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African Agency and EU-ACP relations beyond the Cotonou Agreement

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Abstract

With the Cotonou Agreement due to expire in 2020, formal negotiations towards a new partnership agreement between the EU and African, Caribbean and Pacific (ACP) states began in September 2018. Based on the acceptance of the EU's negotiating mandate, the new arrangement will be primarily organised via three specific regional protocols with each of the ACP regions. Meanwhile, the Joint Africa-EU Strategy (JAES) launched in 2007, has seen the African Union (AU) gain increased prominence as an institutional partner of the EU. Given its ambitious pan-African agenda, it adopted an alternative 'African' vision for future EU-ACP relations, to the mandate agreed by the ACP states and expressed a willingness to become directly involved in the negotiations. This article contributes an important new case-study to the existing literature on 'African agency' in international politics by considering the scope for Africa to exert agency within the post-Cotonou negotiations, given the negotiation of a specific regional compact with Africa. It adopts a structurally embedded view of agency, based on Cox's understanding of historical structures, as a fit between institutions, ideas and material relations. The central argument is that, in comparison to the negotiation of the Cotonou Agreement two decades ago, there is greater scope for African agency. However, both the ideational and material aspects of Africa's relationship with the EU, condition the limits to how effective such agency might be. Moreover, tensions at the institutional level between the ACP and AU further undermine the potential for effective African agency.

Keywords

ACP states; African agency; African Union; development; European Union; trade

INTRODUCTION

September 2018 saw the start of formal negotiations between the EU and African, Caribbean and Pacific (ACP) states towards a new partnership agreement.¹ This new arrangement will replace the Cotonou Agreement, which has governed EU-ACP relations for a twenty-year period since 2000.² Previously, during the negotiation of the Cotonou Agreement, ACP states had expressed a preference for maintaining both the unity of their group and a trade relationship based on non-reciprocity, but instead the EU's vision for regional Economic Partnership Agreements (EPAs) based on reciprocal trade liberalisation was adopted. In essence, 'there was little evidence of ACP states shaping the agenda' (Hurt et al. 2013: 72).

This article focuses on the post-Cotonou negotiations with Africa and is specifically concerned with the scope for increased 'African agency' in shaping a new relationship with the EU. This is something that, rhetorically at least, EU officials suggested is central to their vision for the negotiations. For example, in December 2017, then EU Commissioner for International Cooperation and Development, Neven Mimica, suggested that the forthcoming negotiations, between the EU and ACP, provided a 'unique opportunity to shape a true partnership of equals, moving beyond traditional donor-recipient perceptions' (DG International Cooperation and Development 2017). Similarly, Carlos Lopes, appointed by the African Union (AU) as High Representative to support member states in the post-Cotonou negotiations, has argued that 'Africa has a historic opportunity to change its relationship with Europe' (Lopes 2018).

In sharp contrast to this official rhetoric, many commentators have questioned the significance and relevance of a new EU-ACP framework. It has been suggested that the 'fundamental question is whether an agreement between the EU and the member states' former colonies is still relevant at all' (Schmieg 2019: 1). The Cotonou Agreement was based on a traditional North-South relationship, which now looks increasingly out of step with a global development agenda, reflected in the adoption of the Sustainable Development Goals (SDGs) in 2015, by all UN member states (Medinilla and Bossuyt 2019: 1).

Despite this changing global landscape, the post-Cotonou negotiating mandate of the ACP states expressed a desire for continuity in the structure of the EU-ACP relationship. It called for 'a single Agreement which ... should maintain and build on the acquis of the Cotonou Agreement through a single negotiating framework and single undertaking' (ACP Council of Ministers 2018: 6). This ACP vision proposed a structure based on three pillars (trade, investment and services; development cooperation; political dialogue and advocacy), closely resembling the framework of the Cotonou Agreement. By contrast, the EU proposed a more significant overhaul by outlining a new structure for the post-Cotonou agreement, which the ACP states reluctantly accepted in December 2018 (Medinilla and Bossuyt 2019: 1). As a result, there will be an umbrella framework agreed with the ACP Group as a whole covering general objectives and principles, with three specific regional compacts operating underneath this with Africa, the Caribbean and the Pacific respectively. The EU has also been clear in emphasising that the 'centre of gravity will be on the regional compacts' (European Commission 2017: 2).

This article interrogates the rhetorical claims made by policymakers to the potential for Africa to influence the terms of a new post-Cotonou agreement with the EU. In doing so, it makes an original contribution to the literature by advancing the wider debate on 'African agency' in international politics. It also contributes to the specific literature on EU-ACP relations, by adopting a different perspective from the majority of analysis, which tends to take an EU-centric viewpoint. The article is based on analysis of both primary documents published before and during the post-Cotonou negotiations together with secondary literature. The most significant of these primary documents include the negotiating

mandates adopted by the ACP Council of Ministers and the Council of the European Union, statements by the AU in relation to the negotiations and key documents produced by the European Commission (including a consultation paper) prior to the start of the formal negotiations. The experience of the Cotonou negotiations is instructive here in highlighting the significant agenda-setting role played by the European Commission in setting out in a Green Paper, what became the broad framework of the final agreement (European Commission 1996). This time around it was already evident in 2016 that the plan was to include regional compacts in the post-Cotonou Agreement (European Commission 2016a). In assessing the scope for 'African agency', the article begins by outlining the value in adopting a Coxian theoretical framework. Taking a critical approach allows us to stand 'back from the existing order of things to ask how that order came into being, how it may be changing, and how that change may be influenced or channeled' (Cox 1992/1996: 525). It is argued that this approach avoids either a position that dismisses 'African agency' as impossible, or an uncritical assertion of its significance. The article then takes stock of the changing historical structure within which the post-Cotonou negotiations are taking place before evaluating the role played by key African institutions, the dominant ideas, together with the material relations between the EU and Africa, which set the parameters of the negotiations.

The central argument is that the current historical structure and in particular important institutional developments (especially within the AU) suggest there is potential for more African agency in the post-Cotonou negotiations, than was exercised during the negotiation of the previous arrangement agreed two decades ago. However, tensions between the ACP and AU have undermined attempts to develop a common African position towards the continent's relations with the EU, which have compromised these institutional opportunities. Moreover, at an ideational level the underlying neoliberal assumptions in relation to African development, still place significant limits on the potential for African agency. The EU envisages a greater role for the private sector and remains determined to continue to base its trade relationship with Africa on EPAs in the short-medium term. EPAs remain highly problematic given that they limit the policy space available to African governments and lock-in the economies of Africa to a neo-colonial relationship with Europe (see Hurt 2012). In recent years, African institutions have expressed bold aims for industrialisation and job creation (see AU 2008 and UN Economic Commission for Africa 2017) but the EU's vision will hinder, rather than support, this ambition. Finally, when considering African agency we also need to consider the scope for non-state actors to influence the negotiations. The final section of the article discusses this, before concluding by suggesting that future relations organised between the EU and AU, offer greater prospects for achieving African agency, than the re-negotiation of the Cotonou Agreement.

