

# Africa and the rising powers: bargaining for the 'marginalized many'

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The world economy is undergoing a relative shift in economic power, with the emergence of Brazil, Russia, India and China (BRIC) as the new sources of global economic growth, trade and investment.<sup>1</sup> The ascendancy of these new powers has been accompanied by vast improvements in Africa's economic prospects. Over the past decade, Africa has gone from being the 'hopeless continent'<sup>2</sup> to a 'rising star'<sup>3</sup> and the next major growth pole in the world economy.<sup>4</sup> Reflecting Africa's growing significance in international relations, the rising powers of Brazil, China and India (as well as other emerging economies from Turkey to South Korea<sup>5</sup>) are vociferously courting the renascent continent. On the one hand, these rising powers hope to gain access to Africa's abundant resources and growing markets in order to sustain their own rapid growth and economic performance. On the other hand, as Brazil, China and India negotiate with the established powers to gain greater status, power and influence at the high table of global governance,<sup>6</sup> they require diplomatic support and backing for their leadership ambitions. As part of the non-western 'rest', African countries are able to provide the 'followership' that these rising powers seek and legitimize claims to greater power by securing for them the backing of large numbers. In sum, the relationship between Africa and the rising powers appears to be increasingly symbiotic, 'one in which resource diplomacy, development assistance, seeking new markets and forging consensus around reforming the global order that would be more inclusive, equitable and multilateral in nature are points of interaction'.<sup>7</sup>

\* I am grateful to Amrita Narlikar, Caroline Soper, Donna Lee, Francis Kornegay, Maxi Schoeman and the anonymous reviewers for valuable comments on earlier drafts.

<sup>1</sup> Jim O'Neill, *Growth map: economic opportunity in the BRICs and beyond* (London: Penguin, 2011).

<sup>2</sup> *The Economist*, 13 May 2000.

<sup>3</sup> *The Economist*, 3 December 2011.

<sup>4</sup> Sub-Saharan African economies are forecast to grow by 6.2% in 2013, compared to only 1.4% for advanced economies and 5.3% for emerging and developing economies (IMF, 'World economic outlook: hopes, realities, risks' (Washington DC: IMF, April 2013). Moreover, seven of the top ten fastest-growing economies in the world between 2011 and 2015 will be from Africa, albeit growing from a low base ('Africa's impressive growth', *The Economist*, 6 Jan. 2011, [http://www.economist.com/blogs/dailychart/2011/01/daily\\_chart](http://www.economist.com/blogs/dailychart/2011/01/daily_chart), accessed 9 April 2013).

<sup>5</sup> See United Nations Office of the Special Adviser on Africa, *Africa's cooperation with new and emerging development partners: options for Africa's development* (New York, 2010).

<sup>6</sup> Amrita Narlikar, *New powers: how to become one and how to manage them* (London: Hurst; New York: Columbia University Press, 2010).

<sup>7</sup> Sanusha Naidu, Lucy Corkin and Hayley Herman, 'Introduction', *Politikon: South African Journal of Political Studies* 36: 1, April 2009, p. 2.

This article explores Africa's negotiating behaviour in relation to a selected set of actors that animate the current shifting global economic order, as outlined in the Introduction to this issue of *International Affairs*: rising powers, established powers and international organizations.<sup>8</sup> The focus is most strongly placed on rising powers, given their growing bilateral and multilateral engagements with African countries. The article is mindful that analysing the negotiating behaviour of 'Africa' entails the risks of partiality, oversimplification and generalization. With 54 countries encompassing more than 1 billion people speaking over 3,000 languages, Africa is an extremely diverse continent. African countries also differ significantly in their respective endowments, institutions, and strategic and deliberative capabilities to engage with and benefit from their growing interactions and cooperation with the rising powers. Nonetheless, there is a growing literature that seeks to discern Africa's actual and potential agency in international relations.<sup>9</sup> Several scholars of 'African agency' have delineated the continent in three senses: as a collective international actor, often represented by the African Union (AU); as a collection of states with (in the 'broadest of sweeps') a shared history; and as a discursive presence, used by both Africans and outsiders, in international politics and policy.<sup>10</sup> In that context, there appears to be some justification for analysing African agency in the singular and presenting some tentative observations.

The article proceeds in six steps. The first section provides the theoretical and policy rationale for analysing Africa's negotiating behaviour in international relations. The second section explores Africa's recent negotiating behaviour with the rising powers through the lens of four actual or potential sources of bargaining leverage. The third section explores South Africa's strategic role and interests in the BRICS, particularly in championing Africa's development agenda. The fourth section contrasts Africa's negotiating behaviour with the established powers, and the fifth section analyses the continent's strategies in three international regimes—climate change, trade and security—to highlight Africa's contribution to an emerging counter-hegemonic bloc. The article concludes with key challenges confronting African countries collectively and individually as actors that aspire to influence the current relative global power transition.

## **Renascent Africa in international negotiations**

This enquiry into Africa's negotiating behaviour is important for two reasons. First, from a positivist perspective it is generally understood that materially weaker states have less bargaining power and are largely 'acted upon' by the bigger parties,

<sup>8</sup> Since this article does not present a single country case-study, it does not directly address Africa's negotiating behaviour with international business and non-governmental organizations. In the African context, state-society relations are generally considered fraught and fractious: see e.g. Antoinette Handley, *Business and the state in Africa: economic policy-making in the neo-liberal era* (Cambridge: Cambridge University Press, 2008).

<sup>9</sup> See e.g. Ian Taylor, *The international relations of sub-Saharan Africa* (New York: Continuum, 2010); Scarlett Cornelissen, Fantu Cheru and Timothy Shaw, eds, *Africa and international relations in the 21st century* (Basingstoke: Palgrave, 2012); William Brown and Sophie Harman, eds, *African agency in international politics* (London: Routledge, 2013).

<sup>10</sup> William Brown, 'A question of agency: Africa in international politics', *Third World Quarterly* 33: 10, 2012, pp. 1–20.

in this case both established and rising powers.<sup>11</sup> Since the more powerful parties are able to control the negotiating process and obtain results to their liking, the negotiating end-game tends to ‘confirm a given power distribution’.<sup>12</sup>

The African continent provides fertile ground on which to test this proposition. Notwithstanding the continent’s rapid economic growth, abundant natural resources, growing consumer power and favourable demographics—all of which are potential sources of bargaining leverage—Africa is still the world’s poorest continent and home to more than 30 least developed countries (LDCs). The continent’s development project remains frail, and recent economic growth has not led to sustainable development or structural economic transformation, as envisaged by the AU’s socio-economic development programme, the New Partnership for Africa’s Development (NEPAD).<sup>13</sup> Notwithstanding such structural constraints on African governments’ bargaining power, it is significant that African countries in their individual and collective capacities are increasingly active, assertive and confident players on the world stage, influencing international negotiations in areas ranging from multilateral trade to climate change. It is therefore imperative to understand how African states as ‘minor powers’<sup>14</sup> are still able to bargain and exert agency in novel ways, especially through norm-based negotiation strategies used as ‘weapons of the weak’.<sup>15</sup>

Second, there are increasing demands on Africa’s negotiating and deliberative capacities, in relation to the rising powers, established powers and international organizations. As Ian Taylor succinctly observes: ‘The fact is, Africa is increasingly important in international relations and is more and more attracting interest from a variety of actors at a scale perhaps not witnessed since the original Scramble for Africa.’<sup>16</sup> While there is a growing literature, increasingly by pan-African scholars,<sup>17</sup> on the role and interests of rising powers *vis-à-vis* Africa, little attention is being paid to the actual and potential bargaining strategies and strategic capabilities of African states in relation to the rising powers.

The reality is that most African governments do not appear to be negotiating effectively with their new southern suitors,<sup>18</sup> even though they have considerable experience and social learning to draw upon from decades of dealings with

<sup>11</sup> William Zartman and Jeffrey Rubin, eds, *Power and negotiation* (Ann Arbor, MI: University of Michigan Press, 2002). Zartman and Rubin argue: ‘Negotiators with high relative power tend to behave manipulatively and exploitatively, whereas those with perceived lower power tend to behave submissively’ (p. 16).

<sup>12</sup> Zartman and Rubin, eds, *Power and negotiation*, p. 4.

