

Paper presented at the Conference on
“EU and the Emerging Powers”

Brussels, 29 – 30 April 2013

**Strategic partners or tactical opponents? Uncovering the patterns of co-operation
between the EU and South Africa in the international climate change regime**

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Abstract: With the ‘upgrading’ of the relations between the European Union and the Republic of South Africa into a Strategic Partnership in 2007, environmental co-operation and climate change were identified as the most relevant areas of co-operation to be developed. Both parties agreed to establish a high-level Energy Dialogue Forum and several working groups in order to exchange know-how and secure funding. The opposing positions of South Africa and the EU in the last rounds of international climate change negotiations however seem to contradict the strength of the strategic partnership. The paper examines these differences by firstly exploring the development of the post-apartheid South Africa climate change policy since 1994 in relationship to the country’s increasing role in international relations. In a second step, it traces the patterns of co-operation between the EU and South Africa in the same period and seeks to explain to what extent the strategic partnership has influenced the co-operation of the EU and South Africa in matter of climate change.

Keywords: Climate change policy, South Africa, European Union, co-operation patterns, strategic partnership

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† The author would like to thank Ina Baum for her research assistance.

Introduction

With the advent of the new millennium, the EU has increasingly sought to strengthen its self-proclaimed role as a leader in international climate diplomacy by offering itself as a benevolent partner for the Global South. As the world's biggest provider of official development assistance, the EU is also the largest contributor of 'climate finance' to developing countries and sees itself as "leading by example" (European Commission 2012).¹ Back in 2005, the European Commission called for a stronger cooperation with third parties in its 2005 Communication *Winning the Battle Against Climate Change*. Parallel to this call, the EU had started to enter into so-called strategic partnerships with both developed and developing countries and climate change has – albeit to a varying degree – been pointed out as important field of co-operation. Despite the criticism towards this rather ill-defined form of relationship, expectations were that increased co-operation and the demonstrated interest of the respective partnering parties would be favourable for the EU's diplomacy in climate change negotiations. But the failed Copenhagen Climate Summits in 2009 and the ever-looming stalemate in UN climate talks have called the EU's role into question and left the Union puzzled about the rationale of its alleged 'followership'.

This paper addresses the 'black box followership' for the EU's relations with the Republic of South Africa. South Africa is one of the countries ranked as key strategic partner due to its bridge building potential not only to the African continent but also to the Global South. The new democratic Republic has gone through substantial transformations after the end of the apartheid regime in 1994, and while there seems to be a good knowledge about the country's international role, little is known about domestic policy developments. This is particularly true for climate change policy and the paper argues that respective developments could help to explain the varying relationship with the EU in the two post-apartheid decades.

This paper is by nature explorative. It asks how South African climate change policy has developed and how respective developments relate to patterns of co-operation with the EU in the international climate change regime. Consequently, the paper is divided into two parts: The proceeding part first scrutinizes developments of climate change policy on a domestic

¹ The Lisbon Treaty stipulates environment as an area of shared competence between the Member States and the Union. Member States exclusively determine the "European position" represented in international climate policy negotiations.

level, followed by an account of developments in the international context. The third part of the paper then turns to the co-operation with the EU on a bilateral level and in international forums on climate change. The paper finds that co-operation patterns are determined by a history-present and international-domestic dilemma that determines a more nuanced picture of the role of South Africa in climate change than usually painted.

South Africa's post-apartheid climate change policy development

Developments in domestic context

South Africa's domestic climate change policy is shaped by what can be called a climate change-energy nexus that was equally relevant in the country's history as it is for its present: on the one hand, its economy is both 'energy-intensive' and 'carbon-intensive' (Rowlands 1996) – over two-thirds of the country's energy supply derives from coal that already guaranteed the availability of cheap energy in the past and therefore attracted energy-intensive industries. 93 per cent of electricity production is provided by coal-fired power stations (Winkler 2007: 27). Coal is South Africa's third-largest mineral export and a high percentage – close to 80 per cent – of GHG emission is produced by the energy sector. On the other hand, as expressed by then Minister of minerals and energy – today Minister for Water and Environmental Affairs – Buyelwa Sonjica (2009), the emission-intensive mining and energy sectors continues to form “a key platform for economic growth and development in the country” and the respective domestic lobby groups are influential (Husar 2010: 98).

