberger, 2003: 7-8; Van der Merwe, 2003: Internet). Essentially though it refers to “the reduction of [a state’s] fighting capacity, either through scaling-down or eliminating arms or, more likely, categories of weapons” (Heywood, 2011: 275). In 1948 the UN Commission for Conventional Armaments recognised a new category of weapons that had the capacity for mass destruction – nuclear weapons. Nuclear weapons referred to either atomic or hydrogen bombs, the former using nuclear fission and the latter nuclear fusion to destroy targets. This category later came to include chemical and biological weapons (CBW) (Heywood, 2011: 264).

Arms control, unlike disarmament which calls for the reduction of armaments, is defined as the regulation, limitation or restriction of weaponry (Heywood, 2011: 273). This control has taken the shape of “international restraint in arms policy in respect of the quantity, nature, deployment and use of weapons” (Van der Merwe, 2003: Internet).
The acquisition of nuclear weapons became symbolically and politically prestigious after the US demonstrated the catastrophic effects of their use in Japan in 1945. The Union of Soviet Socialist Republics (USSR) had joined the club in 1949, the UK in 1952 and France in 1960 (Heywood, 2011: 266). By 1962 China had confirmed its position in the nuclear club. The spread in the acquisition of nuclear weapons was referred to as nuclear proliferation, which may be vertical or horizontal. The former referred to the accumulation of more weapons by established nuclear states, whereas the latter referred to the acquisition of nuclear weapons by more states or non-state actors (South African Department of Energy, 2011: Internet).

Since the 1959 Antarctic Treaty banning any weapons testing on that continent, there have been a number of important multilateral disarmament and regulatory agreements. Prominent among these was the 1968 NPT, which became the foundation for the nuclear non-proliferation regime. The NPT, which came into force in March 1970, acknowledged the UNSC’s P5 as the nuclear weapons states (NWS) and categorised all other states as Non-Nuclear Weapons States (NNWS) (Shelton, 2000: 13; Tulliu and Schmalberger, 2003: 7). The NPT was extended indefinitely in 1995, a process in which South Africa played its part. This will be discussed later in the chapter. The treaty aimed to prevent the proliferation of nuclear weapons beyond the recognised five NWS and to enable the peaceful use of nuclear energy as well as to further the goal of achieving nuclear disarmament (United Nations, 2000: 113; Rydell, 2005: Internet).

Articles 26 and 47 of the UN Charter gave the UNSC the authority to regularly consider items with a direct bearing on disarmament (UN, Dag Hammarskjöld Library, 2009: Internet). A prominent resolution in the disarmament field, UNSC resolution 1540 adopted in April 2004, imposed binding obligations on “all States to establish domestic controls to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, including by establishing appropriate controls over related materials” (SIPRI, 2005: Internet, 549). This resolution also promoted greater cooperation worldwide in the move towards the non-proliferation of arms and will be examined in more depth later in the chapter.
The Charter’s Article 11 placed the UNGA in charge of deliberating over “… the principles governing disarmament and regulation of armaments” (United Nations, 2000: 111). Two subsidiary bodies within the UNGA have considered these issues over the years. The Disarmament and International Security Committee, commonly known as the First Committee, was created to ponder all disarmament questions on the Assembly’s agenda during regular sessions. The specialised UN Disarmament Commission (UNDC), established initially in 1952 and recreated and strengthened in 1978 through UNGA resolution S-10/2, was put in place to deal with specific nuclear and conventional disarmament issues and to submit a report annually to the UNGA (UNDC, 2011: Internet).

The UN Secretary-General has an Advisory Board on disarmament matters to assist that office with advice on all arms control and disarmament issues under the auspices of the UN or institutions within the UN family, including the UN Institute for Disarmament Research (UNIDIR) (UNIDIR, 2011: Internet).

The UN Office for Disarmament Affairs (UNODA), originally the Department for Disarmament Affairs (DDA), works in substantive support of the UN’s disarmament agenda. UNGA resolution 61/257 led to the creation of UNODA in March 2007. It promotes dialogue, transparency and the establishing of norms in the disarmament arena. UNODA has five branches including a support branch which assists the UNGA’s First Committee and the Conference on Disarmament (CD), confirmed in 1979 as the “single multilateral disarmament negotiating forum of the international community” (United Nations, 2000: 112). UNODA’s WMD Branch cooperates with the IAEA, the Organisation for the Prohibition of Chemical Weapons (OPCW) and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO PrepCom). Its Conventional Arms Branch (CAB) concentrates on small arms and light weapons offering support on the UN Programme of Action on Small Arms and Light Weapons, the Arms Trade Treaty process, and the UN transparency registers (UNODA, 2011: Internet).

The IAEA was established in 1957 as an autonomous intergovernmental science and technology-based organisation (IAEA, 1959: 2; Bennett, 1995: 222; Heywood, 2011: 271). The IAEA submits reports to the UNGA at each session and to the
UNSC when necessary and consists of a 35-member Board of Governors as well as its General Conference made up of 151 member states (as of November 2010) (IAEA, 2010a: Internet). It aimed to provide assistance to its Member States in using nuclear technology for civilian purposes; to develop safeguards for the protection of human health and the environment; and perhaps most importantly to verify through inspections that states complied with their NPT obligations not to use nuclear material for military purposes (IAEA, 2010b: Internet). In this respect, this agency has wide powers enabling it to “keep track of the spread and use of fissionable materials” (Archer, 1992: 173).

The CTBT was negotiated in Geneva between 1994 and 1996. Since the Treaty is not yet in force, the CTBTO PrepCom runs in lieu of the Treaty’s full ratification. The CTBTO PrepCom is a 182 member-state IGO that functions to “ban nuclear explosions by everyone, everywhere: on the Earth’s surface, in the atmosphere, underwater and underground” (CTBTO, 2011: Internet). The US, India, Pakistan, China and North Korea have not ratified the Treaty (Heywood, 2011: 274).

The OPCW was created in 1997 and has 188 members (as of June 2011). It is an autonomous IGO but like the IAEA and CTBTO PrepCom has a close working relationship with the UN (United Nations, 2000: 63). The OPCW became the implementing body for the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) (OPCW, 2011: Internet; Du Rand, 2008: 1).

The UN family of non-proliferation organisations mentioned above is one of four categories classified by the Center for Nonproliferation Studies (2009: Internet) as constituting the multilateral non-proliferation regime worldwide. The second category refers to treaties and agreements which can be further sub-categorised into nuclear treaties, for example, the NPT; chemical and biological treaties, such as the CWC; and agreements on WMD delivery systems, for example the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC).

Non-proliferation export controls characterise the third category, for example the ZC created in 1971, or the NSG. The 46-member NSG was established in 1975 with the
central goal being to prevent nuclear proliferation for non-peaceful purposes by implementing guidelines on nuclear exports. NSG members were expected to forgo nuclear trade with any government found to have used imported nuclear material for arms development (King, 2006: Internet; Nuclear Threat Initiative, 2010: Internet; D"Anieri, 2011: 289).


Having established the vast network of non-proliferation machinery at the UN or with some link to the UN, the chapter will now examine South Africa"s voting behaviour on disarmament and proliferation issues between 1994 and 2008.

4.3. South Africa's disarmament policy and voting on nuclear controls at the UN

As previously discussed in Chapter 2, since 1994 the South African government has:

committed itself to a policy of non-proliferation, disarmament and arms control which covers all weapons of mass destruction and extends to its concerns relating to the proliferation of conventional weapons (DFA, 2004a: Internet).

This policy was described by the DFA (2004a: Internet) as playing a significant role in the country"s overall “commitment to democracy, human rights, sustainable development, social justice and environmental protection."

Central to this policy was the DFA"s goal to reinforce and promote South Africa as a responsible producer, possessor and trader of defence-related products and advanced technologies in the nuclear, biological, chemical and missile fields. South Africa, in so doing, promotes the benefits which non-proliferation, disarmament and arms control hold for international peace and security, particularly to countries in Africa and the Non-Aligned Movement (DFA, 2004a: Internet).
This goal was in deliberate contrast to the apartheid government’s secret nuclear armament programme (Makupula, 2003: 57). Although already noted in Chapter 2, for contextual purposes it should be restated here that South Africa had initiated a nuclear weapons programme in 1970. It had successfully constructed six gun-type nuclear devices before President FW de Klerk ended the country’s nuclear programme voluntarily in November 1989 (Albright, 2001; Leith and Pretorius, 2009: 360; World Nuclear Association, 2011: Internet, 8). Various theories exist why the government ended the programme (see Shelton, 2000: 18-19; Albright, 2001; Babbage, 2004: Internet; Newsweek, 14 September 2009). South Africa acceded to the NPT on 10 July 1991 and concluded a Comprehensive Safeguards Agreement with the IAEA in September that year (as well as additional related protocol in September 2002) (South African Department of Energy, 2011: Internet). In addition, the government joined the ZC in 1993. The ZC was formed “to establish guidelines for implementing the export control provisions of the … NPT” (DFA, 2003a: Internet).

In a report submitted to the UNSC in 2005, South Africa summarised its national policy framework pursued since 1993 as being committed to prohibiting the “manufacture, acquisition, transport or use of” WMD and their “means of delivery.” The framework took the form of the Non-Proliferation of Weapons of Mass Destruction Act (No. 87), passed by its Parliament in May 1993, which was later amended three times (in 1995, 1996 and 2005) (Note Verbale: S/AC.44/2004/(02)/102, 2005: 3). The Act established the NPC to control and manage matters relating to the proliferation of such weapons (White Paper on National Defence for the Republic of South Africa, 1996: Internet; DTI, 2008: Internet). The NPC adopted a holistic approach to five areas as stipulated by South Africa’s national policy on non-proliferation, disarmament and arms control: conventional arms; non-proliferation of WMD and dual-use goods; firearms, ammunition and explosives; foreign military assistance; and counter-terrorism (Van der Merwe, 2003: Internet; DTI, 2009: Internet).

The second part referred to the proliferation of nuclear material and was overseen by the Department of Energy; the Nuclear Energy Corporation of South Africa (NECSA) (formerly the AEC)) which managed, inter alia, the country’s links with the IAEA; and three key pieces of legislation: the Nuclear Energy Act (No. 46) of 1999; the National

In early 1994, prior to the ANC victory at the polls, its Science and Technology Group based in the Western Cape and the NGO Environmental Monitoring Group (EMG), organised a conference on what a democratic South Africa”s nuclear policy should be. By the end of the conference, the ANC outlined three policy goals namely, support for an African nuclear-free zone; South Africa”s commitment to the NPT and to global non-proliferation in all arenas, and the complete rejection of the previous government”s nuclear militarism (ANC-EMG, 1994: 233).

Minister of Foreign Affairs, Alfred Nzo (UN speech, 1995: 3), stated in October 1995 at the UNGA”s 50th session that his country “has proved its commitment to nuclear disarmament,” adding that it was now the “turn of others to manifest a similar commitment.” In August the year before, Nzo had expressed four areas in which to implement South Africa”s non-proliferation policy, the first of which was to ensure the country”s active participation in multilateral non-proliferation regimes and by extension provide full support to the non-proliferation of WMD with the aim of ensuring international peace and security. It would use its position in the NAM to promote these goals and very importantly it would work to ensure that international control measures would not strangle the developing world”s attempts to gain access to advanced nuclear technologies for development and peaceful purposes (Nzo quoted in Van der Merwe, 2003: Internet).

Since 1994, South African foreign policymakers had on numerous occasions reaffirmed their government”s commitment to the prevention of the proliferation of WMD and to promoting the complete abolition of such weapons. Moreover, a key objective became ensuring transparency in non-proliferation and control of all weapons, including conventional arms such as small arms, light weapons and anti-personnel mines (Nzo, UN speech, 1995; White Paper on National Defence for the Republic of South Africa, 1996: Internet; South African Defence Review, 1998: Internet, 11; White Paper on the South African Defence Related Industries, 1999: Internet; Dlamini-Zuma, UN speech, 2000a: 12; DFA, 2003b: Internet; GC(48)/OR.1,
In line with its disarmament policies, South Africa worked quickly to begin carrying out its international obligations and within four years the new government had: become a member of the Committee on the Peaceful Uses of Outer Space (COPUOS – in 1994), the NSG in April 1995 (and which it chaired in 2007/2008), the ZC (in October 1993) and the Missile Technology Control Regime (MTCR, in 1995); ratified the Convention on Nuclear Safety (in December 1996) and the CWC (in September 1995; for the period 2006/2007 South African Hlengiwe Buhle Mkhize was elected Chairperson by the Council of the OPCW); acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW or Inhumane Weapons Convention) Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (in September 1995); and become a member of the UN Conference on Disarmament (in June 1996) (Note Verbale: S/AC.44/2004/(02)/102, 2005: 3-4).

Moreover, the country had signed the ANWFZ Treaty or Treaty of Pelindaba (in April 1996, and ratified it in March 1998); the CTBT (in September 1996; ratified March 1999); and signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (also known as the Ottawa Convention or the Mine Ban Treaty – in December 1997) (Anthony and Stock, 1996: 1; Van der Westhuizen in Nel et al., 2001: 34).

The Republic had already acceded to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC) in November 1975 (DTI, 2009: Internet). It was also one of the original 8-Nation Negotiating Group which formulated the text for the IAEA statute in 1957 (along with the UK and US, Australia, Belgium, Canada, France and Portugal). Due to its highly developed nuclear capabilities, South Africa held the IAEA’s only African seat until the government’s apartheid policies led to its removal in 1977 (Adeniji, 2002: 1; DFA-IAEA, 2007: Internet).
Since 1995 South African Ambassador Abdul S Minty (Chair of the NPC and member of the UN Secretary-General’s Advisory Board on Disarmament Matters for 2001-2002) had represented his country in Africa’s reinstated designated seat on the IAEA’s Board of Governors. South Africa considers the IAEA to be “the leading international organisation seeking to accelerate and enlarge the contribution of nuclear energy to peace, health and prosperity throughout the world” (DFA, 2008: Internet). As such the country has attempted to make its mark on the agency since 1995, chairing the IAEA’s 50th General Conference, participating in expert working groups and leading task teams coordinating NAM and G-77 positions on nuclear issues (DFA 2003/04 Annual Report, 2004: 114-115).

The country continued its foray into multilateral nuclear diplomacy, becoming one of only two African members to join the 33-member International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO) in 2004 (the other being Morocco). INPRO, a subsidiary body of the IAEA, was created to “support the safe, sustainable, economic and proliferation-resistant use of nuclear technology to meet the global energy needs of the 21st century” (IAEA, 2011: Internet; South African Department of Energy, 2011: Internet). South Africa also ratified the original Convention on the Physical Protection of Nuclear Material (CPPNM) in September 2007 and is in the process of ratifying the updated Convention of July 2005 (South African Department of Energy, 2011: Internet).

In November 2002 South Africa became a member of the newly adopted HCOC which functioned as the only verification instrument for the controlled proliferation of ballistic missiles. It also became a participating member of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA) in February 2006. The WA was the first multilateral arrangement to promote transparency in the transfer of conventional weapons, including small arms and light weapons and sensitive dual-use goods and technologies which could be used in the development of WMD and their delivery systems (South Africa, Embassy in Vienna, 2011: Internet; DFA Strategic Plan 2005-2008, 2005: Internet, 58).
Bearing in mind South Africa’s declared disarmament policies in its international relations as well as its membership and participation in non-proliferation and disarmament forums at the UN and in its related agencies, what follows is an examination of the country’s voting patterns on these subjects. It is also interesting to note the following explanation made by a South African diplomat in the UNGA’s First Committee as to how her delegation approached voting on draft resolutions:

South Africa recognizes the right of any State Member of the United Nations to submit draft resolutions for consideration in the General Assembly. In this context, South Africa considers its support for draft resolutions on the basis of the merits and content of each draft resolution and its consistency with South Africa’s national policy on issues addressed therein. The origin of draft resolutions, therefore, does not determine whether we support them (Mtshali, UN speech, 2005a: 13).

If this statement can be validated through an analysis of South Africa’s non-proliferation voting, then the answer to the question on whether or not South Africa’s foreign policy declarations meets practice at the UN should be in the affirmative.

4.3.1. Voting actions at the UN

This section of the chapter will examine South Africa’s actual voting behaviour on disarmament and proliferation issues in the UNGA between 1994 and 2008. Adopted resolutions from the First Committee and the UNGA plenaries will be recorded. The country’s first term as a non-permanent member on the UNSC (2007-2008) will also be reviewed later in the chapter with reference to this subject.

Out of a possible 683 First Committee disarmament resolutions adopted between the 49th and 62nd UNGA regular sessions, 356 were Awav. As in the previous chapter only those votes (in this case 327) that had been recorded – that is either a „yes” vote, „no” vote, an abstention or a „non-vote” (NV) – were considered.

The United Nations Disarmament Yearbook (years 2002-2008 available online through the UN Documentation Guide in the Dag Hammarskjöld Library) provides an annual review of a wide variety of disarmament-related security issues at the UNGA. The yearbook facilitates easier analysis of all disarmament resolutions adopted by the UNGA every year by dividing them into seven so-called „clusters”, the
first of which will be discussed immediately below. Resolutions may have altered slightly over the 14-year period under examination in this study, but the seven clusters serve to better situate topics as they appear annually. Where necessary the UN Research Guide, UNBISnet, was used to corroborate resolution details or to provide further details left out of the Yearbooks.

4.3.1.1. Votes on nuclear disarmament and non-proliferation issues

NPT-related issues

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA First Committee: Conclusion of effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons. South Africa voted „Y“ from 1994 -1996. It then abstained for the next seven years without explanation. It voted in favour one more time in 2004 and then abstained again from 2005-2007.</td>
</tr>
</tbody>
</table>

| Inconsistent | X |
| Partly consistent | |
| Consistent | |

**Explanation:** This resolution aimed in principle to establish an international convention to assure NNWS against the use or threat of nuclear weapons. In practice though members are aware of the difficulties involved in achieving this. Most often introduced by Pakistan, this resolution recommended “that further intensive efforts be devoted to the search for a common approach or common formula that could be included in an international instrument of a legally-binding character” (UN Disarmament Yearbook, 2004; 2006: Internet). Although South Africa provided no explanation for its sudden switch to a seven year abstention from 1997, it did coincide with the Conference on Disarmament’s long-running stagnancy since 1997.

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
</table>

| Inconsistent | |
| Partly consistent | X |
| Consistent | |

**Explanation:** At first South Africa distanced itself from this resolution by choosing not to vote in favour or against it. However, since 1996 it had consistently voted in favour of a resolution most often introduced by Egypt on behalf of the OIC. The resolution called upon Israel to join the NPT “and not to develop, produce, test or acquire nuclear weapons, to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope IAEA safeguards” (UN Disarmament Yearbook, 2006: Internet). Australia abstained on this vote in 2006 due to the unbalanced emphasis placed on Israel and without any reference to other Middle Eastern states of nuclear proliferation concern, for example
Iran. Although South Africa made no explanation on its voting behaviour, it did keep company with Finland and Switzerland in 2006 in particular.

It could be argued that South Africa was consistently following its policy of promoting complete nuclear disarmament in helping to single out Israel’s illegal nuclear activities. Why it chose not to continue to abstain as it did in 1994 and 1995, and as a fellow African state Cameroon did in 2006, questioning the targeting of the resolution and asking for a more “balanced, less polemic reformulation” of its wording, is questionable (UN Disarmament Yearbook, 2006: Internet). South Africa’s reputation for fairness desiring general and complete disarmament and non-proliferation by all NWS and NNWS is tainted by criticism over the country’s consistent support of the OIC members over Israel. (In Chapter 3 similar findings were made over South Africa’s voting behaviour on human rights resolutions sponsored by the OIC condemning Israel.)

UN vote information:


Inconsistent
Partly consistent
Consistent X

Explanation: South Africa’s First Committee representative explained regarding RES/60/72 on the „Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons“ that her country would vote in favour because:

South Africa considered draft resolution A/C.1/60/L.38/Rev.2 in the context of the failed outcome of the 2005 NPT Review Conference and [the Republic’s] principled position on nuclear disarmament. As the draft resolution is not only in accordance with South Africa’s national policy on nuclear disarmament but is also consistent with the position of the Non-Aligned Movement, South Africa will vote in favour of it (Mtshalı, UN speech, 2005a: 13).

South Africa had since its accession to the NPT in 1991 expressed a commitment to the non-proliferation of nuclear weapons. In 1996 UNGA Resolution 51 had called for the establishment of an ad hoc Committee, open to UN members, members of specialised agencies, or of the IAEA, to establish an international convention for the suppression of acts of nuclear terrorism. This committee eventually met at the UN in New York in 2006 and was vice-chaired by South African delegate Sabelo Sivuyile Maqungo. Two years before, in 2004, information had come to light of a nuclear smuggling network run by Pakistani scientist A.Q. Khan, involving 30 countries including a South Africa-based engineering firm Krisch (Boureston and Lacey, 2007: Internet; Fitzpatrick, 2007: 65; Dye, 2008: 1). The Republic
began an immediate investigation into the contravention of its strict non-proliferation legislation and reiterated its view that “the illicit network in nuclear technology to manufacture nuclear weapons presents a serious challenge to the Treaty on the Non-Proliferation of Nuclear Weapons” (Minty, 2005: Internet).

Although South Africa did not sponsor UNGA resolution 62/33 (in October 2007) entitled Measures to prevent terrorists from acquiring weapons of mass destruction, it did vote in consensus with the UNGA leading to the resolution being Awav. South Africa had supported the proposal encouraging all Member States “to strengthen national measures to prevent terrorists from acquiring WMD and their means of delivery” and the appeal “to all Member States to consider signing and ratifying the International Convention for the Suppression of Acts of Nuclear Terrorism to bring its early entry into force” (A/RES/62/33, 2007). South Africa had ratified the International Convention for the Suppression of Acts of Nuclear Terrorism five months earlier (Center for Nonproliferation Studies, 2011: Internet).

The South African delegation took the opportunity in late 2007 to inform the Assembly of the results of its investigation into the country’s involvement in the nuclear smuggling ring. The UNGA was told that:

one of the accused, Mr. Gerhard Wisser, a German national, entered into a plea and sentence agreement with the South African National Prosecuting Authority, by the terms of which he was convicted on seven counts relating to his activities with both Libya and Pakistan. He was sentenced to three years” correctional supervision as well as a total of 18 years” imprisonment, suspended for five years on conditions which, inter alia, require him to cooperate fully with the authorities as far as further investigations into the network’s activities are concerned. A confiscatory order was also made in respect of his proceeds of crime to the amount of €2.8 million and R6 million (Gumbi, UN speech, 2007: 1).

Having signed the Nuclear Terrorism Convention, South Africa naturally wanted to inform the world that it was conforming to its obligations in preventing the illicit spread of nuclear materials. Its actions “bringing to justice black market profiteers” did not go unnoticed by the special advisor for non-proliferation and arms control at the US Department of State, who praised South Africa for setting such “an important example” (Cape Argus, 27 August 2009).

Nuclear disarmament

UN vote information:


Nuclear disarmament with the ultimate view to the elimination of nuclear weapons. South Africa did not vote on this resolution in 1994. It voted „Y” from 1995-1999.


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: The reasons for South Africa’s change in voting pattern on the nuclear disarmament resolution from a “yes” vote in 1995 to an abstention in 1996 became clear in an explanation of the 1996 vote. South Africa had supported the 1995 resolution despite its concerns over the resolution’s failure to emphasise the important roles played by the NPT and its extensions and nuclear-weapon-free zones in nuclear disarmament and non-proliferation (Goosen, UN speech, 1996a: 5).

The 1996 resolution 51/45[O], however, was so “fundamentally flawed” that the country simply could not support it and abstained along with 19 other states. In further explanation South Africa considered that the view held by many other states that linkages created between the negotiations of nuclear disarmament treaties were a good thing, was in fact a stumbling block to progress. Twenty-eight delegations had offered opinions about a possible programme of action for the elimination of nuclear weapons to the Conference on Disarmament in August 1996 and this would simply delay and make consensus impossible in South Africa’s view (Goosen, UN speech, 1996a: 5). Indeed, South African permanent representative to the UN, Ambassador Selebi, had on the occasion of the submission of this programme of action to the Conference on Disarmament stated that his delegation had been unable to support this programme because of the linkages that it introduced between:

immediate and concurrent commencement of negotiations and early conclusion of a multilaterally negotiated, legally binding instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; a convention prohibiting the use or threat of use of nuclear weapons; a treaty to eliminate nuclear weapons; and a treaty banning the production of fissile material for nuclear weapons (Goosen, UN speech, 1996a: 5).

South African diplomat Goosen (UN speech, 1996a: 5) referred to this as a “principled position on the linkages issue.” It is true that the country had shown consistency here, with Ambassador Selebi once again stating his country’s belief that it would be more beneficial not to rely on linkages, as they had only led to a disappointing lack of progress on issues and were in no doubt a neat way of avoiding progress on certain subjects or of trying to ensure progress on others.

Two years later at the UNGA’s 53rd regular session, President Mandela (also chairing NAM at the time) stated the following as his country’s view on nuclear disarmament:

in an honest attempt to contribute to the definition of the systematic and progressive steps required to eliminate these weapons and the threat of annihilation which they pose, South Africa together with Brazil, Egypt, Ireland, Mexico, New Zealand, Slovenia, and Sweden will be submitting a draft resolution to the First Committee for consideration by this Assembly. This is appropriately titled: Towards a Nuclear Weapon Free world: The need for a New Agenda (Mandela, 1998: Internet).

This group of states came to be known as the New Agenda Coalition or NAC (Ogilvie-White, 1999: 324). Heated debate ensued in the UNGA over the real purpose of this coalition,
forcing South African diplomat Goosen (UN speech, 1998a: 18) to defend the coalition as an intended “middle ground” agenda, which its members hoped would expand to “form the total international consensus on how this issue of a nuclear weapon free world should be addressed in the future.”

In 2001 a South African delegate spoke on behalf of the NAC with reference to the draft resolution entitled *A path to the total elimination of nuclear weapons*. They would abstain on this resolution because it alluded to “linkages” to a separate resolution on general and complete disarmament, which the NAC could “not accept”. Moreover it played down the “unequivocal undertaking” of NWS to accomplish the total elimination of their nuclear arsenals as stipulated by the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (Markram, UN speech, 2001: 4-5).

South Africa actively participated as a member of NAC, introducing a draft resolution in the UNGA in 2005 entitled *Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments*. This resolution was motivated by the acknowledgment of the sixtieth anniversary of the dropping of the atomic bombs on Hiroshima and Nagasaki. It called upon all states to spare no efforts to achieve the universality of the NPT, and urged India, Israel and Pakistan, not yet parties to the Treaty, to accede to it as non-nuclear weapon States promptly and unconditionally (Mtshali, UN speech, 2005b: 22).

UN vote information:


Accelerating the implementation of nuclear disarmament commitments. South Africa voted „Y“ in 2004.


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: In 2004 the NAC introduced resolution 59/75 entitled *Accelerating the implementation of nuclear disarmament commitments*, which, *inter alia*, called upon the NWS to accelerate meaningful steps to reduce their non-strategic nuclear arsenals and not to develop new types of nuclear weapons (UN Disarmament Yearbook, 2004: Internet).

**CTBT and related issues**

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** Since 1996 South Africa voted in favour of all resolutions aimed at the consolidation of the CTBT. This was consistent with the original South African position as declared by the country’s Minister of Foreign Affairs Nzo (UN speech, 1996: 17) in the 51st UNGA session:

South Africa remains committed to achieving a world free of all weapons of mass destruction and to addressing the issue of the proliferation of conventional weapons. We therefore welcome the adoption of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which we signed yesterday. Our support for the CTBT as an instrument of disarmament and non-proliferation is based upon the view that this Treaty is an integral part of a process which will lead to the full implementation of the nuclear-disarmament obligations set out in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

---

**International Court of Justice**

**UN vote information:**

UNGA First Committee: Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*. South Africa voted „Y“ from 1996-2007.

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** South Africa consistently voted in favour of this resolution, most often introduced by Malaysia, which called upon all states to immediately fulfil the obligation under the advisory opinion of the International Court of Justice by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination (A/RES/59/83, 2004).

In 1997 South African delegate Goosen (UN speech, 1997a: 15) declared that his country would vote in favour of the resolution as the ICJ’s decision was “an important landmark on the road to ... eliminating nuclear weapons.”

---

**Missile-related issues**

**UN vote information:**

UNGA First Committee: Missiles. South Africa voted „Y“ from 1999-2005. In 2006, South Africa was one of 16 non-voting states. Subsequent to the voting though, the South African delegation informed the Secretariat that it had intended to vote in favour (UN Disarmament Yearbook, 2006: Internet).


<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Draft resolution A/C.1/54/L.1/Rev.1, entitled *Preservation of and compliance with the Anti-Ballistic Missile Treaty* (ABM Treaty), became a minor issue of concern for South African delegates in 1999. The ABM Treaty had been negotiated between the US and USSR in 1972 and became defunct in 2002 when US President George W Bush withdrew his country from the Treaty’s obligations (Federation of American Scientists (FAS), 2011: Internet). In 1999 South Africa although eventually voting in favour of the resolution as a whole, initially disagreed with France’s proposed amendments to the resolution and the emphasis which these had placed on preventing the proliferation of weapons of mass destruction and their delivery systems. It would abstain on the amendments as it had felt that the did “appropriately proposed” for that particular draft resolution, where the focus was on the ABM Treaty (UN Press Release, 1999a: Internet). The country’s delegate stated that even the amendments were acceptable to South Africa on the whole as they were fully in line with South African Government policy ... committed to opposing such proliferation in terms of policy, but ... also obliged to do so in terms of parliamentary legislation, namely, the Non-Proliferation of Weapons of Mass Destruction Act (UN Press Release, 1999a: Internet).

Considering that South Africa voted in favour of the resolution, it is interesting to note its insistence to express publicly what was *prima facie* a technical query.

South Africa was consistent in voting in favour of resolutions promoting the HCOC in 2004 and 2005 as (mentioned earlier) it had assented to the HCOC in November 2002 (*Note Verbale*: S/AC.44/2004/(02)/102, 2005: 4). Moreover, the DFA openly criticised the British government for announcing in December 2006 its intention to build a new class of submarines capable of carrying ballistic missiles as a delivery system for its nuclear weapons. It called on the UK to honour its “unequivocal undertaking towards nuclear disarmament made during the 2000 NPT Review Conference” (DFA News and Events, 2006: Internet).

In addition, Foreign Affairs Minister Dlamini-Zuma (2003: Internet, 13) was keen to emphasise her country’s participation in the MTCR and its plenary session in 2002 focusing on ways to “strengthen the Regime”s actions in the fight against terrorism.”

### 4.3.1.2. Biological and chemical weapons

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
</tbody>
</table>
Consistent  X


In 1996 the country’s First Committee delegate (Bergh, UN speech, 1996a: 26-27) urged the US and Russia, as major declared possessors of chemical weapons, to ratify the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, or CWC, which South Africa had acceded to in September 1995. By 2007 both countries had chosen to do so. Bergh (1996a: 26-27) also stated at the UNGA 50th session that his government reaffirmed its commitment to strengthening the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction by establishing a verifiable compliance regime for the Convention.

In her 2003 foreign policy review, Foreign Affairs Minister Dlamini-Zuma explained that South Africa’s participation in the BTWC and CWC was based on the Government’s principled policy to prevent the transfer of any military ... material ... for use in the development ... of weapons of mass destruction to countries of proliferation concern (Dlamini-Zuma, 2003: Internet, 13).

### 4.3.1.3. Conventional weapons issues

In 1995 Foreign Affairs Minister Nzo (quoted in DFA, 1996: Internet) remarked in the UNGA that it was not only WMD that his government was concerned about but also “the build up of conventional weapons beyond a level which can be considered legitimate for the purposes of self-defence.”

#### Small arms and light weapons

**UN vote information:**

UNGA First Committee: Addressing the negative humanitarian and development impact of the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation. South Africa voted „Y” in 2005.


The illicit trade in small arms and light weapons in all its aspects. South Africa voted in favour in 2006 and 2007. (Previously the resolution had been Awav).

Problems arising from the accumulation of conventional ammunition stockpiles in surplus. South Africa voted „Y” in 2006.

Inconsistent

Partly consistent
Consistent X

Explanation: During February 1999 the South African government took the decision to dispose of all state-held confiscated small arms. This decision was taken in accordance with the UN Secretary-General's 1997 report on „Small Arms“ (A/52/298, 1997) that recommended that all states should consider the possibility of destroying all surplus small arms (DFA, 2004b: Internet; Meek and Stott, 2004: 1).

Concerning the problem of the proliferation of small arms and light weapons, South Africa’s solution in 1998, and again in 2006 (Maqungo, UN speech, 2006a: Internet), was for the UN to oversee all concurrent action being taken at national, regional and international levels. It was with this perspective in mind that the South African delegation initiated a new draft resolution in 1998, entitled Illicit traffic in small arms. It was sponsored by 53 other states including the UK and US. The resolution aimed to provide Member States with an overarching perspective of the magnitude of this problem, measures to combat illicit trafficking and an assessment of the UN’s performance in collecting and sharing information on this issue (Du Preez, UN speech, 1998a: Internet). In addition the country also co-hosted the ”African Conference on the Implementation of the UN Programme of Action on Small Arms: Needs and Partnerships“ in March 2002 (Dlamini-Zuma, 2003: Internet, 13).

In 2007 South Africa, along with Japan and Colombia, submitted a draft resolution on a way to implement the 2001 United Nations Programme of Action on Small Arms and Light Weapons. The resolution focused on the illicit trade in these weapons and their ammunition at the global and regional levels (Mtshali, 2007a: 18).

Transparency in conventional arms transfers and expenditures

UNA vote information:


Inconsistent

Partly consistent

Consistent X

Explanation: The UN Register of Conventional Arms (UNROCA) was established in 1992 by the UNGA to “enhance the level of transparency in arms transfers, thus contributing to confidence-building and security among states” (United Nations, 2000: 118). Although the Register did not cover all types of arms, only major weapons deemed the most lethal, it nevertheless remained an important transparency tool (though by 2011 some states had decided that small arms should be added to the UN Register). South Africa encouraged other UN Member States to support the Register (Nzo, UN speech, 1996: 17). (South Africa’s own arms exports will be discussed later in the chapter.)

South Africa supported a draft resolution in 1998 brought forward by Egypt that there was a need to explore a Register related to WMD as the principle of transparency should apply to nuclear weapons too. However, the issue of linkages surfaced once again and South Africa abstained on one paragraph of the resolution that indicated a possible linkage with the Conventional Weapons Register, believing the two should not be related (Goosen, UN speech, 1998b: 20).
Export controls

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Resolution 57/66 of 2002 encouraged all Member States to provide, on a voluntary basis, information to the Secretary-General on their national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, as well as the changes therein, and requested the Secretary-General make this information accessible for Member States.

Seven years earlier the South African cabinet established the National Conventional Arms Control Committee (NCACC) which was responsible for ensuring that the country’s trade in arms would conform to international norms (DFA, 2003c: Internet).

Conventional arms transfers

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Resolution 61/89 of 2006 “acknowledged the right of all states to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, and in order to participate in peace support operations.” The resolution further requested the Secretary-General to seek the views of Member States, on the feasibility, scope and draft parameters for a comprehensive, legally-binding instrument establishing common international standards for the import, export and transfer of conventional arms (UN Disarmament Yearbook, 2006: Internet).

South Africa supported this resolution. As there is only one vote on this particular issue consistency is judged in relation to South Africa’s votes on comparable issues (such as its votes on transparency in armaments referred to further above) and also in relation to its declared policies on arms control.

Practical disarmament measures

UN vote information:

UNGA First Committee: Consolidation of peace through practical disarmament measures. South Africa voted „Y“ in 2006.
<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent X</th>
</tr>
</thead>
</table>

**Explanation:** South Africa co-sponsored this resolution which was introduced by Germany. Resolution 61/76 encouraged Member States, including the Group of Interested States, to lend their support to the Secretary-General, relevant international, regional and sub-regional organizations and non-governmental organizations in responding to requests by Member States to collect and destroy small arms and light weapons in post-conflict situations (UN Disarmament Yearbook, 2006).

The Group of Interested States on practical disarmament measures was established in New York in March 1998 under German chairmanship. It aimed to strengthen international cooperation in the field of peace consolidation and to assist states facing post-conflict situations. It is linked to the fact that about half of the world’s arms trade is estimated to be illicit and helps to fuel conflicts (United Nations, 2000: 117).