<sup>13</sup> Rick Rowden, ‘The myth of Africa’s rise’, 4 Jan. 2013, pp. 1–20, [http://www.foreignpolicy.com/articles/2013/01/04/the\\_myth\\_of\\_africa\\_s\\_rise](http://www.foreignpolicy.com/articles/2013/01/04/the_myth_of_africa_s_rise), accessed 9 April 2013; see also Erik Lundsgaarde, ed., *Africa toward 2030: challenges for development policy* (Basingstoke: Palgrave Macmillan, 2012).

<sup>14</sup> William Brown, ‘A question of agency’, p. 1.

<sup>15</sup> Stephen Hurt, Donna Lee and Ulrike Lorenz, ‘The argumentative dimension to the EU–Africa EPAs’, *International Negotiation* 18, 2013, pp. 67–87.

<sup>16</sup> Taylor, *The international relations of sub-Saharan Africa*, p. 22.

<sup>17</sup> See e.g. Garth le Pere and Garth Shelton, *China, Africa and South Africa: South–South co-operation in a global era* (Midrand: Institute for Global Dialogue, 2007); Kweku Ampiah and Sanusha Naidu, eds, *Crouching tiger, hidden dragon? Africa and China* (Scottsville: University of KwaZulu-Natal Press, 2008); Fantu Cheru and Cybil Obi, eds, *The rise of China and India in Africa: challenges, opportunities and critical interventions* (London and New York: Zed, 2010); *Politikon: South African Journal of Political Studies*, special issue on Africa’s relations with the emerging powers of the South, 36: 1, April 2009.

<sup>18</sup> Cheru and Obi, eds, *The rise of China and India*.

the established powers. Owing to highly unequal levels of development between African actors and the rising powers, Africa's commercial and diplomatic engagements with Brazil, China and India take place on essentially unequal terms. Whereas Brazil, China and India have all developed some form of strategy for Africa (including single 'country-to-continent' summits), Africa does not have a coherent strategy towards the emerging economies that would set the ground rules for engagement. Hence, addressing the most recent China–Africa Summit in Beijing in 2012, South African President Jacob Zuma noted that Africa's trade relations with China are 'unsustainable' and that China should work towards a more equal partnership to stay relevant.<sup>19</sup> The rising powers indeed purport to support African countries as they seek to restructure their post-colonial external relations, diversify and industrialize their economies, and integrate more strategically into the world economy on more flexible policy terms than those sanctioned by the West (a case in point being the Economic Partnership Agreement negotiations with Europe).<sup>20</sup> Such an integrative outcome would ideally depend on championing 'a new paradigm for collaboration for more sustainable, equitable and mutually beneficial development'.<sup>21</sup> Looking ahead, if African governments are to bargain effectively with Brazil, China and India (and avoid a repetition of colonial-era value extraction), they will need to adopt judicious negotiating strategies, improve their deliberative capacities, and build coalitions with local, continental and global civil society and business networks. The following sections of the article explore the extent to which African governments have managed to bargain effectively with rising powers, established powers and international organizations.

## **Africa's negotiating behaviour with rising powers**

There are at least four potential sources of bargaining power for African countries to use in strategically and tactically shaping the terms of engagement with the rising powers (and also to some extent the established powers). These have been deployed lately to various effects, as discussed below.

### *The commodities boom*

The first source of bargaining power for African countries stems from the historical commodities boom and terms-of-trade reversal, induced largely by the 'Asian

<sup>19</sup> Jacob Zuma, Remarks by President of South Africa at the opening session of the 5th Forum on China–Africa Cooperation, Beijing, China, 19 July 2012, <http://www.thepresidency.gov.za/pebble.asp?relid=6486>, accessed 7 April 2013.

<sup>20</sup> See eThekweni Declaration of the fifth BRICS summit, Durban, South Africa, 26–27 March 2013, <http://www.brics5.co.za/about-brics/summit-declaration/fifth-summit/>, accessed 7 April 2013. South African President Jacob Zuma furthermore stated: 'Africa's past economic experience with Europe dictates a need to be cautious when entering into partnerships with other economies. We are particularly pleased that in our relationship with China we are equals and that agreements entered into are for mutual gain. This gathering indicates commitment to mutual respect and benefit' (Jacob Zuma, 'Remarks by the President of South Africa').

<sup>21</sup> Rob Davies, 'Fifth Brics summit will focus on partnership', *Business Report*, 5 Feb. 2013, <http://www.iol.co.za/business/business-news/fifth-brics-summit-will-focus-on-partnership-1.1464115>, accessed 20 March 2013.

drivers' as they seek to expand and modernize their industrial output and sustain their rapid growth.<sup>22</sup> Rising commodity prices place Africa's major exporters of energy and mineral commodities in an advantageous position *vis-à-vis* their emerging economy partners, especially as the latter seek to gain access to resources previously controlled by the established powers. Given Africa's abundant resource bounty (more than a fifth of the world's total natural resources), many other African countries still have the *potential* to become major exporters in the future, in the context of a global scramble for resources. Indeed, the ability to award future unallocated prospecting rights is viewed as a critical bargaining lever.<sup>23</sup>

A key challenge relating to this source of bargaining power is that not all African countries have extensive commodity deposits or are significant commodity producers. According to one study, just five countries account for more than 90 per cent of all energy exports, only twelve countries account for more than 90 per cent of all mineral exports and 22 countries account for 90 per cent of agricultural exports.<sup>24</sup> South Africa is uniquely placed in this landscape, with the largest *in situ* resource value of any country in the world, including mineral deposits estimated to be worth US\$2.5 trillion.<sup>25</sup> Given this concentrated pattern of resource exploitation, common positions and joint strategies at either the continental or the sub-regional level may represent a useful way of protecting the interests of Africa's smaller and weaker non-resource-based economies, at least within the spirit of pan-Africanism. A good example would be the construction of regional infrastructure networks to provide access for non-commodity exporters.

The negotiating behaviour of Angola and the Democratic Republic of the Congo (DRC) in their dealings with China provides two examples of resource-based African economies that are not weak, passive or submissive actors. Angola, having recently joined the Organization of Petroleum Exporting Countries (OPEC) and cultivating strong ties with Brazil (as well as other emerging economies), has been able to negotiate with China from a relatively strong position. Recent studies provide compelling evidence that Angolan political elites are very much in the driver's seat of negotiating Sino-Angolan relations, even if the deals struck do not always benefit the country's poor.<sup>26</sup> Apart from imposing favourable investment conditions on China (such as clauses safeguarding against capital flight and ensuring local employment<sup>27</sup>), the Angolan government has also pragmatically played off established and rising power investors against each other. A case in point is the construction sector, where Brazilian, Portuguese and South Korean contractors reportedly still retain their market dominance, debunking the notion of an exclusive Sino-centric 'Angolan model' of bartering

<sup>22</sup> It is suggested that the commodities boom is likely to resume once the finance sector-induced global economic crisis begins to resolve and Chinese and Indian growth recommences (other things being equal).

<sup>23</sup> UN Office of the Special Adviser on Africa, *Africa's cooperation with new and emerging development partners*.

<sup>24</sup> UN Office of the Special Adviser on Africa, *Africa's cooperation with new and emerging development partners*, p. 26.

<sup>25</sup> Fraser Institute, *Mining Weekly*, 20 Aug. 2010.

<sup>26</sup> See Marcus Power and Ana C. Alves, eds, *China and Angola: a marriage of convenience?* (Oxford: Fahamu Books, 2012); Lucy Corkin, *Uncovering African agency: Angola's management of China's credit lines* (Farnham: Ashgate, 2013).

<sup>27</sup> Cheru and Obi, eds, *The rise of China and India*.

resources for infrastructure.<sup>28</sup> Importantly, Brazil and Portugal have for many years also extended oil-backed credit lines to Angola, especially to assist their own construction companies.<sup>29</sup> This leads Lucy Corkin to conclude: ‘Unlike many other African countries, the Angolan political elite have carved out considerable policy space through the country’s management of its relationship with China. While this does not necessarily translate into developmental benefits, it shows an element of African agency that is often overlooked in analyses of China–Africa relations.’<sup>30</sup>

For its part, the DRC was able to draw in aid-assisted Chinese investments in infrastructure and training on a large scale, and to ensure a minimum local content, with local co-ownership in mineral exploitation. More significantly, the ‘alternative’ Chinese aid–trade–FDI package for resource extraction provided leverage for the Congolese government to engage in a classic distributive tactic: forcing the renegotiation of more than 60 35-year mining contracts with established western firms.<sup>31</sup> Of course, the real litmus test for Africa’s bargaining with the rising powers is twofold: first, whether the deals struck qualitatively change African countries’ integration into the global economy; and second, whether these engagements alter the socio-economic prospects of impoverished communities or benefit elite interests only.