UNDERSTANDING 'AFRICAN AGENCY'

Africa has never been a passive actor in international affairs. For many years, however, the literature on Africa's international relations had focused primarily on its marginality within the international system. Even more contemporary analysis, underpinned by the neorealist assumption of a self-help system, still comes to the inevitable conclusion that Africa remains peripheral due to the weak material capabilities of its states (Andreasson 2013). Most research on the engagement of external actors with the continent has tended to treat Africa as an inactive recipient of their policymaking. Starting from the assumption of marginality, however, is problematic, given that Africa 'has in fact been dialectically linked, both shaping and being shaped by international processes and structures' (Taylor and Williams 2004: 1). From a critical perspective, structuralist readings have tended to dominate the analysis of Africa's place in the world economy. They have viewed Africa 'as part of the global periphery, an agency-less victim of great power/core manipulations' (Chipaike and Knowledge 2018: 2). As Harman and Brown have convincingly argued, the danger is that such 'a focus on structure without a more detailed consideration or

acknowledgement of agency binds Africa's international relations into a narrow and predetermined position' (2013: 86).

As a corrective to this focus on marginality, in recent years we have seen an emerging literature on 'African agency', reflecting the perception that Africa's place in the global political economy is changing. In tandem with this, it has become noticeable that Western policymakers are now keen to remind us that Africa offers untold potential. For example, in his 2018 State of the Union address to the European Parliament, Jean-Claude Juncker, then President of the European Commission, said, 'By 2050 ... one in four people on earth will be African. We need to invest more in our relationship with the nations of this great and noble continent' (Juncker 2018).

In the specific literature on EU-ACP relations, there is only limited engagement with these broader debates on African agency. In the main, the concept has featured most noticeably in the work of scholars adopting a constructivist theoretical lens. The main focus has been the extent to which African actors have been able to exert agency in the negotiation of EPAs with the EU. One such study suggests that African actors have been able to employ a mimetic challenge, by using official EU discourse describing EPAs as development partnerships, to 'influence outcomes (in this case no agreement on comprehensive EPAs) in ways that would not be possible if the negotiations were determined by material power alone' (Hurt et al. 2013: 69). More specifically, Murray-Evans (2015) provides a nuanced account of the EPA talks with Southern African countries, highlighting the variety of positions taken by states in this region and the significance of South African negotiators in securing concessions from the EU. Meanwhile, Trommer (2011), in a discussion of the EPA negotiations with West African states, notes the significance of the role played by NGOs based in the region, enabling African states to challenge the developmental rhetoric of the EU.

This focus on the agency of Africa in world politics is to be welcomed. Starting our analysis from the perspective of 'African agency' allows us to look at EU-ACP relations in different ways to those that dominate the orthodox analysis of many scholars in European studies. However, 'what the optimistic discourse on African agency fails to sufficiently acknowledge is the persistence of wider structures (both material and ideational) that set the parameters of Africa's engagement in the global political economy' (Hurt 2013: 52). Hence, we need a conceptualisation of 'agency' that gets beyond seeing it as simply a synonym for an ability to exact influence. Instead, as Brown argues, we should employ a structurally embedded understanding, whereby 'agency needs to be seen as both creative and reproductive of existing structural relationships, as well as, potentially at least, transformative of them' (2012: 1895).

In sum, much of the existing literature on Africa has framed the debate as being between 'dependency' and 'agency'. This article portrays a more nuanced picture, by steering a course between those who simply dismiss African agency altogether and others who assert it as self-evident. In so doing, it advances the debate on African agency by avoiding two important limitations: structural determinism and an account that lacks historical specificity.

This is achieved by employing a Coxian understanding of historical structures, a conceptualisation which 'does not determine actions in any direct, mechanical way but imposes pressures and constraints' (Cox 1981: 135). A Coxian framework helps us to understand the structural limits to agency. For Cox, structures are dynamic rather than being fixed and immutable. Hence, there is scope for agency. Historical structures, Cox argues, are 'made by collective human activity and transformed through collective human activity' (1987: 4). He understands historical structures as being composed of the interaction between three key elements: material capabilities, ideas and institutions (Cox

1981: 136). Together they form the basis of the main dimensions of structural power, which condition the possibilities for agency within the global political economy.

A Coxian approach also avoids an ahistorical understanding of the structure of international relations. It allows an appreciation of 'how social relations in the present of any particular era, are, to some extent, prefigured by the past' (Bieler and Morton 2001: 18). Therefore, in relation to the focus of this article, it is important to acknowledge the significance of the historical development of EU-ACP relations. The post-Cotonou negotiations build on previous arrangements and do not take place outside of this history. Those who assert an increase in African agency tend to justify their position with reference to the increasing material significance of the continent. For example, Lopes (2019), has suggested that 'the last two decades have further empowered African countries, as economic development has been translated into increased diplomatic capacity, and socioeconomic potential has given weight to a more assertive leadership'. A Coxian framework, by contrast, emphasises the importance of considering the ideational alongside the material. Hence, the relationship between the three aspects of a historical structure should be understood as reciprocal. This means that 'institutions are particular amalgams of ideas and material power which in turn influence the development of ideas and material capabilities' (Cox 1981: 137). Historical structures may become hegemonic when dominant ideas become accepted as common sense and powerful actors maintain their dominance largely through consent rather than coercion. Thus, hegemony is understood as 'an expression of broadly based consent, manifested in the acceptance of ideas and supported by material resources and institutions' (Bieler and Morton 2004: 87). Assessing the prospects for agency, therefore, becomes central in an evaluation of any counterhegemonic project. Such a commitment to the significance of the ideational, nonetheless situated within material circumstances, is the basis upon which agency is understood within the analysis of the post-Cotonou negotiations that follows in the rest of this article.

The other potential pitfall of discussing 'African agency' is that we end up with a conceptualisation of Africa as a single entity. It is clear that 'given the diversity of the continent, speaking unproblematically of "*African* agency" in the singular is hazardous' (Brown 2012: 1891). As this article demonstrates, in the case of the post-Cotonou negotiations, the question of who speaks for Africa remains heavily contested. The AU has sought to assert itself as the representative voice of African interests, but individual states retain a privileged role in the framework of EU-ACP relations. As the final section of this article outlines, non-state actors also represent an expression of African agency, articulated both within and outside the formal mechanisms established for such dialogue. Thus, the following sections seek to evaluate recent institutional developments within the EU and Africa, combined with the material and ideational structures, within which the EU and Africa are negotiating a post-Cotonou agreement, in order to evaluate how much scope there is for African agency to shape the eventual outcome. Before this analysis, however, it is important to consider changes within the historical structure and the extent to which this differs from that which set the frame for the negotiations towards the Cotonou Agreement in the late 1990s.

HISTORICAL STRUCTURE

The historical structure has been important in the past in shaping the nature of the relationship between the EU and ACP states. In fact, the European Commission itself, in its proposals to the Council and the European Parliament, argued 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' (European Commission 2016a: 5). This section assesses the nature of the contemporary historical structure as Africa re-negotiates its relationship with the EU. It notes that although the Post-Washington Consensus (PWC) version of

neoliberalism remains significant, some broader geopolitical changes do suggest there is scope for Africa to exercise more agency during the post-Cotonou negotiations.

The PWC became the development orthodoxy of the World Bank and International Monetary Fund in the late 1990s. It acknowledged that during the period since the early 1990s 'neoliberalism had failed to create a sufficient number of productive employment opportunities in many countries in the Global South' (Hurt 2016: 549). As a result, the PWC envisages a greater role for the state in development. However, this role is essentially reducible to creating the institutional environment whereby the private sector can most effectively fulfil its function as the main driver of development. Since the early 2000s, the EU has closely followed the PWC in its approach to development policy and these ideas remain at the centre of the recently updated European Consensus on Development (see Council of the European Union, European Parliament and European Commission 2017). Hence, the PWC continues to inform the EU's ideational vision for its future relationship with the ACP states.

