

# Unequal but intertwined: Namibia's bilateral relationship with South Africa

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Namibia's post-Independence bilateral relations with South Africa were shaped in large part by two dominant facts: that its large neighbour to the south had ruled Namibia for 75 years (1915–1990) and left behind an extensive legacy, and that Namibia remained economically very closely intertwined with South Africa, which had Africa's largest economy. Initial relations with South Africa were also significantly influenced by the particular global context in which Namibia gained its independence, namely the end of the Cold War. At the same time, apartheid South Africa began to emerge from international isolation, in large part because it finally agreed in 1988, under great pressure, that Namibia should become independent via a process involving the United Nations (UN). It was not until 1994, however, that Namibia's relations with South Africa changed significantly, with the incorporation of Walvis Bay and then the advent of a democratically-elected government in South Africa a few months later. Relations between the two countries have not always been close since 1994, however, partly because of the past relationship between the two liberation movements that became the ruling parties in the two countries.

Relations between Namibia and South Africa since Namibia's independence in 1990 are, then, the product of history, of geographical continuity, of economic interdependence and integration, of culture, and of politics. As the last coloniser of Namibia, South Africa has a continuing influence on numerous aspects of the post-colony, including its economy, its social structure, its criminal justice system, its tourism sector, and its foreign relations. This legacy is much in evidence in Namibia's macroeconomic performance, particularly in the fiscal and monetary policies of the new state, as well as in its trade relations. Twenty-three years after Independence, Namibia's economy remains closely linked to South Africa's. Back in 1992, President Sam Nujoma complained that Namibia imported everything from South Africa and had no significant exports to that country.<sup>1</sup> In 2011, Namibia imported R35.4 billion worth of goods from South Africa, accounting for 66% of the country's exports, while 30% of Namibia's exports, valued at R8.3 billion, were destined for the South African market. In 2012, South African investments in Namibia were estimated at R58.47 billion.<sup>2</sup> Moreover, Namibia's retail and commercial sectors have, since Independence, been dominated by South African corporates, including Pick n Pay, Shoprite, Standard Bank, and First National Bank – to mention but a few.

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1 Republic of Namibia ([n.d.]:180).

2 South African High Commission ([n.d.]).

Namibia has viewed democratic South Africa since 1994 as the centrepiece of its economic diplomacy, yet has continued to be uneasy about its relations with its bigger neighbour. The two liberation movements, the African National Congress (ANC) and the South West Africa People's Organisation (SWAPO), did not always work closely together during their years of struggle against apartheid, despite having the apartheid regime as a common enemy. In the 1960s, SWAPO – founded almost 50 years after the ANC – continued its earlier campaigns against the incorporation of Namibia into South Africa. SWAPO's liberation politics were initially largely Sino-inspired, at a time when Soviet influence became a dominant ideological anchor for the ANC. While SWAPO's military wing, the People's Liberation Army of Namibia (PLAN), fought impressively in what it saw as a war for liberation against apartheid colonialism, the ANC, seeking the inclusion of the black majority in a non-racial South Africa, waged a much less successful guerrilla campaign. While some in SWAPO had thought the ANC not serious enough in the struggle against apartheid, some in the ANC had looked down on the Namibian nationalists as latecomers, lacking in sophistication.<sup>3</sup>

Namibia's post-Independence 'high politics' relations with its southern neighbour can best be termed ambivalent. Namibia appreciated President Nelson Mandela's declaration that South Africa would cancel the debt Namibia owed that country at independence. But Namibia's desire to be independent of its big neighbour in some instances lent towards overconfidence and overreach, particularly under the presidency of Sam Nujoma from 1990 to 2005.<sup>4</sup> While Namibia's post-Independence political leadership accepted that South Africa was indispensable to its economic survival, by virtue of the close intertwining of the two countries' economies, that leadership has sought to pursue an 'emancipatory' foreign policy based on a desire to assert its sovereignty, wishing to avoid domination by its larger neighbour, and on anti-imperialism. However, leadership changes in both countries have impacted on the texture of bilateral relations. In order to better understand the complex nature of these relations, we propose to examine post-Independence Namibia's foreign relations with South Africa in three phases. The first, from 1990 to 1994, represents an interregnum because of the transition then taking place in South Africa from apartheid to democracy. The second and third phases (1994 to the present) cover the presidencies of Sam Nujoma and Hifikepunye Pohamba. These represent different avenues of consolidation in Namibia's relations with post-apartheid South Africa.

