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## Review Article

# African Agency and EU–African Economic Partnership Agreements

Dirk Kohnert

European Parliament (EP) (ed.) (2014), *African, Caribbean and Pacific (ACP) Countries' Position on Economic Partnership Agreements (EPAs)*, Brussels: European Parliament, Directorate-General for External Policies, Policy Department, April, ISBN 978-92-823-5667-8, 84 pp.

*Contemporary Politics* (2014), vol. 20, issue 1, Special Issue: Perspectives on the Trade–Development Nexus in the European Union, London: Routledge, ISSN: 1356-9775 (print), 1469-3631 (online), 126 pp.

Silke Trommer (2014), *Transformations in Trade Politics: Participatory Trade Politics in West Africa*, London: Routledge, ISBN: 978-0-415-81973-2, 232 pp.

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Negotiations on Economic Partnership Agreements (EPAs) between the European Union (EU) and African governments have dragged on since 2002. They were confined by the framework of the Cotonou Agreement, which, despite being a cornerstone of ACP–EU development cooperation also serves to limit the rules of the World Trade Organization (WTO).<sup>1</sup> The EPAs were meant not just to liberalize trade but also to promote development in Africa. However, high-flying expectations of creating a win-win situation in a partnership of equals were apparently dashed. Agenda-setting by Brussels left it with grandiose declarations about partnerships between equals, development orientation, and promotion of both inclusive growth and regional integration with due attention to WTO-compatible regulations. According to the EU’s Roadmap 2014 to 2017 (EU 2014), all this should be realized by 2017 by way of exemplary EPAs. The major issues at stake have been especially pronounced in the ongoing negotiations on West African EPAs. Contentious issues were legion. The EU became increasingly impatient with “intransigent” African partners. It finally threatened to cancel the unilateral trade preferences enjoyed by Europe’s former African colonies if the deadline of 1 October 2014 for the ECOWAS EPA was not honoured. Finally, on 10 July 2014 the heads of all ECOWAS member states endorsed the compromise EPA after prolonged negotiations at the organization’s 45th ordinary session in Accra. Shortly afterwards (on 22 July) the Southern African region followed suit, signing the SADC EPA, the second African EPA within one month. Whether the treaties will also be ratified by the parliaments of remaining states – such as Nigeria, by far the largest economy in Africa – remains to be seen. West Africa is especially at risk of having its regional integration efforts jeopardized in view of both competing Anglophone and Franco-phone blocs within ECOWAS and conflicting interests between least developed countries (LDCs) and non-LDCs.

It is difficult to discern an impartial point of view, whether among practitioners or scholars, when politics mingle with partisan views to this extent. There have been innumerable publications on EPAs over the past decade. Against this backdrop, it is advisable to look more closely at the drivers of change within EU–African trade politics, especially on the African side of the negotiation tables. Three recent publications stand out from the crowd, as I detail below.

Interestingly enough, the first was edited by the European Parliament (EP) in an endeavour to expand on and tweak information on EPAs pro-

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1 The Cotonou Agreement is a treaty between the European Union and 78 African, Caribbean and Pacific (ACP) States, signed on 23 June 2000 in Cotonou, Bénin.

vided by the European Commission (EC 2014). It should be noted that the EP had urged the EC shortly before to extend its deadline, but a compromise was reached, with both parties settling on a final date of 1 October 2014. The study was commissioned by the Policy Department of the Directorate-General for External Policies of the Union and executed by a team of authors from the South Centre, in Geneva (Aileen Kwa, Peter Lunenborg, Wase Musonge). It covers all ACP countries; however, the problems of sub-Saharan African regional groupings are covered especially extensively. An introduction to and history of negotiations at the outset of the publication is followed in the next chapter by the presentation of the views of different African and ACP actors: governments, regional bodies such as the African Union, and African as well as global civil society organizations (CSOs) (15-20). Regional analyses comprise the bulk of the study, including the two largest chapters, which focus respectively on West African (21-33) and East African EPAs (39-51), which are followed by chapters on Southern and Central African EPAs. The study is rounded off by a conclusion; recommendations for possible alternatives to EPAs (for example, improving the EU's Generalized System of Preferences (GSP) and GSP+ schemes and extending the unilateral Everything But Arms programme to all countries in "LDC customs unions"); suggestions for EPA negotiations; and specific requirements for different regions (76-81). The bibliography provides a non-exhaustive list of the most important publications. The rest of the study is "mostly based on grey literature" (81).

