

## What future for the ACP and the Cotonou Agreement?

### Preparing for the next steps in the debate

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#### Background

The partnership between the EU and the ACP Group (African, Caribbean and Pacific countries)—the largest and most sophisticated North-South partnership—dates back to 1975.<sup>2</sup> The successive Lomé Conventions (1975–2000) and the Cotonou Agreement (2000–2020) have provided the legal basis for this arrangement, which currently comprises 78 ACP countries<sup>3</sup> and 27 EU member states. Combining political dialogue with cooperation on trade and development finance, the agreement is based on shared principles and values and co-management through joint institutions.

The current Cotonou Agreement will expire in 2020, which, in political terms, seems an eternity. Both the ACP Group and the EU are making efforts to implement the Agreement for the remaining eight years in an optimal manner. Currently, negotiations are also ongoing among the EC, the European Parliament and the EU member states on the volume of the 11<sup>th</sup> European Development Fund (EDF) covering the period 2014–2020 and whether this would be inside or outside of the EU budget. With an EC proposal of some 34 billion Euros, it can be assumed that the EDF will continue to be the largest instrument in financial terms for the EU External Action in the period 2014–2020.<sup>4</sup>

Yet there are growing pressures on the long-standing ACP-EU partnership. Most probably, the forthcoming five-year revision of Cotonou in 2015 will give some indications as to the future of ACP-EU relations beyond 2020. In a context of rapid and dramatic changes in the global, EU and ACP context, it is not too early to open the debate on the future of the partnership. The outcome of this debate will inevitably also have an impact on the future of the ACP Group beyond 2020.

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<sup>2</sup> For further analysis and information on the historical background and evolution of ACP-EU relations and the European Development Fund, see Frisch, D. 2008. [The European Union's development policy. A personal view of 50 years of Development Policy](#). (Policy Management Report 15). Maastricht: ECDPM.

<sup>3</sup> The ACP Group consists of 79 countries. This includes Cuba, but Cuba is not part of the ACP-EU Partnership.

<sup>4</sup> Kilnes, U., N. Keijzer, J. van Seters and A. Sherriff. 2012. [More or less? A financial analysis of the proposed 11<sup>th</sup> European Development Fund](#). (ECDPM Briefing Note 29). Maastricht: ECDPM.

The ACP Group seems committed to preparing itself well for the challenges ahead. In November 2010, the ACP Council of Ministers had already decided to establish an Ambassadorial Working Group on Future Perspectives for the ACP. It meets on a regular basis and, with the support of UNDP, it has also been holding consultations with a diverse group of ACP actors and institutions.

In order to guide EU reflections on the future of EU-ACP cooperation, the Commission (DEVCO) and the European External Action Service (EEAS) have established an informal working group to look at the future of the ACP-EU post-2020. This process of reflection has also started at the level of some EU member states.

As a non-partisan foundation working for more than 25 years on issues relating to ACP-EU relations, the European Centre for Development Policy Management (ECDPM) has assumed a lead role in promoting analysis and informal dialogue on the ACP-EU partnership. A major multi-stakeholder seminar was organised mid-2011, resulting in a widely disseminated publication on this topic.<sup>5</sup> ECDPM staff participated as resource persons in meetings of the ACP Ambassadorial Group, and at the end of 2011, the Centre facilitated a meeting with European stakeholders (EU member states, EEAS, the Commission), which was organised by the Polish EU Presidency.

This Briefing Note seeks to provide an updated overview of the state of this crucial policy debate and some of the major challenges ahead. To this end, it first looks at the changing global, European and ACP landscape and how this might affect long-standing ACP-EU relations. Second, it asks whether there are still common interests to be found between the ACP and the EU for a future partnership. Third, it provides a first reality check of some of the initial scenarios for the future of the ACP Group. Fourth, it identifies some key questions that should help to prepare more in-depth future reflections at the level of both the EU and the ACP. And, finally, the paper proposes a process that sets out some essential steps for a well-informed and participatory debate on the future of the ACP-EU partnership.

## 1. How does the rapidly changing context affect ACP-EU relations?

ACP-EU relations are confronted with fundamental challenges at the global, European and ACP levels. What are these challenges and how will they affect future relations and partnerships?