The first decade of the post-apartheid era

For the first decade of the new Republic, the 1996 Constitution and the National Environmental Management Act (NEMA) of 1998 constitute the two most vital environmental legislative measures at the national level (van der Linde 2006: 5).² During the apartheid era, civil society had been largely excluded from a technocratically driven environmental policy-making process. With the commencing democratization process, the South African environmental policy discourse started to change towards an integrative and sustainable socio-economic development. The environmental policy agenda leading up to the 1994 elections and to the new Constitution therefore included citizens' rights and socio-

² For a most detailed study on the South African Environmental Legislation until 2009 see Van der Linde (2010).

economic issues for the first time (Rossouw and Wiseman 2004: 133). It determined the protection of the environment as a human right and as a constitutional duty provided “through reasonable legislative and other measures” (Chapter 2, Section 24). But despite the wide-ranging integration, economic growth and reconciliation clearly dominated the Republic’s first five years of the post-apartheid era and limited attention was paid to climate change policy. Given the apartheid history, what should not go unnoticed is that the rationale of environmental policy being perceived as tool for racial based oppression by large parts of the population (Rossouw and Wiseman 2010, cf. Dovers et al. 2002) and thus receiving little attention.

The Government of National Unity nevertheless recognised that climate change would become an important issue for South Africa and thus established the National Committee for Climate Change (NCCC) in 1994. It was set up as a forum for state and non-state actors to coordinate climate change issues with relevant departments and institutions and the broad range of stakeholder interests brought to the NCCC is a major strength. But while the NCCC thus allowed for a broad inclusion of civil society actors, at the same time, the two biggest national energy producers – SASOL South Africa and ESKOM – were also members to the Committee (Atteridge 2011). In a recent study (Never 2010: 28f.), experts ranked Eskom among the most influential actors in South Africa’s climate governance as the company not only provides knowledge and expertise but also finance to support their interests and bargaining capacity (Masters 2009: 10). Given the fact that the two companies together contribute almost 75 per cent of the country’s emission it comes at no surprise that until well into the new millennium, the NCCC was not considered as effective forum but has gained a better reputation since (Koch 2006: 1334).

Regarding the policy implementation stage, the enactment of the 1998 National Environmental Management Act (NEMA) set the starting point by providing both principles for sustainable development and cooperative governance structures. It created a legal framework to concretize the guarantee of environmental rights in section 24 of the Constitution and determined the fundamental principles for environmental decision-making. It particularly emphasized the prevention and control of pollution and aimed at granting a safe

environment to all citizens as a general duty of the State.³ It however proved problematic that the “institutional framework for environmental policy in South Africa was not clearly defined and... a wide range of government departments at national and other levels have overlapping mandates and interests” (Rossouw and Wiseman 2004: 132). But with hosting the World Summit on Sustainable Development in Johannesburg in 2002, climate change rose to the political agenda and led to South Africa acceding to the Kyoto Protocol in July 2002. This was followed by a detailed Country Study on Climate Change that admitted that South Africa was not only a potential victim of negative impacts of climate change but that the country was a significant emitter to greenhouse gas.

For the first decade of the new democratic South Africa, Rossouw and Wiseman (2004: 131) conclude that “the shift from the centralised, technocratic approach of the apartheid era is not yet complete”. They see the lack of a structural implementation logic as key weakness of the environmental policy process (ibid.: 138), however, “[t]he environment has staked an important position on the national political agenda” (ibid.: 139).

Developments since 2004

Between 2004 and 2008, a changing domestic attitude towards climate change can be observed that parallels South Africa’s increasing level of activity in international forums (Never 2009: 21). A number of climate-policy initiatives were created under President Mbeki in his second term in office albeit implementation has been critical (Husar 2010: 102).

The National Climate Change Response Strategy in 2004 was developed on the basis of the Initial National Communication to the UNFCCC Secretariat. The then Ministry of Environmental Affairs and Tourism (DEAT) had found that “[o]fficials in other departments, in all spheres of government, often don’t perceive climate change as a priority and some even consider it to be working against national development priorities” (DEAT 2004: 10). The Strategy therefore called for a joint approach for developing an effective climate change programme that would support the country’s position in international negotiations. Paradoxically, it also advocated the “relocation of energy intensive industries from annex1 to non-annex 1 countries” (Masters 2009: 8) and thus rather undermined South Africa’s position.

