

EU external relations with Africa

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Abstract: Europe and Africa have historically strong relations, covering peace and security, democracy, human rights, development, sustainable economic growth and trade. The two parties have made several agreements and the two main agreements that governs the European Union and Africa relations are Cotonou Partnership Agreement and the 2007 Joint Africa-EU Strategy. Both of those include political, economic and development dimensions. Although agreements about equality have been made, there is still some indications that European Union reserves the donor part of the relationships and African Union is left behind as a recipient. This paper seeks to understand the reasons behind their relationships and wishes to find out, are the EU and AU now considered equal partners.

Keywords: Cotonou Agreement, JAES, Sub-Saharan Africa, EU External relations.

INTRODUCTION

On the European Union (EU) side, the Treaty on the Functioning of the European Union (TFEU)² Article 220 provides that the Union shall maintain „relations as are appropriate with other international organisations“. Article 220 (2) elaborates, that “the High Representative of the Union for Foreign Affairs and Security Policy and the Commission shall implement this Article”. On the African Union (AU) side, Executive Council decision 195(VII) of July 2005 lays out the criteria for granting observer status and accreditation of NGOs, non-African states, international organizations and regional integration organizations (such as the EU).³

According to the European Parliament⁴ the EU is working actively to promote peace and security in Africa and engages with the AU in various policy dialogues, including on democracy and human rights, following the plan to become more active on international arena.⁵ Migration has emerged as a core element of Africa-EU relations.⁶

The two main agreement that governs the EU and Africa relations are the 2000 Cotonou Partnership Agreement⁷ (also referred as Cotonou agreement) and the 2007 Joint Africa-EU Strategy⁸ (JAES), both of which include political, economic and development dimensions.

In the following paper, the author will be focusing on EU relations with sub-Saharan Africa, while relations with other regions of Africa is only mentioned in a few points. The purpose of this paper is to understand, whether the Africa-EU relations are truly a partnership of equals.

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² Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union 2012/C 326/01.

³ Anna-Luise Chane, Magnus Killander “EU cooperation with regional organizations in Africa.” in *Leuven Centre for Global Governance Studies Working Paper No. 197*, 2018, p. 10.

⁴ European Parliament factsheets – Africa, webpage.

⁵ Ramiro Troitiño, D; Kerikmäe, T; Chochia, A, “Foreign Affairs of the European Union: How to Become an Independent and Dominant Power in the International Arena” In: Ramiro Troitiño, D; Kerikmäe, T; de la Guardia, R.M; Pérez Sánchez, G.A (Ed.). *The EU in the 21st Century Challenges and Opportunities for the European Integration* (209–230), Springer, 2020

⁶ Ramiro Troitiño, D; Kerikmäe, T; De la Guardia, R. M; Perez, G. A., *The EU in the 21st Century. Challenges and Opportunities for the European Integration Process*. Springer, 2020

⁷ Partnership agreement, (EC) 2000/483.

⁸ European Commission COM(2007) 357.

This paper is divided in three main paragraph and provides an overview of the relations and a short presentation of the two main agreements. In the paper the author will collect and compare the different scholars' opinions and draw conclusions by giving my own opinion on the subject.

OVERVIEW OF EU-AFRICA EXTERNAL RELATIONS

The EU is considered to be a largest trading partner of sub-Saharan Africa.⁹ As African states gained independence, the EU developed a number of different frameworks for its trade, aid, and later political cooperation with African partners, resulting in the fragmentation of EU-Africa relations.¹⁰

As Jan Orbie has stated: “the EU has long been a pivotal actor in the shaping of Africa’s trade regimes with the rest of the world”¹¹ and so the outcome of negotiations between the EU and African states has strongly influenced other external economic relations.¹²

In their working paper A.-L. Chane and M. Killander argue, that: “Over the past century, the relationships between Europe and Africa have gradually shifted from those between colonizers and colonized, to donor-recipient relations and more recently to an increasingly multilateral ‘partnership of equals’.”¹³

The formation of the AU has in part relied on the sharing and using of universal norms and the organisational templates from the EU.¹⁴ The AU does not constitute a model of the EU in the sense understood by EU integration scholars. Indeed, the local dynamics within Africa, with its many challenges and the previous regional integration trajectory, prevent the adoption of the EU model.¹⁵ Suh I has indicated: “The EU–Africa relationship is governed by regimes that represent strategic and binding expectations defined in partnership agreements.”¹⁶ Some of those agreements include peace and security, democracy, good governance and human rights, human development, sustainable and inclusive development growth and continental integration, global and emerging issues. According to European Commission¹⁷ the EU is a major trading partner for ACP countries, representing more than 21% of their trade with the world. The EU is Sub-Saharan Africa’s second-biggest trading partner after China. The EU is also the main destination for agricultural and transformed goods from ACP partners (more than €33 billion in 2019).