## Phase 1: Engaging the former colonial oppressor, 1990–1994

Once installed in office, the new Namibian Government realised that it had to work closely with its former colonial power, despite all that had happened in the past, and

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3 Cf. Southall (2013), especially Ch. 2–3.

4 Cf. Cooper & Shaw (2009).

despite the natural enmity of a liberation movement towards its former oppressor. From an economic perspective, there was no alternative, and pragmatism dictated a working relationship on other issues. Fortunately, then President FW de Klerk had already opened the door to a negotiated settlement in South Africa the month before he went to Windhoek in March 1990 for Namibia's Independence celebrations, which the recently released Nelson Mandela also attended.<sup>5</sup> After 1990, relations with the De Klerk Government were naturally not close, for De Klerk was associated with all that apartheid had meant for Namibia. While diplomatic relations were then established between the two states, the ANC – by then unbanned in South Africa – was allowed to operate a representative office in Windhoek on an equal footing with the South African High Commission.<sup>6</sup> Namibia continued to call on the international community to put pressure on South Africa to end apartheid, and, in 1991, Oliver Tambo, then President of the ANC, was welcomed in Windhoek.<sup>7</sup>

While independent Namibia became a member of the UN, the Commonwealth, the Organisation of African Unity (OAU), and the Southern African Development Co-ordinating Conference, which in 1992 became the Southern African Development Community (SADC), until 1994 South Africa remained outside these organisations. Namibia did, however, become in 1990 a formal member of the Southern African Customs Union (SACU), which had been established in 1910 and was dominated by South Africa. In SACU, Namibia soon argued for greater revenues from the common customs pool, and that was to become and remain a cause of friction between the two governments.<sup>8</sup>

Two years after Independence, in 1992, Namibia also became a member of the Common Monetary Area (CMA), along with Lesotho, South Africa and Swaziland. Namibia withdrew from this arrangement in September 1993, however, when it introduced its own currency. But the Namibia dollar continued to be pegged to the South African rand, and at the official launch of the new currency, President Nujoma expressed his appreciation to the South African Government "for allowing us to use the Rand as legal tender ... for the foreseeable future", calling the concession "a commendable sign of regional co-operation".<sup>9</sup>

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5 President De Klerk used his visit for Namibia's Independence ceremony for extensive meetings with various international leaders, including UN Secretary-General Javier Perez de Cuellar and the Presidents of Angola, Egypt, Mali, Mozambique, Nigeria, Yugoslavia and Zambia; the Prime Minister of Cape Verde; the Foreign Ministers of Finland, Ireland, the Soviet Union, Spain, Sweden and West Germany; and officials from France, Italy and Norway (Wren 1990).

6 Republic of Namibia ([n.d.]:433).

7 (ibid.:95, 109).

8 See e.g. Gibb (2006).

9 (ibid.:324).

Despite notable advances in the economic relationship, the legacy of apartheid and its impact on the territorial integrity of Namibia left unresolved issues. UN Security Council Resolution 432 of 1978 had made it clear that Walvis Bay should be integrated into an independent Namibia.<sup>10</sup> The first Article of the Namibian Constitution drawn up in late 1989/early 1990 stated the following:<sup>11</sup>

The national territory of Namibia shall consist of the whole of the territory recognised by the international community through the organs of the United Nations as Namibia, including the enclave, harbour and port of Walvis Bay, as well as the off-shore islands of Namibia, and its southern boundary shall extend to the middle of the Orange River.

