African Civil Society Organisations' Consultation on AU/EU Joint Strategy for Africa's Development

Position papers and conclusions of the meeting

Organised by the AUC in Accra, Ghana
26-28 March 2007

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I.   INTRODUCTION

1.   The African Civil Society Organizations' Consultation on AU - EU Joint Strategy for Africa's Development was held in Accra, Ghana, from 26 - 28 March 2007. The Consultation was declared opened by Mrs. Erieka Bennet, the representative of the Vice President of the Republic of Ghana, H.E. Alhaji Aliu Mohama. The purpose of the Consultation is to collate ideas from civil society organizations and harness their inputs into the framework of the AU-EU Joint Strategy for Africa. It would be recalled that the AU and the EU are currently engaged in negotiations aimed at elaborating a new "Joint AU-EU Strategy for Africa" to be adopted at the 2nd EU-Africa Summit scheduled for November 2007 in Lisbon, Portugal.

2.   Participants at the Accra Consultations comprised of forty-three (43) representatives of African Civil Society Organizations (CSOs) and other invited organizations, such as the European Centre for Development Policy Management (ECDPM). The list of participants is hereby attached to this report as Annex A.

3.   The Programme for the Meeting is also attached as Annex B.

II.   OPENING SESSION

4.   The Opening Session was chaired by Mrs. Erieka Bennet, the Head of Mission of Diaspora African Forum, who welcomed participants and guests to Ghana and conveyed the apology of the Special Guest of Honour and Vice President of Ghana, H.E. Alhaji Aliu Mohama, for his inability to attend the Opening Ceremony on account of pressing state matters. She also informed the meeting that the Vice President has asked her to deliver his opening remarks, noting however that the Vice President has promised to attend the Closing Session on 28 March 2007.

Opening Statement by representative of the Vice President of the Republic of Ghana

5.   The vice President in a statement read on his behalf by Dr. Erieka Bennett, welcomed the representatives of the African Civil Society community to the African Union-organized Consultation on the AU-EU Joint Strategy for Africa in Accra, Ghana. While noting that his country is at the helm of affairs at the African Union, the Vice President stated that the government and people of Ghana hold this responsibility as a sacred trust and are determined to play a critical and vigorous role in defining and charting the course of African renaissance.

6.   The Vice President declared that it is not an accident of history that the golden jubilee celebration of Ghana occurred at precisely the time that the continent bestowed the mantle of leadership on the country. He believes it is a divine sign, a coincidence of duty, desire, commitment and dedication and reminded the participants that Ghana's first President and Africa's foremost nationalist, President Kwame Nkrumah, had declared in 1957 that Ghana's independence would be incomplete without that of other African brothers. Alhaji Mohama maintains that this assertion regarding Africa's independence must also hold true for development.

7.   According to the Vice President, the AU-EU Civil Society Consultations was an important meeting because it comes in the wake of on-going negotiations between Africa with Europe, which is expected to culminate in the Europe - Africa Summit in Lisbon at the end of

2007. He believes the current process is different as it is an "official continental dialogue" that is expected to build on history and to produce a compact that would give added value and new momentum to collaboration among old neighbours. The meeting is also significant because it demonstrates the desire of African leaders to in the tradition of the African Union, begin the process of decision-making with civil society consultations. It is in this tradition that the African Union created the African Citizens Directorate (CIDO) to mainstream civil society and Diaspora participation in its affairs.

8.   He also noted that CIDO is the Secretariat of ECOSOCC, a civil society organ of the Union established under Article 20 of the Constitutive Act to serve as a civil society parliament. Since the establishment of CIDO and under the guidance and able leadership of His Excellency, Prof. Alpha Oumar Konare, the Chairperson of the African Union Commission, the Department has developed a "civil-society-first tradition" through which all gatherings begin with civil society consultations as evidenced in the AU pre-Summit meetings. This is a consolidation of our tradition that seeks to establish a people-driven community in the African Union.

9.   The Vice President believes that a co-owned AU-EU strategy must reflect the wishes and aspirations of the peoples of Europe and Africa hence, the critical challenge facing the civil society community is to define and reflect those interests in this joint strategy in a manner that sets the pace for consultation with other stakeholders. He therefore called on the civil society community to assess the process and its content at both operational and strategic levels, as well as propose changes that would promote and strengthen the interest and values of African people in the framework of a wider multilateral engagement. It is on this note that the Vice President declared the meeting open and wished all participants fruitful and most rewarding deliberations.

Statement of Representative of the Chairperson of the African Union Commission

10.   Dr Jinmi Adisa, Principal Coordinator, African Citizens Directorate (CIDO); African Union Commission welcomed participants to the meeting on behalf of His Excellency, Professor Alpha Omar Konare, Chairperson of the African Union Commission. He thanked His Excellency, the Vice President of the Republic of Ghana for honouring the invitation to declare the meeting open in spite of his very tight schedule and the late arrival of the invitation. This, according to Dr Adisa, is a demonstration of the Ghanaian government's attachment to the continent's development and to the letter and spirit of the Constitutive Act, particularly its principle of partnership. He thanked the people of Ghana, whose traditional hospitality creates a particularly tranquil environment for a fruitful meeting.

11.   According to Dr Adisa, the AU has, in line with its the people-centred orientations, made it a practice to always consult all components of African societies on issues that have implications on their lives and the future of the continent. The ongoing dialogue between the African Union and the European Union aimed at evolving a new "joint EU-Africa Strategy' for Africa's development is such a critical process that the African Union recognizes the important role that African civil society can play in shaping and structuring the process. The AU therefore considers it a distinct honour to begin consultation with Civil Society as part of preparations for the Lisbon Summit involving all stakeholders.

12.   He highlighted some of the challenges in this process to include: bringing civil society perspectives to bear on the discussion – a perspective that is not limited to civil society, but one that would forge synergies among the regions of the continent and between the two continents. Such a perspective will involve an appraisal of content and process at various levels: strategic, operational; and tactical. It must also embrace an analysis of objectives and means. The purpose of this exercise, according to him, must be to add value to the process, and this should necessarily involve identifying issues that have not been raised in the dialogue so far, and areas that need redefining or refocusing as well as perspectives that require greater intensity and dimensions that have not been properly addressed.

13.   Dr Adisa pointed out that there is need to carve out a niche for civil society in this context, particularly in relation to their role and contribution in the five cluster areas: a shared vision; peace and security; governance; trade and regional integration; key development issues and others that the civil society itself could define.

14.   He also emphasized the need to consider how civil society will work in tandem with other actors and stakeholders within the continent and in Europe to achieve the objectives of the ongoing inter-continental political dialogue. The ultimate objective is to establish a socio-economic and political compact between Europe and Africa. It would therefore be useful, as the processes advance, for civil society to define the structures and layers of engagement. At one level, it would be important to identify the Pan –Africanist objectives through which civil society in Africa would work with other actors to achieve Africa's aims within the framework of inter-African dialogue. At another level, there would be instances where the interests of CSOs are distinct from those of governments of both regions – European and African governments – in which case compromises would have to be sought to ensure that a people-driven inter-continental compact is developed. Within this context there is also the need to reconcile Pan-Africanist and civil society orientations in a manner that best serves the interest of both. He therefore urged the gathering to address such questions with a spirit of enquiry, purpose, openness and commitment.

15.   He enjoined the meeting to consider follow-up actions. In this regard, he urged participants to examine options and methods that are available within the process and work constructively with other stakeholders to establish a definite agenda for sustaining this programme on the road towards the Lisbon Summit in November 2007.

