



Africa-EU: Decision Making after the Summit

Africa Briefing Report

Brussels – 14 December 2010



Session I: The implications of the Summit

The relationship between Africa and Europe is built on strong historical, political and economic ties. To this day, the European Union (EU) remains Africa's largest aid donor and trade partner. In 2007 at the second Africa-EU Summit in Lisbon, the Joint Africa-Europe Strategy (JAES) was created as the new framework for to this relationship. The JAES was built on the existing political dialogue between the two continents and aimed at constructing a genuine partnership.¹ During the third Africa-EU Summit in Tripoli on 29-30 November 2010, further steps were made to strengthen the Africa-EU Partnership within the JAES framework. This policy brief will have a closer look at the Africa-EU Summit of November 2010 in two sessions: the first session will look at the implications of the summit; the second will present the policy considerations of a conference on dynamics of African political economy which also have implications for the relation between the EU and Africa.

Over the past decade, European and African policy makers have attempted to construct a meaningful dialogue within the partnership between the two continents, beyond the traditional relations with African, Caribbean and Pacific (ACP) Group States. At the first Africa-EU Summit in Cairo in 2000, a comprehensive framework for political dialogue was launched. However, this framework was deemed insufficient due to political changes in both continents. Seven years later, the JAES was presented by both partners at the Lisbon Summit. During the Lisbon Summit in 2007, European and African policy makers adopted the first Action plan (2008-2010) for the implementation of the JAES. In this action plan, aimed at strengthening the Africa-EU political dialogue at the continental level, strategic priorities were identified in the form of eight thematic partnerships: peace and security, democratic governance and human rights, trade and regional integration and infrastructure, millennium development goals, energy, climate change, migration, mobility and employment. The last priority is science, information society and

1 Europafrica.net, « Africa-EU Dialogue
<http://europafrica.net/africa-eu-dialogue/>

space.² It was also the first time the EU engaged with the whole of Africa and not just Sub-Saharan Africa with which it engaged previously in the Cotonou Agreement.

Prior to and during the Tripoli Summit, the achievements of the first Action Plan were evaluated and a second, more operational Action Plan 2011-2013 was adopted. The second Action Plan stresses the importance of “the national, regional and continental levels by African and European Member States, RECs [Regional Economic Communities] and other key stakeholders including the private sector” for a successful implementation of the JAES.³ Even though the Summit did produce some policy documents, one could arguably call it a success. It turned out to be more of a diplomatic “tightrope-walking-exercise” than anything else, and did not manage to be the stage for deeper, more coherent and equitable cooperation between the two partners.

Achievements of the Tripoli Summit

The focus of this summit was the institutional framework for “economic development, peace and security and the attainment of the Millennium Development Goals [MDGs] in Africa by 2015.”⁴ The two-day Summit resulted in the Tripoli Declaration, a Joint EU-Africa Declaration on Climate Change and the adoption of the Second Action Plan, but received very little media coverage. The most important points on the agenda of the Tripoli Summit were the evaluation of the achievements and the necessary

improvements of the JAES and the first Action Plan, as well as the adoption of the second Action Plan.⁵ Over the years several mechanisms have been put in place to intensify the EU-Africa dialogue: Commission-to-Commission meetings, the EU-Africa Troika Ministerial meetings and technical expert meetings. But the question remains whether these instruments have led to a better dialogue and to better results in the implementation of the JAES?

Prior to the 2010 Summit, Joint Expert Groups (JEGs) were tasked to review the first Action plan and to discuss achievements in each of the eight partnerships of the JAES. Several gaps in the implementation of the Action Plan have been identified. First, the linkage with and involvement of national and regional levels were weak. Furthermore, the lack of financial and institutional resources has prevented the full implementation of some of the thematic partnerships within the JAES. With the exception of the Peace and Security Partnership which has been pointed out as having shown good results in its implementation, the first Action Plan turned out to be more of a wish list than a strong policy document.

