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BRIEFS

AGOA

Trade statistics show that only South Africa is taking advantage of the Africa Growth and Opportunity Act (AGOA) to expand exports of manufactured goods other than clothing to the US. SA's May US exports were up by 16% to \$400m compared with a year ago, despite the US economic slowdown. Year-to-date SA exports to the US reached \$1.9bn compared to \$1.5bn at the same point in 2000— with a trade surplus of \$372m. About 22% of South Africa's exports entered the US duty free in May covering about 71 products under AGOA and the US Generalised System of Preferences (GSP). Exports in terms of AGOA included 1,354 fully-built cars with a value of \$18m. Of the 35 African countries that qualify under AGOA, including five who qualify for duty-free apparel, few have claimed the export benefits.

Upcoming Visits

President Mbeki is addressing the UN General Assembly in September on the New Africa Initiative. He will also address a two-day high-level segment on globalisation and a three-day summit on children. He will pay an official visit to Japan later in the year and will visit Australia from 6-9 October 2001 for the Commonwealth Heads of Government meeting where he will hand over the chairmanship of the organisation.

SADC Summit, Blantyre: Changing of the Guard?

SADC has a historic opportunity to redefine its identity, but the successful resolution of the Organ on Politics, Security and Defence troika, speedier implementation of the Trade protocol and the role of the new SADC Chair will be decisive.

The gathering of the SADC Heads of State in Blantyre from 12-14 August 2001 aims to be more than the usual talk shop associated with the annual SADC summits. This Summit sets an ambitious goal to consolidate the restructuring of the SADC institutions—especially in terms of strengthening its Secretariat, and more essentially determining the future management of its controversial **Organ on Politics, Security and Defence (OPDS)**. Crucially, consensus must be achieved on the members of the new troika that will take over from Zimbabwe. Debate on this issue is expected to be just as heated as the heavily contested election of the Permanent Secretary at the special Summit in Windhoek—a first in the history of the organisation which prefers consensus rather than voting on contentious issues. A decision is not clear-cut and smaller members expect to be heard.

The implementation of the SADC **Trade Protocol** will be an important item on the agenda. Agreement has been reached that Southern African Customs Union (SACU) countries will liberalise their tariffs faster than the other SADC members, introducing a two-track approach to liberalisation and reflecting the current economic divide between members. By 2008, there will be zero tariffs on 85% of goods entering non-SACU states compared with zero tariffs for 97% of goods entering SACU states. All trade will be fully liberalised by 2012. However, problem areas remain in the textile and clothing sectors and rules of origin of certain manufactured and agricultural goods.

Despite a clear lack of resolve in implementing protocols (of the 15 protocols signed thus far only 8 have been ratified) it is expected that a further 5 protocols will be signed at the Summit, namely:

- Protocol on Politics, Defence and Security Co-operation;
- Protocol on Corruption;
- Protocol on Firearms, Ammunition and Related Materials;
- Protocol on Fisheries; and
- Protocol on Culture, Information and Sport.

The Ministerial Council is also expected to recommend that the Summit sign a **Social Charter of Fundamental Rights**. The charter will provide for freedom of association and collective bargaining, freedom of movement within SADC with far-reaching implications for labour relations, equal treatment irrespective of gender and improvement of working and living conditions.

In addition, the Summit cannot ignore international perceptions of the region as unstable and conflict-ridden. The impact on regional tourism arrivals and investment has been significant over the past year. Several SADC states face elections in the coming 18-24 months, including Zimbabwe, Zambia and Lesotho. This is a crucial phase for SADC to assert a new identity and inspire regional investor confidence.

The handing over of the SADC reins by the hawkish President **Sam Nujoma** of Namibia to the more conciliatory President **Bakili Muluzi** of Malawi, is an important marker on this path. Only time will tell the extent to which this rings in a change of the guard. Indeed, the new Chair must realise that the credibility of SADC hinges on how he addresses his own political future and whether he bids for a third presidential term in his own country.

Business Lunch: 14 August
Heads of State and top SADC
business leaders will meet in
Blantyre to ensure closer SADC
private sector interaction.

Racism: Prospects for Compromise?

Slavery and Zionism means that US and developed world participation hangs in the balance. Only compromise will ensure rhetoric becomes action.

SA is hosting the *World Conference against Racism* (WCR) in Durban from 31 August to 7 September 2001. This is the third in a series of conferences on racism that straddles three decades of attempts to develop a common global human rights culture.