**Anti-personnel mines**

**UN vote information:**

- **Contributions towards banning anti-personnel landmines.** South Africa voted „N‟ in November 1997 on draft resolution A/C.1/52/L.23/Rev.1 (1997) with an explanation of vote and then abstained on resolution 52/38H in December 1997 with no explanation.

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent X</th>
<th>Consistent</th>
</tr>
</thead>
</table>

**Explanation:** Anti-personnel mines refer to mines designed “to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons” (Article 2, Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction).

Although South Africa's involvement in the disarmament arena related to landmines will be discussed later in this chapter under section 4.4.2, its voting actions and speeches relating to landmines and UNGA resolutions will be discussed next.

In 1996 South Africa co-sponsored a resolution on an international agreement to ban anti-personnel landmines, introduced by the United States on 4 November 1996 (Goosen, UN speech, 1996b: 7). The following year South Africa’s First Committee delegate happily announced to the UNGA that

South Africa today destroyed its remaining stockpiled anti-personnel landmines. The
Considering these statements it would seem incongruous then for South Africa to vote against a 1997 draft resolution A/C.1/52/L.23/Rev.1 entitled, *Contributions towards banning anti-personnel landmines*. In explanation of his country’s vote, South African diplomat Goosen (UN speech, 1997c: 3) declared that his delegation was under instructions from authorities in South Africa to vote “no” on the draft resolution as it raised three concerns. The first concern was that the resolution had failed to take current international conditions into account, as since the Oslo proceedings in September 2007 (to be discussed later in this chapter) various countries had been unable to commit to that Treaty. Secondly, the resolution did not emphasise the urgency of the need to free the world of landmines as well as failing to repeat terminology of previous such resolutions, for example, „to pursue vigorously” or „completing negotiations as soon as possible.” Lastly the resolution did not recognise the Inhumane Weapons Convention, which South Africa contends was “an integral part of the international effort to address the scourge of anti-personnel mines” (Goosen, UN speech, 1997c: 3).

4.3.1.4. Regional disarmament and security

**Nuclear-weapon-free zones**

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA First Committee: Nuclear-weapon-free southern hemisphere and adjacent areas. South Africa voted „Y” from 1996-2007.</td>
</tr>
<tr>
<td>The South Atlantic region as a nuclear-weapon-free zone. South Africa voted in favour in 1994.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Explanation:** In 1967 the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) established the “first nuclear-weapon-free zone in a populated area” (United Nations, 2000: 114). The Treaty of Rarotonga (1985) and the Bangkok Treaty (1995) followed (Goosen, UN speech, 1996b: 7-8; Heywood, 2011: 278). In April 1996, South Africa and 42 other African states signed the Pelindaba Treaty in Cairo, Egypt (Goosen, UN speech, 1996b: 7). South Africa considered this treaty to be “a significant event” and as “a milestone along” the road to “strengthening the international non-
proliferation regime” (Bergh, UN speech, 1996a: 26).

As a consequence the Republic supported further initiatives to promote the southern hemisphere as a nuclear-weapon-free zone. The country submitted a working paper to the UNDC in 1997 entitled Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned (A/CN.10/1997/WG.I/WP.4, 1999). It also introduced, on behalf of NAM, a resolution on the Implementation of the Declaration of the Indian Ocean as a Zone of Peace (Nene, UN speech, 1999a: 2) and welcomed initiatives by the five Central Asian states to establish their own regional zone (Notutela, UN speech, 2002: 4).

Conventional disarmament at regional level

UN vote information:
UNGA First Committee: Conventional arms control at the regional and sub-regional levels. South Africa voted in favour from 1996-2007.

Confidence-building measures in the regional and sub-regional context. South Africa abstained in 2003 with no explanation.


Inconsistent
Partly consistent X
Consistent

Explanation: South Africa voted in favour of the resolution on conventional arms control at the regional and sub-regional levels in 2006 (A/RES/61/82, 2006). It did so along with 176 other states and thereby supported the urgent need for conventional arms control “to be pursued primarily in the regional and sub-regional contexts” since the changing nature of security after the Cold War meant that threats to security and peace were now located regionally or sub-regionally.

In 2003 South Africa abstained on resolution 58/43 on confidence-building measures in the regional and sub-regional context, as did 45 other states. This resolution had urged states involved in disputes to comply strictly with all bilateral, regional and international agreements to which they may be parties (UN Press Release, 2003: Internet).

Regional centres

UN vote information:
UNGA First Committee: United Nations Regional Centre for Peace and Disarmament in Africa. South Africa voted „Y” in 2007 (all others had been Away).

Inconsistent
Partly consistent
Consistent X

Explanation: On behalf of NAM, South African delegate Notutela (UN speech, 2002: 4)
introduced a draft resolution in 2002 entitled *United Nations regional centres for peace and disarmament*. This resolution underscored "the necessity of regional centres as mechanisms to inform, educate and generate public understanding and support in the field of arms control and disarmament." In 1999 a similar resolution had been introduced, again on behalf of NAM, by South Africa (Nene, UN speech, 1999a: 3) calling for the revival of the regional centres in Nepal, Peru and Togo.

### 4.3.1.5. Related disarmament measures and international security

#### Disarmament and development

**UN vote information:**


<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

**Explanation:** According to its first secretary (disarmament) at the UN, Makupula (2003: 60), human security was of primary concern to the South African government. In this respect “the government [was] convinced that disarmament could make a major contribution to the peaceful management of the world’s resources and to socio-economic development.” Makupula considered South Africa to be a valuable role model for other developing countries emphasising her government’s “transparent policies” linking disarmament and development and implementation of the 2002 UNGA resolution 57/65 urging states to devote part of those resources made available through disarmament agreements to social and economic development.

South Africa had introduced a similar resolution in the UNGA 54th session, again on behalf of NAM, and had consistently underscored the importance “of reallocating valuable resources released as a result of disarmament for development purposes and thereby reducing the gap between developed and developing Countries” (Nene, UN speech, 1999a: 3).

#### Multilateralism and disarmament

**UN vote information:**

UNGA First Committee: Promotion of multilateralism in the area of disarmament and non-proliferation. South Africa voted in favour from 2002-2007.

<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

**Explanation:** A new NAM-sponsored resolution entitled *Promotion of multilateralism in the area of disarmament and non-proliferation* was introduced by South Africa in 2002. The draft resolution reiterated multilateralism as the core principle in negotiating and resolving disarmament and non-proliferation concerns (Notutela, UN speech, 2002: 4-5).
**Arms limitation and disarmament agreements, including verification of compliance**

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent X</td>
</tr>
</tbody>
</table>

**Explanation:** In 1999, South Africa introduced a NAM-sponsored resolution on environmental norms to encourage states” sensitivity to the harmful costs of “uncontrolled radioactive sources” and the “poor dismantlement of certain categories of weapons” (Nene, UN speech,1999a: 2-3). South Africa hosts six facilities to monitor nuclear explosive tests which release unsafe radioactive materials into the environment, for example its seismic station which it co-hosts with Germany at the South African National Antarctic Expedition (SANAE) base, Antarctica, and which is “equipped with sensors for detecting seismic waves generated by underground nuclear explosions” (South Africa, Embassy in Vienna, 2011: Internet).

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA First Committee: Compliance with non-proliferation, arms limitation and disarmament agreements. South Africa abstained in 2005.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent X</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

**Explanation:** South Africa abstained, along with 9 others, on resolution 60/55 in 2005 which urged all States to implement and to fully comply with their non-proliferation, arms limitation and disarmament agreements, and other agreed obligations, and for those States not currently in compliance to make the strategic decision to come back into compliance with those obligations. Although the country gave no explanation for its vote, South Africa kept company with Cuba, Iran, Russia and Venezuela (UN Disarmament Yearbook, 2005: Internet). It is not clear why the country chose to avoid voting strictly in favour of a resolution with such an aim, considering that it had constantly and explicitly declared its own full compliance with its international obligations.

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA First Committee: Verification in all its aspects, including the role of the United Nations in the field of verification. South Africa voted „Y“ in 1995.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent X</td>
</tr>
</tbody>
</table>
Explanation: The UNDC drew up 16 principles of verification. Resolution 50/61 of 1995 reaffirmed support for these principles and stressed the importance of worldwide acknowledgment of the verification of compliance with arms limitations and disarmament agreements as a matter of concern to all nations (UNDESA, 2000: Internet).

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNGA First Committee: Effects of the use of armaments and ammunitions containing depleted uranium. South Africa voted in favour in 2007.</td>
</tr>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td><strong>Consistent</strong></td>
</tr>
<tr>
<td>Explanation: South Africa supported UNGA resolution 62/30 (A/RES/62/30, 2007) which requested the Secretary-General to consider the views of Member States and relevant international organisations on the effects of the use of armaments and ammunitions containing depleted uranium, and to submit a report on that subject to the General Assembly at its sixty-third session.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Security in information technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>UN vote information:</td>
</tr>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td><strong>Partly consistent</strong></td>
</tr>
</tbody>
</table>
Consistent

Explanation: South Africa had consistently abstained, without explanation, on the resolution on the role of science and technology in the context of international security and disarmament every year since 1994. Yet simultaneously, at least from 1994-1996, South Africa voted in favour of a similar resolution, only including the phrase „other related fields”.

4.3.1.6. Outer space

UN vote information:


Inconsistent
Partly consistent
Consistent X

Explanation: As a member since 1994 of the COPUOS, created in 1959 by the UNGA, South Africa is obliged along with the other 69 members to

review the scope of international cooperation in peaceful uses of outer space, to devise programmes in this field to be undertaken under United Nations auspices, to encourage continued research and the dissemination of information on outer space matters, and to study legal problems arising from the exploration of outer space (COPUOS, 2011: Internet).

As such the country has voted in favour of all UNGA resolutions aimed at the protection of outer space from WMD.

South Africa won its place in COPUOS “as the most technologically advanced state in Africa” and for its activism in space-related matters. Two years later, the country co-sponsored and hosted the Second UN Regional Conference on Space Technology for Sustainable Development in Africa in November 1996. South Africa also actively participated in COPUOS’ three policy-making organs since 1994 (South Africa, Embassy in Vienna, 2011: Internet).

4.3.1.7. Institutional aspects of disarmament

Role of the UN in disarmament

UN vote information:
UNGA First Committee: Role of the UN in disarmament. South Africa voted „N” in 1997.

Inconsistent
Partly consistent
Consistent X
Explanation: South Africa voted “No” in this case in the company of the US and UK, unlike the majority of the NAM (the resolution was adopted by 111 in favour and 41 against). It explained its vote as follows:

in the general debate of this year’s General Assembly, and also in the First Committee, South Africa made clear its support for the Secretary-General’s reform initiatives in the area of disarmament. It is our view that draft resolution ... entitled „Role of the United Nations in disarmament”, is an endeavour to retain the status quo in the United Nations disarmament machinery, without taking into account – and by implication denying – the Secretary-General’s proposals in this regard. Furthermore, my delegation also wishes to note the existence of resolution 52/12, entitled Renewing the United Nations: a programme for reform, which was adopted by consensus in the General Assembly on 12 November 1997. For these reasons, my delegation had instructions to vote against this resolution (Goosen, UN speech, 1997d: 13).

South Africa’s position in relation to this vote was therefore consistent.

Conference on disarmament

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: South African Ambassador Glaudine Mtshali assumed the presidency of the first session of the Conference on Disarmament in 2007. Unfortunately reaching consensus at these conferences proved difficult in the past. Since 1997 there have been periods of stalemate due to the membership’s lack of consensus on disarmament priorities (United Nations, 2000: 112). The 2007 conference also proved unsuccessful. Despite this, delegations, including South Africa’s, continued to recognise the importance of the Conference as the sole multilateral disarmament negotiating forum and addressed a wide range of issues in the area of disarmament and international security in their addresses to the Conference (CD/1831, 2007; Mtshali, UN speech, 2007b: 10).

UN vote information:

UNGA First Committee: Review of the implementation of the recommendations and decisions adopted by the General Assembly at its 10th special session: expansion of the membership of the Conference on Disarmament. South Africa voted in favour in 1996.

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: In an ANC policy document entitled Foreign Policy Perspective In A Democratic South Africa, published in December 1994, party members indicated that South Africa would join the Conference on Disarmament. The Republic did so the following year. “Recognising the legitimate aspirations of all countries that have applied for membership to participate fully in the work of the Conference on Disarmament” (Mxakato-Diseko, UN speech, 1995: 15-16),
South Africa became a member of the CD as a result of the Awav action of the UNGA on a 1995 UNGA resolution. The following year, a similar resolution was introduced to allow for other states to join and South Africa voted „Yes‟.

UN vote information:
UNGA First Committee: The Conference on Disarmament decision (CD/1547, 1998) of 11 August 1998 to establish, under item 1 of its agenda entitled Cessation of the nuclear arms race and nuclear disarmament, an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299, 1995) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. South Africa voted „Y‟ in 2004.

<table>
<thead>
<tr>
<th>Consistency</th>
<th>Vote</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
<td>Since its reemergence into the UN family, South Africa has sought agreements in the UNGA on concerns over nuclear fissile material. It also submitted a working paper to the 2002 Conference on Disarmament entitled The possible scope and requirements of the Fissile Material Treaty (FMT) (CD/1671, 2002). The paper sought practical and politically feasible solutions to the controversial problem of existing stocks of nuclear material and many considered it to have played an important part in the Conference‟s progress (Mongiello, 2004: Internet; Du Preez, 2011: 8). It was entirely consistent for the country to vote in favour of the draft resolution, mentioned above, that would have the Assembly urge the Conference to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty, under the conviction that such a treaty would be a significant contribution to nuclear disarmament and nuclear non-proliferation (UN Press Release, 2004: Internet). South Africa was not alone; 146 other states voted „Y‟. Only the US voted against the resolution and Israel and the UK abstained.</td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

SSOD IV (Special Session on Disarmament)

UN vote information:

<table>
<thead>
<tr>
<th>Consistency</th>
<th>Vote</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Explanation: South Africa had since 1994 unfailingly expressed the wish for complete disarmament (including all WMD and conventional weapons) (South Africa, Embassy in Vienna, 2011: Internet); this included promoting all measures to dialogue over ways to reach this goal. In 2002, the country’s First Committee representative introduced a draft resolution, on behalf of NAM, concerning the convening of a fourth special session of the UNGA devoted to disarmament (Notutela, UN speech, 2002: 3). The resolution was subsequently

Plenary: IAEA annual report

UN vote information:


<table>
<thead>
<tr>
<th>Consistency</th>
<th>South Africa's voting pattern</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: In Ambassador Kumalo’s (UN speech, 2000a: 18) words, South Africa had been a “traditional sponsor of the annual General Assembly draft resolution on the report of the Agency (IAEA)”. The country had co-sponsored resolutions on the IAEA’s reports to the GA in 1995 (Diseko, UN speech, 1995: 12) and 1996 (Bergh, UN speech, 1996b: 13) and supported its adoption every year since 1994. (South Africa was absent from the 2003 vote though based on pre-2003 and post-2003 voting it may be likely that South African delegates would once again have voted in favour if they had been present.)

South Africa’s aim of reforming global governance structures, to be examined more closely in chapter 6, deserves a mention here as regards the IAEA. In 1998, the country’s First Committee representative, McQueen (UN speech, 1998: 18), announced that his delegation “would like to express its regret that it was not possible to agree on an expansion of the Board of Governors” and was “looking forward to ongoing discussions within the IAEA to find a solution to this problem. Africa’s continued under-representation on the Board of Governors remain[ed] an issue of great concern.” The following year, the IAEA’s General Conference adopted the amendment of Article VI of the IAEA statute dealing with the membership of the Board of Governors. Essentially the Board would be enlarged from 35 to 43 (Nene, UN speech, 1999b: 23). This decision, however, has not yet entered into force.

A further South African concern related to IAEA resources for technical assistance. In 1996 the South African delegate (Bergh, UN speech, 1996b: 13) took the opportunity, during his introduction of that year’s IAEA report to the UNGA, to announce that South Africa “will ensure that its own contribution remains fully in line with the targets set by the Board of Governors.” He went further to chastise the other Board members:

we are, however, concerned at the fact that the vast majority of the funding paid to the Technical Cooperation Fund comes from a handful of donor countries and that not all countries that could easily afford to do so in fact contribute to the Fund. We feel also that a number of developing countries whose own share of the Fund’s target is relatively modest but which are often substantial beneficiaries of the Agency’s expertise and project funding could be more supportive (Bergh, UN speech, 1996b: 13).

According to the DFA, since 1995 South Africa had been an active member of the IAEA Board of Governors, “where it has worked consistently to promote consensus on key issues” (DFA, 2009: Internet, 24). The country presided over the IAEA’s general conference in 2006. Later Ambassador Minty went head-to-head with Japan’s Yukiya Amano, in a bid to replace Mohammed ElBaradei as Director General of the IAEA in 2009 (The Citizen, 5 January 2009; Leith and Pretorius, 2009: 356-358). Amano won the seat by two-thirds majority (23 Board of Governor votes to Minty’s 12) in July 2009 (WNN (World Nuclear News), 2 July
In 2004 at the IAEA’s General Conference in Vienna, South African delegate Xingwana (GC(48)OR.1, 2004: 20) reaffirmed her government’s “principled policy regarding nuclear disarmament and nuclear non-proliferation” and its complete commitment “to prohibiting the manufacture, acquisition, transport and use of weapons mass destruction and their means of delivery, not only by States but also by non-State actors.”

### 4.3.2. Voting action at the UNSC

**UN vote information:**

- **UNSC: Resolution 1747 (2007). Iran’s Nuclear Programme.** South Africa voted „Y‟.
- **Resolution 1762 (2007). The situation concerning Iraq.** South Africa voted „Y‟.

<table>
<thead>
<tr>
<th>Type</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

**Explanation:** South Africa’s involvement with the Iran nuclear problem will be elaborated upon in section 4.2.4. later in this chapter. Resolution 1747 (2007) had added to resolutions 1737 (2006) and 1696 (2006).

UNSC resolution 1762 was adopted in 2007 and focused on the Termination of the mandates of the UN Monitoring, Verification and Inspection Commission (UNMOVIC) and the IAEA’s Iraq Nuclear Verification Office (INVO). South Africa’s Ambassador Kumalo (UN speech, 2007b: 12) expressed his government’s appreciation for the establishment of UNMOVIC in December 1999 (formerly the UN Special Commission), and INVO (established in 1991 and known initially as the IAEA Iraq Action Team). UNMOVIC’s mandate was to verify Iraq’s compliance with its obligation to be rid of its weapons of mass destruction (chemical, biological weapons and missiles with a range of more than 150 km), and to operate a system of ongoing monitoring and verification to ascertain that Iraq did not reacquire the same weapons prohibited to it by the Security Council (UNMOVIC, 2007: Internet).

INVO was tasked with unearthing and dismantling any secret nuclear programme discovered in Iraq (INVO, 2004: Internet). By 2007, both organisations were deemed as having been successful in their operations. Ambassador Kumalo (UN speech, 2007b: 12-13) reminded the Council before his vote that disarmament in Iraq was supposed to signal a step in the direction of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons.

This is line with South Africa’s stated commitment to the non-proliferation of nuclear weapons and to the eventual complete destruction of nuclear weapons worldwide.

In 2004 South Africa had requested, along with Canada, Mexico and a few others, an open
debate be held by the UNSC on the non-proliferation of WMD and terrorism. Ambassador Kumalo (UN speech, 2004a: 22) stated that the open debate provided an opportunity for the wider membership of the United Nations to contribute. This was consistent with South Africa’s increasing advocacy for a reformed Council, an issue to be examined further in Chapter 6. As regards „terrorism“, in its 2005-2008 Strategic Plan the DFA (2005: 64) had declared the South African government’s continued involvement in the UN campaign against terrorism and reaffirmed South Africa’s compliance with the relevant UNSC resolutions on combating terrorism.

Based on the „consistency“ judgments allocated above, it would appear that between 1994 and 2008 South Africa displayed remarkable consistency in the UNGA voting on First Committee issues. Out of 34 potential clustered resolutions, South Africa’s delegates voted consistently in line with the Republic’s declared disarmament policies a total of 28 times. Expressed differently, South Africa received an 82 per cent grade. The third step in the model will now take this grade into consideration as well as delve a little deeper into the 18 per cent of votes that were judged partly consistent or inconsistent.

4.4. Interpretations of voting action: government views and observers’ views

A „principled“ human rights foreign policy had increasingly become a tricky tightrope for South Africa, as examined in Chapter 3. In comparison, for South African foreign policymakers (and interested observers) there was a clear perception that the multilateral disarmament arena offered the government a sturdy platform from which it could provide technical advice and debate moral arguments in a credible way.

Using the disarmament and non-proliferation issue as an opportunity to reintegrate [South Africa] into the international community ... the current administration has often led the debate, refreshing previously stale and deadlocked negotiations with new ideas (Ogilvie-White, 1999: 322).

Indeed, there were a few specific areas within disarmament where South Africa had seized its opportunities in an effort to take the lead in Africa and to make an impression worldwide (Schoeman, 2003: 354).

4.4.1. Nuclear non-proliferation

As demonstrated under section 4.3.1.1., South Africa had consistently voted in favour of all measures taken at the UN to upgrade the NPT. As mentioned
previously, South Africa assented to the NPT in 1991. In April-May 1995 the NPT was due for its 25-year Renewal and Extension Conference in New York (the NPT had come into force in 1970) and this became an early opportunity for South Africa to exercise its nuclear diplomacy muscles in a multilateral setting.

Two positions were brought to the table at the NPT conference. The NNWS, spearheaded by NAM, wanted the Treaty extended for another 25 years after which its duration would once again be discussed. The P5 alternatively were in favour of an indefinite extension. Considering that, apart from South Africa, “no one else had both the prestige and the technical expertise to bridge the gap between the nuclear haves and have-nots” (Business Day, 16 May 1995), this placed the country in a difficult position. As a member of NAM, it was expected to align its views and vote with its allies. However, the US was a major South African trade partner (Weiss, 2007: Internet, 2).

At the conference South African Deputy President Mbeki had offered two detailed “moderate conditions” attracting popular support. Firstly he called for substantive meetings, to be held every five years, between the review conferences, thereby holding the NWS to continuous scrutiny of their treaty obligations. He further proposed a set of “Principles for Non-Proliferation Disarmament” which were to be used as a means of measuring the fulfilment of treaty commitments. Although these principles were tweaked by the NWS in their favour, the proposals were nevertheless Awav. The critical point here is that due to South Africa”s savvy diplomacy the impasse at the NPT gathering had been overcome. Enough NNWS felt that the proposals entailed “significant concessions on the part of the nuclear powers” (Leith and Pretorius, 2009: 350).

South African proposals at the conference were perceived optimistically by some as “successful” (Mills, 1999: 2), “influential ... and instrumental” (Ogilvie-White, 1999: 321) and reflecting “middle powermanship” (Taylor, 2006: 19). The country was described as having used “moral suasion” to craft a viable solution. South Africa was regarded therefore as having taken a clear leadership role at the conference. Others saw South Africa”s role as selling out to the West in pursuit of national interests (Ogilvie-White, 1999: 322), including a possibly linked International Monetary Fund
(IMF) loan approval post conference (Southall, 1995b: 6). Still others viewed South Africa’s actions as “abandoning a principled position in favour of bridge-building and the search for consensus” (Van der Westhuizen, 2001: 31). Whatever the reason, South Africa’s efforts to shape agreement around the NP – to build bridges – or to rescue the negotiations – fire brigade – denotes the use of „broker strategies“ by middle powers at the UN (see section 1.5.2.1. in Chapter 1).

There is shrewd logic to Taylor’s (2006: 19) summary of South Africa’s NPT role. The country had chosen not to criticise the structure of the global nuclear order, instead opting to “exploit what space was available to play a largely technical role to smooth out sources of friction within that order.” South Africa may have had to downplay its own strict non-proliferation ideals but it did so in favour of ensuring that the general move to complete disarmament was allowed to progress however incrementally. Despite its partly criticised role at the NPT, the country’s firm foreign policy declarations on disarmament remained unchanged. A year later it reaffirmed its commitment “to the ultimate objective of the efforts of states in the disarmament process as general and complete disarmament (WMD and conventional) under strict and effective international control” as it chaired the first session of the CTBTO PrepCom (South Africa, Embassy in Vienna, 2011: Internet; Mills, 1999: 2). South Africa had been an active participant in negotiations for the CTBT (Nzo, UN speech, 1996: 17) and had voted in favour of all resolutions related to the CTBT since its adoption at the UNGA in September 1996 (see section 4.3.1.1. in this chapter).

However, South Africa’s nuclear image was slightly dented when it became involved in a somewhat controversial US-India nuclear deal as a result of its chairing of the NSG in 2007. In 2005 the US had announced its intention to abrogate its 30-year embargo on nuclear trade with India. The deal was finalised in 2008. The two countries would increase cooperation in the fields of energy and satellite technology and the US would offer assistance to India's civilian nuclear energy programme (Kimball and McGoldrick, 2007: Internet). Critics of the deal referred to it as a blow for the non-proliferation movement as India had failed to accede to the NPT and had illegally tested nuclear weapons in 1974 and 1998 (BBC News, 11 May 2011). The deal also potentially sabotaged efforts to hinder states such as Iran and North Korea
from becoming players in the nuclear game (Weiss, 2007: Internet, 2; Bajoria and Pan, 2010: Internet).

South Africa had “strongly supported normalising nuclear trade with India bilaterally” and this had led to mixed opinions (Leith and Pretorius, 2009: 356). The government had to deal with the US-India nuclear issue in a delicate way. One perspective held that South Africa was in a key position to facilitate the deal safely through the NSG (Weiss, 2007: Internet, 2). However, the government received criticism at home for seemingly lending credence to the deal. Leith and Pretorius (2009: 356-358) described the country as compromising “its moral high ground ... in the nuclear non-proliferation realm.” Another suggested that South Africa was acting out of character by suddenly easing up on its strict non-proliferation stance possibly due to India”s strategic role within the South-South alliance of India-Brazil-South Africa (IBSA) “to counter the disproportionate influence of the North” (Fabricius in The Star: 2 November 2007). Foreign Minister Dlamini-Zuma quashed this suggestion as a “figment of the imagination” and reiterated that South Africa remained totally opposed to all WMD (DFA, 2007b: Internet).

Moreover, the South African delegate to the UN, Glaudine Mtshali (UN speech, 2007b: 9), offered her country”s opinion on the deal:

> my delegation has taken note with interest of the proposal regarding civilian nuclear cooperation with India. This proposal has raised a number of important questions related to its possible impact on the nuclear non-proliferation regime in general and the NPT in particular. It is imperative that we ensure that any decision in this regard should not erode but strengthen the disarmament and non-proliferation regime.

Despite criticism over the US-India arrangement, South African foreign policymakers have been proud of their country”s active involvement in non-proliferation and disarmament forums, referring to its “leading” or “constructive role” in the “initiation of” the Pelindaba Treaty in April 1996 (Nzo, 1996: Internet; 1998: Internet; DFA Strategic Plan 2003-2005, 2003: Internet, 7). Non-proliferation was not the only area in which South Africa emerged as a leading state in the field of disarmament. Conventional weapons, particularly anti-personnel landmines, were also visible on the country”s radar.
4.4.2. Anti-personnel landmines

In December 1996 South Africa voted “Y” to UNGA resolution 51/45[S] on the urgent creation of an international agreement to ban anti-personnel landmines (Canadian Red Cross, 2011: Internet). Thereafter, the country voted in favour of the destruction of anti-personnel landmines in the UNGA every year up to and including 2007 (see section 4.3.1.3.).

President de Klerk had already chosen to place a moratorium on the transit, marketing and export of all kinds of landmines in December 1993, which had given South Africa some international credibility on this issue (Boulden, 1998; Nel et al., 2001: 14). The new administration confirmed this moratorium in 1995 (Mail & Guardian Online, 10 May 1996).

In 1996-1997, Canada and the International Campaign to Ban Landmines (ICBL) spearheaded a campaign lobbying governments across the world to adopt and enforce an international convention banning all landmines (United Nations, 2000: 118). According to Foreign Affairs Minister Nzo (1998: Internet), South Africa played a leading role in this Ottawa process as it came to be known. However, this was not the case initially.

In early 1996 South Africa had actively participated in the Review Conference of the CCW. Whereas South African Foreign Minister Nzo (1996: Internet) considered his country’s participation to be a positive thing as the conference had “ended successfully with the adoption of a ... revised Protocol placing more rigorous restrictions on the use of ... landmines” (emphasis added), the country faced heavy criticism for its “middle of the road” position at the conference. South Africa had failed to insist “the CCW be amended in a way which would oblige signatories to place an outright ban on the use, manufacture or transfer of mines,” instead choosing to side with the majority that conventional mines be replaced by self-destructing smart mines (Mail & Guardian Online, 10 May 1996).

Originally South Africa had argued that it was better to compromise on the hard-line position against mines in favour of bringing more states on board with a softer
approach. However, Canada and others had increasingly begun to sway international opinion towards a comprehensive mine ban. This shifting mood together with pressure from NGOs such as the South African Campaign to Ban Landmines (SACBL) helped to alter South Africa’s position (Nel et al., 2001: 34; Mail & Guardian Online, 10 May 1996).

By February 1997, South Africa “in a major turning point” announced its support for a total ban on landmines (Nel et al., 2001: 14), creating the impression of following Canada’s lead. However, in the run-up to the September Oslo conference South Africa was seen to be playing an active leadership role regionally and continentally (Cooper, Higgott and Nossal quoted in Nel et al., 2001: 16). It was the first African state to destroy its stockpile of anti-personnel landmines and the first to publicly support the Ottawa Process by hosting the first Continental Conference of African Experts on Landmines in Kempton Park in May 1997 (Taylor, 2006: 19; 34-35).


Mid-conference, President Mandela, in a joint declaration with Swiss President Arnold Koller, reaffirmed his country’s commitment to “a total ban on anti-personnel mines” (ANC Information Services, 5 September 1997). Mandela would not be deterred on this point, despite a telephone call from US President Clinton requesting African support for the US position (Nel et al., 2001: 14). The US later withdrew from the conference, failing to sign the Mine Ban Treaty.
The Oslo conference ended with the formal adoption, by some 90 states, of a draft text to be signed in December that year (Arms Control Association, 1997: Internet). Russia, a conference observer but non-signatory to the Treaty, criticised the Treaty’s lack of universality since it had been worked out “without the participation of states holding nearly two-thirds of the world’s population.” Selebi’s response summed up the mood of the majority of conference goers, including his own country’s position:

who are these two-thirds? We are talking China, Russia and the United States. Two-thirds of that population owns nuclear weapons; can we then say we must all own nuclear weapons? I am sure no child tramples on a mine in New York, but I am sure that hundreds of children, hundreds of women in Mozambique, Angola and in the Congo, trample on these mines. Those are the lives we need to protect, not the lives that are already protected (quoted in Houston Chronicle, 19 September 1997).

Three months later, due to “its extensive role-playing” (Van der Westhuizen, 2001: 34) in the lead up to the Mine Ban Treaty, South Africa became the third state after Canada and Norway to sign the Treaty (Abrams, 2001: 321). The country demonstrated a clear enactment of a declared foreign policy goal which placed high priority on the elimination of anti-personnel land-mines (Dlamini-Zuma, 2001: Internet). This Treaty, in Mabhongo’s (2007: 4-5) view, gave South Africa an opportunity to win “political kudos” relatively cheaply. However, it has found it more “difficult to reconcile the image of international peacemaker and champion of arms control and disarmament with that of international arms producer and dealer” (Schoeman, 2003: 357).

4.4.3. Arms sales

As demonstrated under section 4.3.1.3, South Africa has voted in favour of all UNGA resolutions addressing the negative humanitarian and development impact of illicit trade in small arms and light weapons in all its aspects since 1996. Additionally, South Africa had consistently voted affirmatively in the Assembly for transparency in armaments. In 1995 the South African government formed the NCACC which became responsible for: ensuring that the country’s trade in arms would conform to international norms; that the government would acquire arms for the country’s defence in a responsible manner, and refrain from exporting conventional arms if there was a chance they could contribute to internal repression, to the violation of
human rights, to the escalation of regional conflicts, or contribute to terrorism (DFA, 2003c: Internet; Van der Merwe, 2003). Through the NCACC’s destruction of surplus small arms in 1999, South Africa had won worldwide accolades and had been elevated once more into a leading role model position (Schoeman, 2000: Internet).

Human Rights Watch (2000, Internet) labelled the transformation of the government’s arms export policy since 1994 as remarkable but incomplete. “In practice, the government's arms export decisions have not consistently reflected the ethical principles and policies that it has proclaimed.” The government faced criticism from other sources too for arms sales or deals with Rwanda, Turkey, Algeria, Indonesia, China and Syria. The negative international response to these deals was clearly felt by the South African government who took action in either partially fulfilling, suspending or in some cases cancelling arrangements (Southall, 1995b; Nathan, 1997: Internet; Skosana, 2002; Schoeman, 2003: 357).

Post-1994 many perceived the government as sincerely attempting to demonstrate a moral reputation as an arms producer, possessor and trader (Battersby, 1998: 251). It especially wanted to be seen to be supporting “initiatives to curb regional and sub-regional conflicts through strict conventional arms control at these levels” (Cilliers, 1995a). Setbacks were evident though as soon the Armaments Corporation of South Africa (Armscor), the country’s arms manufacturing parastatal, was implicated in a failed small arms deal with Yemen which was experiencing a civil war at the time (Cilliers, 1995b). Known informally as the ‚Wazan debacle‘ or the ‚AK 47 debacle’, the government set up the ‚Commission of Inquiry into alleged arms transactions between Armscor and one Eli Wazan and other related matters‘ (known as the Cameron Commission) in an effort to uncover Armscor’s alleged illicit dealings (Cilliers, 1995a). Defying UN embargoes, Armscor had also sold weapons fuelling conflicts in Rwanda, Croatia and Angola post-1990 (Southall, 1995b; Skosana, 2002). Despite establishing the Cameron Commission, the ‚Wazan debacle‘ “had severe consequences for South Africa”s international image and was a slap in the face to South Africa”s emerging foreign policy” (Skosana, 2002).

The Cameron Commission was established in October 1994 by the South African government (Government Notice R 1801, Government Gazette 16035), the same
month in which the government also decided to contribute data to the UNROCA (established through UNGA RES/46/36[L]) (United Nations, 2000: 118). The Register was a mechanism for governments to voluntarily submit information on transfers of major weapons systems such as aircraft, tanks and missiles after the fact in the interests of transparency. South Africa had made a clear commitment in its foreign policy to the very principles espoused by the UNROCA, including the need to exercise due restraint in arms transfers based on legitimate requirements to meet the security needs of Member States. It submitted its first report on exports and imports in May 1995 and consistently provided information to the register every year since (Skosana, 2002).

Moreover, South Africa’s Chief of Acquisitions for the Department of Defence, Shamin Shaik, together with experts from Egypt and Gabon, represented Africa in the 1994 Group of Governmental Experts on the United Nations Register of Conventional Arms, which presented reports to the UNGA on the performance of the Register (A/52/316, 1997).

One cannot fault South Africa’s consistent efforts to demonstrate transparency in armaments, however symbolically. Out of 53 African states submitting reports to the UN Register, South Africa took the clear lead submitting reports every year from 1995-2007. Only Mauritius came close to South Africa for consistency in submissions – missing its 2007 report (UNODA, 2010: 4-5). States that have not imported or exported items covered by UNROCA for that year are encouraged to submit a „nil report” in the interests of transparency. „Nil reports” are sometimes undependable, though, when states report on exports to countries which then fail to report any imports at all. Holtom, Béraud-Sudreau and Weber (2011: Internet, 4) draw attention to South Africa as the only African state to have reported on its imports to UNROCA for 2007-2009, out of a confirmed 27 African states identified as receiving weapons.

In 1995 the government classified in four categories those countries it was and was not allowed to sell arms to as the following: no restrictions in sales; some restrictions; nonlethal equipment only, and the final category of no sales. Category four countries included Afghanistan, Burma (Myanmar), Burundi, Cuba, Iran, Iraq, Lesotho, Liberia,
Libya, Nigeria, North Korea, Rwanda, Sierra Leone, Somalia, Sudan, Syria, and Yemen (Mail & Guardian Online, 28 July 1995).

