
South Africa's unjust climate reparations

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BRIEFING



South Africa's unjust climate reparations: a critique of the Just Energy Transition Partnership

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SUMMARY

This briefing critically discusses the moral question of whether South Africa deserves climate reparations.¹ It examines the deeply unequal and polluting nature of the South African economy in order to demonstrate how claims from South Africa for climate finance and reparations are morally complex and fraught. For South Africa's claims for climate reparations and finance to be justified, the article proposes two conditions. First, that South Africa act in line with its fair share of global climate action. Second, that climate finance must help to transform South Africa's deeply unjust society and bring benefits not to the rich elite, who themselves owe climate reparations, but to the majority, especially the poor, Black and working class.

Applying these two principles, the briefing asks whether the Just Energy Transition (JET) Partnership and the accompanying Investment Plan announced by President Cyril Ramaphosa meet those conditions. It argues that they potentially fail to meet both. The piece also warns that global South countries must be critical of JET Partnership funding models, as they may be used as tools to entrench the interests of international financiers who seek to dominate the clean energy future. To counteract such a possibility, climate justice movements should work to ensure that climate finance is a true fulfilment of climate debt owed to the global South, which works to ensure meaningful social, economic and ecological justice.

The author writes this piece not just from an academic perspective as a postdoctoral research fellow. He also writes it from his perspective as the elected General Secretary of the South African Climate Justice Coalition – a coalition of over 50 trade union, grassroots, community-based and non-profit organisations working together to advance a transformative climate justice agenda.² In his role as general secretary, he has engaged with coalition member organisations and worked to build a shared and critical activist agenda towards both the JET Partnership and the South African government's response to the climate crisis more generally.

KEYWORDS

Climate justice; international finance; debt; renewable energy; social movements; South Africa

South Africa: a climate wolf in African sheep's clothing

At the 27th Conference of the Parties (COP27) to the United Nations Framework Convention on Climate Change (UNFCCC), South Africa joined with other African nations

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in demanding climate reparations. On the global stage, South Africa often associates itself with other African countries, claiming that the global North owes them climate reparations and climate finance. However, unlike other African and developing countries, who have mostly done little to cause the climate crisis, South Africa is one of the world's most polluting countries.

South Africa is the 13th biggest climate polluter in the world in cumulative terms and the worst on the African continent by far (Tiseo 2023). When measured by the amount of climate pollution produced per unit of GDP, it is worse than China and ranks behind only three other countries, namely, Turkmenistan, Palau and Mongolia (The World Bank 2020). South Africa's energy sector is also the most polluting of all G20 nations, thanks to its incredibly heavy dependency on polluting coal (Climate Transparency 2022).

Being such a major climate polluter, South Africa arguably owes its own climate debt, especially to its African neighbours, most of whom have done little to cause the climate crisis and yet are suffering devastating impacts. It is not fair, however, to say that all South Africans owe climate reparations. The majority of South Africans that are poor and Black are in a similar boat to their fellow African compatriots, having contributed little to climate change themselves. If anything, they too are owed reparations both for apartheid's continued legacy and for the growing climate devastation that has made South Africa poorer and more unequal, and that has devastated so many of its communities (see Kings 2019).

In a country as deeply unequal, polluting and unjust as South Africa, it is important to ask both who are the victims of climate change deserving reparations, and who are the perpetrators of the climate crisis, who owe victims reparations. To help answer this question, we can turn to two complementary principles of climate justice. One is the 'polluter pays' principle, which says that those responsible for pollution should pay for the harm caused. Another is the 'beneficiary pays' principle, which says that those who benefited from unjust and harmful systems morally owe compensation to those harmed by these systems. Let us apply them to the South African context.