Mary Robinson, the Human Rights Commissioner, hopes that this conference will chart the way for an **action plan** with clearly defined practical steps on how to eliminate racial discrimination globally. The preliminary consultation draft that forms the basis of the Durban declaration includes extensive measures of prevention, education, protection and the provision of effective remedies. This is a considerable departure from the format of the previous conferences and is the result of an extensive consultative process. It also reflects the growing importance attached to human rights as reflected in the establishment of the International Criminal Court and lately the series of unprecedented international efforts to hold former heads of state **Pinochet** and **Milosevic** accountable for past human rights abuses. In this regard it asserts the primacy of human rights following the ideological collapse of the Cold War.

Ironically, this wide consultation has also polarised the debate on the history of racism and possible remedies. It is particularly this latter issue that has been most divisive—resulting in a forward-looking versus a backward-looking approach. Africa and the developing world insist on a backward-looking approach that includes **monetary reparation for slavery** and an **apology for colonialism**. Moreover, Arab nations insist that **Zionism** should be placed on the agenda and equated with **racism**. The developed world in contrast insists that a forward-looking approach is far more constructive and that it is imperative to adopt measures and strategies that will prevent human rights abuses today.

Both issues have the potential to scupper the conference. The US and other developed nations have

threatened to boycott the conference if agreement is not found on these positions. The US did not participate in the previous two conferences because Zionism remained on the agenda.

SA as the host has to chart a middle way that will ensure a successful outcome. As the chair of the *Group of 21*—the editing committee of the draft declaration—Pretoria has and is playing an important role in identifying common ground. Recent statements by Foreign Minister Zuma suggest that South Africa supports the proposal that creative solutions should be found which do not negate the past, but which acknowledge what is practical and implementable.

Indeed moving from rhetoric to action will be problematic. If the outcome is to be successful, agreement has to be reached on:

- the acknowledgement of the primary obligation on states to ensure that conditions conducive to the effective implementation and monitoring of anti-discriminatory legislation and measures are in place.
- the introduction of educative measures internally to pro-actively foster a culture of human rights.
- the strengthening of international bodies to ensure the effective monitoring, prevention and prosecution of human rights abusers.

Delegates are optimistic that a compromise will be found on these outstanding issues despite continued vacillation related to terminology and content. Indeed, the conference is a yardstick for the extent to which states are willing to redefine the relationship between traditional views on state sovereignty and national jurisdiction and the growing, amorphous body of international human rights legislation and its impact on traditional inter-state and intra-state relations.

Sudan: Complexity, Conflict and Co-operation

Sudan is at once complex and diverse. Africa's largest state comprising over 60 tribes and nearly 2.5 million km², Sudan has been the scene of ongoing civil war between the largely Muslim north and the Christian/animist south since the mid-1980s. This has cost the lives of an estimated two million people through war, drought and famine, internally displaced at least another four million and led to accusations against Khartoum of 'ethnic cleansing'.

Today, Sudan is attempting to break out of its diplomatic isolation. To this end, a high-level delegation including the Minister of Foreign Affairs, **Dr Mustafa Osman Ismail**, and the Minister for Information and Communication, **Mahdi Ibrahim Mohamed**, visited SA at the end of July.

Khartoum begins an ambitious outreach initiative to breach its isolation—but not all are convinced of the regime's credentials.

The purpose of the visit was apparently threefold:

First, to win public and governmental support for Khartoum's position on the civil war and peace negotiations over that of the opposition Sudanese People's Liberation Movement (SPLM) led by **John Garang**.

Second, to sign agreements with the SA government and other civil society bodies.

Third, to attract investment from SA companies, particularly in agro-processing, oil exploration and mining. Sudan sits on one of the largest known, yet relatively unexplored oil deposits, most of it in the south.

Was the trip successful? Certainly it raised the profile of Sudan in the media, but not all of it

positive. Pretoria, which appears not completely convinced by Khartoum's rhetorical commitment to peace and democracy, is delaying the signing of an agreement that would, inter alia, establish a bilateral commission. There are apparently strongly held views in the SA government that Khartoum's violent and reportedly indiscriminate military campaign on the south is racist—seen as that between Arab and black African and between Islamists intent on establishing Shari'a law and Christians/animists.

While agreements were signed with UNISA, Medunsa and the Universities of Pretoria and the Witwatersrand and with the SA Chamber of Business, these are unlikely to amount to much in the absence of a stronger SA government push.

A number of SA-linked corporations are, however, already involved in the Sudan—notably MeatEng, which has recently built an abattoir in Khartoum, and a number of other engineering concerns.