³ The NEMA established the National Environmental Advisory Forum as a part of an institutional structure. The Forum informs and advises the Minister on “any matter concerning environmental management and governance” (Chapter 2, Part 1, Art. 3 (i)). Members of the Forum are however appointed by the Minister.

In hindsight, Government argues that “in compiling and finalizing the INC it became clear that South Africa was not only a potentially significant victim of the negative impacts of climate change, but was also a significant contributor to greenhouse gases” (DEAT 2012). Therefore, climate change was emphasized further as policy issue at the first national climate conference “Climate Action Now” in Midrand in October 2005 with over 600 representatives from government, business and civil society attending. A detailed study on the Conference however suggests that the so-called Midrand Plan of Action “is likely to have been pushed through ... by one or two individuals and ... climate change remains unimportant to the party” (Hallding et al. 2011: 50). And while observer criticised the ANC for being direct linked financially to the Medupi power station and saw tension between the party’s interests and its climate change policy, the Midrand Plan of Action initiated a working process that led the Long-Term Mitigation Strategy (LTMS) in 2008 as the basis for the 2010 National Climate Change Response Green Paper and the 2011 National Climate Change Response White Paper.

The Long-Term Mitigation Strategy (LTMS) is considered the most important development in the Republic’s climate change governance (Never 2010: 21). It is based on the Long-Term Mitigation Scenarios that outline two major options – “growth without constraints” and “required by science”. Aimed at closing the gap between the two scenarios, the LTMS followed a ‘peak, plateau and decline’ trajectory.⁴ South Africa’s competitive advantage was seen "in becoming the world’s leader in climate-friendly technology" and by "stepping up to make a fair and meaningful contribution to solving the challenge of global climate change". (Winkler 2011: 207.) South Africa’s position in the UNFCCC negotiations were supported by expecting "developed countries to respond with leadership, taking on legally-binding, absolute reductions" (ibid.: p. 6).

The LTMS process was paralleled by the ANC’s 2007 declaration on climate change that has arguably raised awareness for the need of a sound national climate change policy (Never 2012: 240). This has however neither resulted in substantial plans for the reduction of GHG emissions nor in commitments for the South African industrial sector (Masters 2009: 8). And while substantial power shortages in early 2008 equally brought the need to reduce the

⁴ Carbon pricing was found to be the most effective strategy overall. National Treasury supported a carbon tax while business and industry supported a trading scheme.

country's fossil fuel dependency to the fore, discussions rather focused on short-term economic implications (ibid.: 7)

Major institutional reforms took place when Jacob Zuma took over the Presidency in 2009. The former Department of Environmental Affairs and Tourism and the Department of Water Affairs and Forestry were merged into the Ministry of Water and Environmental Affairs. The current Ministry is divided into the Department of Environmental Affairs and the Department of Water Affairs. This was seen as an intention to move on from the minerals–energy complex (Tyler 2010: 585) but a recent study on “Climate Policy Coherence and Institutional Coordination“ in South Africa concludes that the Ministry need to strengthen its capacities to more effectively respond to and manage the complex climate change policy processes both domestically and internationally (Goldblatt and Middleton 2007: iii).

It took another Climate Change Summit in March 2009 and the COP 15 in Copenhagen until Pretoria came up with the National Climate Change Response Green Paper on South Africa's national climate policy in November 2010. Albeit celebrated as important step towards a “climate-friendly” South Africa, the Green Paper finds that “... although climate change provides a changing context and new challenges to the way, for example, government does its work, the basic work remains the same and, hence, government's roles and responsibilities remain the same” (Chapter 6, p. 29). Nevertheless, while previous documents focused on mitigation this document differentiates between mitigation and adaptation.

Followed by a year of public discussion, stakeholder workshops and formal engagement with the National Economic Development and Labour Council (NEDLAC) the Green Paper was turned into the National Climate Change Response White Paper in October 2011.⁵ It outlines a risk-based process approach to adaptation by identifying short and medium-term processes. Pretoria also acknowledges the importance to diversify its energy mix, however, its focus remains on hydrocarbons.