16.   Finally, he reminded participants that the Lisbon Summit will only be the beginning of a process since it will set a definite agenda that all stakeholders must strive and work to achieve. Thus, there will be further need to define the role and responsibility of civil society in the context of implementation of the Joint Strategy in the short, medium and long-term after the Summit. He, on behalf of the Chairperson of the Commission, Professor Konare, urged participants to pay close attention to all the issues raised, which in his opinion, will demonstrate clearly the wisdom of the people-driven orientation of the African Union.

Vote of Thanks by CSO Representative

17.   After the opening remarks, a representative of the CSOs, Alhaji Hassan Sunmonu, delivered the vote of thanks on behalf of his colleagues. He commended the African Union Commission for convening the meeting, which he believes, provides a great opportunity for the African civil society community to add value to the on-going negotiations between Africa and Europe. He expressed the hope that the AU – EU Summit in Lisbon will not be a governmental affair as African CSOs are also keen to participate in it.

PLENERY SESSION

An Overview of the Background and Structure of the Consultations

18.   The session was chaired by Mrs. Saida Agrebi, member of the Pan-African Parliament and the Interim Standing Committee of ECOSOCC, congratulated the people of Ghana on the occasion of their 50th Anniversary of national Independence. She extended special thanks to the Vice President of Ghana for accepting the organizers' invitation to preside over the opening ceremony of the meeting. She also paid special tribute to the Chair of the African Union Commission, Prof. Alpha Oumar Konare for giving African civil society the opportunity to contribute to such an important process.

19.   She announced that an Interim nine-member Steering Committee had been established and the five regions of Africa were duly represented, while the remaining four slots will be filled based on elections. The five regional representatives were: Akere Muna (Central Africa and President of the Committee); Saida Agrebi (North Africa); Alh. Hassan Sunmonu (West Africa); Yohannes Mezgebi (East Africa); and Desire Assogbavi (South Africa).

20.   The process of selecting members of the Steering Committee generated heated debate and some participants questioned the rationale for a Steering Committee. Others objected to the consultation, the procedure and composition of the Committee, as well as its terms of reference. Dr. Adisa explained that the Steering Committee became necessary to coordinate civil society's engagements and inputs in the process of the EU-AU Joint Strategy. He therefore proposed three options for resolving the issue, namely: that the members could decide to dissolve the present committee and elect a new one; or empower the AU to set up the committee; or shelve the idea of a Steering Committee. It was eventually decided that the matter should be stood down to allow for more consultations.

21.   Giving an overview of the structure of the AU-EU Joint Strategy, Mr. Pamacheche of the Economic Affairs Division of the Commission traced the various forms of Africa's engagements with Europe, beginning with the 'colonizer-colonized' pattern of interaction, through the 'donor-recipient' pattern of engagement to attempts in recent times by Europe to selectively and separately engage with various African states. He stated that recent global changes have impelled both Europe and Africa to redefine their relationship. He pointed out that a first concrete step at this was the Europe-Africa meeting held in Cairo in 2000, which produced the Cairo Declaration and Plan of Action. Unfortunately, this was never implemented rather Europe has continued to engage with individual African countries and regions. For example, Europe has continued to view and treat North Africa as separate and distinct from the rest of the continent, while its engagement with Sub-Saharan Africa (SSA) has tended to treat South Africa as a separate category. And recently, Europe introduced the concept of Economic Partnership Agreements within which framework it has attempted to split SSA into three regions – Central Africa, Eastern Africa and Southern Africa and adopted different modalities of engagement for these regions. This has tended to further weaken the continent.

22.   Pamacheche stated that the position of the AU has always been that Africa is one indivisible entity and should engage with other continents of the world on this basis. This he believes underscored the need for new patterns of Euro-African relationship, a development that has now been recognized by Europe, hence current negotiations for a joint strategy for engagement. Efforts at developing a joint strategy have evolved and have involved consultations with Regional Economic Communities (RECs) and the African Union Commission. This resulted in the setting up of monitoring structures and bi-regional representations, however, cost implications has compelled the AU to form a Troika composed of the recent past Chair of the Union, the current Chair of the Union and the Chairperson of the AU Commission to coordinate and manage the process. Since the establishment of the Troika, activities have been channeled through it, particularly through its Technical Committees.

23.   He noted that in 2005, European introduced the European strategy for Africa, which was not accepted by African leaders because it was not the product of joint consultations hence, the need for AU-EU consultations on a common and mutually acceptable strategy. The first discussion of this strategy took place in Bamako, Mali, following a Troika Meeting and the outcome was presented to the Khartoum Summit in 2005 where it was endorsed with an understanding that there was need to develop a Joint Strategy based on agreed principles and values, thus the AU was to work with the EU to come up with a jointly-owned document.

24.   One of the decisions of the Summit was that meetings at Summit levels between the EU and the AU were to be held every two years and that the Joint Strategy was to be presented for adoption during one of such Summits. However, to date no Summit has been held because the European side has insisted that the Summit would only take place if a certain supposedly

problematic country were excluded. The African side has continued to maintain its position that the continent be treated as one, thus the current lull in the process.

25.   Pamacheche also indicated that there are some lead negotiating African states in the Troika on key issue areas such as peace and security; Governance and Human Rights; Trade and Regional Integration; Key Development Issues; and Shared Vision. He therefore concluded that the expectation from this Accra Forum was not to reinvent the will but to identify priorities that would make a difference in the lives of the people of Africa.

26.   A representative of the European Centre for Development Policy Management (ECDPM), Marie-Laure De Bergh, shed some light on the process and the role of the ECPDM in its unfolding. She stated that the ECPDM was an independent research institution and not a EU body. She argued that the AU-EU strategy was a product of consensus amongst African and European leaders who believed that there was need to move away from 'donor-recipient' type of relations that have characterized Euro-African engagements, to new forms of engagement that cover areas, such as the Pan-African dimensions of EU-AU relations and the issue of migration. She expressed hope that the Joint Strategy would be adopted during the Lisbon Summit at the end of 2007, which is to be preceded by the presentation of the outline of the Joint Strategy to a Ministerial meeting in May 2007. She highlighted the various institutional and public consultations that have taken place and others that are still programmed both in Europe and in Africa as a prelude to the Lisbon Summit, noting that the negotiations and public consultations have been anchored on the five themes or clusters inherited from the Cairo process. She stated that the African civil society consultation in Accra would be followed by an European CSO consultation meeting in Bonn, Germany on 23-24 April 2007. She added that subsequently, an intercontinental civil society meeting would take place later in the year as the Summit approaches

27.   De Bergh further stated that to be able to influence the process, it is important to know its various phases and planned meetings. In this regard, she informed that the first phase of the consultations would involve two expert meetings and also meetings of the Troika. She also indicated that Internet consultations have been on going and their outcome would be presented at the end of April. Meanwhile, the second phase of the consultations, which will span out until the Summit would be dedicated to the drafting of the strategy and further engagement with other institutional actors. There would also be possibilities to react on the basis of the outline and to have other events organized before the Summit. The third phase will consisting of monitoring of the Joint EU-AU Strategy and believes the civil society community can do a number of things in this regard, such as direct lobbying, participation in internet consultation, networking and building common positions. She added that, for civil society to be effective in this process, they need to prioritize key issues rather than present a shopping list.

28.   She concluded by posing some questions that should be addressed by participants to be able to better understand the content of the process and to influence it. The questions include: how to link the public consultation to the institutional negotiation? How to link up the European and African consultation processes? What are the missing elements in the present EU-Africa relations? And how civil society can be an actor in the Joint Strategy?