HISTORY OF EU-AFRICA RELATIONS

History has taught that for some 500 years, beginning from the 15th century with the practice of transatlantic slave trade to the mid–20th century with the end of colonialism, Africa has always been in European domination.¹⁸ According to Chane and Killander: “From the beginning, Africa has

⁹ John Kotsopoulos, Frank Mattheis, “A Contextualisation of EU–Africa Relations: Trends and Drivers from a Reciprocal Perspective.” in *South African Journal of International Affairs*, 25 (4), 2018, p. 448.

¹⁰ Anna-Luise Chane, Magnus Killander (2018), *supra nota 2*, p. 19.

¹¹ Jan Orbie, “The European Union & the Commodity Debate: From Trade to Aid.” in *Review of African Political Economy*, 34(112), 2007, p. 299.

¹² Duncan Money, Hans Otto Frøland, Tshepo Gwatiwa, “Africa–EU relations and natural resource governance: understanding African agency in historical and contemporary perspective.” in *Review of African Political Economy*, 47 (166), 2020, p. 586.

¹³ Anna-Luise Chane, Magnus Killander (2018), *supra nota 2*, p. 4.

¹⁴ Toni Haastrup, “EU as Mentor? Promoting Regionalism as External Relations Practice in EU–Africa Relations.” in *Journal of European Integration*, 35 (7), 2013, p. 797.

¹⁵ *Ibid.*

¹⁶ Fru Norbert Suh I, “International Regime Complexity in EU–Africa.” in *The Journal of Territorial and Maritime Studies*, 7 (2), 2020, p. 32.

¹⁷ European Commission, Economic Partnerships, webpage.

¹⁸ Fru Norbert Suh I, (2020), *supra nota 13*, p. 37.

held a special place in EU foreign relations. Instead of pursuing a comprehensive intercontinental approach, however, EU Africa policy quickly fragmented into parallel frameworks – for sub-Saharan and Northern Africa respectively – which co-exist until today.”¹⁹

Initially, relations between the European Economic Community (EEC) and overseas colonial countries and territories (most of which were African) were governed by the Rome Treaty²⁰, which provided for the association of these territories with the EEC in order to promote economic and social development and establish closer economic ties. Treaty of Rome also established a free trade area, rights of establishment for citizens and firms, and creating the European Development Fund.

EEC and the 18 sub-Saharan African states have signed the Yaoundé Convention²¹ in 1963 and the Yaoundé II-Convention²² and the Arusha Convention in 1969²³. The Conventions focused on trade and financial and technical coordination and still largely retained the hierarchical relationship of the past.²⁴ In 1975 this first generation of treaties was replaced by the Lomé Convention²⁵, with the newly formed African, Caribbean and Pacific Group of States (ACP)²⁶.

An early EU position in relation to Africa was taken when Gaston Thom, the President of the Council of Ministers, made a statement condemning the policy of apartheid in South Africa on 23 February 1976.²⁷ This resulted in the implementation of a foreign policy initiative by the EU.²⁸

After an initially exclusive focus on trade and development, EU-ACP relations have included a political dimension since Lomé IV (1990)²⁹ with the launch of a political dialogue and a stronger focus on the respect for human rights, democracy and the rule of law.

In 2000, the Lomé Agreement was replaced with the Cotonou Partnership Agreement, which based on the fundamental principle of “equality of the partners and ownership of the development strategies”.³⁰ And since 2002, the EU also negotiated Economic Partnership Agreements (EPA) with regional groupings of ACP states, which were to ultimately replace the trade regime under the Cotonou Partnership Agreement.³¹

Until the year 2000, the EU-Africa relations were largely divided along geographical lines, between sub-Saharan Africa (the ACP group) and North Africa (the Mediterranean region). However in the first EU–Africa Summit in Cairo in 2000 all the Heads of State of the EU and the

¹⁹ Anna-Luise Chane, Magnus Killander (2018), *supra nota 2*, p. 4.