The Tripoli Summit was seen as a success in diplomatic circles for several reasons. First, there were no diplomatic rows during the Summit. Second, all the prepared policy texts were adopted at the Summit and will be the basis for further decisions. And third, the African Union Commission (AUC) kept its promise not to reopen any of the texts that were agreed upon. The JAES was reaffirmed in the most important document produced by the third Summit, the Tripoli Declaration. The Declaration presented the second Action Plan, which was adopted at the Tripoli Summit and paved the way for the second phase of the Africa-EU Partnership to be put in place. Experts and observers noted, however, that this success was merely formal and that several fundamental issues still need to be addressed in order to develop and implement a truly meaningful Partnership.

2 Europa.eu (24/11/2010), « 3rd Africa EU-Summit 29/30 November, Tripoli ». <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/604&format=HTML&aged=0&language=EN&guiLanguage=en>

3 Council of the European Union (30/11/2010), « Joint Africa EU Strategy. Action Plan 2011-201 ». http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/118211.pdf

4 Europa.eu (24/11/2010), « 3rd Africa EU-Summit 29/30 November, Tripoli ». <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/604&format=HTML&aged=0&language=EN&guiLanguage=en>

5 Belgian Presidency of the Council of the European Union (29/11/2010), « From Cairo to Tripoli: The Africa-EU Summit ». <http://www.eutrio.be/print/24313>

From an organisational point of view the Summit was badly managed. Due to poor time management, there was little time left for interaction and in-depth discussion. As a result, the Summit was limited to rubber-stamping previously prepared texts. Some observers noted that communication to the broad public is crucial for this kind of events, but as there was little press coverage, very little information was released.

Implications for the Africa-EU Partnership

The Africa-EU Summit in Tripoli summed up of all the shortcomings that this partnership has not been able to overcome yet.

The political representation was disappointing on both sides. The three lead EU member states - namely France, Germany and the UK - did not send any high-level officials, nor did several important African states, like Nigeria, Egypt, Ethiopia and Kenya. This can be partly ascribed to the possibility of ICC-indicted President of Sudan Omar Al-Bashir attending the Summit or the attendance of President Mugabe of Zimbabwe. Because several countries tried to avoid being confronted with either of them. In the end, Libya requested Al-Bashir to stay away from the Summit, which did not go down well and resulted in the Sudanese delegation boycotting the Tripoli Summit. In comparison to bilateral initiatives like the Commonwealth Summit or the Summit of the Francophonie, the attendance in Tripoli was bleak. Judging by the enthusiasm of political leaders from both sides, the political drive for a stronger and fully functional Africa-EU Partnership is doubtful.

There is a lack of political leadership at the level of Heads of States, which undermines the JAES. On the African side, member states are more focused on bilateral relations, given that the EU has not been able to provide a clear definition of its interests in Africa, compared to China or the United States. According to experts, this focus on bilateral issues is only normal and the goal should not be replace them. Rather, the key to the implementation of the JAES will be to find a way to integrate these bilateral issues into a multilateral framework and to increase the buy-in of African states and partners into the process.

A way should be found to broker mutually beneficial deals and discuss contentious issues beyond aid, like the EPAs, migration, and economic development through job creation in Africa.

There is also a lack of ownership of the JAES on both sides. As a consequence there is no continent-to-continent political dialogue, rather a diversity of political dialogues between individual African countries and the EU and its individual member states. Within the EU, only eight to ten countries – mostly former colonial powers and Scandinavian countries – are really concerned about relations with Africa. Observers noted the disconnection between the technocrats and the national level, as well as a lack of synergy between Brussels based ambassadors and African based officials regarding the financial programming. The Africa-EU Partnership seems to be solely driven by technocrats, while the involvement of member states on both sides is quite weak, as well as the involvement of the RECs, the private sector and civil society. Furthermore, the Africa-EU Partnership seems to suffer from a democratic deficit: while there are indeed initiatives to include parliaments into the dialogue, little result has been made. The Pan-African Parliament does not hold any real authority and many member state parliaments are not participating.

