



Co-funded by the
Erasmus+ Programme
of the European Union

POWERS

**Erasmus+ Jean Monnet Network
Peace, War and the World in European
Security Challenges**

**INTERCONNECTED AND MULTIFACETED SECURITY
PILLARS, DRIVERS AND REGIONAL CHALLENGES**

Edited by Paolo Bargiacchi

KorEuropa Online Law Journal - Special Issue (July 2022)



P. Bargiacchi (ed.), *Interconnected and Multifaceted Security. Pillars, Drivers and Regional Challenges*, in *KorEuropa*, Special Issue (July 2022), pp. 259

KorEuropa is the Online Law Journal of Kore University's European Documentation Centre
Published by Kore University of Enna, Faculty of Law and Economics
Cittadella Universitaria 94100 Enna (Italy) – **ISSN (Online): 2281-3349**

Editor in Chief: Anna Lucia Valvo, Professor of EU Law, University of Catania (Italy)

Information, instructions for authors, current and past issues of *KorEuropa* available at
<https://unikore.it/ricerca/pubblicazioni-e-attivita-editoriale/>

The volume comes from the International Spring School on *International Security, Human Security and the EU Global Strategy*, held at Kore University of Enna (Italy) on 26-29 April 2022 (see the Final Agenda of the International Spring School at pp. 253-258)

The International Spring School brought together, in person or online, more than 30 speakers and 170 participants from Italian and foreign Universities. Notably, most speakers were young researchers, Ph.D. students and master students

The International Spring School was one of the major events of the 2018-2022 **POWERS project** (Project Number: 599962-EPP-1-2018-1-RU-EPPJMO-NETWORK; Grant agreement No. 2017–3334/023-001), Erasmus+ Jean Monnet Network (*Peace, War and the World in European Security Challenges*): <http://powers-network.vsu.ru/en/home/>

Higher Education Institutions partners of POWERS project: 1) Voronezh State University; 2) University of Goettingen; 3) Sciences Po Bordeaux; 4) University of Seville; 5) Kore University of Enna; 6) Dokuz Eylül University; 7) University of Jordan Center for Strategic Studies; 8) Kuban State University; 9) Perm State National Research University

DISCLAIMER: The contents of all chapters of *Interconnected and Multifaceted Security. Pillars, Drivers and Regional Challenges* (*KorEuropa* Online Law Journal – Special Issue, July 2022) reflect the views only of the authors, and the European Commission cannot be held responsible for any use which may be made of the information contained therein

CONTENTS

<i>Preface</i>	3
<i>Notes on Contributors</i>	7
<i>Abbreviations</i>	11
<i>Agenda of the POWERS International Spring School at Kore University</i>	253

SECTION I: PILLARS OF SECURITY

RULE OF LAW, DEMOCRACY AND RESPONSIBILITY TO PROTECT

<i>Some reflections on the international rule of law</i> (Lucia Corso)	17
<i>The EU's interregional relations and the promotion of democracy: the case of Zimbabwe (2002-2013)</i> (Giovanni Finizio)	27
<i>Impact of COVID-19 on the move towards authoritarianism and its implications on security</i> (Muge Aknur)	41
<i>"We won't exchange human rights for gas". Where is R2P in Ukraine? Between political limits and legal justifications</i> (Carmen Márquez Carrasco)	51

SECTION II: KEY DRIVERS OF (IN)SECURITY AT GLOBAL LEVEL

<i>The UN Women, Peace and Security Agenda: pillars, inclusion and the unyielding role of women</i> (Chiara Iachetta)	65
<i>Pursuing justice or peace and security? The legal politics of Article 16 of the Rome Statute</i> (Anna Maria Cassarà)	78
<i>The applicability of international humanitarian law to cyber operations</i> (Laura Garay Gómez)	87
<i>Promoting and protecting human rights and dignity through food security: the case of Morocco</i> (Antonino Finocchiaro)	93

<i>Antitrust, democracy and the role of the EU in a globalized world</i> (Riccardo Samperi)	99
<i>Piracy: a threat to sea security and world maritime trade</i> (Francesca Bruno & Riccardo Persio)	121
<i>The European struggle against human trafficking</i> (Vincenza Paladino)	135
<i>Human trafficking and transnational organized crime</i> (Silvia Jelo di Lentini)	142

SECTION III A CASE STUDY ON SECURITY: MIGRATION

<i>Migration as a threat: the concept of securitization and its application to the issue of migration</i> (Yaroslavna Saraykina)	154
<i>Sustainable and ethical investments in Northern Africa as a way to mitigate the impact of migrations on Italy and EU</i> (Giuseppe Macca & Tommaso Pochi)	161
<i>The migration crisis as a fault line in the EU: the ECJ decisions regarding the Visegrad countries</i> (Sevgi Çilingir)	185
<i>Securitization of migration in France from the perspective of social constructivism: an examination of the National Front Party (2011-2022)</i> (Samet Kayar)	194