### Global changes and the increasing weight of the emerging economies

The rapid rise of the BRICS (Brazil, Russia, India, China, South Africa) and other emerging economies at the global level and in the ACP countries and regions is having a growing impact on the ACP Group and the current state of ACP-EU relations.

While the EU remains the most important trading partner of the ACP countries, the share of the emerging countries in terms of investment and trade has grown spectacularly in recent years. The BRICS are assuming an increasingly important role in global issues, and they are perceived as having a positive vision of development potential in several parts of the ACP. For many ACP governments, the emerging economies also provide a welcome alternative to the dominant weight of Europe as a former colonial power.

However, there are also mixed feelings about the emerging economies. Suspicion about the direct and indirect support of some BRICS to undemocratic leadership in Africa seems to be growing, and in several countries, there are concerns that the emerging economies are primarily driven by short-term economic and political self-interest, rather than by long-term sustainable development objectives.

Whatever the outcome of the shifting balances of power, it appears that, in the future, the EU will have to deal with reduced influence at the global level and in several parts of the ACP.

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<sup>5</sup> Mackie, J., B. Byiers, S. Niznik, and G. Laporte. 2011. [Global changes, emerging players and evolving ACP-EU relations: Towards a common agenda for action?](#) (ECDPM Policy and Management Report 19). Maastricht: ECDPM.

## A changing EU with decreasing interest in the ACP Group

In the EU, itself, perspectives on the partnership with the ACP as a group are quite mixed. The different enlargement rounds have fundamentally changed the EU's collective attitude towards the ACP Group as a post-colonial concept. Most EU 12 members look East rather than South and increasingly question why more financial resources are not spent in the wider neighbourhood of the EU rather than in the South.

The ACP-EU partnership seems to have lost considerable influence, mainly in terms of its political relevance. Substantive issues in the areas of peace and security and the fight against terrorism and organised crime are largely dealt with outside the ACP-EU framework. Many EU ministers no longer take the time and trouble to attend the annual Joint ACP-EU Ministerial Council meetings. These signs of European "disengagement" seem to be aggravated by an increasing lack of high-level ACP interest in their own group. In comparison to the First ACP Heads of State in Libreville in 1997, very few African, Caribbean and Pacific heads of state showed up at the most recent ACP summits in Khartoum (2006) and Accra (2008). In spite of institutional problems, the pan-African organisations—the African Union (AU)—or regional organisations (e.g., ECOWAS) appear to have gained more legitimacy and credibility in dealing with continental and regional political and security issues.

In recent years, some controversies have given rise to increasing frustration between the ACP and the EU, such as the slow and difficult negotiating process around the economic partnership agreements (EPAs), the International Criminal Court warrant of arrest for the Sudanese President Al-Bashir and the opposition of some ACP regions to the EU's wish to enhance observer status at the UN General Assembly.

The lack of reference to the ACP Group in the Lisbon Treaty and the less prominent place of the ACP in the internal DEVCO and EEAS institutional framework are also signs that the EU is losing its interest in the ACP as a group.

However, a lack of EU interest in the ACP Group (with countries from three different regions) does not mean that the EU is not interested in the various individual ACP countries or (sub)regions. On the contrary, with the promising growth perspectives and gradual opening up of societies, the EU seems to remain strongly interested in Africa and, to a lesser extent, in the Caribbean and Pacific regions. With the Lisbon Treaty, the EU aims to bring more coherence to its external relations by engaging first and foremost with homogenous geographic continental and regional groupings, and developing bilateral strategic partnerships with regional powers such as South Africa. The EU clearly aims to reinforce relations with Africa through the AU, covering the whole of Africa, rather than through the ACP Group.

## Changing ACP perspectives on the EU

The ACP Group seems to be increasingly worried over the way the EU is treating them. Long-standing controversial issues such as the EPA negotiations have done more harm than good to the reputation of the EU in different parts of the ACP. While, in formal and official declarations, the EU expresses a strong commitment to respect the contractual obligations of the Cotonou Agreement until the 2020 expiry date, many ACP interlocutors remain quite suspicious about the future intentions of the EU.

