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Can the EU prioritise both the African Union and the Africa, Caribbean and Pacific group?

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Highlights

- This year's AU-EU Summit, involving 55 African countries, takes place at a time when the EU and the African, Caribbean and Pacific (ACP) states are preparing negotiations on a future Partnership Agreement, which governs EU relations with no less than 48 of the same African countries.
- The Summit is a critical opportunity for the EU and AU member states to engage in high-level dialogue, and to address the complex and fragmented existing architecture for EU cooperation with Africa.
- Yet EU-ACP cooperation is not formally on the agenda of the upcoming Summit. Instead, partners appear to keep the political partnership agenda of AU-EU separate from the ACP-EU development cooperation system, despite their recognition of the need to strengthen regional dynamics.
- While understandable given the differing memberships, guiding principles and negotiation timetables, it will be difficult for the EU simultaneously to step up interest-driven cooperation and dialogue with the African Union and its member states, while also maintaining EU-ACP cooperation under the procedures and processes of the Cotonou Agreement.

Introduction

The fifth African Union - European Union (AU-EU) summit for heads of state and government will take place on 29-30 November 2017 in Abidjan and will revolve around the theme "Investing in youth for a sustainable future".

Africa is higher on the EU's political agenda than ever before. The 2015 'refugee crisis' prompted immediate and fast-tracked action on migration. Juncker's September 2017 State of the Union referred to Africa as "the cradle of humanity", while Africa was also high on the agenda of Germany's G20 Presidency and the September 2017 speech by French President Macron on the future of Europe.

At the very moment that the EU looks to reinvigorate its partnership with 55 African

countries, it is also engaged in a discussion on its future relations with 79 African, Caribbean and Pacific (ACP) states, 48 of which are African. Discussions on ACP-EU remain very much under the radar, and rarely go beyond the EU and ACP institutions based in Brussels. As per article 95 of the Cotonou Agreement, formal negotiations are due to start in August 2018. The EU plans to publish its draft negotiating mandate on the 12th of December for subsequent adoption in May or June 2017, while the ACP may adopt its position in November at its regular Council of Ministers meeting that is informed by a recently published policy paper[1].

Both the EU and the ACP have declared an intention to prioritise regional partnerships with Africa and its sub-regions in a future ACP-EU partnership, yet preparations for the negotiations on the future of ACP-EU cooperation seem to be disconnected from the debate on Africa-EU relations. As things stand, post-Cotonou will not be formally on the agenda of the AU-EU summit, though may claim a minor reference in the written outcome document that will be adopted there. The EU-AU joint steering committee that prepares the summit paid little attention to the topic. In an early statement on the summit, the EU did not want to go beyond acknowledging that the summit could be an opportunity to reflect on this.[2] The European Commission also avoids making a clear direct connection between the two dossiers[3]. The AU side, meanwhile, had first Addis-based exchanges on post-Cotonou, and has chosen to convene a working group on the matter, mandated to prepare an African position on post-Cotonou for adoption at the January 2018 AU Heads of State and Government meeting. This is a month after the ACP may have adopted its position[4].

Leaving Post-Cotonou from the agenda may be convenient for short-term political purposes but in the long run, it could be a major missed opportunity.

Reluctance to address the 'elephant in the room' reflects a strong priority to avoid controversy at all cost in the Abidjan summit. Leaving Post-Cotonou from the agenda may be convenient for short-term political purposes but in the long run, it could be a major missed opportunity. Failure to engage now will lead to continued fragmentation and duplication in the relationship between Europe and Africa.

A Fork in the road: two separate tracks of EU-Africa relations since 2000

The disconnect between ACP-EU and EU-Africa is not new. The Cotonou agreement (2000) was signed in the same year of the first Africa-EU summit in Cairo, already signalling a split in the EU's approach to Africa. The Cotonou agreement sought to reinvigorate ACP-EU relations as an ambitious, contractual North-South partnership, largely driven by a major aid envelope. The Cairo summit in turn aspired to "give a new strategic dimension to the global partnership between Africa and Europe […], in a spirit of equality, respect, alliance and co-operation".[5] Subsequent summits reaffirmed this desire for a more strategic and equal partnership, driven by mutual interests and exchange beyond development aid.

Seven years later, the Joint Africa-EU Strategy (JAES) and action plan was adopted. The starting point of the JAES was the EU's desire to address, Africa as one continent. This came at a time when the expiry of the Contonou Agreement was still more than a decade away. Making it more difficult to completely overhaul the EU's cooperation with Africa. Despite covering a whole range of areas, the implementation of the JAES fell short of its own

1 http://www.acp.int/sites/acpsec.waw.be/files/Towards%20the%20ACP%20we%20want%20-%20Version%201%20May%202017.pdf
2 http://www.consilium.europa.eu/en/press/press-releases/2017/06/19-conclusions-africa-eu-partnership/
3 The 2017 Commission's Legislative Work Programme anticipated linkages between the EU-Africa partnership and the 'African pillar' of an envisaged post-Cotonou framework, the 2018 Work Programme no longer refers to the former partnership and instead prioritises "transforming [the ACP-EU partnership] into a strong and modern political alliance.". See: https://ec.europa.eu/info/sites/info/files/cwp_2018_en.pdf
4 https://au.int/sites/default/files/documents/33158-doc-final_decision_of_the_17th_ordinary_session_of_the_executive_council_17.10.2017_clean.pdf
5 http://europa.eu/rapid/press-release_PRES-00-901_en.htm

ambitions. Limited engagement of both EU and AU member states, and a serious lack of 'means of implementation' made it difficult to move from stated objectives to actual results. Paradoxically, the implementation of the JAES relied heavily on the European Development Fund, which is dedicated to promoting ACP-EU cooperation.