No doubt warmer inter-governmental ties will provide an extra degree of security to encourage greater business and investment contacts. Pretoria does not have an embassy in Khartoum, which is covered from Addis Ababa.

The future of SA-Sudanese ties depends largely on the path of the until now desultory peace process. The government and the SPLM will need to reach agreement on the proposed referendum on self-determination, whatever the outcome.

The success of the peace is, to a great degree, linked also to the progress of the current Intergovernmental Authority on Development (IGAD) and Egyptian-Libyan initiatives, and to the unfolding relationship between Washington and Khartoum, which is apparently moving from isolation, under **Clinton**, to normalisation and engagement with **Bush**.

SADR and Recognition: Change Imminent?

The South African government is currently musing over whether to recognise the Saharawi Arab Democratic Republic (SADR). If it does, this will be at the expense of its bilateral relations with Morocco and possibly also with the Arab League.

Morocco occupied the Western Sahara in 1976. In 1982, Rabat left the OAU over the continent's recognition of the SADR. The planned UN-sponsored referendum on the territory's future has been held up since 1991 by a disagreement between the two sides over the composition of the electoral list—notably over 65,000 people in three tribes whom the Moroccans want enfranchised. The UN special representative, **James**

Baker, has toiled hard to find an accommodative solution—a so-called Third Way—to the impasse.

Currently 24 (of 53) African states recognise the SADR. More importantly, 26 countries have apparently de-recognised the embryonic state. For example, those

with no formal ties with the SADR include the UN permanent five (UK, US, France, China, Russia), Australia, Canada, Egypt, Japan, Brazil, India and European states.

Many felt it inevitable that an ANC government would automatically, once taking power in 1994, recognise the SADR. However, this decision was put on ice by President **Mandela**. Today, the shift is being motivated apparently by the Ministry of Foreign Affairs in spite of specialist advice and international trends. In part, this shift reflects the liberation movement's ties with the Polisario; and also represents an attempt to move closer to Algiers (and in doing so bolster the shaky position of President **Bouteflika**)—a strong supporter financially and militarily of the Polisario—for reasons of the MAP/New Africa Initiative.

What will be the possible cost of a shift in relations?

It seems likely that Rabat will react by significantly downgrading relations with Pretoria. This could include the scrapping of government contracts with SA-linked companies, notably the Council for Geoscience geological survey, and the SA Nuclear Energy Corporation, which is involved in a joint-isotope project with France and Morocco. Energy Africa has also recently been awarded a drilling contract offshore by Rabat. Given that none of the members of the Arab League—save for Algeria—recognise the SADR, this is likely to exacerbate splits that may already exist north and south of the Sahara.

A low-cost solution for Pretoria would be to keep both Rabat and Algiers on their toes by debating the issue, thus creating leverage over possible solutions. Recognising the SADR would lose this leverage, and leave SA politically exposed should the Baker peace plan be achieved or there be political change in Algiers.

Can Pretoria afford to ignore growing support for a 'third way' in solving the Western Sahara quandary?

Calendar

August-November 2001

6-8 August	SADC Officials meeting	Blantyre
9-11 August	SADC Council of Ministers meeting	Blantyre
12-14 August	SADC Summit	Blantyre
31 August to 7 September	UN Conference on Racism	Durban
18-21 September	Third State Party meeting, Mine Ban Treaty	Managua
6-9 October	Commonwealth Heads of State Meeting	Brisbane
October	USA-Africa meeting	Washington
9-13 November	Fourth Ministerial Conference of the WTO	Doha, Qatar

Burundi and the DRC: Linkages and Parallels?

The linked crises in the Democratic Republic of Congo and Burundi continue to dominate SA foreign policy attention. Pretoria's posture is to monitor events closely, let the institutional mechanisms do their work and where necessary influence events behind the scenes. SA has provided R1m to the OAU to fund the Joint Military Commission (JMC), the implementing body composed of rebel and government allied representatives. Seeing CODESA as a model, the opposition Union for Democracy and Social Progress (UDPS) Party and rebel Rally for Congolese Democracy (RCD), among others, have come to SA in recent months seeking advice on negotiating and managing political parties. The UDC and former Mobutu MPR Party have requested information from the ANC. Meanwhile President **Thabo Mbeki** remains in frequent contact with the Lusaka mediator, **Ketumile Masire**.