Although time has been relatively short, the EEAS and its political leadership seem to face major constraints in showing its potential for delivering a more effective, coherent and credible EU foreign policy. In practice, there appear to be major contradictions between the EEAS, which is responsible for directing Europe's overall foreign policy, and DEVCO, which is in charge of pursuing development objectives. Europe continues to struggle with reconciling its strategic interests with its value-driven agenda. This has not gone unnoticed in several ACP countries and regions, which are becoming increasingly frustrated with instances of the EU's use of "double standards" in the treatment of different ACP states and leaders. More than halfway through the lifetime of Cotonou, the overall impression exists that there is a strong decline in common interests and trust between both parties. The ACP-EU Partnership is at a crossroads and clear choices will have to be made in the coming years between options to continue as "business as usual", to terminate or to revitalise this partnership.

## 2. Is it possible to define a sufficiently strong set of common interests for a future ACP-EU partnership?

From the analysis above, it is clear that the ACP-EU Partnership rests on weak political foundations on both sides. It confronts those in favour of revitalising ACP-EU relations with the challenge of clearly defining a new set of common interests in order to give a stronger political basis to these relations in today's world, as well as of justifying the relevance of the ACP-EU framework as the most effective channel to deal with these common interests vis-à-vis competing policy frameworks that link the EU to the various ACP regions. An open and non-partisan process for reflecting on the opportunities for common interests should move beyond excessive political correctness couched in the niceties of diplomatic language (which might be more likely to consign the partnership to irrelevance).

Some of the following questions could guide this process of reflection:

### ACP-EU: a potential source of diplomatic and political weight?

Both the ACP and the EU could be more strategic in identifying clearly where they could join forces in international fora on global issues of common concern. Theoretically, if there would be coherent positioning on both sides, an ACP-EU alliance of 106 countries could be a major force in the UN and other multilateral organisations. While many small ACP states are quite insignificant in economic terms, they could represent interesting diplomatic capital for an EU that seeks to play a more prominent political role at the global level. Because of EU institutions and the Cotonou Agreement, there is high diplomatic representation from Africa, the Caribbean and the Pacific in Brussels. The Pacific region, for example, with mainly small island states, counts eight embassies in Brussels. Several of these countries do not have embassies in the USA or in the "regional superpower" Australia. If the EU wants to build alliances at the global level on issues such as climate change, numbers might be an important factor in global diplomacy.

### Are there common interests beyond aid?

Development finance has been the glue that has kept the partnership alive over the past 37 years but it has also created the typical "donor-recipient" relationship of dependency. There is a perception that the ACP-EU Partnership has been dominated by the short-term vested interests of Lomé and Cotonou institutions and individuals that benefitted from quite generous EDF resources. In the current global and European context, which might have a bearing on the financial resources available for EU development spending, a new rationale beyond aid urgently needs to be found. Some ACP interlocutors feel that alliances should be built between the ACP and the EU on global issues such as climate change, peace and security, and migration. However, the continental and regional organisations in the component parts of the ACP would also like to build alliances with the EU on some of these global themes, as evidenced in the Joint Africa-EU Strategy and the Joint Caribbean-EU Strategy. Again, choices will have to be made and complementarities to be found.

### Can ACP-EU economic cooperation be reinforced?

In the past decades, economic and trade interests between both groupings have declined in a rather spectacular way. In a context of economic and financial crisis in the EU, and increasingly promising economic growth perspectives in several parts of the ACP, proponents of the ACP Group believe that new common economic interests could be built. While there are objective indicators that economic growth has been picking up in Africa in recent years, again the question should be raised whether the opportunities for economic cooperation between Europe and Africa need an ACP Group to foster and manage them.

### 3. How realistic are possible future scenarios for the ACP Group?

Throughout its history, the ACP has always depended on the EU for its own survival as a group. Obviously, the ACP wants to maintain its relationship with the EU, but at the same time, there is a firm awareness that the group needs to stand on its own feet by becoming self-sustainable. Some initial thinking has already taken place at the level of the ACP on possible future scenarios for the group. The **status quo** whereby the ACP and the Cotonou Agreement would continue to exist in its current format, co-existing with overlapping institutions (AU) and frameworks for cooperation (JAES), does not seem very realistic and is not likely to generate a lot of excitement with the EU. In addition, the 2011 Commission Communication EU Agenda for Change<sup>6</sup> clearly calls for a more differentiated approach to partnerships and aid allocations that might also have an impact on an increasingly heterogeneous ACP Group.

