

**COOPERATION  
BETWEEN  
THE EUROPEAN UNION  
AND SOUTH AFRICA**

**The Cooperation Council**

**Brussels, 20 November 2009**

**UE-ZA 4917/09**

**DRAFT MINUTES**

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Subject : 10th meeting of the Cooperation Council between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, in Brussels, Belgium on 23 July 2009

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The Joint Cooperation Council (JCC) between the EU and South Africa took place in Brussels at the level of senior officials on 23 July 2009. This was the tenth meeting of the JCC since the signature in 1999 of the SA-EU Trade, Development and Cooperation Agreement (TDCA), the bilateral agreement between South Africa (SA) and the EU that provides the overall legal basis for EU-South Africa relations.

The main purpose of the meeting was to take stock of progress made in the last year in implementing the TDCA and discuss the way forward on the wide range of areas where policy dialogues and cooperation have been established in the context of the EU-South Africa Strategic Partnership.

Since 1994, relations between South Africa and the European Union have evolved significantly. In just fifteen years a comprehensive partnership based on political dialogue, trade, development and economic cooperation as well as cooperation in other areas of mutual interest has been developed. This evolution has been underpinned by shared values and common interests.

The tenth meeting of the JCC has further strengthened the relationship, enabling South Africa and the EU to discuss issues of mutual concern and to give guidance to strengthening cooperation into the future.

The meeting was chaired by the EU Presidency, represented by Mr Jan KNUTSSON, Director-General for International Development Cooperation, Foreign Ministry of Sweden, assisted by the General Secretariat of the Council. The Commission was represented by Mr Stefano MANSERVISI, Director-General of DG Development. The South African delegation was led by Dr Ayanda NTSALUBA, Director-General of International Relations and Cooperation. The list of participants is set out in Annex I.

## **1. Opening remarks**

Mr KNUTSSON welcomed the South African delegation and recalled the importance of the JCC. He underlined that the meeting took place at a crucial juncture in the EU-South Africa relationship, with the second Summit to be held in September 2009, with a revised, more ambitious Trade, Development and Cooperation Agreement (TDCA) to be signed in the near future and with ongoing negotiations towards an Economic Partnership Agreement (EPA) with comprehensive regional coverage and wide scope. Mr KNUTSSON also informed the South African side about the main priorities of the Swedish EU Presidency, including in particular addressing the global economic crisis and climate change, and noted that South Africa would have a key role to play on both these issues, including in the G20-process and in the negotiations leading up to the COP15 in Copenhagen in December 2009.

In his reply Dr NTSALUBA mentioned that it was a privilege to be in Brussels for the JCC. He pointed out that the special relationship between South Africa and the European Union has come a long way since the signing of the SA-EU Strategic Partnership Joint Action Plan. A highlight of this was the success of the 1st SA-EU Summit and Ministerial Troika held in Bordeaux on 23 July 2008, and he looked forward to a successful 2nd Summit on 11 September 2009 in South Africa.

Dr NTSALUBA urged both parties to extract maximal benefit from the TDCA and that the JCC deliberations were important in helping to achieve this. He expressed his satisfaction at the progress that had already been made in fully implementing the TDCA and Joint Action Plan, and in this regard also thanked Mr MANSERVISI for his excellent cooperation and friendship in moving the relationship forward.

Mr KNUTSSON briefly reported on the political discussions held on the previous evening in troika format.

## **2. Adoption of the draft agenda**

An addition was made under ‘Any Other Business’ with regards to South Africa's non-ratification of the revised (2005) Cotonou Agreement. The revised agenda was adopted (see Annex II).

## **3. Adoption of the minutes of the 9th meeting of the JCC**

The minutes were adopted with no amendments (doc. UE-ZA 4901/09).