Making wealthy polluters pay

In South Africa, the biggest polluter is the heavily coal-reliant state-owned energy utility Eskom. Eskom's coal-intensive electricity production has historically favoured major extractive and polluting corporations, such as mining houses, smelters and petrochemical industries. These corporations form part of the energy-intensive users' group, who receive preferential and subsidised energy prices, making their cost of business artificially low. They also form the core of the minerals-energy complex which has dominated South Africa's economy, helping keep it locked into deep levels of inequality, heavy environmental degradation and predatory worker exploitation.

Apart from Eskom, major corporations and wealthy individuals are the biggest polluters in the country. For example, Sasol, a major energy and chemicals company, is South Africa's second biggest greenhouse gas emitter. Its Secunda coal-to-liquid fuels plant is the biggest single point source of greenhouse gas pollution in the world. In addition to wealthy and polluting corporations, wealthy individuals in South Africa have some of the world's highest individual consumption emissions levels (Oxfam 2015). As such,

on the ‘polluter pays’ principle, it is these wealthy and polluting corporations and individuals who most owe climate reparations.

Domestically, South Africa’s wealthy corporations and individuals have also long been the main beneficiaries of the country’s deeply extractive, unequal and polluting economic system forged in the coal-powered fires of apartheid. That rapacious extractive economy has hardly faded away or transformed after apartheid either. Rather, the now billionaire-led African National Congress (ANC) has facilitated a new Black elite to profiteer from it, alongside the white elite. As a result, inequality has grown such that South Africa is the world’s most unequal country, where 10% of the population owns 80% of the wealth (The World Bank 2022).

If we follow the logic of the polluter and beneficiary pays principles in this context, then South Africa’s wealthy and polluting individuals and corporations should arguably pay climate reparations. It is on good grounds then that the Congress of South African Trade Unions (COSATU) is calling for South Africa’s just transition to be funded through a range of progressive taxes, such as a wealth tax, a resource rent tax and taxes on environmentally damaging activities (COSATU 2022). Implementing such progressive taxation could be a form not only of climate reparations, but also of apartheid/colonial reparations, particularly as the Truth and Reconciliation Commission also recommended wealth taxes as a form of reparations for apartheid.³

Two principles for just climate reparations

If South Africa’s rich and ruling elite owe their own climate reparations, then does South Africa really deserve international climate finance or reparations? While it would be tempting to simply say no, we cannot allow the proverbial sins of South Africa’s ruling elite to rob the majority of South Africans, who are poor and Black, of their righteous claim to climate reparations. Instead, I would like to propose that for climate finance to be morally justified and serve climate justice in the South African context, it should be consistent with at least two principles, although other principles are important too.

The first principle I propose is what I would call the fair share principle, which holds that climate finance should accelerate climate action in line with South Africa’s fair share of global climate action. The second is the principle of transformation, which holds that climate finance must help to transform South Africa’s deeply unjust society and bring benefits not to the rich and polluting elite, but to the majority of the people, especially the poor, Black and working class.

Let us turn to applying these principles to the major climate finance package that South Africa’s President Cyril Ramaphosa announced at COP27, the Just Energy Transition (JET) Investment Plan (The Presidency 2022). The JET Investment Plan was developed following the promise by Western countries to deliver climate finance to South Africa under the JET Partnership. President Ramaphosa’s JET Investment Plan was a R1.5 trillion investment plan for the period 2023–2027, focused on transitioning South Africa to renewable energy, green hydrogen and new energy vehicles. On the face of it, the JET Investment Plan appears progressive and makes it seem as if South Africa is embarking on a just transition to a renewable-energy future. However, if we dig deeper, beyond the glowing rhetoric in the plan, we see a more complex reality.

Further fuelling the climate fires

In terms of meeting the fair share principle, the JET Investment Plan says that it aims to act in alignment with South Africa's updated, nationally determined contribution (NDC). South Africa's updated NDC has a 2030 emissions reduction target that follows the Presidential Climate Commission recommendation of 350–420 Mt CO₂e. Analysis by Climate Action Tracker (2022) shows that the higher end of this range is far out of line with the 1.5°C target, and more in line with disastrous warming of over 2°C and up to 3°C. The lower end of the NDC range is close to being compatible with the vitally important 1.5°C target agreed to under the Paris Climate Agreement. As such, South Africa would need to act even more ambitiously than its NDC's lower range to be consistent with the fair share principle. However, as Climate Action Tracker's analysis highlights, under current policies, South Africa will not even reduce emissions sufficiently to meet its NDC target range for 2030, never mind get below the lower end of the range.