In the past year, there has been some initial thinking in parts of the ACP on scenarios that move out of traditional ACP-EU schemes.

In one of these, the ACP would engage with **new strategic global partners** beyond the EU, including some of the BRIC countries and traditional partners such as the USA. Obviously, this would also give more bargaining power to the ACP vis-à-vis the EU. In addition, the ACP would send a strong message to the EU and the rest of the world that the Group should be taken seriously. However, the potential for this scenario looks rather grim because of the lack of internal coherence in the ACP. The question can also be raised as to whether emerging players such as China would be interested in engaging with the ACP as a group.

In another scenario, the ACP Group would **open up to new members**. This could be done by including the North African countries or by becoming the world's group of the least-developed and most vulnerable states. An ACP Group that includes the whole of Africa by taking the stronger economies of North Africa on board would raise the question of how the ACP would differ from the AU and what its specific value-added would be vis-à-vis the AU. Some might argue that the AU would continue to play a more political role while the ACP could play a lead role in the economic and trade spheres. This division of roles would not be easy to put into practice as the AU also wants to assume a lead role in African economic and trade matters. The question could also be raised as to what the incentives would be for the North African countries to join the ACP, given their own particular relationship with the EU through the Neighbourhood Policy and the recently developed stronger EU support package.<sup>7</sup>

Expanding ACP membership to include the less-developed countries and vulnerable economies would make it the home of most (if not all) non-G-20 developing countries. The feasibility of this scenario is also questionable given the risk of potential duplication of roles with similar groupings in multilateral contexts, such as the G77 in the United Nations. Further, in the absence of an agreed-upon definition of "vulnerability", which countries should be included or excluded from such a group? What would happen with ACP countries such as South Africa (a new member of the BRICS) that do not fit into the category of least-developed or small and/or vulnerable, or with emerging sub-regional economies in Africa such as Nigeria, which is also looking for its own dedicated strategic bilateral EU partnership? How could an enlarged ACP Group ensure more cohesiveness if it is already difficult to ensure coherence among the current ACP member countries? Finally, the most difficult question might be what incentives are there for other developing countries (e.g., from Asia) to join the ACP?

In yet another scenario, the ACP Group would become an "**umbrella**" for the African, Caribbean and Pacific regions or the six current EPA configurations and regional economic communities (RECs). In this scenario, the particular needs and interests of each of the various regions could be pursued while issues that are common to all ACP regions could be dealt with at the overall ACP level. Although a common history, such as a shared identity and emotional attachment built after colonialism, is still relevant, it becomes increasingly less important for the new generation of young African, Caribbean and Pacific citizens. It is quite obvious that

<sup>6</sup> European Commission. 2011. Communication for the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Increasing the impact of EU development policy: An agenda for Change. (COM(2011) 637 final). Brussels: European Commission.

<sup>7</sup> European Commission. 2011. [EU response to the Arab Spring: New package of support for North Africa and Middle East](#). (Press release). Brussels: European Commission.

this scenario could only become relevant if intra-ACP and South-South economic cooperation would be significantly strengthened and if ACP institutions can clearly demonstrate their value-added.

In addition to the ambitious scenarios for the future outlined above, several less-ambitious options could be considered. One of these involves turning the ACP into a loose **knowledge hub or a networking type of organisation** among countries that share a common history and similarities in their path to development in a globalised world. Such a model could be based on the example of the Commonwealth or the “Organisation internationale de la francophonie”. However, here, too, questions could be raised as to whether there is a real need for another such institution at this moment. Obviously, such an option would also require “drivers” within the ACP Group that could provide leadership and (financial) support to such an initiative.

## 4. Preparing the future: what way forward?

In the coming months and years, there is a need for more in-depth analysis and dialogue that could help to better define EU and ACP interests in pursuing a partnership beyond 2020. Some of the following underlying questions could guide this reflection process.