## **4. Consideration of Progress and Reports on EU-South Africa Cooperation**

The Parties welcomed and adopted the joint cooperation reports on trade (doc. UE-ZA 4903/09), development (doc. UE-ZA 4904/09), science and technology (doc. UE-ZA 4905/09), environment (doc. UE-ZA 4906/09), energy (doc. UE-ZA 4907/09), migration (doc. UE-ZA 4908/09), maritime transport (doc. UE-ZA 4909/09), statistics (doc. UE-ZA 4910/09), customs (doc. UE-ZA 4911/09), space (doc. UE-ZA 4912/09), information and communication technology (ICT) (doc. UE-ZA 4913/09), education and training (doc. UE-ZA 4915/09) and employment and social affairs (doc. UE-ZA 4916/09). The Parties agreed that these reports provide further good examples of the close and ever-deepening cooperation between the EU and South Africa.

On **trade**, both sides underlined the intensity of trade flows between South Africa and the EU and the role played by the Trade, Development and Cooperation Agreement (TDCA) in enhancing trade relations. The state of play regarding various trade dossiers as reflected in the report to the JCC was also reviewed, focussing on the following: the cheese agreement, adoption of an additional protocol to the TDCA to include Romania and Bulgaria, the South African proposal to streamline canned fruit quotas, and ongoing talks on the wine and spirits agreement.

Both sides emphasised the positive relationship the EU and South Africa have developed over the years in the field of **development cooperation** and the large portfolio of ongoing projects.

Mr MANSERVISI welcomed the planned establishment of the South African Partnership Development Agency (SADPA), as a possible new instrument to work together. Amb. BRIET drew attention to the ongoing Mid-Term Review as an opportunity to assess the 2007-2013 cooperation strategy and explore possible new priorities. He also stressed the importance of making progress in the area of regional and pan-African cooperation, for which South Africa's Multiannual Indicative Programme (MIP) foresees an important envelope, still fully unspent.

Dr NTSALUBA stressed the effectiveness of development cooperation as tool for addressing the many socio-economic challenges in South Africa and was delighted with the continued expression of commitment from the EU. He recognised that EU and Member States are by far the largest contributors (approx. 70%) of development assistance to South Africa and appreciated the continued sensitivity towards the alignment of the CSP to South Africa's developmental needs. He expressed the wish to open up a dialogue on the regional aspects of the programme.

Amb. SOOKLAL expressed his appreciation for the cooperation with the European Investment Bank (EIB), pointing out that 70% of its lending mandate for the 2007-2013 period had already been committed and noted interest to increase the ceiling of the mandate for South Africa.

On **science and technology**, both sides highlighted the continued excellent levels of cooperation and South African participation in Seventh Framework Programme (FP7). In the first FP7 calls South African projects selected for funding will benefit from a total EC contribution of about 13 million euros, notably in areas such as health, environment and biotechnology research. Both sides noted also that science and technology would be showcased as a successful area of cooperation through two side events at the forthcoming Summit, in Kleinmond. The parties also agreed on the strategic role their cooperation was playing to advance the broader Africa-EU cooperation, notably within the context of the Science, Information Society and Space Partnership of the Joint Africa-EU Strategy. South Africa further expressed its continued appreciation for the Sector Budget Support programme afforded to the Department of Science and Technology under the EU Development Cooperation Instrument for South Africa.

As far as **environmental cooperation** is concerned, the meeting confirmed that both sides share the same concerns and commitment to tackle climate change, and that the EU and South Africa can play an essential bridge-building role in the climate negotiations and thereby facilitate an agreement in Copenhagen at the end of 2009. In this context, Mr MANSERVISI emphasized the importance of both mitigation and adaptation, particularly as the poorest countries will be the most affected by climate change. Mr MANSERVISI invited the South African side to consider a more resolute wording concerning the possibility to hold a workshop in South Africa on climate change covering both climate change mitigation and adaptation. The South African side welcomed this suggestion as well as the agreement in principle to establish a dedicated climate change programme in the context of the European Commission's Development Strategy with South Africa.