29.   On his part, the Principal Coordinator of CIDO, Dr. Jinmi Adisa gave a brief background to the origins of the negotiations of the AU-EU Strategy. He said the process could be traced back to the development, by the continent's European partners of an EU Strategy for Africa. The AU later impressed on the EU that an EU strategy for Africa could not be adopted as a Joint Strategy and that there was need for the two parties to engage in some negotiations to produce a Joint Strategy, hence, the commencement of negotiations between the two institutions for the development of a new joint strategy.

30.   He then proceeded to identify three main objectives that the Accra consultation seeks to achieve, namely: to appraise the African civil society community on the progress so far made in

the joint strategy process; to collect and collate initial civil society inputs on the substance of the joint strategy, such as shared vision, peace and security, governance, trade and economic integration, as well as development issues; and, to agree on the follow up of the consultation process up to the Lisbon Summit.

31.   In the ensuing discussions, some participants suggested the need to deepen the discussion beyond simply crafting an AU-EU Strategy, to a broader objective of evolving a comprehensive AU Development Strategy, which could then be fed into Africa's engagement with various regions and external actors, including Europe. Concerns were also expressed over the practice whereby every region of the world is preoccupied with developing a plan for Africa, with Africa always being at the receiving end. While appreciating the importance of the envisaged partnership with Europe, some participants observed that the framework document for engagement reads like what EU wants to do for Africa and not a partnership document.

32.   Some participants also felt that there were conceptual problems with the so-called joint strategy, insisting that discussion of technical issues should be preceded by a wider political discussion. Some delegates also questioned the Internet consultations, which they perceived as elitist given the difficulty in accessing the Internet by most Africans. They also joint issues with the character of the relationship between the EU and Africa, arguing that that the envisaged new joint strategy appears to be anchored on inequality instead of inequality. They suggested that for Africa's relationship with Europe to be useful, it must be based on values that are universal, adding that most of the difficulties facing Africa today derive from political injustices, ranging from slave trade, colonialism to Africa's indebtedness.

33.   Participants also questioned the role of the ECDPM in the consultation given that some of the discussion documents for the Accra Meeting appear to have been produced by ECDPM and not by AU-CIDO. It was felt that African CSOs ought to have been given the opportunity to produce similar documents endorsed by the AU to match those produced for Europe by the ECDPM. These participants recommended the commissioning of African issue papers. Fears were also expressed regarding the multiple plans that are being crafted in the name of the continent, e.g. NEPAD, APRM and MDGs, thus creating confusion about the destination of the continent. In this regard, participants wanted to know the relationship between existing processes and strategies for the development of the continent and the AU-EU Joint Strategy.

CLUSTER I: SHARED VISION AND UPDATE ON STATE OF NEGOTIATION

34.   This item was introduced by the Chair of the Cluster session, Professor Bayo Olukoshi, who began by elaborating the historical connection between Africa and Europe. He stated that a certain unilinear sense of vision has pre-dominated the relations between Africa and Europe and that vision is often subordinated to external concerns or values or translated into mimicry to be relevant. He observed that there is excessive deployment of conditionality in the base documents presented by ECDPM, adding that Africa must be co-definers of the conditionality as there is no basis for Africa to accept conditions that are pre-determined by others as pre-conditions for partnerships. Olukoshi maintains that the principle of reciprocal accountability must underpin any kind of partnership, noting that accountability is too much of a one-way traffic; hence Africa cannot hold its partners accountable in the event of any default on their partnership commitments. He believes that certain basic historical facts and principles must be spelt out to serve as a basis for the exploration of cooperation, namely:

- That Europe's relations with Africa have never been based on altruism but on the pursuit of clearly defined interests corresponding ultimately to the requirements of securing the welfare of its peoples and that Africa has always been the worsted partner in previous relationships with Europe;

- That in formulating a new African-Europe partnership, priority concerns should be set by Africans based on a reading of their key developmental needs and concerns;

- That the proposed new partnership must be constructed on the principle of reciprocal accountability in which the latter would be as accountable as the former, noting that the one-sided structure and culture of accountability in the past explains the high authoritarian nature of the donor-recipient relationship.

35.   He believes key issues for Africa-Europe partnership should include the following:

- The question of migration and the drain of talent from Africa;

- The strengthening and re-orientation of the institutional mechanisms of the African Union Commission to enable it monitor and evaluate the joint cooperation between Africa and Europe;

- The question of injustices of slave trade and colonialism, both of which have not been adequately addressed. Europe must acknowledge its responsibility in this regard tabling an apology and paying reparations;

- The governance of the international development architecture, including the international financial institutions, such as IMF, World Bank, WTO, the UN family of organizations and transnational corporations and the disproportionate ways in which their activities and powers impact on
- Africa.

36.   Speaking on this agenda item, the AU representative observed that the process of transforming the EU Strategy for Africa from a European framework for engaging with Africa into a "Joint Strategy" must begin with a "shared vision". He defined a shared vision to mean an inspiration that gives perspective to any undertaking and establishes a common understanding of goals, means and end, as well as embrace elements of convergence and recognize divergence. Adisa posited that a shared vision must be informed by a history of the past, the present and aspirations for the future, as well as offer benefits to all parties while limiting or minimizing differences.

37.   He reminded participants that the development of a new shared vision within the context of AU-EU Strategy cannot begin on a clean slate as there are previous strategies developed by the EU to anchor cooperation with Africa. Under some of these texts, the European vision for cooperation with Africa is spelled out in the following words: "Europe and Africa are bound together by history, by geography and by a shared vision of a peaceful, democratic and prosperous future for all their peoples". He believes this vision places too much emphasis and premium on political elements.

38.   He further stated that the EU documents distributed to participants as working papers recognized the need for partnership with the AU, NEPAD and other African partners respecting the principles of African ownership and the importance of working closely with Africans at multilateral fora. The documents also acknowledged the need to build on the Cairo Summit and the need to hold a second AU-EU Summit in Lisbon. Adisa however, expressed regrets that some aspects of the documents remain Euro-centric as they vest the right to review and monitor the process on European institutions, adding that the objective of a Joint Strategy cannot be the validation of the existing EU Strategy for Africa but to come up with a new and truly joint strategy that reflects the merged aspirations of both sides.

39.   Elaborating on the elements of the proposed partnership, Adisa stated that they must be based on history, geography and previous dialogues, as well as the new geo-political context prevailing between Africa and EU, particularly the emergence of the African Union. Consequently, African inputs for the shared vision must include the following: partnership

based on mutual respect, common interests, shared purpose, genuine co-ownership and the concept of Africa as one monolithic bloc, as well as reconcile Africa's developmental needs with Europe's focus for respect for democracy, human rights, governance and peace and security.