Meanwhile, coal, oil and gas lobbies in South Africa are attempting to rapidly ramp up new polluting gas and coal power as well as new oil, coal and gas extraction. They are succeeding in large part due to powerful government officials, departments and trade unions being strongly aligned with and/or captured by such lobbies. Examples include the Department of Mineral Resources of Energy under Minister Gwede Mantashe and the aligned National Union of Mineworkers, who have jointly pushed heavily for more fossil fuels. This push for new coal, oil and gas is happening despite much evidence, even from the government itself, showing that a rapid transition to renewable energy that moves away from coal and relies very little if at all on polluting fossil gas would be more economically prosperous for South Africa (see Presidential Climate Commission 2023).

It seems then that South Africa's ruling elite is trying to have its cake and eat it too – demanding climate finance from the international community, while wanting to continue its heavy reliance on fossil fuels. Given this reality, unless South Africa has a major change in climate action, it is unlikely to adhere to the fair share principle. Responding to this reality, South Africa's Climate Justice Charter Movement (2022) is petitioning the international community to make the ending of new coal, oil and gas investments a condition of financial support for South Africa. Doing so seems like a sensible move *if* the aim of climate finance is indeed to slow the climate crisis.

Transformational climate finance

If South Africa's JET Investment Plan is not yet consistent with the fair share principle, does it pass the principle of transformation, which holds that climate finance should help to transform South Africa's deeply unjust and unequal country? To answer this question, it is worth examining Ramaphosa's JET Investment Plan a bit more closely. I will here only focus on the electricity sector element, as it is the biggest, most detailed section of the investment plan – although similar questions should be asked of the green hydrogen and new energy vehicle investments too.

By way of overview, the electricity sector will receive most of the R1.5 trillion in funding, about R1 trillion. Of that, about R650 billion would be for infrastructure –

such as to decommission coal-fired power stations, expand and strengthen the transmission grid, and bring online new renewable-energy-generation capacity. Further investments of R320 billion are also slated to strengthen municipalities' participation in distribution networks and accommodate increased penetration of renewable energy at all scales. Finally, roughly R65 billion will be directed toward just transition programmes, mostly in Mpumalanga, where the country's coal value chain is concentrated.

While these investments on the surface seem quite progressive and important for South Africa's energy future, major questions arise around who will see the majority of the benefits of these investments; whether the just transition elements will be truly just in practice; and how questions like energy poverty and access will be addressed. It is worth exploring just some of these questions to see how the president's plan may not meet the second condition of being transformative.

A disorderly, market-driven transition

When it comes to understanding who will benefit from the JET Investment Plan's proposed investment in the electricity sector, significant questions arise over who will own and benefit from renewable energy. To invest in renewable energy typically requires secure access to land to locate renewable energy – somewhere to put up solar, wind and battery technologies. It also requires capital – for even though renewable energy is now much cheaper than fossil fuels over its lifetime, there are still significant upfront costs that make it prohibitively expensive for many.

In the South African context, both land and capital are still concentrated in the hands of a minority. As such, in such an unequal country if the energy transition is largely left to the private sector or the market, then the benefits are likely to be concentrated in the hands of corporations and the wealthy – those who already have access to wealth, land and capital. Meanwhile, the majority of South Africans who face a cost-of-living crisis, piled on top of already widespread poverty and unemployment, could be largely excluded from the benefits and ownership of renewable energy.