On **migration**, the JCC received a debriefing of the first meeting of the Migration Dialogue Forum, which had taken place on 22 July in Brussels. Both sides concurred that the meeting had been very useful and characterised by lively discussions; striking similarities could be seen when comparing migration in the EU and in South Africa. The meeting discussed a number of broad-ranging topics related to migration and agreed that two technical working groups would be created on (a) mobility of high-skilled workers, brain drain and diasporas and (b) trafficking of human beings and smuggling of migrants.

Both sides welcomed that terms of reference on the establishment of a dialogue on **maritime transport** had been endorsed on the occasion of the EU-SA Ministerial Troika of January 2009 and highlighted the potential for cooperation in this area.

As for **aviation**, Mr MANSERVISI welcomed the agreed text adopted by the Parties after long but constructive discussions. He, nevertheless, pointed out that the lack of progress on the negotiations for an Air Services Agreement was disappointing and it was now time to speed up the process. The Commission's Directorate-General for Energy and Transport confirmed the Commission's readiness to cooperate on the study being launched by South Africa to assess the impact of the European Community designation of air carriers. The Parties confirmed the significant potential for mutually beneficial cooperation in the area of aviation.

Mr MANSERVISI underlined that cooperation on **space** should be seen in the context of the Joint Africa-EU Strategy. Cooperation activities on satellite navigation should foster adoption and involvement of neighbouring countries so as to bring benefits to the whole Southern Africa region. Both sides noted that the discussions on space were particularly timely since both the EU and South Africa were currently developing their own policies in the area and South Africa was setting up its own space agency. Both sides welcomed the setting up of a regular Space Dialogue whose first meeting took place in January 2009. Great potential for cooperation has been also identified in the areas of earth observation and global navigation satellite systems. The Commission welcomed in particular good progress on work towards the extension of the EGNOS system in the Southern African region: a letter of intent on this subject is to be signed in September 2009, followed by the definition of an implementation roadmap.

Both sides welcomed good cooperation on **energy**, particularly in the context of the working group on clean coal technology and carbon capture and storage. The Commission's Directorate-General for Energy and Transport clarified that the Energy Dialogue Forum had not been set up yet, as its role would be to oversee the three working groups on coal, nuclear and energy efficiency, which had not yet been put in place. On coal, it would be important to ensure the continuity of the existing working group. On nuclear energy, the South African side was invited to contact Commission colleagues in Luxembourg to pursue discussions in this critical area. The South African side expressed interest in including, in the cooperation, the handling of nuclear waste.

On **statistics**, both sides highlighted the excellent cooperation between Eurostat and Statistics South Africa (SSA), which has delivered very concrete and valuable results in terms of real exchanges of expertise through training courses and study visits, like for instance a Eurostat visit to StatsSA in April 2009 and a "study tour" by a StatsSA delegation in Eurostat in May 2009.

Both sides noted the commitment to launch a bilateral project for cooperation in the area of **customs**, as agreed during the EU-SA Summit of July 2008. Such project would pave the way for an enhanced cooperation once the necessary legal basis is in place. Furthermore, the Commission's Directorate General for Tax and Customs and South Africa's Revenue Service (SARS) agreed to set up a customs committee to oversee customs cooperation.

Concerning **health**, the South African side underlined the importance of this second meeting on health and listed five focus areas for further cooperation: the crisis of human resources for health; health economics and financing; health information systems and epidemiological surveillance; HIV/AIDS; and gender issues. Mr MANSERVISI mentioned the policy paper on global health issues, which the Commission will present the following year. Both sides agreed to strengthen collaboration and intensify dialogue on global health, notably on best practices for the recruitment of health professionals.

The South African side was glad to have started discussions on **education and training cooperation**, in line with the priorities of the new South African government. Mr MANSERVISI announced that everything was in place for starting a formal policy dialogue in 2010, as soon as the new Commission would be in place. The strengthening of education cooperation also included support to South Africa through the setting up of a dedicated external window under the Erasmus Mundus programme and the disbursement of the largest sector budget support programme ever to South Africa in the area of primary education.