40.   After the ensuing debate on shared vision, participants agreed that the following considerations should underpin any joint strategy or partnership with Europe:

1. Africa must conduct its partnership with Europe within the context of unity and reject the existing multi-track approach through which Europe pursues a three-tier relationship with Africa as a region. The three tiers consist of sub-Saharan African countries grouped under the Cotonou Agreement; the Euro-Mediterranean Partnership targeted at the countries of North Africa and built into the new European Neighbourhood Policy; and, the Trade and Development Cooperation Agreement with South Africa. Participants believe that this approach carries serious problems of differential treatments for the continent;

2. Africa's priority in any partnership should be focused on the socio-economic development of its people rather than the civil and political issues of governance, democracy and human rights that have underpinned past relationships with Europe. It was noted that issues that ought to be on Africa's top priority list were consigned and lumped together under the Cluster titled "Key Development Issues", which participants referred to as the "dustbin category". Consequently, it was proposed that this Cluster should be broken up or unraveled, while the priorities are re-organized;

3. That the work of RECs and various Ministerial Conferences on the five issue areas should be collated to form the base document for the consultations;

4. Africa and the EU should move away from a fragmented relationship and forge a continent-to-continent relationship. Existing legal frameworks and instruments should be adapted accordingly, while Pan African dimensions should be integrated in all themes and at all levels of the AU-EU partnership. The Africa civil society community should be involved in the monitoring of implementation of the Joint Strategy;

Recommendations

41.   At the discussion on shared vision, the following recommendations were made on both the process and substance of the AU-EU Joint Strategy:

Process

42.   The participants agreed that there is a wide range of opportunities and issues inherent in engaging with Europe. However, they firmly believe that an enduring partnership must place equal emphasis on process and substance. On process, the Consultation decided that a Joint Africa-Europe Strategy must be one of equal partnership, mutual respect and mutual accountability. Europe must be prepared to change the current mode of interaction with Africa in which it behaves as a senior partner. On its part, Africa needs to unlearn many things, including the syndromes of dependency that have developed over the years in order to play its role as a full and equal partner with Europe. Accordingly, Africa and Europe should strive to develop the continent, living side by side in peace, security, dignity and prosperity.

Substance

43.   The participants also noted with concern that the issue of shared vision cannot be discussed outside the frameworks that already exist in the continent that captures the essence of Africa. They resolved to recommend the following seven priority areas to the African Union as the centrepiece of the prospects of the continent's development and which should underpin

any joint strategy or partnership with Europe, these priorities are:

- Pro-development policy for social equity and economic development;

- Satisfaction of basic needs should be the anchor of any socio-economic policies for human welfare;

- The values of democracy, rule of law, social justice, participation and citizenship;

- Strengthening of public institutions and services;

- Regional integration and continental unity as pillars of the partnership arrangements. In this area, particular attention must be given to the indivisibility of Africa;

- The need for adequate infrastructure; and,

- The requirement of balanced integration into the world economy encompassing trade, labour movements and investments.

CLUSTER II: PEACE AND SECURITY

44.   Introducing this Cluster, Desire Assogbavi and Admore Kambudzi, noted that peace and security did not feature in discussions between Europe and Africa until the 1990s. Since then, it has become a recurring theme and the main areas of focus in recent times are Darfur, Sudan and Somalia. They believed the resolution of these conflicts and the attendant humanitarian crises would foster sustainable peace in the continent. The Speakers also stated that the principle of "the Responsibility to Protect" should govern discussions on peace and security between AU and EU and this entails prevention and management of conflicts, as well as peace-building and Post Conflict Reconstruction and Development (PCRD). They maintained that the AU and EU must agree to effectively assume responsibility to protect populations threatened by genocide, war crimes, ethnic cleansing and crimes against humanity.

45.   The presenters identified the main challenges in the area of peace and security in Africa to include:

- The need for Africans to own their peace-making and peace support operations by providing lead financial, technical and logistical support for peace efforts in the continent;

- Need for AU Member States and civil society to address the root causes of disruptive and violent conflicts beyond the current focus on management and resolution;

- Need to factor grass-roots participation in conflict prevention through beneficial participatory development in the socio-economic process; and,

- Need for training of personnel servicing peace and security organs in at the AU and in the RECs.

46.   Participants also spelled out a set of principles to guide Africa's quest for partnership with Europe, these include:

- The principle of indivisibility of peace and security as conflict in one part of Africa has spill-over effects in other parts;

- A demand for an apology and payment of reparation for past injustices by Europe on Africa, such as slave trade; and,

- The adoption of Micro-economic and social policies favourable to peace and security in Africa.

Situation Report on Major African Conflicts

Sudan (Darfur)

47.	Participants were informed that 7,763 troops and civilian personnel have so been deployed in Darfur as part of the African Mission in the Sudan (AMIS). So far the AU and UN are engaged in talks on UN support to AMIS in three phases; light support package; heavy support package; and hybrid operation, which will entail a joint AU/UN operation. The Sudanese government has already expressed reservations on the hybrid operation, so the stakeholders are still consulting on it. The Darfur mission is currently facing enormous constraints related to funding and logistics to the extent that some troop contributing countries have threatened to withdraw their forces.

Somalia

48.	On the peace support operations in Somalia, it was indicated that the AU has recently deployed a mission of 1,700 men to the country known as AMISOM under the mandate of the UN Security Council. Uganda is the lead troop contributing country for this operation, countries such as Burundi, Ghana, Malawi and Nigeria have promised to send forces. Meanwhile, the EU and the United States are providing funding support for AMISOM, while Algeria is providing logistical support.

Recommendations

49.	In order to enhance the continent's peace and security agenda under the AU-EU Joint Strategy, the participants noted the indivisibility of peace and security and its linkage to development and resolved to recommend the following:

- The AU-EU Joint Strategy should develop a sustainable, predictable and continent-based funding mechanism to support conflict management and resolution. This would reduce dependence on previous ad hoc funding arrangements and engender a true partnership. In the interim, Europe's support for peace support operations in the continent must embrace the spirit of partnership and should not involve conditionality;

- Post conflict management must focus on the plight of women and children, while peace negotiation processes must include women;

- The Joint Strategy must place equal emphasis on conflict resolution and management, as well as post conflict reconstruction and development. The critical challenge that Africa faces in this area is the phenomena of return wars because of the lack of continuum for conflict management to development;

- Africa should insist that the EU takes a strong stance on controlling international arms transfers to prevent the escalation of future conflicts as a major component of this joint strategy;

- Negotiations on International Arms Treaty should fully reflect existing standards of international human rights and humanitarian law. It must also focus on the regulation of arms transfer originating from Europe;

- The Joint Strategy should also emphasize the role of faith-based groups, women and youths in Africa's peace processes in order to promote tolerance and foster inter-religious understanding;

- The Africa-Europe Joint Strategy must recognize and limit unhelpful external interventions to avert the recurring cases of proxy wars. It should also reject unilateral external intervention in African conflicts, while insisting that interventions must be on the basis of UN or AU authorization;

- The Strategy must contain provisions to address impunity. In this regard, Africa's legal and judicial systems should be strengthened to be able to deal or try perpetrators of impunity in Africa and not at some foreign venue;

- The obligation for joint pursuit and prosecution of mercenaries must be entrenched in the propose AU-EU Strategy;

- The Strategy must emphasize the fair treatment of African refugees outside the continent. On-going negotiations between Africa and Europe on migration in the aftermath of the recent Africa-Europe Summit on Migration in Tripoli, Libya and the unresolved issues within this framework must take this into account;

- The Strategy on peace and security must reflect and emphasize the need for multi-nationals of European origin to observe and comply with international standards and best practices of corporate and social responsibility when operating on the African continent; and,

- The Strategy must also emphasize and support a holistic conflict early warning and early response system in Africa involving state and non-state actors.

CLUSTER III: GOVERNANCE AND HUMAN RIGHTS

50.   This item was introduced by the Chair of the Cluster, Mr. Akere Muna, who drawing on the concept of national integrity system highlighted the pillars of governance to include: the Legislature, Executive, Judiciary, Auditor-General, Ombudsman, watchdog agency, public service, media, civil society, private sector and international actors. He stressed the high level of impunity in some African countries and therefore emphasized the centrality of mutual accountability, adding that negotiations on any partnership must be based on existing and relevant African documents, such as the African Charter on Corruption.