South Africa may have been criticised for some of its arms deals but “President Mandela publicly defended the country”s arms industry and promoted its products on his overseas trips” (Batchelor and Willett, quoted in Henk, 2004: 15). The NCACC”s first Chair, and Minister of Education, Kader Asmal (2002: Internet), responded to queries over arms exports in the South African Parliament by stating:

> quite clearly it is impossible to lay down that we shall not export arms because present conditions in a particular country are not very good or for that matter we do not approve of some of the policies of that country. It is a combination of factors, which inform our decisions, chief among them that there must be a consistent and massive violation of human rights in order for us not to sell arms to the country concerned. And of course we have to take into account that we cannot really act as moral censors of whatever country in the world.

The Department of Defence also made no secret of the arms trade as an important source of South Africa’s annual earnings (Navias, 1993: Internet; Kasrils, 1996: 117-126). The difficulties involved in weighing up its moral pursuit of responsible arms sales with the opportunity for trade and wealth creation have plagued South Africa since 1994.

Further allegations of „dodgy deals“ surfaced in 2009 when the lead opposition party in South Africa accused the NCACC of being “in crisis.” The Committee was further accused of not fulfilling its obligations to ensure that the country’s arms transfers conformed to international law and the guiding principles set out in national legislation (Maynier, 2009: Internet).

Despite these allegations one cannot dispute the leadership role played by South Africa in the arena of small arms proliferation, including the opportunity it took to highlight this area of disarmament at the UNSC.
4.4.4. The UNSC

As a Member State, South Africa had been obliged to conform to resolutions passed by the UNSC since its return to the UN in 1994. In 2004 UNSC resolution 1540 was passed making it “mandatory for states to pass and enforce domestic legislation that criminalised those individuals or networks engaged in transnational WMD-related activities” (Howlett, 2011: 386). A committee, known as the 1540 Committee, was established to oversee states’ submissions to the Council. South Africa submitted its national report in February 2005 to the Chairman of the UNSC Committee on the steps taken to implement the resolution (Note Verbale: S/AC.44/2004/(02)/102, 2005). Therein the government listed all domestic legislation in place meeting resolution 1540’s obligations. South Africa’s position on the implementation of this resolution clearly expressed a preference for the IAEA and OPCW, not the UNSC, to be the primary institutions in the international community’s endeavours to combat the proliferation of WMD.

Two years later in a UNSC debate on this issue, South African Ambassador Kumalo reaffirmed his country’s position (UN Press Release, 2007b: Internet). He also questioned the 1540 Committee’s reprimand of developing countries’ failure to submit reports when in fact the threat of WMD “falling into the hands of non-State terrorist actors originated from States that possess or are capable of possessing WMD”, not developing states (Kumalo, UN speech, 2007c: 15). He went on to stress that the problem of WMD would persist until they were completely destroyed and questioned for how much longer the UNSC could continue to “ignore disarmament and approach proliferation in a selective and often politicised manner” (Kumalo, UN speech, 2007c: 15).

The DFA (2009: Internet, 16) emphasised two of South Africa’s achievements in relation to disarmament during its term on the UNSC. The country “took the lead”, during its March 2007 and April 2008 presidencies of the Council, in placing the non-proliferation of small arms and light weapons on the agenda. In securing a “rare presidential statement” on the small arms debate, the country successfully breathed life into a previously stagnant Council issue (Erasmus, 2008: Internet; DFA, 2009: Internet, 16). South African foreign policymakers have consistently committed their
country to actively supporting the UN’s efforts to bring about general and complete disarmament. This had been motivated by their awareness of the very real concern of the illicit spread of small arms throughout the southern African region (DFA Strategic Plan 2005-2008, 2005: Internet, 58).

The second stand-out area in its UNSC stint for the DFA (2009: Internet, 24) was related to the non-proliferation of WMD. In its foreign policy declarations since 1994, South Africa had consistently demonstrated an awareness of the NPT’s three central “pillars”. The country advocated the prevention of both types of proliferation (the first pillar), and complete nuclear disarmament (the second pillar). The third pillar was key because the country effectively became a champion for the “inalienable right”, of developing countries mainly, to peacefully use nuclear technology (NAM Troika, 2005: Internet, 1; Jordaan, 2008: 552). These NPT obligations were equally reinforced when South Africa was faced with “a challenging decision on how to respond to the situation concerning Iran’s nuclear programme” during its first presidency of the UNSC in March 2007 (DFA, 2009: Internet, 24). The country found itself having to

balance the twin objectives of guiding the council towards a genuine consensus outcome in the negotiations on a new resolution on Iran, while also advancing its national positions on an issue that affect[ed] the entire international community (Mabhongo, 2007: 4-5).

Iran, a member of the NPT, was found by IAEA inspectors in 2003 to have constructed a uranium enrichment plant and heavy water production plant which it insisted were for peaceful purposes only (Heywood, 2011: 275). Nevertheless this fact drew serious concern from members of the international community, led by the US, which was exacerbated when, by 2006, the IAEA had not yet been able to provide assurances about Iran’s undeclared nuclear material and activities. South Africa, having occupied a Board of Governors seat on the IAEA, had attempted to prevent the Iranian issue from ever reaching the UNSC. In February 2006 the IAEA voted successfully to refer Iran to the UNSC, “preparing the way for possible punitive actions against Tehran for failing to halt its nuclear activity” (Shillinger, 2007). Twenty-seven board members voted in favour, three voted against (Iran, Cuba and
Venezuela) and one abstained – South Africa. Ambassador Minty (2006: Internet) explained his government’s abstention:

this resolution seeks to initiate a process whereby the Security Council will become more substantially involved in the Agency’s verification activities in the Islamic Republic of Iran, with a diminishing and possibly subservient and even marginal role for the Board … South Africa places a great importance on the role, authority, impartiality and integrity of the Agency and we would not wish to do anything that would reduce or undermine its solemn responsibilities.

Critics of South Africa’s position may well compare this statement, which is essentially a technical argument on the appropriate authoritative forum, to South African Ambassador Kumalo’s motivations in 2007 for human rights issues to be considered in the HRC instead of the UNSC (see Chapter 3.)

Two UNSC resolutions followed on Iran’s nuclear programme. In July 2006, resolution 1696 demanded Iran suspend its uranium enrichment by August or face possible economic and diplomatic sanctions. When this did not take place, resolution 1737 (2006) was passed in December imposing limited sanctions on Iran. In March 2007 South Africa voted in favour, along with the remaining 14 UNSC members, of resolution 1747, *inter alia*, banning Iran’s arms exports (Sutterlin, 2007: 15). South Africa’s behaviour leading up to this resolution was perceived by some as exhibiting “delay tactics” or “using its institutional role ... to promote the anti-imperialist cause” (Jordaan, 2008: 552). President of the Council at the time, the country had opposed an originally harsh P5 draft resolution calling for additional sanctions to be placed on Iran’s government for failing to suspend its uranium enrichment activities. South Africa responded by suggesting that the IAEA be given an extra 90 days to come to an agreement with Iran over its nuclear programme, and avoid the use of sanctions, which should only be used with great caution (Sutterlin, 2007: 15; Mabhongo, 2007: 4-5; Yuxia, 2007: Internet). It proposed a further number of substantive and technical amendments.

From South Africa’s perspective, the P5 draft resolution had been brought to the Council as an accomplished fact and despite assurances that all 10 non-permanent members would be allowed their say in its negotiations, the P5 had “attempted to steamroller it through the Council” (Mabhongo, 2007: 4-5). Later, in reference to a
UN press conference question on the Iran issue, Kumalo (quoted in UN Press Conference, 2008: Internet) argued that “permanent members set an agenda” and it was “South Africa”s role, as an elected member ... to remind them not to get carried away, or to use the Council to beat up on the little countries that are not represented.”

South Africa”s “interventions” in the Iranian issue, according to Kumalo (UN speech, 2007d: 4),

had focused on trying to de-escalate tensions, promote dialogue to establish confidence in the nuclear programme of Iran and ensure that the IAEA inspectors remain on the ground in Iran and that Iran remains part of the Nuclear Non-Proliferation Treaty.

Although resolution 1747 did not contain all of its proposed changes, over which Ambassador Kumalo (quoted in S/PV.5647, 2007: 5) expressed deep “disappointment”, the DFA (2009: Internet, 24) claimed a few victories: the recognition of the NPT”s third pillar as on a par with the other two, and the reinforcement of the prominence of the IAEA as the only internationally recognised nuclear-related verification body (Van Nieuwkerk, 2007: 68-69).

In March 2008 UNSC resolution 1803 was adopted focusing “on further measures against Iran in connection with its development of sensitive technologies in support of its nuclear and missile programmes.” Prior to this Ambassador Kumalo criticised the sponsors of the draft resolution (S/2008/141, 2008), France, Germany and the UK, for not postponing the draft until the IAEA Board of Governors:

had a full opportunity to consider the matter and take account of the verbal update of the Director General of the IAEA. That gives the international community the impression that the verification work and important progress made by the Agency is virtually irrelevant to the sponsors of this draft resolution (S/PV.5848, 2008: 7).
Kumalo (S/PV.5848, 2008: 7) went on to explain why South Africa would be voting in favour of the resolution despite the hasty nature in which it had appeared on the UNSC agenda:

the rationale for bringing the Iran issue to the Security Council in the first place was, we were told, to reinforce the decisions of the IAEA and to enhance its authority, and yet the current draft resolution does not accurately reflect what is happening at the IAEA. We are seriously concerned about the implications of this situation for the credibility of the Security Council, and the only reason we will vote in favour of the resolution is to preserve the previous decisions of the Council that Iran has not fully implemented.

The Republic later voted in favour over UNSC resolution 1835 in September 2008 “on Iran’s obligations to comply with Security Council's resolutions and meeting the requirements of the IAEA Board of Governors” (S/RES/1835, 2008: 1).

South Africa may have been perceived by some as playing power games, but it should be noted that the country had remained consistent with its declared policies by repeatedly expressing the view that there should be “neither a nuclear weaponised Iran, nor an outbreak of war over the nuclear programme in Iran” (DFA, 2009: Internet, 24). Additionally, South Africa had sent its Deputy Foreign Minister to Tehran in November 2005 for a two-day NAM Troika in an effort to persuade its government to cooperate fully with IAEA inspectors (NAM Troika, 2005: Internet, 2). President Mbeki (UN speech, 2005b: 11) had also declared his government’s firm belief that the Iranian negotiations be completed under the auspices of the NPT.

4.5. Conclusion

South Africa’s voting behaviour on disarmament and non-proliferation issues at the UN between 1994 and 2008 was explored in this chapter (see Appendix for a summary of the recorded votes). The First Committee’s clustered resolutions were considered as well as the IAEA’s annual submission to the UNGA and the first year of South Africa’s non-permanent Security Council seat. Thirty-four groups of votes were captured and analysed, followed by an examination of government explanations for voting actions and perceptions of interested observers.
Since very early on the DFA had expressed four areas in which to implement its disarmament policy: to actively participate in multilateral institutions; to support the non-proliferation of WMD; to work with NAM members; and to defend the right of developing countries to pursue peaceful nuclear technologies. In 14 years, South Africa made considerable headway in all four areas. Its foreign policy declarations were, for the most part, consistently adhered to in its voting practices.

Based on South Africa’s non-proliferation, disarmament and voting actions in the UNGA, three issues were prominent:

1. Active participation makes for a strong reputation

In 1994 the South African DFA encouraged its delegates to become as involved as possible in all avenues of nuclear diplomacy within the UN family and they succeeded. Throughout the 14 year period under review, South Africans were elected to chair numerous disarmament conferences, groups and meetings. The Republic submitted working papers, sponsored and co-sponsored draft resolutions both individually and on behalf of NAM, initiated debates and defended positions in the First Committee and signed and acceded to all major (and minor) treaties and conventions. It has led by example on numerous fronts. It consistently recorded these actions as successes in its annual foreign policy reviews. In its very active pursuit of international peace and security, South Africa’s moral authority and technical expertise in “nuclear know-how” certainly proved useful for the country in making its voice heard.

2. Technical arguments have their place

Voting against a draft resolution because of the inclusion of one word, for example linkages, indicates the serious consideration that accompanies the complex technical issues of the nuclear arena. The sometimes heated debates over the use of specific terms and phrases in draft resolutions or the insistence on the undisputed authority of the IAEA as the sole verification instrument internationally may be regarded as trite delaying tactics by some. However, all voting explanations have their political weight. South Africa’s arguments over correct procedures being followed and correct
mandates being adhered to by *all* states is an attempt to create balance at the UN between the nuclear haves and have-nots.

3. Nuclear technology should be accessible for peaceful purposes

South Africa is very aware of the sensitive nature of nuclear diplomacy and the power games involved. It lobbied for the rights of all states to be allowed to use nuclear technology for civilian purposes. As a UNSC member this lobbying may have muddled South Africa’s foreign policy intentions. In its robust attempt to create a more balanced Council and assert any measure of influence over the P5, particularly the Western powers, South Africa inadvertently created the erroneous impression of supporting Iran’s attempts to become a NWS. South Africa’s legitimate and sincere belief in complete disarmament, of WMD and conventional weapons, was somewhat sullied as result, and begs the question as to what measures it will take to prevent, in Ambassador Kumalo’s words, the NWS from getting “too carried away.”

A commitment to international peace and security through disarmament and non-proliferation was a priority item on South Africa’s foreign affairs to-do list in 1994. By 1999 Africa’s peace and security had jumped to the top of the list. The focus will now, in the next chapter, shift to an analysis of South Africa’s voting between 1994 and 2008 on the advancement of Africa’s interests at the UN within the context of North-South relations.
CHAPTER FIVE
ADVANCING AFRICAN INTERESTS AND CONSOLIDATING THE AFRICAN AGENDA WITHIN THE CONTEXT OF NORTH-SOUTH RELATIONS

“... in February 1999 ... the new (DFA) approach emphasised the need for South Africa to champion the cause of developing countries by adopting a leadership role in various multilateral institutions” (Alden and Le Pere, 2006: 55).

5.1. Introduction

Chapter 5 aims to investigate the third strategic theme identified in Chapter 2, namely South Africa"s advancement of African interests at the UN and the consolidation of the African Agenda within the context of North-South relations. The chapter intends to illustrate South Africa"s foreign policy voting behaviour at the UN between 1994 and 2008 in those sub-organs or committees at the UN and its related agencies focusing on Africa and the Global South. Having already noted the country"s „declared” policy on such issues in the second chapter, the purpose of this chapter is to apply the remaining two steps of the model set out in Chapter 1.

Since 1994 South Africa has had to reposition itself within Africa and the world (Mandela, 1995: Internet; Venter, 2001: 159; DFA Strategic Plan 2003-2005, 2003: Internet, 7; Alden and Le Pere, 2006: 57; 2009: 145). Initially heavy emphasis was placed on promoting a democratic world order based on anti-colonialism and anti-imperialism (ANC 1997 Discussion Document, quoted by Vickers, 2002: 83). The Republic"s foreign policymakers attempted to act as spokespersons for a “better Africa and a better South” and to bridge the divides between Africa and the Global North. Simultaneously, government was keen to balance the need to strengthen “the relationship between Africa and the South” (DFA, 1996: Internet; Landsberg and Monyae, 2006: 132; 138) with the desire to be a “leader of the developing world” (Cornelissen, 2006: 26-27).

However, some suggest that South Africa has had a surprisingly inconsequential impact on many international political problems since its embrace of democracy (Le Pere and Van Nieuwkerk, 2006: 298). Despite casting off the image the Republic
was known for at the UN during apartheid (Hamill and Spence, 1997: 226), the country was still regarded with suspicion by some for its historical role in Africa. A new representation of a transformed country supporting its African neighbours and building up trust was essential (Van Wyk, 2004: 128). After all South Africa’s journey had been an unusual one, from outcast to hero in a few short years, and although its neighbours celebrated its transformation this did not necessarily imply a willingness to support South Africa’s instant hegemonic role on the continent (whether or not the role was self-assigned or thrust upon the country). For its part the Republic did not want be seen to be “Africa’s policeman” either (quoted in Landsberg, 2007: 196).

Hegemonic tendencies aside, it was impossible to deny that South Africa’s substantial natural resources, aspects of a First World economy, geographical location and internationally-lauded leader, in Mandela, meant that it was essentially one of the strongest countries on the continent economically and politically. The Republic’s national interests were intertwined with those of Africa, including its own trade and business interests, and so it aimed to use whatever measures of influence it possessed in giving the continent a voice multilaterally (Financial Times, 20 September 1999; Barber, 2004: 148; Majavu quoted by Ezeoha and Uche, 2005: 27). The UN was the best forum to do this, being the only multilateral institution to have a global presence, and therefore the largest voluntarily captive audience internationally (United Nations, 2000: 129; Samasuwo, 2006: 49).

Did South Africa commit itself to defending and promoting Africa’s interests at the UN? Moreover in its first democratic years was South Africa a champion of the South in terms of its voting behaviour in the UN’s agencies? These questions will be examined later in the chapter. In order to provide context for South Africa’s ambitions, it is necessary firstly to describe the development of an African and indeed a Global South perspective at the UN.

5.2. The emergence of a Southern bloc at the UN

The UN Charter enshrined principles and procedures that created an enabling environment for the success of the struggle for independence of many African countries. In this sense, therefore, the United Nations – of the 1940s to the 1960s –
could be characterized as a kind of midwife to the African liberation process (Hayford, 2007: 14).

In 1950 African states made up 5 per cent of UN membership. This included South Africa although African states did not consider the Republic to be legitimately African due to its government’s apartheid policies. Twenty years later African membership at the UN had grown just over six times this size to 32 per cent (Kay, 1969: 21; United Nations, 2000: 295).

As early as 1958 scholars began noticing the emergence of voting blocs and alliances at the UN; the most prominent of which came to be known as the African Group of states (Meyers, 1966: 213-227; Abate and Brunn, 1977: 338-346; Cornelissen, 2006: 30-32). Generally African countries, recently independent, “placed strong and consistent demands on the UNGA” on issues of decolonization for other territories around the world, condemnation of South Africa’s apartheid policies, and economic development (Kay, 1969: 27; Fleshman, 2010: Internet). This African Group soon found its place in partnership with other newly independent and developing states in the Caribbean and Asia in what some referred to as a Third World coalition (Hamill and Spence, 1997: 226).

The Third World, or Global South in the post-Cold War milieu, describes those states that are “poor,” “less-developed,” “underdeveloped” or “developing” in comparison to the industrialized countries and which are mostly located South of the equator (Friedman and Williams, 1979: 555; Odeh, 2010: 338). These states presently represent about 85 per cent of the world’s total population (Kegley, 2009: 127). Between 1950 and 1970, as these less developed countries (LDCs) were able to use their growing voting majority at the UN to dictate the global agenda more and more, the realisation that collectively more could be achieved was taking hold (Kegley, 2009: 148). Against the backdrop of Cold War politics the 1955 Afro-Asia Bandung Conference in Indonesia became the birthplace for what became known as a “Southern” perspective (Kukreja, 2008: 312; Zahran, Roman-Morey and Inomata, 2011: 3).
On the back of this conference, the leaders of developing states India, Yugoslavia, Indonesia and Egypt spearheaded the creation of the NAM in 1961 with the goal of remaining non-aligned during the Cold War, eradicating colonialism and advancing economic cooperation and growth in the South (DFA, 2006b: Internet; Kukreja, 2008: 312; Kegley and Blanton, 2012: 111). This spirit of defending the interests of the South became real at the UN in 1964 when the United Nations Conference on Trade and Development (UNCTAD) was formed (Bennett, 1995: 241; Frieden et al., 2010: 354; UNCTAD, 2011: Internet). Seventy-seven LDCs, known thereafter as the Group of 77 (G-77), pushed through resolution 1995(XIX) establishing UNCTAD as an organ of the UNGA. The Global South countries hoped that the egalitarian nature of the UNGA would enable states through collective voting power to alter the economic order in their favour (Archer, 1992: 143; Frieden et al., 2010: 354).

The G-77 (which currently has 131 members) represented the largest number of developing states at the UN with the aim of promoting the South’s economic interests including development and boosting their common negotiating position on such issues within the UN (Archer, 1992: 31; Friedman and Williams, 1979: 555; G-77, 2011: Internet; Swart, 2011a: 6). The G-77 made statements in the UNGA’s six Committees and other subsidiary bodies and steered a number of resolutions through the UNGA on development issues, economic cooperation and the like. The most important of these were the Declaration on the Establishment of a New International Economic Order (NIEO) (resolution 3201 (S-VI)) (in May 1974) and the Charter of Economic Rights and Duties of States (1975), which created the framework of the NIEO (Archer, 1992: 142; O’Brien and Williams, 2007: 328; G-77, 2011: Internet). The NIEO was meant “to elevate the issue of economic development to the top of the international agenda” (Kukreja, 2008: 314).

Since its creation the UN has been concerned with five sectoral areas: peace and security; humanitarian affairs; human rights; international law, and importantly for this chapter, development. Indeed Chapter IX of the UN Charter called for international economic and social cooperation through the promotion of “higher standards of living, full employment, and conditions of economic and social progress and development” and “solutions of international economic, social, health, and related problems; and international cultural and educational cooperation”.

The UNGA’s Second Committee, known officially as the Economic and Financial Committee, oversaw global economic concerns; the Fourth Committee (the Special Political and Decolonization Committee) dealt with *inter alia* decolonization and peacekeeping issues (United Nations, 2000: 8; 127). The third principal UN body, after the UNGA and UNSC, is ECOSOC whose members are elected for three-year terms. ECOSOC comprises 14 African states, 11 Asian, six East European, 10 Latin American and Caribbean and 13 “West European and Other” states. Several functional commissions and regional commissions reported to ECOSOC, an example of the former being the Commission on Sustainable Development (CSD) and of the latter, the Economic Commission for Africa (ECA). ECOSOC’s primary purpose was to act as the nerve centre for investigations on international economic and social issues, as well as for developing policies for recommendation to UN Member States on such matters (ECOSOC, 2010: Internet).

The CSD was established in December 1992 to cement and monitor the decisions made at the Earth Summit, formally known as the United Nations Conference on Environment and Development (UNCED), earlier the same year in Brazil (Sachs, 2007: 20). Amongst other documents produced at this Summit, world leaders signed up to Agenda 21, a plan for attaining sustainable development in the new century (UNDESA, 2010: Internet). Two follow-up review summits have been held since, the first in 1997 in an UNGA special session and the second in 2002 in South Africa at the WSSD (UNDESA, 2010: Internet).

Known officially as the „International Development Decades” or „International Development Strategies”, the UN has every ten years since 1960 directed a vast share of its resources towards initiating progress in social and economic development for developing countries (Kay, 1969: 45; United Nations, 2000: 127). The United Nations Development Programme (UNDP) was established in 1965 as a merger of the Expanded Programme of Technical Assistance (EPTA) and the Special United Nations Fund for Economic Development (SUNFED) (Bennett, 1995: 304-305). The UNDP was tasked with coordinating the UN’s development network globally and providing countries with policy advice, building capacity institutionally and assisting with methods to engender equitable economic growth (United Nations, 2000: 39; UNDP, 2010: Internet). A year later the UNGA created the UN Industrial
Development Organisation (UNIDO), which became a UN specialised agency in 1985. UNIDO served to assist developing countries transform their economies for the better through sustainable industrial development and to fight poverty and alienation as a result of globalisation (United Nations, 2000: 61; UNIDO, 2011: Internet).

The Special Unit for South-South Cooperation (SU/SSC) was established by the UNGA in 1978. Under the mandate of the UNDP, the SU/SSC worked to promote South-South cooperation throughout the UN system (SSC.UNDP, 2011: Internet; G-77, 2011: Internet). For clarity, South-South cooperation is an umbrella concept defined here as covering "a very wide range of collaboration among developing countries, being generally perceived to have three dimensions: political, economic and technical" (SSC.UNDP, 2011: Internet). Essentially it refers to countries located economically within the Global South sharing knowledge and technology in order to stimulate development.

Intrinsic to the UN’s purpose since 1945 is the premise that in order to attain security in all spheres of life – political, economic and social – efforts must be made to ensure economic development for all peoples. In many respects the UN system continues to advance this principle over 60 years later. Africa’s socio-economic conditions in particular have become a UN priority (United Nations, 2000: 134; Hayford, 2007: 14). South Africa re-entered the UN system in full force in 1994, three years after the UNGA had adopted the New Agenda for the Development of Africa in the 1990s (UN-NADAF) as a successor to the 1986 UN Programme of Action for African Economic Recovery and Development (UNPAAERD). UN-NADAF aimed at transforming African economies during that decade (A/RES/46/151, 1991: 46; UN, 2002: Internet, 1).

By 1994, a “renewed commitment by the UN to development activities was reiterated again and again in statements by high UN officials and world statesmen” (UN Chronicle, 1994: 3). Following suggestions by the UNGA in 1995 a UNDP report was produced entitled New Directions for Technical Cooperation among Developing Countries (TCDC). The report identified 22 developing countries as „pivotal states” or
“prime movers” for the encouragement of regional and interregional TCDC. Pivotal states were defined as developing countries that by virtue of their capacities and experience in promoting South-South cooperation, [were] positioned to play a “lead” role in the promotion and application of TCDC, mainly by sharing their capacities and experience with other developing countries in their region or in other regions (SSC.UNDP, 2011: Internet).

At first the states emerging as pivotal from Africa were Egypt, Ghana, Mauritius, Nigeria, Senegal and Tunisia. India, Indonesia, China, Malaysia, Thailand and South Korea were Asia’s leaders and Latin America and the Caribbean’s prime states were Brazil, Peru, Colombia, Chile, Costa Rica, Cuba, Mexico, and Trinidad and Tobago. Malta and Turkey rounded out the final two slots (UNDP, 2007: Internet, 7; Zahran et al., 2011: 4). By 1997, the SU-SSU had identified 3 additional pivotal states, South Africa, Pakistan and Singapore. It further classified South Africa, India, Brazil and China as the four “leading” countries among these pivotal states (A/64/504, 2009: 8).

In 1997 the Executive Committee on Economic and Social Affairs (ECESA) was one of four executive committees created by Secretary-General Kofi Annan to help coordinate the UN’s work. The ECESA was committed to managing a more effective participation of developing countries in the UN system. ECESA membership included amongst others the Department of Economic and Social Affairs (DESA), which provided substantive support to the delegates in the UNGA and ECOSOC on development issues; the regional commissions, two of which were mentioned previously in this chapter; UNCTAD; the UN Environment Programme (UNEP created in 1972); the UN Human Settlements Programme (UN-Habitat founded in 1978), which aimed to help people living in squalid conditions; the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (OHRLLS established in 2001); and the Office of the Special Adviser on Africa (OSAA), officially created in 2003 through resolution 57/7 of 2002 (United Nations, 2000: 38,45,129; ECESA, 2011: Internet; OSAA, 2011: Internet; UN, 2011b: Internet).

The Millennium Summit in 2000 produced the UN Millennium Declaration promising poverty reduction worldwide (UN Millennium Project, 2005: Internet, 4). Resolution
58/220, adopted by the UNGA in 2003, declared the 19th of December to be celebrated annually as „United Nations Day for South-South Cooperation“ in recognition of the day that the UNGA approved the Buenos Aires Plan of Action (BAPA) (DPI, 2010: Internet). The BAPA was the result of a 1978 Argentinean-based conference, where 138 developing countries gathered to coordinate principles promoting TCDC (SSC.UNDP, 2011: Internet). Two years after resolution 58/220 was adopted, the UN labelled 2005 the „year of Africa“ (African Leadership and Progress Brief, 2006: Internet).

The BAPA, TCDC and UNGA resolutions, reports, working groups and meetings set up over the past few decades point to “challenges and opportunities in South-South cooperation, as well as to the need for the UN system to address them” (UNDP, 2007: Internet, 7). South-South cooperation has placed great demands on the UN system (Kay, 1969: 45; UNDP, 2007: Internet, v) and the UN has demonstrated a commitment to improving conditions for developing countries in the South.

However, developing countries’ efforts at the UN have had little transformative impact due to the opposition of the Global North in the implementation of more radical development initiatives, such as the NIEO (Kay, 1969: 35; Bennett, 1995: 311; Frieden et al., 2010: 354). As mentioned in Chapter 1, although the “will of the majority of the members as expressed in resolutions adopted by the UNGA” determines the work of the UN (United Nations, 2000: 8), “resolutions have no legally binding force for governments.” An example of this would be the now customary annual UNGA resolution (since 1992) calling for an end to the US embargo against Cuba, which is still in place (CNN, 28 October 2009). However, resolutions “carry the weight of world opinion, as well as the moral authority of the world community” (United Nations, 2000: 8).

Considering this point, historical contributions to the UN system by African, Asian and Latin American states demonstrated that the organisation could be a “source of legitimacy, authority and influence for developing states” (Morphet cited in Bischoff, 2008: 191). But what of South Africa’s possible Global South leadership role at the UN post-1994? This question will be considered in the following section.
5.3. South Africa at the UN: champion of Africa and the South?

In 1996 the DFA foreign policy discussion document (DFA, 1996: Internet) reflected on how South Africa’s re-entry into the community of nations since 1994 had “made a significant contribution to the definition of the general direction of the country’s foreign policy.” Three years before Mandela (1993: 87; 89) had stated that “the concerns and interests of the continent of Africa should be reflected in (South Africa’s) foreign-policy choices”, and that South Africa could not “escape its African destiny”. “Enhancing South-South cooperation” became another foreign policy phrase used by Mandela in his State of the Nation Address in May 1994. Chapter 2 of this study has already indicated this emerging theme in South African foreign policy.

Also mentioned in Chapter 2, Mandela had set out six pillars of foreign policy in 1993. Africa was listed as a central pillar (Alden and Le Pere, 2006: 52), though it was fifth in line after human rights, democracy promotion, respect for international law and arms control. This perhaps speaks to the enormity of the task placed before the new democracy that in having to normalise its position in the world it was forced to spread its energies in many directions. South Africa could not “be everything to everyone” and simply could not afford a “rainbow foreign policy” (Venter, 1997: 78).

This does not mean, however, that the South African government ignored its continental neighbours during the Mandela years; its attention was somewhat diverted in its efforts to become an integrated member of the international community. It is true that the Republic wasted no time in becoming a member of the SADC in August 1994. Two years later it was elected as Chair of SADC for a three-year period (Morgan and Webber, 2002: 235; DFA, 2004c: Internet). On paper, the South African government regarded “the Southern African region as the most important priority of [its] foreign relations” since 1994, adopting a „Framework for Cooperation in Southern Africa“ approved by cabinet in August 1996 (DFA, 2004c: Internet). Mandela (1993: 91) was keen early on to assure the subcontinent that South Africa would “resist any pressure or temptation to pursue its own interests” at its neighbours” expense.
The Republic joined the OAU in 1994 (Van Wyk, 2004: 114). Eight years later in July 2002 South Africa hosted the OAU’s re-launch as the AU in Durban and Chaired the AU from 2002-2003. The AU’s Pan-African Parliament (PAP) is now permanently based in Midrand, South Africa (PAP, 2011: Internet). Also in 1994 South Africa rejoined the Commonwealth (the country having left in 1961 when it became a Republic) to become the 51st official member of that voluntary association of countries whose central aim was to “support each other and work together towards shared goals in democracy and development” (Commonwealth, 2011: Internet). President Mbeki later chaired the Commonwealth Heads of Government meeting in Durban in 1999.

South Africa also joined NAM in 1994. It went on to become Chair of NAM from 1998-2003. South Africa began its tenure by hosting the XII NAM Summit of Heads of State or Government in Durban in August-September 1998. It was during its Chairmanship that South Africa sought to

adhere to and advance the principles first enunciated at the 1955 Afro-Asian Conference in Bandung that led to the establishment of the Movement. It sought also to remain highly engaged in ... the challenges to multilateralism and the role of the United Nations. A new relationship was also established with, *inter alia*, the G8 and EU and relations with the G-77 were strengthened (DFA, 2006b: Internet).

The XII NAM summit was historically significant, according to the DFA (2006: Internet), as it was the first Summit attended by EU and Group of 8 (G-8) delegates, which “boded well for future dialogue between developing and developed countries and contributed towards a better understanding of the concerns and aspirations of the South.” It was also during this Summit that a decision was taken by NAM members that

the Chairs of the NAM and the G-77 & China closely co-operate to enhance the solidarity of developing countries in the United Nations System and South-South Co-operation in general (DFA, 2006b: Internet).

Apart from these regional groupings, South Africa also declared itself fully committed to all key UN development initiatives, especially the UNDP and UNCTAD (UNDP, 1997: Internet, 5). The UN’s „mouthpiece for the developing world“ was UNCTAD (Cornelissen, 2006: 30). In 1996 the Republic assumed the presidency of UNCTAD
IX until 2000 (Le Pere and Van Nieuwkerk, 2006: 297). It used, as a jumping off point, its hosting of the UNCTAD IX conference at Midrand in April-May 1996 and the subsequent Midrand Declaration to emphasise the significance of UNCTAD at the UN (Cornelissen, 2006: 30). President of the Conference South African Minister of Trade and Industry Alec Erwin spoke of the continued role UNCTAD could play in “addressing developmental challenges facing the developing countries and specifically the African continent” (Erwin, 1996: Internet, 1).

Two years into Mandela’s presidency South African foreign policymakers pinpointed the „eradication of poverty“ as fundamental to the country’s prosperous future and the future of other developing states. According to the South Africa Foundation (1996: Internet, 2), the Republic wanted to become

the first African country to play a leading role in the global economic society ... and ...

to be the economic engine that pulls Africa into a prosperous and exciting future.

At the African Renaissance Conference held in Johannesburg in 1998, Deputy President Mbeki (1998b) defined the African Renaissance as a rebirth for Africa. He elaborated:

the new African world which the African Renaissance seeks to build is one of democracy, peace and stability, sustainable development and a better life for the people, non-racism and non-sexism, equality among the nations and a just and democratic system of international governance. None of this will come about of its own. In as much as we liberated ourselves from colonialism through struggle, so will it be that the African Renaissance will be victorious only as a result of a protracted struggle that we ourselves must wage.

Elsewhere it was described as “a pan-African transnational democratic revolution” (Fraser-Moleketi and Kauzya, 2005: 106). It was in its fundamental sense a discussion, philosophy and paradigm promoting Africa’s responsibility for its own revival as a democratic continent with the ability to be economically independent and to become a respected global force in its own right (Maduna, 2004: Internet; Alden and Le Pere, 2006: 50-51; Le Pere and Van Nieuwkerk, 2006: 293).

The doctrine of an African Renaissance was consolidated firstly as the Millennium Africa Recovery Programme (MAP) in 2001, when South Africa’s President Mbeki, Algeria’s Abdelaziz Bouteflika and Nigeria’s Olusegun Obasanjo presented the idea to the G8 in Davos, Switzerland (Harsch, 2001: 3). This was followed by an African alternative spearheaded by Senegal’s President Abdoulaye Wade in the Omega Plan. Together the two plans were for a short period combined under a New African Initiative (NAI) resulting in the NEPAD adopted in October 2001 in Nigeria at the African Heads of Government meeting held in Abuja (Alden and Le Pere, 2006: 50-51; Landsberg, 2010: 139).

Schraeder (2001: 232-233) is correct in highlighting that the African Renaissance was
designed to emphasise the centrality of the African continent in South African foreign policy, as well as the importance of South Africa as the embodiment of Africa’s future political and economic potential, and therefore the critical role of South Africa as an intermediary between the African continent and leading foreign powers in all other regions of the world.
Although not accepted with too much enthusiasm by the rest of Africa, described by some as too broad and as an “empty policy vessel” (Barber, 2004: 148; Alden and Le Pere, 2006: 57; Le Pere and Van Nieuwkerk, 2006: 293), the doctrine of an African Renaissance was not discarded by South African foreign policymakers. Instead it remained a key part of South Africa’s “African Agenda” (Landsberg and Kondlo, 2007: 1).

The “African Agenda” became cemented in DFA Strategic Plans from 2003 onwards. It essentially became the overarching phrase describing South Africa’s “African” foreign policy including the vision of an African Renaissance, NEPAD, the newly created AU in 2002, and Africa’s partnership with the developed world (Landsberg, 2010: 139). In its 2004-2005 Annual Report (2005: 23), the DFA wrote of its overall vision of a prosperous African continent, and eventually a thriving Global South to be achieved through “people-centred development” and a commitment to the African Renaissance. In the DFA’s 2003/04 (2004: 14) and 2004-2005 (2005: 26) Annual Reports the African Agenda and South-South cooperation were prominent, with the former’s goal being to strengthen the AU and SADC and implement NEPAD and the latter to reinforce ties with NAM members, the G-77, IBSA and the Asian-African Sub-Regional Organisations Conference. These policies were to be nurtured internationally through repetitive referencing at the UN by the South African delegation.