### Is Cotonou the best “vehicle” for the promotion of common interests between the EU and the countries in Africa, the Caribbean and the Pacific?

Before designing scenarios for the future of ACP-EU relations, it is crucial to first have a more complete picture of the EU’s strategy with developing countries and regions in a post-Lisbon context.

The EU is searching for allies to address global and regional problems and to make sure that its strategic political, economic and development agenda can be pursued worldwide. Therefore, it is expanding its strategic partnerships with different more or less homogeneous geographic regions and sub-regions. In recent years, this resulted (in 2007) in a Joint Africa-EU Strategy (JAES) and in discussions and negotiations on a Joint Caribbean-EU Strategy (JCEUS) that should be adopted soon. Both the JAES and the JCEUS are clear signs that the EU seems to be committed to keeping up some type of relationship with the various component elements of the current ACP Group. The EEAS, along with the EC and member states, is also championing regional strategies for Africa (Horn<sup>8</sup> and Sahel<sup>9</sup>). At the international level, the EU favours a limited number of strategic partnerships with individual global powers; currently the only one held with an ACP country is that with South Africa.

The EU could be more explicit in defining the types of alliances at cross-regional, regional or national levels that hold the best potential for pursuing its interests. It could reflect on whether the alternatives to the Cotonou Agreement, such as the troubled Joint Africa-EU Strategy process, offer a credible and reliable alternative to Cotonou in terms of pursuing its interests in Africa.<sup>10</sup>

For the ACP, the challenge will be to clearly show where it has value-added as a partner of the EU. There is a need to tackle current ambiguities up front. Many ACP officials appear to have a clear interest in keeping the ACP Group and the Cotonou Agreement alive. However, at the same time, they also support the increasing regionalisation and multiplication of policy frameworks. Is the ACP Group ready to make clear choices in terms of identifying the most relevant framework to manage common interests with the EU?

Are the long-term interests of the countries from Africa, the Caribbean and the Pacific vis-à-vis the EU best pursued through and with the ACP Group or through other types of arrangements, either bilaterally or through other regional or multilateral groupings?

<sup>8</sup> Council of the European Union. 2011. [Council conclusions on the Horn of Africa](#). 3124th Foreign Affairs Council meeting. 14 November 2011. Brussels.

<sup>9</sup> European Union External Action Service. 2011. [Strategy for security and development in the Sahel](#). Brussels.

<sup>10</sup> For more analysis on these issues, see Bossuyt, J. and A. Sherriff. 2010. What next for the Joint Africa-EU Strategy? Perspectives on revitalising an innovative framework. A Scoping Paper. (ECDPM Discussion Paper 94). Maastricht: ECDPM. and Sherriff, A. 2012. [On the EEAS' 1st birthday: Have EU-Africa relations benefitted from the past year?](#) (ECDPM Talking points, 13 January 2012). Maastricht: ECDPM.

## How strongly committed are ACP actors to keeping the ACP Group and the ACP-EU Partnership alive?

It is up to the ACP actors and leadership to define their own future as a group and the role of the ACP in the ACP-EU Partnership. This raises fundamental questions that should be addressed up front: Is there an “ACP identity” and a real ownership of the ACP Group? Can an ACP Group survive without EU funding? Do the ACP members feel that the Group is still relevant and are they willing to “pay” for it?<sup>11</sup> What is the value-added of Cotonou? Or is it just a “channel for aid distribution”?

Not only should these fundamental questions be addressed to the Brussels ACP institutions (ACP Secretariat, ACP ambassadors), but the various actors in the different parts of the ACP should also have a say. Perceptions and vested interests might differ significantly according to the location and categories of actors consulted. It is therefore important to stimulate this debate in the individual ACP and EU countries as well.

## What elements of the “unique *acquis*” of Lomé and Cotonou should not get lost?

Several ACP and European interlocutors repeatedly express deep concern that the “*acquis*” of four decades of ACP-EU partnership could get lost. The joint institutions and dialogue, the shared common values and interests (such as the fight against poverty, sustainable social and economic development, peace and security, and stability) are systematically stressed. There is also a belief that Cotonou gives a more human and social face to the globalisation process. Indeed, some analysts have lauded the Cotonou and the EDF framework for the management of development objectives above that used by the European Commission in other regions.<sup>12</sup>

Critics, however, question whether this *acquis* is still working in practice and whether it provides a solid basis for keeping the partnership alive in its current form. They argue that the political dialogue has not always been effective, that EPAs have not worked so far and that the joint management of development cooperation has been difficult, time consuming and ineffective.