### *Africa’s potential market power*

An important yet untapped source of leverage involves Africa’s potential market power as a ‘BRIC’ of the future.<sup>32</sup> Following many false starts, African governments are today accelerating ambitious plans for regional and continental integration as envisaged by the 1991 Abuja Treaty and NEPAD. The most promising regional integration schemes currently under way in Africa are the Tripartite Free Trade Area (T-FTA) and its envisaged successor, the Continental FTA. In 2011, the member states of the Southern African Development Community (SADC), the East African Community (EAC) and the Common Market for Eastern and Southern Africa (COMESA) launched negotiations to establish a Tripartite FTA by 2015. Once established, the T-FTA will bring together the markets of 26 countries with a combined population of nearly 600 million people and a combined GDP of US\$1 trillion, providing the market scale that could launch a sizeable part of the continent on to a new developmental trajectory. The T-FTA will form the basis for an Africa-wide FTA, which is expected to create a market of US\$2.6 trillion. In January 2012, the AU summit launched work towards the establishment of this Continental FTA by 2017 (a

<sup>28</sup> Corkin, *Uncovering African agency*.

<sup>29</sup> Corkin, *Uncovering African agency*.

<sup>30</sup> Corkin, *Uncovering African agency*, p. 92.

<sup>31</sup> UN Office of the Special Adviser on Africa, *Africa’s cooperation with new and emerging development partners*, p. 27.

<sup>32</sup> McKinsey Global Institute, *Lions on the move: the progress and potential of African economies*, 2009, [http://www.mckinsey.com/insights/mgi/research/productivity\\_competitiveness\\_and\\_growth/lions\\_on\\_the\\_move](http://www.mckinsey.com/insights/mgi/research/productivity_competitiveness_and_growth/lions_on_the_move), accessed 9 April 2013.

highly ambitious and unrealistic target date); it will place the combined African economy of more than 1 billion people on a par with the 'mega-states' of Brazil, China and India.<sup>33</sup>

A more integrated continent may attract greater investment, allowing African countries to counterbalance or play off against one another the various powers to benefit Africa's development objectives. Several African countries, including Egypt, Mauritius, Nigeria and Zambia, have already invited China to establish special economic zones (SEZs) in their jurisdictions and invest in minerals processing and manufacturing, although not without controversy.<sup>34</sup> There is also scope to empower smaller African states, especially non-resource-producing economies, through regional bargaining platforms. A regional code on investment would, for instance, address the challenge of commercial operators from Brazil, China and India concentrating their investments in African countries where the legal framework in a host of areas, from taxation to environment and labour standards, is weak or non-existent.<sup>35</sup>

An important element of this regional dynamic is the massive infrastructure investment drive under the rubric of the AU's Presidential Infrastructure Championing Initiative (PICI), which consists of seven presidential infrastructure projects across Africa. One of the flagship projects is the North–South Corridor, which aims to rehabilitate Africa's rail and road infrastructure from Durban to Dar-es-Salaam and has already attracted investor interest from emerging economy operators, notably Brazil and China. South Africa's proposal for a BRICS–NEPAD Infrastructure Development Fund, and ultimately a fully operational BRICS-led Development Bank, are possible vehicles to harness BRICS funding for infrastructure development in Africa.<sup>36</sup>

### *Collective continental agency*

A third source of potential bargaining power is coordinated, collective and coherent engagements by African governments. Africa's fragmentation into 54 nominally sovereign states places the continent at a strategic disadvantage in terms of bargaining power *vis-à-vis* the 'mega-states' of Brazil, China and India. It is now widely recognized that African countries require joint strategies and common positions, preferably at the AU or sub-regional level, if they are to negotiate effectively with the rising and established powers. The logic of a club approach is compelling, since a more coordinated African response can help avoid contradictory bargaining positions among African states or ward off incentives

<sup>33</sup> Brendan Vickers, 'South Africa's economic diplomacy in a changing global order', in Chris Landsberg and Jo-Ansie van Wyk, eds, *South African foreign policy review* (Pretoria: Africa Institute of South Africa, 2012), pp. 112–38.

<sup>34</sup> Martyn Davies, 'Special economic zones: China's development model comes to Africa', in Robert Rotberg, ed., *China into Africa: trade, aid, and influence* (Washington DC: Brookings Institution Press, 2008), pp. 138–40.

<sup>35</sup> Fantu Cheru and Magnus Calais, 'Countering "new imperialism": what role for the New Partnership for Africa's Development?', in Cheru and Obi, eds, *The rise of China and India in Africa*.

<sup>36</sup> Brendan Vickers, 'Towards a new aid paradigm: South Africa as African development partner', *Cambridge Review of International Affairs* 25: 4, Dec. 2012, pp. 535–56.

offered by external powers to some AU member states, thereby undermining continental unity and cohesion on critical matters.<sup>37</sup>

However, the search for a common AU position has proved elusive.<sup>38</sup> One of the greatest concerns for African governments has been the practice of some rising powers of organizing single ‘country-to-continent’ summits, as in the case of the Forum on China–Africa Cooperation (FOCAC) and India–Africa. A report by the AU Commission intimates that these events may be considered patronizing by the continent: all 54 African heads of state should not have to be ‘summoned’ by one development partner for a meeting, even if the other party is an ascendant power.<sup>39</sup> The AU Assembly at Khartoum in January 2006 hence took a bold decision that member states should not collectively hold summits with individual states, although African states subsequently did so with FOCAC in 2006 and the Franco–African summit in 2007.<sup>40</sup> In order to ensure effective representation and bargaining by Africa in bilateral summits, AU member states meeting in Banjul, the Gambia, in July 2006 adopted a mechanism called the ‘Banjul Formula’.<sup>41</sup> This mechanism now governs Africa’s approach towards ‘country-to-continent’ partnerships; it is currently applied to Africa’s partnerships with India, Turkey and South Korea. The AU’s intention is for the formula also to be applied to FOCAC in the future, since all African countries are invited to participate in this.<sup>42</sup>

The Banjul Formula has not won universal approval. Several AU member states that are excluded from high-level summitry by its pattern of regional representation have criticized the mechanism for being an elite club of AU member states. In the specific case of FOCAC, the pragmatic pursuit of national interests means that most African states demand participation, given the lucrative aid–trade–FDI packages on offer. Other AU member states have argued in favour of the Banjul Formula, pointing out that African heads of state have never, after taking the decision to create the structure, questioned its workings and/or its *modus operandi*.<sup>43</sup>

FOCAC presents its own unique dynamics, since the China–Africa relationship is ‘the apogee of South–South cooperation’.<sup>44</sup> FOCAC was established in 2000 at Beijing’s behest: thus Sino–African summitry was externally imposed and not a

<sup>37</sup> UN Office of the Special Adviser on Africa, *Africa’s cooperation with new and emerging development partners*.

<sup>38</sup> Francis A. Kornegay and Chris Landsberg, ‘Engaging emerging powers: Africa’s search for a “common position”’, *Politikon: South African Journal of Political Studies* 36: 1, April 2009, pp. 171–91; Siphamandla Zondi, ‘Africa in multilateral negotiations: a critique of African common positions’, in Brown and Harman, eds, *African agency in international politics*.

<sup>39</sup> AU Commission, ‘Global review of Africa’s strategic partnership with other parts of the world’ (unpublished).

<sup>40</sup> AU High-level Panel, *Audit of the African Union* (Addis Ababa, 2007).

<sup>41</sup> The Banjul Formula recommends the following African representation for ‘country-to-continent’ summitry: the current chairperson of the AU; the previous chairperson of the AU; the chairperson of the AU Commission; the five NEPAD initiating countries (Algeria, Egypt, Nigeria, Senegal, South Africa); the chairperson of the NEPAD Heads of State and Government Implementation Committee; and the current chairing countries of the AU-endorsed eight Regional Economic Communities (AMU, SADC, EAC, COMESA, IGAD, ECOWAS, ECCAS, CENSAD).