SECTION IV: REGIONAL CHALLENGES TO SECURITY

<i>The efficacy of international actors on the abolition of the death penalty in South Africa and Botswana</i> (Damla Kızılkoca & Zühal Ünalp Çepel)	207
<i>Multiple dimensions of security: impact analysis of coltan and cobalt mining industry in the Democratic Republic of Congo through the lens of the Just Ecological Transition</i> (Federico Maria Jelo di Lentini)	218
<i>Turkey's foreign policy towards the Kurdistan Regional Government: ups and downs (2003-2017)</i> (Zyad Muhammad Nuri)	234

THE EU'S INTERREGIONAL RELATIONS AND THE PROMOTION OF DEMOCRACY: THE CASE OF ZIMBABWE (2002-2013)

Giovanni Finizio

ABSTRACT: The development of interregional relations and the promotion of democracy are two pillars of the EU's external identity. The aim of this article is to assess whether the EU has been able to use its interregional relations with the Southern African Development Community (SADC) and the African Union (AU) to democratize partner organizations and their member countries. In particular, the role of the normative interaction with the EU occasioned by the breach of democratic principles in Zimbabwe between 2002 and 2013 is analyzed, focusing on three key factors: the normative gap between the EU and the partner organizations; the internal cohesion and external coherence of the EU; and the role of South Africa as regional leader in incorporating and applying liberal democracy throughout the region.

KEYWORDS: EU; democracy promotion; SADC; AU; interregionalism.

CONTENTS: 1. *Introduction: Democracy and interregionalism, pillars of the European Union's international identity.* – 2. *Democracy in the AU's and SADC's normative framework.* – 3. *The EU, democracy and the normative interaction with SADC and AU: the case of Zimbabwe.* – 4. *EU cohesion and consistency.* – 5. *Regional leaders as EU's allies in democracy-building? The case of South Africa.* – 6. *Conclusions*

1. *Introduction: Democracy and interregionalism, pillars of the EU's international identity*

In 1993, under the Treaty of Maastricht (TEU), the EU included explicitly and for the first time the promotion of democracy as one of its fundamental foreign policy objectives (Art. 11), something that no other international actor had ever done before. Democracy lies at the very foundation of the European integration project. Although it was not mentioned in the Treaties of Rome as an essential element of the European Economic Community (EEC), the United States supported European integration after the Second World War as a means to ensure a 'democratic' peace on

the continent, i.e. supported by the gradual transfer of sovereignty to a supranational authority and by the sharing of principles and values inherent to the Western bloc, of which democracy was an essential part. In 1973 the then nine EEC member countries declared that democracy was integral part of its identity¹, and, together with the accession of Greece to the Community in 1981, they established that a democratic regime was a fundamental precondition for EU membership. In 1993 this concept was formally established in the Copenhagen criteria, which made joining the EU subject to compliance with the principles of free market (democratic principle), respect for democracy, human rights, and rule of law (political principle), and the transposition of the *acquis communautaire*. Therefore, EU Member states and supranational institutions share a democratic identity, and the EU believes its own legitimacy as well as its effectiveness in promoting democracy elsewhere are derived from this: “The EU and its Member States act in support of democracy drawing on strong parliamentary traditions, based on the role of national Parliaments and regional and local assemblies in Member States and that of the European Parliament”².

While the EU is not alone in promoting democracy outside its borders, its willingness to build interregional relations is one of the EU’s distinctive features, making it unique in international relations. No other actor makes the regional organizations which it promotes privileged partners, or no other actor does it to the same extent³.

Through interregional relations the EU promotes the development of regional integration experiences on other continents somehow trying to export its model because “it can be considered as the only successful example of regional integration so far”⁴. In the EU’s view, the promotion of “regionalism through interregionalism”⁵ helps create the conditions for development and stability in other regions, can pave the way to the construction of a post-Westphalian order based on the overcoming of the anarchical structure of international relations⁶ and, ultimately, contributes

¹ Declaration on European Identity, Copenhagen, 14 December 1973.

² COUNCIL OF THE EU, *Council Conclusions on Democracy Support in the EU’s External Relations. Towards Increased Coherence and Effectiveness*, 16081/09, Brussels, 17 November 2009.

³ FINIZIO, *L’Unione Europea e la promozione del regionalismo: principi, strumenti e prospettive*, in FINIZIO-MORELLI (a cura di), *L’Unione Europea nelle relazioni internazionali*, Roma: Carocci 2015, 131-156.

⁴ EUROPEAN COMMISSION, *European Community support for regional economic integration efforts among developing countries*, 16 June 1995, COM(95) 219, 8.