The adoption of the SDGs in 2015 sets the broad framework within which the post-Cotonou negotiations will take place.³ It is noticeable that both the EU and ACP negotiating directives make frequent references to the SDGs. It is important to recognise that the assumptions inherent to the PWC underpin the SDGs. As Langan suggests 'the free market and pro-business discourse of the SDGs is ... a regurgitation of long-standing donor norms concerning the need to align poverty reduction strategies to the interests of the private sector' (2018: 181).

With respect to the governance of world trade, the most striking trend, since the negotiation of the Cotonou Agreement, is the exponential growth of bilateral trade agreements. The EU in its approach to external trade strategy has played a leading role in this regard. At the time of writing, 302 regional trade agreements are in force globally, with half of these covering both goods and services (World Trade Organization 2019). At the multilateral level, we have seen examples of the effective deployment of African agency. For example, within the World Trade Organization (WTO) it has been convincingly argued that African states have used 'the prevailing discourse of development ... to resist a multilateral trade agreement that falls short of their expectations of what is promised' (Lee 2013: 35). The key question is whether Africa is now able to replicate such an approach in regional and bilateral relations with the EU.

An important geopolitical context for the post-Cotonou negotiations is the increasing focus of the emerging powers in Africa. The European Commission made this clear, in its consultation paper on the re-negotiation of the Cotonou Agreement, stating that 'Brazil, China and India are strategically positioning themselves in these regions with an increased presence, growing investment and trade relations, and a growing cooperation portfolio' (European Commission 2015: 6). What does this mean in terms of African agency? It has been argued that the increasing role played by China and has provided scope for political and business elites in Africa to shape the terms of this relationship (Mohan and Lampert 2013: 109-110). Certainly, it is clear that African countries now have ideational alternatives to the PWC orthodoxy offered by the established powers. In fact it was this prospect of increasing links with Southern partners that informed African resistance to the EU's inclusion of a Most-Favoured Nation (MFN) clause in the EPA negotiations (Vickers 2013: 686). The adoption of such a clause in the EPAs would require ACP states to offer the EU matching trade preferences, to those potentially agreed to in any future trade agreements, with other major trading partners.

However, we should be wary of assuming that this growing interest from the emerging powers, in particular China, will automatically result in positive outcomes across Africa. There is evidence that effective African agency is at least possible in these new relationships. For example, the Ethiopian government has 'used its strategic partnership with China and India as an explicit bargaining chip in its negotiations with European donors

and vice versa' (Cheru 2016: 605). However, as Taylor warns, the impact of African engagement with emerging powers is contingent on 'the conjectural circumstances in each state formation and the nature of the external partners ... the key question remains: how can African leaders take advantage for the benefit of the ordinary citizen?' (Taylor 2018: 318). Hence, Philips argues that, in the case of Ghana's relationship with China, 'state agents shaped the brokerage and outcomes of bilateral assistance, yet the scope for agency over economic structures was narrow' (2019: 123). His view is that in considering the agency of African elites, we must pay sufficient attention to the structures of the global political economy within which such agency occurs. In many cases, it is African elites, rather than the wider population, that benefit from the increased scope for agency afforded by these new external partners.

In sum, the post-Cotonou negotiations are taking place in a context where neoliberalism, in its PWC form, remains the orthodoxy. In world trade, meanwhile, the trend, exemplified by the EU, is for bilateral trade agreements rather than multilateralism. This places limits on what African states can hope to achieve in the post-Cotonou negotiations. However, the increasing engagement of emerging powers, especially China, does potentially allow African states more room for manoeuvre. In the next section, I consider recent institutional developments within Africa, the first of the three elements that comprise a Coxian understanding of historical structures.

INSTITUTIONAL DEVELOPMENTS WITHIN AFRICA

It is clear from the recent examples of effective African agency in a range of arenas that a collective negotiating stance is important. In this regard, Vickers argues that, 'African countries require joint strategies and common positions, preferably at the AU or sub-regional level, if they are to negotiate effectively with the rising and established powers' (2013: 679). Similarly, Lay and von Soest (2018) argue that for Africa to achieve a substantive new post-Cotonou agreement with the EU, a strong continental negotiating position is required. However, during the early phase of the post-Cotonou negotiations, the ACP Group and the AU took quite different positions on the future of the EU-ACP framework. The ACP Group includes 48 Sub-Saharan African states, all of whom are also members of the AU. However, it does not include the five North African states (Algeria, Egypt, Libya, Morocco and Tunisia) whose relationship with the EU falls under the remit of the European Neighbourhood Policy.⁴

Historically, the ACP Group has been a relatively ineffective actor and has had little impact on global governance more broadly. This is unsurprising given that the original rationale for the formation of the ACP Group was to negotiate and implement agreements with the EU. It still relies on the EU for the funding of its secretariat and the ACP negotiating mandate for the post-Cotonou negotiations argues for this arrangement to be continued (ACP Council of Ministers 2018: 25). In the lead-up to the re-negotiation of the Cotonou Agreement, the Brussels-based Secretariat and Committee of Ambassadors were largely unsuccessful in their attempts to redefine the purpose of the ACP Group, as a potentially important player on the wider global stage. It has been convincingly argued, therefore, that the future viability of the ACP Group 'is more related to its effective provision of patronage and EU funding benefits, than to its performance in relation to the Group's formal mandate' (Keijzer 2016: 520). In reality, its continued existence as a meaningful entity relies significantly, on negotiating something with the EU that looks very similar to the Cotonou Agreement. However, the EU's proposal to include regional compacts in the negotiations, posed an immediate threat to the ongoing relevance of the ACP as a distinct group of states.

Meanwhile, during the lifetime of the Cotonou Agreement we have seen the development of the Joint Africa-EU Strategy (JAES), which is reflective of an ongoing shift towards the

EU working more directly with the AU. 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. In fact, due to a request by the AU, the 2017 summit held in Abidjan, Côte d'Ivoire, under the auspices of the JAES, was renamed an AU-EU meeting, rather than 'Africa-EU' as previous summits had been. In the final declaration from the Abidjan Summit, the AU and EU agreed that there was an 'opportunity for a paradigm shift to an even stronger, mutually beneficial partnership in the spirit of shared ownership, responsibility, reciprocity, respect and mutual accountability and transparency' (AU-EU 2017: 1).

It is clear that the change from the Organisation of African Unity to the AU in 2002 has precipitated a step-change in the coordination of continental politics. To date, this has been most noticeable in the fields of peace and security as seen in developments like the AU's Peace and Security Architecture. Although not without significant limitations, we have also seen the emergence of common African negotiating positions via the AU, with the impact on the global climate change talks a particularly good example of effective African agency (see Zondi 2013).

With respect to external economic relations, the AU, has until recently, been rather less effective. The AU-backed New Partnership for African Development (NEPAD) was the initial focal point for its approach in this area. As Taylor notes, NEPAD conformed to the assumptions of the PWC, by focusing on a pact with external donors around the implementation of 'good governance' (Taylor 2010: 54). In the last few years, however, the progress made towards the creation of a Continental Free Trade Area (CFTA) demonstrates the more significant prospect of the AU's ability to exercise agency in the global political economy. One of the AU's longstanding limitations has been its significant reliance on external financing. The CFTA includes a plan to levy a tariff of 0.2% on imports from outside the continent, which some African states have already implemented, to raise the funds needed to ensure the AU is eventually self-funded.