<sup>42</sup> Author’s email correspondence with the South African Permanent Mission to the African Union, Addis Ababa, Ethiopia, 28 Nov. 2012.

<sup>43</sup> Author’s email correspondence with the South African Permanent Mission to the African Union, Addis Ababa, Ethiopia, 28 Nov. 2012.

<sup>44</sup> Garth Shelton and Farhana Paruk, *The Forum on China–Africa Cooperation: a strategic opportunity* (Johannesburg: Institute for Security Studies, 2008), p. 4.



partnership in the true sense. 'In short', writes Garth le Pere, 'African ownership of FOCAC must be deepened and enhanced lest FOCAC be seen as a Chinese Trojan horse.'<sup>45</sup> African countries have generally been reactive to the FOCAC process, and past decisions have never been properly monitored or assessed. It is therefore promising that the outcome documents from the fifth FOCAC ministerial conference in 2012 show significant movement from the Chinese side to accommodate Africa's concerns. One of the major announcements was a US\$20 billion line of credit to African countries, on top of the US\$5 billion provided through the China–Africa Development Fund. In addition, FOCAC demonstrates 'growing and deliberately constructed convergence between African development needs and Chinese economic interests'.<sup>46</sup> In support of the African agenda, China has interspersed its resource diplomacy with massive investments in agriculture, infrastructure and skills development.<sup>47</sup>

To strengthen Africa's negotiating position and ensure the provision of club goods rather than bilateral deals, the AU Assembly took a decision in January 2007 that the AU Commission should play a coordinating role in the preparation, conduct and follow-up of all future FOCAC summits.<sup>48</sup> With South Africa as the incoming FOCAC co-chair (2013–16), and former South African Home Affairs Minister Nkosazana Dlamini-Zuma now heading the AU Commission (housed spectacularly in its new US\$200 million Chinese-sponsored headquarters), the AU Commission may possibly have a stronger mandate, greater resources and more capacity to coordinate and advance an ambitious African agenda for the sixth FOCAC ministerial conference in South Africa in 2015. South Africa has already proposed a comprehensive audit and evaluation of FOCAC, 'to assess the impact of FOCAC on the lives of ordinary people, to maximize cooperation, learn from experiences, share best practices and build on past achievements'.<sup>49</sup> South African officials speculate that this review could inform a new Common African Strategy for China,<sup>50</sup> although that proposition appears increasingly fanciful given the continent's diversity of interests and capabilities; sub-regional strategies, for instance at the SADC, COMESA or EAC levels, are arguably more practicable.

<sup>45</sup> Garth le Pere, 'The geo-strategic dimension of the Sino-African relationship', in Ampiah and Naidu, eds, *Crouching tiger, hidden dragon?*, p. 36.

<sup>46</sup> Chris Alden, 'China and Africa: from engagement to partnership', in Power and Alves, eds, *China and Angola*, p. 21.

<sup>47</sup> The developmental impact and (opaque) terms of Beijing's infrastructure-for-minerals aid packages have been widely criticized by both the established powers and progressive civil society movements in Africa: see Sven Grimm and He Wenping, 'Emerging partners and their impact on African development', in Lundsgaarde, ed., *Africa toward 2030*.

<sup>48</sup> AU Assembly, 'Decision on the Africa-China Forum on Cooperation (FOCAC)', DOC.ASSEMBLY/AU/7 (VIII), January 2007.

<sup>49</sup> Dave Malcomson, 'The Forum on China–Africa Cooperation: taking Africa forward', *Ubuntu: Diplomacy in Action*, no. 2, 2012, p. 47, [http://www.dfa.gov.za/docs/2013/ubuntu\\_magazine\\_issue02.pdf](http://www.dfa.gov.za/docs/2013/ubuntu_magazine_issue02.pdf), accessed 7 April 2013.

<sup>50</sup> Malcomson, 'The Forum on China–Africa Cooperation'.

## Normative and ideological framings

The final source of bargaining power for Africa *vis-à-vis* the rising powers is normative. In 2005, African and Asian countries adopted the New Asia–Africa Strategic Partnership (NAASP), which sought to revive the ‘Spirit of Bandung’.<sup>51</sup> The NAASP reaffirms their commitment to strengthening South–South cooperation and the need for systemic reform.<sup>52</sup> The stakes are high, especially for Africa, since the current world order and its institutions have failed to bring Africa genuine integration into the world economy or significant human development and security. Moreover, there is a prevailing perception among some leading African intellectuals and policy-makers that the continent remains a target for western neo-colonialism or imperialism: a perception vindicated in their view by the narrow mercantilism of the Economic Partnership Agreement (EPA) negotiations with Europe,<sup>53</sup> Africa’s fractious relationship with the International Criminal Court,<sup>54</sup> and NATO-led regime change in Libya in 2011.<sup>55</sup> Sakuh Mahmud suggests convincingly that the nationalist ideology of struggle against imperialist western powers remains prevalent in Africa and has become an ordering principle of the continent’s international relations. In other words, ‘any dealings with an African country must take such potential retreat to Third World ideology very seriously’.<sup>56</sup>

Given their common experiences with slavery, colonialism and underdevelopment, many African governments regard Brazil, China and India as development ‘partners’ (with growth narratives and development models that offer compelling alternatives to economic orthodoxy), rather than neo-colonial ‘donors’.<sup>57</sup> The priority ascribed by poorer African countries to ‘Third Worldism’ and its undertones of southern solidarity may lead them to expect and demand club goods (such as aid, debt relief and market access) from their rising power partners, in return for friendship, followership and votes in international organizations. As the largest constituency of the UN General Assembly, with 54 votes, African countries have historically been able to use this multilateral space to ‘reward’ their southern partners for supporting the continent’s decolonization and development,

<sup>51</sup> Richard Wright, *The color curtain: a report on the Bandung Conference* (New York: World Publishing Company, 1956). In April 1955, representatives from twenty-nine governments of Asian and African nations met in Bandung, Indonesia to promote Afro-Asian economic and cultural cooperation and to oppose colonialism or neo-colonialism by either the United States or the Soviet Union in the Cold War, or by any other imperialistic nations.

<sup>52</sup> See Declaration on the New Asian–African Strategic Partnership, 22–23 April 2005, <http://www.profrpanand.org/sites/default/files/salient/or-General/14-NAASP,%202005.pdf>, accessed 9 April 2012.

<sup>53</sup> Charles Soludo, ‘Africa needs honesty from Europe over trade deals’, *Financial Times*, 11 April 2012.

<sup>54</sup> See ‘A fractious relationship: Africa and the International Criminal Court’, *Perspectives: Political Analysis and Commentary from Africa* 1: 12, 20 July 2012, [http://www.za.boell.org/downloads/Perspectives\\_1\\_12\\_WEB.pdf](http://www.za.boell.org/downloads/Perspectives_1_12_WEB.pdf), accessed 9 April 2013.

<sup>55</sup> Thabo Mbeki, ‘The African Union at 10 years old: a dream deferred!’, *The Thinker*, 43, Sept. 2012, <http://www.thethinker.co.za/thinker/%2043%20ofull.pdf>, accessed 9 April 2013.

<sup>56</sup> Sakuh Mahmud, ‘African states’ behaviour: IR theory and international sanctions against Libya and Nigeria’, in Kevin Dunn and Timothy Shaw, eds, *Africa’s challenge to international relations theory* (New York: Palgrave, 2001), p. 143.

<sup>57</sup> Grimm and Wenping, ‘Emerging partners’; see also *Cambridge Review of International Affairs*, special issue on ‘Rising states, donors, brics and beyond’, 25: 4, Dec. 2012.

and to build political capital for the future. Perhaps the most profound symbol of this solidarity was the 26 affirmative votes cast by African countries which allowed China to take its seat on the UN Security Council in 1971.<sup>58</sup> But ‘low politics’ also matter, and it was thanks to the African vote that Brazil’s José Graziano da Silva was elected as director-general of the UN Food and Agriculture Organization in June 2011.<sup>59</sup> Brazil may expect similar support for Roberto de Azevedo, their nominee to head the WTO and one of two remaining candidates for the post (the other being Mexican).