To address the question of ownership, the president's JET Investment Plan includes funding to test various 'social ownership models', so that communities benefit financially amid the transition. While that might seem encouraging, the allocated funding is a mere R1.65 billion, which is about 0.1% of the overall investment plan. This tiny amount seems quite tokenistic, particularly when set against the backdrop of President Ramaphosa's unprecedented moves to privatise energy generation in South Africa.⁴

In 2022, Ramaphosa announced that his administration would remove licensing requirements from the private sector, so that companies could invest in energy generation without requiring a licence from the national energy regulator. This has led to a scramble by the private sector to invest in energy generation. Even the state-driven renewable-energy public–private investment programme (the REI4P) has been displaced by the torrent of private sector investment buying up Eskom's limited grid capacity. The forces of privatisation have been unleashed, and we are now in the midst of what one energy expert has referred to as a 'disorderly transition driven entirely by market forces' (Swilling 2022).

This also has major implications for energy poverty and access. For while the private sector is making a dash for cheap renewable energy, Eskom, which provides energy for

the majority, is being run into a state of disrepair with skyrocketing energy tariffs, crumbling generation infrastructure and unreliable electricity, plunging the country into regular rolling blackouts. The result has been an increase in energy poverty, with nearly half of South Africans now considered energy poor (Ye and Koch 2021). Such widespread energy poverty can hardly be called a just transition.

It is in large part to address energy poverty that a central campaign of South Africa's Climate Justice Coalition is for a Green New Eskom to drive 'a rapid and just transition to a more socially owned, renewable energy powered economy, providing clean, safe, and affordable energy for all, with no worker and community left behind in the transition' (Climate Justice Coalition 2022b). While some investments in the JET Investment Plan are meant to help Eskom invest in the transition, there are major questions about how much of that will materialise given Eskom's current state of dysfunction and the widespread privatisation of generation.

Consider South Africa's 2023 budget statement, which saw the National Treasury issue a debt bailout to Eskom (Mahlaka 2023). It came with the condition that on the generation side, Eskom can only maintain its old coal plants, but cannot make any new large investment or capital projects. That means in practice that new generation was being handed over almost entirely to the private sector. That same budget also gave tax incentives to households and businesses to invest in solar, which would benefit mostly those with the capital and land able to take advantage of them, thus potentially subsidising the already relatively well off.

When seen against the backdrop of this heavy privatisation agenda, one worries whether the funds to pilot socially owned renewable energy are just a tokenistic contribution – a gesture to placate proponents of social ownership, rather than a real commitment to delivering on a more just energy future with benefits and ownership concentrated in the hands of the many, rather than the few. It is for good reason then that Lebogang Mulaisi, head of policy at COSATU, was lukewarm about the JET Investment Plan, saying that 'we have an ownership crisis in our country ... and I just don't feel we've addressed the issue of addressing inequality decisively' (van Diemen 2022).

Owning the renewable means of production

Ownership also extends beyond just who owns the finished renewable-energy technology, namely, the finished solar panel, wind turbine, or battery technology. It also has to do with who owns and benefits from the production of those technologies. This is vitally important as, although renewables do create more jobs than fossil fuels, much of the job creation and economic opportunities in renewable energy comes from their production and manufacture. Here, the president's JET Investment Plan allocates only R1.6 billion to manufacturing and localising of the clean energy value chain – a mere 0.1% of the investment plan.

Such a low amount dedicated to localisation should be a red flag, particularly when set against the backdrop of South Africa's government already weakening localisation requirements on renewable energy. The government's often stated reason behind weakening localisation is that it would make energy procurement slower and more expensive, which is seen as too prohibitive in the face of South Africa's deep energy crisis (Creamer 2022). This may be true in the short term, due in large part

to the government's historic failure to consistently develop the local renewable-energy sector.

Caution needs to be exercised in ensuring that localisation does not become continuously weakened under the JET Investment Plan model. Here is where we need to be critical of the motives behind the countries providing international climate finance to South Africa. The main contributors are the International Partners Group (IPG) made up of the European Union, the United States, France, Germany and the United Kingdom. While they offer climate finance, it would be naïve to think that they do so simply out of the goodness of their hearts. There is, after all, no such thing as a free lunch.