So, what are the prospects for the AU to exert agency on the post-Cotonou negotiations? Historically, the AU has not participated in EU-ACP negotiations given that its membership also includes North African states outside of this framework. The EU has suggested that the regional compact with Africa could serve as a potential replacement for the current JAES (European Commission 2017: 3). As a result, the AU expressed a strong desire to become directly involved in the negotiations (Carbone 2018: 484).

In March 2018, the AU's Executive Council announced the adoption of a draft common African position, which called for a 'single framework for cooperation from Union to Union/continent to continent, independently of the ACP-EU framework' (AU 2018a). In September of the same year, however, the Executive Council failed to consolidate these plans into a concrete AU negotiating mandate. It is suggested, that this was due to the preference of some African states for continuing with an intergovernmental approach, via the ACP Group, whereby aid recipients would be more confident of maintaining their levels of development assistance from the EU (Medinilla and Bossuyt 2019: 4). In addition, when push comes to shove not all African states are actually that willing to advocate for greater pan-Africanism and a transfer of power to the AU. Resistance to the common African position 'came from most countries in West Africa, particularly Senegal and Burkina Faso, as well as many in East Africa, such as Uganda and Kenya' (Carbone 2018: 487). As a result, in November 2018, an extraordinary AU summit agreed that the existing ACP negotiating team should continue to lead the post-Cotonou negotiations (AU 2018b). To satisfy the AU's desire to remain involved, a compromise proposal for AU mandated officials to be able to oversee the negotiation of the regional protocol with the EU, was subsequently suggested (Medinilla and Bossuyt 2019: 5).

In sum, Langan envisages that Pan-Africanism 'could offer a real path to emancipatory agency in the continent' (2018: 224). The key word here is 'could' and at present the tensions discussed in this section, between the ACP, AU and its member states, have undermined the prospects for Africa to capitalise on the potential for agency that it has in the post-Cotonou negotiations. As a result, we have seen a reinforcement of a twin-track approach to African relations with the EU. This will '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' (Medinilla and Bossuyt 2019: 6-7). Ultimately, these institutional developments do not take place outside of the ideational and material relations underpinning the relationship between the EU and Africa. These aspects are the focus of the following two sections.

IDEAS AND THE EU'S VISION FOR PRIVATE-SECTOR LED DEVELOPMENT

This section highlights how the EU's ideational stance on development has framed the periodic negotiation of agreements with the ACP states and how this remains the case for the post-Cotonou negotiations. While African elites have often shared the EU's vision there have been challenges to it on occasions. The historical structure and in particular the material relations between the two parties, have largely determined the extent to which such ideational challenges from Africa, have produced tangible outcomes in the nature of the EU-ACP relationship.

The legacies of European colonial rule of Africa remain visible in the way that current EU policymakers view the future relationship between the two continents. In this sense, we should remember that the link, between European integration and the exploitation of Africa, has long been understood as mutually reinforcing. As Hansen and Jonsson suggest in their important recent study:

Eurafrica was an intellectual endeavour and a political project that from the 1920s saw Europe's future survival ... as totally bound up with Europe's successful merger with Africa ... even as the Eurafrican project is largely forgotten, the content of current EU policy-making towards its African 'partner' demonstrates that it has continued influence under the surface (Hansen and Jonsson 2014: 277-278).

The idea of Eurafrica was essentially about securing Europe's economic future and European policymakers are applying a similar line of reasoning today. For example, the EU's recent foreign policy strategy argues that the EU 'will invest in African peace and development as an investment in our own security and prosperity' (European Commission 2016b: 36).

The negotiation of the first Lomé Convention in the mid-1970s did reflect a relative degree of agency by the ACP states. Inspired by calls within the UN General Assembly for a New International Economic Order (NIEO), the ACP Group succeeded in achieving a number of important concessions from the EU, such as the inclusion of non-reciprocal trade preferences and protocols guaranteeing prices for specific commodities exported to the European market. The idea being that African countries 'would be able to stabilise their raw material production while at the same time using such earnings to diversify into agro-processing and manufacturing' (Langan 2018: 123).

From the early 1980s onwards, however, we saw within the EU-ACP framework, the increasing adoption of a neoliberal understanding of development, whereby economic liberalisation is the central guiding principle. These neoliberal underpinnings of the EU's vision for African development have remained consistent since then. As it prepared for the Cotonou Agreement negotiations, the EU made it clear that a return to reciprocal trade liberalisation was their preferred outcome. As a result, the Cotonou Agreement

represented 'a substantial shift towards the adoption of neoliberal values' (Hurt 2003: 164).

During this period, particularly during Lomé IV, the EU increasingly began to focus on the role of private sector development (PSD) in its engagement with ACP states. In its 1996 Green Paper, which set out the European vision for future relations with ACP states, the Commission argued that most ACP states had been unable to secure the benefits of the trade preferences accorded under Lomé, due to the lack of an environment conducive to private sector growth (European Commission 1996: 11). Hence, under the Cotonou Agreement, the EU focused its development assistance on PSD, as this was understood to be the mechanism to ensure that ACP states enjoyed the developmental benefits of reciprocal trade liberalisation (Langan 2016: 100). This focus on PSD 'reflects ongoing attempts to embed global market integration in path-dependent ways and increasingly sophisticated inter-scalar linkages between the EU and sub-regional, national and sub-national interests in the ACP' (Price and Nunn 2016: 458). At the same time, the Cotonou Agreement reflected a discursive shift, in line with the PWC, with the language of partnership and country-ownership combined with the inclusion of budget support and Aid for Trade (Aft) in the EU's development assistance. In sum, the EU portrayed the inclusion of reciprocal trade relations in the Cotonou Agreement as the central driver of its pro-poor development agenda.

The negotiating position adopted by the EU for a post-Cotonou agreement does not deviate from this PWC approach. The EU's mandate suggests that 'the promotion of investment and private sector development should be at the heart of the partnership' (Council of the European Union 2018: 13). Moreover, the section of the EU's negotiating mandate focused specifically on Africa, reasserts the connection noted above between the need for PSD to realise the benefits of trade liberalisation. It argues for the need to 'strengthen mechanisms, procedures and institutions to enhance capacity to establish and implement trade policies, as well as to enable [sic] private sector to take advantage of such policies and the increased opportunities' (Council of the European Union 2018: 40).

The ideas at the heart of the EU's vision for its relationship with ACP states have therefore shown a level of continuity over a number of decades. Although, there have been discursive shifts in line with the prevailing development discourse of the day, the fundamental belief in a broadly neoliberal approach remains intact. Apart from the concessions won during the first Lomé Convention negotiations, there has been little evidence of effective agency by African actors seeking to challenge the EU at the ideational level.