The EU counters the critique on its presence and engagement by referring to the gravity of the recent and still on going Euro-crisis. The EU also brings to the fore the extensive institutional changes it is undergoing since the Lisbon Treaty entered into force in 2009. The Lisbon Treaty called for the creation of the European External Action Service (EEAS), which was launched late 2010 and serves as the new foreign ministry and diplomatic corps of the EU. As a new institution, it is not fully organised yet, which has led to a lack of consistency in its representation.

Even though these factors did play a role, they do not explain the lack of meaningful engagement from the EU's side. Observers noted a distinct disconnection between the discourse and the reality of the Partnership. They referred for instance to meetings in which EU officials read out statements and subsequently left without

going into discussion with the African delegates. They also noted the fact that since Catherine Ashton took office as High Representative of the EEAS, the relationship with Africa is not a priority to the EU. Furthermore, the EU often takes on a patronising tone when interacting with Africa and has often put its own agenda forward while sweeping issues it does not want to discuss off the table. One example is the lack of in depth discussion on the EPAs during the Tripoli Summit, which was the result of the EU's unwillingness to put them on the table. These issues, combined with a regained confidence within Africa, have led to a serious credibility problem for the EU, even though it is Africa's largest trade and aid partner.

The Summit illustrated the lack of institutional linkage between the planning process and the decision-making levels. In the planning stages the JEGs and the Joint Task Force bring together the services of the European and African Union Commissions, recently they also include other stakeholders like the RECs, the private sector and civil society. On the African side very little of the preparations filtered into political processes on the continent, because of a lack of institutional flow of information and subsequent implementation. For example the Joint EU-Africa declaration for climate change, could not be adopted in Tripoli because the document had not passed the proper political channels. Another example concerns the way the RECs will be involved in the JAES. The relation between the AU and the RECs needs to be clearly defined because the depth of regional integration and institutional capacities has a direct impact on the implementation of the Partnership. These difficulties were reflected in the poor preparation of the Summit and the lack of internal consultations. Furthermore the Economic Partnership Agreements (EPAs) were discussed only briefly and superficially.

Even though they are quite controversial,⁶ the EPAs are an important part of the economic relations between Africa and the EU. The EU's

attempt to evacuate them from the agenda in Tripoli undermined the credibility of the Summit.

Session II: The dynamics of decision making in Africa – Conference report

During the second session of the Africa Briefing, several speakers presented the findings and policy considerations of the conference “The dynamics of decision making in Africa”.

The focus of the conference was to have a clearer understanding of ‘how’ and ‘why’ positions are arrived at within Africa's continental and regional organisations. The continental and regional levels of decision-making have been scrutinised, in order to have an in-depth understanding of the interests of a variety African institutions, organisations, countries and leaders. This is an area that has received only limited attention, but an understanding of which is imperative in building partnerships with the continent on global challenges such as peace and security, economic development and the protection of the environment. External actors, such as the EU seemingly underestimate the intricate nature of international relations on the continent. Even at the regional level, there is limited understanding of the dynamics shaping positions adopted by the regional economic communities. While the AU has a Permanent mission in Brussels, and the EU has observer status at the AU, there is still considerable scope for building on areas of cooperation and shared understanding. Observers point at the changing position of Africa in the world and the development of a new continental agenda to engage that global shift.

In addressing the dynamics of decision making the following questions serve to guide the analysis: What are the key drivers and interests shaping pan-African decision-making processes? What are the areas of consensus and divergence? What countries and leaders can be seen as the key stakeholders at regional and continental levels? How are national, regional and continental dynamics managed and exploited by African as well as external actors?