51   The first speaker on the Governance Cluster, Dr. Said Adejumobi, interrogated the EU Strategy paper on good governance and democracy. He argued that a nuanced perspective to governance should not be accepted and that the tenet of governance must transcend the political domain to economic governance. He believes the form of democracy to be practiced, the bifurcation or division of human rights between civil, political, social and economic rights and the prior setting of priorities and agenda inherent in the new liberal hegemonic strategy require interrogation and deconstruction. While admitting that governance reforms are required in Africa, Dr. Adejumobi stated that this should be set within the context of national and regional interests, priorities and agenda.

52.   He also stressed the centrality of governance as a vital process of achieving peace, stability, security and sustainable development in Africa. He believes that the documents titled "The EU and Africa: Towards a Strategic Partnership" and "Governance in the European Consensus on Development", encapsulate Europe's vision for Africa which is essentially to promote adherence to human rights, democratic principles and the rule of law, as well as effective and well governed states with strong efficient institutions. He identified six policy priorities for the EU:

- Respect for human rights and the rule of law including the rights of women, children and vulnerable groups, as well as helping to end impunity in Africa;

- The fight against corruption, human trafficking, illegal drugs and organized crime;

- Support for good governance at the country level and capacity development for the AU and the RECs;

- Support for Africa's efforts to improve governance through the APRM; and,

- Designing a monitoring guideline and producing a governance profile through which the progress on governance in African countries is to be tracked by the AU.

53.   While commending the governance priorities, Dr. Adejumobi raised several issues of concern including the narrow focus on the rights regime which deprioritises economic and social rights; the skewed discourse on capacity building; the one-sided approach to the fight against corruption; and the paternalism and conditionality of the EU framework for and monitoring progress on governance. He maintained that good governance is defined by three key elements: democracy; shared vision and ownership, adding that the context of governance in Africa is repudiated by the following factors: the little space of maneuver in the design of macro-economic policies; the prevalence of neo-liberal economic policies and the uni-lineal view of democracy.

54.   He finalized his presentation by proposing concrete priority areas as enshrined in the AU's Constitutive Act, the NEPAD Document, the African Charter on Elections, Human Rights and Democracy, the Treaties, and Protocols of the RECs in relation to governance and democracy and the African Charter on Human Peoples' Rights and its associated supplements. These include:

- Emphasis on national initiative and ownership in the formulation and implementation of national economic policies and economic governance;

- Strengthening of governance and oversight institutions;

- Respect for and promotion of civil, political, social and economic rights, with particular emphasis on level playing field for women to participate in politics;

- Popular participation in governance and promotion of constitutionalism.

55.   The second speaker, Mrs. Katy Cisse Wone, complemented Dr. Adejumobi's presentation by giving practical examples illustrating the need to share responsibility for Africa's governance problems, unwritten conditionality, monitoring and evaluation of aid by external stakeholders. She emphasized the importance for Africa to define its own strategic framework on the basis of which it could engage with external partners including Europe.

56.   Building on the points made by previous speakers, Mr. Abdul Kouroma of the AUC provided updates on key issues and state of negotiations. He indicated that the intention of the consultation is to enrich the negotiations between the AU and its European partners. His presentations focused on 4 aspects:

- Corruption: he noted the progress made in the fight against corruption and commended the adoption of a Declaration on Anti-Corruption in March 2007 in South Africa by the African Forum on the Fight Against Corruption;

- Illicitly acquired funds and gains: Europeans partners agree in principle on the repatriation of illicitly acquired funds but there is no formal agreement on the modalities for repatriation. The same applies to the return of artifacts held in Europe, noting that there has been difficulty securing funding to carry out an inventory of the existing stocks;

- Double-standards: Europeans partners have tended to be most vociferous on human rights violations in Africa but have been very silent when it concerns violations in Europe;

- Migration: African migrants endure a lot of hardship making the issue of migration a very sensitive aspect of the negotiations.

Recommendations

57.   In their contributions, participants noted that governance, both as a process and outcome, should be seen as permanent work in progress confronting every country. They believed that no region of the world can claim a monopoly of goodness hence the Joint Strategy should be anchored on a desire to improve and deepen governance both in Africa and Europe.

- The AU-EU Strategy should emphasize need for aid inflow to Africa from Europe and its governance to be jointly managed by AUC and EUC representatives on the basis of equality and should be directed towards the African private and productive sectors in order to guarantee economic development and sustainability;

- Promotion of the effectiveness of constitutionalism and popular participation in governance;

- Recognition and involvement of the African Diaspora in the development agenda of the continent as it constitutes a huge resource of finance and human capital;

- The Joint Strategy should emphasize Africa's own identity, culture, values, dignity, pride, traditions and principles, as well as existing instruments and frameworks such as the African Charter for Popular Participation;

- The need for the AU to reinforce its follow-up mechanisms on implementation, monitoring and evaluation. The involvement of the AU in too many agenda may invariably lead to poor follow-up;

- The AU should also prioritize its engagement with other regions of the world and ensure that it does not embrace too many multi-lateral partnerships. It should also ensure that no region outside Africa can dictate the pattern and structure of such partnerships;

- There is need for Africans and, in particular, the African civil society community to engage with Europe's governance initiative for Africa in order to ensure appropriate policy decisions. In this regard, it would be useful to have a specific civil society consultation or seminar to provide policy support for the AU-EU Strategy for Africa and preparations for the Lisbon Summit. This should involve an in-depth discussion of its relevance and utility, and how the programming of the three billion euros will be done paying particular attention to the need for allocating some of this money to the AU governance agenda. In particular, there is need to avoid any notion of conditionality and to emphasize Europe support for the APRM;

- Once the programming exercise are completed by the end of 2007, an evaluation meeting at the continental level involving civil society should be organized to assess its coherence and harmony with the AU governance agenda. A high-level political dialogue on the EC support to governance is a necessity. It is of paramount importance to discuss the "governance of aid."

- The key principles of EC support to governance should be fully discussed in the framework of the Joint Strategy. This calls for a real dialogue based on a real partnership;

- Need to strengthen and revitalize public institutions as a key to good governance;

- Participants further called on the AU and EU to use the existing youth-led developments, such as the Pan African Youth Leadership Summit and Euro-African Youth Leadership Programme, as an immediate strategy for acknowledging the role of youth in governance;

- The priorities of the AU and EU on governance must be widely publicized at local, national and continental levels. A continental press corps may be established to disseminate information on this issue;

CLUSTER IV: REGIONAL INTEGRATION AND TRADE

58.   This Cluster was chaired by Lucia Quachey who observed that trade and regional integration in Africa are being impeded by restrictions on movement of persons and goods, as well as lack of a common currency and infrastructural facilities, especially the trans-African Highway that has been on the drawing board for too long. She urged participants to explore how the developing AU-EU Strategy could significantly impact on Africa's quest for accelerated regional integration and trade.

59.   In his presentation, Dr. Tettei noted that the central issue on trade and regional integration for the AU-EU Strategy are the Economic Partnership Agreements (EPAs) currently being negotiated between the various regions of Africa and Europe, which once concluded, will structure the trade relationship between the two parties for decades. He believes the EPAs will make irrelevant whatever outcomes on trade and regional integration that the leaders of Africa and Europe may adopt in November 2007.

60.   He noted that while the Africa-Europe Summit is scheduled for November 2007, the various regions of Africa are being pressured to complete the EPAs by December 2007. Dr. Tettei believes this is against the avowed position of many African governments and regions, as well as objective studies conducted by the UNECA, which clearly indicate that these regions are not in a position to conclude EPAs that are beneficial to their development by December 2007. To avoid trading off Africa's future, Dr. Tettei called on African leaders to resist the pressure to conclude the EPAs by December 2007 and to insist on the extension of the deadline by at least three years. He also urged them to use the period of extension to carry out independent assessment of the impact of the EPAs on their economies, especially the different sectors and social constituencies.