In addition, another three aspects remain problematic: First, most parliamentarians seem to show little engagement on climate issues despite numerous briefing and discussion rounds (Atteridge 2011: 3). Second, business and industry continue to oppose a more active position

⁵ The White Paper was published as legislation in January 2012.

on climate change (Masters 2009: 9). In 1997, they called for no “first world choices” to be made, in 2009 the Energy Reality Group stated that “[m]itigation costs are high, and the threats that climate change poses are too uncertain to justify diverting significant resources from development“ (p. 2). Thirdly, there still exists a „disconnection between awareness of climate change and action on the issue“ (Carbon Disclosure Project 2011). Nevertheless, inter-departmental co-ordinating structures for climate policy on the national level have become increasingly strong with the Presidency and the National Treasury as key coordinating structures of government that have recognized the need for a sound climate change policy.

Table 1: Overview of relevant documents and institutional developments for the South African climate change policy

| Year | Document | Institutional Development |
|-------------|--|--|
| 1994 | | Initiation of National Committee for Climate Change |
| 1996 | Constitution of the Republic of South Africa | |
| 1998 | National Environmental Management Act | |
| 2003 | White Paper on Renewable Energy | |
| 2004 | Climate Change Response Strategy | |
| 2007 | ANC Declaration on Climate Change | |
| 2008 | Long-Term Mitigation Scenarios | |
| 2009 | | Department for Environment Affairs and Tourism restructured: Department of Environmental Affairs (DEA) becomes part of the Ministry of Water and Environmental Affairs |
| 2010 | Green Paper on RSA climate policy | |

Source: compiled by author

Development in international context

From the very beginning, post-apartheid South Africa sought to reposition itself internationally albeit to varying degrees that are closely linked to the three Presidents since 1994, Nelson Mandela, Thabo Mbeki and, since 2009, Jacob Zuma.⁶ South Africa had already signed the UNFCCC in June 1993 while slowly being welcomed back into the international community. Initially, it was announced that Pretoria would ratify the FCCC by the end of 1994. But calls for a public debate – supported by the NGO Environmental Justice

⁶ South Africa is responsible for 39 per cent of the continent’s emissions, however, the paper will focus on the international context and explicitly refer to the regional and continental context where applicable.

Networking Forum – delayed the ratification until August 1997.⁷ As developing country, South Africa was listed in Non-Annex I and participated in the negotiations as member of the G77 and the African Group. From 1998 on, the Republic became increasingly active and formulated individual positions particularly on matters of compliance. Reports on the negotiations give an account of South Africa starting to function as bridge-builder from 2000 on, as appointed and elected representative for the African countries in the Consultative Group of Experts until 2002, the CDM Executive Board, the Adaptation Fund Board and the Enforcement Branch of the Compliance Committee. Pretoria had also ratified the Kyoto Protocol in July 2002 but does not have targets under the protocol as a developing country but instead, in line with the basic position of the G77, it rejects binding commitments to reduce CO₂ emissions. From this position, it also vocally emphasises the need for financial support for developing countries for adaptation measurements from 2004 on. India, for example, prioritises technology transfer (Masters 2009: 11). But for South Africa, and mirroring the domestic situation of climate protection ranking subordinate to the country's overarching goal of fighting poverty and socio-economic growth, financing future adaptation measures has become a key demand in international negotiations.

At the 2007 UNFCCC Bali conference, South Africa was responsible for the coordination of the Ad Hoc Working Group on further commitments for Annex 1 parties on behalf of the G77 plus China. It also acted as chief negotiator for the group on the Adaptation Fund and represented Africa on the Adaptation Fund Board (Masters 2007: 11). Criticising both the US position and the outcomes of the 2008 G8 Summit in Japan, South Africa has moved away from its bridge building position towards advocating developing countries' interests and aligning itself with other emerging economies in rejecting any binding commitments for developing countries.

By the time, the BRIC countries had become an important “peer-group” in international negotiations *per se*. With Mbeki being superseded by Jacob Zuma in 2009, expectations were high that South Africa would align itself closer to this group. But at the COP in Mexico in 2000, it became clear that the country's representatives and negotiators were

⁷ For a detailed study on „South Africa and the Global Climate Change“ between 1992 and 1995 see Rowland (1996).

... willing to take positions in UNFCCC negotiations that are not shared by its larger partners. Its approach to the issue of a legally binding outcome from the negotiations on Long Term Cooperative Action (LCA), for instance, was opposed by both China and India (Atteridge 2011: 4).