⁵ DOIDGE, *The European Union and Interregionalism. Patterns of Engagement*, Farnham: Ashgate Publishing 2011, 50.

⁶ TELÒ, *Europe: A Civilian Power? European Union, Global Governance, World Order*, London: Palgrave Macmillan 2006, 227-228.

to the affirmation and legitimation of its own role as civilian power and international actor⁷.

In the 1990s both interregionalism and the promotion of democracy became two distinctive features of the “globalization of EU foreign policy” and of the evolving identity of an up-and-coming international actor. Above all, it was natural for the gradual mainstreaming of democracy and human rights in EU foreign policy to also involve interregionalism, and for the latter to ideally become a vector of the EU’s “proactive cosmopolitanism”, i.e. of its “deliberate attempt to create a consensus about values and behaviour - a cosmopolitan community - among diverse communities [and to push] the civil and political values of Western liberal states in other parts of the world”⁸.

The promotion of democracy through interregional relations is linked to the EU’s ability to use bi-regional relations to democratize the member states of its partner organization. This requires a normative interaction between the two organizations and the EU’s ability to bring the regional partner group closer to democracy, transforming its political identity.

According to the constructivist approach to international relations, the fundamental structures of international relations are social constructions which contribute to forging the identities as well as the interests of the actors involved⁹. Therefore, identities and interests are continuously being constructed and deconstructed because they are the products of intersubjective interaction within shared structures of collective meaning. Regional organizations are international structures resulting from interactions and practices that express their existence, and they themselves contribute to building a collective identity. Therefore, the ability and willingness of a regional organization to promote democracy among its member states greatly depends on the extent to which a democratic regional identity exists, i.e. the extent to which the organization has internalized democratic values and there is a relative homogeneity of democratic states¹⁰. However, at the same time the identity of regional organizations is constructed and deconstructed through their relationship with external actors. The institutionalized relations with the EU – for instance the interregional

⁷ SÖDERBAUM *et al.*, *The EU as a Global Actor and the Dynamics of Interregionalism: A Comparative Analysis*, in 27(3) *European Integration* 365 (2005).

⁸ TAYLOR, *The United Nations in the 1990s: Proactive Cosmopolitanism and the Issue of Sovereignty*, in 47(3) *Political Studies* 535 (1999), 540.

⁹ WENDT, *Constructing International Politics*, in 20(1) *International Security* 71 (1995).

¹⁰ VAN DER VLEUTEN, *Contrasting Cases: Explaining Interventions by SADC and ASEAN*, in RIBEIRO HOFFMANN-VAN DER VLEUTEN (eds.), *Closing or Widening the Gap? Legitimacy and Democracy in Regional Integration Organizations*, Farnham: Ashgate Publishing 2007, 156-157.

political dialogue – are the *locus* for regular contact among regional actors and for socialization, through which the EU contributes to the construction and quality of this regional identity. It is a process of identity-building that takes place through the interactions of three different levels – the EU, the regional organization and the member states. In this process, some specific cases of a breach of democratic values by a member state have at times been crucial.

This paper focuses on interregional relations between the EU and two regional organizations with which it has been attempting to establish cooperation on democracy-building in Africa: the Southern African Development Community (SADC) and the African Union (AU). Its objective is to assess whether the EU has been able to make interregional relations a tool for the ideational diffusion¹¹ of democratic principles at the level of member states as well as an instrument of concrete cooperation in favour of democracy-building¹². More specifically, the EU has been engaged in a normative interaction with these organizations as a result of a case of breach of democratic principles by a member state, i.e. Zimbabwe. In particular, this article considers the period between March 2002 (when President Robert Mugabe, in power since 1980, was re-elected as a consequence of major election irregularities leading the EU to sanction the country and Mugabe's regime for the first time) and the first half of 2013 (when the EU eased sanctions and carried out a controversial re-engagement with Harare). This case has been chosen because, more than others, it has affected the life of both regional organizations, has been at the heart of the political dialogue between them and the EU, and has drawn the attention of the international community, leading to strong pressure from the West in particular.

Three premises are presented here that explain the EU's ability to promote democracy throughout the regional partner organization and its member states, in cooperation with it:

a) the greater the normative gap between the two organizations, the weaker the EU's influence in the field of democratization, especially if the Union's attitude is confrontational. When the partner organization does not share the EU's democratic identity, it is evidently less inclined to put pressure on or penalize its own member states in order to foster democratization and accommodate European pressure in this direction.

¹¹ GRUGEL, *Democratization and Ideational Diffusion: Europe, Mercosur and Social Citizenship*, in 45 *J. Common Mkt. Stud.* 43 (2007).

¹² We consider here both SADC and AU since both – one at the sub-regional level and the other at the continental level – deal with the promotion of democracy, they are supposed to work in partnership and both have developed a partnership and a political dialogue with the EU in the field of democracy and human rights.

