

BRIEFING NOTE No. 110

Africa-EU relations and post-Cotonou: AFRICAN COLLECTIVE ACTION OR FURTHER FRAGMENTATION OF PARTNERSHIPS?

AU-EU

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The EU and the African, Caribbean and Pacific (ACP) group of states formally kicked off negotiations for a new partnership agreement in the margins of the September 2018 UN General Assembly. The EU has proposed a complex hybrid formula based on continuity through a common foundation for all ACP countries, as well as deeper regionalisation by means of three distinct regional protocols with Africa, the Caribbean and the Pacific respectively.

This briefing note looks at some unresolved questions and in particular who should negotiate a new deal between the EU and Africa. This thorny issue arose when the AU called for a direct negotiation of a new continent-to-continent partnership with the EU outside the ACP-EU framework.

The African members of the ACP have been riding two horses at once, paying lip service to the call from the African Union (AU) for an equal and modern partnership with the EU while willingly rushing into negotiations with the European Commission under the flag of the ACP. The start of the negotiations shows that the diplomatic process has preceded political consensus in African capitals, which creates significant confusion in EU, AU and ACP circles.

This briefing note concludes that negotiating an African protocol under the ACP-EU banner is likely to produce a fragile and contested outcome. The push for a 'hybrid solution' will lead to the fragmentation of partnerships at a time where both the AU and the EU are calling for a stronger alliance.

The time is ripe for both African members of the ACP and the EU to make a clear choice on the direction of Africa-EU relations post 2020 and on the right institutional set-up to pursue these aims. As in other international negotiations, both parties may need to accept that 'they can't have their cake and eat it'.

Introduction¹

More than five years ago, discussions started on the future of ACP-EU relations after the Cotonou Agreement expires at the end of February 2020. Doubts were raised on the European side – as well as by some ACP states ‘off the record’ – whether this cross-regional partnership framework was still ‘fit for purpose’ in a world where both the EU and ACP have long outgrown the traditional north-south relationship that is at the heart of the Cotonou agreement, where regional integration has become a force for change, and where a universal 2030 agenda frames thinking about sustainable development worldwide. In 2018, the EU ultimately issued a negotiating mandate based on a ‘hybrid solution’ that would ensure institutional continuity while creating conditions for further regionalisation of the relations. The proposal is to maintain an all-ACP ‘foundation’ on which three separate regional protocols or ‘pillars’ would rest, including an upgraded agreement with Africa.

As the ACP and EU prepared for a classical round of negotiations, the African Union (AU) complicated the play. In March 2018, it called for a “*single framework for cooperation from Union to Union/continent to continent, independently of the ACP-EU framework*” (African Union 2018a), a position that has been reiterated by the AU leadership on several occasions (Fox 2018a and 2018b). Ever since, the situation has been confusing and tense. The ACP Group and the EU initiated negotiations along the lines of their respective mandates (ACP Group 2018, Council of the European Union 2018) with the support of most African members of the ACP. At the same time, the AU leadership claims it got a clear mandate at Summit level to pursue a separate continent-to-continent partnership with the EU post 2020.

This Briefing Note tries to make sense of this process as it unfolds. Section 1 briefly recapitulates how and why the whole post-Cotonou debate got off track. Section 2 examines whether there is scope to overcome the divide between two opposing views on who should negotiate a new deal between the EU and Africa. Building on this, section 3 explores the implications of the resulting parallel track approach for the coherence of EU relations with Africa. The concluding section 4 outlines the key choices in front of African and European decision makers at this critical moment of the process.

1. Regionalising ACP-EU relations: Process before consensus

1.1. How the ACP-EU negotiations got stuck

The EU and ACP group of states formally kicked off negotiations for a new partnership agreement in the margins of the September 2018 UN General Assembly in New York. Both sides have appointed their chief negotiators² and several rounds of talks have passed. The negotiations are taking a phased approach whereby discussions on the structure and all-ACP common foundation precede and prepare the negotiation of three respective regional partnerships. Since the ACP mandate did not foresee such regional partnerships, it took until December 2018 before they formally yet reluctantly accepted this sequencing.

From a strategic perspective, few will disagree that **the main interest of the EU and its member states in a Post Cotonou Agreement lies in Africa**. The continent is a key focus for EU foreign policy – ranging from migration, security to economic integration and investment. The Caribbean and Pacific inevitably fall

¹ The authors thank Niels Keijzer, Andrew Sherriff, Geert Laporte, Alexei Jones, Emmanuel De Groof and Mariella Di Ciommo for their valuable comments and suggestions in an earlier draft of this briefing note. Feedback can be sent to Alfonso Medinilla: ame@ecdpm.org.