In the 14 years under review in this study (1994-2008), South Africa has spent almost 70 per cent of that time as an elected African representative on ECOSOC (1995-1997, 2001-2003 and 2005-2007) (UN Press Release, 1996: Internet). It was also elected to the 53-member CSD as one of Africa’s 13 representatives for a period of three years from 2003-2005 and again from 2008-2010 (UNDESA, 2010: Internet). During the UNGA’s 58th session, South Africa served as Vice-Chair of the Second Committee. The previous year in 2002 the Republic chaired the Special Political and Decolonisation Committee as well as becoming one of the 168 Member States of UNIDO (UN Agencies, 2011: Internet). In 2004, South Africa served as Vice-Chair of the UNGA’s Fifth Committee which dealt with the UN’s budget and administration.
While serving as Vice-Chair of the Economic and Financial Committee (UNGA Committee Two), South Africa (DFA News and Events, 2003: Internet) announced that “the goal of ensuring peace and stability in Africa” remained “a high priority for the Government”. At the UNGA 58th session the South African delegation was expected to utilise every opportunity to further this goal, with particular emphasis on decisions taken at the WSSD; encouraging support for the Millennium Development Goals (MDGs); campaigning for further debt relief; and promoting funding for the development and implementation of the Monterrey Consensus (DFA News and Events, 2003: Internet).

The Monterrey Consensus was the pledge that developed and developing countries took at the 2002 International Conference on Financing for Development held in Mexico to work together to finance development in order to reach the 2015 MDGs (UN, 2003: Internet, 1-9; Lund, 2011: 143). At the Conference President Mbeki (2002c: Internet) took the opportunity to promote NEPAD as an example of a mutually accountable partnership between the Global North and South and as a necessary instrument in advancing the cause of development for Global South states.

Consistently, when South Africa later chaired the G-77 in 2006 after Jamaica’s term, DFA spokesperson Ronnie Mamoepa declared that his country would

during its tenure as chair of the G-77, be committed to enhancing the position of the group as a constructive and responsible partner in promoting North-South relations in support of the development agenda of the South (quoted in South Africa.info Reporter, 13 January 2006).

President Mbeki declared in his 2003 State of the Nation Address that South Africa had to strengthen relations with other developing countries while simultaneously improving its interactions with the Global North. This would be accomplished in the important arena of the UN, which offered the weaker developing states a real opportunity to be heard or to team up with similarly interested countries and force issues onto the table as a majority (DFA Strategic Plan 2003-2005, 2003: 24).
The Director-General of the DFA, Jackie Selebi (1999: 215), assured observers that Africa was a primary focus area, southern Africa in particular. However, “the rest of the South, both to the West and East … is of importance.” In the DFA’s 2003-2005 Strategic Plan (2003: 7-8), Foreign Affairs Minister Dlamini-Zuma declared that the vision of a new world order and of an African Renaissance would not be an easy task to accomplish, but despite this South Africans must become agents of “progressive change”. To this end, the Republic had committed its foreign policy to “the eradication of poverty and underdevelopment, to the protection of the vulnerable and for the transformation of [the African] continent and the global environment” (DFA Strategic Plan 2003-2005, 2003: 7). Deputy Minister Aziz Pahad went further in stating that the Republic must play a role in resolving issues of interest to the South (DFA Strategic Plan 2003-2005, 2003: 10).

In a way, South Africa took on the responsibility of “advertising” Africa, with the aim of encouraging support for the development agenda of Africa and the South. The DFA (Strategic Plan 2003-2005, 2003: 26) would focus on Africa, using NEPAD as a framework in all UN specialised agencies, for example the World Bank (WB) and IMF. UN specialised agencies referred to the independent organisations collaborating with the UN and each other through the coordinating network of ECOSOC (United Nations, 2000: 22-23). Moreover, the DFA would work “within existing groupings (G-77) in striving to achieve these objectives” and “the NAM and other organisations of the South” would “also have key roles to play in this regard” (Pahad quoted in DFA Strategic Plan 2003-2005, 2003: 10).

It should be noted that in 1999 with the creation of the Group of 20 (G-20), South Africa was the only African state to become a member (Swart, 2011b: 153). The goal of the G-20 since then has been for Finance Ministers and Central Bank Governors of Member States to meet every year to discuss “measures to promote the financial stability of the world and to achieve sustainable economic growth and development” (G-20, 2011: Internet).
President Mbeki (2007: Internet), when hosting the November 2007 G-20 Finance Ministerial Conference in the Western Cape in South Africa, stated plainly that his country was “honoured and proud” to participate in the G-20 and that the Republic regards the G20 as the world’s pre-eminent global financial and economic forum, the only forum capable of bringing its members representing more than 90% of the world’s Gross Domestic Product, two thirds of the world's population and more than 80% of the world's trade, into a relatively small room, where global challenges can discussed candidly, and where deadlocks can be broken.

South Africa was clearly happy to represent Africa at the G-20 and used its host year in 2007 to promote the goals of collective responsibility and influence internationally as well as the need “to share knowledge to speed-up the eradication of poverty and the expansion of global economic growth” (Mbeki, 2007: Internet). Although South Africa”s position on the G-20 could be perceived as a triumph for the country, it did cause tension in the G-77 where some countries did not care for South Africa’s “double-dipping” (to be discussed later in the chapter) (Swart, 2011b: 153).

During South Africa”s tenure on the UNSC in 2007 and 2008, the Republic”s main objective was “to contribute to the resolution of lingering conflicts and stabilization of post-conflict situations on the African continent” (Dlamini-Zuma in DFA, 2009: Internet, 1-2). Foreign Affairs Minister Dlamini-Zuma declared that South Africa’s behaviour on the Council would be informed by its foreign policy which was based on “a vision of an African continent that is prosperous, peaceful, democratic, non-racial, non-sexist and united and which contributes to a world that is just and equitable” (in DFA News and Events, 2007e: Internet).

As part of its UNSC responsibilities South Africa engaged in the activities carried out by the Council”s subsidiary bodies tasked with overseeing the implementation of sanctions and the like. In this respect the Republic shared leadership of the Security Council Mission to the AU in June 2007 with the UK (DFA, 2009: Internet, 9). South Africa”s Dumisani Kumalo and the UK”s Emyr Jones Parry were the Ambassadors involved in this mission (S/2007/421, 2007: 1). The Republic also chaired the Somalia Sanctions Committee and the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; co-chaired the Ad Hoc Working Group on Mandate Review and was appointed as Lead Nation on East Timor, which is
classified among developing countries as a lower middle income state by the WB (DFA, 2009: Internet, 9; World Bank, 2011: Internet). South Africa had previously co-sponsored a resolution in the UNGA on assisting East Timor through humanitarian relief, rehabilitation and development in 2003 (A/58/L.46, 2003: 12).

It is apparent that South Africa has attempted to become actively involved in regional groups advocating the interests of Africa alone or as part of the developing world. As for the UN, South African foreign policymakers placed Africa firmly on their agenda at the world body. But does the Republic”s rhetoric match its behaviour at the UN in relation to this third strategic foreign policy theme? This question will be the focus of the next section.

5.3.1. Voting at the UNGA

Having established South Africa”s role in African and Global South organisations and groupings, it is now necessary to consider how its delegation voted on questions relating to Africa, development and the Global South at the UN between 1994 and 2008. This section of the chapter will consider the abovementioned issues dealt with in the UNGA plenaries, the Second Committee (which deals with economic questions) and the Fourth Committee (which considers decolonisation and other political issues) in the form of clusters. Although the UNGA”s Third Committee deals with questions such as the right to development, for the purposes of this study social and humanitarian rights issues were considered in Chapter 3.

As with previous chapters, adopted resolutions recorded by UNBISnet were reviewed as well as those highlighted as significant by the OSAA. Additional information was sourced from press statements, reports and speeches documented by the UN"s DPI. Out of close to 850 Second and Fourth Committee resolutions adopted between the 49th and 62nd UNGA regular sessions, close to 90 per cent were Awav. In previous chapters of this study only those adopted resolutions in which states actually voted Y” or „N” or abstained were considered. However, the following section includes some resolutions Awav due to the significance of their content in relation to South Africa”s declared foreign policy on Africa and the Global South.
5.3.1.1. Votes on issues related to South Africa’s African Agenda

New Partnership for Africa's Development (NEPAD)

UN vote information:


<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td>X</td>
</tr>
<tr>
<td>Consistent</td>
<td></td>
</tr>
</tbody>
</table>

Explanation: There is no disputing South Africa’s promotion of NEPAD at the UN. At the 56th UNGA session, President Mbeki declared his government’s support for NEPAD as a product of “the consciousness among the African people that they themselves hold the key to the continent’s development, security and stability.” Mbeki went on to state that, even so, the UN also had a “pivotal role to play in this regard” (Mbeki, UN speech, 2001: 12).

Moreover, it was President Mbeki (UN speech, 2002: 41) who in 2002 introduced UNGA resolution 57/2 entitled United Nations declaration on the New Partnership for Africa’s Development. It is important to point out that Mbeki attempted to avoid creating the impression at the UN of NEPAD being a one-man show. He openly declared his appreciation for fellow Africans President Obasanjo of Nigeria, President Bouteflika of Algeria, President Wade of Senegal, and Ahmed Maher El Sayed, Minister for Foreign Affairs of Egypt, who had in a panel held earlier that day contributed significantly to the discussion on the international community’s partnership with NEPAD (A/57/PV.11, 2002).

South Africa’s UN representative, Ambassador Kumalo, was Vice-Chairman of the Ad Hoc Committee of the Whole of the General Assembly for the Final Review and Appraisal of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s. UNGA resolution 57/7 on the Final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa’s Development, was introduced by Kumalo in late 2002 (A/57/PV.43, 2002) on behalf of the AU. Once again, despite South Africa’s leadership role, Kumalo was keen to stress the resolution’s foundation in the African Renaissance, “something owned and promoted by Africans themselves” (Kumalo, UN speech, 2002a: 13).

It is also significant to mention that one of South Africa’s declared foreign policy goals was advancing the ideals of NEPAD internationally. Kumalo did just that when he stated in the UNGA that the NEPAD resolution provided a strong base from which African issues can be projected within the General Assembly and its Committees, the Economic and Social Council, United Nations funds, programmes and specialised agencies and the rest of the international community (UN
Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa

UN vote information:


Inconsistent
Partly consistent
Consistent X

Explanation: Minister of Foreign Affairs Dlamini-Zuma (2006: Internet), in a speech alluding to South Africa’s imminent (first) term on the UNSC, declared that South Africa would respond to “the strong resolve of African leaders and indeed the people of Africa who would like to see [their] continent achieve peace as a prerequisite for sustainable development” (Dlamini-Zuma, 2006: Internet). South Africa promised to act in the interests of development while on the Council, but this would be a continuation of policy as the Republic had already pledged to do this when it hosted the WSSD in 2002 (DPI (Department of Public Information – UN), 2002: Internet).

In point of clarity, although the term “sustainable development” has been associated mostly with the environment, this is often too limited in scope. Sustainable development in its most inclusive sense emphasises poverty reduction, health care and the environment (Sachs, 2007: 20).

In response to UNGA resolution 55/217 (Awav) on the causes of conflict and the promotion of durable peace and sustainable development in Africa, ECOSOC adopted resolution 2002/1. This resolution provided a framework for advisory group(s) on African countries emerging from conflict to investigate the post-conflict developmental needs of war-torn states. The significant point here is that Ambassador Kumalo was appointed as Chairman of both the Ad Hoc Advisory Group on Guinea-Bissau created in October 2002 and the Ad Hoc Advisory Group on Burundi set up in August 2003 (and terminated three years later). Kumalo later applauded the Groups’ efforts in advocating wider international assistance for the two countries, both of which had previously received very little aid (Crowley, UN speech, 2007).

UN New Agenda for the Development of Africa in the 1990s (UN-NADAF)

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Explanation:** Ambassador Kumalo (UN speech, 2002b: 2) introduced draft resolution A/56/L.84 sponsored by South Africa, Egypt, Brazil, India, Norway and the United Kingdom amongst others, in support of the setting up a high-level plenary meeting on ways to promote the NEPAD.

In 2001, Kumalo (UN speech, 2001b: 5-7) praised the UN-NADAF for its contributions, for example through resolutions, reports, summits and conferences, to stimulating awareness of Africa’s challenges throughout the 1990s. Kumalo especially wanted to express his delegation’s gratitude for the G-77 and China’s “unflinching support” of his country’s efforts to promote NEPAD at the UN.

### 5.3.1.2. UNGA Second Committee votes

The UNGA Second Committee is important as it deals with priority issues for developing countries including, amongst others, trade and debt; financing for development; poverty eradication and sustainable development (Swart, 2011c: 27-29). Although issues related to Palestinian sovereignty are also discussed in this Committee, these have already been unpacked in Chapter 3 and will therefore not be repeated here. This chapter will instead focus on those financial and economic matters pertinent to South Africa’s African and Global South interests.

**Development**

**UN vote information:**


means of political and economic compulsion. South Africa voted „Y” in 2002. Elimination of coercive economic measures as a means of political and economic compulsion. South Africa did not vote on this draft resolution in 1996 (NV) (absent from the vote) but voted „Y” in 2000.)


Towards a stable international financial system, responsive to the challenges of development, especially in the developing countries. South Africa voted „Y” in 1999.

<table>
<thead>
<tr>
<th>Inconsistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

Explanation: UNGA resolution 62/190 on agricultural technology for development expressed concern over Africa’s MDGs falling behind schedule of the 2015 target. It also recognised that sustainable agricultural technologies could play an essential part in helping UN Member States alleviate poverty. Consequently the resolution called upon Member States to, inter alia:

make greater efforts to promote the development and transfer of appropriate technologies in and to developing countries ... as well as to support national efforts to foster the effective utilization of local know-how and technology and promote agricultural research and technologies to enable poor rural men and women to increase agricultural productivity and enhanced food security (A/RES/62/190, 2007: 3).

An inconsistency becomes evident here as despite resolution 62/190 reflecting South African foreign policy declarations relating to poverty alleviation and the need for technology transfer to developing countries, the Republic abstained without explanation. It failed to vote in favour of the resolution along with 147 other UN members including the majority of African states. South Africa abstained alongside 29 Arab and African states.

Although there is no record of South Africa’s reasons for this vote, it is necessary to relay some facts here. The resolution was sponsored by Israel amongst others. Tunisia, on behalf of the Arab Group, questioned Israel’s real interest in agriculture. The debate became political and it was apparent that no consensus would be reached (GA/EF/3207/Rev.1, 2007). Although the US and Israel lamented the politicisation of the resolution, the significant point is that South Africa chose not to disagree with the resolution. It could be said that, through abstaining, the Republic chose to make a symbolic political statement placing stronger emphasis on politics than on development in this case.

Between 1994 and 2007 South Africa consistently voted in favour of UNGA resolutions on international trade and development. These resolutions stressed the need for the decision-makers in the multilateral trading system to work transparently in the effort to protect and defend the vital interests of the developing countries in trade negotiations. An important argument associated with this need is the move to reform the international economic decision-making structures to ensure equality and accessibility for all. Similar resolutions were adopted in reference to a “stable international financial system, responsive to the challenges of development, especially in the developing countries” (A/RES/54/197, 1999: 6)

South Africa has voted again and again in favour of the elimination of the use of unilateral coercive economic measures against developing countries that are not authorised by relevant UN bodies or contrary to international law (A/RES/58/198, 2003; emphasis added). In a different set of resolutions (to be touched upon in section 5.3.1.4. below) South African
Ambassador Kumalo used just such an argument in relation to the US embargo against Cuba. He expressed his country’s concurrence with the NAM members on this issue, calling upon “all countries to reject the unilateral extraterritorial imposition of sanctions, because they stand in stark contrast to international laws that guide all civilized States” (Kumalo, UN speech, 2000b: 13).

Environmental concerns in Africa and the developing world

UN vote information:


Inconsistent

Partly consistent

Consistent X

Explanation: In November 2006 South Africa as Chair of the G-77 sponsored a draft UNGA resolution, later adopted by 170 „Y“ votes to 6 „N“ votes and no abstentions (A/RES/61/194), on behalf of the G-77 expressing deep concern “over the adverse implications of the destruction by the Israeli Air Force of the oil storage tanks in the direct vicinity of the Lebanese El-Jiyeh electric power plant for the achievement of sustainable development in Lebanon”. The question of Lebanon would reappear in the UNSC in 2007 (to be discussed later in the chapter).

South Africa introduced and voted in favour of UNGA resolution 61/201 in 2006 entitled Protection of global climate for present and future generations of mankind. South African delegate Sufaya Ebrahim Zia presented the resolution on behalf of the G-77 and stated that it was “intended to reflect international concern for global warming” (Hagen and Gorelick, 2007: 36). The resolution mentioned UN bodies created to deal with climate change issues and their negative effect on developing countries, including the UN Framework Convention on Climate Change (UNFCCC) and Kyoto Protocol. South Africa had signed (in June 1993) and ratified (in August 1997) the UNFCCC (UNFCCC, 2011: Internet) and ratified the Protocol in 2002.

In 2001, UNGA RES/56/196 on the Implementation of the UN Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification Particularly in Africa (UNCCD) was Awav. South Africa signed the UNCCD in January 1995 and ratified it in September 1997 (UNCCD, 2011: Internet, 1). Desertification is relevant to a discussion on the status of developing countries because although drought can trigger desertification, human actions such as over-cultivation, overgrazing and deforestation are the most prevalent causes (United Nations, 2000: 203). As such UN resolutions on this issue offer opportunities to raise awareness about it and for states to offer aid in various forms. UNGA RES/56/197 on the Convention on Biological Diversity was also Awav in 2001. South African delegate, Shongwe (UN speech, 2001: 11), expressed her country’s concern, at the UNGA 56th session, over how, due to 65 per cent of agricultural land in Africa being threatened by desertification, increasing numbers of African countries were having to import all food supplies and how this impacted on levels of development. South Africa was keen to declare that “adequate financial resources” from UN agencies must be made available in working to combat desertification. It continued to support resolutions on this topic post-2001.
Shongwe also expressed that as South Africa was the world's third most biologically diverse country, her delegation fully supported effective implementation of the Convention on Biological Diversity. The Republic's policy on this included:

- a long-term agenda for biodiversity management and a comprehensive action plan to promote conservation, sustainable use and sharing of the benefits of biodiversity, as well as the sustainable management and use of biodiversity across national boundaries in partnership with neighbouring countries (Shongwe, UN speech, 2001: 11).

Also Awav in the UNGA second committee between 1994 and 2008 were, *inter alia*, resolutions on international trade and development; international migration and development; industrial development cooperation; external debt problem of developing countries; science and technology for development; cooperation between the UN and the SADC; role of the UN in promoting development in the context of globalization and interdependence; women in development; development through partnership; economic and technical cooperation among developing countries; implementation of the 1st UN Decade for the Eradication of Poverty; the Second Industrial Development Decade for Africa (1993-2002); preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin; business and development, and enhancing international cooperation towards a durable solution to the external debt problems of developing countries.

### 5.3.1.3. UNGA Fourth Committee votes

Voting action in the UNGA Fourth Committee is relevant to a study which involves South African government perspectives over the imbalance of economic and political power between the Global North and the South due to colonialism (Nathan, 2008: 5-8). Although this Committee deals with diverse issues, for example, the effects of atomic radiation and the peaceful uses of outer space, those of concern below relate to decolonisation and self-determination issues.

UN vote information:


Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories. South Africa voted in favour from 1997-2007.


Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands. South Africa voted in favour in 1995.

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands: A. General; B. Individual territories. South Africa voted in favour in 2006.


Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination. South Africa voted „Y“ from 1994-1996.

Comprehensive review of the whole question of peacekeeping operations in all their aspects. South Africa voted in favour in 1996.

| Inconsistent | |
| Partly consistent | |
| Consistent | X |

Explanation: The South African Permanent Representative to the UN stated in 2000 that South Africa fully supported the UN Charter and the goals of the Fourth Committee where his delegation worked “to realise the dreams of those who still yearn for equal rights and self-determination” (Kumalo, 2000b: Internet). His country also wished in cooperation with all UNGA members to eradicate all remnants of colonialism and to offer his country’s continued support for the people of Morocco and the Saharawi over the question of the Western Sahara. Until 1976 the Western Sahara, a north-west African coastal territory, was governed by Spain. Since 1976 the UN had faced problems over the territory as Western Sahara’s neighbours Morocco, and Mauritania had each laid claim to it. Though Mauritania surrendered all claims to Western Sahara in 1979, Morocco and Algeria, (the latter through its support of the Popular Front for the Liberation of Saguia el-Hamra and Río de Oro (POLISARIO Front), a Saharawi nationalist movement), continued to fight over it. In 1979 the OAU became involved in efforts to resolve the conflict (MINURSO (United Nations Mission for the Referendum in Western Sahara), 2011: Internet).

In 2008 South African Deputy Minister of Foreign Affairs, Sue Van der Merwe (2008b, Internet), explained her country’s position on Western Sahara as influenced by the
experience of decades of colonialism and apartheid. Even when South Africa became a
democratic liberated state, it could “not fully enjoy that freedom until the rest of the continent
was liberated.” As a UN and AU member South Africa was therefore obligated to support the
right of the Saharawi people to choose their own destiny.

Consistently, South Africa also voted in favour of resolutions concerning the granting of
independence to colonial countries and peoples, in line with the argument that “subjecting
people to alien subjugation, domination and exploitation constitutes a denial of fundamental
human rights” (United Nations, 2000: 277). In this respect the Republic also voted in 2000 in
favour of a second decade for the eradication of colonialism, referring to the decade 2001-
2010, as 1.3 million people still lived under colonial rule and the resolution aimed at ensuring

5.3.1.4. UNGA Plenary votes

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return or restitution of cultural property to the countries of origin. South Africa voted „Y“ in 1995 and then did not vote in 1997 (absent from the vote – UN Press Release, 1997: Internet).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Between 1994 and 2008 South Africa consistently voted in favour of ending the
US embargo against Cuba. During the UNGA 61st session South African delegate Sabelo
Siwuyile Maqungo, on behalf of the G-77, stated that the Group’s decision made at the
Second South Summit in Qatar in 2005 was to condemn the embargo against Cuba as a
violation of sovereignty and therefore a violation of international law.

South African delegates also voted in favour of UNGA resolution 50/56 (A/RES/50/56, 1995:
11), which reaffirmed that in order to heal rifts and strengthen international relations between
developed and developing countries the “restitution to a country of its objets d’art,
monuments, museum pieces, archives, manuscripts, documents and any other cultural or
artistic treasures” was essential.

In 2003 a South African delegate introduced, as Chair of the African Group for December, a
draft resolution (later adopted) on special assistance for the economic recovery and reconstruction of the DRC. The resolution expressed grave concern over the continued illegal exploitation of the natural resources of the DRC as a source of further conflict, and reaffirming in this regard its commitment to respect the sovereignty of the DRC over its natural resources (Oosthuizen, UN speech, 2003: 1).

This resolution was significant for South Africa as two years before 12 South African companies had been identified as being involved in “unethical business practices” (Ezeoha and Uche, 2005: 31) in a letter to the UN Secretary-General from the Chairman of the Panel mandated to investigate the illegal exploitation of the DRC’s natural resources (S/2002/1146, 2002). In response to this letter the DFA (2001: Internet) issued a statement assuring all concerned that the South African government considered the illegal exploitation of the natural resources and other forms of wealth of the DRC [as] one of the underlying causes of the conflict in the DRC and must be addressed in order to establish lasting peace in that troubled country. The unwavering commitment of the South African Government to finding a solution to the conflict in the DRC [was] borne out by its direct involvement in the Inter-Congolese Dialogue, as well as its active participation in the United Nations Organisation Mission in the DRC (MONUC) (To be discussed below).

5.3.2. Voting at the UNSC

Of the overall 121 UNSC resolutions adopted in 2007 (56 resolutions) and 2008 (65 resolutions), 68 pertained to Situations in Africa. South African foreign policymakers saw the country’s membership on the UNSC as a chance to supplement the role that the Republic was already playing in conflict resolution and peace-building on the African continent. In the UNSC country-specific issues in Africa included the situations in the DRC, Burundi, Rwanda, Somalia, Sudan, Western Sahara, Côte d’Ivoire, Liberia, Sierra Leone, and Ethiopia and Eritrea.

UN vote information:


Resolution 1755, 1769, 1779, 1784 (2007); 1812, 1828, 1841 (2008). Reports of the Secretary-General on the Sudan. South Africa voted „Y“.


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Explanation:** DRC: In 2007, although the DRC showed signs of moving towards democracy after a civil war lasting six years, its North and South Kivu provinces were still experiencing violence. UNSC resolutions 1742, 1751, 1756 and 1794, which South Africa voted in favour of, extended the mandate of the MONUC through to 31 December 2008, emphasising MONUC’s priority of dealing with the crisis in the Kivu provinces. UNSC resolution 1279 of November 1999 had established MONUC after the signing of the Lusaka Ceasefire Agreement in July that year. By 2010 resolution 1925 renamed MONUC the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo – MONUSCO (MONUC, 2011: Internet). In early 2007 South African Ambassador Kumalo pledged his country’s continued assistance to the DRC and praised the Congolese people for the progress they had already made (UN Press Release, 2007c: Internet). Prior to its time on the UNSC, South Africa had supported the peace process and post-conflict reconstruction in the DRC by providing logistical support and personnel to MONUC. The Republic’s first action on the Council was to lobby for sustained UN commitment towards support for the DRC post-conflict. The South African government further declared that it would continue to support that process after its time on the Council (Mnguni, 2006: 11; DFA, 2009: Internet, 19).

**Burundi:** South Africa voted in favour of UNSC resolution 1791 (S/RES/1791, 2007: 2), calling on the Government of Burundi and the Palipehutu-Forces nationales de libération (FNL), the two parties to the September 2006 Comprehensive Ceasefire Agreement, to refrain from...
any action that might lead to a resumption of hostilities and to resolve outstanding issues in a spirit of cooperation.

Before 2007 South Africa and the AU had been involved in the Burundi Peace Process. Since independence in 1962 Burundi had been plagued by tensions between the Hutu majority and the ruling Tutsi minority which had culminated in a civil war in 1993 and great loss of life (Mandela, 2005: ix). President Mandela joined the OAU-instigated peace process in 1999 and helped facilitate the Arusha Accord in August 2000. South Africa has since then remained a key role-player in the region (Bentley and Southall, 2005).

In 2007 the Republic was therefore able to draw upon the experiences of its Minister of Safety and Security, Charles Nqakula, who was the Facilitator of the Burundi Peace Process (DFA, 2009: Internet, 18) at the UNSC. The Secretary-General expressed confidence in South Africa’s facilitation efforts which had also pushed for SC support for regional initiatives in Burundi. During its UNSC tenure South Africa called for the full implementation of the Comprehensive Ceasefire Agreement in Burundi and worked with the United Nations Integrated Office in Burundi in keeping the Council updated on events taking place in the small East African country (UN Press Release, 2007d: Internet).

Rwanda: Under South Africa’s presidency in March 2007, UNSC resolution 1749 was adopted lifting the sanctions that had remained against Rwanda since 1994. This resolution essentially allowed Rwanda to normalise its position internationally (DFA, 2009: Internet, 19).

Somalia: UNSC resolution 1744 in February 2007 authorised an African Union Mission (AMISOM) for six months in Somalia to support dialogue and reconciliation, and “to contribute to security for humanitarian aid and protect members of the Transitional Federal Government”. The South African delegate expressed his hope that this resolution would demonstrate to the people of Somalia that “the international community cared about their situation” (UN Press Release, 2007e: Internet).

Sudan: In 2007/2008, the UNSC sought answers to the difficult questions concerning the deployment of the UNAMID and the implementation of the 2005 CPA between North and South Sudan. South Africa was keen to focus on the CPA and to highlight the humanitarian crisis in Darfur (DFA, 2009: Internet, 21). The referral of Sudanese President Omar Al-Bashir to the ICC for alleged war crimes also surfaced at the UNSC at the time (discussed in Chapter 3 of this study). South Africa and the AU and Arab League favoured the postponement of the possible indictment of the Sudanese President, “not to block the referral” but rather to defer it in line with the Rome Statute as it would only hinder the political processes underway in Sudan (DFA, 2009: Internet, 21). Despite this South African Ambassador Kumalo expressed his country’s full support of ICC Prosecutor Luis Moreno Ocampo’s issue of arrest warrants in April 2007 against Ahmad Harun, former Minister of State for the Interior of the Sudan, and Ali Kushayb, a „militia” leader who had allegedly committed crimes against humanity and war crimes in Darfur (UN Press Release, 2007f: Internet). Outside of the Security Council, the South African Minister of Foreign Affairs chaired the Post-Conflict Reconstruction Programme in the Sudan (Mnguni, 2006: 11; DFA, 2009: Internet, 21).

Western Sahara: In 2007 South Africa voted in favour of UNSC resolutions 1754 and 1783 which extended the mandate of the 1991 MINURSO for two more six-month periods respectively. It did so due to the stalemate between Morocco and the POLISARIO Front over the future of Western Sahara. Morocco claimed the territory as its own while the Frente, which is a Saharawi national liberation movement based in Algeria, was working for the territory’s independence from Morocco. Despite its „Y” vote South Africa’s Ambassador Kumalo (UN speech, 2007e: 1) declared his disappointment over yet another Western
Sahara resolution that failed to acknowledge human rights violations in Western Sahara, adding:

the Council, which is very vocal about human rights issues in other parts of the world, has decided to be silent on the human rights of the people of Western Sahara. This double standard is the reason that people sometimes do not take the decisions of this Council seriously.

Kumalo (UN speech, 2007e: 2-3) went on to state that his delegation was “amazed” by the attempts of UNSC members to favour Morocco’s proposals over the POLISARIO Front when the “Moroccan proposal for autonomy (was) a unilateral attempt to prevent the Saharawi people from claiming their right to self-determination” (UN Press Release, 2008a: Internet). It is interesting that South Africa would consistently refer to human rights and the self-determination principle in reference to Western Sahara at the Security Council, when it had in the same year willingly shifted Myanmar’s human rights situation from the UNSC to another UN body, arguing that the UNSC was the wrong place to discuss human rights. It should be noted that three years earlier in 2004 South Africa had fully recognized the Saharawi Arab Democratic Republic (SADR). This “principled position on Western Sahara [was] based on South Africa’s rejection of colonialism in all its forms” (DIRCO, 2010c: Internet).

Côte d’Ivoire: In 2007 South Africa voted in favour of UNSC resolutions 1739 and 1765 to extend the mandate of the United Nations Operation in Côte d’Ivoire (UNOCI) created in 2004. UNOCI replaced the United Nations Mission in Côte d’Ivoire (MINUCI) established in 2003 after the UNSC decided that the situation in that state represented a threat to international peace and security (UNOCI, 2010: Internet). Prior to South Africa’s term on the Council, the Republic had been involved in Côte d’Ivoire based on the “mandate bestowed on President Mbeki by the African Union and the UN to create the conditions for a political resolution of the conflict” (Mnguni, 2006: 11). In 2007, Ambassador Kumalo pledged his country’s commitment to working with Côte d’Ivoire’s leaders and the international community in fulfilling the expectations of the Ouagadougou Political Agreement, to ensure that “peace, stability and prosperity would once more return to the people of the country” (Kumalo quoted in UN Press Release, 2007g: Internet). South Africa favoured UNSC resolution 1782 which, due to the stalled Ouagadougou pact, called for renewed sanctions on Côte d’Ivoire including a ban on the trade in arms and rough diamonds, amongst other restrictions (UN Press Release, 2007h: Internet).

Liberia: South Africa voted in support of UNSC resolutions 1750 and 1777 which extended the mandate of the United Nations Mission in Liberia (UNMIL), created in 2003 to maintain a ceasefire and peace process after a 14-year long period of civil war in the country.

Sierra Leone: After 11 years of civil war, the UNSC in 2007 was able to point to signs of peaceful progress in Sierra Leone. As a result UNSC resolution 1793, adopted in December 2007 with South African support, extended the mandate of the United Nations Integrated Office in Sierra Leone (UNIOSIL) until September 2008 in what would be the mandate’s final extension. Resolution 1793 also welcomed the holding of democratic elections earlier in August and September 2007. South African delegate Bongiwe Qwabe expressed her country’s continued bilateral support for Sierra Leone, praised Sierra Leone for the holding of free and fair elections, and offered her government’s continued assistance through the Peacebuilding Commission (PBC) (UN Press Release, 2007i: Internet). The Commission was established in December 2005 through UNGA resolution 60/180 and UNSC resolution 1645 (2005). South Africa was elected to the 31-member PBC Organisational Committee from 2006-2008 (PBC, 2010: Internet).

Ethiopia and Eritrea: South Africa voted in favour of UNSC resolutions 1741 and 1767, which
extended the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) twice for six months each time. The border dispute between these two countries was described in the UNSC as an “unstable security situation” (UN Press Release, 2007j: Internet).

Thematically in the UNSC South African delegates were keen to promote the “African Agenda namely peace, security and development” (Permanent Mission of South Africa to the United Nations, 2011: Internet). The theme of South Africa’s Presidency of the UNSC in March 2007 (and again in April 2008) was on “the relationship between the UN and regional organisations”, especially with regard to the AU. The Republic also tied this cooperative relationship to Africa and the resolution of conflict on the continent (DFA, 2009: Internet, 10). Indeed the Council’s Mission to Africa in June 2007 included wide-ranging consultations at the AU headquarters where decisions were taken to ensure more of an alignment of UN and AU peace efforts in Africa.

At a special session of the UNSC in 2002, current South African Deputy Minister for Environmental Affairs and Tourism, Rejoice Mabudafhasi (2002: 33), emphasised that the “root causes of conflict in Africa were poverty and underdevelopment” both of which fell outside of the Security Council’s mandate. In order to circumvent this technical complication, regional organisations should work more in concert with the UNSC (S/2002/46, 2002). During an August 2007 UNSC debate South African Ambassador Kumalo expressed his country’s complete support for the role of the AU in conflict prevention, describing the continental organisation as a “huge asset in complementing United Nations efforts” (UN Press Release, 2007k: Internet).

In September 2007, the UNSC hosted the first ever Summit on Peace and Security in Africa. At this „historic“ event, President Mbeki argued that the real disadvantage behind Africa’s goal to attain security and peace was the lack of capacity and resources and the UN must play a greater role in assisting the AU with this problem (UN Press Release, 2007l: Internet). South Africa’s efforts to forge closer cooperation between the AU and UN resulted in UNSC resolution 1809 (2008) adopted during the Republic’s second Presidency. The resolution led to the creation of the AU/UN Panel of Distinguished Persons headed by former Italian Prime Minister Romano Prodi and comprised other members from the US, Mauritius, Kenya, Japan and Iran (UN News Centre, 12 September 2008; DFA, 2009: Internet,
Before the resolution was adopted, President Mbeki stated that he was “heartened at the deepening cooperation between (the) Council and the Peace and Security Council of the AU” (Mbeki quoted in S/PV.5868, 2008: 7).

5.4. Interpretations of voting action: government views and observers’ views

In 1997 it was suggested by Hamill and Spence (1997: 226) that post-Cold War African states would seek to appoint an African representative state “capable of defining and asserting the continent’s aspirations in an indifferent world” and that perhaps South Africa’s links with the US, the UK and the EU would not make it the natural “candidate to represent a marginalized Africa.” It should also be noted that post-1994 President Mandela did not want to be seen to be outshining former African protagonists (SAIIA, 2008: 1). Considering this perspective, Deputy President Mbeki began redefining “South Africa’s relations with the US, Europe, the South and Africa” (Alden and Le Pere, 2006: 54).

Through various initiatives, spearheaded by South Africa, its position on the continent became more pronounced. After 1999, the Republic nurtured the idea that its priority was Africa’s overall development. It would therefore utilise any multilateral platform to promote Africa’s revival and hopefully win full continental approval in the process (Morgan and Webber, 2002: 235; Bischoff, 2008: 183).