However, the normative gap is not invariable, but rather changes precisely through dialogue and confrontation with the EU. *Ceteris paribus*, the normative gap will restrict the EU's influence to a greater extent if there is a less asymmetrical power relationship between the EU and its partner region. In our case, the asymmetry between the EU and SADC/AU is bigger than, for instance, between the EU and ASEAN in Southeast Asia or MERCOSUR in Latin America;

b) secondly, the internal cohesion of the EU should be assessed with respect to the action to be taken in the specific case. Although the promotion of democracy and human rights is a goal shared by all Union members, there is constant debate and tension in the EU between countries which are traditionally more pragmatic, dialoguing and careful to reconcile ideals and national interests and countries which are more intransigent and in favour of intervening to respect these principles¹³. On the other hand, in these delicate situations even when the treaties allow for the use of the principle of majority, it is virtually impossible to proceed if a member country is firmly opposed to it. In general, the result is a tendency by the EU to formulate inconsistent policies dictated by the lowest common denominator, or even to deny its positions with artifices of various types;

c) equally important is the presence of one actor with leadership ambitions in the region, its own democratic identity, its own normative gap with respect to the EU, its propensity to incorporate the EU's democratic principles and model and its willingness and ability to apply them throughout the region. In other words, the aim is to investigate whether these regional leaders have contributed to what Amitav Acharya calls "constitutive localization" of the norms promoted by the EU¹⁴.

In the SADC and the AU, this actor is South Africa.

2. *Democracy in the AU's and SADC's normative framework*

Both SADC and AU originated (in 1992 and 2001, respectively) from two pre-existing organizations, namely the Southern African Development Coordination Conference (SADCC) and the Organization of

¹³ SMITH, *The Limits of Proactive Cosmopolitanism. The EU and Burma, Cuba and Zimbabwe*, in ELGSTRÖM-SMITH (eds.), *The European Union's role in International Politics. Concepts and Analysis*, London: Routledge 2006, 155-171, at 162.

¹⁴ "Constitutive localization [is] a process in which external ideas are adapted to meet local practices [...] the active construction of foreign ideas by the local actors, which results in the latter developing significant congruence with local beliefs and practices": ACHARYA, *Whose Ideas Matter? Agency and Power in Asian Regionalism*, Ithaca: Cornell University Press 2009, at 19 and 15.

African Unity (OAU). Since both – the former at sub-regional, the second at continental level – shared the objective of decolonization and economic and political liberation of the continent from external powers, it is no wonder that democracy was not mentioned among their principles and objectives, and that non-interference, respect for and protection of sovereignty and solidarity among member states, necessary for the emancipation of the continent from any oppression, were highly significant.

In the 1990s the liberal paradigm was incorporated by and adapted to the African context by a new generation of Pan-Africanist leaders who shared the idea of an *African Renaissance* advocated by Nelson Mandela, namely the vision of a more dynamic, united, democratic, stable and prosperous Africa¹⁵. SADC and OAU, inadequate to fulfil these new principles and clearly ineffective, were thus replaced by the new organizations, which were more open to the free market and, at least rhetorically, to democratic principles. The promotion of democracy is one of SADC's objectives and it has equipped itself with a set of tools to fulfil this. The main relevant institution is the Organ on Politics, Defence and Security Co-operation (OPDSC), whose objectives include promoting the development of democratic institutions and practices in the region and encouraging the observance of universal human rights. Similarly, the AU's Constitutive Act acknowledges the promotion of democratic principles and institutions as well as popular participation and good governance among its objectives (Art. 3 g). Both organizations have adopted principles and guidelines governing democratic elections (in 2004 and 2002 respectively)¹⁶ and both are often called to monitor elections in member states and have codified guidelines in this regard. In the AU framework, the New Partnership for Africa's Development (NEPAD) was created in 2001 to build a true partnership between African countries and international donors based on a pact that the powers of the North would ensure financial assistance and support to African peace-building and democracy-building capacities if Africans committed themselves to conflict resolution and the promotion of democracy and human rights¹⁷.

Therefore, the normative gap between SADC and AU and the EU is apparently smaller compared to other organizations such as ASEAN or SAARC, but the documents adopted are generally not binding, giving the

¹⁵ MATHEWS, *Renaissance of Pan-africanism: The AU and the New Pan-africanists*, in AKOKPARI et al. (eds.) *The African Union and Its Institutions*, Cape Town: Jacana Media 2008, 30.

¹⁶ African states have also adopted the Charter on Democracy and Elections which entered into force in February 2012.

¹⁷ LANDSBERG, *The Birth and Evolution of NEPAD*, in AKOKPARI et al., *supra* footnote 15, 211-212.

states great freedom in how they are implemented¹⁸, and the observance of the principles contained therein is entrusted to peer review instruments, which are not very effective especially in the presence of non-democratic countries¹⁹. The result is that the commitment to democratization is often rhetorical, and some have questioned whether such instruments are only a mirage to satisfy (or deceive) international donors²⁰.