South African welcomed the first informal discussions on **employment and social affairs**, which included matters of social protection. Mr MANSERVISI recalled the extensive experience of the EU in the area of social protection and social cohesion. The Commission's Directorate-General for Employment, Social Affairs and Equal Opportunities recalled the importance of the social dimension within the framework of the G8/G20 and the Decent Work agenda, and welcomed that work had started with a view to establishing a structured dialogue on employment and social affairs between the EU and South Africa.

Both sides noted positive cooperation on R&D activities in the **ICT field**, in particular focused on promoting ICT partnerships under the FP7 ICT research programme. South Africa especially valued the cooperation in the area of e-Infrastructures, notably research networking and high-performance computing. The Commission also recalled that the scope for a broader dialogue on ICT had been established with the Department of Communications (DoC) on the occasion of the last JCC and that the Commission was keen to start taking cooperation forward in this broader context.

South Africa expressed interest in exploring cooperation in the area of **crime and justice**, having in mind as a possible model EU framework initiatives such as the Hague Programme or EU cooperation with third countries such as Russia. Other than on immigration and integration, the South African side would be interested in cooperation on justice matters and extradition, democracy and Human Rights, and cooperation with Eurojust.

#### **5. Signature of TDCA Amending Agreement**

The Parties welcomed the forthcoming signature of the TDCA Amending Agreement during the second SA-EU Summit, to be held on 11 September 2009, in Kleinmond, South Africa.

#### **6. Draft Report to the 9th SA-EU Ministerial Troika**

The Parties agreed on the report from the JCC to the SA-EU Ministerial Troika, as set out in doc. UE-ZA 4914/09.



## **7. Any other business**

As regards the revised (2005) Cotonou Agreement, Dr NTSALUBA emphasised that the non-ratification by South Africa was due to administrative and procedural issues and did not reflect South Africa's continued commitment to the Cotonou partnership. He restated South Africa's commitment to accede to the revised Cotonou Agreement as soon as possible. In the meantime, the Government of the Republic of South Africa is in the process of formally requesting to accede to the Revised Cotonou Partnership Agreement to the Joint ACP-EU Council. South Africa has already begun its constitutionally required process, and will therefore be in a position to accede to the Agreement in terms of Article 94 of the Cotonou Partnership Agreement. As the Government of the Republic of South Africa will not be a party for the time being, it has requested permission of the ACP-EU Joint Council to participate as observers in the ACP, and the ACP-EU joint institutions, until such time as the Instrument of Accession is submitted.

The EU side welcomed the explanation provided by South Africa.

## **8. Closing Remarks**

Mr KNUTSSON thanked all participants for the very productive and constructive meeting, which opened several opportunities to further strengthen the EU-South Africa bilateral relationship in the coming months and years.

Dr NTSALUBA welcomed that the JCC had touched on a large number of subjects and reiterated the commitment by South Africa to sustain its efforts to bring forward this cooperation. South Africa and the EU are now in a position to talk of 16 significant areas of cooperation. He reiterated that the EU is viewed by South Africa as a long-term partner, not only in terms of the bilateral relationship, but also in promoting the African Agenda. In this regard he also looked forward to the forthcoming SA-EU Summit and to close cooperation with Swedish Presidency.

Mr KNUTSSON declared the meeting closed.