These developments were accompanied by a crucial change in staff: after the restructuring of the Ministry of Environmental Affairs and Tourism, former Minister van Schalkwyk was replaced by new Minister Sonjica – for her part former Minister for Minerals and Energy until – albeit Schalkwyk had functioned as prominent mediator in the 2007 Bali and 2008 Posen negotiations (cf. von Soest 2010: 118). For the 2009 negotiations in Copenhagen, South Africa had initially positioned itself as member of the African Group and participated in developing the Group's position on climate policy spelled out in the 2009 Nairobi Declaration. As part of this declaration, African countries demanded technological and financial support of industrialized countries. The position of the African Group was based on the Common Position stipulated by the Committee of the African Heads of States on Climate Change in October 2009 that requested two main elements: financial compensation for lost resources from developed countries and the principle of common but differentiated responsibilities. This position was the first consensus reached by the African Union on climate change and thus an important signal for an all-Africa position. This African Common Position however found an end in December 2009 after several conflicting actions and appeals.⁸ This was less influence by South African interventions, however, South Africa had surprised observers by insisting on no differentiation among developing countries in access to climate-change-related development funds already at the Bonn meeting that clearly differed from the common interest of the African Group (Hoste 2009: 3).

In addition, President Zuma offered an emissions reduction pledge in Copenhagen that foresaw a reduction of GH emissions by 34 per cent below usual projections by 2020 and 42 per cent by 2025, provided international financial support would be made available. Given the domestic constraints and that it reflected one of the most ambitious scenarios from the LTMS, this pledge was considered as overly ambitious at home (Atteridge 2011: 3). Considering that decisions on the country's negotiation positions are usually made by on a technical level by the bureaucracy rather than on a political level, this pledge was a clear exception to the rule:

⁸ For a detailed outline of this process see Hoste 2009.

“At Copenhagen, it was the President’s office that decided both to offer a pledge and the scale of that pledge. This, combined with South Africa’s overt efforts to show leadership, suggests that broader foreign policy objectives may be behind the country’s international climate diplomacy” (Hallding et al. 2011: 54).

On the last day of the Copenhagen negotiations, South Africa sided with its fellow members of the BASIC group (Brazil, South Africa, India, China) in drafting the so-called Copenhagen Accord that was criticized by several African states as “devoid of any sense of responsibility and morality“ (Black 2009). South Africa’s Minister of Environment Sonjica in turn found the result of the negotiations unacceptable with South Africa only deciding to stay in order to influence the process from within (Associated Press 2009). Critics argue that this position did however not keep South Africa from signing the Accord due to the country’s membership of the BASIC group and given the prominent status in the African delegation invited to China and South Korea in 2009, thus securing continued international investment to the Republic in the first place.

In the run-up to the COP 17 in Durban, South Africa tried to moderate high expectations towards an ambitious agreement. The host’s main concerns were the establishment of statutory guidelines for the regulation of CO₂ emissions on the one hand and the introduction of the Green Climate Fund on the other hand. But while Jacob Zuma hailed the so-called Durban Platform as a “coup for Africa”, environmental NGOs like Greenpeace strongly criticized the South African negotiation style and the lack of leadership on Zuma’s behalf. As no agreement could be reached in the time provided, Pretoria was held responsible for the prolongation of the negotiations. Some delegates found the mediation efforts of the host as being too slow (Hübner and Schuster 2012: 8). Even the South African negotiators Wills expressed disappointed and admonished, since in his opinion especially the exit clause could easily jeopardize future steps towards a definitive agreement. South African Minister of the Environment, Edna Molewa also acknowledged that the fact that South Africa, as well as the other members of the BASIC group, is itself one of the largest emitters of CO₂ worldwide has hampered the bargaining position of the country during the negotiations” (ibid.: 9).⁹

⁹ Edna Molewa replaced Buyelwa Sonjica from October 2010 on due to a restructuring of cabinet by President Zuma.

EU-South Africa co-operation patterns

Today, the EU accounts for about 30 per cent of South African export, while South Africa accounts for 1.5 per cent of the EU's external trade. Total trade between South Africa and the EU increased from US\$8.27 billion in 1994 to US\$45.8 billion in 2007, with South African exports totalling US\$22.24 billion (Republic of South Africa, 2010: 140). In 2009, the EU still ranked as the Republic's largest trading partner for both exports and imports, and accounting for around 80 per cent of the total FDI in 2006, it remains the principle source for FDI in the country (ibid.). The EU is also South Africa's largest donor and represents 70 per cent of overseas development assistance that will be continued under the new EDF framework 2008-2013.