3. *The EU, democracy and the normative interaction with SADC and AU: the case of Zimbabwe*

In 1994 SADC and EU launched the so-called ‘Berlin Initiative’ to build a comprehensive, regular and increasingly institutionalized interregional dialogue. In its constitutional document the parties claimed to share universal values that find their expression in the respect for human dignity²¹, and pledged to undertake a regular exchange of views on general matters of foreign policy in order to promote peace and stability in the Southern African region²² and to support democracy and the rule of law, respect for human rights and the protection of minorities, the promotion of social justice and good governance²³. However, the normative interaction between SADC and the EU on democratic setbacks in Zimbabwe has shown how this normative convergence is rhetorical rather than real, and how attempts by Brussels to bring the group closer to liberal democracy has in practice yielded mixed results.

Since the country’s independence in 1980, the Mugabe regime has been responsible for an increase in corruption, human rights violations against its opponents and intolerance of dissent. One of the worst moments occurred with the March 2002 presidential election in which Mugabe was re-elected and serious irregularities and a boycott of the opposition led Brussels to suspend financial aid and shortly after to impose an arms embargo along with a visa ban and to freeze the assets of individuals who had been “included in one of the longest blacklists the EU had ever produced”²⁴.

¹⁸ GODSÄTER, *Southern African Development Community*, and KINGAH, *African Union*, in LEVI *et al.* (eds.) *The Democratization of International Institution. First International Democracy Report*, London: Routledge 2014, respectively 252-253 and 184.

¹⁹ TAYLOR, *NEPAD. Towards Africa’s Development or Another False Start?*, Boulder (Co.): Lynne Rienner 2005, 154.

²⁰ KINGAH, *supra* footnote 18, 184.

²¹ EU-SADC Ministerial Conference, *Berlin Declaration*, 5-6 September 1994, § 1.

²² *Ibidem*, § 4.

²³ *Ibidem*, § 2.

²⁴ PORTELA, *European Union Sanctions and Foreign Policy. When and Why Do They*

Through political dialogue, the EU sought SADC's support in these measures which, however, never came. Since 2000 divergent positions on the issue of Zimbabwe have instead emerged in the interregional meetings which have prevented an agreement from being reached on the subject²⁵. In line with its principles of solidarity and non-interference, SADC preferred constructive engagement and quiet diplomacy rather offering its support in the search for solutions to improve the situation²⁶. Above all, it has always rejected pressure and criticism from the EU, calling it an inappropriate intervention in African affairs²⁷, and supported Harare both politically and through the supply of energy²⁸.

Difficulties in normative interaction have compromised EU-SADC political dialogue in favour of other interregional contexts such as EU-Africa. However, even in this context, which involves the AU as a whole, European pressure has not been welcomed. Thanks to his past role as leader of the SADC, Mugabe has been able to exploit EU sanctions to wave the flag of anti-imperialism and the defence of the sovereignty of the developing countries, thus ensuring the solidarity of many African countries. The leaders themselves of Nigeria and South Africa, Olesugun Obasanjo and Thabo Mbeki, at the forefront in promoting NEPAD and its principles, supported the view that criticism of Mugabe was part of a malevolent white racist conspiracy to recolonize Zimbabwe²⁹. Mbeki regularly sided with Mugabe, stating that "we will never criticize Zimbabwe"³⁰, while Nigeria often helped block resolutions on the issue of Zimbabwe tabled by the EU within the UN Commission on Human Rights³¹. Furthermore, the EU-Africa Summit in 2003 was postponed several times due to the opposition of many African leaders to the EU's refusal to admit Mugabe.

The 2008 elections marked a turning point in SADC-EU cooperation on the issue of Zimbabwe. There were so serious irregularities and violence that even the SADC and the AU observers deemed the elections neither free nor fair. SADC undertook mediation that facilitated the conclusion in September 2008 of the so-called Global Political Agreement between Mugabe and the opposition, the formation of a national unity

Work?, London: Routledge 2010, 140.

²⁵ EU-SADC Ministerial Meeting, *Final Communiqué*, 7-8 November 2002 (Maputo), 3.

²⁶ *Ibidem*, 4.

²⁷ SÖDERBAUM, *The Political Economy of Regionalism. The Case of Southern Africa*, London: Palgrave Macmillan 2004, 99.

²⁸ PORTELA, *supra* footnote 24, 44.

²⁹ TAYLOR, *supra* footnote 19, 105.

³⁰ *Ibidem*, 111.

³¹ SMITH, *supra* footnote 13, 167.

government and the adoption of a new constitution (2013) which represented an improvement in democratic terms.