Preparations are going ahead for inter-Congolese political negotiations stipulated under the Lusaka Protocol. Some 54 civil society participants have been identified and confirmed but problems surround participation by opposition political parties. DRC President **Joseph Kabila**, who has shown a flair for saying what the world wants to hear, announced that political parties are free to operate but promptly sent police and soldiers to break up opposition demonstrations and press conferences while continuing harassment and detention of journalists. Opposition parties say they cannot participate in negotiations if they are not even free to meet to choose representatives to talks.

Conflicting agendas and divided stakeholders mean that the prospects for peace in both Burundi and the DRC remain in the balance.

Tension is rising in eastern DRC. The rebel RCD complains that the Mayi Mayi and Hutu insurgents fighting Rwanda and Burundi have escalated their activity in eastern DRC with continued backing from Kinshasa. Rwanda claims that 100,000 Hutu insurgents are marching on Rwanda from the DRC. The UN Security Council approval to expand the number of peacekeeping troops from the present 2,900 to 5,500 in light of what seemed broad commitment to the Lusaka process is significant in this regard. Some 100 SA specialists are widely deployed in the UN force.

The UN will not try to disarm 'rogue' groups and negative forces and the JMC has said it will deal only with *voluntary* disarming, which leaves major scope for rebels to stall the process and for Rwanda and Uganda to refuse to leave.

Zimbabwe's position on negotiations and negative forces is unclear, but it is anxious to maintain its influence and business interests. Zimbabwe is said to be trying to influence Kabila to establish some longer-term legal protection of its control of mines, granted by the late **Laurent Kabila** in exchange for troops. In late July 2000, Zimbabwe signed an economic cooperation agreement with Kabila. Questions have been raised whether Zimbabwe traded any of its DRC diamond interests in exchange for the massive loans granted by Libya.

On the economic front, SADC ministers met in Kinshasa in June to discuss energy and Kinshasa appeared receptive to Eskom's participating in the DRC electricity sector, which badly needs to refurbish hydro-electric turbines, distribution and transmission systems.

Burundi's peace process remains very shaky despite announcements of a breakthrough in July to have Tutsi president **Pierre Buyoya** stay on as president for 18 months after which a Hutu president would take over. Petty rivalries and faction splits resulted in the Arusha process excluding participation of armed rebels, who still reject the core notion of the rotating presidency. A second attempted coup against Buyoya on 22 July 2001 was more serious than the first attempt in April, reflecting growing opposition to the peace process and Buyoya in the Tutsi army and political parties. SA Deputy President **Jacob Zuma** continues to play a major diplomatic role.

Pretoria has opened a full embassy in Rwanda, which previously was represented out of the SA mission in Uganda. In June, SA and Rwanda also inaugurated a Joint Co-operation Commission, a sort of bi-national commission to look at trade, aid, human rights and other areas of co-operation.

Diplomatic Watch

New South African Heads of Mission

To Lesotho:

- **Mr Japhet Ndlovu**, High Commissioner. Second term in Lesotho—served there as Head of Mission from 1997 to 2000.

To Denmark:

- **Mr Steven Pandula Gawe**, Ambassador. Previously served as South Africa's ambassador to Norway. Currently director at the Foreign Service Institute of the Department of Foreign Affairs.

To Argentina:

- **Prof. Mlungisi Washington Makalima**, Ambassador. Formerly a Permanent Secretary at the Department of Welfare in the Eastern Cape and a long association with the Department of Social Sciences of the University of Fort Hare.

To South Korea:

- **Mr Sidney Bafana Kubheka**, Ambassador. Previously served as ambassador to Indonesia. Currently deputy director in the Asia Branch of DFA.

To China:

- **Mr Temba Muziwakhe Nicolas Kubheka**, Ambassador. Joined the Department of Foreign Affairs in 1997. Previously served extensively for the ANC in Scandinavia. Presently still serving as ambassador to Denmark.

To Rwanda:

- **Dr Aggrey Mxolisi Mbere**, Ambassador. Dr Mbere has a Ph.D in Education Policy and Administration. He filled various consultancy positions, also served as Deputy Director General in the Office of the Public Service Commission.

Migration & Skills

Some 23,000 graduates leave Africa every year, mostly for Europe. This outflow costs African countries millions in GDP annually, while perpetuating ineffective institutional infrastructure and bad governance.

SA must open its doors to foreign skills if the economy is to grow by at least 6% annually—a minimum prerequisite for starting to reduce unemployment. Although the extent of migration from SA amounts to only 0.3% of the professional skills pool, a developing country like SA cannot afford to lose such human resources, given its huge developmental challenges. In 1997 alone human capital outflows from SA were valued at R68b.