² The chief negotiator for the ACP Group is Robert Dussey, Togolese Minister of foreign affairs. The EU’s chief negotiator is Neven Mimica, European Commissioner for International Cooperation and Development.

under a more peripheral section of the EU's foreign relations. Yet at the same time, neither the EU or the ACP institutions wanted to discard the legacy of ACP-EU relations. The European Commission convinced EU member states to stand behind a **'hybrid solution' based on a common foundation for all the ACP supporting three regional protocols**, respectively with Africa, the Caribbean and the Pacific. It represented a compromise between a status quo option (namely sticking to the traditional bilateral ACP-EU format) and a full-fledged regionalisation (which would mean to make separate deals with Africa, the Caribbean and the Pacific without an overarching all-ACP 'foundation').

The EU's move to – at least partially – regionalise the partnership called into question the continued relevance of the ACP as a global ally. It amounted to a *de facto* recognition that the EU since long seeks to make key political deals at the bilateral, regional and continental level (e.g. with the AU) and not through the ACP. Trade relations have been regionalised, just as cooperation on peace and security in Africa. When there are major political tensions between the EU and an African country (like in the recent case of Burundi) the EU will not call upon the ACP to engage in dialogue on the matter but will proceed through the relevant regional body and the AU. On migration, during the recent crisis, the EU opted for the bilateral route to engage with Africa (through the Valetta process). Yet it increasingly realises that it will also have to pick this up with the AU. The existence of a dedicated article on migration in the Cotonou Agreement (Art. 13) hardly plays a role in these bilateral, regional and continental processes.

In response to mounting pressure to show its continued relevance, **the ACP Group** worked hard to keep the family together and boost its status and attractiveness to the EU. It laid out its ambition to become a global player in a wide range of policy areas, while insisting on the need to preserve core features of the partnership (e.g. the various joint ACP-EU institutions). On paper, the ACP Group acknowledges the need to better factor in regional integration, particularly in Africa. Yet in essence, it seeks to keep its member states (through the ACP institutions) in full control of the partnership with the EU – with the AU and regional bodies still relegated to a secondary position.

The **African Union** entered relatively late into the post-Cotonou debate. Initially it saw the ACP-EU partnership as a mere bureaucratic system for delivering ODA, and therefore not a strategic priority for African collective action. This was compounded by the fairly common disconnect in the foreign policy architecture of its member states between those dealing with EU ODA and those engaging in African continental integration processes³. However, over the past two years, the AU and AU Commission's leadership became increasingly aware of the risks a new post-Cotonou agreement could pose for the African integration process and its strategic relations with Europe.

The bottom line of the AU's position is the incompatibility of the ACP-EU partnership with the 'Joint Africa-EU Strategy' (JAES). This political agreement was signed by 27 EU Member States and 54 African States and the Presidents of the respective Continental Institutions in Lisbon (2007). The JAES meant to take the Africa-EU partnership beyond aid, and though this progressive document has lost some momentum in recent years, its narrative remains very relevant today, including in its recognition of a key role for the AU (see Box 1).

The EU and ACP approach to the negotiations follows a fundamentally different logic than what is called for in the JAES. **Instead of taking Africa-EU relations to the 'next level', the negotiations are led by a cross-regional negotiating group, and the AU was effectively side-lined from the first discussions** on common values, interests and objectives of a new partnership⁴. However, the African Union does have

³ It is not uncommon for African ambassadors posted in Brussels and covering the ACP to represent a different line than those in representations to the AU in Addis Ababa or in foreign ministries at home.

⁴ The AU and other regional organisations are named as 'actors' of the Cotonou Partnership agreement, yet they are not 'parties' to it. This means that formally, negotiations are initiated between the EU represented by the European Commission on one side, and the ACP states by their appointed representatives on the other.

a mandate, derived from its Constitutive act which empowers it to “*promote and defend African common positions on issues of interest to the continent*” (Art. 3(d)). The Agenda 2063 also calls for the AU to become a “*strong and influential global player and partner*”.