These developments have encouraged the emergence of a consensus between SADC and the EU on the need to support Zimbabwe on its electoral path³² and for a gradual lifting of sanctions by the EU, with the exception of those on Mugabe and his family. Whether or not EU sanctions have been effective is a controversial issue³³ but the decision to ease them and to carry out a “hurried and unprincipled re-engagement”³⁴ with Harare has raised much criticism because progress in the country is modest and controversial³⁵. The July 2013 elections, with a surprising victory for Mugabe, were not defined free and fair either by the opposition or by the EU itself³⁶. The European choice has therefore been driven by self-regarding interests (e.g. the need to beat China in the rush for resources and markets and the interests of Belgium, the centre of global diamond trading) rather than by concrete improvements in the country. SADC and AU have instead expressed a positive opinion on the electoral process (“free, peaceful and generally credible” for SADC and “peaceful” for AU), demonstrating that their priority is not democratization but the stabilization of the country, which cannot be separated from solidarity against external threats to state sovereignty and the perceived Western arrogance³⁷.

Therefore, the post-2008 SADC-EU consensus does not seem to reflect an effective normative convergence, but a rhetoric-reality gap covering up realist considerations (economic and commercial interests for the EU and the need to attract Western aid and assistance on the African side). Additional confirmations are offered by NEPAD/APRM and the 2007 Joint EU-Africa Strategy (JAES).

NEPAD/APRM (African Peer Review Mechanism), one of the contexts of greater cooperation between Africa and the EU in the area of democracy and human rights, so far has not yielded the hoped-for results, if considering that as of 2014 at the end of the period under consideration here and a decade after APRM was established, out of 54 AU members

³² SADC-EU Ministerial Political Dialogue, *Communiqué*, 20 March 2013 (Maputo).

³³ GREBE, *And They Are Still Targeting: Assessing the Effectiveness of Targeted Sanctions against Zimbabwe*, in 45(1) *Africa Spectrum* 3 (2010); PORTELA, *supra* footnote 24.

³⁴ GWEDE, *What guides Zimbabwe-European Union re-engagement?*, in *The Standard* (20 July 2014), available at <http://www.thestandard.co.zw/2014/07/20/guides-zimbabwe-european-union-re-engagement/>.

³⁵ BELL, *Zimbabwe: EU slammed for ‘forsaking’ democratic hopes of Zimbabweans*, in *AllAfrica.com* (28 February 2014), at <http://allafrica.com/stories/201403010003.html>.

³⁶ RAFTOPOULOS, *The 2013 Elections in Zimbabwe: The End of an Era*, in 39 *JSAS* 971 (2013), 978.

³⁷ *Ibidem*, 988.

over 20 (including Zimbabwe) had not subjected themselves to APRM, and those which have done so in many cases had failed to comply with NEPAD objectives³⁸.

The partnership on democratic governance and human rights launched by JAES, has so far been implemented in a poor and disappointing way. This is mainly due to the lack of will on the African side³⁹, but the EU has tolerated it, proving that “there is little evidence thus far of serious intent on either the European or African side to develop an active and meaningful thematic partnership in this area”⁴⁰.

4. *EU cohesion and consistency*

In the case of Zimbabwe, tensions between pragmatist and normative countries have undermined both the effectiveness of the action for the promotion of democracy and interregional relations.

In Africa the traditionally different levels of sensitivity to human rights and democracy between the countries of the North and of the South have been superimposed by the interests and ambitions on the continent of France and UK. The decision to impose sanctions on Zimbabwe and the EU’s intransigence towards the country in interregional relations are the result of the Europeanization of a campaign launched by Tony Blair’s New Labour. The pressure exerted by Blair had a normative basis and was part of a broader project, the aim of which was the political and economic transformation of the continent, linking development, democracy, human rights and good governance⁴¹. However, it was also caused by the agrarian reform undertaken by Mugabe, which had turned into the forced confiscation of land without any compensation at the expense of white Zimbabweans, many of whom were English-speaking descendants of British settlers.

The UK’s normative approach has gained support from countries such as Sweden, Denmark and the Netherlands, receiving however more

³⁸ MANGU, *The African Union and the Promotion of Democracy and Good Political Governance under the African Peer Review Mechanism: 10 Years On*, in 6 *Africa Review* 59 (2014), 65-66.

³⁹ Suffice it to say that the AU Implementation Team was chaired by Mubarak’s Egypt and was composed of 13 countries including Algeria, Nigeria and Zimbabwe itself, which do not stand out for their democratic qualities. CRAWFORD, *EU Human Rights and Democracy Promotion in Africa: Normative Power or Realist Interests?*, in CARBONE (ed.), *The European Union in Africa: Incoherent Policies, Asymmetrical Partnership, Declining Relevance?*, Manchester: Manchester University Press 2013, 155.