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**10th meeting of the Cooperation Council between the EU and South Africa  
23 July 2009, Brussels, Belgium**

**Participants list**

**SOUTH AFRICA**

**Department of International Relations and Cooperation**

1. Dr Ayanda NTSALUBA, Director-General of International Relations and Cooperation, Head of Delegation
2. Amb. Jerry MATJILA, Deputy Director General: Europe
3. Mr Jan van VOLLENHOVEN, Chief Director: European Organisations
4. Mr Gareth REES, Deputy Director
5. Mr Marc JÜRGENS
6. Ms Shumail ASHRAF, Foreign Service Officer
7. Adv. Doctor MASHABANE, Humanitarian Affairs
8. Ms Nuria GIRALT, Humanitarian Affairs
9. Ms Unati MGANDELA, Personal Assistant to the Director General

**Department of Health**

10. Dr Karmani CHETTY, Deputy Director General: Health Planning & Monitoring
11. Dr Nathalie KHAOLE, Director: Women's Health & Genetics
12. Ms Nelly MALEFETSE, Director: Development Cooperation

**Department of Higher Education**

13. Mr Ghaleeb JEPPIE, Chief Director for International Relations and UNESCO
14. Mr Gareth MACQUELA, Deputy Director for Global Partnerships

**Social Development**

15. Mr Zane DANGOR, Deputy Director-General: International Relations
16. Mr Edzi RAMAITE, Director: International Relations

### **Department of Home Affairs**

17. Mr Jackson McKAY, Deputy Director-General, National Immigration Branch
18. Adv. Busisiwe MKHWEBANE-TSHEHLA, Acting Chief Director: Refugee Affairs

### **Department of Agriculture, Forestry and Fisheries**

19. Ms Wendy JONKER, Deputy Director: Directorate: Food Safety and Quality Assurance, Division Liquor Products
20. Ms Joyce LETSWALO, Deputy Director: Directorate: International Trade, Europe and Middle East, Russia

### **Department of Transport**

21. Ms Mpatliseng RAMAEMA, Chief Director: International Relations
22. Mr Vuwani NDWAMATO, Director: Air Transport
23. Mr Chuma MPHALWA, Deputy Director: Maritime Transport

### **Department of Trade and Industry**

24. Mr Victor MASHABELA, Chief Director
25. Mr Sandile TYINI, Director
26. Ms Kekeletso MASHIGO, Deputy Director

### **Department of Water and Environmental Affairs**

27. Mr Zaheer FAKIR, Chief Policy Advisor: International Governance and Relations

### **Department of Science and Technology**

28. Mr Daan DU TOIT, Senior Science and Technology Representative to the EU

### **South African Mission to the European Communities**

28. H.E. Dr Anil SOOKLAL, South African Ambassador to the European Communities
29. Ms Nolundi DIKWENI, Minister-Plenipotentiary
30. Mr Lionel OCTOBER, Minister-Counsellor: Economic
31. Mr Daan du TOIT, Senior Science and Technology Representative
32. Mr Coffett LEBEPE, Counsellor
33. Mr Itumuleng MAKABANYANE, Counsellor
34. Mr Gideon JOUBERT, First Secretary

35. Ms Pinkie MOLEKO, Counsellor
36. Mr Lyle DAVIDSON, First Secretary

## **EUROPEAN UNION**

### **Swedish Presidency**

1. Mr Jan KNUTSSON, Director-General for International Development Cooperation, Foreign Ministry, Head of Delegation
2. Mr Anders HAGELBERG, Director, Head of Africa Unit, Foreign Ministry
3. Ms Johanna LINDQUIST, Desk Officer, South Africa desk, Foreign Ministry
4. Mr Emil LIDÉN, Desk Officer, ACP Coordinator, Foreign Ministry
5. Mr Lars-Johan LÖNNBACK, Counselor, Permanent Representation
6. Mr Ola SOHLSTRÖM, Second Secretary, Chair ACP Working Party, Permanent Representation
7. Mr Jacob RINDEGREN, Desk Officer, Deputy chair ACP Working Party, Permanent Representation