Box 1: How the JAES prefigured a new political partnership between Africa and the EU

The Joint Africa-EU Strategy adopted by the Lisbon Summit (2007) was in many ways ahead of its time. In its preamble, the EU and African states/continental organisations spelled out political ambitions that announced a **paradigm shift in the partnership relation**. A few excerpts from this core document:

- “The purpose of this Joint Strategy is to take the Africa-EU relationship to a **new, strategic level with a strengthened political partnership and enhanced cooperation at all levels**. The partnership will be based on a Euro-African consensus on values, common interests and common strategic objectives”.
- “This partnership and its further development will be guided by the fundamental principles of the **unity of Africa**, the interdependence between Africa and Europe, ownership and joint responsibility. In the light of this new partnership, both sides also commit themselves to enhance the coherence and effectiveness of existing agreements, policies and instruments”.
- “... Both sides will treat Africa as one and **upgrade the Africa-EU political dialogue** to enable a strong and sustainable continent-to-continent partnership, with the AU and the EU at the centre”.
- The partnership will seek to “jointly promote and sustain a system of effective multilateralism ... and to **address global challenges** and common concerns...”.

The AU Executive Council (strongly supported by the then Chair of the AU, Rwanda’s president Paul Kagame) therefore approved an ‘**African Common Position**’ in March 2018, calling for the negotiation of a new cooperation agreement with the European Union “*separated from the ACP context and based on a strong and sustainable continent-to-continent partnership that revolves around the AU and the EU*” (African Union 2018b). In July, the AU also appointed Professor Carlos Lopes as High Representative to support Member States in the negotiation of a new agreement with the European Union post-2020.

This unexpected move created **significant confusion in both EU and ACP circles**, and over the remainder of 2018 the conflicting positions of the ACP and AU were both reconfirmed at various high-level meetings⁵ by the very same African member states. Early 2019, the 32nd AU assembly reaffirmed the African Common Position. While **the AU is now no longer formally opposed to the ACP sorting out a new deal with Europe, it does call for a separate negotiation process for a new continental deal directly between the AU and the EU**. Crucially, the AU wants this exercise to be more than a simple update of the JAES or an endorsement of the new (unilaterally defined) Africa-Europe alliance that European Commission President Jean-Claude Juncker presented at his 2018 State of the Union (European Commission 2018).

Formally this does not preclude the African members of the ACP to agree on some form of regional deal with the EU through the ACP. However, if the AU maintains that continental matters, relevant to the whole of Africa, can only be negotiated between the EU and the AU, a parallel track process will unfold. This, in turn, brings along the question what scope and added value an ACP-EU regional pillar for Africa could have.

⁵ In May 2018, the ACP Council of Ministers adopted their own negotiating mandate which prepares the ACP “as a unified entity [to] engage the European Union [...] in a single undertaking for a successor Agreement” (ACP Group 2018).

These developments illustrate how **the diplomatic process has preceded political consensus in African capitals**. In fact, the entire negotiation process finds itself in uncharted waters. Never before has the contradiction of EU relations with the African continent so clearly been called into question by governmental actors themselves, and never before has this space so explicitly been claimed by the African Union. It is difficult to predict which role African members of the ACP will eventually ask the AU to take up now that the negotiations are supposed to focus on the new regional deal with Africa.

1.2. What motivates the key players?

It is important to understand why this blockage emerged. Why do the various parties involved adopt such positions? What is at stake? What are the real interests at play?

The African Union

The logic behind the AU's assertive play on post-Cotonou reflects the **gradual maturation of the pan-African agenda and institutions** over the past 15 years. The AU is still a young institution facing important challenges of legitimacy, relevance and effectiveness. Yet over the past decade it has progressed in several domains, including in its role as a pan African institution defending the interests of the continent. It is currently going through a major reform of its financing systems. It is strengthening its continental agency in a range of areas, not the least peace and security and continental trade. Its bid to negotiate a post-2020 deal with the EU builds on this reform momentum, and shows how the AU is expanding its foreign policy remit. If successful, it would be a major step towards collective action as a continental group, and a clear affirmation of the commitments and the principles underpinning the JAES. On the other hand, for the AU, accepting an African pillar under the ACP would amount to a downgrading of its previous dialogue processes with the EU. However, this is also a bold step for the AU and a delicate exercise – as it implies stepping outside its comfort zone into the bilateral foreign relations of its member states.