⁴⁰ *Ibidem*, 156.

⁴¹ TENDI, *The Origins and Functions of Demonisation Discourses in Britain-Zimbabwe Relations (2000-)*, in 40 *JSAS* 1251 (2014).

sceptical reactions from countries such as Italy, France and Belgium. Especially after 2004, France has supported the UK's positions within the EU (obtaining in return its support on the Ivory Coast) but the limits of this cooperation soon came to the surface. Travel bans, in particular, have been restrictively applied by London, but systematically disregarded or violated by Paris, which several times has allowed Mugabe and his regime's members, who had been put on the sanction list, to transit through its territory or attend interregional meetings or other international events held in France⁴². Paris' forcing the issue was motivated by an attempt to increase its influence in Africa⁴³, but to a lesser extent Italy and Belgium as well have maintained bilateral relations with the regime or some of its members⁴⁴. Divisions within the EU on the issue of Zimbabwe have yet to be resolved. The lifting of most of the sanctions after the 2013 elections has indeed caused severe tension, for example between Belgium, which was in favour of the lifting for economic reasons, and the UK, whose intransigence, although diminished with David Cameron, has not ceased to exist.

Different views on the approach towards Zimbabwe have caused uncertainty about the targets of the sanctions and the slowness in implementing them⁴⁵. In addition, the systematic violation of sanctions has undermined the EU's credibility with respect to Zimbabwe, which has been thus able to mitigate its isolation, and to interregional partners (SADC and AU), which had long been asking the EU to lift the sanctions⁴⁶.

5. Regional leaders as EU's allies in democracy-building? The case of South Africa

SADC has not followed the EU model either in terms of democracy or of supranationalism. Although its structure (e.g. the Secretariat) has been strengthened thanks to some institutional reforms, it is still strictly intergovernmental and relatively closed to participation and democratic control, given that it has no institutionalized mechanisms for civil society involvement and that the SADC Parliamentary Forum is a mere advisory body, external to SADC's structure⁴⁷.

⁴² GREBE, *supra* footnote 33, 15-16.

⁴³ SMITH, *supra* footnote 13.

⁴⁴ ERIKSSON, *Targeting Peace: Understanding UN and EU Targeted Sanctions*, Farnham: Ashgate Publishing 2011, 227.

⁴⁵ GREBE, *supra* footnote 33, 13.

⁴⁶ ERIKSSON, *supra* footnote 44, 210.

⁴⁷ GODSÄTER, *supra* footnote 18.

On the contrary, AU has borrowed a number of significant features from the EU template and presents some principles of international democracy.

The explanation is linked to the role of South Africa in the sub-regional and continental context. South Africa has one of the most representative political systems on the continent and, after the launch of the *African Renaissance* by Mandela, has played a central role in the opening up of the two organizations to democratic principles. However, its influence on their normative development has been far greater at the continental level than at the sub-regional level. In fact, South Africa is not a founding country of SADC whereas it was one of the leading countries in the establishment of AU.

Furthermore, when in 1999 Mbeki came to power, Pretoria's leadership aspirations were launched further than Southern Africa and came to affect the continent as a whole⁴⁸. Mandela adopted the neoliberal strategy of "Growth, Employment and Redistribution" (GEAR) with the aim of making South Africa a destination for foreign investment and a competitive global trading state. To implement this project, Mbeki understood that it would be necessary to improve the image and attractiveness of the entire African continent, making it more peaceful and consistent with the liberal paradigm. Pretoria would therefore have to 'get its hands dirty' by getting involved in attempts at conflict resolution, political transformation and socio-economic development on the continent, playing a role that transcended the Southern African region⁴⁹. On the other hand, South Africa had difficulty in exercising leadership at the sub-regional level because of the persistent suspicion of its neighbours and the resistance of countries such as Angola and Zimbabwe, which considered themselves potential regional hegemon⁵⁰. At continental level, however, Pretoria found the alliance with Obasanjo's Nigeria (among others) which has been central to OAU's necessary transformation into a new organization that would preserve peace and promote democracy, human rights and good governance on the continent⁵¹. Moreover, it would develop elements of normative supranationalism⁵², effectiveness and democracy, in line

⁴⁸ SCHOEMAN, *South Africa in Africa: Behemoth, Hegemon, Partner, or 'just another kid on the block'?*, in ADEDEJI-LANDSBERG (eds.), *South Africa in Africa: The Post-Apartheid Era*, Pietermaritzburg: University of KwaZulu-Natal Press 2007, 96.

⁴⁹ *Ibidem*, 96-97.

⁵⁰ ADEBAJO, *The Curse of Berlin. Africa after the Cold War*, London: Hurst 2010, 158.

⁵¹ TIEKU, *Explaining the Clash and Accommodations of Interests of Major Actors in the Creation of the African Union*, in 103 *African Affairs* 249 (2004), 253-255.