For semi-industrialized countries like South Africa that increasingly confront the vast scale of China’s output, from textiles to steel, the focus has been on shaping a more developmental and mutually beneficial paradigm for South–South trade. South Africa’s Trade Policy and Strategy Framework conceptualizes this as ‘an approach that fosters economic complementarities, supports the development of our industrial, agricultural and service sectors, and avoids destructive and direct competition’.<sup>60</sup> So, for instance, South Africa and China negotiated a Partnership for Growth and Development in 2008 and upgraded it the following year to a Comprehensive Strategic Partnership Agreement, wherein China pledged to import more value-added products from South Africa in order to shift the structure of bilateral trade onto a more sustainable path. This was integrative bargaining *par excellence*: South Africa received a boost for its fledgling industrial policy, while China burnished its soft power credentials as a development partner and leader of the global South (not unimportant assets for aiding China’s ‘peaceful rise’).<sup>61</sup>

Another powerful instrument for African countries when negotiating with the rising powers is the enabling clause of the World Trade Organization (WTO). Adopted in 1979 during the era of the General Agreement on Tariffs and Trade (GATT), this clause permits important flexibilities when negotiating South–South regional trade agreements, which if properly structured can lead to complementary intra-South trade. Drawing on these flexibilities, the Southern African Customs Union (SACU) countries<sup>62</sup> have negotiated limited preferential trade agreements with the Common Market of the South or ‘Mercosur’ (signed in 2009) and India (under negotiation). This stands in sharp contrast to SACU’s rejection of an FTA with the US in 2006, given Washington’s strict distributive negotiating behaviour and excessive demands for ‘competitive liberalisation’ beyond trade in goods.<sup>63</sup>

<sup>58</sup> Le Pere and Shelton, *China, Africa and South Africa*.

<sup>59</sup> Oliver Stuenkel, ‘Why Africa matters to Brazil’, *Post-Western World*, 26 April 2012, <http://www.postwesternworld.com/2012/04/26/why-africa-matters-to-brazil>, accessed 9 April 2013.

<sup>60</sup> Department of Trade and Industry, ‘South African Trade Policy and Strategy Framework 2012’ (unpublished document), p. 27.

<sup>61</sup> Zheng Bijian, ‘China’s “peaceful rise” to great-power status’, *Foreign Affairs* 5, Sept.–Oct. 2005, pp. 18–24.

<sup>62</sup> SACU, formed in 1910, is the world’s oldest functioning customs union and consists of South Africa, Botswana, Lesotho, Namibia and Swaziland.

<sup>63</sup> Vickers, ‘South Africa’s economic diplomacy in a changing global order’.

## South Africa, Africa and BRICS

South Africa joined the BRICS formation in 2011 following a deliberate and vociferous lobbying campaign. The country's Deputy Minister of International Relations and Cooperation explained its strategic objectives in BRICS:

South Africa's South–South cooperation strategy is anchored on the BRICS partnership mechanism with China, India, Brazil and Russia. Our membership of BRICS has three objectives: to boost job creation and the domestic economy; to support African infrastructure development and industrialization for the realization of the African Renaissance; and to partner with key players of the South on issues related to global governance and its reform.<sup>64</sup>

As the only African country member of the BRICS formation, South Africa occupies a unique space in Africa's bargaining with the rising powers. This translates into two roles. First, South Africa must project and defend its own national interests, but may also be called upon as a BRICS member to provide club goods, such as market access, to its larger and wealthier partners. South Africa's 'gateway' status in Africa (although increasingly contested by other African 'hub' economies such as Angola, Egypt, Ethiopia, Ghana, Kenya and Nigeria<sup>65</sup>) and 'reluctant' regional hegemony<sup>66</sup> may pacify such demands for now. Second, South Africa, as Africa's 'Great Power', must act as an interlocutor for the continent's development agenda. It is instructive that Jim O'Neill, the creator of the 'BRIC' acronym, recently adopted a more reconciliatory posture towards South Africa's inclusion in the club, suggesting that Pretoria can justify its BRICS presence if it assists Africa to achieve its full economic and developmental potential.<sup>67</sup>

Through South Africa's seat at the BRICS high table, African countries have been able to exercise some influence over the agenda of this emerging powers' club. It is a clear victory for South African and African diplomacy that Pretoria has managed to place Africa's development challenges on the BRICS agenda, notably at a time when much-vaunted African partnerships like the Africa Action Plan have disappeared from G8 and G20 deliberations. At its first BRICS summit, South Africa pressed the leaders to express support in the Sanya Declaration for Africa's infrastructure development and industrialization within the NEPAD framework. South Africa's integrative bargaining at the Delhi summit in 2012 led to more concrete commitments from the BRICS leaders to accelerate Africa's economic diversification and modernization, including support for infrastructure development, knowledge exchange and access to technology, enhanced capacity-building and investment in human capital.

<sup>64</sup> Marius Fransman, 'South Africa: a strong African brick in BRICS', roundtable discussion by the Deputy Minister of International Relations and Cooperation, University of Stellenbosch, 21 Nov. 2012, <http://www.dfa.gov.za/docs/speeches/2012/frans1121.html>, accessed 9 April 2013.

<sup>65</sup> Peter Draper and Sören Scholvin, 'The economic gateway to Africa? Geography, strategy and South Africa's regional economic relations', SAIIA Occasional Paper no. 121, Sept. 2012, <http://www.saiia.org.za/occasional-papers/the-economic-gateway-to-africa-geography-strategy-and-south-africa-s-regional-economic-relations.html>, accessed 9 April 2013.

<sup>66</sup> Chris Alden and Garth le Pere, 'South Africa in Africa: bound to lead?', *Politikon: South African Journal of Political Studies* 36: 1, April 2009, pp. 145–69.

<sup>67</sup> Jim O'Neill, 'SA's Brics score not all doom and gloom', *Mail and Guardian*, 30 March 2012, <http://www.mg.co.za/article/2012-03-30-sas-bric-score-not-all-doom-and-gloom>, accessed 9 April 2013.

Following these incremental overtures, South Africa used its hosting of the fifth BRICS summit on 26–27 March 2013 to establish Africa firmly on the BRICS agenda. Notwithstanding some concerns about coupling the summit to Africa,<sup>68</sup> the 2013 meeting was the first BRICS summit to have an explicit geographical focus and associated normative framing, under the rubric ‘BRICS and Africa: partnership for development, integration and industrialization’ (a theme endorsed by AU member states).<sup>69</sup> South Africa for the first time invited a range of African leaders to engage with their BRICS counterparts through the BRICS Leaders–Africa Dialogue Forum. The eThekweni Declaration includes a number of commitments, notably BRICS support for the continent’s industrialization, infrastructure development and integration processes.<sup>70</sup> BRICS trade ministers similarly made commitments to support Africa’s development agenda by ‘strengthening their cooperation in the search for synergies for investment in Africa’s infrastructure, agriculture and manufacturing sectors’.<sup>71</sup>

African countries have high expectations for a new BRICS-led development bank, especially in the light of the continent’s chronic infrastructure challenges.<sup>72</sup> Indeed, in March 2012 the presidents of Benin (as chairperson of the AU) and Ethiopia (as chairperson of NEPAD) and the chairperson of the AU Commission jointly wrote to South African President Jacob Zuma, mandating him to champion the new bank.<sup>73</sup> It was a major achievement that the fifth BRICS summit directed finance ministers to continue work towards establishing the bank.<sup>74</sup> It will be an even greater victory for the continent if the bank is established in South Africa. It is understood that South Africa has expressed a strong interest in hosting the institution and would be the most suitable BRICS candidate, given its leading international ratings for financial system accountability and auditing.

## Africa’s negotiating behaviour with established powers

Following a period of benign neglect, the first decade of the twenty-first century saw an unprecedented focus on Africa on the part of the established powers.<sup>75</sup> This resulted in a series of integrative deals to support NEPAD, supplemented later

<sup>68</sup> Samir Saran, ‘The Africa question’, *Indian Express*, 12 Dec. 2012, <http://www.safpi.org/news/article/2012/samir-saran-africa-question>, accessed 9 April 2013.

<sup>69</sup> AU Assembly, ‘Decision on the report of the Heads of State and Government Orientation Committee of the New Partnership for Africa’s Development’, Doc.Assembly/AU/4(XX), Jan. 2013.

<sup>70</sup> eThekweni Declaration of the fifth BRICS summit.

<sup>71</sup> Joint communiqué of the third meeting of the BRICS trade ministers, Durban, South Africa, 26 March 2013, <http://www.brics5.co.za/assets/BRICS-Trade-Ministers-Communique-25-March-2013.pdf>, accessed 7 April 2013.