⁶ See Jean-Christophe Hoste & Andrew Anderson (2011 forthcoming), « Conference Report *The Dynamics of Decision Making in Africa* ».

An example of an African Common Position: The climate change negotiations in Copenhagen

When it comes to multilateral engagement with Africa there is a tendency to view the continent as a monolithic whole, rather than the complex mix of states, interests, and geopolitical dynamics that comprise the continent. The complex nature of internal African decision making processes was clearly illustrated by the lack of unity – despite all the rhetoric – between African states during and before the Copenhagen Climate Change negotiations of December 2009.

During the 2009 negotiations, the Africa Group was more coordinated than ever, even though there were many differences within the group and separate loyalties to other negotiating groups like G77 + China. The preparation of a common position, both on common interests and capacity building, has been significant. The African Common Position was the result of a long term and sustained cooperation on a continental level. The position they brought to the negotiating table was based on the African Union's Nairobi Declaration in 2009.

As the negotiations progressed, it became clear that not only different loyalties to different negotiating groups to which many of the individual African countries belong, but also national and regional political and economic issues played an important role in influencing the African position. By the end of COP 15, the implementation of the African Common position had succumbed to internal differences between African states. One of the most prominent cases was the falling out between Ethiopian Prime Minister Meles Zenawi as head of the African Group and Lumumba Di-Aping, head of the Sudanese delegation, as chair for the G77 + China. Meles Zenawi came forward with a joint proposal backed by the EU regarding funding of 100 million Euro yearly for Africa. Lumumba Di-Aping thrashed the proposal, accusing Zenawi of selling out Africa.

The confrontation between the Ethiopian and Sudanese delegation was influenced by several factors within the climate negotiations, as well as other factors, such as the relation between Sudan

and China, and national and regional issue like South Sudan and the Nile basin.

An analysis of these dynamics illustrates how internal African issues determine the African common position and African decision making in general. This might seem evident but the Copenhagen negotiations showed that this is not the case for the other negotiating parties around the table and the clash between Ethiopia and Sudan is a case in point.

Within the climate negotiations, Sudan played its role as chair of the G-77 + China putting itself forward as the champion of the South. Sudan bitingly presented itself as the voice of the South. Beside its close economic and diplomatic ties with China there were African dossiers that played a role in the confrontation between Ethiopia and Sudan.

On the national level, the elections in April 2010, the ICC warrant against President Al-Bashir and the run up to the 9th of January 2011 referendum might have played a role. On a regional level, there are two current issues in which Ethiopia and Sudan are at odds with each other, namely the possible independence of South Sudan in 2011 and the Nile Waters. South Sudan will decide on its independence, which has heated sentiments in Sudan and the wider Horn of Africa. Ethiopia is a strong supporter of South Sudanese independence and an important investor in the South, together with Kenya and Uganda. Independence would not only mean a shift in regional security, oil production and water governance, it could also reinvigorate the strive for independence movements within Sudan (Darfur), Ethiopia (Oromo and Somali). Water governance is interesting, as the Nile River has been a point of conflict for some time. The current situation is very disadvantageous for the upper-riparian states, especially for Ethiopia. More than 85% of the Nile water that flows through Sudan and Egypt originate in highlands of Ethiopia. However, because of the Nile treaties of 1929 and 1959, Ethiopia is prohibited from making use of that vast resource for agriculture nor for generating hydro-power. Egypt and Sudan have generally formed one front against the claims of the upper-riparian

states, like Ethiopia, to use their share of the water. The history of mutual destabilisation between Egypt, Ethiopia and Sudan are but one example from fragile region where instability is constantly lingering.

The role national political and economic expediencies play in decision making processes is apparent and raises questions concerning the continent's position on a number of salient issues. As the climate change negotiations demonstrate, determining an 'African position' is a complex process, drawing together a myriad of country interests, continental (AU) and regional organisations (SADC, EAC, IGAD), as well as different leadership styles. It is this complex interplay between states in determining common positions in international regimes that was the focus of the seminar. This was further expanded in the presentations of the speakers and the interventions of other participants.