The priorities for partnering with Africa today are very different from those in 2000. Migration and peace and security are now at the top of the European agenda for Africa and have become the lens through with the EU looks south, including for its development cooperation and investment. What has also radically changed is that the EU increasingly strikes deals outside the AU-EU and ACP-EU partnership frameworks.

The Valletta Summit on migration of 2015 provided an example of this approach. The summit formally launched the EU's Emergency Trust Fund for Africa that seeks to address perceived root causes of migration in selected African states. In fact, this summit was not held as an EU-Africa Summit, but as an EU Summit with selected African invitees.[6] Similarly, the new External Investment Plan, which encourages EU investment in Africa and the EU Neighbourhood, was set up largely unilaterally by the EU, with minimal consultation of intended partners in Africa[7].

The EU's approach to Africa therefore seems to move in two different directions: on the one hand the EU pursues interest-driven cooperation and dialogue either with the AU, regional coalitions (e.g. RECs, the G5 Sahel) or bilaterally; on the other hand it carries on with EU-ACP cooperation under the procedures and processes as set out in the Cotonou agreement. Potential or real trade-offs between these two processes are not discussed.

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Future options

In November 2016, the EU proposed a renewed ACP-EU partnership, which moves the centre of gravity to the African, Caribbean and Pacific regions[8]. Stronger regional partnerships would be complemented by an all-ACP 'umbrella' agreement. This 'umbrella option' assumes that a partnership between the EU and Africa as a whole can meaningfully coexist under an EU-ACP umbrella that caters to 48 of the 55 AU member states, with North African countries dealt with through bilateral association agreements and the supporting European Neighbourhood policy.

In contrast to the EU, the AU has only recently initiated a process towards preparing an all-Africa position towards post-Cotonou. Discussions in the ACP on post-Cotonou have largely avoided the question whether and how to address regional cooperation dynamics. The 2016 ACP Heads of State and Government summit and a recent ACP position paper acknowledge regional diversity but accentuate the ACP common identity and the group's complementary role as an inter-regional body[9]. While this may suggest broad support for a strong lead at an all-ACP level and the idea of an 'umbrella' option, member state engagement on the matter, including from Africa has been very limited. Analysis of the initial positions moreover reveals that a hybrid, or 'umbrella option' – if it leans too much towards maintaining the ACP-EU framework at the centre – could perpetuate the tension between ACP and regional structures[10].

Both sides however seem to have chosen the path of least resistance by avoiding difficult discussions and preparing to maintain the ACP-EU systems in a hybrid and dedicated construction.

6 Only those African states that are party to the Rabat and Khartoum processes were invited: https://www.timesofmalta.com/articles/view/20151031/local/over-4000-people-several-heads-of-government-heading-to-malta-for.590364

7 Both initiatives strongly relied on unspent resources of successive European Development Funds, which according to the Cotonou agreement have to be co-managed by the EU and the ACP states.

8 https://ec.europa.eu/europeaid/sites/devco/files/joint-communication-renewed-partnership-acp-20161122_en.pdf

9 http://www.acp.int/sites/acpsec.waw.be/files/Towards%20the%20ACP%20we%20want%20-%20Version%201%20May%202017.pdf

10 Bossuyt, J., Keijzer, N., Medinilla, A., Sherriff, A., Laporte, G., Tollenaere, M. de. 2017. ACP-EU relations beyond 2020: Engaging the future or perpetuating the past? Maastricht: ECDPM.

Part of the explanation is that both sides will do all they can to avoid controversy at a summit. It also shows how difficult it is to break through the deep-rooted vested interests in the ACP-EU partnership. In a context where institutions on both sides have gradually evolved alongside one another it is not easy to take a step back and critically reassess the foundations of ACP-EU cooperation.

That said, if the EU and ACP are serious about going regional, the hierarchy and division of roles between an all-ACP level and regional partnerships needs to be clearly defined. For Africa, four critical questions remain unresolved: (1) What type of partnership will the EU pursue with Africa, one based on mutual interests or one based on aid? (2) How to organise and incentivise North African participation in a possible African ACP partnership? (3) What role for the African Union and the Regional Economic Communities respectively in a future African partnership? (4) What possible role(s) could there be for a common ACP 'umbrella' in support of a renewed African partnership?

All these issues relate to the core of the matter, and solutions will depend on the willingness of the negotiating partners to move towards a coherent framework for EU relations with Africa. In the current environment this can only be done by unambiguously placing the regional partnerships in the centre of the debate.

Tough choices need to be made regarding the institutions that have the legitimacy to represent Africa vis-aὶ-vis Europe.

Building a dynamic and self-standing EU-Africa partnership is not easy. Tough choices need to be made regarding the institutions that have the legitimacy to represent Africa vis-à-vis Europe. For example, to what extent should the AU have a leading role, or share this with the Regional Economic Communities as per the subject matter concerned? It requires fresh thinking on the institutions that will drive the future political EU-Africa partnership and how these can be supported in the framework of the upcoming negotiations of the new Multi-Annual Financial Framework.

Ignoring the issue altogether is not the answer.

The timing to reflect on the feasibility and desirability of maintaining both frameworks is favourable, with an AU undergoing fundamental reforms to strengthen its international profile, guided by the recommendations of the Kagame and Kaberuka reports. It is in the interests of both Africa and Europe to make use of their fifth joint summit to take the first steps towards a 21st century partnership, driven by mutual ambitions, aspirations and concerns.

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