The authors are remarkably critical of the hitherto existing EPA propositions. In general, they urge the EU to make the EPAs less damaging to African developing economies. The study cautions that EPAs will counteract sustainable development in Africa if the progressive liberalization of tariffs is not carefully adjusted according to the development level and manufacturing production capacity of individual states and regions. Many African stakeholders are afraid of restricted policy space and threats to local nascent industries, notably in non-LDCs, as well as of growing unemployment and the endangerment of existing or planned customs unions (for instance, those to be introduced in West Africa in 2015).

Therefore, the authors recommend limiting EPAs basically to goods and refraining from overregulating related issues, particularly services and non-tariff barriers to trade such as environmental, investment and intellectual property protection; stipulations on export taxes; and sanitary and phytosanitary standards, among other hindrances. For the same reason, they advise against including both the highly controversial Most

Favoured Nation (MFN) clause – introduced by the EU to safeguard its privileged position in Africa against competing new global players like China and India – and any other issues that are not required by the WTO agenda and could possibly restrict development of African countries. Further on, the study accentuates the need to balance the assumed negative impact of EPAs on both regional integration and tariff revenues, which, in view of the large informal sector in African countries (Meagher 2007), would not be compensated for by the supposed positive impact of EPAs on income and value-added taxes.

All in all, the EU parliament thus presented a study highly welcomed by African and non-state international actors. Analyses and recommendations were probably also meant to address fundamental flaws in the EPA negotiation process: the lack of co-determination and democratic agency of all stakeholders involved. Whether the new EU parliament – which experienced an unprecedented move to the far right and growing nationalism during the EU parliamentary elections of 25 May 2014 – will uphold its development orientation vis-à-vis its African partners remains to be seen (Songwe 2014).

The second publication contributing to the recent, stimulating scholarly discussions on EPAs and beyond is a special issue of the journal *Contemporary Politics* (vol. 20, issue 1 of 2014). Altogether, the ten contributions offer thought-provoking perspectives on the evolution of the problematic trade–development nexus of the EU with respect to the growing impact of globalization – the global run on African resources is particularly emphasized by the (informal) editors of this special issue, Maurizio Carbone (University of Glasgow) and Jan Orbie (Ghent University), in their introductory remarks (1-9). Seven out of the ten articles deal with EPAs, notably the contributions by Heron, Langan, Siles-Brügge and Woolcock. The others focus on closely related issues like the EU and tied aid, the GSP and the ongoing Doha Development Round of the WTO. The contributing authors do not all share the same approaches, and they even arrive at some different conclusions regarding the three general topics of this special issue – namely, differentiation, coherence and norms. However, they share a dedication to painstaking empirical analyses combined with a discriminating approach to the declared and hidden interests of all parties involved. Their scholarly analyses concerning EPAs reveal remarkable congruence in the following points:

1. EU assistance for regional integration in Africa displays a startling dissonance between, on one side, its declared development orientation vis-à-vis African partners and, on the other, the selfish, export-related interests of EU member states. There are discrepancies not