61.   He expressed support for civil society organizations in both Africa and Europe who are demanding the replacement of the EPAs as currently designed and negotiated with a different Africa-Europe trade relation that is based on the principle of non-reciprocity as instituted in the Generalized System of Preferences and Special and Differential Treatment in the WTO. The envisaged trade relations with Europe must also protect ACP producers' domestic and regional markets; exclude the pressure for trade and investment liberalization; and, be founded on respect for ACP countries' rights to formulate and pursue their own development strategies.

62.   In addition, Dr. Tettei called for the unconditional exclusion of the Singapore Issues of Investment, Competition Policy and Government Procurement from any agreement with the European Union, adding that there must not be services or intellectual property liberalization in the EPA, as they are sufficiently addressed in the WTO. He urged African leaders to reject any reciprocal removal of tariff with the European Union, while market access should be based on an enhanced GSP, which protects the current market access arrangements of African countries in the EU. He commended the position taken by African Ministers of Trade and advised that their position should be the basis for any AU-EU negotiation.

63.   In his contribution, Lamine Ndiaye observed that in 2006, over 100 developing countries engaged in over 67 bilateral or regional trade negotiations, while 60 signed bilateral investment treaties. He also noted that over 250 regional and bilateral trade agreements now govern 30 percent of world trade, while an average of two bilateral investment treaties have been concluded every week in the last 10 years. Elaborating further, Ndiaye stated that Free Trade Agreements (FTAs) pose a deep threat to multilateralism and the core values of the WTO, as well as contradict the Most Favoured Nation (MFN) principle, a cornerstone of the multilateral trading system. He believes FTAs create a maze of overlapping arrangements, resulting in substantial trade diversion as countries discriminate against efficient, low-cost suppliers from within the trading bloc. It further increases cost as each agreement has its own rules of origin, tariff schedules and periods of implementation.

64.   Ndiaye observed that African countries are lured into entering new agreements with the expectation of increased Foreign Direct Investment (FDI) and noted that there is no empirical evidence that this is the case. He cited the case of Brazil, which is one of the world's largest recipients of FDI but has never ratified any bilateral investment agreement. Ndiaye noted that though African countries have so far signed over 1000 bilateral investment agreements, they have only received 4 percent of global FDI.

65.   He believes regional integration is a central plank of the Cotonou Agreement and a key part of the development strategies of African countries as it promotes the pooling of resources, the expansion of markets, increased trade and investment, as well as greater diversification and value addition. He maintained that the opening of regional markets before they are consolidated will undermine rather than reinforce current regional efforts and therefore urged African leaders not to rush into signing trade treaties, adding that if AU-EU trade arrangements are to serve development, a careful assessment of their impacts must be conducted.

66.   Following the presentations, various participants made comments and raised similar questions and concerns as those of the previous presenters. In particular, Hassan Sunmonu reiterated that the EPAs are a barrier to Africa's economic integration and confirmed that the Organization of African Trade Union, which he chairs, is fully mobilized to prevent governments from signing EPAs. On his part, Mr. Pamacheche of AU Economic Department stated that unless Africa defines its roadmap on trade, it would continue to be at the mercy of Europe-driven EPAs, adding that EPA negotiations should be the reference points to regional integration, which must be aligned to the AU-EU Strategy. He however assuage the fears of participants by informing them that African Heads of State and Government have already approved the extension of the timelines for the conclusion of the EPAs.

Recommendations

67.   After examination of this item, the following recommendations were made:

- African States should resist the pressure by the EU to sign the EPAs by the end of December 2007 and insist that the deadline for the conclusion of the negotiation be extended by at least three years.

- The AU-EU Strategy should facilitate the harmonization of Africa's social and monetary policy without dependence on the European system;

- That the period of extension should be used by African governments to conduct independent impact assessment on EPAs;

- No reciprocal removal of tariffs should be accepted until the full attainment of development benchmarks and Africa must insist on its right to use tariffs, subsidies and other measures in support of industrial policy and to modify them as their economies develop;

- Essential public services such as education, health, water and sanitation should be excluded from liberalization commitments, African governments must reserve to themselves the sovereign right to effectively regulate the entry of foreign investors in service sectors in the public interest;

- Ensure mechanisms for extensive participation of all stakeholders in the negotiation process, with full disclosure of information to the public. In addition, the AU should catalogue all existing agreements and their ratification status;

- Called on African governments to insist on their right to impose capital controls on foreign investment and performance requirements that encourage joint ventures, technology transfer and local sourcing, as well as incentives to improve labour practices and build the capacity of local investors to compete with foreign counterparts;

- Include in the Joint Strategy enforceable commitments by governments to protect and promote core labour standards, as set down in the ILO Declaration on Fundamental Principles and Rights at Work and commitments to progressively extend this to cover workers, particularly women in precarious employment, as well as address gender disparities in salaries and provide equal opportunities at work;

- Exclude agricultural tariff lines from negotiations as liberalization in this regard would undermine food security and rural livelihoods;

- Called for the fast-tracking of Africa's economic integration and increase in inter-African trade, in particular, accelerated regional integration at the level of the RECs should be emphasized;

- The EU should support the harmonization of the RECs as building blocs for integration;

- The Consultation also called on the EU to support the development of productive capacity of the African people.

CLUSTER V: KEY DEVELOPMENT ISSUES

68.   Mr. Pamacheche from the AUC opened the discussion on development by presenting an overview of key development issues considered in the on-going negotiations for AU-EU Joint Strategy. Principal amongst which are education, health, gender, youth and children, energy and water, transport, information society and media, science and technology, employment and decent work, food security and agriculture, environment and climate change, migration, aid effectiveness and debt cancellation.

69.   In terms of prioritization of issues, Pamacheche indicated that there was an initial agreement on the following: MDGs, climate change and migration, as well as science and technology, noting however that Africa proposed other priority areas such as increased aid, debt cancellation, decent work, dumping of toxic waste and development of nuclear energy for

development.

70.   On his part, Mr. Hassan Sunmonu, chair of the Cluster, re-echoed the key points highlighted by Pamacheche and reiterated that Education is a basic right, which must be available and accessible to all. He also identified the need to develop the railways and curbing of brain drain as some other priority areas. Other issues highlighted by participants are:

- That the Development Cluster was the least integrated in terms of how issues were knitted together, noting that the Cluster looks like some kind of a laundry list;

- That emphasis should be on higher education and discarded the view that only primary and vocational education were good for Africa;

- Identified the revival of production as being the most immediate strategy for the creation of employment;

- The need for the revival of regional and national planning processes/mechanisms that will set targets and restore the social contract;

- Participants also rejected the idea that Africa would be the first continent to develop through market forces;

- Need for integrated transportation system both nationally and regionally, as well as a rethink of Africa's aviation policy;

- Participants also recognized that there is an interconnection between social policy and economic development, noting that the Breton Woods Institutions emphasis in the 1980s on controlling inflation and cutting down on state structures resulted in the neglect of social development. They insisted that social development must be the foundation of economic development.

Recommendations

71.   After examination of this item, it was recommended as follows:

- African States should resist the pressure by the EU to sign the EPAs by the end of December 2007 and insist that the deadline for the conclusion of the negotiation be extended by at least three years.