<sup>72</sup> The World Bank estimates that Africa needs US\$93 billion annually over the next decade to overcome its infrastructure deficits, particularly in the power sector, which is more than twice what was previously thought. See Vivien Foster and Cecilia Briceño-Garmendia, eds, *Africa’s infrastructure: a time for transformation* (Washington DC: World Bank, 2010).

<sup>73</sup> Author’s interview with senior official in the Department of International Relations and Cooperation, Pretoria, Oct. 2012.

<sup>74</sup> See eThekweni Declaration of the fifth BRICS summit.

<sup>75</sup> See e.g. Africa Policy Advisory Panel, *Rising US stakes in Africa: seven proposals to strengthen US–Africa policy* (Washington DC: Center for Strategic and International Studies, 2004); Commission for Africa, *Our common interest* (London, 2005).

by the African Peer Review Mechanism.<sup>76</sup> The G8 countries agreed to integrate Africa into their annual summit agendas and ultimately adopted the Africa Action Plan to support NEPAD. On that basis, Africa was able to extract key concessions (albeit unfulfilled promises) from the established powers on aid, trade, debt relief and the Millennium Development Goals (MDGs).<sup>77</sup> An important factor in the success of this elite bargaining with the liberal West was normative framing: NEPAD's reformism did not overtly challenge the G8's structural power or the hegemonic discourse, but sought to transform African political economies into neo-liberal 'competition states' in order to benefit from globalization. In doing so, however, 'the architects of NEPAD failed to articulate the need for Africa to participate more "strategically" and "selectively" in the global economy'.<sup>78</sup> While NEPAD still provides the overall strategic framework for engaging Africa's international partners, the plan is being implemented more pragmatically in order to build and strengthen African 'developmental states',<sup>79</sup> in many instances drawing on the heterodox growth models of the rising powers.

Most importantly, the rise of the emerging economies as alternative development partners offers African countries for the first time the real prospect of a 'Best Alternative to Negotiated Agreement' (BATNA) when dealing with the established powers.<sup>80</sup> Over the medium to long term, as African countries redirect their trade and investment towards Brazil, China and India, this BATNA may permit stricter distributive bargaining *vis-à-vis* the North. It is precisely the prospect of diversifying economic relations in favour of greater South–South cooperation that has led African governments to oppose a most favoured nation (MFN) clause in the EPA negotiations.<sup>81</sup> Given the vast power asymmetries with Europe, African negotiators have also relied on norm-based arguments to resist the completion of full EPAs, "mimetically challenging" the EU over the content of their EPA proposals as well as drawing attention to the EU negotiating behaviors that were clearly antithetical to the European commitment to a "development partnership".<sup>82</sup> This realization of a feasible BATNA for African countries has elicited a rearguard response from the established powers, in the form of admoni-

<sup>76</sup> Jimi Adesina, Yao Graham and Adebayo Olukoshi, *Africa and development challenges in the new millennium: the NEPAD debate* (Dakar, London and Pretoria: CODESRIA, Zed and UNISA Press, 2006).

<sup>77</sup> Brendan Vickers, 'South Africa: global reformism, global apartheid and the Heiligendamm process', in Andrew F. Cooper and Agata Antkiewicz, eds, *Emerging powers in global governance: lessons from the Heiligendamm process* (Waterloo: Wilfred Laurier University Press, 2008).

<sup>78</sup> Fantu Cheru and Magnus Calais, 'Countering "new imperialism": what role for the New Partnership for Africa's Development?', in Cheru and Obi, eds, *The rise of China and India in Africa*, p. 224.

<sup>79</sup> Thandika Mkandawire, 'Thinking about developmental states in Africa', *Cambridge Journal of Economics* 25: 3, 2001, pp. 289–313.

<sup>80</sup> As succinctly expressed by South Africa's Trade Minister, 'We don't have to sign on the dotted line whatever is shoved under our noses any longer; we now have alternatives and that's to our benefit' ('Pretoria defends China's Africa expansion', *Financial Times*, 25 Aug. 2010, <http://www.ft.com/cms/s/0/302f88ca-af8a-11df-a172-00144feabdc0.html>, accessed 10 March 2013).

<sup>81</sup> Sanousil Bilal and Christopher Stevens, *The interim Economic Partnership Agreements between the EU and African states: contents, challenges and prospects*, Policy Management Report no. 17 (Maastricht: ECDPM, 2009). The MFN clause would oblige African governments to extend to Europe the same trade preferences granted to southern partners under future trade agreements, especially with Brazil, China or India.

<sup>82</sup> Hurt et al., 'The argumentative dimension to the EU–Africa EPAs', p. 83.

tions to African governments to select only partners that are committed to ‘a model of sustainable partnership that adds value, rather than extracts it’.<sup>83</sup>

## Africa’s negotiating behaviour in international organizations

Since the dawn of the new millennium, African countries in their individual and collective capacities have emerged as increasingly active, assertive and confident players in several international organizations. Being rule recipients of the liberal western world order, African states and the rising powers appear to share a strong like-mindedness over the need to shape a more equitable paradigm for global governance.<sup>84</sup> The case-studies below briefly highlight key elements of Africa’s behaviour in three international arenas of negotiation: the United Nations Framework Convention on Climate Change (UNFCCC); the WTO’s Doha Development Agenda; and United Nations Security Council (UNSC) reform. Two observations flow from the analysis: first, Africa’s negotiating behaviour reveals a recurrent pattern of distributive bargaining; and second, the impact of Africa’s collective agency has been greatest in the climate change regime, significant in respect of the multilateral trading system, but most limited in the UNSC debate, largely owing to the intransigence of the five permanent members (P5) to expand the Council or dilute their veto power.

### *The climate change regime*

The African Group’s role in and influence over the international climate change negotiations are widely regarded as a success story of the continent’s collective agency.<sup>85</sup> Climate change is a major concern for Africa, given the actual and potential effects of planetary warming on the continent. Without effective action to inhibit climate change, most parts of the African continent are expected to experience reduced average annual rainfall and increased aridity and droughts.<sup>86</sup> For Africa, distributive bargaining has been paramount, given the high stakes: there is no BATNA to the global public good of an ambitious, legally binding and multilateral outcome to combat climate change.

It is significant that the African Group is the *only* regional grouping serving as a negotiation coalition in the UNFCCC.<sup>87</sup> African countries have worked over many years to better coordinate their positions in the international climate change negotiations, culminating in the adoption of formal common positions since Copenhagen in 2010. For Durban in 2011 and Doha in 2012, the focus was primarily on maintaining the Kyoto Protocol track, notably through a second

<sup>83</sup> ‘Hillary Clinton launches African tour with veiled attack on China’, *Guardian*, 1 Aug. 2012, <http://guardian.co.uk/world/2012/aug/01/hillary-clinton-africa-china>, accessed 9 April 2013.

<sup>84</sup> On this, see further the other articles in this special issue of *International Affairs*.

<sup>85</sup> Zondi, ‘Africa in multilateral negotiations’.

<sup>86</sup> African Group of Climate Negotiators, African Climate Platform to Durban, Sept. 2011 (unpublished confidential document).