The ACP states' post-Cotonou negotiating mandate shares many of the ideas at the heart of the EU's vision. For example, it is suggested that one of the specific objectives of a new agreement should be to 'increase the role of the private sector in the social and economic transformation of ACP Member States in particular by improving the business climate for private sector development' (ACP Council of Ministers 2018: 8). Where it does differ, as discussed further in the next section, is that there are calls for the policy space to allow ACP states to pursue industrialisation. This has been a particular focus within Africa over recent years. In 2008, the AU adopted its 'Action Plan for Accelerated Industrial Development in Africa' (see AU 2008). It also features strongly in the AU's 'Agenda 2063' document, which notes that 'African economies have not been sufficiently transformed and continue to be commodity-based, with weak value addition, poor manufacturing and industrialization' (AU 2015: 5). One of the central projects of Agenda 2063 is the CFTA. A key focus of the CFTA project is industrialisation, whereby it is envisioned that 'creating a single African market ... will boost incentives to source inputs and intermediates from within Africa, which is expected to support the expansion of manufacturing sectors' (UN Economic Commission for Africa 2017: 13). The prospects for African industrialisation, however, are to a significant extent shaped by the nature of trade agreements negotiated

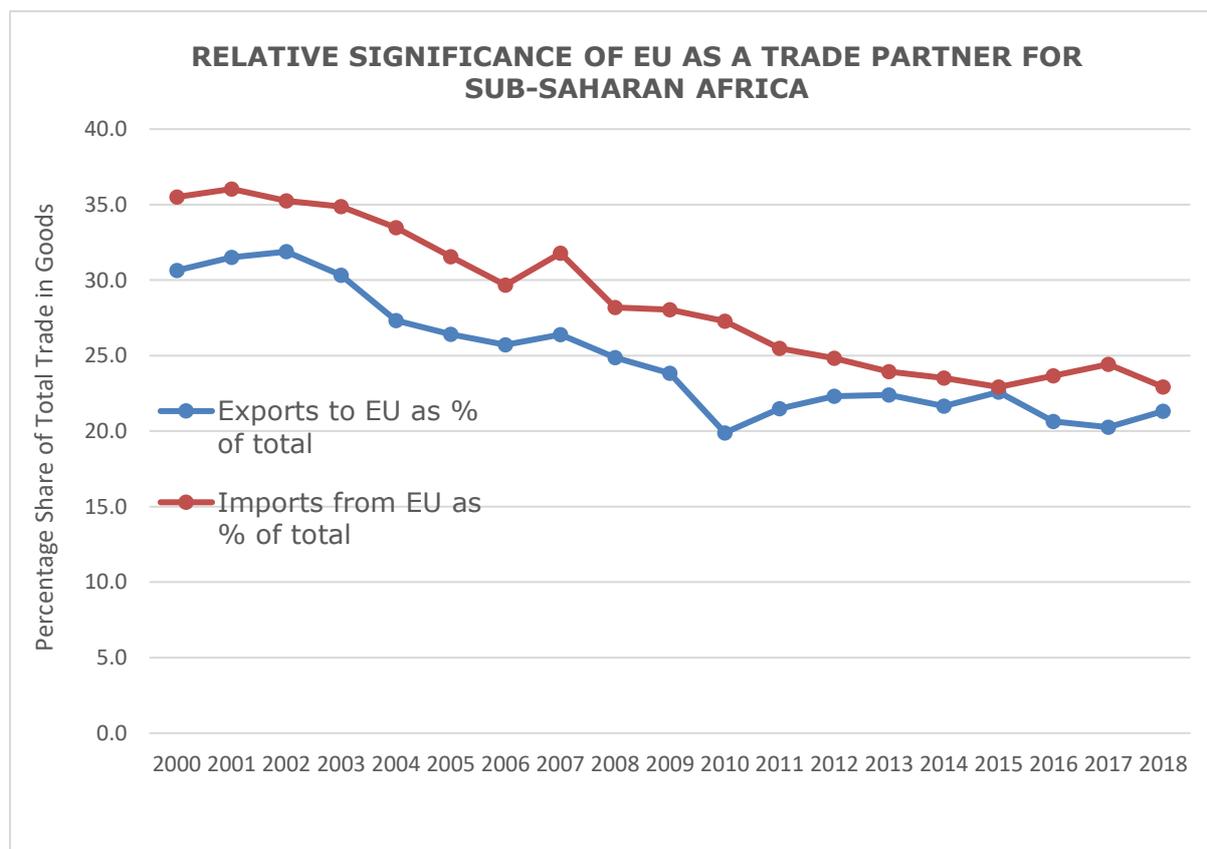
with external partners. Hence, the nature of Africa’s future trade and investment relationship with the EU, discussed in the next section, remains highly significant to the realisation of this vision.

Overall, this section has argued that even allowing for the more conducive historical structure and in particular the institutional capabilities discussed above, at the ideational level, experience would suggest that African states have limited agency and, to some extent desire, to fundamentally challenge the EU’s vision for a post-Cotonou agreement. The next section considers the material relations between the EU and Africa that set the parameters within which such ideational debates take place.

THE MATERIAL RELATIONS BETWEEN THE EU AND AFRICA: TRADE AND INVESTMENT IN A POST-COUTONOU AGREEMENT

This section provides analysis of the continuities and changes in the material relations between the EU and Africa, since 2000 when the Cotonou Agreement was signed. Given the fact that, unlike the Caribbean region, comprehensive EPAs including services and investment have not been agreed, the main change in circumstances has been in respect of merchandise trade. 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. As Figure 1 below demonstrates, there has been a decline in the relative significance of both exports from Sub-Saharan Africa to the EU and imports from the EU to Sub-Saharan Africa.

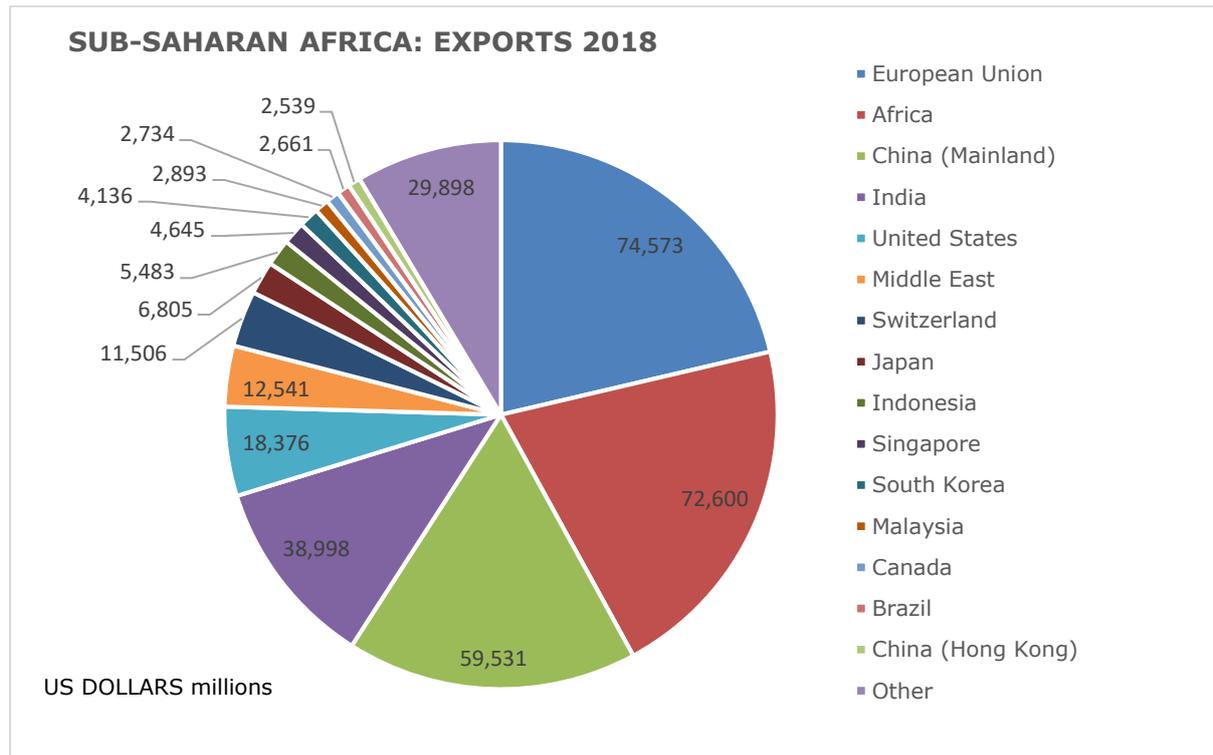
Figure 1: Significance of Trade in Goods between the EU and Sub-Saharan Africa, 2000-2018



Source: Author’s own calculations based on IMF Direction of Trade Statistics.