²⁰ Treaty establishing the European Economic Community, art 131-136.

²¹ Convention of Association between the European Economic Community and Associated African States, with related Agreements.

²² Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community.

²³ Agreement Establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

²⁴ Annemarie Peen Rodt, Jide Martyns Okeke, “AU-EU “Strategic Partnership”: Strengthening Policy Convergence and Regime Efficacy in the African Peace and Security Complex?” in *African security* 6 (3-4), 2013, p. 215.

²⁵ EEC-ACP Convention of Lomé.

²⁶ The ACP Group includes 79 states (48 African, 16 Caribbean and 15 Pacific) who were all signatories of the Cotonou Agreement, except for Cuba. Since 5 April 2020, the name of this group was officially changed to the Organisation of African, Caribbean and Pacific States (OACPS).

²⁷ Martin Holland, *The European Community and South Africa: European Political Co-operation under Strain*. London: Pinter, 1988, p. 31.

²⁸ Stephen R. Hurt, *The European Union’s external relations with Africa after the Cold War. Aspects of continuity and change*, 2004, p. 168.

²⁹ Lomé IV Convention

³⁰ Cotonou Agreement, article 2.

³¹ Anna-Luise Chane, Magnus Killander (2018), *supra nota 2*, p. 5.

African were included.³² According to the Cairo Declaration parties proclaimed there, that the EU relations with Africa will be revived “in a spirit of equality, respect, alliance and co-operation.”³³ But in 2005, when European Commission adopted an EU Strategy for Africa³⁴, there were practically no participation from African actors, which again raised a lot of doubts regarding the actual partnership discourse that was agreed earlier.³⁵

THE COTONOU AGREEMENT

The Cotonou Agreement was signed on 23 June 2000 and entered into force on 1 April 2003. It governs EU relations with the African, Caribbean and Pacific (ACP) countries, most of whom are former colonies of one or other of the EU member states³⁶ and it recognizes the AU as an actor of cooperation, as a partner for political dialogue, and emphasizes its role for peace building and conflict prevention in the region.³⁷

Scholars elaborate that: “The implications of the Cotonou agreement can be grouped into three main categories: trade and the related issues regarding regionalization within the ACP group, aid, and the future role of non-state actors and local government”³⁸ and: “The Cotonou Agreement promises that finances will be made available to ensure ACP countries’ fair entry into globalized markets.”³⁹ Brkan argues: “One of the goals of the agreement was to reduce trafficking and the accumulation of small arms and light weapons.”⁴⁰ Hurt continues: “It marks a substantial shift in the development policy of the EU with its increasing adoption of neoliberal values.”⁴¹

Cotonou Agreement is considered to be a close partnership agreement and it includes, among other, a comprehensive political dialogue on national, regional and global issues, promoting human rights and democratic principles, developing peace-building policies, conflict prevention and resolution and addressing migration issues and security issues which include the fight against terrorism and countering the proliferation of weapons of mass destruction. The Cotonou agreement offers EU and ACP countries the opportunity to negotiate development-oriented free trade arrangements – EPAs.⁴²

According to Hurt: “Trade in goods between the EU and Sub-Saharan Africa has become relatively less significant for the latter since the signing of the Cotonou Agreement”.⁴³ This indicates that African countries are more focused in evolving in other subjects rather than trade.

Since Cotonou Agreement expired in 2020, formal negotiations towards a new partnership agreement between the EU and ACP states began in September 2018. The signing of the post-Cotonou agreement will hopefully take place by the end of 2021. European Commission, in its

³² Karen Del Biondo, “Moving beyond a donor-recipient relationship? Assessing the principle of partnership in the joint Africa–EU strategy.” in *Journal of Contemporary African Studies*, 38 (2), 2020, p. 316.

³³ European Commission Conseil/00/901.

³⁴ European Commission SEC(2005)1255.

³⁵ Karen Del Biondo, (2020), *supra nota* 29, p. 317.