<sup>87</sup> Lesley Masters, ‘Sustaining the African common position on climate change: international organisations, Africa and COP17’, *South African Journal of International Affairs* 18: 2, Aug. 2011, pp. 257–69.

commitment period after 2012, securing an agreement on finance, technology transfer and capacity-building, and a greater emphasis on adaptation.<sup>88</sup> To achieve these objectives, the African Group has deployed a range of approaches, from classic distributive tactics (such as staging a walkout at the Barcelona climate change talks in November 2009 when rich countries refused to commit to ambitious emission reduction targets<sup>89</sup>) to norm-based arguments combining science, equity and the rule of law.<sup>90</sup> With regard to the latter, the African Group has carefully constructed and successfully deployed a principled argument that Africa is one of the most vulnerable continents to the impacts of climate change, although Africans have contributed the least to the increasing concentration of greenhouse gases in the atmosphere. African countries also have the least capacity to adapt, as has been documented and supported by scientific findings and many reports, including those of the Intergovernmental Panel on Climate Change (IPCC).<sup>91</sup> Rhetorically, the African Group insists that climate change is an 'additional burden' hindering Africa's sustainable development and the attainment of the MDGs.<sup>92</sup>

The African Group has also managed to exercise agency and influence over the negotiations through South Africa's hosting of the 17th Conference of the Parties (COP) to the UNFCCC in 2011, widely touted as an 'African COP'.<sup>93</sup> South Africa's overall negotiating position was also strengthened by its membership of the BASIC coalition that includes Brazil, China and India, although this also raised some concerns about South Africa defecting from the African Group.<sup>94</sup> Nonetheless, it was a significant outcome of COP-17 that the Kyoto Protocol did 'not die on African soil'.<sup>95</sup> The South African presidency secured a second commitment period after 2012, notwithstanding strong opposition from some established powers refusing to sanction new commitments (e.g. Japan)<sup>96</sup> or withdrawing from the Kyoto Protocol (e.g. Canada).<sup>97</sup> Under the Durban Platform of Action, the parties agreed to conclude negotiations by 2015 on a 'protocol, another legal instrument or an agreed outcome with force under the Convention applicable to all Parties',<sup>98</sup> historically including the rising powers. The African Group position

<sup>88</sup> African Group of Negotiators, African Climate Platform to Durban.

<sup>89</sup> Masters, 'Sustaining the African common position on climate change'.

<sup>90</sup> African Group of Negotiators, African Climate Platform to Durban.

<sup>91</sup> See IPCC, *Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II and III to the Fourth Assessment Report* (Geneva, 2007).

<sup>92</sup> Lesley Masters, 'Africa, climate change and Copenhagen: a post-mortem', *Global Insight*, no. 91, Feb. 2010.

<sup>93</sup> Address by President Jacob Zuma at the official opening of COP-17/CMP-7, Durban, South Africa, 28 Nov. 2011, <http://www.thepresidency.gov.za/pebble.asp?relid=5366>, accessed 9 April 2013.

<sup>94</sup> Masters, 'Africa, climate change and Copenhagen'.

<sup>95</sup> Tosi Mpanu, 'Africa and the climate change negotiations: opportunities and constraints', presentation by former African Group chair to the Institute for Global Dialogue's 'environmental diplomacy short course', 23-25 April 2012 at the Leriba Hotel in Centurion, South Africa.

<sup>96</sup> 'Japan says "no" to extending Kyoto emissions treaty, wants new agreement', *Bloomberg*, 1 Dec. 2010, <http://www.bloomberg.com/news/2010-11-30/world-shouldn-t-wait-for-u-s-resolution-on-climate-agreement-japan-says.html>, accessed 7 April 2013.

<sup>97</sup> 'Canada condemned at home and abroad for pulling out of Kyoto treaty', *The Guardian*, 13 Dec. 2011, <http://www.guardian.co.uk/environment/2011/dec/13/canada-condemned-kyoto-climate-treaty>, accessed 10 Jan. 2013.

<sup>98</sup> UNFCCC, 'Establishment of an ad hoc working group on the Durban Platform for Enhanced Action', Draft Decision -/CP.17, [http://www.unfccc.int/files/meetings/durban\\_nov\\_2011/decisions/application/pdf/cop17\\_durbanplatform.pdf](http://www.unfccc.int/files/meetings/durban_nov_2011/decisions/application/pdf/cop17_durbanplatform.pdf), accessed 9 April 2013.



effectively worked in favour of some established power interests by supporting the EU's call for a binding treaty on emissions reductions.

Looking ahead, there are several challenges to maintaining African cohesion when negotiating a future climate change regime. On specific technical issues, there appears to be some divergence of interests among AU member states, particularly between OPEC members, the small island states and the LDCs. However, given that the current trajectory places Africa on a path for warming by well over 4–5° Celsius, it is imperative that African governments retain and strengthen their collective agency, while also building coalitions with local, continental and global civil society and business networks to champion climate justice for the continent.<sup>99</sup>

### *The WTO and the Doha Round*

A similar pattern of distributive behaviour is apparent in Africa's approach to the pre-launch and subsequent negotiations of the WTO's Doha Round. Since the establishment of the organization in 1995, the leading rich country members of the WTO had sought to extend its rules through a new trade round that would include the 'new issues' (for example, investment, competition, environment, labour and government procurement). However, the formal African position was to oppose the launch of any new trade round without a full review of the existing Uruguay Round agreements (including attention to almost 100 specific implementation concerns).<sup>100</sup> This was a classic distributive tactic of the African Group.

At the WTO's Seattle ministerial conference in 1999, efforts to launch the Millennium Trade Round collapsed dramatically, following (among other things) protests from African trade ministers who were excluded from opaque 'green room' negotiations.<sup>101</sup> Two years later, in the wake of the 9/11 terrorist atrocities, African countries agreed reluctantly to launch the Doha Round, largely owing to South Africa's influential role in brokering a consensus on the need for a new round. South Africa argued that the inclusion of the new issues would allow pragmatic trade-offs and hence more integrative or win-win bargaining.<sup>102</sup> Importantly, Africa's initial distributive overtures were not in vain. It was at Africa's behest that the new round was launched in 2001 as the Doha Development Agenda (DDA), with a normative commitment to place the needs and interests of developing countries at the heart of the Doha Work Programme.

Donna Lee and Nicola Smith argue that African countries are no longer passive 'objects' of trade negotiations, as during the GATT period (1948–94), but increasingly 'subjects' that enjoy participant status in the WTO's negotiations and are actively contesting the rules and practices of contemporary global trade

<sup>99</sup> Mpanu, presentation on 'Africa and the climate change negotiations'.

<sup>100</sup> Richard Mshomba, *Africa and the World Trade Organization* (Cambridge: Cambridge University Press, 2010).

<sup>101</sup> Fatoumata Jawara and Aileen Kwa, *Behind the scenes at the WTO: the real world of international trade negotiations* (London: Zed, 2003).

<sup>102</sup> Brendan Vickers, "'Reclaiming development" in multilateral trade: South Africa and the Doha development agenda', in Amrita Narlikar and Brendan Vickers, eds, *Leadership and change in the multilateral trading system* (Leiden: Martinus Nijhoff, 2009).

governance.<sup>103</sup> African countries' heightened agency in the WTO may be attributed to several factors. First, there is the 'weapon of resistance' provided by the discursive turn that prioritizes 'development' and 'fairness' in the context of market-opening objectives. Second, there is the WTO's consensus-based decision-making process, which provides a mechanism for distributive bargaining by enabling African states to say 'no'. Third is social learning, whereby the deliberative capabilities of African states have been enhanced during the Doha Round, so that African negotiators are better able to 'ask why' and 'ask how' in the Doha process.<sup>104</sup>

The proliferation of coalitions and issue-based alliances during the course of the Doha Round has also become an important source of empowerment for African countries seeking to actively oppose the major WTO members.<sup>105</sup> The majority of African countries have shown a propensity for joining bloc-type coalitions (rather than issue-based alliances), such as the African Group, the African–Caribbean–Pacific (ACP) Group, the LDC Group, the Small and Vulnerable Economies (SVEs) Group and the G90. These coalitions have used the moral power of their underdevelopment and norm-based arguments to demand both club and public goods from the established powers, including open markets, more balanced rules, and technical assistance and capacity support. They have also enrolled the rising powers to their cause, as a counterweight to the established leading members. The establishment of the 'Friends of Development' at the WTO's eighth ministerial conference in December 2011, consisting of more than 100 developing and least-developed countries, was a historic milestone. By combining their 'voice' with that of the rising powers, African countries were able to insist that the 'first priority' of the Doha Round was to address the issues of interest to LDCs, including agriculture, cotton, special and differential treatment, and implementation-related issues.<sup>106</sup> By comparison, only a handful of African countries are participating in targeted issue-based alliances, perhaps reflecting African countries' capacity shortages. Several African countries are pursuing their interests through the G20 (focusing on distortions in global agricultural trade), the G33 (demanding protection for food security and rural livelihoods) and the NAMA-II (seeking greater flexibility for industrial tariff liberalization), which South Africa leads.

The Doha Round has also demonstrated the potential for forming novel alliances with non-state actors. With the support of Oxfam and the Swiss-based IDEAS Centre, the four West African cotton-producing countries (Benin, Burkina Faso, Chad and Mali) managed to raise the profile of cotton on the Doha agenda, notably as a separate issue from the broader agriculture negotiations. Oxfam commissioned studies about the impact of low cotton prices on West African economies

<sup>103</sup> Donna Lee and Nicola Smith, 'The political economy of small African states in the WTO', *Round Table* 97: 395, 2008, pp. 259–71.