South African foreign policy during Mbeki’s terms has been characterised “as pragmatic rather than principled”, although it was apparent that “strong stands” had been taken “on issues of importance to Africa or to the Global South” (SAIIA, 2008: 1). In fairness South Africa was not alone in projecting an image of itself as crusader for the developing world, whether by design or accident (SAIIA, 2008: 4). Others had expectations that the country would use its prominent international position since 1994 to lead developing countries in negotiations with the Global North (Venter, 2001: 171).

The Republic “has emerged as an important voice in the [World Trade Organisation] WTO as a spokesperson for African interests” (Alden and Le Pere, 2006: 60). Moreover Mbeki’s prominence at the 2000 Okinawa and 2001 Genoa G-8 Summits,
the EU Portugal Summit and the United Nations Millennium Summit in late 2000 could reasonably suggest that South Africa’s President was acting as Africa’s representative (Venter, 2001: 171; Taylor, 2002: Internet, 3).

South Africa’s role became even more apparent in 2005 at the G-8 Summit in Scotland. The UK had invited representatives of the five biggest emerging economies to participate at the Summit at the Gleneagles Hotel. South Africa along with Brazil, India, China and Mexico became known variously as the G-8 + 5, the Outreach-5 (O5), the Plus Five, and simply the Group of 5 (G-5). The G-5 would work in collaboration to represent their regions’ developmental and economic interests at subsequent G-8 meetings (Cargill, 2010: 10-11).

In essence Mbeki became the foremost champion of the continent’s political and socio-economic development agenda and of South-South solidarity and cooperation (Landsberg, 2010: 164-166). Table 6 (below) summarises South Africa’s membership and participation since 1994 in regional and multilateral organisations promoting Africa and the developing world.

<table>
<thead>
<tr>
<th>Organisation/institution</th>
<th>Member since …</th>
<th>Leadership role</th>
</tr>
</thead>
<tbody>
<tr>
<td>SADC</td>
<td>1994</td>
<td>1996-1999</td>
</tr>
<tr>
<td>OAU/AU</td>
<td>1994</td>
<td>2002-2003</td>
</tr>
<tr>
<td>UNDP</td>
<td>2010</td>
<td>Elected to Executive Board in 2010-2012</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>1995</td>
<td>President 1996-2000</td>
</tr>
<tr>
<td>UNGA</td>
<td>1994</td>
<td>Vice-Chair Second Committee (58th session); chaired the Special Political and Decolonisation Committee in 2002; Vice-Chair of Fifth Committee in 2004.</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>WTO</td>
<td>1995 Chair of Committee on Trade and Development (2004; 2006).</td>
<td></td>
</tr>
<tr>
<td>G-77</td>
<td>1994 Chaired in 2006</td>
<td></td>
</tr>
<tr>
<td>G-5</td>
<td>2005 -</td>
<td></td>
</tr>
</tbody>
</table>

Despite the country"s active participation in institutions committed to development, depicted in Table 6 above, the Republic"s position on the continent has not always been supported by all African leaders. As mentioned previously in this chapter, when South African, Algerian and Nigerian leaders brought MAP onto the world scene, Senegal's President Wade presented an alternative Omega Plan for Africa in response. Eventually the two were combined in the forerunner to NEPAD (Alden and Le Pere, 2006: 60).

5.4.1. NEPAD and the Situation in Africa

South Africa helped with the adoption of all NEPAD-related resolutions at the UNGA (see section 5.3.1.). Whenever possible, South Africa promoted NEPAD as a "holistic, integrated, sustainable development initiative for the economic and social revival of Africa" (Mabudafhasi, UN speech, 2002: 33). The South African delegation took the initiative in 2002 to lobby the UNSC at a special session on the Situation in Africa (UNSC meeting 4460), on ways for the Council to expand its commitments in Africa. Delegate Rejoice Mabudafhasi (UN speech, 2002: 33) considered NEPAD to be the tool with which the Council could do this, stating that NEPAD offered an historic opportunity for the developed countries of the world to enter into a genuine partnership with Africa, based on mutual interest and benefit, shared commitment and binding agreement, under African leadership.
Furthermore, in recognition of the fact that poverty and underdevelopment fuel conflicts, South Africa requested the UNSC to implement three elements of peace and security highlighted by NEPAD:

the promotion of long-term conditions for development and security; building the capacity of African institutions for early warning; and enhancing African institutional capacity for the prevention, management and resolution of conflicts.

President Mbeki made his perspective on the importance of the African continent plain in 2002 during his opening address of the WSSD:

a message must come from this original home of all humanity that we are ready and prepared to be judged not by the number and eloquence of the resolutions we adopt, but by the speed and commitment with which we implement our agreements that must serve the peoples of the world. Nothing, whatsoever, can justify any failure on our part to respond to this expectation (quoted in DPI (Department of Public Information – UN), 2002: Internet).

From January 2000 through to May 2002 debates took place in the UNSC over the Situation in Africa. Ambassador Kumalo (UN speech, 2000c: 19) described the first meeting over Africa as a “wonderful, wonderful day”, the intimation being that finally the continent would be recognised as worthy of considered attention. At this 4087th UNSC meeting The impact of AIDS on peace and security in Africa was discussed (Kumalo, UN speech, 2000c: 19). Ambassador Kumalo (UN speech, 2000c: 19) also used this opportunity to link AIDS to poverty and underdevelopment and argued that the difference between Global North and South countries could be found in their diverging levels of development.

During meeting 4096 delegates pondered sustained solutions to Africa’s challenges in a month dedicated to Africa. At this meeting South African Minister of Foreign Affairs, Nkosazana Dlamini-Zuma (UN speech, 2000b: 10), commended the majority of African countries on becoming “the torch-bearers of a silent democratic revolution” and was further convinced that the year 2000 heralded the “dawn of the ‘African century’”, during which “Africa would accomplish a lot.” Developing a stronger link between the UN, OAU/AU and African sub-regional organisations in the interests of conflict resolution became the focal point under consideration during the UNSC’s 4465th meeting. By 2002, the 4538th meeting of the UNSC deliberated over the newly
created Ad Hoc Working Group on Conflict Prevention and Resolution in Africa (S/PV.4538, 2002).

At the 4538th meeting South African Ambassador Kumalo (UN speech, 2002c: 11) expressed his delegation’s appreciation for the Ad Hoc Working Group. He declared that under effective management the Working Group could potentially coordinate the activities of the UNSC, UNGA and ECOSOC in helping Africa cope with conflict. Previously an Ad Hoc Working Group on Africa had been created in May 1998 to deal with issues of durable peace and sustainable development in Africa.

5.4.2. South Africa and South-South cooperation

South Africa’s behaviour at the UN is influenced by its relationships in the UNGA developing bloc and more specifically by its prominent role within the African bloc (Cornelissen, 2006: 34). As such the Republic has consistently voted in favour of all UNGA resolutions requesting greater cooperation among the developing states and it has certainly attempted to bring greater African focus to UN debates at the UNGA and UNSC level.

In large part South Africa works in conjunction with the developing and African bloc at the UN. In December 1994 UNGA resolution 49/96 was Avaw. The resolution was significant because it requested the UN to convene a UN conference on South-South cooperation (A/RES/49/96, 1994: 3). The Third United Nations Conference on the Least Developed Countries (2001), the Monterrey Conference (2002), the WSSD (2002) and UNGA resolution 58/220 (2004), which aimed at enhancing economic and technical cooperation among developing countries, all brought South-South cooperation into focus. They each endorsed the need for developing states to share technical expertise and cooperate in as many areas as possible (A/RES/58/220, 2003: 1). In 2006 South Africa hosted the G-77’s fortieth Chairman/Coordinators meeting at its Vienna Chapter and at the conference Ambassador Kumalo (2006c: Internet) stated that

the level of awareness concerning the potential of South-South cooperation at both the government and the international community level is very significant. South-South cooperation has grown in importance for the most vulnerable and disadvantaged
countries, especially in Africa. Despite this important evolution ... There is a need to further strengthen South-South Cooperation including through enhancing the capacities of the institutions and mechanisms that promote such cooperation.

On reflection Minister of Foreign Affairs Dlamini-Zuma (2006: Internet) summarised her country’s chairing of the G-77 at the UN in 2006 as successful as South Africa had firmly ensured that continued attention was placed on introducing resolutions at the UNGA that would enhance the global partnership for development and seek to make operational and implement development commitments made at all the major summits and conferences in the economic, social and related fields.

However, South Africa has not always shared the same viewpoint as its friends in the G-77 or African bloc and this has created tension. Often South African delegates have brought attention to their country’s positions by raising certain salient points in UN debates, such as poverty and underdevelopment being the root causes of conflict (Landsberg, 2010: 181). This has positioned the Republic as leader of the developing world in many instances. Unfortunately this has also created the impression of an insensitive, „know-it-all” state whose constant limelight-seeking is a source of irritation for other developing states, for example India, Egypt, or Nigeria, competing with South Africa for the same role (Cornelissen, 2006: 35).

Furthermore, despite South Africa’s successful chairing of the G-77, it is only one of nine other states who are among the most active players in this body, including Algeria, Brazil, Cuba, Egypt, Nigeria, Pakistan, and Venezuela (Swart, 2011c: 21). Cuba and Egypt remain primary „go-to” states with a very strong influence in the G-77 and every draft resolution put forward by the Chair usually needs to be approved by these two countries first (Swart, 2011c: 22).

It would appear that although South Africa aligns with the G-77 position at the UN, this is not always the case in other multilateral situations. The G-77 was “very disturbed” by the separatist stance of four G-77 states, referred to as the BASIC group (Brazil, India, China and South Africa), at the Copenhagen climate change talks in 2009. In essence BASIC took the lead in negotiations with the US, informing the rest of the G-77 of the results instead of consulting with the group (Swart, 2011a:
Additionally the evolution of the G-20, of which South Africa is the only African member, generated complaints among others in the G-77 who felt that states should not spread themselves too thinly and should rather remain loyal to Southern institutions (Swart, 2011c: 29). Even when the WTO General Council recognised in 2006 the increasing number of coalitions in the WTO involving developing countries, it singled out the G-20 as the most politically symbolic of the groups (WTO, 2011: Internet).

South Africa’s chosen multilateral path in “service of the global south” has proven to be slightly bumpy (Le Pere and Van Nieuwkerk, 2006: 298). Since 2000 South Africa has faced opportunities in which its position of influence has been elevated, becoming the single representative of Africa at the G-8, G-5 and G-20. However in the pursuit of South-South cooperation the Republic has had to reaffirm its commitment to collaboration and collective developmental efforts. In this regard two reports would become primary sources from which the DFA would align and direct its foreign policy choices from 2005 onwards (DFA Strategic Plan 2005-2008, 2005: 14). The first report, drawn up by the HLPTCC and overseen by the UN Secretary-General Kofi Annan, related to broad social and economic issues and their impact on international peace and security (UN, 2004: Internet). The second report was produced by the UN Millennium Project (2005: Internet), entitled *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals*.

The HLPTCC consisted of 16 members, three from Africa (Ghana, Egypt and Tanzania). In their report the Panel members (UN Millennium Project, 2005: Internet, 6) recommended that

countries that aspire to global leadership through permanent membership on the UN Security Council have a special responsibility to promote the (Millennium Development) Goals and to fulfill international commitments to official development assistance and other kinds of support vital for achieving them.

Within four years South Africa found itself aspiring to global leadership through its non-permanent membership of the UNSC.
5.4.3. The UNSC

Foreign Affairs Minister Dlamini-Zuma summed up South Africa’s behaviour on UNSC in 2007 and 2008 as having made “a positive contribution, in [its] own small way, to the maintenance of international peace and security” (Dlamini-Zuma quoted in DFA, 2009: Internet, 2). South Africa”s participation on the Council was also deemed a “special opportunity” for the country to promote peace on the African continent through the African Renaissance and the African Agenda (DFA, 2006c: Internet). Indeed, in this respect the Republic “advanced African common positions, where relevant, and sought to secure international support for the African Union’s peace and security architecture and its peacekeeping missions” (Dlamini-Zuma quoted in DFA, 2009: Internet, 6).


The Republic did not vote in line with its African partners on UNSC resolution 1757 (already discussed under section 3.1.1.1., Chapter 3) introduced by Belgium, France, Italy, Slovakia, the UK and the US. The resolution on the Establishment of a Special Tribunal for Lebanon strongly condemned the February 2005 terrorist bombings in Lebanon which killed former Lebanese Prime Minister Rafiq Hariri and 14 others and called for those responsible to be brought to justice. Ghana and the Congo voted in favour of this draft but South Africa chose to abstain (S/RES/1757, 2007: 5). Ambassador Kumalo”s technical argument in explaining that it was not “appropriate for the Security Council to impose such a tribunal on Lebanon, especially under Chapter VII of the Charter of the United Nations”, was, once again,
evidence of the Republic’s use of procedural manipulation or a ping-pong strategy in its decision-making (Kumalo, UN speech, 2007a: 4).

Similarly, in a draft UNSC resolution on the situation of Myanmar (referred to in more depth in Chapter 3 of this study), there was no common “African position”. South Africa voted “N”, whereas the Congo abstained and Ghana voted in favour expressing the belief that human rights issues were fundamental to international peace and security (UN Press Release, 2007a: Internet; Kagwanja, 2009: 294). In 2008 both South Africa and Libya voted against a draft resolution intended to impose sanctions against Zimbabwean President Robert Mugabe, but Burkina Faso voted in favour of it (UN Press Release, 2008b: Internet).

In the UNSC there are two kinds of substantive issues: thematic issues and conflict/post-conflict situations or country-specific issues (DFA, 2009: Internet, 8-9). In a review of South Africa’s time spent on the UNSC in 2007 and 2008, the DFA highlighted the following African country-specific issues as “significant aspects” of South Africa’s participation in the Council: Burundi, the DRC, Rwanda, Somalia, Sudan, Western Sahara and Zimbabwe (DFA, 2009: Internet, 18-22). (Other UNSC country-specific issues concerning Myanmar, Timor-Leste and the Middle East have been discussed in Chapter 3 of this study). Thematically, the Republic was instrumental in helping to revitalize the debate on the relationship between the United Nations and regional organisations in terms of Chapter VIII of the UN Charter, which was the theme of (South Africa’s) Presidency of the Council in March 2007 and again in April 2008. This initiative highlighted the need to coordinate positions between the UN and African Union on African issues, which make up a large part of the Security Council’s agenda (Dlamini-Zuma quoted in DFA, 2009: Internet, 2).

Chapter VIII of the UN Charter contains three articles (52, 53 and 54) essentially concerning the independent right of regional organisations to engage in efforts to resolve conflicts regionally as long as these engagements are in the interests of maintaining international peace and security and the UNSC is kept fully informed of actions undertaken. Additionally the UNSC may at times request regional organisations to undertake conflict resolution activities on its behalf as such groups are geographically better-suited to deal with certain regional situations.
During its presidencies of the UNSC South Africa’s initiative to encourage discussion on the relationship between the AU especially and the UN was very well received by African delegates. President Mbeki’s personal involvement and that of Ambassador Kumalo were particularly lauded. When UNSC resolution 1809 (2008) on Cooperation between the UN and regional organisations, in particular the African Union, in the maintenance of international peace and security was adopted, the Chairperson of the Commission of the AU, Alpha Konaré, thanked South Africa for its “leadership on all African issues”; for dedicating its presidencies on the Council to Africa, and “for listening to African peoples and African leaders” (Konaré quoted in Security Council meeting S/PV.5868, 2008: 34). In addition the presidents, vice-presidents, envoys and representatives of 24 African countries also expressed their gratitude to South Africa for its contributions to this debate (S/PV.5868, 2008: 2-33).

The DFA asserted that after South Africa’s first year on the UNSC its actions and behaviours on the Council had successfully complemented South Africa’s direct foreign policies – particularly those involving African issues such as mediation in conflict situations in Sudan, Rwanda, Burundi, Côte d’Ivoire, and the Democratic Republic of Congo (Mabhongo quoted by Erasmus, 2008: Internet).

However, South Africa has met with criticism over its time on the UNSC in 2007-08. For example, its behaviour concerning Zimbabwe and Myanmar stirred up controversy. This aside there is no disputing that the Republic used its leadership position to focus the world’s attention on the interests of Africa and the developing world.

5.5. Conclusion

This chapter examined South Africa’s voting behaviour at the UN between 1994 and 2008 in relation to its efforts to consolidate the African Agenda within the context of North-South relations (see Appendix for recorded votes). As South African foreign policymakers began re-creating the country’s image after 1994, both as an African state and member of the Global South, they soon decided that the UN was one of the most important multilateral platforms for raising the profile of these regions.
Since 1994, Africa and South-South cooperation were listed as focal points directing South Africa’s foreign policy decision-making. From 1999 onwards the African Renaissance and later the African Agenda were well publicised in the Republic’s international relations declarations. South African delegations at the UN consistently adhered to these declarations in their voting practices.

Three areas stood out in South Africa’s voting behaviour on issues related to Africa and the developing world:

1. South Africa is Africa’s destiny

President Mandela had indicated early on that Africa would be South Africa’s destiny, but in many respects the reverse may be true. The Republic was well aware of its political and economic interests being tied to those of Africa. The logical step therefore would be to defend Africa’s interests internationally and therefore by extension defend South Africa’s too. It is reasonable to argue that South Africa soon came to be a pivotal player at the UN, and in other multilateral forums, representing the continent and pulling, or bringing, it into a new millennium. President Mbeki, though quick to mention his collaborative efforts, is mainly recognised as the designer of NEPAD and the chief negotiator in protecting Africa’s interests in talks with the Global North. Although other African states would discount South Africa as the continent’s only representative in world affairs, there is no denying the Republic’s committed drive to bring Africa and the South into the limelight.

2. Mantras can move mountains, slowly

The Republic’s UN delegation created an almost predictable mantra on Africa at the UN, wherever possible referring to the two sources of conflict on the continent: underdevelopment and poverty. These challenges, though instigated at systemic level through colonisation and imperialism, had to be addressed internally by Africans themselves in conjunction with a Northern awareness of the urgency to accept and assist Africa in working for stability, peace and security. Although this process has been slow, steps have been undertaken through NEPAD and the AU
and by South African efforts on the UNSC to better coordinate a successful working relationship between the UN and African regional groups.

3. The bigger picture is of a prosperous South

Although South Africa was not officially represented at the emergence of a growing Southern developing world perspective at the UN, ANC delegates were linked to Global South initiatives in efforts to bring down apartheid in South Africa. After 1994 a democratic South Africa aimed to liberate the remaining 1.3 million people still living under colonial rule. This became part of a larger plan to speak not only for Africa but also the South to build a "better world".

South Africa’s foreign policy position in Africa, in the developing world and in the international community as a whole is undeniably linked to its interests in achieving equal weight for all nations in political and economic decisionmaking structures. Therefore, the next chapter will investigate South Africa’s voting behaviour at the UN since 1994 on the reform of the UN and its sister institutions (IFIs) through the promotion of equitable global governance.
CHAPTER SIX
SOUTH AFRICA’S VOTING ON REFORMING THE UN AND PROMOTING EQUITABLE GLOBAL GOVERNANCE

“Reform begins and ends with states” (Mingst, 2008: 180).

6.1. Introduction

The purpose of Chapter 6 is to investigate the fourth strategic theme set out in Chapter 2 describing South Africa’s foreign policy at play in the UN system between 1994 and 2008. This chapter focuses on the voting behaviour displayed by South Africa in those committees at the UN in which the issues of UN reform and promoting equitable global governance have surfaced. Chapter 2 has already noted the country’s declared foreign policy on these issues. The purpose of this section is to apply the remaining two steps of the model set out in Chapter 1.

South Africa’s democratisation coincided with a worldwide impetus, in the early 1990s, for humanity to work towards bettering global governance (The Commission on Global Governance, 1995: xix; Karns and Mingst, 2010: 4). Various definitions exist for the term „global governance”. The Commission on Global Governance (1995: 2), created in 1992 and consisting of 28 members from around the world including South African Allan Boesak, defines global governance as the evolving interplay between states, NGOs, civil society, multinational corporations and the world market and as a “continuing process through which conflicting or diverse interests may be accommodated and cooperative action may be taken”. Others define the term as the “multilevel collection of governance-related activities, rules and mechanisms, formal and informal, public and private existing in the world today” (Karns and Mingst, 2010: 4). Simply put it is “the overarching system which regulates human affairs on a worldwide basis” (O’Brien and Williams, 2007: 385) and consists of key actors including IGOs. For example, since 1945, the UN has continued to play an essential part in global governance (Karns and Mingst, 2010: 95).

Having defined global governance, the next step would be to decipher „equitable” global governance. Murphy (quoted in Karns and Mingst, 2010: 29) summarises the
politics of global governance as reflecting “struggles over wealth, power and knowledge” the world over (Ndungane, 2006: x-xi). This includes who the international decision-makers are and perhaps more importantly who is excluded from decision-making “as well as institutional bias and privilege” (Karns and Mingst, 2010: 29). Essentially, as discussed in Chapter 5, the conflict over inequality between the Global North and South extends into the field of reform and reorganisation and the “equitable sharing” of political and economic management of the contemporary global system with a view of development firmly in mind (Saksena, 1993: 218; South Centre, 2006: Par. 122).


The questions to be addressed in this chapter include whether or not South Africa’s declared foreign policy of advocating the reform of the UN and its specialised agencies reflected as such in its actual voting behaviour in the UN system. Did South Africa present a consistent attitude on this subject matter between 1994 and 2008? By the time South Africa had once again become a fully-fledged UN Member State in 1994, having been barred from participating in the UNGA since 1974 (Kumalo, 2006a: 31), the UN had already undergone a series of minor reforms. In order therefore to provide context for this chapter’s investigations the history of reform at the UN should be examined briefly first.
6.2. The reform agenda at the UN: a summary

It is important to acknowledge that the term „reform“ can range in meaning from minor changes, initiated by every new Secretary-General, to extensive and substantive institutional changes (Weiss, 2003: 148). Extensive change would be, for example, amendments to the UN Charter. Changes to the Charter would require two-thirds UNGA approval of an amendment resolution followed by two-thirds ratification (including the P5) of the amendment within a limited timeframe (Von Freiesleben, 2008a: 19-20). Article 18 of the Charter requires that decisions on „important questions“ be made by a two-thirds majority of the members present and voting – meaning members voting yes or no. Certain categories of „important questions“ requiring the two-thirds rule include:

- recommendations with respect to the maintenance of peace and security;
- election of non-permanent members of the Security Council;
- election of members of ECOSOC;
- admission of new members to the UN;
- suspension of rights and privileges of membership;
- suspension or expulsion of members, and budgetary questions (Bennett, 1995: 92).

In this chapter discussion over UN reform will not be limited to the controversial UNSC, even though it is considered by many to be the “one place in the UN system that really matters” (Luck, 2006: 111) and is central to most research on reform (see; Brichambaut, 2000: 275; Afoaku and Ukaga, 2001: 158; Weiss, 2003: 147-161; Ping, 2004: 6; Wouters and Ruys, 2005: Internet, 3; Saliu and Omotola, 2008: 71; Kagwanja, 2009: 283; Hurd, 2010: 91). Revitalisation of the UNGA and the UN Secretariat will also be considered.

Calls for reform of the UN have persisted since its official establishment in June-October 1945 (Luck, 2003: 1; Smith, 2006: 156). Indeed the first real change happened three years earlier during the founding processes when the organisation’s title changed from „Associated Powers“ to the „United Nations“ in January 1942 (Shearar, 2011: 8). In April-June 1945 during the drafting of the UN Charter at the UN Conference on International Organisation in San Francisco, vigorous debate ensued among the 50 participating states (four African: South Africa, Egypt, Ethiopia and Liberia) over: the size of the UNSC; the controversial „permanent“ seats for the

Though the Charter was adopted these issues remained a sore point for many states, including Australia and New Zealand, who voiced concerns over how far from democratic the UN was. An interesting side note to the UN reform debate exists in Venter’s (2003: 42) and Finkelstein’s (2005: 23) reminders that the UN was not created to specifically foster democracy as such. The goal behind its establishment was to keep international peace and advance human rights, but no such explicit statement on democracy itself was ever laid down in the UN Charter. However this speaks to the argument that the UN needs to evolve and adapt given the “increasing importance attached to the concept of „democracy“ in UN circles” (Wouters and Ruys, 2005: Internet, 35).

Despite the lack of democracy in UN Charter language, between 1945 and 2006 there were three major periods focused on attempting to reform the UN: 1. 1956-1965; 2. 1993-1997 and 3. 2003-2005 (Luck, 2006: 111-122).

In 1956 Latin American states led the increasingly vocal calls at the UN for the expansion of the UNSC. This was brought on by the greater number of members joining the organisation and the subsequent appeals for a more geographically representative body (Saksena, 1993: 167; Luck, 2006: 113-115). By 1963 the UNGA had 114 members, over double the original number of 51 in 1945. The lobbying resulted in resolution 1991(XVIII)[A] passed by the UNGA in 1963 with 97 „Yes“ votes and 11 „No“ notes (the four abstentions came from South Africa, the US, the UK and Portugal). The resolution, entitled the Question of equitable representation on the Security Council and the Economic and Social Council extended the UNSC from 11 members to 15. It also altered ECOSOC‟s membership from 18 to 27 members. The UN Charter was thus amended by the UNGA for the first time when the P5 ratified the changes on 31 August 1965 (Mills, 1999: 380; Bourantonis, 2005; Luck, 2006: 114; Voeten, 2007: 292; Von Freiesleben, 2008a: 1).
Reform initiatives in the 1970s were mainly confined to “improving coordination of economic and social programmes in the UN systems” (Karns and Mingst, 2010: 132). In 1973 ECOSOC membership was enlarged once more from 27 to 54 (Luck, 2006: 115).

The next decade witnessed petitions for financial reforms at the UN. The second major attempt at political reform of the UN occurred between 1993 and 1997. During the Cold War the UN had essentially been held hostage by the power politics between the US and USSR. With the demise of the Cold War in the early 1990s a sense of renewal swept across the organisation. With this renewal came fresh lobbying for reform especially in the UNSC but also in how the UN should respond to new security threats throughout the world, including development, disease and human rights issues (Saksena, 1993: 181; Annan, 1998: 123; Fassbender, 2004: 343; Van Nieuwkerk, 2007: 62-63; Hurd, 2010: 91).

The debate led to the adoption of resolution 47/62 by the UNGA in December 1992 on the Question of equitable representation on and increase in the membership of the Security Council. Adopted without a vote, this resolution was followed a year later by another (A/RES/48/26) in which the UNGA created the aforementioned (section 2.3.2.4., Chapter 2) Open-Ended Working Group (OEWG) to discuss these matters further (Mills, 1999: 379; Fassbender, 2004: 343). Later dubbed by delegates the „NEWG“ or „Never-Ending Working Group“, the task given to the body was two-fold: firstly to consider UNSC membership, the veto and procedures of voting and secondly to address ways to achieve greater transparency and accountability in the working methods of the Council (Luck, 2006: 115; Adebajo, 2009: 20).

President of the UNGA”s 51st session and Chairman of the OEWG at the time, Razali Ismail, submitted a reform plan to the UNGA by March 1997 (A/51/47, 1997: 2) after conducting years of consultations with delegates over reform issues (Luck, 2006: 115). The plan failed due to insufficient support by delegates who demonstrated what had become regular fare at the UN – agreement in rhetoric, intransigence in practice.
It should be mentioned however that during this time other UN reform initiatives met with success. Venezuelan Ambassador to the UN in the mid-1990s, Diego Arria, modernised UNSC working methods by creating a „formula“ whereby guests would now be invited to informal meetings on UNSC issues, thereby introducing greater access to new facts and data (Weiss, 2009: 56; Citizens for Global Solutions, 2011: Internet).

In 1992 the newly elected Secretary-General Boutros Boutros-Ghali produced, among other proposals, *An Agenda for Peace* - a reform plan dealing with peace and security issues. This was followed in May 1994 by *An Agenda for Development* in an effort to stimulate debate over the role of the UN in these areas (A/48/935, 1994). A South African delegate to the UN at the time expressed his delegation’s support for the development agenda lauding it as “a much needed initiative to reformulate the approach and priorities of the United Nations” (Steward, UN speech, 1994: 19).

The third UN reform effort was prompted by the run up to the organisation’s 60th anniversary in 2005. It was further stimulated by: the inability of the UN to prevent independent action by the US in invading Iraq; the apparent flaws in the UN’s central administration exposed by the embarrassing Oil-for-Food (OFF) scandal; controversies surrounding UN peacekeepers and sexual exploits in war-torn areas, and allegations of corruption and wastefulness in the UN Secretariat (Smith, 2006: 156-157; Weiss et al., 2007: 123; Mingst, 2008: 179; D’Anieri, 2011: 265). Indeed the Volcker report, which investigated the OFF programme, came to the inescapable conclusion that the UN “needs thoroughgoing reform and it needs it urgently” (Volcker, Goldstone and Pieth, 2005: Internet, 4).

The UN’s reputation had suffered quite a blow and this led then Secretary-General Kofi Annan to commission a report (already noted in Chapter 2), published in 2004 by the HLPTCC, entitled *A More Secure World: Our Shared Responsibility* (Weiss et al., 2007: 106; Weiss, 2009: 56). The purpose of this report was for the 16 eminent panellists involved, including three Africans, to assess, *inter alia*, the UN’s existing policies and structures and to suggest ways of strengthening the organisation to provide collective security for the century ahead (HLPTCC Report, 2004: vii; Adebajo and Scanlon, 2006: 2). In response to this publication Annan released his own report

„In Larger Freedom“ has been described as the most ambitious plan for UN reform ever formulated in the UN Secretariat (Martens, 2005: 2). In section 5 of the report Annan refers to strengthening the UN system by reforming the organisation"s key structures including the UNGA, the UNSC and the Secretariat (Annan, 2005: 58-59; 64; Martens, 2005: 6-8).

In regard to UNSC reform Annan suggested that the two models recommended by the 2004 HLPTCC report be considered by delegates and voted on at the Millennium+5 World Summit (on the review of the millennium declaration and the implementation of the MDGs) in September 2005. The summit was dubbed „San Francisco II“ as expectations around reform were so high and the momentum so intense that the attitude was very much one of renewing the UN. However, the curse of indecision once again wreaked havoc and only a very mild version of Annan"s reform plan was adopted at the UNGA"s 60th session (A/RES/60/1) (Smith, 2006: 157).

The indecision stemmed from the diverging views reflecting the Global North – South divide (though it was not limited to this debate alone as problems surfaced within consensus groups, the AU in particular. This example will be discussed later in the chapter). The developed countries wanted to maintain the status quo and only allow reform in terms of streamlining UN operations and activities. Alternatively the developing countries wanted to have real power in the UNSC and for the UN to take more practical measures to address poverty and deal with development issues (Van Nieuwkerk, 1998b: 2; Smith, 2006: 157).

Although discussed briefly in Chapter 2 (section 2.3.2.4.), it is worth repeating here that both HLPTCC models recommended the Security Council be expanded to 24 members, instead of the current 15. Model A suggested a UNSC made up of 11 permanent members (the P5 plus two Africans, two from Asia-Pacific, one European and one from the Americas) and three more non-permanent two-year seats to add to
the 10 already in place (Luck, 2006: 117). Model B suggested the creation of an entirely new category of eight four-year, renewable seats and one more two-year non-renewable seat (Ariyoruk, 2005: Internet; Amusan, 2006: 184; Moller, 2006: 212).

By September 2005 competing proposals became apparent in the G-4 plan, the Uniting for Consensus Plan (the old Coffee Club during Razali Ismail’s consultations in the mid-1990s) and the AU’s Ezulwini Consensus (Luck, 2006: 114). As none of these three was able to secure a required two-thirds majority in a UNGA vote, they fizzled along with the hope of movement on UNSC reform (Kagwanja, 2009: 289). These plans have been discussed in Chapter 2 of this study and will be referred to again later in this chapter with specific reference to South Africa’s involvement. These plans may have failed, but what did surface was the acknowledgement that “most reform proposals have hidden political agendas and policy goals reflecting competing national interest” (Karns and Mingst, 2010: 132).

Although some would suggest that since the anticlimactic 2005 Summit UN reform may be dead or at least the reform process is “suffering a belated mid-life crisis” (Adebajo, 2006: 276), others are more hopeful. The HLPTCC report did produce the PBC (to be discussed later in the chapter) and a host of other measures and proposals drawn up by the Secretariat (Swart, 2006: Internet).

By 2007 the debate on UN reform could be divided along two lines. The first questioned money and management at the UN, in other words the increasing number of activities involving the UN and their strain on the UN’s budget and capacity. The second considered the UN’s flawed design, that is the structural weaknesses inherent in an organisation born in a different era and unable to change easily despite the need to reflect legitimacy (Karns and Mingst, 2004: 132; 2010: 256; Van Nieuwkerk, 1998b: 2).
South Africa entered into the UN reform debate in the mid-1990s. Mandela (1993: 89) stated:

the United Nations has a pivotal role to play in fostering global security and order. But to achieve this, serious attention must be paid to a restructuring of the organization. South Africa intends to play a vigorous role in the debate on this issue. The UN should not be dominated by a single power or groups of powers, or else its legitimacy will continuously be called into question.

The next section will examine what role South Africa has played in this debate at the UN.

6.3. South Africa and reform at the UN

As stated in Chapter 2, South African foreign policy declarations since 1994 have included references to promoting the reform of the UN system, most especially the UNSC (DFA Now, September 2007; The Presidency, 2008: 70). South Africa has consistently called for a transparent and equitably represented Council as well as “reform of an unfair world order”, whichever comes first (Pretorius in Business Day, 27 March 2007).

Mandela (UN speech, 1995: 6) added his voice to the spirit of reform at the UN’s fiftieth birthday celebrations in a rather poetic way declaring:

the United Nations has to reassess its role, redefine its profile and reshape its structures. It should truly reflect the diversity of our universe and ensure equity among the nations in the exercise of power within the system of international relations in general, and the Security Council in particular ... We must, without delay, constitute a new leadership for the new age and bring sunshine into the hearts of billions, including women, the disabled and children.

In 1995 democratic South Africa’s first Permanent Representative to the UN, Ambassador Josiah Khiphusizi Jele (UN speech, 1995: 7), spoke of a “refashioning of the UN” to meet the challenges of a new post-Cold War world. The first official statement on the issue of reform, however, was offered in September 1997 by Foreign Affairs Minister at the time, Alfred Nzo (Cornelissen, 2006: 37). Nzo (UN speech, 1997: 13) declared that is was common knowledge in the UNGA that the UN needed revitalisation and reform central to which was the modernising of the UNSC
“to redress existing imbalances and transform it into a transparent organ accountable to the broader membership of the organisation.”

Nzo also made it clear that South Africa fully supported both the NAM and the OAU positions on UNSC reform. NAM’s New Delhi Declaration and the OAU’s Harare Declaration, issued in April and June 1997 respectively, spoke to an enlarged UNSC that reflected equitable geographical representation of “two permanent and five non-permanent seats with the same powers and prerogatives enjoyed by the current permanent members” (Nzo, UN speech, 1997: 13). In addition Nzo argued that the process of reforming the UNSC was too slow and the question of the veto should be seriously considered with a view to eliminating its use altogether. Deputy Foreign Affairs Minister Aziz Pahad (quoted by Kaninda in Business Day, 25 September 2007) reiterated this statement shortly after Nzo’s speech with the blunt, albeit true, remark that “the status quo of the UNSC is no longer acceptable.”

Regarding the UNGA’s revitalisation, Nzo (UN speech, 1997: 14) praised the Working Group on the Strengthening of the United Nations System for its recommendations in this regard (this will be examined further in the chapter). He also stated quite plainly that the UNGA was considered to be “the supreme political organ” of the UN. Moreover Nzo (UN speech, 1997: 17) remarked on how the ongoing financial crisis of the UN system was “of great concern to (his) delegation” with the obvious solution being for all member states to pay their contributions to the UN “in full, on time and without conditions” in line with their Charter obligations. This statement must have surely been directed at the US, which had been criticised for failing to pay its contributions to the UN for many years (Van Nieuwkerk, 1998b: 2).

Two years later, in an address to the UNGA, President Mbeki spoke of the need for a “more democratic system of international governance” that would come about only as a result of a meaningful restructuring of the UN (UN speech, 1999: 9). Director-General of Foreign Affairs at the time, and South Africa’s second permanent representative to the UN (1995-1998), Jackie Selebi, mirrored this argument in an address to the SAIIA in May 1999. Mbeki further berated members of the UN for simply finding new ways to block the progress of reform by fostering new power
relations in the UN and “reinstitutionalising relations of inequality” (UN speech, 1999: 9).