In 2009, South Africa was the 12th biggest emitter of greenhouse gas (Energy Information Administration 2011) but as Husar (2010: 98) rightly argues, this ranking does not *per se* position the country as key negotiating party for international climate agreements. It is rather the perception of South Africa functioning as leader on its continent as well as in its wider region that signifies its importance in respective negotiations. For the bilateral relations with the EU, this perception is closely linked to the history of today's strategic partnership where both South Africa and the EU see a responsibility of the latter to contribute to the former's struggle to overcome historical inequality.

Bilateral co-operation efforts

The bilateral co-operation between Pretoria and Brussels is determined by an official bilateral trade agreement, on-going negotiations of an Economic Partnership Agreement (EPA) and a strategic partnership that all refer to the environment and climate change, albeit in a rather limited and differing way.

The *Trade, Development and Co-operation Agreement* (TDCA) forms the trade pillar and legal basis for the relations between Pretoria and Brussels. It entered into force on 1 May 2004. South Africa is a qualified member of the Cotonou Partnership Agreement between the EU and the African, Caribbean and Pacific (ACP) countries since June 2000 but is not a party to the Agreement's trade chapters since South Africa already signed the TDCA with the EU in 1999. This development resulted from Brussels not being willing to accept post-apartheid

South Africa to the ACP group of states that was covered by a preferential trade agreement under the Lomé trade regime. Therefore, negotiations for the bilateral trade agreement started in 1995 and turned out to put pressure on the relations between both parties as the new Republic had expected the EU to negotiate less restrictive and rather beneficial. Regarding the environment and climate change, the TDCA loosely commits to “improv[ing] the environment” as part of the chapter on economic co-operation (Title IV, Article 50). The protection of the environment is also mentioned as part of the Article on Energy (57) and Mining and Minerals (58). Title VI on “Co-operation in other areas” refers to Environment in Article 84: “The Parties will cooperate to pursue sustainable development through the rational use of non-renewable natural resources and the sustainable use of renewable natural resources, thus promoting protection of the environment, prevention of its deterioration and the control of pollution.”

Only half a year after the TDCA entering into force, the EU started negotiations with the ACP countries on a regional basis.¹⁰ In the SADC EPA negotiations, South Africa played a key role throughout the talks though Pretoria was initially given observer status due to not being a member of the ACP as it had already concluded the TDCA with the EU. After joining the negotiations in 2007 as an active party to the talks, it was expected that South Africa would act as “big brother” for the other members of the SADC EPA negotiation grouping. But Pretoria’s strategy in the negotiations ran contrary to the expectations and until today refuses to sign even the Interim Agreements.¹¹

Environmental provisions have been integrated in regional trade agreements in recent years, albeit to varying degrees and in different ways. In case of all the Interim EPAs, they contain narrow environmental provisions limited to exceptions clauses modelled on GATT Article XX to general obligations on trade liberalization (Chaytor 2009: 15). It is noteworthy that the TDCA between the EU and South Africa differs from this style as it contains a rather narrow set of environmental issues as part of broader co-operation clauses, “ranging from urban development and land use, to issues surrounding the reduction of greenhouse gas emissions”

¹⁰ For detailed studies of the entire EPA negotiation process see Lorenz 2012 and Lorenz-Carl, Hurt and Lee 2013.

¹¹ Four members of the group – Botswana, Lesotho, Swaziland and Mozambique – signed the Interim SADC EPA in November 2007 (Lorenz 2012). Namibia did not sign the iEPA together with the four countries mentioned but signed two weeks later, albeit under protest due to the pressure put on the Namibian negotiators by the EU.

(ibid.: 17). In the Interim SDAC EPA, as in other Interim EPAs, apart from referring to the willingness of taking into account the “environmental best interests of ... respective population and of a future generation” as part of Article 3 on “sustainable development”, environment is not mentioned any further. Here, environmental provisions in the Interim EPAs reflect those of the Cotonou Agreement in Article 32 on “Environment and Natural Resources” and Article 49 on “Trade and Environment” that stipulates the commitment to “promoting the development of international trade in such a way as to ensure sustainable and sound management of the environment, in accordance with the international conventions and undertakings in this area and with due regard to their respective level of development“ (Para. 1).