Regional decision making and the RECs

The regional integration on the African continent is complicated by the overlapping "spaghetti bowl" of the different RECs. It is clear that there is disjunction between the declarative regional integration and the economic and political reality. The creation of an effective interface between the AU and the RECs has fundamental political factors in its way: the RECs came into existence before the AU; they evolved on their own while the predecessor of the AU, the Organisation of African Unity (OAU) was focusing on Africa's sovereignty; they have different institutional cultures and are confronted with the challenge of timing and multiple memberships to be effective building blocks of the AU.

To get a comprehensive understanding of decision making processes in RECs, we have to look at their structures and see how they work and relate to the AU. That could provide us with enough insight to discuss their functions and challenges and see if there are any alternatives to the current model.

When looking at the secretariats of the RECs, there is a considerable difference in their operational effectiveness. This is largely the

result of how they were set up and what is invested in these institutions by their respective member governments. Secretariats are supposed to initiate cooperation between member states, provide technical and administrative support, monitoring and research to support the development and implementation of regional policies. In reality the secretariats are an example of bureaucratic capture: unlike the chairs, bureaucracies last and they are not neutral, but do in fact have their own agendas. This can undermine the political ownership of regionalisation. The same can be said about the bureaucracy of the AU.

The RECs are confronted with the practical implications of the conflict between supranationalism and national interests. States are reluctant to strengthen the national contact points within the RECs, because they do not want to allow the organisations to function independently. Furthermore, the secretariats lack capacity to promote and develop common goals and strategies. As a consequence secretariats are not able to work on a supranational level or promote regional integration, until the regions are reconstituted and redesigned.

Another challenge for African regional organisations is their inclusiveness. The fact that a state merely has to be geographically part of a region to enable it to join certain RECs and the AU is a problem, as the vast differences affect the effectiveness of the organisations. This is especially the case with countries that are members of several RECs, as they have to commit to several organisations and their infrastructure. This multi-membership is also problematic because of the different values and logics that motivate the various RECs and the stages of economic integration that they are in.

This also has implications for the RECs as "building blocks" of the AU. Because these RECs have been in existence longer than the AU itself and were developed with different logics and therefore do not fully subscribe to the current AU logic. They can indeed be strong instruments for the integration of Africa according to some observers, but it will take some time. For now, the focus should be on the

issues that they share and points convergence in order to understand how they can take advantage of these mutual interests and define cross-cutting challenges and work closer together. Furthermore, there should be more information sharing and understanding between RECs and the AU, which has been underdeveloped until now. By developing blue print programmes on economic and security issues, the RECs and the AU will be able to achieve more policy coherence within and across the regions. Similar conclusions came forward in the internal audit report of the AU, which referred to “the insufficient inter-RECs cooperation and lack of coordination and harmonisation at the continental level.”⁷ This would, however, require reinforcement of the different structures, especially the AU.

African Peace and Security Architecture in the Horn of Africa: the case of Somalia

The case study of the peacekeeping mission in Somalia highlights some of the challenges for African and regional decision-making regarding security. IGAD provided the impetus for the AU to decide on a troop surge in Somalia, with troops coming from EASBRIG member states Burundi and Uganda, as it has not been able to get any clear results. The situation has become more dangerous for civilians and peacekeeping forces alike. However, IGAD is not sufficiently equipped and supported to deal with the current situation, in which the peacekeeping forces are confronted with actors like Al-Shabaab and an increasingly hostile civilian population. Like the Ethiopian intervention before, the peacekeeping troops are in fact seen as occupying forces, and the running battles in Mogadishu have put a burden on the civilian population. The mandate of the intervention has not been able to formulate an answer to this situation, as it does not even refer to the protection of civilians. The main problem of the peacekeeping mission is its weak mandate: it supports a currently dysfunctional peace process and as such does not provide a solution to the crisis. To avoid this kind of ineffective policies, future missions in Somalia and elsewhere in Africa should be built on a

more holistic, comprehensive and realistic approach that takes regional and international dynamics into account, and less on a ideological or financial basis. The latter refers to the financial drive of external actors like the UN and especially the US to urge others to take up a flawed or inadequate mandate.