The African members of the ACP

The ambivalent approach followed by the vast majority of African members of the ACP in this dossier is linked to several core national interests. Foreign policy is traditionally a sovereign matter. While they formally support African unity and the role of the AU, African states are often less in favour of transferring power to the continental organisation (a dynamic we also observe in Europe). Others may even see the AU's entry on the scene as a threat to their own interests vis-à-vis the EU. Many African member states prefer to rely on the ACP Secretariat and its Committee of Ambassadors in Brussels for their relations with Europe. However, this is not an affirmation of the political leadership of the ACP. The reality is that the ACP is a far less threatening vehicle for advancing their national interests. Unlike the AU, it does not have an expansive regional integration agenda, nor has it any real ambition to regulate or act on behalf of its member states. Instead, its primary function in the past has been to facilitate bilateral engagement of its member states with the EU, with the emphasis on the predictable delivery of aid directly through government structures. The **choice to support an ACP-driven negotiation therefore indicates a preference for an intergovernmental approach, where member states are firmly in the lead**. Another reason why African countries may prefer the 'ACP way' is the perception that it provides a stronger guarantee for continued access to EU bilateral aid, much like it has in past negotiations.

The European Union

So why do European actors stick to the ACP-EU framework? This choice is intriguing, especially since **the geopolitical construct of the ACP has gradually disappeared from the EU's policies, its internal systems and organograms**. The proposed 'broad' (single) instrument for external action in the next Multiannual Financial Framework (MFF) for the period 2021-2027, makes no reference to the ACP and proposes the 'budgetisation' of the European Development Fund (EDF), the instrument traditionally

'reserved' for the ACP⁶. The direction of travel of current EU external action is also unambiguous. The EU is seeking partners and allies at the regional and bilateral level, and will engage in any which way depending on the issue at stake. When it comes to Africa, the AU has taken an increasingly important position, and EU leaders repeatedly stress the need for stronger political ties with the continent. The 2018 Communication on a new Africa-Europe Alliance for Sustainable Investment and Jobs exemplifies the EU's more proactive approach towards Africa. It places the AU and its direct partnership with the EU at the front (European Commission 2018).

Yet despite all these developments, the EU still seeks to incorporate Africa-EU relations under the ACP-EU framework. Its reluctance to coherently align EU external action to ongoing and expanding regionalisation dynamics primarily stems from a **deep-rooted fear of losing control**. The EU is willing to move the 'centre of gravity' of a future deal to the regions, yet it wants to negotiate the rules of the game of the future partnership (the so-called 'foundation') with the more accommodating ACP Group, owing to its clientelist relationship to the EU. The EU and especially the European Commission see this as the **path of least resistance**. By breathing new life into the ACP-EU construction, it avoids having to come up with a new functional model for cooperation with Africa that is directly negotiated with Africa. It also avoids having to rethink its own internal division of labour in EU external action.

2. Reconciling opposing views on the future of Africa-EU relations

Will the current stalemate between the EU, AU and ACP prevail, or will the various parties find a way out? What would a compromise look like? And what would be the value of a resulting regional agreement under the ACP-EU framework if a parallel deal is to see the light under the EU-AU banner?

For the moment, the European Commission and ACP Group are keen to rush forward with the process as planned. The negotiations on the foundation agreement, which contains common principles and broad partnership objectives are underway, and preparations are being made to start talks on the regional protocols with the Caribbean and the Pacific (EEAS 2019). To unblock the situation regarding the African pillar, an exchange of letters has reportedly taken place between the different parties (AUC, ACP negotiators and EC) on the structure of the regional pillars and the role of the African Union in the negotiations. The idea would be to invite 'AU mandated experts' to the negotiations of the regional protocol (Mimica 2019). The AU is considering the proposal and by stepping into the process it would act more as a watchdog to ensure that there is no interference with its continental prerogatives.

Whichever the fate of this proposal, the process of **negotiating an African protocol under the ACP-EU banner is likely to produce a fragile and contested outcome**, for the following reasons:

- **Limited relevance and use of a regional protocol under the ACP.** Even if 'AU experts' participate in the regional post-Cotonou talks, the question of who can legitimately and effectively represent Africa in matters of continental concern will be prominently on the table. The AU is likely to stick to its political decision that such issues must be addressed in a new 'continent-to-continent' partnership with the EU (outside the ACP-EU framework). If this is the core political objective, the role of the possible AU experts participating in ACP-EU talks will mainly focus on preventing contradictions and ensuring a proper role division between the different partnership structures. In the same logic, **a future post-Cotonou agreement would only bind the African members of the ACP, and would not apply to the continental institutions.** This will affect the (future) value of what might be agreed

⁶ For analysis of the European Commission's MFF proposal and the 'single' instrument, see Jones et al. 2018.

in a regional protocol by the ACP and EU. It should not come as a surprise that the current ACP-EU talks on the 'foundation' are progressing slowly and remain largely limited to development matters. On the sensitive political matters related to trade, migration, security, etc, African states in particular are now also confronted with the question where this should be discussed: under the ACP-EU banner or under a possible future EU-AU continent-to-continent arrangement?