<sup>104</sup> Donna Lee, 'Global trade governance and the challenges of African activism in the Doha development agenda negotiations', *Global Society* 26: 1, 2012, pp. 83–101.

<sup>105</sup> Faizel Ismail, *Reforming the World Trade Organization: developing countries in the Doha Round* (Jaipur and Geneva: CUTS International and FES, 2009).

<sup>106</sup> WTO, 'Friends of Development ministerial declaration, 15 Dec. 2011, WT/MIN(11)/17, [http://www.wto.org/english/thewto\\_e/minist\\_e/min11\\_e/official\\_doc\\_e.htm](http://www.wto.org/english/thewto_e/minist_e/min11_e/official_doc_e.htm), accessed 24 Sept. 2012.

and conducted a public diplomacy campaign in the western media through regular press conferences and op-ed pieces by West African officials. IDEAS Centre and private donors raised funds and contributed expertise to coordinate the activities of the four Francophone countries, including financing an additional post in Benin's WTO mission in Geneva. With the help of these non-state actors, Benin and Chad also signed on as third parties to Brazil's cotton dispute with the United States, the first time an African country had ever participated as either plaintiff or defendant in the WTO.<sup>107</sup> Notwithstanding the intractable nature of state-society relations in many African countries, such alliances offer instructive lessons for the future.

## UNSC reform

Collectively, the AU member states have pursued a distributive strategy on UNSC reform, which has reinforced the long-standing multilateral deadlock on expanding and democratizing this body. In 2005, AU foreign ministers adopted the 'Ezulwini consensus' as Africa's common position on UN reform, including the UNSC and broader matters (e.g. epidemics, poverty, debt, trade, environmental degradation, conflict, terrorism and crime).<sup>108</sup> This document was significant for two reasons. First, it proposed two *veto-wielding* permanent seats for Africa, although there was considerable uncertainty (and rivalry) over which African countries would sit at the high table and what criteria were to be used for their selection. Second, the common position prevented individual African states with the power and capacity to represent the continent on an enlarged UNSC from articulating their own positions and interests on UNSC reform. Countries like South Africa, which have made an overt bid for permanent membership, have hence called for a review of the common position.<sup>109</sup>

The negotiations on UNSC reform during 2005 revealed an unbridgeable chasm between the AU member states and the G4, namely India, Brazil, Japan and Germany. As Siphamandla Zondi notes, the Ezulwini consensus was a classic distributive tactic, saddling the continent with an 'implausible and inflexible' negotiating stance.<sup>110</sup> Compared to the more integrative and pragmatic bargaining of the G4 'contenders', Africa's non-negotiable position on the veto for prospective permanent African members was widely interpreted as balking the momentum for reform.<sup>111</sup> That overstates the case. While the AU position was indeed a stumbling

<sup>107</sup> Donna Lee, 'Bringing an elephant into the room: small African state diplomacy in the WTO', in Andrew F. Cooper and Timothy M. Shaw, eds, *The diplomacies of small states: between vulnerability and resilience* (Basingstoke: Palgrave Macmillan, 2009); Matthew Eagleton-Pierce, 'The competing kings of cotton: (re)framing the WTO African Cotton Initiative', *New Political Economy* 17: 3, 2012, pp. 313-37.

<sup>108</sup> AU Executive Council, 'The common African position on the proposed reform of the United Nations: "the Ezulwini consensus"', Ex/EX.CL.2 (VII), Addis Ababa, 7-8 March 2005.

<sup>109</sup> Author's interview with senior official in the Department of International Relations and Cooperation, Pretoria, Oct. 2012.

<sup>110</sup> Zondi, 'Africa in multilateral negotiations'.

<sup>111</sup> Eddy Maloka and Bhekinkosi Moyo, 'Walking a tightrope: SA, Africa and the UN', Helen Suzman Foundation, <http://www.hsf.org.za/resource-centre/focus/issues-31-40/issue-40-fourth-quarter-2005/walking-a-tightrope-sa-africa-and-the-un>, accessed 9 April 2013.

block that inadvertently fed the interests of the P5, it was the latter's intransigent defence of their structural power that ultimately collapsed the process.

## Conclusion

Africa's negotiating behaviour demonstrates clearly that the era of relative passivity for many African countries in international relations is over. Collectively and individually, and in partnership with the rising powers, African countries as historical 'rule-takers' are actively contesting global governance in the pursuit of distributive justice, particularly in the climate, trade and security regimes. This has come about largely through the adroit use of distributive bargaining and tactics, supplemented by norm-based strategies highlighting Africa's underdevelopment. In future dealings with their international partners, it is clear that African countries require judicious negotiating strategies, improved deliberative capacities and coalitions with local/continental/global civil society and business networks in order to ameliorate their weaker bargaining power and reshape the terms of their engagement, particularly with the rising powers.

As parts of the world's poorest continent, most African countries have been exempted from the responsibilities of regime maintenance and leadership. In the WTO, the EU has even proposed a 'round for free' for LDCs (although Brussels has demanded reciprocity from poor African countries in the EPA negotiations). By contrast, the established powers have expectations that larger African states such as South Africa (in tandem with the rising powers of Brazil, China and India) should assume greater responsibility for the international system and the provision of global public goods—for trade, climate change, sustainable development and so forth. Together with its rising power partners, South Africa has opposed the North's demands for greater differentiation among developing countries (and the erosion of their rights and obligations) on the narrow basis of economic performance. In the WTO, for example, the South African government argues that: 'On important indicators, such as GDP per capita, human development or manufacturing value-added (MVA), emerging economies remain developing countries and still confront enormous developmental challenges, including poverty and inequality.'<sup>112</sup>

Looking ahead, two challenges to the prospects for strengthening Africa's role and influence in the current relative global power transition loom large. First, Africa's countervailing agency *vis-à-vis* the North is still largely negative—that is, it hinges on the ability and willingness to say 'no' and block an agreement. While the continent's distributive bargaining has yielded some victories (such as the established powers' declaratory commitment to a developmental trade round), African countries still have a long way to go in transforming their veto-player status into that of agenda-setters, so as to reshape the rules of the game positively.

The second challenge involves participation and representation at the high table of global governance. Whereas Brazil, China and India are increasingly drawn into

<sup>112</sup> Department of Trade and Industry, 'South African Trade Policy and Strategy Framework 2012', p. 7.

the WTO's decision-making processes,<sup>113</sup> African countries remain marginalized from the inner locus of WTO bargaining. For example, during the July 2008 ministerial negotiations in Geneva, not one African representative was included in the G7 process. Although South Africa and Mauritius were subsequently included in the G11, that process yielded only desultory results. Africa's participation in the G20 steering process has also been perfunctory, with South Africa being the only permanent African member, with invitations recently extended to the AU and NEPAD. With the eclipse of the G8 by the more representative G20, there are legitimate concerns that Africa's globally endorsed development agenda has fallen by the wayside.<sup>114</sup> Although the G20 has adopted a plan to assist developing countries broadly, this does not address specifically the continent's development challenges, as did the defunct Africa Action Plan.<sup>115</sup>

In the final analysis, African countries' political and diplomatic support for the rising powers is premised on the need to collectively advance a new global order, in which Africa can assume its rightful place. However, there is still some debate on whether the rising powers are reformist system-supporters, seeking accommodation in existing power structures, or revisionist agents of change, demanding radical alterations in global governance. While the initial signs point to the former, the full response of the established powers to these tentative challenges and power projections by Brazil, China and India still remains unclear, as other articles in this issue discuss. Given the uncertainty of this relative power transition and its outcomes, African governments and continental civil society and business networks should continue to champion and defend African-owned proposals for systemic reform.

<sup>113</sup> Amrita Narlikar, 'New powers in the club: the challenge of global trade governance', *International Affairs* 86: 3, May 2010, pp. 717–28.

<sup>114</sup> Mbeki, 'The African Union at 10 years old'.

<sup>115</sup> The G20 Seoul summit in November 2010 adopted the 'Development consensus for shared growth' policy document, coupled with a 'Multi-year Action Plan on Development', both of which are broad development programmes for all developing countries.