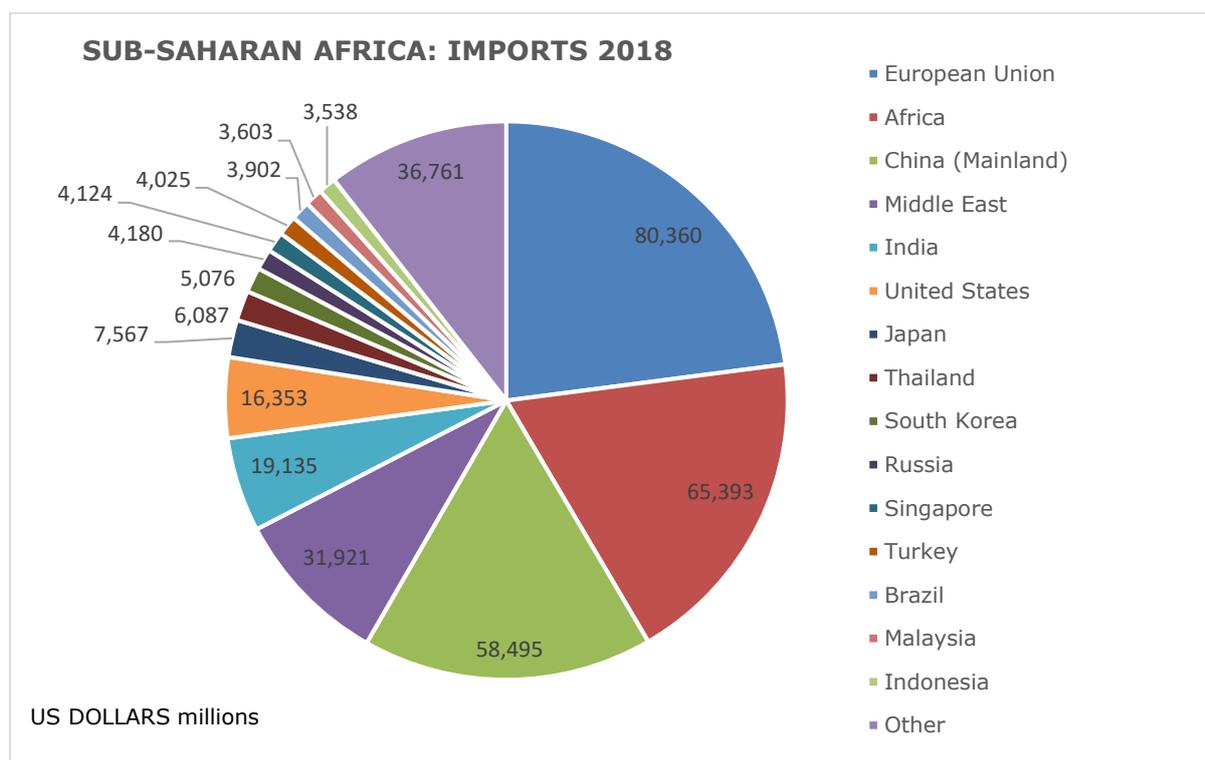
In 2000, the EU was the destination for 35.5 per cent of Sub-Saharan Africa’s total exports but by 2018 this had fallen to 22.9 per cent. Similarly, Sub-Saharan Africa imported 30.6 per cent of its total imports from the EU in 2000 but in 2018 this had dropped to 21.3 per cent. This trend has resulted in a change in the geographic profile of Sub-Saharan Africa’s trade. As Figures 2 and 3 below highlight, in 2018 intra-continental trade is significant as is trade with China and the Middle East, while India is a major partner (particularly as a destination for African exports).

Figure 2: Geography of Sub-Saharan Africa’s Goods Exports, 2018



Source: Author’s own calculations based on IMF Direction of Trade Statistics.

Figure 3: Geography of Sub-Saharan Africa's Goods Imports, 2018



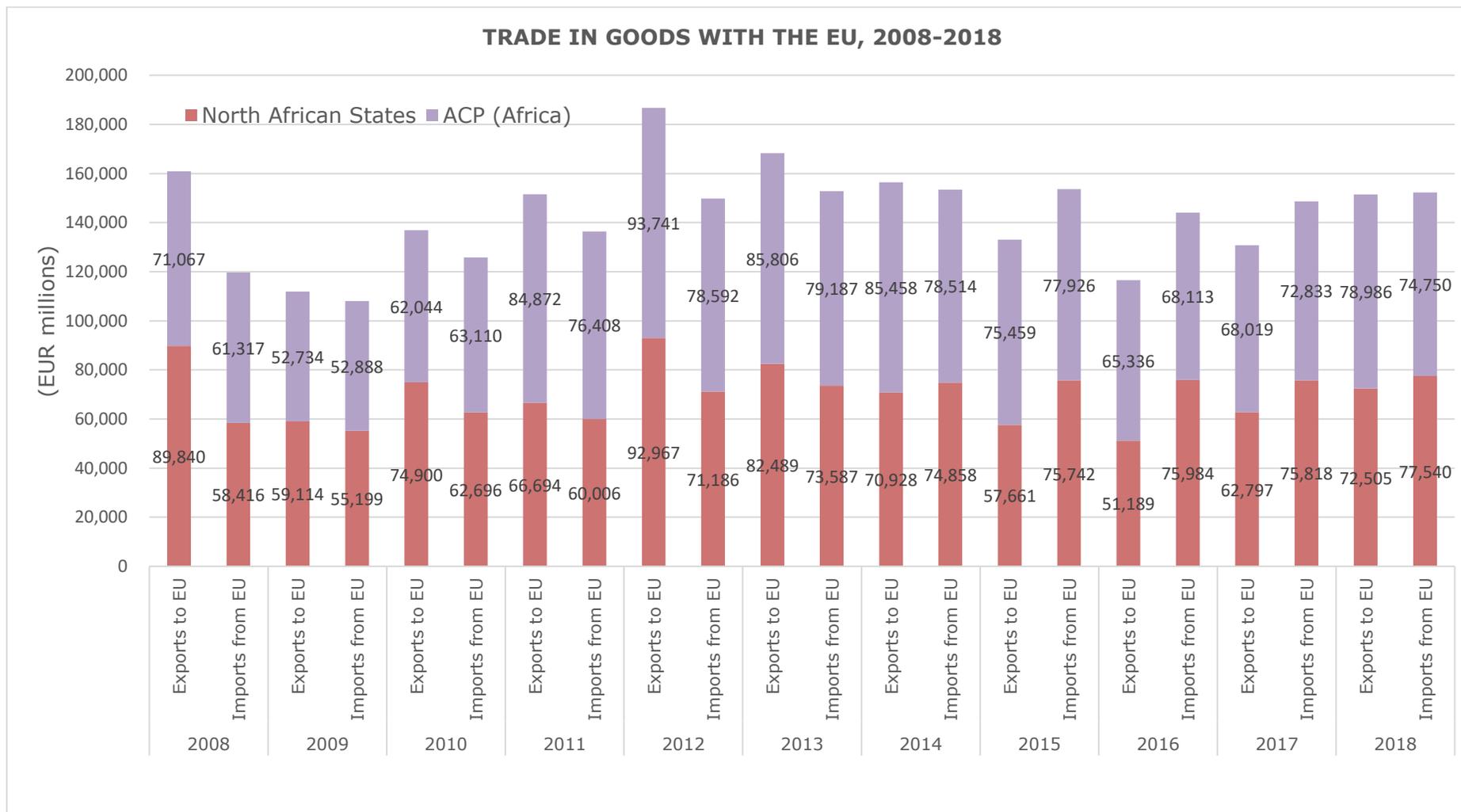
Source: Author's own calculations based on IMF Direction of Trade Statistics.