In addition to the TDCA, EU-South Africa relations were to be expanded to other policy fields. Despite being ill-defined and deemed ineffective as means to bring positions of the EU and its strategic partners reliably closer together, strategic partnerships are a top priority of the EU foreign policy. On the part of the EU, hopes are high that “[s]trategic partnerships are important bilateral means that can be mobilised to foster international co-operation“ (Grevi 2012: 16). In the case of the strategic partnership with South Africa, this aim still sounds most ambitious in the fifth year of the partnership’s existence.

The EU-South Africa Strategic Partnership was concluded in October 2007 and builds on a Joint Action Plan that emphasises that bilateral relation “have developed into a mutually beneficial true partnership based on equality” (Joint Action Plan 2007: 1). It refers to the TDCA by aiming at bringing together “existing fields of co-operation specified in the TDCA” as well as establishing additional fora “in other areas of mutual interest” (Joint Action Plan 2007: 4). Climate change is outlined as particular concern to both partners and both environmental co-operation and co-operation on matters of climate change constitute an “area of co-operation to be developed”, covering “possible areas” (ibid.: 7) such as climate change, biodiversity, waste management, air pollution, renewable energy and environmental governance. And while the mentioning of co-operation on climate change is rather limited in the Joint Action Plan as one of ten envisaged co-operation areas – albeit it is first one mentioned out of these ten – co-operation measures were promptly put into action. The so-called *South Africa-European Commission Forum on Environment and Sustainable Development* (FESD) that includes a working group on climate change met in October 2007 for the first time and discussed possible fields of future co-operation and further dialogue in

fields such as Air Quality or Mitigation Scenarios Modelling and Measurement. Since then, the working group on climate change meets on a yearly basis.¹²

At the first South Africa-EU Summit in 2008, the South African Government, the European Commission and the EU Member States decided to set-up an Energy Dialogue Forum between them. This Dialogue Forum comprises three working groups, one for on Clean Coal Technology, one on Carbon Capture Storage and one on nuclear energy. The working groups brought together representatives of the three parties as well as industry representatives both from Europe and South Africa. They would be chaired both by the South African Department of Minerals and Energy and the European Commission Directorate General for Energy and Transport. By the end of 2011, the working groups were paralleled by the South African initiative to expand renewable energy usage – the so-called *South African Renewables Initiative* – by the Ministry of Trade and Industry, as part of an international partnership between South Africa, EU Member States (UK, Norway, Germany, Denmark) and the European Investment Bank to mobilize South African and international funding and expertise (Lorenz-Carl forthcoming).¹³ But despite constituting what has been termed “the most institutionalised partnership” (Keukeleire et al. 2011: 26), the expectation gap between both partners has nevertheless widened in recent years and the question of compatibility with the EU’s partnership with the African Union might prove critical for the years ahead.

Co-operation in international forums on climate change

Little research has so far been conducted on the co-operation efforts between South Africa and the EU in international climate change negotiations. In the international context, South Africa – as well as Brazil – is generally considered as so-called swing voter, therefore, observations on co-operation with the EU in international forums on climate change can not claim to cast a general trend *per se*. In addition, South Africa is what Gowan and Brantner (2010) call the ‘Axis of Sovereignty’, a group of states voting behaviour differs from that of the EU member states in over 65 per cent of the time in UN voting instances.

¹² This information is provided on the EC’s homepage. At the time of writing, no official records or reports on further meetings could be retrieved.

¹³ Co-operation efforts between the two parties are ERGÄNZT by bilateral co-operation with EU member states, for example the post-Copenhagen initiative launched by South Africa, Germany and, as a third country, South Korea to support developing countries in designing climate-friendly growth strategies.

Limiting the observation period of this paper to the developments taking place during the three COPs after the first EU-South Africa Summit of the new strategic partnership in 2008, already the Climate Conference in Copenhagen in December 2009 seemed to prove those critics right to whom strategic partnerships bared little effect on the EU's ability to position itself as a leading power. The Copenhagen Accord sidelined the EU in the negotiation dynamics with the US taking over the lead after Australia brokered the Accord with the BASIC countries. For the EU this was particularly painful as it has a strategic partnership with all of the four BASIC countries (Bodansky 2012).