⁵² FAGBAYIBO, *Looking Back, Thinking Forward: Understanding the Feasibility of Normative Supranationalism in the African Union*, in 20 *S. Afr. J. Int'l Aff.* 411 (2013).

with the liberal paradigm and pressure from Western donors. Pretoria has been among the main supporters of the Pan-African Parliament (PAP), a Parliamentary Assembly clearly inspired by the European Parliament.

The normative convergence with Nigeria has led to: the establishment of the Economic, Social and Cultural Council (ECOSOCC), the main instrument of civil society involvement in AU history; the binding powers of the African Court of Justice and Human Rights (ACtJHR) on issues relating to the interpretation of the Constitutive Act, disputes between states, acts or functions of AU bodies; adoption of the principle of Responsibility to Protect (strongly supported by the EU) in Article 4 (h) of the AU Constitutive Act, which implies the AU's right to intervene in the internal affairs of a member state in the event of war crimes, genocide, crimes against humanity and "a serious threat to legitimate order".

As in the case of NEPAD, these principles and institutions have proven so far ineffective, confirming the rhetoric-reality gap that distinguishes African regionalism. Institutions such as the PAP or the ACtJHR still have limited power or are not operational due to member states' unwillingness to transfer the necessary powers⁵³. This is the result of African leaders' inclination to fuel the creation of regional institutions with the main of obtaining legitimacy for themselves and their stay in power (*regime-boosting regionalism*)⁵⁴, without expressing much concern about their effectiveness. However, this is also due to South Africa's difficulty in asserting its leadership, hence its principles and norms. Pretoria still lacks indeed the legitimacy to play a leading role on the continent⁵⁵. A deep distrust of Pretoria is still present in many African countries, fuelled by memories of South African imperialism during apartheid, but also by what they perceive to be South Africa's protectionist trade and xenophobic immigration policies⁵⁶. Post-apartheid South Africa is still struggling to shake off the identity of the Western Trojan horse in Africa, and this prevents it from fully promoting Western and European norms, principles and institutional structures, especially to the extent that these put pressure on the principles of sovereignty and non-interference, which are still very popular in Africa. Pretoria's foreign policy is thus wavering and ambiguous because it is not always clear what principles it gives priority to.

Therefore, the role of Mandela and Mbeki has been essential to introduce the objective of promoting democracy as well as elements of

⁵³ *Ibidem*, 415.

⁵⁴ SÖDERBAUM, *African Regionalism and EU-African Interregionalism*, in TELÒ (ed.) *European Union and New Regionalism. Regional Actors and Global Governance in a Post-hegemonic Era*, 2nd ed., Farnham: Ashgate Publishing 2007, 192-195.

⁵⁵ ADEBAJO, *supra* footnote 50, 144.

⁵⁶ *Ibidem*.

supranationalism and international democracy inspired by the EU into the AU. However, given the strength of the principles of sovereignty and non-interference which Pretoria's excessively weak leadership cannot overcome, the localization process of international democracy principles has currently produced more rhetoric than concrete effects.

6. *Conclusions*

The objective of this chapter has been to assess whether the EU is able to use its interregional relations to democratize partner organizations and their member countries, changing their normative identities. Therefore, two regional organizations, the SADC and the AU, have been examined to explore whether normative interaction with the EU has contributed to localizing liberal democracy in their relations with their member states. A hypothesis that has been advanced is that these dynamics are influenced by three variables: 1) the normative gap between the organizations and the EU, combined with political and economic asymmetry between the two regions. In the case of EU-SADC/AU relations, the normative gap is relatively lower than in other cases such as EU-ASEAN and EU-Mercosur. The analysis of the normative interaction caused by the crisis in Zimbabwe has shown that the centrality of the principle of sovereignty and non-interference in the history of the two organizations has prevented them from supporting the EU's uncompromising attitude and accepting its direct normative pressure. However they have partially incorporated the paradigm of liberal democracy, especially rhetorically, to satisfy Western donors, amongst which the EU plays a leading role; 2) the internal cohesion and external coherence of the EU. In the case of Zimbabwe, interregional relations and the EU's credibility have been undermined by its internal divisions and its lowest common denominator policy. Above all, the EU or some of its members have surreptitiously bypassed the common normative requirements to pursue particular national interests, thus hindering the common goals of promoting democracy; 3) the role of leading regional powers. South Africa has made an attempt to promote the localization of democratic principles and the European model of regional integration in its organizations. However, due to the weakness of its leadership, it hasn't succeeded yet to effectively change principles rooted for decades. The 'democratizing' influence of South Africa was higher at the AU level, and has played a central role in moving it closer to the EU model and the principles of international democracy, but has not yet managed to promote principles and institutions that are effective enough.