Consider, for example, that the Biden administration is attempting to ensure that the United States will become a dominant player in the manufacture and production of clean energy. Under its recently passed Inflation Reduction Act, the US government put forward a vast range of subsidies and tax incentives to encourage clean energy to be *made in America* (Penrod 2023). To help it pursue these aims, it would certainly be useful if other potential competitors were importing renewable-energy technology, rather than putting in place policies to encourage local manufacturing.

As the JET Partnership model, piloted in South Africa, gets exported to countries like Indonesia, Vietnam, Senegal and India, it is vital to ward against such vehicles being used to weaken local development to the benefit of international funder interests. It is worth recalling the words of Kwame Nkrumah (1965, 4), who warned that

the result of neo-colonialism is that foreign capital is used for the exploitation rather than for the development of the less developed parts of the world. Investment under neo-colonialism increases rather than decreases the gap between the rich and poor countries of the world.

Financial strings, indebtedness and austerity

It is important to recognise that foreign countries are not likely to give South Africa money simply out of the goodness of their hearts. At the same time, South Africa does need significant amounts of funding to finance its just energy transition. In that context, it is critical to examine the funding flows going to South Africa and what conditions they may come with. Several civil society actors have raised worries that the JET Partnership may be a form of green structural adjustment, where climate finance is used to impose conditions such as austerity and privatisation on recipient countries.⁵

It is somewhat difficult to know what conditions are attached, though, since some of South Africa's climate finance deals have been negotiated behind closed doors, often with non-disclosure agreements signed by those involved.⁶ It is for this reason that civil society formations in South Africa, such as the Fair Finance Coalition, are mobilising to ensure better transparency, scrutiny and inclusivity in how such climate finance is secured (Kajee and Morgan 2022).

To help provide a limited understanding of the finance flows, we can unpack what information is publicly available, starting with the amount of funds officially pledged from international funders. Of the president's R1.5 trillion investment plan from 2023–2027, the IPG's initial JET Partnership promise at COP26 pledged US\$8 billion, which provides about 12% of the five-year plan. Then, at COP27 the IPG pledged an

additional US\$10 billion (Nyathi 2022). Based on current exchange rates, the pledged international finance makes up close on a quarter of the proposed JET Investment Plan.

Only 4% of the pledged funds so far are grants, with the rest being loans and guarantees, according to analysis by the Institute for Economic Justice (2022). As such, the vast majority will come in the form of loans, although President Ramaphosa says he is trying to secure more grant funding, and in conversation with the IPG has 'stressed that the component of the grant funding is far lower, much lower than what we need to fund our transition' (Omarjee 2022).

If most of the pledged international funding is loans, we must scrutinise the terms of those loans. Some of the first loans in the pipeline come from France and Germany, who will send €300 million each to South Africa (Bloomberg News 2022). The French loan is priced at 3.6% and the German one at 3%. Both are 20-year loans, including a five-year grace period. That is far cheaper than if the South African government raised the funds in the debt capital markets, where the interest rate is 8–11%. However, if the rand depreciates against foreign currency, those savings may significantly erode.

The possibility that debt payments on loans may grow significantly if the rand weakens should be a cause for concern. Already South Africa's indebtedness is being used as the reason to justify the harshest austerity in post-apartheid South Africa. That rather brutal austerity is driving widespread privatisation and the cutting back of vital public services upon which the majority of South Africans deeply depend. If the debts incurred by the JET Investment Plan drive a worsening of that situation, then it is not clear how the transition can be seen as just.