But, in 1990, South Africa continued to claim legal possession of Walvis Bay, Namibia's only significant port, which had become part of the new Union of South Africa in 1910,<sup>12</sup> as well as title to both banks of the Orange<sup>13</sup> and to the Penguin Islands, which provided South Africa with a foothold inside the 200-nautical-mile Exclusive Economic Zone that Namibia declared at Independence.

The newly formed Ministry of Foreign Affairs in Windhoek was conscious that Namibia was a small, weak state compared to its large and powerful neighbour, and that the only card it could play was an appeal to the international community. But Namibia chose not to refer its claims to Walvis Bay and the Penguin Islands to the UN or any other body. It appreciated that the De Klerk Government could not easily be seen by the white electorate to make concessions, especially when some in South Africa saw the retention of Walvis Bay as a way to guarantee post-Independence 'good behaviour' by the new SWAPO<sup>14</sup> Government. The new Namibian Government was pragmatic, therefore, which eased the process of negotiation, as did the obvious ability and reasonableness shown by Namibia's first Foreign Minister, Theo-Ben Gurirab, who had acquired much experience of diplomacy from his many years at the UN. There was also no significant external assistance in the negotiation process that the two countries began in March 1991.<sup>15</sup>

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10 Berat (1990).

11 Namibian Constitution, Article 1(4).

12 Walvis Bay was administered as part of South West Africa from 1922 until 1977; from 1978 to 1990 it was governed directly by South Africa.

13 South Africa claimed, on the basis of an 1890 treaty, that the border ran along the north bank of the Orange River.

14 Now *SWAPO Party of Namibia*.

15 Shortly after Independence, the Ministries of Foreign Affairs and of Fisheries and Marine Resources reached an agreement with Angola and South Africa on Namibia's territorial seas and Exclusive Economic Zone. But Namibia appealed to the European Community, the UN and the International Conference on South East Atlantic Fisheries for aid in dealing with the plunder of marine resources by South African and Spanish fleets.

South Africa's initial position on Walvis Bay was based on the non-negotiability of its sovereignty. It suggested that Namibia could use the harbour within a bilateral framework. Namibia, on the other hand, argued for the inclusion of the disputed territory. After the South African Government declared that the Walvis Bay dispute could only be resolved in the context of a post-apartheid Constitution, which he realised would mean years of delay, President Nujoma, speaking at the October 1991 Commonwealth Heads of Government meeting in Harare, accused the South African Government of "calculated and sinister foot dragging".<sup>16</sup> The following year, the two countries agreed to set up a Joint Administration as an interim arrangement for Walvis Bay and the Penguin Islands, and a Joint Technical Committee to report on where the Orange River boundary between them should be.<sup>17</sup> That Nujoma blamed the De Klerk Government for Chris Hani's<sup>18</sup> assassination in April 1993 did not help the negotiations on Walvis Bay,<sup>19</sup> but, as South Africa, at its multiparty negotiating forum later that year, itself moved towards a negotiated settlement, providing for the first democratic elections in that country in April 1994, the Walvis Bay and Penguin Islands issue was resolved, with South Africa agreeing to transfer both to Namibia on 28 February 1994. President Nujoma hailed this as constituting a "second independence" and as a diplomatic triumph for Namibia, although he continued to say that the arms embargo and the ban on nuclear technology transmission should remain until a democratic South Africa was born.<sup>20</sup>

In the early 1990s, Namibia was careful not to escalate tension with South Africa as that country moved towards majority rule, but was nonetheless keen that its relations with apartheid South Africa should not compromise its desire to see majority rule come about there. Namibia's policy vis-à-vis South Africa in this period was, as a consequence, a mixture of optimism, looking forward to a new, majority-ruled South Africa, on the one hand, and, on the other, economic pragmatism as a result of Namibia's import dependency on South Africa. As one commentator wrote, Namibia proceeded –<sup>21</sup>

... cautiously and patiently, mindful of the fact that South Africa's preoccupation with internal developments presented both an opportunity and risk to the new state.

That independent Namibia adopted a policy of national reconciliation and a free market economy helped persuade Pretoria to agree to the handover of Walvis Bay.