### **Commission**

7. Mr Stefano MANSERVISI, Director General for Development and Relations with ACP Countries
8. Mr Ivano CASELLA, DG TRADE, SADC Desk
9. Mr Leonard MIZZI, DG AGRI, Head of Unit - ACP and South Africa, FAO, Food Aid
10. Ms Anna SAARELA, DG AGRI, International Relations Officer, South Africa Desk
11. Mr Graeme PRESTON, DG TREN, International Relations Officer
12. Mr Rob ROZENBURG, DG DEV, Head of Sector Migration
13. Mr Dario BUONO, EUROSTAT, Statistical Officer - ACP programme
14. Mr Mauro FACCHINI, DG ENTR, Deputy HoU for GMES
15. Mr Stefano SCARDA, DG TREN, Policy Officer
16. Mrs. Ewa MALINOWSKA, DG TREN, International Coordination Officer - Policy officer
17. Mr Juan Garay AMORES, DG DEV, Policy Officer
18. Mr Michael MORASS, DG EMPL, Deputy Head of Unit Social Dialogue
19. Ms Eugenia AGUIAR, TAXUD, International Relations Officer
20. Ms Lieve VAN CAMP, DG ENV, Policy Officer
21. Ms Nathalie PAUWELS, DG ENV, Policy Officer
22. Ms Cornelia NAUEN, DG RTD, Policy Officer

23. Ms Claudia Wiedey-Nippold, DG DEV, HoU for Southern Africa
24. Ms Miriam Brewka Pino, DG DEV, Desk South Africa
25. Mr Lluís Navarro, DG DEV, Desk South Africa

### **General-Secretariat of the Council**

23. Mr Jan VAN ELST, Acting Head of Unit
24. Mr Pierpaolo SETTEMBRI, Administrator

### **Member States**

25. Ms Karima SAQUI, Belgium
26. Ms Margarita YOTSOVA, Bulgaria
27. Ms Margarita NIKOLOVA, Bulgaria
28. Mr Petr KOPRIVA, Czech Republic
29. Ms Alice SOUKUPOVA, Czech Republic
30. Ms Lasia BLOSS, Germany
31. Mr Michael HOEFELD, Germany
32. Mr Michael SCHLOMS, Germany
33. Mr Michael SANFEY, Ireland
34. Mr José Luis Martín YAGUE, Spain
35. Ms Eva MARTÍNEZ, Spain
36. Ms Cristina CALVO, Spain
37. Mr Franck Paris, France
38. Mr Valentino PIZZOLU, Italy
39. Mr Stefano SANTACROCE, Italy
40. Ms Chiara SAULLE, Italy
41. Ms Marina RAFTI, Cyprus
42. Dr. Réka Éva VASAS, Hungary
43. Mr. Bálint SZÍJJÁRTÓ, Hungary
44. Ms Mirjam RINDERER, Austria
45. Mr Jacek JANKOWSKI, Poland
46. Mr Oliver DAJIC, Slovenia
47. Mr Michal VANĚO, Slovakia
48. Mr Claus Jerker LINDROOS, Finland
49. Ms Jeanine BECK, United Kingdom

**10th meeting of the Cooperation Council between the EU and South Africa  
23 July 2009, Brussels, Belgium**

**Agenda**

- 1. Opening remarks**
- 2. Adoption of the draft Agenda**
- 3. Adoption of the minutes of the 9th meeting of the JCC (document UE-ZA 4901/09)**
- 4. Consideration of Progress and Reports on EU-South Africa Cooperation**
  - i. Trade
  - ii. Development
  - iii. Science and Technology
  - iv. Environmental Cooperation
  - v. Energy
  - vi. Migration
  - vii. Transport
    - Maritime Transport
    - Aviation
  - viii. Statistics
  - ix. Customs
  - x. Space
  - xi. ICT
  - xii. Health
  - xiii. Education & Training
  - xiv. Social Dialogue
  - xv. Crime and Justice

5. **Signature of TDCA revision**
  6. **Draft Report to the 9th SA-EU Ministerial Troika**
  7. **Any Other Business**
  8. **Closing remarks**
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