Resisting neocolonial, unequal climate finance

In conclusion, this short briefing has only been able to touch the surface of what is an incredibly complex issue. There are many other questions that need to be asked of the JET Partnership model in general and JET Investment Plan in particular. Included among them are vitally important concerns such as whether these plans are truly delivering a just transition for workers and communities, especially those dependent on coal. What this limited briefing has tried to make clear is that the majority of South Africans, especially those who are Black and poor, do deserve climate reparations. It seems, though, that the JET Investment Plan and the current pathway that the South African government is on are failing to deliver meaningfully on what climate reparations should look like. They are failing to use climate finance as a vehicle for deep transformation. They are also failing to deliver on South Africa's fair share of climate action.

When it comes to the question of who benefits from and who owns renewable energy, it seems that only tokenistic attempts are being made under the JET Investment Plan towards transformation of ownership and production. Meanwhile, privatisation and liberalisation on a large scale are driving a disorderly market transition that is likely to benefit predominantly the already well off. Relatively small amounts of funding for localisation, set against the backdrop of weakened localisation policies, also mean that South Africa may see less local development that comes with the localisation of renewable energy. Furthermore, there are legitimate worries that the debt undertaken under the JET Investment Plan may deepen South Africa's already harsh austerity, thus hurting the poor who most rely on public expenditure.

It was in view of this reality that the South African Climate Justice Coalition (for which the author serves as elected general secretary) organised and held a march in protest. Shortly after COP27, the coalition and its partners marched to the National Treasury and Presidency and delivered a set of demands calling for an end to ‘the prevailing climate agenda of privatisation and austerity’ (Climate Justice Coalition 2022a). Instead, they called for

real climate justice that transforms our deeply polluting, unjust, and unequal country [and] delivers millions of decent, well-paying jobs, a rapid and just transition to a more socially-owned renewable energy future, and meaningful climate justice that delivers for all.

Some members of the coalition were of the belief that the JET Investment Plan should be resisted, as it exacerbates an unjust pathway. Others argued that it should be improved, and that we should not throw out the baby with the bathwater, as there are positive elements of the JET Investment Plan that we would not want to reject. What was shared among members was that if South Africa is to truly deliver climate justice, then a different and more transformative path needs to be taken instead of the path the country is currently on.

Notes

1. Here I take the term morality to be describing a system or set of principles and values that are used to determine what should be considered right or wrong, just or unjust, fair or unfair. Conceptions of morality can help to determine what a just and fair society should look like and why we should condemn and rectify inequality, injustice and harms at a systemic, community and individual level. By way of further clarification, I am not talking about a descriptive version of morality that tries to describe what people happen to believe to be moral. Rather, it is a normative description of morality, which attempts to outline and prescribe what should be considered moral. Using normative morality, this paper is an exercise in applied ethics, drawing on particular moral principles to apply them to questions of climate justice.
2. More information about the Climate Justice Coalition is available at their website, climatejusticecoalition.org.
3. Such an approach to combining climate and colonial reparations as part of building a more just future coheres well with the constructive view of reparations put forward by Olúfemi O. Táíwò (2022) in *Reconsidering Reparations*. According to this view, reparations are ‘a historically informed view of distributive justice, serving a larger and broader worldmaking project. Reparation, like the broader struggle for social justice, is concerned with building the just world to come’.
4. The ANC driving widespread privatisation may sound surprising to international readers who view the ANC historically as a left-leaning political party. However, it forms part of the ANC’s turn towards neoliberalism since 1996 and is part of a long-term process of privatisation of the energy sector, characterised by disaster capitalism, corruption and underfunding of the energy sector on the part of the state (Bond 2000; Lenferna 2022).
5. Concerns about the JET Investment Plan and green structural adjustment were expressed by several civil society actors at a workshop attended by the author. The workshop was on international finance institutions, hosted in June 2023 in Johannesburg by the Alternative Information and Development Centre and Institute for Economic Justice. These concerns have also been raised by members of Trade Unions for Energy Democracy (2023).
6. This is according to reports from trade union representatives in a workshop the author attended on the JET Partnership in March 2022 at the University of Johannesburg.

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