- **Contested rules of the game.** It is also unlikely that the AU will accept that the provisions of a 'foundation agreement' negotiated between the EU and the ACP group will apply to Africa collectively. These basic principles and provisions will define much of the rules of the game of the future partnership and touch upon many sensitive issues (e.g. the normative basis, mutual obligations regarding migration, political dialogue). The preamble of the 2007 JAES called for a "*Euro-African consensus on values, common interests and common strategic objectives*". The 'African Common Position' already hinted that the AU hopes to redefine the principles and rules of engagement with the EU in a future continent-to-continent partnership, by calling for a "*single framework for cooperation from Union to Union/continent to continent, independently of the ACP-EU framework*" (African Union 2018a).
- **A regional protocol restricted to sub-Saharan Africa.** A possible regional deal under the ACP-EU framework will not apply to North Africa. The EU's negotiating mandate recognises the need to find ways and means to meaningfully mobilise this critical part of Africa. Yet North African countries have shown little to no interest in being associated with a future post-Cotonou arrangement as it adds no value for them. On the contrary, they are wary that a renewed agreement may even downgrade their own relations with the EU (De Groof et al. 2019).
- **The cost of combining regionalisation with keeping an ACP overarching structure.** The EU is fully aware of regional integration in Africa, which is why it proposed to move the 'centre of gravity' of a future partnership towards the regions and the AU. This, however, cannot be done without reducing the weight of the ACP-EU component. The European Commission therefore has an interest in reducing the overhead costs of a future partnership with the ACP. This may imply to abandon the dedicated 'intra-ACP' financial envelope and cutting in the joint institutions (including the Joint Parliamentary Assembly), both of which have come under scrutiny for limited effectiveness. While this is consistent with the EU's wish to put the regions first, it risks alienating the ACP, and ultimately turning the new ACP-EU partnership into an 'empty box'.

3. Implications of a dual track approach to Africa-EU relations

For the European Commission and the ACP Secretariat the direction of travel appears to be at least partially set. However, going through with a hybrid approach with an all-ACP foundation and regional protocols is not a mere technical move. It will have significant implications for the future of EU-AU relations. Creating parallel tracks between the 48 African ACP members, on the one hand, and the AU and its 55 members, on the other hand, will have implications that last well beyond 2020:

- **Fragmenting key areas of peace and security, political dialogue and international cooperation.** A major weakness of the AU-EU partnership today is that it is largely disconnected from the reality of EU cooperation and political dialogue with African countries under the Cotonou Agreement. Moving forward, areas of mutual interests between the EU and AU and the regional economic communities are growing stronger. Following the dual-track approach will likely deepen the rift between AU-EU cooperation on peace and security, high-level dialogue on key issues such as

migration and investment on one side, and bilateral political dialogue and development cooperation on the other.