By 2003 South Africa’s attitude toward UN reform had taken on a more nuanced approach reflected in the following statement in the DFA’s Strategic Plan 2003-2005 (2003: 26):

the UN system is skewed in favour of the developed world so a two-track approach is needed making the best of the available opportunities that the system has to offer while working from within for reform.

Bearing this in mind the next available opportunity for progress in UN reform came in the lead-up to the World Summit in 2005. In February that year 15 AU Foreign Ministers met in Swaziland to decide on an African response to the 2004 HLPTCC report (Adebajo, 2009: 19). This response became known as The Common African Position on the Proposed Reform of the United Nations: The Ezulwini Consensus at the AU’s 7th extraordinary session of its executive council in March and was the only continental reform plan put forward in the UN reform process (AU, 2005a: Internet). South African Minister of Foreign Affairs Nkosazana Dlamini-Zuma represented South Africa at the meeting (DFA, 2005: Internet).

The Ezulwini Consensus presented reform proposals for the UNGA including the need to improve the relationship between the Assembly and UNSC and for measures to be taken to strengthen the UNGA’s proper role as the “most representative and democratic body within the UN system and as the parliament of the world”. As regards the UN Secretariat, the African position advocated more highly skilled professionals to aid in UN efficiency with specific focus on the appointment of Africans “at middle and high managerial levels, especially in the peacekeeping and political affairs departments” (AU, 2005a: Internet, 8).

Unsurprisingly, much thought was given to the proposed restructuring of the UNSC. Africa’s position reflected the Harare declaration eight years before of two new permanent Council seats (not rotating though, as discussed in Harare) with the right of veto included, as long as the veto existed, as well as five new non-permanent seats. The AU should also be responsible for choosing Africa’s representatives in the
Council. These thoughts were reaffirmed at the AU's fifth ordinary session in Sirte, Libya, in July 2005 (AU, 2005b: Internet).

The proposal put forward by Germany, Japan, India and Brazil (the G-4) varied only slightly from the African position in that they stated they would be willing to wait 15 years for the veto right to be extended to their proposed six new permanent UNSC members (Spies, 2008: 105). The AU, however, was adamant that veto rights be extended immediately. In an attempt to garner the necessary two-thirds required in the UNGA for a reform resolution to pass, the G-4 and AU met in August 2005 to attempt a coalition (*The Herald*, 18 October 2006).

The meeting failed essentially because of disagreement among AU members. Deputy Foreign Affairs Minister Pahad (DFA, 2005: Internet) was quick to state that despite disagreements on the specifics of reform, “the African position has always been that the UN should be more democratic and transparent.” Nevertheless specifics did matter as came to be seen when South Africa, Nigeria, Botswana, Mauritius and Benin, amongst others, indicated their willingness to compromise on the veto position short term in order to gain two African permanent seats as soon as possible. However, Zimbabwe, Egypt, Libya and Algeria spearheaded the opposition view that African states would not accept being inferior, second class citizens (as the lack of the veto would indicate) on a reformed Council (Spies, 2008: 109).

Foreign Affairs Minister Dlamini-Zuma made her delegation’s allegiance clear during the debate on UN reform in November 2005 when she stated that South Africa wanted the (reform) process to move forward united behind Africa’s common position (*Xinhau (People’s Daily Online)*, 2 November 2005).

Subsequently no reform proposal was adopted in September 2005 due to insufficient support. President Mbeki described this failure as a “miserable performance” by UN Member States, especially the rich and powerful who “use their power to perpetuate the power imbalance in the ordering of global affairs” (UN speech, 2005a: 28). South African Deputy Minister of Foreign Affairs, Sue Van der Merwe, argued that this failure set back the process of reform by years (Van der Merwe, 2006: Internet). The setback did not deter South African foreign policymakers, however, who were keen
to declare that they still believed “that the UN (was) the key multilateral institution for
global governance” (DFA, 2006c: Internet), and that

South Africa shall continue to work with all members of the UNGA in pursuit of the
comprehensive reform of the UN, including the reform and expansion of the UNSC
(Mbeki quoted by Malefane in *Sunday Times*, 22 October 2006).

The lack of a result on UNSC reform did not prevent South Africa from attempting to
modernize other areas of the UN system. In 2007 South Africa teamed up with Chile,
Sweden and Thailand to create the *Four Nations Initiative on Governance and
Management of the UN*. The 32 proposals set forth in the *Four Nations Initiative*
focused on how to

improve accountability and transparency in regard to the formulation, implementation,
and evaluation of UN mandates; rationalize the budgetary process; and ensure that
UN staff are hired and evaluated based on fair and transparent principles (Lund,
2011: 147).

When South Africa actually assumed a position on the UNSC in 2007, albeit in a
non-permanent role, Minister Dlamini-Zuma promised that the South African
degulation would lobby for UN reform (*BBC News*, 17 October 2006). The following
section will examine what actual votes South Africa took on the issue of reform

**6.3.1. South Africa's voting behaviour**

It is clear that South Africa did play a vocal role in UN reform initiatives since 1994,
especially during the 2004-2005 UNGA debate. It is now necessary to consider how
its delegation voted on questions relating to the reform process and the promotion of
equitable global governance between 1994 and 2008. As mentioned previously „UN
reform” and „UNSC reform” are often used interchangeably. However, the topic of
reforming the UN is far more comprehensive than the single matter of increasing the
membership of the UNSC. It involves every aspect of the day-to-day functioning and
activities of the world"s largest IGO that should be constantly updated and improved
upon.
Naturally this chapter cannot consider all UN reform issues involved due to space constraints, for example: the overhaul of the former UNCHR into the HRC in 2006, which South Africa favoured (Maqungo, UN speech, 2006b: 15; Benton, 2006: Internet); and South Africa”s First Committee delegate who in 1998 offered his delegation”s “full support and cooperation” in finding ways to streamline or rationalise the work and reform the agenda of the Disarmament Committee” (Du Preez, UN speech, 1998b: 6). However, it will examine prominent reform issues dealt with in the UNGA plenaries, the Fifth Committee (which deals with responsibilities for administration and budgetary matters) and the Sixth Committee (which considers legal questions).

Many delegations from the developing world consider the Fifth Committee to be the second most important organ (after the UNSC) in the UN because it wields such significant influence over budgets. In this respect it could be seen as “somewhat of a counterweight to the power of the UNSC” (Swart, 2008: 23).

6.3.1.1. UNGA Fifth Committee votes

Any discussion on reform initiatives within the UN system must include a review of resolutions adopted by the Fifth Committee. Fifth Committee resolutions are significant as the committee”s main task is to consider administrative and budgetary questions related to the UN”s activities and it is the place “where the resources to implement the reforms need to be approved” (Martinetti, 2008: 56).

This includes considering the UN”s regular budget. The regular budget is approved by the UNGA every two years and is funded by the Member States themselves. How much each state must contribute is determined by a scale of assessments specified by the UNGA based mainly on the national income of each state (United Nations, 2000: 19; 309). The regular budget is fundamental to the UN system financing the UNGA, UNSC, ECOSOC, the ICJ and the Secretariat (as well as the UN”s special missions). Naturally each state, who has paid on time and in full, has an equal “say” in theory as to what the UN does with their money. States failing to pay, according to the UN Charter, no longer have any right to vote in the UNGA though this has never been put into practice. Contributions of Member States to the UN”s peacekeeping
budget are assessed in a similar way as they are to the UN"s regular budget (Karns and Mingst, 2010: 138). The UN"s humanitarian relief and development agencies are financed mostly by the voluntary contributions of Member States (United Nations, 2000: 20).

Usually the Fifth Committee members, as with most UNGA resolutions in all six committees, work towards reaching a consensus on budgetary issues. In other words the aim is to adopt a resolution without a vote. However, highly politicised resolutions, where delegates cannot agree, often require a recorded vote to be taken (Martinetti, 2008: 56).

In March 2006 Secretary-General Kofi Annan declared that the UN was suffering from a “highly detailed, cumbersome and insufficiently strategic budgeting process”. Furthermore, the UN"s “financial management process [was] highly manual and fragmented ... [and] not adequately assessed” (Annan, 2005: 3-4). As these two specific areas of reform were highlighted by Annan, the next section will consider South Africa”s Fifth Committee behaviour related to issues of UN financing and budgeting as well as UN governance reform and oversight.

**UN financing and budgeting**

<table>
<thead>
<tr>
<th>UN vote information:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>


Kumalo stated:

> we remain anxious and ready, like many other Member States, to see this process of introducing positive changes to strengthen our beloved Organization take place very soon. Once again, we want to reconfirm the commitment of the Group of 77 and China to reform of the United Nations in an intergovernmental process and according to the rules and procedures of the Organisation (UN speech, 2006a: 4-5).

The report stated that in order to create a more transparent and dynamic organisation six areas of the UN system had to be reformed by combining the current reviews of oversight...
systems and internal justice. South Africa’s delegation responded positively to the report and in accordance with UN procedure hoped that the entire report would be expeditiously forwarded to the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to consider Annan’s proposals before they were discussed in the Fifth Committee. Kumalo (UN speech, 2006a: 4) added that his delegation acknowledged “the critical role that ACABQ and the Fifth Committee have to play in this respect.”

The ACABQ consists of 16 members with experience in budgetary issues and who are elected based on region. The Fifth Committee usually follows recommendations made by the ACABQ thereby giving the ACABQ “great leverage in (the) UN's budget decision-making process” (Martinetti, 2008: 56).

UN vote information:


Consistent

Explanation: As stated above, the common procedure for Fifth Committee members is to adopt resolutions by consensus. Since 1986 and the adoption of UNGA resolution 41/213 (par. II(7): 58) entitled Review of the efficiency of the administrative and financial functioning of the UN, the desirable outcome has been for Fifth Committee budget resolutions to be adopted with a “view to establishing the broadest possible agreement.” This “understanding” worked for 21 years until 22 December 2007 when the US delegation “insisted” on having a recorded vote taken on the 2008/2009 UN budget (Swart, 2008: 23). As the main contributor to the UN’s regular budget, providing 22 per cent of the budget funds, the US voted against the resolution as it opposed the increase in the UN’s budget especially in light of “the U.N.’s failure to adopt reforms to reduce waste, prevent mismanagement and corruption” (Schaefer, 2010: Internet, 1). Most often the largest bloc of states in the UN, the G-77, achieves consensus and as such when it comes to a recorded vote in the Fifth Committee the bloc can push resolutions through as was the case with UNGA resolution 62/236 (Swart, 2008: 23).

The UN’s regular budget has proven to be a highly sensitive subject over the years and has certainly tested diplomatic skill amongst delegates (UN Press Release, 2007m: Internet). As is often the case in political economic discourse, the allocation of scarce resources in society proves problematic – so is the case with the allocation of UN funds throughout the organisation. During the proposed programme budget for the biennium 2006-2007 debate, South African delegate, Karen Lock, expressed her delegation’s concern over the use of the phrase “within existing resources” being used in plenaries of the UNGA as well as in other main committees. This was firstly because it implied the dissolving of mandates due to lack of financing and secondly that technically according to the rules of procedure of the UNGA, the Fifth Committee was the only appropriate committee to discuss UN budgetary matters (UN speech, 2005a: 8-9).

South Africa’s assessed contribution to the UN regular budget between 1994 (0.41 per cent) and 2007 (0.290 per cent) averaged at about 0.34 per cent annually. Since 1994 South Africa has consistently paid its dues to the UN on time and in full and received special tributes for such by the UN Secretaries-General in their annual financial reports (Okumu, 2005: Internet; DFA, 2006c: Internet; Kane, 2009: Internet; A/62/539/Add.1, 2008: 6). These payments include assessments for the regular budget, peacekeeping operations, the international tribunals and the CMP.

The CMP is a five-year renovation project of the UN structures built between 1949 and 1952 in New York due to significant aging, disrepair and energy inefficiency (A/55/117, 2000; UN Chronicle, 2007: 42). In 2006, the US delayed approval of the budget for CMP for four weeks. On behalf of the G-77 and China, Ambassador Kumalo responded to this delay with distress, arguing that it was adding to the cost of the CMP daily and that the host country (the US) was expected “to shoulder its responsibilities towards the United Nations and to commit itself fully to the timely implementation of the Capital Master Plan” (Arieff, 2006: Internet; Benfell, 2006: Internet). Ultimately UNGA resolution 61/251 in April 2006 approved a total budget for the Plan of $1.88 billion.

South Africa may be an exemplary state in meeting its financial obligations to the UN, but other Member States have not been, resulting in concerns over how to improve the UN's finances. Fifth Committee representative for South Africa, Josiel Tawana, did not miss the opportunity in November 2007 to express his delegation's disappointment with those Member States, especially the US, who had not paid their assessed contributions on time and in full. He encouraged these states to recommit themselves to meeting their Charter obligations (Tawana, UN speech, 2007a: 5). South Africa, like other states, has a vested interest in the UN coffers being replenished especially as it relates to “the large amounts
owed to States that provided troops and equipment for peacekeeping missions” (Tawana, UN speech, 2007a: 5). Two years before South African Ambassador Kumalo had made a similar statement in the Fifth Committee hoping that the UN “would make the reimbursements overdue to South Africa (and other African and developing countries) as a matter of urgency” (Kumalo, UN speech, 2005a: 5).

UN vote information:


Scale of assessments for the apportionment of expenses of UN peacekeeping operations. Awav in 2000.

Voluntary movements in connection with the apportionment of expenses of UN peacekeeping operations. Awav in 2000.

| Inconsistent |            |
| Partly consistent |            |
| Consistent | X |

Explanation: Financing for peacekeeping operations is taken from the peacekeeping budget and involves personnel volunteered by troop-contributing countries (United Nations, 2000: 73-74). South Africa has often featured in the top 20 countries having contributed uniformed personnel to these operations (Department of Peacekeeping Operations (DPKO), 2011: Internet).

In 1999, the White Paper on South African Participation in International Peace Missions (1999: 4) stated that

as a responsible member of the UN ... South Africa will remain fully seized of the potential diplomatic, military and police contributions to peace missions and will communicate these to the UN Secretariat on a regular basis. The Permanent Mission will also solicit information from the Secretariat as to the needs of the UN in terms of contributions to existing and new peace missions.

South Africa has taken its contribution to peacekeeping efforts very seriously. Perhaps this is why, in 2006, South African Ambassador Kumalo responded with outrage to attempts by two US Congressman to tarnish South Africa’s, and other developing states”, role in peacekeeping operations. This will be contextualised later in the chapter.

UNGA resolutions 51/218 and 51/218[E], adopted in 1996 and 1997, prompted Member States to fulfil their commitments to the peacekeeping budget and warned against the harmful result of withholding such contributions to the short-term financial situation of the UN. The resolutions also affirmed the need to streamline the management (including making its operations more transparent) of UN peacekeeping operations (A/RES/51/218E, 1997: 1).

South Africa has consistently supported sufficient (not reduced) budget approval for peacekeeping operations. For example: Karen Lock (UN speech, 2005b: 4; UN speech, 2006a: 3) encouraged adequate resources be provided in the budget for the MONUC in 2005; the United Nations Stabilisation Mission in Haiti (MINUSTAH); the United Nations
Mission in the Sudan (UNMIS) in 2005; the UNOCI in 2006; the United Nations Interim Force in Lebanon (UNIFIL), which South Africa had voted in favour of between 1996 and 2007 in the UN’s Fifth Committee, and the UNAMID in 2007 (Tawana, UN speech, 2007b: 5).

Each peacekeeping operation has been described as unique by the South African delegation to the Fifth Committee and that this fact should be remembered when budget considerations were underway for each project (Lock, UN speech, 2005c: 5). Sipho Seakamela (UN speech, 2006: 9), a member of this delegation, was encouraged by the measures taken by the United Nations Operation in Burundi (ONUB), UNOCI and MONUC, to fulfill the requirements laid out in UNGA resolution 59/296, which asked for comprehensive reviews of operations and the need for effective management of human resources within those operations. The resolution also requested that the DPKO and the Secretariat make every effort “to introduce strict budgetary discipline and enforce adequate controls over budget implementation” (A/RES/59/296, 2006: 3).

UN governance reform and oversight

The UN has been described as having two faces. The first and most visible face refers to the arena politics of the UNGA and UNSC. The other face is the behind-the-scenes Secretariat or “second UN”. The second UN “is [also] in drastic need of repair” (Weiss et al., 2007: 121; Weiss, 2009: 192). Most UNGA Member States agree that management reform is essential to ensure the organisation reflects transparency and credibility.

South Africa along with all other UNGA Member States had agreed through the adoption of UNGA resolution 60/1 (World Summit Outcome) in 2005 that the UN “needed an efficient, effective and accountable Secretariat ... in a culture of organizational accountability, transparency and integrity” (A/RES/60/1, 2005: 34). This was in line with par. 156 of Secretary-General Annan”s 2005 „In Larger Freedom” report in which he argued for the need to professionalise the Secretariat more and “to hold its staff and management more rigorously accountable to their performance” (2005: 57).

In 2006 Secretary-General Annan”s report on „Investing in the United Nations: for a Stronger Organisation Worldwide” (A/60/692, 2006) as well as his report on human resources management, „Investing in People” (A/61/255, 2006), contained various proposals on UN management reform including “human resources, information and communications technology, delivering conference services, governance, and budget and finance” (Martinetti, 2006: Internet, 59). Secretariat reform was
particularly emphasised as well as the performance of the Secretary-General himself. In addition Annan requested Member States to agree on using more discretion when considering the budget from then on. This final point did not sit well with the G-77 who saw this as an attempt by the US and other major contributors to UN finance to possibly wield even greater influence over the Secretariat’s “use of human and financial resources, as well as its planning of activities” (Martinetti, 2006: Internet, 60).

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of the implementation of General Assembly resolutions 48/218B and 54/244. Awav in 2004.</td>
</tr>
<tr>
<td>Reports of the Secretary-General on the activities of the Office of Internal Oversight Services. Awav in 2004; Awav in 2006.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistency</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: UNGA resolution 48/218B, Awav in July 1994, created the OIOS. The Office of Internal Oversight Services is “an internal oversight body, is part of the Secretariat and discharges its mandates under the authority of the Secretary-General” (A/61/880, 2007: 2). The OIOS is responsible for assisting the Secretary-General in investigating, evaluating, monitoring, inspecting and auditing UN resources and staff. It also oversees the efficient and effective implementation of UN programmes and activities, and Member States’ compliance with resolutions, as well as preventing fraud or mismanagement in UN offices (OIOS, 2010: Internet). UNGA resolution 61/275 led to the establishment of the Independent Audit Advisory Committee as an ancillary body of the UNGA tasked with providing “expert advice
on UN oversight functions, risk management, internal controls, and financial practices” (US Department of State, 2008: Internet, 160).

In 2005 South Africa’s representative to the Fifth Committee, Karen Lock (UN speech, 2005d: 7), noted her delegation’s support for the OIOS and its focus on the UN’s African offices. She was referring to the OIOS report reaffirming the importance of the UN’s subregional offices, especially that of the ECA (A/60/120), a body which in South Africa’s view played a vital role in Africa’s development agenda. However, she was concerned that the five UN regional commissions were not receiving adequate resources from the UN offices to be able to perform all of their necessary functions. The ECA, Economic Commission for Europe (ECE), and for Latin America and the Caribbean (ECLAC) and the Economic and Social Commission for Asia and the Pacific (ESCAP) are all funded under the UN’s regular budget (United Nations, 2000: 33).

Lock (UN speech, 2005e: 9) summed up her delegation’s perspective on oversight at the UN in 2005 with the following statement:

…the reports of the internal and external oversight bodies provided Member States with an opportunity to reflect on the overall performance of the Organisation, the use of its financial resources, the transparency of its decisions and the extent to which it managed risk.

Moreover the OIOS provided an opportunity for Member States to undertake an objective evaluation of the Organisation’s performance and use of resources (A/C.5/60/SR.4, 2005: 7).

In another attempt to encourage institutional improvements, UNGA resolution 58/269 focused on strengthening the UN’s planning, programming and budgeting processes. Specific invitations were extended by the UNGA to the Committee for Programme and Coordination (CPC), which advises the Secretariat and the UNGA, to consider measures for enhancing its role in monitoring and evaluation and on improving its working methods (CPC, 2011: Internet). South Africa was elected to the membership of the CPC, filling one of nine African seats, from 2003 to the end of 2005 (CPC, 2011: Internet).

UN vote information:


Inconsistent

Partly consistent

Consistent X

Explanation: In 1996 South African delegate, Peter Soal (UN speech, 1996: 8), argued that too little focus had been placed on three issues related to procurement reform in the UN Secretariat. The first recommended the improvement of planning of UN operations,
particularly peacekeeping operations. Enhanced planning would surely enable procurement services to be more efficient. The second related to ensuring equitable treatment for suppliers in UN field missions. Three years later UNGA resolution 54/14 (1999: 1) noted the UN’s initial efforts to increase procurement opportunities for vendors from developing countries and countries with economies in transition, and (stressed) the need for further improvement in this respect.

Soal’s third suggestion was that the UNGA should “consider integrating all procurement into a single division, the Purchase and Transportation Division.”

UNGA resolution 54/14 (A/RES/54/14, 1999: 1) was adopted in recognition that the UN’s “procurement procedures should be more transparent, effective and efficient and should fully reflect the international character of the United Nations.” Nine years later UNGA resolution 62/269 (A/RES/62/269, 2008: 163) reaffirmed this need, but with an additional phrase that the procurement system must be “cost-effective, based on competitive bidding.” The procurement reform process had experienced serious challenges between 2004 and 2006 in the way of insufficient internal control measures resulting in allegations of impropriety and a small number of criminal investigations involving UN staff members and officials (Swart, 2006: Internet).

UN vote information:

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td>X</td>
</tr>
<tr>
<td>Consistent</td>
<td></td>
</tr>
</tbody>
</table>

Explanation: Since 1994 South Africa has held a consistent view on human resource management at the UN. South African delegate, Frederick Bergh, during the UNGA Fifth Committee meeting in January 1995, stated that his delegation (UN speech, 1994a: 4) supported the recruitment of UN staff using the concepts of the broadest possible geographical representation, gender balance, competence, integrity and efficiency ... and use should be made of internships ... to increase recruitment from unrepresented and underrepresented States.

In addition South Africa was disappointed that no improvements had been made in the recruitment of women to the Secretariat (Bergh, UN speech, 1994a: 4).

In October 2006 Ambassador Kumalo (UN speech, 2006b: 6), on behalf of the G-77, praised the Secretary-General as chief administrative officer in his efforts to reform the UN's human resources department. The complex nature of the UN's activities required quality staff members and access to resources and the G-77 promised to continue to:

focus on benchmarks for reform aimed at ensuring that staff met the highest standards of ethics, fairness, transparency, accountability, performance, managerial excellence and respect for diversity.

Ambassador Kumalo (UN speech, 2006b: 7) also placed high value on improvements already made, such as “streamlining of procedures and integration of ... values into human resources systems”. However the recruitment process required re-evaluation. The G-77 was
concerned that candidates from developing countries competing for UN posts might be at a disadvantage due to the proposed call for the reduction in advertising time for vacancies.

In addition Kumalo (UN speech, 2006b: 7) was quick to express disappointment that many countries remained unrepresented or underrepresented in UN staff appointments and that equitable gender and geographical representation was necessary for such a democratic body. Moreover Kumalo stated that certain Member States seemingly preserved “some senior management positions” for their own national candidates. UN staff should reflect more of the “international character” of the organisation, according to Kumalo (UN speech, 2006b: 7). Similarly Karen Lock, South Africa’s Fifth Committee representative, suggested that the UN’s Peacebuilding Commission should also

have the opportunity to benefit from the expertise of nationals of developing countries and regions affected by the type of challenges that the Commission had been mandated to address (Lock, UN speech, 2006b: 5).

The following October, another South African delegate, Josiel Tawana, asked a human resources question during the proposed 2008/2009 budget debate. His focus was on the vacant OSAA. Tawana (UN speech, 2007c: 13) implied that this may not have been receiving the necessary urgent attention required as he wanted to know, in particular,

more about the specific steps taken to fill the post of Special Adviser and the difficulties encountered. It would also be useful to know how the funds reserved for the salaries associated with the vacant posts were currently being used.

UN vote information:


<table>
<thead>
<tr>
<th>Consistency</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Accountability has become a choice term in UN reform initiatives. This has been especially true regarding the system of internal justice for the UN. A transparent justice system is necessary for the fair treatment of UN staff and for the UN’s Human resources reform processes. UNGA resolution 59/283 adopted in 2005 regretted that the system of administration of justice in the Secretariat continued “to be slow, cumbersome and costly” and which had resulted in the late distribution of reports to delegates at the UNGA’s 2003 and 2004 sessions. This resolution also led to the establishment of the Secretary-General’s Redesign Panel whose function it was to improve the UN’s internal justice system. The 16 member panel provided a report in July 2006 on its findings (A/61/936, 2007) in which it found the justice system in place to be outmoded, dysfunctional, ineffective, and lacking independence (US Department of State, 2008: Internet, 158). In 2007 UNGA resolution 62/228 created a framework for a renewed system of administration of justice, including the establishment of “an informal dispute resolution mechanism and a two-tier formal system comprised of a UN Dispute Tribunal (UNDT) and a UN Appeals Tribunal (UNAT)” (US Department of State, 2008: Internet, 158).
UN vote information:

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: Although a South African has never been appointed to the 11-member panel of inspectors in the UN Joint Inspection Unit (JIU), South African delegates have played a role together with their G-77 partners in strengthening the JIU (Lock, UN speech, 2006c: 9). Created in 1966 and extended through various UNGA resolutions thereafter, the JIU is tasked with investigating and evaluating UN services and efficiency and making recommendations for improvements where necessary (UNJIU, 2004: Internet).

In 2006, Karen Lock, on behalf of the G-77 and China, “welcomed the progress made by JIU in improving the quality, relevance and usefulness of its reports, and in identifying potential savings” (Lock, UN speech, 2006c: 9).

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: UNGA plenary resolution 52/12B (1997: 4) entitled Renewing the UN: a programme for reform, decided to establish a development account which would be funded from the savings accrued from possible reductions in UN administrative and other costs. This programme came about as part of a series of organisational and administrative reforms initiated by Kofi Annan since taking up the position of Secretary-General in 1997 (United Nations, 2000: 16).

In 1994 the South African delegation had already voiced the possibility that since the former UNGA programme 6 (Elimination of Apartheid) was in the stages of completion, the financial resources allocated to that programme’s budget “should be redeployed ... to other programmes pertaining to Africa ... not maintained as ‘savings’” (Bergh, UN speech, 1994b: 4-5).

Since its establishment in 1997, the account has benefitted developing states through the funding of 244 projects aimed at building capacity for development, including promoting “regional and interregional economic and technical cooperation among developing countries” (A/62/466, 2007: 5; UN Development Account, 2011: Internet). In 2004 and 2007 the development account received glowing reports from the Secretary-General who stated that
the account was “being well managed,” was “operating in a manner ... fully consistent with its General Assembly-approved directions” (par. 106 of A/59/397, 2004) and was producing “beneficial results” (par. 55 of A/62/466, 2007).

However, despite these positive reports all was not well with the funding of the account. In 2006 South African representative to the Fifth Committee, Karen Lock, expressed her severe disappointment in the fact that the original idea for the maintenance of the account to be supplemented by savings made in alternate departments had clearly failed. “Not a single cent had so far been transferred through that mechanism” (Lock, UN speech, 2006d: 3). This was due to persistent UNGA requests for resources in other prioritised areas resulting in no additional administrative savings left to be transferred.

In December 2006, Ambassador Kumalo (UN speech, 2006c: 3), on behalf of the G-77 and China, reaffirmed the Group’s support for the UN’s development agenda. However the G-77 remained disappointed that this agenda received so little attention in the UN regular budget the previous year compared to the provisions set aside for “special political missions, peace and security and human rights”.

In addition the G-77 also

regretted the apparent breakdown in negotiations on the Development Account, which indicated a breach of faith on the agreement that had been reached when the budget had been negotiated. That left no alternative but to seek other measures to uphold the commitment on the Development Account, which was vital to developing countries and had been unanimously accepted in the past.

Ambassador Kumalo demanded a firm decision be taken to “increase the Development Account by the $5 million agreed to in principle by the Assembly” a year earlier (2006c: Internet). In accordance with this demand all Member States were called upon to honour their commitments in this regard (Kumalo, UN speech, 2006c: 3).

6.3.1.2. UNGA Sixth Committee votes

In the UNGA the principal forum for deliberating over legal matters is the Sixth Committee. In order to ensure the democratic principle of the rule of law within the UN, the Sixth Committee considers, inter alia, how to reform the UN system by “balancing the powers and responsibilities” of the UNGA and UNSC (UN, 2009: Internet).

UN vote information:


| Inconsistent |  |
| Partly consistent |  |
Consistent  

Explanation: The UN Charter is essentially the UN’s constitution. It is an international treaty which sets out “the rights and obligations of Member States” and establishes the UN’s organs and procedures (United Nations, 2000: 4). Since 1975 the Special Committee on the Charter of the UN and on the Strengthening of the Role of the Organisation has worked every year to examine suggestions and proposals regarding the Charter and the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of cooperation among all nations and the promotion of the rules of international law (resolution 3499 (XXX) December 1975 (A/62/100, 2007).

In 1994 UNGA resolution 49/58 (1994: 4) included a request by Member States for the Committee to consider deleting the clauses referring to enemy state in the UN Charter found in Article 53 par. 2. The term enemy state … applies to any state which during the Second World War has been an enemy of any signatory of the present Charter, and Article 107 (UN Charter, 1945: Internet, 11). UNGA resolution 50/52 (A/RES/50/52, 1995: 3) adopted the following year expressed its intention to delete the clauses. The World Summit Outcome Document (WSOD) (UNGA resolution 60/1: 38 par. 176.) also expressed the intention, bearing in mind that the Trusteeship Council no longer existed, to delete Chapter XIII of the Charter and references to the Council in Chapter XII.

The UN’s reputation as a credible and moral organisation came under fire when numerous allegations were made against UN personnel in the DRC in 2004 (A/59/710, 2005). This scandal was one of the motivating factors driving Secretary-General Annan’s comprehensive UN reform package in 2004 and 2005.

UN vote information:

Inconsistent  

Partly consistent  

Consistent  

Explanation: Following allegations of sexual abuse and exploitation by UN personnel in 2002 in West Africa, the UN OIOS conducted an investigation of the matter. In 2003 UNGA resolution 57/306 (Fifth Committee) was adopted (without a vote) in which it called upon the Secretary-General and troop-contributing countries to hold to account any personnel who committed such acts. On 15 October 2003 the Secretary-General promulgated detailed rules prohibiting sexual exploitation and abuse that are mandatory for all United Nations staff, irrespective of their type of appointment (A/59/710, 2005: 7).

The UN’s complaint system was reformed in the interests of greater accountability and the result was a significant increase in the number of allegations against UN peacekeeping soldiers. The DPKO received 80 allegations in 2004 against military personnel especially in the DRC where the UN peacekeeping mission MONUC had been in operation since 1999 (A/59/710, 2005: 9; Weiss et al., 2007: 47). UNGA resolution 59/300 (Fourth Committee) undertook a comprehensive review of a strategy to eliminate future sexual exploitation and
abuse in UN peacekeeping operations. In 2006 UNGA resolution 61/29 created the Ad Hoc Committee on criminal accountability of UN officials and experts on mission. The Committee reaffirmed the UN's support for and the necessity of maintaining a zero tolerance policy in addressing all cases of sexual exploitation and abuse committed by peacekeeping personnel, so as to prevent impunity.

As a result of the UN's investigations several UN personnel, who had failed in their responsibilities to properly oversee the peacekeeping missions, were fired (Karns, 2006: 143). South African troops were implicated along with French, Nepalese, Moroccan, and Pakistani forces. The South African government filed criminal charges against South African soldiers allegedly involved in the MONUC scandal (Fleshman, 2005: Internet). In 2007 UNGA resolution 62/63 was adopted which urged all Member States “to take all appropriate measures to ensure that crimes by United Nations officials and experts on mission do not go unpunished” (UN Press Release, 2007n: Internet).

6.3.1.3. UNGA Plenary votes

Renewal and strengthening of the UN: measures and proposals

UN vote information:

Renewing the UN: a programme for reform (post of Deputy Secretary-General established, inter alia). Awaν in 1997.

Reaffirming the central role of the United Nations in the maintenance of international peace and security and the promotion of international cooperation. South Africa voted “Y” in 2004.

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
</table>

Explanation: In August 2004 South Africa voted in favour of UNGA resolution 58/317 (2004: 2) which reaffirmed the irreplaceable role of the United Nations and the necessity of ensuring the equal participation of all Member States, in a transparent manner, in a multilateral system, guided by the Charter and founded on universally recognised values and norms.

The resolution also declared deep concern over any act of foreign intervention of any state in contravention of the Charter. Though not stated bluntly in the resolution, this “concern" probably referred to the US invasion of Iraq in March 2003 without UNSC authorisation. The US was one of only two states to vote against resolution 58/317 (Israel was the other). Moreover the resolution followed on this statement with the affirmation of the UNGA's conviction regarding the need to sustain as a priority in the process of reform of the United Nations, the revitalisation and strengthening of the Assembly and the reforms of the Security Council ... with a view to strengthening further the capacity of the United Nations so as to enable it to improve its performance in undertaking its functions and responsibilities, mindful, in this context, of the need to involve all Member States in these processes in order to ensure that their perspectives, concerns and interests will be taken fully into account (A/RES/58/317, 2004: 2).
UN vote information:


Further measures for the restructuring and revitalisation of the United Nations in the economic, social and related fields. Awav in 1996.


<table>
<thead>
<tr>
<th>Inconsistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

Explanation: Since 1991 there has been an ongoing discussion by UN members on how to revitalise the General Assembly, to make it “more effective, efficient, and relevant” (Swart, 2008: 21).

UNGA resolution 50/6 which reflected on the UN’s 50th year stated the following:

in order to be able to respond effectively to the challenges of the future and the expectations of the United Nations held by peoples around the world, it is essential that the United Nations itself be reformed and modernized. The work of the General Assembly, the universal organ of the States Members of the United Nations, should be revitalized.

This revitalisation included debate on how to improve the working methods of the UNGA; how to increase the Assembly’s authority, as well as how to modernise its role in the UN organisation and in relation to the election of the Secretary-General. Opinions vary as to the real goal behind revitalisation. Many states argue that continued discussion over UNGA reform maintains the Assembly’s role as the UN’s paramount deliberative body. Others merely desire practical improvements in the technical workings of the Assembly (Swart, 2008: 22).

In 2003 South Africa’s permanent representative to the UN, Kumalo, declared that the UNGA was the central deliberative, policy-making and representative organ of the UN system. Due to the importance of this Assembly, Kumalo expressed concern over its machinery having become “cumbersome and overburdened with an evergrowing agenda” (UN speech, 2003a: 11).

In October the following year Kumalo reiterated his delegation’s full commitment to “improving the working methods and the effectiveness of the General Assembly, both its Committees and the plenary” (UN speech, 2004b: 15). Kumalo was also keen to state
publicly that his delegation for the past couple of years “had the honour to assist in the facilitation of the revitalisation process” with the specific goal in mind of enhancing the “effectiveness and the substance” of the UNGA. During that time significant improvements were made including

- a fixed date for the annual commencement of the general debate. The President of the General Assembly and the Chairpersons and other officers of the Main Committees [were] elected early so that they can prepare for their tasks in good time. The General Committee has also been engaged in discussing and deciding on the revitalisation process, giving the General Committee a continuing role in the process of helping strengthen the Assembly (Kumalo, UN speech, 2004b: 15).

Revitalisation of the UNGA remained a collective effort, according to Kumalo in a speech to the UNGA in 2004. Substantive change simply could not be achieved by one state alone (Kumalo, UN speech, 2004b: 16).

### UN vote information:


<table>
<thead>
<tr>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent X</td>
</tr>
</tbody>
</table>

**Explanation:** In his response to Secretary-General Annan’s report to the UNGA in September 2002 entitled *Strengthening of the United Nations: An Agenda for Further Change*, Ambassador Kumalo (UN speech, 2002d: 4) welcomed the use of the words *further change* in the title as a reminder to Member States that the UN remained imperfect. The South African delegation was also keen to accept Annan’s challenge to “engage in the strategic dialogue on strengthening” the UN and remained “ready to assist” in any manner they could especially regarding the UN budget as well as the role of NGOs in the UN.