Over the last decade, as Figure 4 demonstrates, for both imports and exports, the five North African states that are outside of the ACP Group have consistently contributed close to, and occasionally more than, half of Africa's trade with the EU.⁵ This highlights the much greater significance of the African continent as a whole, rather than the ACP Group, with respect to the material interests of the EU.⁶ It also reinforces the argument that 'African agency' may be most effectively employed at the continental level.

As discussed in the previous section, the promotion of European investment in Africa is central to the EU's Post-Cotonou negotiating mandate. It is also a key focus of the new Africa-Europe Alliance discussed below. The EU continues to hold the highest total stock of foreign direct investment (FDI) in Africa. Total investment stock held by EU member states in Africa totalled EUR 261 billion in 2017 (European Commission 2019). However, similar to recent trends in relation to the trade in goods, China in particular has significantly increased its stock of FDI in Africa, from USD 26 billion in 2013 to USD 43 billion in 2017 (UNCTAD 2019: 34).

These material realities are clearly reflected in the negotiating directives adopted by the European Council, which outline the 'significance of trade and investment for the overall relations between the ACP and the EU, as well as for the development of the ACP economies' (Council of the European Union 2018: 16). The EU negotiating directives also reaffirm a commitment to the EPAs and to 'the possibility for widening and deepening the agreements where appropriate, in line with the rendezvous clauses' (Council of the European Union 2018: 16).⁷ During the early phase of the EPA negotiations, the implied threat of ACP states losing preferential trade access to the EU market, gave the EU leverage in securing their broad vision for reciprocal free trade agreements and their desire to include services and the so-called 'Singapore issues' (Heron and Murray-Evans 2018: 206).⁸ However, African states were able to employ discursive power in the EPA negotiations, by holding the EU to account to its own rhetoric of development. There are, however, limits to what such an approach can achieve and in particular they have found

Figure 4: Africa's trade in goods with the EU, 2008-2018



Source: Author's own calculations based on DG Trade data.

it hard to move 'from a strategy of resistance to agenda-setting' (Hurt et al. 2013: 83). From a Coxian perspective, an ability to also challenge the existing material relations would represent effective African agency in this regard.

Moreover, it is important to remember that the idea of negotiating EPAs was an EU project from the outset. The European Commission (1996) set out its vision for reciprocal trade agreements with ACP countries in a Green Paper during its preparations for the Cotonou Agreement negotiations. By contrast, in the following year, the ACP Group were still arguing for a continuation of non-reciprocal trade preferences (ACP Heads of State and Government 1997). Price and Nunn (2016: 460) convincingly highlight how, despite the relatively effective African-led resistance campaign, the EU has still achieved a set of EPAs that will lock-in a gradual process of liberalisation for decades to come.

In response, as discussed in the previous section, the ACP's negotiating mandate differs from that of the EU in terms of its specific emphasis on the policy space for industrialisation. It calls for both parties to 'seek to cooperate in formulating and implementing policies in various key areas, including supporting agro-processing, manufacturing, mineral beneficiation and down-stream processing in the ACP countries' (ACP Council of Ministers 2018: 17). This connection between trade policy and industrialisation has been developed in a range of African policymaking forums in recent years. For example, the UN Economic Commission for Africa has argued there is an explicit link between EPAs and Africa's prospects for industrialisation. They argue that EPAs 'would see a significant influx of European Union exports to African countries in almost all sectors (especially in industrial goods) ... which may undermine efforts to industrialize and diversify' (UN Economic Commission for Africa 2017: 15). Similar claims have been made in the academic literature on EPAs. For example, in the case of West Africa, Langan demonstrates how they threaten domestic agro-processing and manufacturing sectors, resulting in both deindustrialisation and concerns over food security (2018: 119-142). Historically, the EU's response to such concerns has been to emphasise the support available through AFT money. Beyond this, however, it would appear unlikely, given the earlier analysis of the EU's ideational vision that these concerns will result in structural changes to the material relations between the EU and Africa. What African states have not been able to do, to this point, is fundamentally change the nature of their trade relationship with the EU. Data for 2018 highlights that a broadly neo-colonial pattern persists, with the majority of EU exports being manufactures (65.5 per cent), while the majority of the imports from the African members of the ACP Group are primary goods (73.3 per cent) (Author calculation based on DG Trade data).

Alongside the post-Cotonou negotiations, the European Commission announced a proposal for 'A new Africa-Europe Alliance for Sustainable Investment and Jobs' in September 2018 (see European Commission 2018). In the view of the Commission, this would provide a joint economic strategy between the EU and Africa, which would complement the JAES that provides a political framework for cooperation. The idea for the new Africa-Europe Alliance formed part of Jean-Claude Juncker's 2018 State of the Union address, where he outlined how the EU 'should develop the numerous European-African trade agreements into a continent-to-continent free trade agreement, as an economic partnership between equals' (Juncker 2018). The aim is for this new Africa-Europe Alliance to work in tandem with the External Investment Plan (EIP), which the EU adopted in September 2017. Of course, any new continent-to-continent FTA would not be possible in the short-medium term given that the successful implementation of the AU's CFTA would be a prerequisite.

There have been concerns raised in response to the European Commission's claim that the existing EPAs provide the building blocks towards a larger EU-Africa FTA. For example, Viwanou Gnassounou, then Assistant Secretary General of the ACP group of states, has suggested that EPAs are 'not encouraging regional integration ... [and] are not preparing the way to create regional value chains, creating growth and employment' (Chadwick

2018). Meanwhile, Johannes Trimmel, President of the European Confederation of Relief and Development NGOs (CONCORD), also expressed concern by arguing that 'investments that put commercial opportunities for EU companies at the centre rather than people's needs ... are not worthy of the proud values of our continent or likely to endear us to our neighbours' (Trimmel 2018).

In essence, there appears to be nothing essentially 'new' about the proposals for the Europe-Africa Alliance. Rather, it appears to be an attempt to boost the profile of Africa within the EU's broader global agenda. Teevan and Sherriff (2019) suggest that there was a lack of African input into its formation and that even EU member states were not consulted. The aim is to reinforce a move away from development cooperation towards a focus on encouraging European private sector investment into Africa. A combination of financial support to reduce the risk of investments, combined with a strengthening of the investment climate in Africa itself, are the mechanisms identified to achieve this. In essence then, a locking-in of the ideational approach based on neoliberalism, whereby an attractive environment for foreign investment is prioritised (e.g. low taxes, flexible labour markets, etc.) rather than an approach with human development and sustainability at its core.

It remains to be seen whether the new Europe-Africa Alliance will increase the prospects for African agency. It seems to be very much an EU-led initiative with tacit support from the AU. As such, it seems that the EU is legitimating the further development of alternative institutional arrangements with Africa, which are outside of the post-Cotonou negotiations. The ambitious plans for a future EU-Africa FTA might provide scope for Africa to exert more influence on the terms by which trade with Europe will be organised in the future, in comparison to the regional EPA negotiations, which have created an 'internal' system of competition for market access between ACP sub-regions (Langan 2018: 124). However, as argued above, the broad patterns of trade between Europe and Africa remain neo-colonial in character and the continued application of EPAs over the coming years will merely reinforce this situation.