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16 Republic of Namibia ([n.d.]:135).

17 See e.g. (*ibid.*:85).

18 Leader of the South African Communist Party and chief of staff of Umkhonto we Sizwe, the ANC's armed wing.

19 Republic of Namibia ([n.d.]: 158, 279); Alden & Soko (2005).

20 Republic of Namibia ([n.d.]:333, 368, 380).

21 Evans (1993:135).

## The Nujoma presidency and a democratic South Africa: Fraternal engagement, economic dependence, differences on regional policy

Namibia established formal diplomatic relations with South Africa soon after Mandela became the first black South African President, opening in that country what was, and remains – especially from an economic point of view – its most crucial diplomatic mission.<sup>22</sup> While the bilateral relationship is strategic for Namibia, both from a fiscal and import/export perspective, the economic nature of the relationship is largely one of dependence on South Africa. Understandably, the two countries do not have the same perception of the relationship between them. South Africa sought to play an important role on the world stage, and its transition from apartheid to democracy helped enable it to become a member of the world's leading international groupings, including, in recent years, the Group of Twenty (G20),<sup>23</sup> and, in 2010, the group of major emerging markets – Brazil, Russia, India and China.<sup>24</sup> South Africa served as a Non-permanent Member of the UN Security Council in 2007–2009 and again in 2010–2012. Moreover, South Africa's economy – the largest on the continent – is more than three times the size of the rest of the southern African regional economies combined. Thus, South Africa has seen Namibia, a small and not very important country in global terms, from the perspective of its wish to play a leadership role in Africa and around the globe. Namibia, on the other hand, has been lukewarm towards Pretoria's pretensions to leadership in Africa and the SADC region.

Notwithstanding the change in SACU's revenue-sharing formula agreed in 2002, which had taken several years to negotiate among the five member states, Namibia's portion of this revenue varied between 25% and 37% during the 20-year period of the last decade of the 20th Century and the first of the 21st.<sup>25</sup> This degree of fiscal dependence has made it difficult for the Namibian Government to contemplate fundamental reform of SACU; also, the fact that Namibia is bound within a South-Africa-led institutionalised framework of trade, financial and other non-economic links has limited any scope for it to act independently in SACU.<sup>26</sup>

Although Namibia adopted a liberal democratic Constitution four years before South Africa did, it did not have the necessary institutions or culture to give effect to that

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22 Ministry of Foreign Affairs (2004).

23 The premier forum for international cooperation on the most important issues of the global economic and financial agenda; see [http://www.g20.org/docs/about/about\\_G20.html](http://www.g20.org/docs/about/about_G20.html), last accessed 25 September 2013.

24 With South Africa's membership, the acronym became *BRICS*.

25 In the 2012–2014 *Medium-term Expenditure Review*, the Namibian Government's budget framework, SACU revenue is expected to account for 34% of total state revenue (Ministry of Finance 2012).

26 See e.g. Alden & Soko (2005).

democracy in its early years. When South Africa, with its more highly developed institutions and civil society, adopted its own democratic Constitution, it could have become a role model for Namibia. Instead, under President Nujoma, Namibia continued to be a relatively closed society – one which had a free press, but where little open debate occurred in government. Despite the human rights abuses that had occurred in SWAPO's camps in Angola, Namibia refused to follow the South African example and appoint a Truth and Reconciliation Commission as a way to start healing the wounds of war. Furthermore, while Namibia's constitutional framework posits a democratic dispensation, the country's leadership has not grounded the country's foreign policy in democratic values and has vacillated on human rights. SWAPO has continued to act like a liberation movement, with strong authoritarian and ideological tendencies. While Nelson Mandela, the first President of a democratic South Africa, said he would adopt a foreign policy that sought the advancement of human rights and democracy, Nujoma made no such declaration for Namibia; indeed, under the Nujoma presidency, Namibia's bilateral relationship with South Africa was marked by sporadic acrimony, with the two countries taking different positions on several regional challenges.