There is no perfect partnership, but the question could be raised whether and to what extent other national, regional, continental or global frameworks have been able to deliver more effective partnerships between the EU and countries from Africa, the Caribbean and the Pacific. It is time to undertake this sort of analysis so as to be able (around the time of the last revision of Cotonou in 2015) to present clear perspectives on the future of the ACP-EU Partnership. If there does not appear to be a viable future for the ACP-EU Partnership in its current form, alternatives or possible exit strategies should be carefully prepared.

## 5. What process could be followed to prepare a constructive debate?

In order to prepare the reflections on the future of the ACP-EU Partnership well, the following steps could be considered.

- **Take stock of ACP perspectives and interests** at both the official and non-official levels  
Initial reflections at the level of the ACP have largely concentrated on the Brussels-based institutions (ACP Secretariat and ACP ambassadors). To ensure a more complete picture, these reflections should be complemented by in-country consultations with both official and non-official players at the national and regional levels who do not have a strong connection to the ACP-EU world.
- **Make an analysis of the EU’s strategic interests in a post-Lisbon context**

<sup>11</sup> Given that some ACP members have problems paying their dues to other bodies that they are a part of, this is a significant issue.

<sup>12</sup> See, for example, DFID’s Multilateral Aid Review on the [European Commission’s budget](#) and the [European Development Fund](#), published in March 2011. London: Department for International Development.

At the level of the EU, an assessment of the recent changes in the EU external action policies and strategies towards developing countries and regions would be an essential first step in identifying the place that will be reserved for the ACP Group. Such a process could involve key players from all major EU backgrounds (member states, Brussels EU institutions, civil society and the private sector).

- **Show results**

A useful way to assess the value of the ACP-EU partnership is to show concrete results. Some of the following questions could guide this analysis: (i) Do the EU and the ACP get appropriate levels of development results from the considerable amounts of (EDF) funding? (ii) Does Cotonou contribute to strengthening the political partnership between the ACP and the EU? (iii) Does Cotonou contribute to realising the ACP-EU value-driven agenda in a coherent manner? To underpin such an analysis, it could be useful to look at country and regional strategy evaluations, as well as sectoral and thematic evaluations, and to make independent assessments of the results of specific Cotonou provisions (e.g., art 96).

- **Elaborate realistic scenarios** for the future of the ACP-EU relationship

Once an analysis of interests and results has been made, it will be more feasible to realistically consider the place of the ACP-EU framework in today's world and to develop scenarios for the future

- **Stimulate informal dialogue** among EU actors and with ACP interlocutors

In order to ensure a constructive debate, it would be good to stimulate a regular informal dialogue based on substantial analysis with different categories of relevant official and non-official actors, in ACP-EU circles (Joint Parliamentary Assembly, ACP-EU Council, ACP-EU private sector and civil society dialogues) but also, importantly, in other circles that do not have a direct vested interest in the ACP-EU world.

## Concluding remarks

Reflections on future perspectives for ACP-EU relations and for the ACP group have only just begun. For the time being, the debate is still very much centred around Brussels. In the coming years—and probably sooner rather than later—it will become clear whether there is still a future for a “post-Cotonou Agreement” and, most probably, for the ACP Group. It can be expected that the third and last revision of the Cotonou Agreement in 2015 will provide directions as to how the ACP regards its future and how the ACP-EU partnership will evolve after 2020. This debate might be influenced by the evolution of the Eurocrisis, the discussions on the new multi-annual financial framework 2014–2020 and the renewal of the EU institutions in 2014 (elections for a new European Parliament and appointment of a new European Commission).

The ACP-EU partnership is at a critical juncture. It is therefore time to start a frank and evidence-based debate on interests, incentives and future scenarios and to invest in defining a qualitative process with all the key players and stakeholders concerned.

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