³⁶ Maria O’Neill, *Eu-North Africa Relations in Cross-Border Law Enforcement: New Legal Challenges for the EU in the Post-Lisbon and Post-Stockholm Era*, 2012, p. 243.

³⁷ Cotonou Partnership Agreement as amended in 2010, articles 6, 8, 11.

³⁸ Stephen R. Hurt, (2004) *supra nota* 25, p. 164.

³⁹ Mark Langan, Sophia Price, “Imperialisms Past and Present in EU Economic Relations with North Africa.” in *Interventions*, 22 (6), 2020, p. 710.

⁴⁰ Maja Brkan, “The Role of the European Court of Justice in the Field of Common Foreign and Security Policy After the Treaty of Lisbon: New Challenges for the Future”, 2012, p. 102.

⁴¹ Stephen R. Hurt, (2004) *supra nota* 25, p. 164.

⁴² European Commission, *supra nota* 14.

⁴³ Stephen R. Hurt, “African Agency and EU-ACP relations beyond the Cotonou Agreement.” in *Journal of Contemporary European Research*, 16 (2), 2020, p. 150.

proposals to the Council and the European Parliament, noted that the post-Cotonou negotiations are “an opportunity to make the partnership fit for purpose in light of today’s challenges in a changed world”.⁴⁴

Although the Cotonou Agreement was meant to be the cornerstone of the equal relations between European Union and Africa, it is still argued by many scholars, that the equality of the relationship and the use of the term “partnership” are only rhetorical.⁴⁵ Hopefully the post-Cotonou Agreement will engage both parties equally and provides cooperation in a higher level.

JOINT AFRICA- EU STRATEGY

During the lifetime of the Cotonou Agreement there has been a development of the Joint Africa-EU Strategy (JAES), which is reflective of an ongoing shift towards the EU working more directly with the AU.⁴⁶ The Strategy recognizes the AU as a “natural interlocutor for the EU on continental issues and as the most important institutional partner for the EU”.⁴⁷

The JAES was set to improve the Africa-AU political partnership by promoting peace, security, democratic governance and human rights; basic freedoms, gender equality; sustainable economic development, including industrialisation; regional and continental integration and ensuring that all the Millennium Development Goals are met in all African countries by 2015.⁴⁸

Del Biondo acknowledges that JAES aimed to break with the traditional donor-recipient relationship between the EU and Africa to develop a true partnership.⁴⁹ Many other scholars agree and demonstrate in their research, that this is in fact the case.

JAES was adopted in Lisbon in 2007 and according to Chane and Killander: “For the first time in EU-Africa relations, both sides agreed on a common strategy to tackle common challenges. Based on the principles of equality, mutual respect and local ownership, it marked a ‘watershed moment’ in the history of both regions and a final step away from the hierarchical donor-recipient relationships of the past towards a partnership of equals.”⁵⁰ They continue: “it also has laid the foundation for a strategic partnership between both continents, complementing and adding value to the existing frameworks.”⁵¹

Fru Norbert Suh I also states, that „The discourse on partnership in the JAES reflects a broader trend in EU and AU foreign policy. Partnership is determined by shared values, equality and trust”.⁵² He also elaborates: “Human rights are one of the cardinal principles enshrined in the JAES agreement, but it is not exclusive to it. The notion of EU–Africa solidarity around the principle of human rights is porous, because human rights is an opportunistic notion that is only applied circumstantially. Africans have invoked other institutions to undermine human rights. Diplomacy of solidarity has been used to support regimes that are not committed to human rights.”⁵³

⁴⁴ European Commission JOIN(2016) 52 final.

⁴⁵ Stephen Hurt “Co-operation and Coercion? The Cotonou Agreement between the European Union and ACP States and the End of the Lomé Convention.” in *Third World Quarterly*, 24 (1), 2003, p. 165; Kunibert Raffer, “Cotonou: Slowly Undoing Lomé’s Concept of Partnership.” in *Journal für Entwicklungspolitik*, 18 (2), 2001, p. 181; Nicolas Van de Walle, “Aid’s Crisis of Legitimacy: Current Proposals and Future Prospects.” in *African Affairs*, 98, 1999, p. 348; Anna-Luise Chane, Magnus Killander (2018), *supra nota* 2, p. 4.

⁴⁶ Stephen, R. Hurt, (2020), *supra nota* 40, pp. 146-147.