The war in the Democratic Republic of the Congo (DRC) in 1998 was a major source of tension between Namibia and South Africa. Namibia intervened alongside Angola and Zimbabwe in the war to save President Laurent Kabil from almost certain defeat, while South Africa, backed by Botswana and Tanzania, worked for a diplomatic solution.<sup>27</sup> Namibia chose to follow Zimbabwe, which, as Chair of the Organ on Defence, Politics and Security, had a very antagonistic relationship with South Africa under President Nelson Mandela, who held the rotating chair of SADC. The formalisation of a mutual defence pact in 2000 between Angola, the DRC, Namibia and Zimbabwe signalled that Namibia wished to try to pursue an independent foreign policy not necessarily driven by economic considerations, but by its own assessments of opportunities and risks in the region.<sup>28</sup>

While Namibia did not always appreciate the ambitious and aggressive African policy of President Thabo Mbeki, Mandela's successor, which tended to stress a focus on the continent as a whole rather than the region,<sup>29</sup> Namibia and South Africa did cooperate in the domain of security, including maritime security. A Permanent Joint Commission on Defence and Security was set up to meet annually under a rotational chair to discuss security-related issues, such as transnational crime, money laundering and public safety, and from 1997 bilateral relations were conducted through a Heads of State Economic Bilateral Meeting (HOSEB), which discussed, *inter alia*, such issues as joint economic cooperation and environment, in particular transfrontier parks, marine and coastal management, transport, energy, science and technology, trade and industry, spatial

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27 Nathan (2012b).

28 Hengari (2012).

29 See e.g. Landsberg (2010:Part 4).

development initiatives and regional integration. Of the numerous initiatives to promote regional integration in which the two countries participated, among the most important were the following:<sup>30</sup>

- The Trans-Kalahari Railway Line, to link Botswana, Namibia and South Africa
- The Trans-Kunene Corridor, to link Angola, the DRC, Namibia and South Africa, and
- The establishment of a SADC Standby Force.

## The Pohamba presidency: Closer relations with South Africa under Jacob Zuma

After Hifikepunye Pohamba took over from Sam Nujoma as President of Namibia in 2005, and especially after Jacob Zuma succeeded to the South African presidency in 2009, relations between the two countries became closer. Not only was there more cooperation on matters of mutual concern, there were also more frequent visits by senior officials, including the two heads of state. In his opening remarks at the HOSEB meeting held in Windhoek in November 2010, President Zuma said he wished to convey “warm and fraternal greetings to the government and people of the sister Republic of Namibia”<sup>31</sup>. This was, he said –<sup>32</sup>

... another occasion to cement the close bonds of solidarity and cooperation that our people have enjoyed over the years, dating back from the days of the liberation struggle against apartheid ... [I]n addressing the future of our countries, we must, among other things, focus on the fundamental issues of development, namely the alleviation of poverty, inequality, unemployment and other social ills that continue to afflict our societies.

When President Pohamba made a state visit to South Africa from 5 to 7 November 2012, he addressed a joint session of Parliament. The most important agreement signed during that visit, which was primarily to attend the Eleventh Session of HOSEB, transformed that body into a Bi-national Commission which was to meet annually, alternating between the two countries.<sup>33</sup>

In 2012, Namibia gave strong support to the candidacy of the South African Minister of Home Affairs, Nkosazana Dlamini-Zuma, for the position of Chairperson of the African Union (AU) Commission. Furthermore, since 2009, Namibia had backed President Zuma’s role as SADC facilitator on Zimbabwe. When South Africa’s Minister

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30 See e.g. South African Government News Agency (2009).

31 <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=14319&tid=23833>, last accessed 14 September 2013.

32 (*ibid.*).

33 Two Memoranda of Understanding were also signed: see [www.mfa.gov.na](http://www.mfa.gov.na) (Department of Bilateral Affairs), last accessed 26 September 2013.

of International Relations and Cooperation, Maite Nkoana-Mashabane, visited Namibia in April 2013, she emphasised a relationship of brotherhood and sisterhood between Namibia and South Africa. After mentioning that 52 bilateral agreements had been signed between the two countries, she did, however, add that –<sup>34</sup>

... it was important to start implementation of some of these agreements in order for the people to continue to find meaning in these relations.