- **Overemphasising the role of aid.** The core of the ACP-EU partnership is the substantial and predictable envelope for bilateral aid to ACP countries. The outcome of the negotiations therefore ultimately depends on the financial offer that the European Commission will put on the table. Reinvesting in the foundation of ACP-EU may overemphasise the role of ODA in these talks, at a time when EU and African interests are shifting to other forms of international cooperation, not least through external investment or alliances on global public goods including climate change, renewable energy, and peace and security on the African continent. Aid is likely to still play a role going forward, but this will be in the context of a more diversified set of tools for a more political and global engagement, especially with middle-income African countries (Di Ciommo and Sayós Monràs 2018; Di Ciommo et al. 2019).
- **Diluting EU and African strategic interests.** As a regional power the EU's focus is increasingly on its surrounding regions in the East and the South, spanning from Central Asia to Central Africa (EU Global Strategy 2016). In Africa, European strategic interests increasingly relate to security, stability, migration and resilience, all areas in which a strong regional partnership is warranted. Reaffirming the ACP as a strategic partner, alongside the African Union could further weaken the EU's profile in Africa by spreading it across *de facto* 48 different ODA-focused bilateral partnerships. African states in turn have an interest in strengthening their collective bargaining position vis-à-vis Europe, and demanding an agreement that treats Africa as a united continent.
- **Perpetuating unhelpful institutional dynamics in the EU.** Reluctance to reform on the European side is partially driven by institutional path dependence. The main upholder of the ACP-EU structure within the EU is the European Commission's Directorate General for International Cooperation and Development (DG DEVCO) under the responsibility of the Commissioner for International Cooperation and Development. The traditional division of labour concerning cooperation with Africa, where DG DEVCO administers aid to Sub-Saharan Africa and the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) deals with North Africa, while the European External Action Service (EEAS) does high-level political engagement reflects the past of EU external action, not the future. This internal settlement is a continuous source of confusion and even internal tensions. A hybrid partnership structure (which would keep the African pillar under the ACP) would cement this institutional working arrangement for the years to come.
- **Weakening African Integration.** A similar dynamic applies to Africa. The continued support for the ACP shows that member states continue to prioritise ODA dependence over continental integration. The ACP's relevance will continue to wane along with the relative importance of ODA. The AU in turn will more likely take on more competencies and agency on the global scene. The position of African member states can either delay this by protecting their own narrow ODA interests or speed it up by calling for a stronger collective bargaining position through the AU.

4. Concluding remarks: The choice in front of European and African decision makers

The EU and AU have been ‘beating around the bush’ since 2017 on how to breathe new life in their political partnership, within or outside the ACP-EU framework. Yet neither side has come up with a definitive answer on how to do so. The EU has proposed a complex hybrid formula to face up to the reality in Africa, without upsetting its own institutional interests and historical linkages with the ACP. In the meantime, African members of the ACP have been riding two horses at once, paying lip service to the AU’s call for an equal and modern partnership while willingly rushing into negotiations with the European Commission under the flag of the ACP.

As the Post Cotonou negotiations are about to tackle the regional protocol with Africa, **the time is right for European and African policy-makers to reconsider their fundamental objectives for Africa-EU relations beyond 2020 and to reassess whether the ACP-EU framework is a suitable framework for pursuing those aims.**

On the European side, there is little enthusiasm to stray from the current path and fully regionalise the future partnership. This would require an adaptation of the EU negotiation mandate, and would cause even longer delays in concluding a post Cotonou deal. It would also bring the EU into a different and potentially complicated negotiating setting dealing directly with the AU – which to some extent is what it sought to avoid when it recommitted to negotiating through the ACP. At the same time, it will be very difficult if not impossible to modernise Africa-EU relations from within the ACP-EU framework. **A new political partnership with a united Africa that goes beyond aid cannot be pursued through a traditional North-South development cooperation model like the Cotonou agreement that deals primarily with states and is limited to sub-Saharan Africa.**

The **mirage of global partnership and the ‘political capital’** to be obtained with an alliance of 79 countries -as carefully written out in both the EU’s and ACP’s negotiating mandate- is empirically unfounded. There is little to no evidence to support that the ACP can outgrow its status as a bulwark for north-south clientelism and reinvent itself as an international organisation with global reach capable of striking major deals with the EU. The ACP Group lacks political legitimacy⁷ and collective action capacity to address global challenges. African member states also do not see the ACP as a real force for collective action at the global scene but as a convenient, controllable and largely non-threatening venue for dealing with the EU on aid and development cooperation.

Against this background, **African member states** may need to reconsider whether choosing the security of and ODA-driven partnership with the EU through the ACP is not ‘backing the wrong horse’. It may reduce Africa’s ability to effectively defend its own interests autonomously at continental level on a host of pressing issues such as trade, investment, migration, climate change. Modern international cooperation is a multi-level process. African states are fully entitled to pursue their own interests bilaterally or through diverse fora coalitions at various levels. Yet at the end of the day African member states stand to gain by further investing in the development of their own pan-African institutions. If properly mandated and enabled, the AU can add value as a political actor to what Member states do in pushing forward continental agendas in a volatile multipolar world. Hence the need for African states to prevent making political choices which may end up weakening the further development of pan African institutions by pursuing short-term interests through outdated institutional frameworks like the ACP-EU partnership.

⁷ Examples of lack of legitimacy include the difficulty of mobilising Heads of State (in sharp contrast with AU), the weight of the Brussels-based ACP Committee of Ambassadors in decision-making and the inability to fund the operating costs of the ACP Secretariat autonomously.

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