- The AU-EU Strategy should facilitate the harmonization of Africa's social and monetary policy without dependence on the European system;

- The period of extension should be used by African governments to conduct independent impact assessment on EPAs;

- No reciprocal removal of tariffs should be accepted until the full attainment of development benchmarks and Africa must insist on its right to use tariffs, subsidies and other measures in support of industrial policy and to modify them as their economies develop;

- Essential public services such as education, health, water and sanitation should be excluded from liberalization commitments and African governments must reserve to themselves the sovereign right to effectively regulate the entry of foreign investors in service sectors in the public interest;

- Ensure mechanisms for extensive participation of all stakeholders in the negotiation process, with full disclosure of information to the public. In addition, the AU should catalogue all existing agreements and their ratification status;

- The Strategy should support respect for women's rights and initiatives aimed at promoting gender equality as enshrined in the AU Protocol on women's rights and gender equality. It should also emphasize the need to mainstream gender in all key areas of development and ensure the effective implementation of all commitments made previous on the gender issue;

- African governments should insist on their right to impose capital controls on foreign investment and performance requirements that encourage joint ventures, technology transfer, and local sourcing, as well as incentives to improve labour practices;

- Include enforceable commitments by governments to protect and promote core labour standards as set down in the ILO Declaration on Fundamental Principles and Rights at Work and commitments to progressively extend this to cover workers, particularly women in precarious employment;

- Exclude agricultural tariff lines from negotiations as liberalization in this regard would undermine food security and rural livelihoods;

- Called for the fast tracking of Africa's economic integration and increase in inter-African trade, in particular accelerated regional integration at the level of the RECs should be emphasized. The EU should also support the harmonization of the RECs as building blocs for integration;

- The Consultation also called on the EU to support the development of productive capacity of the African people.

VI.   FOLLOW-UP ISSUES AND NEXT STEP

72.   At the end of deliberations, the participants agreed that the African CSOs Consultations should not be a one-off affair. There should be follow-up consultations and urged CIDO to ensure that it liaises with appropriate organs of the AU to facilitate this process in the build up to the AU-EU Summit in Lisbon, Portugal.

73.   The forum also agreed on a number of decisions and follow-up processes, which included the following:

- That a limited number of representatives of the African civil society community should participate in the forthcoming European civil society consultation in Bonn, Germany, in April 2007. The Forum recommended that the AU, through CIDO, should facilitate the participation of these representatives;

- The Forum identified CODESRIA as its anchor for this process of developing an AU-EU Joint Strategy. CODESRIA should work with CIDO to ensure and facilitate CSO input and effective participation and follow-up on the process;

- There is also need for civil society organizations that can organize independent consultations to feed into this process. The AU should be invited to such consultations as well as assist facilitate the effective operationalization of its conclusions;

- In addition, an AU – Civil Society Review Consultation should be held in August 2007 to provide updates and facilitate effective African participation in the inter-continental civil society consultation in September 2007;

- The Forum expressed concern about certain aspects of the on-going negotiations and underlined some issues that require attention. One of these is the compressed and hurried time frame of January-November 2007. The Forum urged that the time-frame be extended to ensure effective participation and result-oriented outcome;

- Concern was also expressed about the continuation of multiple processes with timelines that would precede that of the Joint Strategy and would eventually undermine it. They also noted that the European Governance Initiative for Africa has not been integrated within the context of the Joint Strategy and recommends African consultations on the process, procedure and intent to facilitate the process.

- The Forum also noted that the Cluster on Key Development Issues has been constructed in a manner that would not assist Africa's development and urged that the basket should be broken down into two or more components to reflect Africa's priorities;

- CODESRIA was assigned the responsibility of producing policy documents and issue papers to assist the African negotiation process. CSOs can also provide expert support for the process of negotiations;

- A Steering Committee was also established to work with CIDO, to ensure effective follow-up on African CSOs consultations on the AU-EU Joint Strategy. The criteria for selecting members of the Committee included considerations of expertise, geographical representation, gender balance, institutional representation, youth, ECOSOCC, local African CSOs and Diaspora. CODESRIA was chosen as the lead institution to lead the committee. The full list of CSO groups in the Committee include:

1. North Africa: TMO
2. West Africa: TWN
3. Central Africa: ALA
4. East Africa: AHA
5. Southern Africa: IFABA
6. Youth Corps
7. CODESRIA
8. Gender FEMNET
9. ECOSOCC TUU
10. Diaspora

- The Committee also defined its mandate as consisting of:

    1. Interface between CIDO and African CSOs on the AU-EU joint strategy in this regard support consultative process, engagement and commitment.
    2. Ensure dissemination of information, feedback on decisions and recommendations and follow-up.
    3. Draft roadmap and timeframe up to Lisbon.
    4. Working in consultation with the broader African CSOs to select candidates for attending consultative meetings.
    5. Interface with all stakeholders involved in the consultation including European CSOs.

CLOSING CEREMONY

74.   The closing session was chaired by Archbishop Ndungane who expressed profound appreciation to the African Union Commission for providing a unique opportunity for representatives of African civil society community to meet and reflect on-going AU-EU Joint Strategy   for   Africa.

2 Main conclusions and recommendations

Cluster I: Shared Vision

Recommendations

Process

The participants agreed that there is a wide range of opportunities and issues inherent in engaging with Europe. However, they firmly believe that an enduring partnership must place equal emphasis on process and substance. On process, the consultation decided that a joint Africa-Europe strategy must be one of equal partnership, mutual respect and mutual accountability. Europe must be prepared to change the current mode of interaction in which it is perceived and behaves like a senior partner. On its part, Africa needs to unlearn many things, including the syndromes of dependency that have developed over the years in order to play its role as a full and equal partner with Europe. Accordingly, Africa and Europe should strive for developed continents living side by side in peace, security, harmony, prosperity and dignity.

Substance

The participants noted that the issue of a shared vision cannot be discussed outside the existing frameworks that capture the essence and aspirations of Africa. Africa and the EU should move away from a fragmented relationship and enter into a continent to continent relationship. Existing legal instruments should be adapted accordingly and the an-African dimension integrated in all themes and at all levels the Africa-EU partnership. African civil society should be involved in the monitoring of the implementation of the joint Strategy. In this regard the participants resolved to recommend the following seven priority areas to African Union as the centre-piece of the prospects of the continent's development and which should be the main focus or issue areas that would underpin any joint strategy or partnership with Europe, these priorities are:

- Social development imperatives should determine the socio-economic policies to ensure social equity and economic growth;

- Basic needs should be the anchor of Africa's socio-economic development;

- The values of democracy, rule of law, social justice, participation and citizenship, particularly in relation to women, youth and the Diaspora;

- The strengthening of public institutions and service;

- Emphasis on regional integration and continental unity as pillars of the partnership arrangements. In this area, particular attention must be focused on the indivisibility of Africa.

- The need for adequate infrastructure;

- Promote gender responsive policies;

- The requirement of balanced integration into the world economy encompassing trade, labour movements and investments;

- The priorities of the AU in particular and the partnership with the EU should be publicized at different levels, local, national and continental levels. To this extent, the

media in the respective countries should be empowered to understand the issues of the AU and diseeminate accordinly;

- The necessity for the relationship to bring dividends in terms of development and prosperity for African people.

Cluster II: Peace and Security

Recommendations

In order to enhance the continent's peace and security agenda under the AU-EU Joint Strategy, the participants noted the indivisibility of peace and security and its linkage to development and resolved to recommend the following:

- Africa-EU Strategy should develop a predictable and continent-based funding mechanism to support conflict management and resolution. This would reduce dependence on partners' ad hoc precarious funding arrangements and enable a true partnership. In the interim Europe support for Africa peace support operations must embrace the spirit of partnership and should not involve conditionality;

- Post conflict management must particularly focus on the plight of women and children. The peace and regulation process must include women;

- The joint strategy must place equal emphasis on both conflict resolution and management as well as post conflict reconstruction and development. The critical challenge that Africa faces in this area is the phenomena of return wars because of the lack of continuum for conflict management to development.