In the area of trade negotiations and access to markets in the European Union (EU), Namibia and South Africa have not always found common ground in concerns about the Economic Partnership Agreements (EPAs) the EU wished to sign with southern African states. When these negotiations were launched in July 2004 in Windhoek, EPAs were expected to take effect by 2008, but problems soon became apparent and Namibia initialled (but did not sign) an Interim EPA “with reservations” at the end of 2007 to secure Namibia’s trade preferences until such time as a full EPA could be agreed to. The issues of Most-Favoured-Nation status, a definition of the parties and the protection of infant industries then bedevilled the process, but Namibia and South Africa worked together in SACU to come up with a common position. Nonetheless, by mid-2013, the two countries had still not signed an EPA with the EU.

Namibia and South Africa have also worked together on such SADC projects as the Western Power Corridor and the Benguela Current Convention signed in April 2013.<sup>35</sup> The latter seeks to protect and manage the maritime resources of the Benguela Current.

In recent years, South Africa has tended to join Namibia and other countries in SADC in not upholding human rights and the rule of law. This was seen clearly in both countries agreeing with SADC’s decision in 2010–2011 to suspend and then dissolve its own Tribunal, which had been housed in Windhoek.<sup>36</sup> Instead of accepting and implementing norms and values codified in the various regional (SADC) and continental (AU) protocols to which the two countries are signatories, Namibia and South Africa have instead emphasised stability and security in the region. They have failed to condemn the absolute monarchy in Swaziland. In August 2013, the leaders of both Namibia and South Africa congratulated Robert Mugabe on his re-election as President of Zimbabwe, ignoring clear evidence of election rigging and the blatant non-observance of SADC’s

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34 <http://www.globalpost.com/dispatch/news/asielanet/130409/bilateral-relations-between-namibia-and-sa-discussed/>, last accessed 22 September 2013.

35 See <http://www.undp.org/content/rba/en/home/newscentre/articles/2013/04/30/angola-namibia-and-south-africa-sign-world-s-first-large-marine-ecosystem-legal-framework/>, last accessed 14 September 2013. A bilateral agreement was drawn up between the Karas Region in southern Namibia and the Northern Cape Province in South Africa, in part to promote tourism, but after a decade very little has been achieved; see *The Namibian*, 29 May 2012, “Karas and Northern Cape twinning struggles”.

36 Nathan (2012a).

own electoral guidelines. They also supported his election as the new Deputy Chair and prospective Chair of SADC.<sup>37</sup> In this respect, the foreign policies of the two countries have become more closely aligned in recent years. Whether this will continue under the successors to Presidents Pohamba and Zuma remains to be seen.

## Conclusion

Both Namibia and South Africa have remained relatively stable in the two decades since apartheid rule ended and they adopted liberal democratic Constitutions. South Africa, however, not only has a population well over 20 times that of Namibia's, but also possesses the resources to project itself onto the global and African stages in a way that Namibia cannot begin to emulate. Relations between the two countries will, therefore, continue to be unequal. Although this will remain the case, the geostrategic context of the two countries will shift. South Africa's economy may decline relative to others, while Angola, which lies across Namibia's northern border, is likely to become increasingly important in southern Africa, both politically and economically.

South Africa is now behind a push to link SADC with the Common Market for Southern and Eastern Africa and the East African Community, and another to make SACU a larger organisation.<sup>38</sup> Whatever developments may take place in this regard, Namibia and South Africa will remain tied together: not only by being contiguous, but also by their liberation histories – even when the liberation movements now in government do eventually lose power – as well as by their intertwined economies. It is in both countries' interests that their future relations remain as friendly and close as possible.

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37 See e.g. *Business Day*, 20 August 2013, "Mugabe leapfrogs alphabet to be next SADC leader".

38 Cf. Hichert et al. (2010); Salomão (2012).

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