The AU and IGAD committed themselves to peacekeeping interventions in this way where there was no peace to keep and no willingness of the UN to step in.

The AU and IGAD committed to the peacekeeping mission in Somalia which neither had a strong mandate nor was it in their respective interests. Both institutions committed themselves because the US and other external actors made political and financial promises. Since these external actors play a significant role in influencing regional decision-making in Africa they should refrain from forcing methods and interventions onto African countries and organisations if these are not in the best interests of the continent.

Conclusion and Policy considerations

The implications of the third Africa-EU summit and the examples of the climate change negotiations, the RECs and the peacekeeping mission in Somalia illustrated a number of crucial issues that will have to be addressed if the AU, the EU and the international community are to be taken serious with regard to their partnership with Africa. The AU and the RECs don't have to wait for others to take on the issues brought to the fore. Below are some considerations for African and European officials and policy makers, discussed during the conference:

- The AU can function as a platform to promote collective action and to counter the new “Scramble for Africa”, but it needs to address some crucial issues that influence its effectiveness and importance.
- The AU and the RECs function as intergovernmental organisations, lack supranational decision making authority and have difficulties reconciling the interests of their member states.

- Each individual REC has its own history and paradigm, often predating the AU. Aligning them with each other and the AU will take some time and effort. What should be done at this point is to define mutual interests and challenges and to increase information sharing and understanding between the RECs and the AU.
- It was clear that the EU's method of negotiating with a select group of RECs on the EPA's was badly thought out. Not only were the RECs not mature enough to negotiate with the EU and implement the agreements, but issues like multi-membership and regional dynamics were completely ignored.
- Regarding the structures of the organisations, reference was made to the fact that the administration, shows a greater continuity than the political level, but lacks investments from national governments.
- However, these structures hold little executive authority and are often understaffed and underequipped, like the secretariats.
- The creation and support of national committees and contact points by national governments lacks means and political will.
- The EU and the AU envisage an equal partnership, but to be truly equal, there is a need for equal representation. This is especially not the case for the AU permanent representation to the EU. If any party wants to be taken seriously, they need to represent themselves properly.
- The fact that a common African position is influenced by a range of factors has to be taken into account: national interests, regional interstate relations, political personalities, structures of the organisations, the nature of the issues, linguistic (Anglophone versus francophone) and geographic (North versus South) sensibilities, etc. In short, the political economy of African integration plays a role that should not be ignored.
- External actors like the EU, the UN and the USA have to be cautious when providing support for or exerting their influence on African decision making on regional and continental levels. Driven by financial promises, African actors have taken up policies, missions and processes

that were not beneficial for them. One example was the peacekeeping mission in Somalia, which the AU took over from the UN, even though the AU was not properly prepared and equipped to deal with the crisis situation in the country (i.e. terrorist activities, insurgent civilian population). However, there are some nuances and remarks to be made. Emerging powers like China and India also have to be taken into account, as they are – under the cloak of South-South cooperation – very much part of the new “Scramble for Africa”. Furthermore, we cannot ignore the shared responsibility of external actors and Africans alike. Africans also have to be able and willing to come to a coherent and informed common position among themselves to counter these external pressures.

- During the conference, the idea of an African G (G5, G6, G7) was presented. Such an informal and flexible group of important African states could stimulate the realisation of a common African position. The question, however, remains which countries be part of this group. That question is not just formal, because a strong representation of North African states – in general the strongest states economically and politically – could lead to a conflict of interest between North and sub-Saharan Africa.