In 2004 Ambassador Kumalo stressed how high a premium the South African government placed on the role civil society could play in contributing to the UNGA as well as in other areas of the UN system (UN speech, 2004b: 15). Drawing on South Africa’s experiences of hosting the WSSD in 2002 and the significant part played by civil society at the summit and post-summit, Kumalo argued that UN “Member States should be able to draw on the best and most up-to-date information on which to base their discussions and decisions” and that
Moreover South Africa was committed to “the reform and expansion of the Security Council and the revitalisation of the Economic and Social Council” as well as in redefining the relationship of the UN with the BWIs (Kumalo, UN speech, 2003a: 11). The relationship between the UN and BWIs will be examined briefly later in the chapter.

UN vote information:
Manda

| Inconsistent |   |
| Partly consistent |   |
| Consistent X |

Explanation: The UN Secretariat, mainly, is responsible for translating resolutions adopted by the UNGA, UNSC or ECOSOC into action. This direction or action is referred to as a mandate (Annan in A/60/733, 2006: 9–10). UN mandates must be reviewed from time to time to assess their worth (Martinetti, 2008: 58). The activities of the UN had increased dramatically since the mid-1990s with the result that some mandates had become outdated or “duplicative”. Therefore in September 2005 the WSOD (A/RES/60/1, 2005: 35) resolved in paragraph 163(b) to review all mandates older than five years stemming from UNGA resolutions in order to strengthen and update the workload of the UN system. This meant a review of approximately 7,000 mandates some of which were “conceptual,” for example, articulating new international norms, and others “specific,” for example, requesting particular operations or reports (Martinetti, 2008: 57).

Secretary-General Annan encouraged the review process in 2005 as an attempt to streamline the workings of the UN system, to allow Member States to oversee it more easily and “finally make the UN truly accountable” (Martinetti, 2006: Internet). His report (A/60/733) entitled Mandating and Delivering: Analysis and Recommendations to Facilitate the Review of Mandates, published the following year, intended to assist in this process.

The mandate review process proved to be, as is the case with most UN reform initiatives, difficult to conduct smoothly and swiftly. Between 2005 (the UNGA’s 60th session) and 2007 (62nd session) much political wrangling took place amongst UNGA Member States over the mandate review process (Martinetti, 2008: 58). The main cause of conflict came from diverging interpretations over the scope of the process as indicated by UNGA resolution 60/1. In February 2006 South African Ambassador Kumalo in his capacity as Chairman of the G-77 presented the developing world’s view on the process at the meeting of the Informal Working Group of the Plenary on Secretariat and Management Reform: Review of Mandates older than Five Years in New York. The G-77 understood the mandate process to refer to those mandates older than five years that had not been renewed; whereas the US, EU and Japan interpreted the resolution to mean reviewing all mandates, both renewed and non-renewed, older than five years.

Moreover, the G-77 and NAM stated that resolution 60/1 was a one-time exercise. In other words in their view any future mandate review processes would require the adoption of another resolution. Further disagreement ensued between the US and G-77, some of whose members became convinced that the process was really an attempt to undermine the continued pursuit of politically sensitive mandates (for example those focused on the situation in the Middle East) or as an attempt to cut UN costs to the detriment of its „development“ mandates. The G-77, South Africa especially, had vigorously pursued development policy at the UN since the Millennium Declaration (Kumalo, 2005: Internet;

UNGA resolution 62/278 adopted in 2008 noted one of the most important findings of the review process as the difficulty of identifying resources associated with one particular mandate, which limited the potential of the review process to fulfil its objective of strengthening and updating the programme of work of the Organisation and improving the allocation of resources for the effective implementation of mandates (A/RES/62/278, 2008: 1).

UN vote information:

<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: The WSOD (A/RES/60/1, 2005: 36-37) recommended that in order to improve the “overall coherence of the UN’s development-related activities”, four areas of the UN needed to be reinforced: environmental activities; humanitarian assistance; operational activities and policy (Von Freiesleben, 2008b: 37-39). In response to this suggestion in February 2006 Secretary-General Annan established a High-Level Panel on System-Wide Coherence to investigate ways in which the UN system could work more effectively worldwide in terms of development, humanitarian assistance and the environment (UN, 2006a: Internet). System-Wide Coherence was adopted with the view that it would complement the other reform initiatives underway as a result of the decisions taken at the World Summit, including the Peacebuilding Commission to be discussed later in this chapter.

In March 2006 South African Ambassador Kumalo, in his capacity as Chair of the G-77, presented a letter to the High-Level Panel presenting the views of the developing bloc on System-Wide Coherence (IEG (International Environmental Governance), 2011: Internet). The letter stressed that “the coherence exercise must strengthen the role of the UN so that it becomes the premier international organisation dealing with economic, social and development issues” (Khor, 2006: Internet).

The letter emphasized that the G-77 “supported the exercise of reform and change in the operational activities of the UN system, with the vision of building a stronger role and a leadership role for the UN in development.” Moreover despite the developed world’s hope that the panel would submit a report by the end of the year, the developing world asked the panel not to rush such an important task simply to reach “an unrealistic” deadline (Khor, 2006: Internet).

Nevertheless by November 2006 the panel submitted its report, entitled Delivering as One, to the Secretary-General. The report’s main conclusion stated that

the UN needs to overcome its fragmentation and deliver as one through a stronger commitment to working together on the implementation of one strategy, in the pursuit of one set of goals (UN, 2006b: 2).

Resolution 62/277 on System-Wide Coherence adopted by the UNGA in September 2008 reaffirmed Member States” commitment to “delivering as one at country and regional levels, through the harmonization of business practices, funding, governance, and gender equality
The Millennium Summit (September 2000) and the World Summit (September 2005)

UN vote information:
Millennium Summit of the UN. Awav in 2000.
Organisation of the list of speakers and the round tables for the Millennium Summit. Awav in 2000.
Follow-up to the outcome of the Millennium Summit. Awav in 2000.
Follow-up to the outcome of the Millennium Summit. Awav in 2001 and 2002.
Follow-up to the outcome of the Millennium Summit and integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields. Awav in 2004.
Follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals. Awav in 2006.

<table>
<thead>
<tr>
<th>Consistency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td></td>
</tr>
<tr>
<td>Partly consistent</td>
<td>X</td>
</tr>
<tr>
<td>Consistent</td>
<td></td>
</tr>
</tbody>
</table>

Explanation: UNGA resolution 53/202 adopted in December 1998 set down plans for the convening of the Millennium Summit which took place in New York in September 2000 (UN Millennium, 2000: Internet). The Summit resulted in the adoption of UNGA resolution 55/2 on the Millennium Declaration. The declaration (A/RES/55/2, 2000: 9) included a number of important topics, for example, development and the eradication of poverty, but Chapter VIII on Strengthening the United Nations is necessary for discussion here.

Through this declaration UNGA Member States resolved, inter alia, to restate the UNGA’s prominence within the UN system; to renew efforts to instigate wide-ranging reform of the UNSC; and to encourage states to pay their dues to the UN on time and in full so that the Organisation could make the best use of those funds in carrying out its mandates in the interests of all UN Member States (A/RES/55/2, 2000: 8-9).
In a speech to the UNGA in October 2003 Ambassador Kumalo (UN speech, 2003b: 16) responded to the bomb attack on UN offices in Baghdad two months before as earmarking the time that the UN could no longer believe it had a reputation of being “a universally accepted and neutral actor”. Kumalo recalled President Mbeki’s address to the UNGA general debate in September in which the President questioned the future of the UN “as a strong and effective multilateral organisation enjoying the confidence of the peoples of the world” (A/58/PV.7, 2003: 23). Kumalo added that the goal of the Millennium Declaration of strengthening the UN was even more necessary than ever before. The South African government was also keen to express its support for the creation of the HLPTCC, mentioned earlier, in the efforts to reform the UN.

Similar to the Millennium Summit, the World Summit whose purpose it was to re-evaluate the UN in its 60th year, also contained a chapter devoted to strengthening the UN. UNGA resolution 60/1, entitled 2005 World Summit Outcome Document, made use of much the same “reform lingo” as evident in many previous reform packages or documents. At its heart the mantra urged that a “reformed UN must be responsive to its entire membership” (A/RES/60/1, 2005: par. 148).

### The Peacebuilding Commission

**UN vote information:**


| Inconsistent |  |
| Partly consistent |  |
| Consistent | X |

Explanation: UNGA resolution 60/180 established the PBC on 20 December 2005 under Article 22 of the UN Charter. (The UNSC acting concurrently with the UNGA established the Peacebuilding Commission through the adoption of Security Council resolution 1645 the next day.) The idea for the Commission was proposed at the World Summit three months previously, and in the HLPTCC and In Larger Freedom reports before that, with the main purpose to act as an advisory body on post-conflict peacebuilding and reconstruction efforts and to facilitate a more efficient relationship between actors outside and within the UN on these matters (A/RES/60/180, 2005: 3; Murithi, 2006: 152-153). The establishment of the PBC was arguably the most significant result to come out of the World Summit as it indicated a real and practical change in the UN system with the creation of one body to draw together what had been previously a largely incoherent network of arrangements for dealing with peace-building efforts within the UN (Murithi, 2006: 151; Weiss et al., 2007: 369; Weiss, 2009: 187).

In the UNGA in December 2005 Ambassador Kumalo indicated his delegation’s pleasure at the establishment of the PBC, though he expressed concern over the source of funding of the peacebuilding support office and insisted that UN resources be responsible for its financing. Moreover South Africa’s delegation expressed their shock in discovering that the P5 had made the decision to make themselves permanent within the PBC as well. This came as a surprise especially when during the negotiations over the PBC’s creation many states including South Africa had argued that for the Commission to be successful both permanent and non-permanent members of the Council ought to be involved in its workings. Kumalo (UN speech, 2005b: 19) summed up by stating rather bluntly that:
in the end it does not matter what we do or say here. It does not matter what games we play here. In the end, it is the difference in the lives of the people on the ground in Guinea-Bissau, Burundi, Liberia and elsewhere that will be judged.

In 2007 Kumalo (UN speech, 2007f: 24), although praising the initial efforts of the PBC to get off the ground, argued that more needed to be done to ensure its efficacy including a strengthening of its relationship with the UNGA, UNSC, ECOSOC and regional organisations such as the AU. Moreover the PBC needed a more hands-on approach in those countries it intended on helping. He stated that the PBC


needs to be a beacon of hope and promise. Its impact must be felt on the ground. In other words, the Commission should soon meet in Freetown or Bujumbura. New York meetings alone are not going to make a great difference in the lives of people in Freetown and Bujumbura, who are supposed to be the beneficiaries of the Peacebuilding Commission.

The Security Council: enlargement and working methods

<table>
<thead>
<tr>
<th>UN vote information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent X</td>
</tr>
<tr>
<td>Explanation: Between 1994 and 2007 only one resolution was adopted in the UNGA on the increase of the Security Council’s membership. As mentioned earlier in this chapter in December 1993 UNGA resolution 48/26 was adopted establishing the OEWG which began its discussions in January 1994 (UN, 2001b: Internet, 1). For the next six years the UNGA decided to extend the mandate of the OEWG. At the UNGA’s 55th session decision 54/488 recommended the OEWG continue for another year.</td>
</tr>
<tr>
<td>In 1998 UNGA resolution 53/30 made sure that any future resolutions or decisions on the question of UNSC membership could not be adopted without at minimum a two-thirds majority of the UNGA. This sentiment was reaffirmed in the Millennium Declaration when Member States also vowed “to intensify ... efforts to achieve a comprehensive reform of the Security Council in all its aspects” (A/RES/55/2, 2000: 8).</td>
</tr>
<tr>
<td>It is not surprising that after 1998 no resolution on this question was adopted by the UNGA as by then measures to reform the Council were beginning to show cracks, which Annan in his 2002 report called a “stalled process”. Pressure for reform, “still strong in the early 1990s, has given way to a certain ennui or resignation of the interested governments” (Fassbender, 2003: 183).</td>
</tr>
<tr>
<td>From the outset of this debate South Africa has played a vocal role. Indeed in November 1995 at the UNGA’s 59th plenary meeting South African Permanent Representative to the UN at the time, Khiphusizi Jele (UN speech, 1995: 6), praised the OEWG for its efforts thus far. He was adamant, however, that states remained vigilant in their efforts to conduct their affairs concerning this debate “in an open and transparent manner” and that all “Member States, large and small, have an equal opportunity to contribute in an open-ended setting to this question.”</td>
</tr>
</tbody>
</table>
Moreover Jele (UN speech, 1995: 7) set the scene from South Africa’s perspective with the following statement:

within the overall effort to reform the United Nations, South Africa believes that the structure and functioning of the Security Council should be reformed to make it more representative, democratic and transparent. The product of our work must result in a Security Council that is effective and legitimate, and reflects the realities of our modern world. We believe that this result can be achieved only if our reform and restructuring efforts are dealt with as a package. One of the products of this reform process must be that Africa will have an equitable representation on any enlarged Security Council. We all agree that there must be an increase in the membership of the Security Council.

Jele then went on to state that South Africa endorsed the OAU’s view of an enlarged Security Council in which any increase in the number of developed states in the permanent seats must be balanced by the addition of states from the developing world. The South African delegation believed this issue “to be of vital importance to the United Nations and the evolving system of international affairs” (Jele, UN speech, 1995: 7).

The following year, Foreign Affairs Minister Nzo (UN speech, 1996: 19) and South African delegate Frederick Bergh (1996c: 25) both expressed disappointment in the slow progress of the debate on Council reform. These frustrations were echoed in 1999 when South African Ambassador Kumalo (UN speech, 1999: 12) indicated his delegation’s impatience with the inability of Assembly members to make any inroads in this debate. The fundamental problem “bedevil[ing]” the issue was the fixation on the details “rather than the principle” of reform as well as the need for Member States to rise above national interests and commit to change. He hoped that “Member States [would] show flexibility and political vision so that [they could] enter the new millennium with hope for a more credible and more legitimate Security Council.”

Kumalo (UN speech, 1999: 11) was also keen to link the reform of the Security Council to the value of democracy which South Africa “cherishes” and which his delegation believed required equal opportunity in representation and in participation. The United Nations should be a model for such basic equality. It is for this reason that the Security Council should be an institution that has the courage to exercise consistency and political will to work towards a democratic system of international relations.

In 2000 Kumalo (UN speech, 2000d: 23) became a voice for the developing world on this issue. He stated that reform of the UNSC was vitally important to the developing countries as the UNSC was responsible for resolving conflict – most of which took place in the developing world especially in Africa. Therefore any discussion on reforming this body was crucial to the future of many of these states. Despite this states had "voted with their feet", visible by the dwindling number of OEWG members over the years, mainly because few delegations, especially from developing countries, can afford to participate in an endless get-together of those who can afford the luxury of indulging in endless talk, and it is now evident that no amount of enthusiastic participation and debate will suffice if some members are not fully committed to achieving a more equitable increase in the membership of the Security Council.

In addition Kumalo (UN speech, 2000d: 24) very correctly summarised Africa’s view that in 55 years, despite the increase of African states to the UN, “African decision-makers have not been afforded equal representation in the highest decision-making organ on conflict prevention. This situation cannot be allowed to continue.”

Five years on Ambassador Kumalo argued that the South African delegation could not
support any reform approach that “simply papered over the cracks” by only addressing the Council’s working methods. Enlargement of the Council’s membership as well as the improvement of its working methods were both critical to the debate (Kumalo, 2008: 15).

In December 2006, with less than three weeks until South Africa took its seat on the Security Council as a non-permanent member, Kumalo declared the OEWG to be a defunct entity in utter deadlock. With renewed enthusiasm, the South African Ambassador expressed the belief that UNSC reform was possible though through serious negotiation among Member States who had “to stop pretending that the status quo” was good enough for all (A/61/PV.75, 2006: 3-5).

Despite the UNSC’s tradition of remaining “remarkably passive about the issue of Security Council restructuring” (Van Nieuwkerk, 2007: 66-67), Minister of Foreign Affairs Dlamini-Zuma stated that South Africa would engage in the debate over UNSC reform while serving on the Council. South Africa took on somewhat of an “activist” role with comments from its delegates such as, “the UN should not change us. We should change the UN” (quoted by Kagwanja, 2009: 290). In November 2007 South African delegate Baso Sangqu (UN speech, 2007b: 9-10) restated his country’s “principled position” on the topic and called upon the President of the UNGA to keep all Member States informed of intergovernmental debates on UNSC reform. However, South Africa’s months as President of the Council in March 2007 and April 2008 did not feature the subject of UNSC reform at all (Van Nieuwkerk, 2007: 67; The Presidency, 2008: 70).

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th>Partly consistent</th>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: Article 24 of the UN Charter stipulates that the UNSC must submit a report on its workings to the UNGA each year (UN Charter, 1945: Internet, 7).

In 1996 South Africa agreed with UNGA resolution 51/193 on the report of the security Council as the resolution stressed the need to enhance the efficacy of the relationship between the UNGA and the UNSC and encouraged the UNSC’s annual reports to the UNGA to be substantive and analytical and not merely factual (A/RES/51/193, 1996: 1-2). In essence the resolution called for greater transparency in the work of the Council. It stands to reason that the US, UK, France and Russia would all vote against such a resolution, perceiving it as an attempt to interfere with the procedures of the Council that would result in the weakening of the relationship between the UNSC and UNGA. Although China did not state why it abstained it may have been out of deference to its ties with the largest bloc of states within the UNGA, the G-77.

South Africa’s position on this issue remained consistent. In 2000 Ambassador Kumalo (UN speech, 2000e: 29) declared his delegation’s disappointment with the Security Council’s report for that year for failing once again to give an analysis of the issues involved in the report and of the Council’s performance. He persisted by stating that

it is essential for the Council to provide such analysis, because the Council is accountable to the General Assembly. The failure of the report indicates a lack, or an unwillingness, to
engage in this critical aspect of review and accountability. This, of course, would raise the issues of the necessity to reform the working methods of the Council and the great need for transparency and accountability, which we all can agree is an important element of giving the Council the credibility it must have. Certainly, after seven years of debate on the reform of the Council, we should be able to recognize the challenges we are faced with and be bold enough to make the necessary reforms.

No Charter amendment is required to alter the working methods of the UNSC, only the adoption of a resolution. As such many states consider the pursuit of such reforms a more realistic option than the quest to enlarge the UNSC which would require a Charter amendment (Von Freiesleben, 2008a: 4). Between 1993 and 2002 several changes were made to the Council’s working methods. These included: announcing the Council’s daily work schedule (S/26015, 1993) and provisional monthly programmes (S/26176, 1993); giving all Council members timeous access to the preparation of resolutions (S/1999/165, 1999); allowing members to invite civil society experts for discussion without a formal statement referred to as “Arria-formula meetings”; altering the term under review in the UNSC annual report, and changing the report’s format and presentation to the UNGA by the UNSC President (S/2002/199, 2002).

South Africa’s delegation acknowledged these changes as important steps to try to make the UNSC’s report more “user-friendly” and its working methods more transparent but it welcomed one improvement above the rest. Ambassador Kumalo stated his delegation’s appreciation in 1999 for the efforts made by various Security Council Presidents to improve the involvement of non-members in the work of the Council. Whilst participation in open debates and briefings from the Secretariat and other expert delegations is very useful, we would especially welcome more openness with regard to the actual decision-making process of the Council. Far too many informal meetings of the Council are still held behind closed doors. In short, the Council needs to regularly consult with the membership. The alternative, the continuation of the “business as usual” approach, does not look good (UN Press Release, 1999b: Internet).

Despite recognising these changes Kumalo stated bluntly in 1999, and again in 2008, that while these changes were not yet formalised as “Rules of Procedure”, while they remained temporary, they were essentially insignificant (Kumalo, 2008: 15). Real progress would be expansion of the Security Council. Enlargement of the UNSC remained elusive however.

According to Ambassador Kumalo in his 2002 address to the UNGA on the annual UNSC report (UN speech, 2002e: 26), the UNGA’s role in respect of this report is to reflect on the Council’s activities over the year and “provide assessments of ways in which the Council may improve its effectiveness.” The UNSC reports have not made this task easy for UNGA Member States as the reports rarely offer insight as to how UNSC members “reach some of their more difficult positions.” Kumalo referred to the Council’s account on The situation in the Middle East, including the Palestinian Question which failed to provide reasoning for decisions made concerning this serious matter. Kumalo questioned why the two letters he sent to the Council that year, in his role as Chair of the NAM, firstly calling on the UNSC to invite to New York the Israeli Prime Minister Ariel Sharon and Palestinian President Yasser Arafat to discuss the situation in the Middle East; and secondly recommending that the UNSC visit the site of the problem were dismissed by the Council without explanation. The point here is that Kumalo used the opportunity within the UNGA to reflect on the lack of transparency in the UNSC and offered a suggestion that in the case mentioned above the Council’s report “could have been used to throw more light on the thinking of the Council on such complicated issues” (Kumalo, UN speech, 2002e: 25).

In February 2006 the UNSC asked the Secretariat to release an updated list of all notes and statements made by successive Presidents of the UNSC over the recent years. The
resulting document (S/2006/78, 2006) and then another in July (S/2006/507, 2006) were an attempt to increase the transparency and effectiveness of the UNSC’s working methods (Hulton, 2004: 241).

During South Africa’s tenure on the UNSC South African Ambassador Kumalo declared his government’s irritation with regards to certain UNSC working methods (UNSC meeting 5968). He was referring to the “small groups phenomenon in which groups of friends and contact groups” made up of largely developed states and which are not UNSC members attempt to influence UNSC proceedings on issues of interest to them. Operating in secret these groups use their friendships with UNSC members “by drafting resolutions that the Council is then expected to endorse without any further discussion” (Kumalo, UN speech, 2008b: 15). In Kumalo’s (UN speech, 2008b: 15) view, given South Africa’s “desire for transparency and political inclusiveness, the small group phenomenon presents a significant problem.”

6.3.1.4. Equitable financial global governance: UN resolutions on the BWIs

The BWIs or IFIs refer to the inter-governmental, financial architecture created at the same time as the UN by the victors of WWII at the Bretton Woods Conference in New Hampshire. South Africa was one of the 44 states in attendance. The IMF and the International Bank for Reconstruction and Development (IBRD), later the WB, were the primary institutions established as a result of the conference (O’Brien and Williams, 2007: 225-226).

Many observers agree that the reform of the financial institutions referred to above, as well as UN reform, is “critical to Africa’s development and security needs” (Adebajo and Scanlon, 2006: 2; Akyüz, 2006: Internet). South Africa, more so than many other African states, has become “somewhat of a global player” in the promotion of this reform (Mbweni, 2000: Internet; Niu, 2011: 6).

UN vote information:


<table>
<thead>
<tr>
<th>Inconsistent</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Partly consistent</td>
<td></td>
</tr>
<tr>
<td>Consistent</td>
<td>X</td>
</tr>
</tbody>
</table>

Explanation: In 2008 South Africa’s Presidency declared that South Africa’s support of the reform agenda was not focused on the UN alone but the UN’s specialised agencies the WB and IMF too and that it had used its membership in the UN, and other forums such as the G20, to champion reform of these international governance structures (The Presidency, 2008: 69).

UNGA resolutions 50/91 (A/RES/50/91, 1995: 2) and 51/166 (A/RES/51/166, 1996: 3) reaffirmed the need “for broadening and strengthening the participation of developing countries in the international economic decisionmaking process” as well as “promoting greater transparency and openness, including increasing participation of developing countries in the work of the IMF” (A/RES/50/91, 1995: 3). As the UN was the “most inclusive international institution” many supported its “key role in any global discussion about reforming the global financial and economic system”, especially its sister institutions the WB and IMF (Woods, 2006: Internet; Stiglitz in Business Day, 10 July 2009). Prior to Kofi Annan’s leadership of the UN the relationship between the UN and BWIs could not be described as cooperative. Indeed although regarded as specialised agencies within the UN system (United Nations, 2000: 49; Mingst, 2008: 181), the WB and IMF had tended to function independently (Smith, 2006: 156). However, this began to change after 1998 (Karns and Mingst, 2004: 116; Weiss et al., 2007: 284).

Although the cooperative spirit between the UN and BWIs in relation to increased transparency and accountability was slowly improving, in 2003 South African Minister of Foreign Affairs, Dlamini-Zuma (2003: Internet, 21), declared her government’s concern that reform of the governance of BWIs had “not yet managed to overcome developed countries” indifference to the issue.”

One of the reasons why South Africa lobbied for reform of these financial institutions was the unfair voting systems adhered to by the IMF and WB (Mnguni, 2006: 16; Woodward, 2007: vii; 2; Flemes, 2009: 136). Both were managed and overseen by the richest countries in the world and votes were weighted according to share of capital in the organisations (O’Brien and Williams, 2007: 386; Murithi, 2011: 345). The US, Canada, European countries and Japan commanded more than 60 per cent of the votes in the IMF and WB systems. The weighted voting system, much like the veto power of the UN’s P5, allowed for greater “influence of particular outcomes” (Karns and Mingst, 2010: 256).

6.4. Interpretations of voting action: government views and observers’ views

South Africa’s voting behaviour regarding UN reform issues is technically dissimilar to other Committees investigated previously in this study. It is different in the sense that “Yes,” “No” or “Abstain” votes, examined in Chapters 3-5, indicated specific and more noticeably contrasting actions taken by South Africa. Resolutions on reform issues in the Fifth and Sixth Committees are usually Awav, rarely approved by recorded vote. The practice of adopting resolutions by consensus, that is “without a recorded vote,” is interesting in itself as there are differing perspectives as to this tactic’s usefulness in UN politics. South Africa has a specific view on the importance of reaching consensus. These views will be considered next.

6.4.1. Concerns over consensus

Secretary-General Annan (2005: par. 159), in his 2005 „In Larger Freedom” report, described the increasing number of UNGA resolutions adopted by consensus, a positive thing if the consensus “reflected a genuine unity of purpose among Member States in responding to global challenges”. However the use of consensus decision-making in the UNGA has resulted in that organ becoming “a huge and noisy, ineffectual „talk-shop”” (Spies, 2008: 110). Similarly Annan (2005: par. 159) condemned the consensus method as becoming an end in itself, that often regional blocs seek it first and then the Assembly overall. The result is that though specific demands may be sought, initially draft resolutions are usually watered down and lost in generalities; or on matters of substance, the UN is held hostage by a handful of delegations with extreme views (Pal, 2006: 61).

Consensus is often interpreted by some Member States as “requiring unanimity”, in other words full agreement (Annan, 2005: par. 159). However consensus seeks the consent, not necessarily the full agreement, of those involved in decision-making. It relates more to a spirit of cooperation. Since the 1980s UNGA Member States agreed that in the interests of fairness resolutions adopted by “brute majority” (considering the increasing size of the G-77 in the UNGA) would lack legitimacy. The main contributors thought it unfair to be obligated to fund „anything” voted through by the majority. Despite this new “consensus-driven” atmosphere (Luck, 2010: 366) it
became common to find consensus votes occurring more frequently in the Fifth and Second Committees rather than the other main committees of the UNGA (Pal, 2006: 61).

For South Africa if a resolution or decision was adopted without a vote, then consensus was reached (Lock, UN speech, 2005f: 7). If a vote was requested on a draft resolution the consensus would be considered broken. On the question of the programme budget for the biennium 2006-2007, Ambassador Kumalo (UN speech, 2006c: 3) and Karen Lock (UN speech, 2006b: 2) spoke of “supporting efforts to achieve a consensus on procurement reform” and South Africa’s commitment “to listening to the views of each and every Member State and to finding consensus solutions” respectively.

In another example, the South African Fifth Committee delegation reproached other delegates in the meeting on UN programme planning for attempting to “reinterpret the term „consensus”” (Lock, UN speech, 2005f: 7). This point is important as the accusation was directed at the UK representative (Longhurst) on behalf of the EU, and the US representative (Hillman) (A/C.5/60/SR.19, 2005: 3-4) and was indicative of not only the bickering between the developed and developing states on reform issues but also demonstrated how confusion over UN procedures necessitated the need for review.

6.4.2. ‘Ping-pong’ reform politics

The following examples demonstrate how various layers within the reform debate play into differing areas of UN operations. In his Presidential address to the UNGA in September 2005, South African President Mbeki (UN speech, 2005a: 28) criticised the “rich and powerful nations” for allegedly blocking UNSC reform efforts. Five months later South African Ambassador to the UN, Kumalo, as Chair of the G-77, was facing criticism from the US for allegedly attempting to block procurement reform.

The UNSC had been criticized in 2005 for failing to properly manage and oversee the OFF programme in Iraq in which billions of dollars had been mismanaged. In the
wake of that maladministration the G-77 and China called upon the OIOS to inspect alleged irregularities in peacekeeping procurement. Several cases of deceit and bribery were discovered. The subsequent report led the UNSC President for February 2006, US Ambassador John Bolton, to call a rare UNSC meeting on “waste, fraud and abuse” in procurement of peacekeeping operations. Bolton’s action issued a very negative response from Kumalo, in his capacity as Chair of the G-77, who argued that the UNGA had asked for the audit and should therefore be responsible for action over its contents, not merely 15 states of the UNSC (The New York Amsterdam News, 23 February – 1 March 2006). Bolton retorted that the subject was of equal importance to both UN organs.

Staying with this issue but in a separate example, UN Under-Secretary-General for Management, American Christopher Burnam, had been heavily criticised by the G-77 earlier in February 2006 for briefing the media on the OIOS audit before making it available to the UNGA. Bolton argued that since the US contributed 27 per cent of the UN peacekeeping budget (and 22 per cent of the UN regular budget), US taxpayers had a right to know that their money was funding a quarter of “every case of waste, fraud and abuse” (quoted in IPS (Inter Press Service), 22 February 2006).

This perspective on „the more the money, the greater the say” irked Kumalo who argued that

just because the United States (and Japan and Germany) pay more than 50 percent of the budget does not mean they have 50 percent of the voice at the United Nations. This is not a private corporation or a Fortune 500 company. They don't own class 'A' stock and the rest of us own only common stock. We are all assessed according to our ability to pay. The fact that there may be a difference in the level of monetary contribution to the organisation does not imply any difference in the decision-making role of Member States in the United Nations (quoted by IPS, 22 February 2006).

In response to Kumalo”s criticism two US Congressmen, Hyde and Lantos (2006: Internet), wrote a scathing letter to Kumalo and the G-77 reproaching the group for working feverishly “to block UN chief Kofi Annan's efforts to clean house in the wake of a massive bribery scandal in the UN procurement department” (The New York Amsterdam News, 23 February – 1 March 2006).
The letter continued:

apparently the Group of 77 and China would rather keep citizens of the world in the dark about the hundreds of millions of dollars that have been stolen from them by corrupt UN officials and companies contracting with them (Hyde and Lantos, 2006: Internet).

Kumalo (2006d: Internet) responded, as Chair of the G-77, that the letter was “misleading and, at worst, absolutely untrue.” Furthermore the US was wrong to assume that it was the only state interested in rooting out corruption in the UN. He added:

if I may talk as South Africa for a minute, we contribute to this organization. My government is also interested that there should be no corruption in this organization. It’s not only an American interest, and it’s not only of interest to the developed countries. Developing countries have the same interest. But ... we have the General Assembly that has the Charter responsibility of oversight (Kumalo, 2006e: Internet).

In another example in December 2005 the US demanded an unprecedented six-month cap be placed on the 2006-2007 UN budget (equating to about $950 million) until real progress took place on streamlining the management of the UN (The New York Times, 29 April 2006; Hurley, 2007: Internet). The UNGA resolution 60/247[A] was Awav only due to the EU’s intervention as the US demand had been badly received by the G-77. Whereas the intention behind the cap was to accelerate agreement on management reforms, in reality the reverse occurred (Martinetti, 2008: 56). The cap set the Global North and South states once again at odds with each other. It led mistrust in an age-old feud where the developing countries rebelled against UN decisions based on the “power of the purse” and perceived the UN major donors as hi-jackers of the reform process and attempting to “grab power” over the UN (Martinetti, 2008: 55-56).

South African Ambassador Kumalo declared the spending cap to be “resorting to coercive measures” (UN speech, 2005c: 27); as something poisonous and comparable to “abuse” (Martinetti, 2008: 56). Some UN observers characterized the ensuing debate over the issue as the G-77’s countering move, its determination to do all it could to block reform efforts (Martinetti, 2008: 56). Eventually, by the end of June 2006, the cap was removed by consensus in the Fifth Committee (UN Press
Release, 2006a: Internet), though the US, Japan and Australia officially disassociated themselves from the decision (Hurley, 2007: Internet). They had argued that too few reform measures had been put into place “to justify removing the restriction” (International Herald Tribune, 29 June 2006).

Ambassador Kumalo’s response was blunt and accusatory:

at some point, those colleagues (US, Japan and Australia) would need to help members understand how it was possible to work for a common goal if in the end they would disassociate themselves. The lifting of the cap without condition was very important, as the cap should not have been imposed in the first place (quoted in UN Press Release, 2006a: Internet).

In April-May 2006 South Africa, on behalf of the G-77, had sponsored a draft resolution in the Fifth Committee (A/C.5/60/L.37/Rev.1, 2006) and then in the UNGA (A/RES/60/260, 2006) on Investing in the United Nations: for a Stronger Organisation Worldwide, referred to earlier in this chapter. South African Ambassador Kumalo (UN speech, 2006d: 2) introduced the draft resolution (A/C.5/60/L.37/Rev.1, 2006) and declared the group’s strong belief in the right of every Member State to have an equal say in the decision-making of the Organisation. He also assured all present that the G-77 preferred to have the resolution adopted by consensus.

Bickering had taken place during negotiations on the draft between the EU and the G-77 on the amount of control the Secretary-General ought to possess vis-à-vis the UNGA over budget decisions inter alia based on par. 162 and 163 of the 2005 World Summit Outcome Document discussed earlier in the chapter (A/60/PV.79, 2006). An impasse had been created between the two groups on the subject. Eventually the EU indicated it would have to break tradition and request a recorded vote. Regardless of the ill-feelings surrounding the resolution Ambassador Kumalo (UN Press Release, 2006b: Internet) was keen to express the G-77”s perspective that the resolution

... did not in any way delay or prevent United Nations reform … In fact, a careful reading of the text would show that many of the proposals in it were meant to make the Organization better.
Accounts such as these described above indicate the “to and fro” frostiness or ping-pong politics around UN reform. The sour atmosphere created over smaller UN reform efforts “could set back delicate talks on key overall reforms” (Sudan Vision, 19 February 2006).

6.4.3. South Africa's dream: reform of the UNSC

Since 1993 when official considerations began at the UN over reform of the UNSC, South Africa has

held a consistent and clear position, in line with that of the Non-Aligned Movement and the Organization of African Unity/African Union, that the membership of the Security Council should be expanded to correct the imbalances in its composition (Ambassador Kumalo, UN speech, 2002e: 25).

Although overall UN reform was important to South African foreign policymakers, the need for the UNSC to be “made more democratic, transparent and sensitive to the needs of Africa and the South” was primary (Pahad in Benton, 2006: Internet; DFA, 2009: Internet, 25; Landsberg, 2010: 183).

Contrary to Kumalo’s statement above, which implies a steadfast position on the subject, the UNSC reform debate has not always proven easy for South African diplomats. This has been especially true when having to choose partners in the debate. For example South Africa was criticized by an Indian diplomat for “punching below its weight” (it is usually criticized for doing the opposite) on UNSC reform issues. India was one of the G-4 who had been working to gain African support in order to achieve the required two-thirds in a UNGA vote on Council reform. India accused South Africa of “not using its natural clout to shift the AU towards a compromise with the G-4” (Cape Times, 2 October 2006). Another G-4 member, Brazil, through its Ambassador Ronaldo Mota Sardenberg, blamed Africa for its inability to compromise on the veto issue in a reformed Council arguing that the G-4 had “made a mistake in judging Africa as a bloc” (quoted by Kagwanja, 2009: 289).