AFRICAN NON-STATE ACTORS: CHALLENGING HISTORICAL STRUCTURES?

In considering the scope for African agency on the post-Cotonou negotiations, we should also consider the role played by non-state actors across the continent. It has been noted that, African non-state actors can both 'form the constituencies of interest to which state leaders must relate and thus have a role in shaping state preferences and ... they also interact more directly with 'external' international agencies and organisations' (Brown 2012: 1893). Of course, not all non-state actors in Africa adopt a counter-hegemonic position and their agency can also be employed to reproduce aspects of the existing historical structure. As Langan argues 'certain NGOs may not be a progressive instrument for poverty reduction and 'development' but, conversely, might be used to frustrate the empirical sovereignty of Africa's governments' (2018: 213). Nevertheless, in the recent history of EU-ACP relations, there have been examples of social movements and NGOs arguing effectively for progressive change (see Trommer 2011). In this final section, I consider the input of both African NGOs and trade unions, as actors with the potential to exert an alternative form of African agency that might challenge the historical structures already identified.

There are formal mechanisms that allow for the involvement of non-state actors in shaping the post-Cotonou negotiations. In 2015, the European Commission opened a public consultation on the plans for a new partnership agreement between the EU and ACP. In March 2016, the results were published and it is noticeable that, of the 103 total responses received, only 23 were from respondents based in Africa.⁹ Although not all the contributors agreed to have their individual submissions published, it would appear that the most

familiar African NGOs, social movements and trade unions did not provide submissions to the consultation process. Beyond this public consultation process, the European Commission would also point to the fact that, since 2012, it organises the annual Policy Forum for Development (PFD), which creates a framework for dialogue with non-state actors. In addition to the annual 'global meeting' of the PFD, regional meetings have also been held, including two in Africa, the most recent of which took place from 8-10 October 2018, in Gaborone, Botswana. The problem with these formalised avenues for civil society dialogue is that they tend to lead to a very structured engagement. For example, respondents to the public consultation had to answer a series of very specific questions designed by the European Commission. Hence, they tend to replicate both the dangers of co-option and the 'insider-outsider' problems identified in the civil society mechanisms institutionalised within EU free trade agreements (see Orbie et al. 2016).

This may explain why a number of African non-state actors, who are critical of the nature of the EU's relationship with Africa, choose to operate outside of these formally constructed frameworks for dialogue. A number of groups have expressed their views in relation to the negotiations for a new EU-ACP agreement. In March 2018, the African Trade Network hosted a meeting of civil society organisations from across both ACP states and Europe. The resolutions resulting from this meeting included a call for the preservation of the policy space of ACP states and an end to any plans to broaden or deepen EPAs (Africa Trade Network 2018). In October 2018, a joint statement by both African and European trade union confederations expressed similar views. This called for the replacement of EPAs with a more progressive trade arrangement between the EU and Africa given that they 'pose significant risks to sustainable development, stable employment, labour standards and public services as well as democracy in African countries' (ITUC-Africa et al. 2018). We have also seen concerns raised over the level of agency that African non-state actors are able to exert on the post-Cotonou negotiations. In April 2018, in Harare, a meeting organised by the Southern and Eastern African Trade Information and Negotiation Institute (SEATINI) Zimbabwe, concluded that grassroots voices are rarely considered and that non-state actors in Africa must devise a clear strategy for engaging with the post-Cotonou negotiations (SEATINI Zimbabwe 2018). In general, social movements and civil society organisations are often fragmented and lacking co-ordination and those working on issues of development and trade justice in Africa are no different. Ultimately, I would share the concerns of Langan (2018: 215) who argues that although African NGOs and trade unions are able to articulate potentially counter-hegemonic ideas, which might enhance the agency of African governments, they lack the ability to achieve radical transformation of Africa's relations with the EU.

CONCLUSIONS

In conclusion, this article has explored the scope for African agency within the post-Cotonou negotiations. In so doing, it recognises the historical structure within which the negotiations are taking place and provides analysis of the institutional, ideational and material relations between the EU and Africa. It has been argued that, compared to the Cotonou Agreement negotiations, there is more scope for African agency. However, the ideational vision of the EU remains firmly embedded within a PWC version of neoliberalism. African actors must provide a sustained counter-hegemonic challenge to this, if they are going to be able to fundamentally alter the nature of their relationship with the EU.

For Africa to successfully redefine its relationship with Europe there must be an awareness that 'in the absence of an overarching African vision and creative leadership to steer the future, this opportunity may become lost' (Khadiagala 2018: 442). Given recent developments in the AU, there is an increasing focus on pan-Africanism providing the most effective approach to African agency. Invoking the ideas of Kwame Nkrumah, Langan has recently called for 'African countries in the lead-up to a post-Cotonou pact with the EU ...

to consider the potential of pan-African co-operation for achieving more equitable trade arrangements' (2018: 223). There is some merit in the view that a continental approach would increase the scope for African agency in the negotiations. However, as this article has demonstrated, divisions between the ACP Group, the AU and its member states, have restricted the ability of African actors to take advantage of the increased space for African agency.

Pan-Africanism is not a panacea, given the ideational, material and institutional structures analysed in this article. Changes at the institutional level need to be combined with counter-hegemonic challenges to the dominant ideas and material realities, which I have argued underpin the EU's relationship with Africa. Ultimately, any consideration of the scope for African agency within the post-Cotonou negotiations needs to acknowledge that there remain important structural limits at play. Ultimately, pursuing a new EU-ACP agreement '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' (Medinilla and Bossuyt 2019: 8). Instead, focusing on future relations at an EU-AU level, rather than pursuing the re-negotiation of Cotonou, may offer Africa the clearest route to exercising agency in its relations with Europe.

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ENDNOTES

¹ Throughout this article, I use EU to represent the European Union and the organisation, pre-Maastricht Treaty, officially referred to as the European Economic Community. 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)

² Funding of EU development assistance to ACP states comes from the European Development Fund (EDF). The eleventh EDF is due to expire in December 2020, which is also when the EU's Multi-Annual Financial Framework ends.

³ The Cotonou Agreement was finalised before the adoption of the UN Millennium Development Goals and a reference to them was only included after the first revision of the agreement in 2005.

⁴ The AU has 55 member states in total. In addition to the 48 African ACP states and the five North African states, South Sudan and the Sahrawi Arab Democratic Republic are also members.

⁵ These five countries are Algeria, Egypt, Libya, Morocco and Tunisia. The respective Association Agreements that these states have with the EU covers their trade, except for Libya, which at the time of writing does not have one.

⁶ It is worth noting that the EU's total trade in goods with the Caribbean states (EUR 11,825 million in 2018) and Pacific states (EUR 3,842 million) is relatively small in comparison to Africa.

⁷ It is important to note that the EPAs are separate international agreements and are therefore not a direct part of the post-Cotonou negotiations.

⁸ The 'Singapore issues' refers to competition policy, transparency in government procurement, national treatment for foreign investors, and trade facilitation measures, which the EU had initially sought to include in the Doha Round of the WTO.

⁹ It is important to note that 25 of the 103 responses were from organisations, or individuals, based in Belgium, but that this category does include actors such as the ACP Civil Society Forum.

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