⁴⁷ JAES, paragraph 98.

⁴⁸ European Union External Action Service, webpage.

⁴⁹ Karen Del Biondo, (2020), *supra nota* 29, p. 310.

⁵⁰ Anna-Luise Chane, Magnus Killander. (2018), *supra nota* 2, p. 8.

⁵¹ *Ibid.*, p. 19.

⁵² Fru Norbert Suh I, (2020), *supra nota* 13, p. 35.

⁵³ *Ibid.*, p. 40.

According to Hurt: “the official portrayal of the JAES is that it provides an opportunity for a more balanced, less-dependent, relationship between Europe and Africa. It also signals an acknowledgement by the EU of the heightened status of the AU as an institution.”⁵⁴

European Union External Action service explains that since 2007, the Africa-EU partnership has extended the parties political dialogue and cooperation. The result of this was the establishment of the EU Delegation to the African Union.⁵⁵

EU REPRESENTATION IN AFRICA

Since January 2008 EU has a Delegation in the African Union, based in Addis Abab. It represents the EU vis-a-vis the AU bodies and coordinates with the EU Member States.⁵⁶ The EU also has Delegations accredited to the different Regional Economic Communities (RECs). For example, the EU Delegation to Nigeria is accredited to Economic Community of West African States.⁵⁷

Delegations overall purpose is to contribute to enhancing the unique Partnership that exists between the two Unions. The EU Delegation operates in an environment which includes 55 AU Member States, regional and pan-African organizations and institutions, such as the AU Commission, and international partners. The Delegation deals with a wide range of topics, including both dialogue on political issues of mutual concern as they arise, as well as longer-term cooperation and institution building.⁵⁸

CONCLUSION

As indicated in the chapters above, Europa and Africa have historically strong relations, covering peace and security, democracy, human rights, development, sustainable economic growth and trade.

Like many researched scholars have indicated, the EU-African relations have been of European domination.⁵⁹ They have criticised the possibility of a partnership between donors and recipients given the completely different history, culture, traditions, and interests.

Although the two parties have had many serious negotiations and agreed in many forms the equality of the two, it seems that the EU still somewhat has the donor part in this relationship. Africa largely relays on Europe's aid and guidance, although they have wished for a long time that they are an equal partner not a recipient.

And although Rutazimba explains that “Compared to previous documents on EU–Africa relations, words like ‘partnership’, ‘common’, ‘shared’, ‘unity’ and ‘joint’ figured more prominently in the documents of the JAES”⁶⁰, there still are areas where Africa is following European lead.

The parties have both stated in their agreements and agendas, that their priorities have been set jointly, but as it showed in Del Biondo's research⁶¹, in some cases, it was the opposite, the African interviewees complained about not having an equal say and it was also noted that the African partners

⁵⁴ Stephen R. Hurt, (2020), *supra nota* 40, p. 147.

⁵⁵ European Union External Action Service, webpage.

⁵⁶ Anna-Luise Chane, Magnus Killander (2018), *supra nota* 2, p. 11.

⁵⁷ *Ibid.*

⁵⁸ Delegation of the European Union to the African Union, webpage.

⁵⁹ See for example Suh I and Del Biondo.

⁶⁰ Olivia U. Rutazibwa, “The Problematics of the EU's Ethical (Self)Image in Africa: The EU as an ‘Ethical Intervener’ and the 2007 Joint Africa-EU Strategy.” in *Journal of Contemporary European Studies*, 18 (2), 2010, p. 216.

⁶¹ Karen Del Biondo, (2020), *supra nota* 29.

interpreted ownership quite literally by hardly involving the EU altogether. This indicates that even if EU and AU are as equals, they still need more work to be done to clearly state their priorities and goals in their cooperation.

In her research Del Biondo concluded that AU had many donors keen on supporting it, so the EU was not the only one and although “EU is willing to take ownership seriously”⁶² it was clear that EU did not force its own ideas in the agenda, on the contrary, it was AU, that put the sensitive issues on the table. Although the EU and AU have so different history and “their divergences are rooted in religious and cultural differences”⁶³, the parties must work together in order to keep their relations strong. By cooperating as equals they can prove that their intentions are good and the decisions they do, are done in the best interest of the two States.

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