While the EU in Copenhagen in 2009 in the crucial meeting was still left out, they could again get involved in Durban and sidelined with the South African host on several occasions: Both parties agreed that “parties considering a second commitment period need reassurance that others will be prepared to commit to a legally binding regime in the near future“ (ENB 12(531)“. Towards the end of the negotiations, the South African Presidency and the EU “were able to lock in the relatively constructive role of countries such as Brazil” (ENB 12 (534): 30). On a general level however, and considering that South Africa was obliged to a certain extent to play the role of a moderating host, it seems remarkable that “the [EU's, ULC] money trump card had no apparent impact on the negotiations. ... China, India, and Brazil in particular did not extend *any* policy offers to seek compromise. Among the BASIC countries, only South Africa sought to build bridges and made an official pledge to reduce domestic emissions by 34 per cent by 2020 and 42 per cent by 2025” (Dimitrov 2010: 808).

It can therefore be assumed that it was particularly President Mbeki who actively engaged in strengthening ties with the EU while President Zuma clearly favours stronger relations with China. Since early 2001, South Africa has officially been accepted to the BRIC alliance, transforming ‘BRIC‘ into ‘BRICS‘. Although the influence of this group of states has been called into question due to differing substantially in size, economic power, population and many more aspects, and despite the group members differing in a number of issues in UNFCCC negotiation, its sheer existence has led to – quite literally – more power players at the negotiation table. For South Africa, being part of this group allows it even more to taking the lead when representing the African countries. As a rather recent development, all countries but Russia have raised concerns as the BASIC group (Brazil, South Africa, India and China). The group offered its first statement as a bloc in the COP 17 in Durban and has since then continuously replaced the BRICS formation in these negotiations. Co-operation

between the members of the BASIC co-operation is seen as key trend on climate issues (Keukeleire et al. 2011). From this point of view, President Zuma adopting the EU's position in the high-level segment would mean the two parties moving closer together again after the drifting apart in Copenhagen and developments in COP 18 in Durban seem to confirm this trend. It nevertheless remains to be seen where the post-Kyoto way of the second commitment period will lead.

Conclusion

This paper has sought to shed light on the developments in the South African climate change policy and on co-operation efforts with the EU. It has asked about developments in South African climate change policy and how these developments relate to patterns of co-operation with the EU in the international climate change regime. The paper finds that scrutinizing both domestic developments and South Africa's positioning in an international context on the one hand and examining Pretoria's co-operation with Brussels on the other hand allows to paint a more nuanced picture compared to the widespread perception that South Africa quickly acted as new player on the international stage and directs research towards paying closer attention to the nexus of domestic developments of the "followership" and seemingly ready-made international role conceptions. It however –admittedly – so far it deprives of an answer to the second part of the initial question on the relationship with patterns of co-operation with the EU. Clearly, more empirical research is needed for this aspect.

The somewhat contrasting developments of the domestic and international policy processes and actions can be explained by what could be called a history-present and international-domestic dilemma: Until well into the first decade of the new millennium, climate change has not been high on the list of political issue in South Africa domestically and rather walked in the shade of energy politics and here particularly electricity supply. Due to its energy-intensive history and the still dominating industry interests, the relevance of respective sectors to the national economy and the influence of lobby groups the ruling ANC only reluctantly started the 'reform train'. The Government only started to actively take on climate change after the country's accession to the Kyoto protocol in 2002. But it still took until 2007 for the ruling ANC to come up with a more pronounced position on climate change and it remains fairly unclear how this position came about. At the same time, present estimations clearly

suggest that South Africa will be heavily affected by climate change and would therefore need to step up actions both for mitigation and adaptation. This threat has been accepted by the Government and led to the LTMS but implementation seems to continue to be slow.

Internationally, the country is now a party to several international climate change agreements but it has been criticised for being slow in voicing a defined position on international climate change and in respective negotiations. In the [run-up] to the 2009 Copenhagen Conference, Masters (2009: 5) argues that South Africa had only recently started to turn talks into action compared to a primarily passive initial approach that showed little proactive [action] and rather followed international positions. Between 2002 and 2007, South Africa's framing of its international climate change policy developed from bridge building to 'interests championing' on behalf of developing countries (Masters 2009: 11). The finding that "international development and economic concerns serve as a parameter in defining the country's negotiation position" (ibid.: 12) is not unexpected *per se*. What is however surprising is that in the case of South Africa the negotiation position is much more influenced both by the international context and its self-portrayal as a "moral leader and responsible international actor" (Atteridge 2011: 3) than by its domestic climate change policy. At the same time, the EU seems to have limited influence on Pretoria's decisions despite the many co-operation efforts in place. Here, the research agenda clearly needs to investigate further.

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