Despite the insistence of Ambassador Kumalo and others (Mills, 1999: 379-380) that South Africa’s position had always followed that of the OAU/AU, this was not the case. South Africa had been willing to compromise on the veto issue but Zimbabwe
and others refused, effectively stifling the majority vote needed (Curtin, 2005: Internet; Bot, 2006: Internet; Corrigan, 2009a: 21; Murithi, 2011: 342). Despite South Africa’s considerations of “giving in” over the veto question, perhaps the points highlighted in the OAU Harare Declaration (AHG/Decl.1 (XXXIII)) in 1997 effectively helped South African foreign policymakers make a firm decision. Paragraph 7 (a) and (b) of the declaration directed Africa’s “Permanent Representatives at the UN to continue to defend the African Common Position”. Ultimately South Africa and the rest of the African Group positioned themselves firmly behind the Ezulwini Consensus (Cornelissen, 2009: 21).

Despite this, South African Ambassador Kumalo (2006a: 47-48) admitted questioning the viability of whether “Africa’s strategic decision to bind itself to a regional position is indeed in the best interests of the continent.” Though Africa’s “quest for absolute equality in the council is a principled position, the question remains whether it is realistic as a strategy.”

According to one observer, South Africa has tried to stand out at the UN, leading where it can, directing debates, all in its quest to gain a permanent seat on the UNSC (Cornelissen, 2006: 37). Gaining a permanent seat has various potential advantages for the country (Mills, 1999: 380). These include, *inter alia*, gaining prestige for the country; providing the first opportunity “to give Africa a meaningful voice” (Kumalo, 2006a: 48); and the possibility of shielding African states from the unwanted spotlight, as South Africa had already done during its initial months on the UNSC with Zimbabwe (see chapter 3 of this study) (Mills, 1999: 380).

On the issue of UNSC membership Ambassador Kumalo (UN speech, 2002e: 25) declared that as it stood at least the 10 non-permanent members of the UNSC were elected by the UNGA to represent it at the Council. As such these chosen states have a special role to play in that “they bring credibility and value to the Council”, and though they may not be as powerful as the P5 they have the opportunity to balance Council decisions. However, to a great extent non-permanent members have rarely made an impression at the UNSC (Malone, 2000: 21-22). In late 2006 Minister Dlamini-Zuma (2006, Internet) indicated that the country would “work for reform in
the United Nations.” It was with this perspective in mind that South Africa took up its first two-year stint on the UNSC in 2007 (the second term would be from 2011-2012).

South Africa did continue to call for UNSC reform and played an important role in the 2007 UNGA session where “agreement was reached to take the issue of Council reform from the consultation phase to one of inter-governmental negotiations.” In its Fifteen Year Review, the South African Presidency acknowledged that though it was partly due to Africa’s lack of consensus that the campaign on UNSC reform was yet to achieve much, South Africa had “contributed significantly to the evolution of the debate” (The Presidency, 2008: 70). However, Cornelissen (2006: 38) is probably more realistic in stating that South Africa’s contribution to the UN reform debate “has been significantly shaped and constrained by the broader processes of intense political bargaining and jostling for positions of influence” in the world body.

6.5. Conclusion

South Africa’s voting actions on UN reform issues and the promotion of equitable global governance at the UN between 1994 and 2008 were explored in this chapter (see Appendix for a summary of the recorded votes). The Fifth and Sixth Committees, as well as the UNGA plenaries, were considered in relation to three major areas of reform: questions concerning UN financing and budgeting; UN management and oversight; and transforming the UNSC. Thereafter UN resolutions on the need to reform the BWIs (IMF and WB) were briefly examined. This was followed by a discussion of government explanations for its delegates’ voting behaviour and perceptions of interested observers.

Since 1994 South African foreign policymakers have consistently sought UN reform. They have actively participated in debates on the future of the UNSC in what can only be described as „Annan-led reform fever“ between 2004 and 2006. Perhaps lesser known is how prominently and/or vocally South African delegates featured in debates on how to improve the UN’s finances, who should benefit from the UN’s budget, issues of transparency in the Secretariat, and the importance of effective and improved UN inspection and oversight mechanisms.
The majority of the resolutions discussed in this chapter were adopted by consensus, without a vote, meaning that South Africa was generally willing to go along with the resolution in the spirit of cooperation. However, despite consenting to the adoption of these resolutions, South African diplomats have expressed their disappointment with certain issues, especially those relating to the financing of peacekeeping operations, mandate review, the development account, revitalisation of the UNGA, renewal and strengthening of the Secretariat, and most especially the increase of membership of the UNSC along with the Council’s working methods and the substance of annual Council reports.

For South African foreign policymakers at the UN, reform of the organisation hinges on four primary working points:

1. The UN reflects global politics

At the heart of South Africa’s push for equitable global governance is the existence of a divide between those countries in the world with power and those struggling to attain power (South Africa sits somewhere in between). This tension, between developed and developing countries, is already present in almost all UN sessions regardless of subject matter. Therefore, when the issue of UN reform, the most sensitive of these political subjects, is added to the equation there is often disagreement, nit-picking and sometimes heated argument.

2. The UN is outdated; it is not defunct

Most states agree that UN reform is essential; they simply differ on what needs reforming. South African foreign policymakers believe that the UN has a central role to play in meeting those challenges facing systems of global governance. This role, however, cannot be of value to all UN Member States if a select few, the “money” in other words, continue to direct and produce and wield control over the others. The irony is that without the “money” operations and activities cannot be implemented. South African delegates have often raised serious concerns over this factor and have pleaded for all Member States to pay their assessed dues on time and in full.
3. Working from within for overall reform: small corrections may lead to improvement

South Africa’s involvement in two major attempts at structural change in the UN did not bear fruit. This was not due to any political failings on the part of its delegates but as a result of inflexibility and indecision in many areas and levels of the UN system which have long-since characterised the debate on reform. Between the OAU’s position on reform in 1997 and the AU’s Ezulwini Consensus in 2005, the significant difference in South Africa’s role in the debate was its attempt to build its political profile at the UN. South Africa has worked in smaller ways in various committees and debates to chip away where it can at those seemingly immoveable practices of the organisation. In essence, the country lobbied for reform at grassroots level.

4. UN reform is essential but incomplete without UNSC reform

The ultimate goal for South Africa is to represent Africa as a permanent member of the UNSC. Assuming that UNSC reform is achievable then South Africa is not far from reaching its goal. This is true in the sense that despite those who would rather support Egypt or Nigeria’s candidacy, South Africa did find its feet during its first term on the Council (2007-2008) and was very quickly re-elected to that position (2011-2012). In achieving a second UNSC term so soon after its first, South African delegates must be doing something right in the eyes of many UNGA members.
CHAPTER SEVEN
CONCLUSION: REVIEW AND FINDINGS

7.1. Scope, rationalisation and theoretical framework

In 2007 South Africa began its first ever stint as a non-permanent member of the UNSC. Very quickly interested observers around the world expressed disillusionment over the country’s vote against the condemnation of human rights abuses in Myanmar and Zimbabwe among others. South Africa’s first opportunity to “perform” on the Council had essentially cast doubt over the consistency of South Africa’s foreign policy choices in that multilateral forum.

The negative attention South Africa received over some of its 2007 UNSC votes inspired two ideas for research: was the perception that the Republic had demonstrated ambiguity over the purpose behind its foreign policy an accurate perception to have? And secondly, if these votes were seen as uncharacteristic of South African foreign policy, by implication this would suggest that South Africa had always voted “respectably” at the UN (since 1994). Could this be “validated” in respect of examining its voting behaviour at the UN since 1994? This study’s primary aim, therefore, was to place on record South Africa’s UN voting data from 1994-2008 (see Figure 1 below, and the Appendix for a more detailed summary of the votes by sub-theme).

![Figure 1. South Africa's UN votes in summary (1994-2008).](image-url)
In explanation of the summary above, during the period under review a near-4000 resolutions were adopted in the UNGA alone. Considering the vast undertaking involved with that number of resolutions, streamlining had to take place. In order to provide structure to the study, and to make sense of the abundant information available from the UN’s online Official Document System – including UNBISnet – four strategic and recurring themes were identified in South Africa’s foreign policy (see Figure 1 above) in the 14 years under review. The votes relating to these themes were then analysed.

Therefore, in this study 1,197 South African votes were recorded, systematically by theme. Of those, 228 votes were taken during South Africa’s time in the UNCHR/HRC. The bulk 969, however, reflected votes made on resolutions in the UNGA, and the UNSC, between 1994 and 2008. (Even though resolutions Awav did not include an actual vote, they were recorded nonetheless in certain cases in this study as indicating South Africa’s choice to act in joining a consensus on resolutions). Votes from the UNGA’s First, Second, Third, Fourth, Fifth and Sixth Committees were recorded, and also votes from the UNCHR/HRC and the UNSC.

A model of voting behaviour (Table 1 from Chapter 1 repeated below) was designed for the study with the aim of setting out three basic steps to guide each of the four themes under investigation. The model was useful in the sense that it allowed the structure of the discussion to become more visible. It offered a useful framework in order to approach an examination of a state’s foreign policy rhetoric meeting foreign policy practice – at the UN specifically. The model enabled the investigation of swathes of often repetitive UN resolution information to be placed in a logical flow of understanding – that is in three steps.

Step 1 involved deducing those strategic themes that the South African government declared to be of primary importance in its foreign policymaking. In other words, by investigating as many official government documents and speeches as possible, four specific areas of foreign policy interest became evident: the promotion of human rights and democracy; disarmament and related non-proliferation issues; the advancement of African interests and the consolidation of the African Agenda within
the context of North-South relations; and reform of the UN and the promotion of equitable global governance.

The next step entailed linking the declaratory component with its relevant place in the context of the UN. This was done by recording each voting action taken by the Republic on the four identified issues at the UN: a „Yes“, „No“, „Abstain“, or a symbolic yes in the form of a resolution „adopted without a vote“ – Awav. Step 3 of the model provided for interpretation of the voting behaviour, by examining government views on its delegation”s votes and also various observers" views of the same votes. Observers” views were drawn from other states, the media, IGOs, NGOs and other analysts. Although one might consider the model to be simplistic, its intention was not to dumb down voting data but to make the data more manageable and therefore more meaningful.

<table>
<thead>
<tr>
<th>Table 1. Model of voting behaviour</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Step 1. Declared foreign policy (government information)</strong></td>
</tr>
<tr>
<td>- Foreign office/Head of governments” office</td>
</tr>
<tr>
<td>- Press office/Media briefings</td>
</tr>
</tbody>
</table>

**Guiding question:**

- What are the themes driving a state”s foreign policy?

<table>
<thead>
<tr>
<th><strong>Step 2. Voting action</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Yes/No/Abstain/Non-Voting/Adopted without a vote (consensus)</td>
</tr>
</tbody>
</table>

**Guiding questions:**

- What is the actual voting stance taken by the state within the UN?
- Does the vote align with a particular group?
- Is the vote consistent with the state’s foreign policy?

<table>
<thead>
<tr>
<th><strong>Step 3. Interpretations of voting action</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Government views and observers” views (other states, the media, IGOs, non-governmental organisations (NGOs), analysts, other observers)</td>
</tr>
</tbody>
</table>

**Guiding questions:**

- Did the state attempt to explain its voting action at the UN (through speeches or press releases)?
- What was the state”s perception of its vote?
- What does the vote signify (if anything)?
Another purpose of the study was to examine consistency in terms of South Africa’s declared foreign policy and its actual voting practices at the UN. Consistency was defined as recurring patterns demonstrating a link between foreign policy declarations and foreign policy actions. In order to assess consistency, Table 2 below (also see section 1.4.2.) was used per theme. It was acknowledged that because South Africa may have changed voting actions on the same or similar resolutions over the 14 year period, this does not necessarily imply inconsistency. After all, government policies may change over time. However, it was noted too that, according to a 2009 statement by South African Minister of International Relations and Cooperation, the principles underpinning the Republic’s foreign policy had remained consistent in the years under review.

In order to assess whether or not the „consistency” noted in the Minister’s statement above, was true, if the voting actions taken were in contrast to foreign policy statements on related issues, then this was assessed as inconsistent. Similarly if South Africa’s votes were in line with its foreign policy, the voting behaviour was deemed as „consistent”. If the voting action taken was out of line with a previously declared policy on the issue, but the Republic was able to provide „explanation” for its decision, it was assessed as partly consistent. Explanation was assessed according to context and whether or not South African foreign policymakers had openly declared a „change of heart” concerning policy prior to the vote.

<table>
<thead>
<tr>
<th>Table 2. Voting assessment and consistency table</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Was the state’s UN vote congruent with the state’s declared foreign policy on the issue in question?)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UN vote information: (title of the UNGA or UNSC resolution)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
</tr>
<tr>
<td>Partly consistent</td>
</tr>
<tr>
<td>Consistent</td>
</tr>
</tbody>
</table>

| Explanation: (State explanation before or after the vote, context of the vote and any other relevant, supporting notes on the action in question). |
Tables 1 and 2 provided the framework for each theme. However a number of main conceptual and thematic questions guided the overall study: was there a rationale behind South Africa’s voting behaviour in the UN?; did South Africa consistently take the moral high ground when casting each vote?; has South Africa always voted “respectably” since 1994?; was there congruity between South Africa’s declared foreign policy and its UN voting behaviour?, and in its voting record did South Africa take the middle road or align with others – perhaps in the developing world? Section 7.2. below will offer answers to these questions.

7.2. Key findings of the study

This study’s key research question was whether/to what extent South Africa’s voting behaviour at the UN between 1994 and 2008 was consistent with its declared foreign policy. Chapter 2 established that the „declaratory component” of a state’s international behaviour or the declared policies of the state’s political leadership indicated the focus and action plan of a state and helped one to make sense of a state’s behaviour. Based on official policy statements, discussion documents, strategic plans, reports, and government legislation, as well as academics” and researchers” observations of government, four significant strategic themes became apparent in the conduct of South Africa’s external relations since 1994. The chapter then examined these themes in turn, providing context. In keeping with Chapter 1”s model, this framework of South Africa’s specific foreign policy declarations was used throughout the study as a benchmark against which to critically assess South Africa’s voting actions on these issues at the UN.

Chapter 3 set out to investigate the context behind South Africa’s reputation going from that in 1994 – of a country wholly committed to human rights and democracy promotion around the world, to having a tarnished human rights status in 2007. The chapter began with an historical description of the human rights environment at the UN. This was followed by South Africa’s place within that setting prior to and since 1994. Using the Republic’s declaratory human rights foreign policy, established in Chapter 2, the third chapter elaborated upon these in the UN context before recording South Africa’s actual voting actions on human rights and democracy issues at the UN between 1994 and 2008. The votes were split into two areas of
focus: country-specific human rights situations and thematic human rights issues respectively. The UNGA"s Third committee, the UNCHR/HRC and the UNSC were used to source the votes. During this step the votes were also assessed as inconsistent, partly consistent or consistent with South Africa"s foreign policy on the content of the UN resolutions. This was followed by an analysis of explanations for the Republic"s voting behaviour. Below is a summary of South Africa"s recorded votes on particular sub-themes under human rights (see Figure 2).

![Figure 2. South Africa's UN votes between 1994 and 2008 on human rights issues (in clustered sub-themes).](image)

The conclusion of Chapter 3"s investigations was that South Africa"s voting behaviour on human rights at the UN between 1994 and 2008 was mixed. South Africa had consistently voted in favour of thematic human rights resolutions, including those protecting civil, political, economic, social and cultural rights, and also the right to development and the promotion of democracy. However, it had in the 14 year period failed, at times, to use its public UN vote to take a stance against human rights abuses in Cuba, China, Belarus, Indonesia, Iran, Libya, Uzbekistan, Myanmar, Sudan and Zimbabwe. It should be stated that this failure did not apply to South Africa"s consistent votes against Israel"s human rights violations.
Three main considerations became apparent in Chapter 3. The primary consideration was South Africa’s failure to indicate to the domestic public and the international community its strategic move away from prioritising human rights, espoused in 1994, to the overriding importance of other competing interests. Such interests included massaging old friendships – with Cuba for example. This lack of disclosure of its foreign policy priorities resulted, in 2007, in public confusion and in some cases open hostility towards South Africa’s „uncaring“, inconsistent attitude over human rights abuses. Secondly, respect for state sovereignty and solidarity proved to be the drawcard explanation for South Africa in its hesitation to name and shame any potential Global South partner’s involvement in human rights abuses, even within the UN body essentially established for this purpose – the UNCHR/HRC.

A third consideration was the Republic’s desire to forge its own identity within the UNGA and later the UNSC. South Africa’s attempts, under President Mandela, to single out Nigeria’s human rights violations were met with resistance in Africa. This along with other reasons prompted the evolution of a South Africa unwilling to be perceived as an extension of the West, especially prominent in South Africa’s UNSC role in 2007 and 2008.

The aim of Chapter 4 was to explore one of the DFA’s most comprehensive commitments: the fields of disarmament and non-proliferation. During the 14 years under review South Africa’s strong moral authority in respect of non-proliferation and its rhetoric against anti-personnel landmines and small arms proliferation met with a few hurdles (notably its involvement in arms sales to war-torn countries) affecting the Republic’s distinguished reputation in the field. Using Chapter 1’s model, South Africa’s voting behaviour on disarmament and non-proliferation issues at the UN was explored. The UNGA’s First Committee, the IAEA’s annual report to the UNGA plenary, and the UNSC were considered. The chapter found that for the most part the Republic’s foreign policy declarations on this theme were consistently adhered to in its voting behaviour.

Figure 3 below demonstrates how South Africa’s votes on specific disarmament areas were taken.
Three issues surfaced as prominent in Chapter 4. Firstly, since 1994 the DFA had encouraged its delegates to become actively involved in UN-based nuclear diplomacy forums, among others. This helped to cement South Africa’s reputation as a moral authority and technical nuclear expert and created a platform for South Africa at the UN’s First Committee. Secondly, South Africa took its reputation very seriously as was evident in its consistent and careful studying of the wording of each disarmament resolution in its path. Moreover, the Republic was firm to insist on the undisputed authority of the IAEA as the sole verification instrument internationally in an attempt to neutralise somewhat the nuclear power politics played out in the UNSC.

The third issue was South Africa’s steady conviction that all states be allowed to use nuclear technology for civilian purposes. This conviction lost some focus, however, when the Republic became drawn in on the muddied waters of interpretation of Iran’s real intentions in its pursuit of nuclear technology since 2003. Anti-personnel landmines (see section 4.4.2) and small arms proliferation (see section 4.2.) became avenues of particular concern to South African delegations over the 14 years.
The aim behind Chapter 5 was to examine South Africa’s voting behaviour at the UN, between 1994 and 2008, in relation to its efforts to consolidate the African Agenda within the context of North-South relations. The Republic had emerged in 1994 as the “new kid on the block” in Africa in terms of being welcomed as a democratic member of the continent for the first time. South Africa had to find its place both within Africa and the UN. By 1999 South Africa’s President spearheaded a new initiative to improve Africa’s situation in the world. Five years later it became a priority for the DFA to create a prominent position for South Africa within the hierarchy of the Global South. However, South Africa’s foreign policy decisions have not always been popular with the rest of Africa or with other members of the Global South. The chapter recorded South Africa’s votes in the UNGA’s Second Committee, Fourth Committee, plenary, and also the UNSC in an attempt to assess South Africa’s actual commitment to defending Africa’s and the Global South’s interests at the UN.

As with the previous two chapters, three main areas in South Africa’s voting behaviour were noticeable in Chapter 5. Firstly, from 1999 onwards, during Mbeki’s first term, South Africa began nurturing its African identity at the UN with great zeal. This identity was visible in the Republic’s efforts to promote Africa’s interests during its presidencies of the UNSC in March 2007 and April 2008. Secondly South Africa repeatedly relayed to the world community, through its delegation’s speeches and sponsoring of resolutions on the subject, that the twin challenges facing the African continent were underdevelopment and poverty. Articulating Africa’s concerns became part of a greater South African effort to embolden the Global South’s cause for a more equitable international system.

South Africa consistently voted in favour of resolutions aimed at the upliftment of Africa (see Figure 4 below).
Chapter 6 aimed to delve into South Africa’s UN reform agenda and to record related votes on this subject. A recurring DFA declaration, since 1994, called for the restructuring of the UNSC to reflect the realities of a post-Cold War era. The UNGA’s Fifth and Sixth Committees and its plenary sessions hosted the resolutions related to issues of UN reform and the promotion of equitable global governance. UNSC reform, although reasonable, is only one section of an otherwise vast initiative to improve, restructure and upgrade the UN organisation’s overall workings. South Africa has since 1994 demonstrated a full commitment to: UNSC reform; the improvement of the UN’s finances and the distribution of benefits from the UN’s budget; transparency in the Secretariat, and improved UN inspection and oversight mechanisms. Figure 5 below demonstrates South Africa’s determination to reform the UN by consistently voting in favour of change.
Throughout the chapter on UN reform, issues over consensus, ping-pong politics, and South Africa’s desire to become a permanent member of the UNSC were recurring points. Four additional significant issues featured in South Africa’s reform lobby over the years. Essentially the UN was the only organisation reflecting a truly global membership and this together with a post-Cold War environment inspired a new responsibility for the organisation to reflect a new era of global representation in the UNSC. Secondly, South Africa consistently expressed its dismay over the US’s lack of payment of its dues to the UN. Powerful states in the UN had under the scale of assessments method of payment a greater share of the bill to foot, and without this payment, or with a delay in full payment, many UN operations, especially those in Africa, were undermined. Thirdly, attempting to chip away at the seemingly immovable structure of the UNSC did not deter South Africa from simultaneously making its voice heard in smaller avenues of reform, including mandate review, the development account, revitalisation of the UNGA, and renewal and strengthening of the Secretariat. Although important, these three areas would pale in comparison to South Africa’s efforts to achieve its ultimate goal of becoming Africa’s permanent representative on a reformed UNSC.
Having discussed above the chapters' key findings, it is now necessary to identify how consistent South Africa's foreign conduct has been at the UN.

7.2.1. Consistency ratings

In this study similar resolutions were grouped together in sub-themes, or clusters, in order to provide more manageable assessment. In total 87 clusters of votes – 24 on human rights, 34 on disarmament, 8 on Africa's interests, and 21 on UN reform – were used to assess whether or not South Africa's UN votes were inconsistent, partly consistent, or consistent with the Republic's declared foreign policy on the four themes identified in Chapter 2. Table 7 (below) provides a summary of the Republic's consistency rating over the four themes expressed as averages.

<table>
<thead>
<tr>
<th></th>
<th>Human rights</th>
<th>Disarmament</th>
<th>Africa's interests</th>
<th>UN reform</th>
<th>Overall av.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inconsistent</td>
<td>4</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>3%</td>
</tr>
<tr>
<td>Partly consistent</td>
<td>33</td>
<td>9</td>
<td>12.5</td>
<td>0</td>
<td>14%</td>
</tr>
<tr>
<td>Consistent</td>
<td>63</td>
<td>82</td>
<td>87.5</td>
<td>100</td>
<td>83%</td>
</tr>
</tbody>
</table>

Essentially the Republic has demonstrated, in all resolutions pertaining to human rights in the UNGA, a 4 per cent inconsistency with its declared human rights foreign policy. The 4 per cent, reflected in the graph, seems particularly insignificant when placed against the 33 per cent partly consistent and 63 per cent consistent ratings South Africa received under thematic human right issues. However, the 4 per cent is important when considering that it reflects South Africa's negative votes for resolutions that favour human rights promotion in specific countries where human rights are severely lacking or non-existent.

What is most apparent is South Africa's fully consistent rating related to its votes on resolutions attempting to reform the UN since 1994. Each vote taken has reflected an earnest desire to restructure the organisation and is in direct harmony with South Africa's stated goals on the subject. What prevents South Africa from receiving a 100
per cent consistency finding for issues pertaining to the promotion of Africa”s interests and those of the Global South, is its lack of explanation behind failing to favour a resolution that would recognise the role sustainable agricultural technologies could play in alleviating poverty (see section 5.3.1.2).

South Africa”s votes on disarmament issues were also mostly consistent with its declared foreign policy on this theme. The Republic”s combined 18 per cent partly consistent – inconsistency rating is based on South Africa”s inconsistent voting patterns over: NPT-related issues and the risk of nuclear proliferation in the Middle East; resolutions concerning anti-personnel landmines; resolutions on conventional disarmament at a regional level; compliance with non-proliferation, arms limitation and disarmament agreements, and the role of science and technology in international security.

It is interesting to note in Figure 2 that South Africa was mostly consistent on issues of UN reform, followed by the promotion of Africa”s interests, then disarmament issues and lastly human rights. It may be incidental but it could be said that South Africa’s foreign policy evolved from one unsure how to deal with human rights issues at the UN, to one rooted firmly in nurturing solidarity with its Southern partners in Africa and the rest of the world. This reflects a young democracy finding its way in the multilateral organisation and attempting to balance external expectations of the Republic with its foreign policy priorities.

Taking the consistency assessments into consideration as well as the main issues surfacing within each chapter, the first key insight of the study is that to a great extent South Africa did have a rationale behind its voting behaviour at the UN between 1994 and 2008. In most respects there was congruity between South Africa”s declared foreign policy and its UN voting behaviour. It may have stumbled at times and sidelined certain principles, human rights promotion in specific countries most especially, but overall such a young democratic country demonstrated a fair commitment to its declared principles in its voting behaviour.

Another finding was the Republic”s penchant for using consensus decision-making strategies at the UN (especially in areas relating to UN reform). As indicated in
Chapter 1, delegates may make use of various strategies in their attempt to influence decisions within the UN. Apart from pushing for consensus South Africa has also used the ping-pong strategy of procedural manipulation over both human rights and nuclear issues.

What is slightly disappointing is the Republic”s inability to rise above power politics and consider each vote on its merits. This is especially so considering that South Africa”s First Committee delegate stated that all resolutions were judged on merit and not on their origins (see section 4.3) (emphasis added). However, while this may have been the case in many disarmament resolutions, this was perhaps less evident in South Africa”s response to: US-sponsored resolutions (see sections 3.3.2.1., 3.3.2.2. and 6.4.2), or P5-sponsored resolutions (see section 4.2.4.), or UK-sponsored resolutions on Zimbabwe (see section 3.3.2.1.) in which South Africa often questioned the motives of the resolutions” sponsors and not always the content of the resolutions.

Also apparent was South Africa”s sponsorship or introduction of resolutions on behalf of NAM, the G-77 and China, or the African Group. Naturally these stances were most visible in Chapter 5”s recorded votes on Africa and the South (although Chapter 3”s resolutions on the right to development – see section 3.3.1.2., also confirmed South Africa”s affiliation with NAM and the African Group). South Africa was keen over the years to demonstrate its position within these groups, as an important, hardworking and passionate member and most importantly as a dependable representative of each group”s interests. A particular example in Chapter 6 of Ambassador Kumalo”s defence of the G-77 over its position on a reform initiative stands out. The Republic also used its 2007-2008 UNSC term to promote Africa. However, South Africa has, at times, demonstrated an independent will, outside of its loyalties to “Southern” institutions. South Africa disagreed with Ghana over Myanmar”s vote in the UNSC in 2007. It also fell out of favour within the G-77 for taking the lead (along with China, India and Brazil) in negotiations with the US at Copenhagen in 2009, and for filling the only African spot on the G-20. What is evident is that South Africa wants to be a „big player” in Africa and the Global South. More ambitiously, South Africa wants to be chosen to speak for Africa in the UN.
7.3. Contribution to the field of study

The contribution of this study lies at two levels. The first contribution relates to the recorded data specifically. The study is a record of 1,197 South African votes at the UN over a 14 year period since 1994 (see Appendix) and is the first of its kind. It has organised South Africa’s voting information including related UN resolutions. These votes and resolutions are then systematically examined in relation to particular themes: human rights, disarmament and non-proliferation, Africa and UN reform. The study offers behind-the-scenes data related to the relatively few controversial voting stances taken by the country at the UN.

In addition to the votes and resolutions, 96 speeches made by South Africa’s PMUN delegates were recorded, along with 120 UN documents or reports associated with the related themes. Moreover, it places within one document, ready-to-hand, empirical evidence that South Africa has not only played its part at the UN, between 1994 and 2008, as one of the most committed delegations present for its votes, but also provides a base, with its model of voting behaviour, to compare in a three-step investigation, a number of countries’ voting behaviours at the UN.

The second contribution lies in the development of the model of voting behaviour used in this study. The model was developed for this study in part because of the lack of any useable theory or model related specifically to investigating a state’s voting behaviour at the UN (and all that it entails). It also enabled the researcher to manage the UN data and the voting process itself in a more efficient way. Additionally, the model provided direction for the study and as such is a potentially useful tool for future application in the field of UN voting.

Built into the voting behaviour model is a way of assessing the consistency of a state’s foreign policy. This involves a “consistency” table which assesses the link between a state’s foreign policy declarations and its UN voting actions. It does so by providing the UN voting information, the actual vote and explanations for the vote in a single, visual and useful table.
7.4. Areas for further research

Admittedly this study was unable to explore each of the 1,197 resolutions and related South African votes in depth. Moreover only adopted resolutions were considered due to space constraints and therefore the UN decisions taken by Member States for each committee were excluded. It might prove interesting to follow the trail of one resolution (or decision) at the UN or one cluster of resolutions (or decisions) as opposed to the 87 in this study. This would potentially allow for a deeper investigation, and involve a smaller amount of voting data, into how a state takes the process from a foreign policy declaration, to a voting action on the declaration, and to the outcome at the UN.

As mentioned previously this study is the first to make use of a model of voting behaviour to record South Africa’s UN votes. As such the model will need refining for more general application. By modifying the content of the model's steps or the questions guiding each step, the model could be replicated in investigating any state's voting behaviour within the UN, or any other IGO, as long as the state is a recognised member of that multilateral forum and its data is available. Using the model of voting behaviour to compare South Africa’s UN voting actions to those of its IBSA or other IGO-partners may offer valuable insight into how compatible their foreign policies are.

Without suggesting that history is destiny, past votes can in certain cases offer a base from which to make cautious judgements of future votes on similar issues at the UN. In South Africa’s case, where a change of political party in power is unlikely in the near future, the pattern of UN voting behaviour built up over 14 years could point to more predictable UN voting behaviour in the near future.

A table was used throughout the study to reflect South Africa's foreign policy conduct at the UN in terms of consistency. The consistency tables offered a very visual way of assessing congruity by using voting data. As with the voting behaviour model, the consistency table could also be modified for future application as this study only allowed for three categories: inconsistent, partly consistent and consistent.
Given that this study was focused on the period between 1994 and 2008, it did not incorporate South Africa’s second term on the UNSC from 2011-2012. An in-depth comparative study of South Africa’s two terms on the Council may be useful in determining what lessons the Republic may have learnt from its first term or indeed what successes it may have transferred to its second term.

A further area of interest would be an examination of the role played by NGOs in South Africa’s UN votes. This study already touched on such a scenario with the SACBL helping to influence South Africa’s position on landmines (see section 4.4.2).
### APPENDIX

South Africa’s UN votes in summary and by theme (1994-2008)

<table>
<thead>
<tr>
<th>Yes</th>
<th>Awav</th>
<th>No</th>
<th>Abstain</th>
</tr>
</thead>
</table>

#### HUMAN RIGHTS AND DEMOCRACY

**Country-specific human rights situations**

<table>
<thead>
<tr>
<th>(UNGA)</th>
<th>32</th>
<th>13</th>
<th>11</th>
<th>24</th>
</tr>
</thead>
<tbody>
<tr>
<td>(UNCHR/HRC)</td>
<td>38</td>
<td>12</td>
<td>9</td>
<td>15</td>
</tr>
</tbody>
</table>

**UNSC: country-specific situations**

| 33 |  | 1 |

#### Civil and political rights

| 71 | 3 | 7 |

#### Economic, social and cultural rights

| 75 | 1 | 1 |

**Development, self-determination, peace and a protected environment**

| 90 | 4 | 1 | 2 |

**Promotion of democracy and its consolidation the world over**

| 73 | 1 | 4 |

#### DISARMAMENT AND NON-PROLIFERATION

**Nuclear disarmament and non-proliferation issues**

| 112 |  | 20 |

**Biological and chemical weapons**

| 5 |  |

**Conventional weapons issues**

| 35 | 1 | 1 |

**Regional disarmament and security**

| 44 |  | 1 |
## Related disarmament measures and international security

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>Awav</th>
<th>No</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>32</td>
<td></td>
<td></td>
<td>15</td>
</tr>
</tbody>
</table>

### Outer space

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
</tr>
</tbody>
</table>

### Institutional aspects of disarmament

<table>
<thead>
<tr>
<th></th>
<th>17</th>
<th>2</th>
<th>1</th>
</tr>
</thead>
</table>

### UNSC: disarmament votes

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
</tr>
</tbody>
</table>

## ADVANCING AFRICAN INTERESTS

### South Africa’s African Agenda

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
</tr>
</tbody>
</table>

### UNGA Second Committee Votes

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
</tr>
</tbody>
</table>

### UNGA Fourth Committee Votes

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>75</td>
</tr>
</tbody>
</table>

### UNGA Plenary Votes (Africa)

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
</tr>
</tbody>
</table>

### UNSC: votes on Africa

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>66</td>
</tr>
</tbody>
</table>

## UN REFORM

### UN financing and budgeting

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

### UN governance reform and oversight

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>59</td>
</tr>
</tbody>
</table>

### UNGA Sixth Committee Votes

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

### UNGA Plenary votes (reform)

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

### UN resolutions on the BWIs

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
</tr>
</tbody>
</table>

### Column totals:

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>866</td>
</tr>
</tbody>
</table>

### Total:

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1,197</td>
</tr>
</tbody>
</table>
BIBLIOGRAPHY

Books, journal articles, internet sources and official documents


South Africa’s Foreign Policy. Foundation for Global Dialogue: Braamfontein, and Centre for Policy Studies: Doornfontein.


Asmal, K., 2002. “Comments made at the National Assembly reading of the National Conventional Arms Control Bill”. Internet: http://www.defense-aerospace.com/article-


Department of Foreign Affairs (DFA), 2010. “Iran (Islamic Republic of)”. Department of Foreign Affairs.


Department of Trade and Industry (DTI), 2009. “South African Council for the non-proliferation of weapons of mass destruction”. South Africa, Department of Trade and


Redirecting South Africa’s Foreign Policy. Foundation for Global Dialogue: Braamfontein, and Centre for Policy Studies: Doornfontein.


Century (Research Institute for the Study of Conflict & Terrorism). Dartmouth Publishing Company: Brookfield, VT.


Kumalo, D.S., 2006b. “Statement by D.S. Kumalo, Ambassador for South Africa at the United Nations, on behalf of the Group of 77 and China to the UN on agenda item 65: comprehensive implementation and follow-up to the Durban Declaration and Programme of


Shelton, G., 2000. “South Africa and the Nuclear Non-Proliferation Treaty: Bridging the North-South Divide on Nuclear Weapons”. Nuclear Seminar on Disarmament and Non-
Proliferation: The Role of the Nuclear Non-Proliferation Treaty. 29 March 2000, Jan Smuts House: Wits University, Johannesburg.


The Presidency, 2003. „Guardian” Lecture of the President of South Africa; Thabo Mbeki: Nigerian Institute of International Affairs; Lagos, 4 December 2003”. Internet:


United Nations (UN) Press Release, 1999b. “Assembly adopts text on Bosnia and Herzegovina, takes up Security Council Reform, 16 December 1999 (GA/9688)”. Internet:


**Newspapers, news magazines and online news sources**


Business Day, 10 July 2009. “UN has what it takes to lead on global economic reform”. p.11.


UN speeches
(The speeches below can be accessed in the search engine of the following web address: http://unbisnet.un.org:8080/ipac20/ipac.jsp?profile=speech&menu=search#focus)


UN documentation
(The UN official documents below can be accessed in the search engine of the following web address: http://www.un.org/en/documents/)

Chapter 2


Chapter 3


S/PV.5638: 14 March 2007. “Situation in the Middle East, including the Palestinian question”. UNSC 62nd year, 5638th meeting, New York.


Chapter 4


CD/1299: 24 March 1995. “Report of Ambassador Gerald E. Shannon of Canada on consultations on the most appropriate arrangement to negotiate a treaty banning the production of fissile material for nuclear
weapons or other nuclear explosive devices”. United Nations Office at Geneva (UNOG).

CD/1547: 11 August 1998. “Decision on the establishment of an ad hoc committee under item 1 of the agenda entitled „Cessation of the Nuclear Arms Race and Nuclear Disarmament‟”. UNOG.


SC/1737: 27 December 2006. “Resolution on measures against the Islamic Republic of Iran in connection with its enrichment-related and reprocessing activities, including research and development, 23 December 2006”. UNSC, 5612th meeting, New York.


Chapter 5


Chapter 6