- only between pretence and practice of EU aid (including the “Aid for Trade” agenda) but also between divergent discourses of opposing EU directorates (namely, the Directorate-General for Trade vs. the Directorate-General for Development), as well as underlying conflicting interests of EU member states (Holden 2014; Langan 2014).
2. African states are increasingly challenging the EU in prolonged discourses using normative negotiation strategies, a method that has proved successful for them. Empowered by a globalized world and international social networking, African governments take Brussels at its word – that is, the former believe that the latter will deliver on its promises concerning development orientation and a partnership of equals (Heron 2014; Langan 2014).
  3. Whereas EU trade policy towards Africa originally stressed the need for differentiation between trading partners depending on their level of development, recent Preferential Trade Agreements (PTAs) exhibit a general tendency towards reciprocity vis-à-vis African partner countries (Woolcock 2014). The reform of the GSP – a cornerstone of the EU’s trade and development strategy – which officially aims to refocus assistance to the “neediest” countries, serves in practice foremost to facilitate free-trade negotiations on a global scale. The developmental trade agenda of the EU and major member states is increasingly subordinated to commercial imperatives (Siles-Brügge 2014).

Finally, there is the insightful book by Silke Trommer, a political economist and postdoctoral researcher at Murdoch University, Perth (Australia), on participatory trade politics in West Africa. It combines prize-winning cutting-edge scholarship, solid fieldwork and a remarkable clarity of presentation. The book, published as part of the Routledge Global Institutions Series, is divided into two overarching sections: “West African participatory trade politics” (1-84) and “Transformations in trade politics” (85-193). Always based on meticulous empirical evidence, Trommer’s convincing arguments challenge – most refreshingly – the beaten paths of economic reasoning that, according to her, are still prevalent in theories of trade-policy formation (176-77). She applies a similar critique to the prevailing Eurocentric nature of concepts in the international discussion – for example, structuralist concepts of African civil society (Introduction, 24-28). Referring to events as far back as the Seattle protests of 1999, which became a global symbol of civic agency by questioning the legitimacy of WTO order, Trommer’s study focuses on a platform of West African CSOs as symbols and innovative drivers of transparency and democratization in ECOWAS EPA negotiations. Originating in the late 1990s, “national platforms of civil society organizations” dealing with

ACP–EU relations have, since 2006, become officially recognized by and deeply involved in ECOWAS–EU talks. Fluctuating over time, in 2009 these CSOs comprised 15 organizations from 11 West African countries, composed of a vast variety of groups, such as farmers’ associations, local and transnational NGOs, trade unions, women’s rights associations, and others. Each national member was responsible for lobbying at its respective national level. Although the degree of legitimacy and representativeness varies considerably among members (32–33), together they wield a remarkable political, social and economic influence, including access to core trade policymaking institutions like ECOWAS and the official EPA negotiation table.

Beyond the obvious practical political, economic and social importance this also has far-reaching theoretical implications for the evolution of participatory trade politics that Trommer elaborates in detail in the second part of her book, which is based on her impressive knowledge of international trade law and the current state of the international political economy. As she justly remarks, the two key questions for assessing the relationship between trade and democracy are 1) For *whom* is a specific trade policy efficient (and for whom is it not)? and 2) “On the basis of *which economic theory*” do economists craft their answers? (189, emphasis added) In conclusion, using the West African example, the author argues first that “trade politics shows that elements such as material conditions, existing norms and rules, differing normative preferences, and monopolies over interpretations of language structure the policy field and provide the framework for power struggles within it”. She goes on to contend that “the [conventional] efficiency argument is in essence a normative argument disguised as technical reality [...]. The question then remains how competition between different normative preferences should play out in trade politics” (190).

Last, but not least, the study shows that growing involvement of CSOs in trade policymaking is no panacea that leads automatically to improved democracy and justice. This becomes clear beyond doubt when Trommer poses the question of legitimacy and representativeness of specific CSOs and their agency in West African trade policies (183). However, compared with the “legitimacy bias in favour of corporate actors that undergird most trade theories today” (189), Trommer’s rigorous analyses will provide stimulating scholarly food for thought for years to come. Like other promising younger scholars in this field – for example, Erin N. Hannah (2014) – she has made a significant contribution to the avant-garde of new trade-policy economics.

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