- Africa should insist that the EU takes a strong stance on controlling international arms transfers to prevent the escalation of future conflicts as a major component of this joint strategy;

- Negotiations on International Arms Treaty should fully reflect existing standards of international human rights and humanitarian law. It must also focus on the regulation of arms transfer originating from the EU;

- The joint strategy should also emphasizes the role of faith-based groups, women and youth as partners in Africa's peace processes in order to promote tolerance and facilitates inter-religious understanding. Emphasis must also be placed given their hallowed positions in society;

- The Africa-Europe strategy must recognize and limit unhelpful external interventions to avert the recurring cases of proxy wars. It should also reject unilateral external intervention in African conflicts, while insisting that interventions must be on the basis of a UN or AU authorization;

- The strategy must contain provisions to address impunity. In this regard, Africa's legal and judicial systems should be strengthened to be able to deal or try perpetrators of impunity in Africa and not at some foreign venue;

- The obligation for joint pursuit and prosecution of mercenaries must be entrenched in the proposed AU-EU Strategy; and,

- The strategy must emphasize the fair treatment of African refugees outside the continent. On-going negotiations between Africa and Europe on migration in the aftermath of the recent Africa-Europe Summit on migration in Tripoli, Libya, and the unresolved issues within this framework must take this into account.

- The proposed strategy on peace and security must reflect and emphasize the need for multi-nationals of European origin to observe and comply with international best standards and practices of corporate social responsibility when operating on the Africa continent.

- The strategy should emphasize and support a holistic conflict early warning and early response system in Africa reflective of state and non-state actors involvement.

Cluster III: Governance

Conclusions

In conclusion, participants noted that governance, both as a process and outcome, should be seen as work in progress confronting both continents. They believed that both Europe and Africa continue to struggle with issues of governance and democracy. Therefore AU's engagement should be anchored on a desire to improve and deepen governance in both continents on the basis of best practices and mutual learning.

Recommendations

The consultation recommended that the joint strategy must be based on the following elements:

- Emphasis on Africa's ownership in the formulation and implementation of national economic policies-economic governance;

- The strengthening of governance and oversight institutions, as well as promotion of integrity. In this regard, the participants called on both African and European governments and regional institutions to fight impunity;

- Respect for and promotion of human, civil, political, social and economic rights, particularly equal playing field for women;

- Equal partners should be able to discuss contentious issues and engage in continuous dialogue and avoid unilateral decisions;

- Promotion of effective constitutionalism, rule of law and popular participation in governance;

- Recognition and involvement of the African Diaspora in the development agenda of the continent as it constitutes a huge resource of finance and human capital;

- Emphasis on Africa's own identity, culture, values, dignity, pride, traditions, and principles as well as existing African instruments and frameworks including the African Charter for Popular Participation and the Charter on Democracy, Elections and Governance among others;

- Need to strengthen and revitalize public institutions as a key to governance;

- The need for the AU to reinforce its follow-up mechanisms on implementation, monitoring and evaluation. They stressed that the AU should identify and focus on specific priorities in this area in order to ensure effective follow-up.

- The AU should also prioritize its engagement with other regions of the world and ensure that it does not embrace too many multi-lateral commitments. It should also ensure that no region outside Africa can dictate the pattern and structure.

- There is need for Africans and in particular the African Civil society community to engage with Europe's governance initiative for Africa in order to ensure appropriate policy decisions.

- It would be useful to have a specific civil society consultation or seminar to provide policy support for this process in the context of the AU-EU strategy for Africa and preparations for the Lisbon Summit.

- This would involve an in-depth discussion of pertinent issues and how the programming of the 3 billions euros will be done paying particular attention to the need for allocating some of this money to the AU governance agenda. In particular, there is need to avoid any notion of conditionality and to emphasize Europe support for the APRM.

- Once the programming exercise is completed by the end of the year 2006 or 2007, an evaluation meeting at the continental level , involving civil society consultation on the process, should be organised to assess its coherence and harmony with the AU governance agenda. A high level political dialogue on the EC support to governance is a necessity. It is of paramount importance to discuss the "governance of aid";

- The key principles of EC support to governance should be fully discussed in the framework of the joint strategy. This calls for a real dialogue based on a real partnership.

Cluster IV: Regional Integration and Trade

Recommendations

After examination of this item, the following recommendations were made:

- African States should resist the pressure by the EU to sign the EPAs by the end of December 2007 and insist that the deadline for the conclusion of the negotiation be extended by at least three years. In this regard, all African CSOs are enjoined to begin the mobilization of the people to join the campaign to stop EPAs;

- That the period of extension should be used by African governments to conduct independent impact assessment on EPAs;

- No reciprocal removal of tariffs should be accepted until the development benchmarks have been achieved and Africa must insist on its right to use tariffs, subsidies and other measures in support of industrial policy and to modify them as their economies develop;

- The Joint strategy should facilitate the harmonization of fiscal and monetary policies in Africa based on Africa's development agenda;

- The partnership should support African efforts in enhancing energy generation and transmission as well as continental interconnectivity, which are prerequisites for integration;

- Support the development of productive capacities of the African, domestic entrepreneurs, industry and the African people;

- Support the fast tacking of Africa's socio-economic development and eliminate barriers to intra-Africa trade;

- Promote export credit facilities to encourage export production and increase the level of manufactured African exports;

- Essential public services such as education, health, water and sanitation should be excluded from liberalization commitments, African governments must reserve to themselves the sovereign right to effectively regulate the entry of foreign investors in service sectors in the public interest;

- Ensure mechanisms for extensive participation of all stakeholders in the negotiation process, with full disclosure of information to the public. In addition, the AU should catalogue all existing agreements and their ratification status;

- Called on African governments to insist on their right to impose capital controls on foreign investment and performance requirements that encourage joint ventures, technology transfer, and local sourcing, as well as incentives to improve labour practices;

- Women issues with respect to cross border trade must be given priority. The tariffs and regulations on trade affect the mobility of women;

- Include enforceable commitments by governments to protect and promote core labour standards, as set down in the ILO Declaration on Fundamental Principles and Rights at Work, and commitments to progressively extend this to cover workers, particularly women, in precarious employment;

- Exclude agricultural tariff lines from negotiations as liberalization in this regard would undermine food security and rural livelihoods;

Cluster IV: Key Development Issues

Recommendations

- Participants recommended that the development cluster in the AU document should be unpacked and better integrated as they constitute the key priority for Africa;

- On Education, the participants urged that emphasis should be on higher education and discarded the view that was is good for Africa is primary and vocational education. Special attention should be given to the promotion of girl child education;

- The Africa-EU strategy must focus on health issues such as HIV/AIDS, malaria and tuberculosis;

- The Africa-EU Strategy should support the establishment of the African financial institutions for financing socio-economic development;

- Call on the EU to support total cancellation of Africa's external debt in order to release resources for financing development in Africa;

- Aid to Africa should be increased and quick disbursing instrument should be used. The Strategy should also emphasize the aid flow to Africa from the EU and its governance must be jointly managed by the AU Commission and the European Commission representatives on equal playing field. The adopted aid governance must reflect a conscious and deliberate effort for African private and productive sector in order to guarantee Africa's economic development and sustainability;

- On employment, participants call for the implementation of the Decent Work Agenda adopted by the Heads of State and Government in Ouagadougou in September 2004 and it should be linked with the Basic Needs Development Agenda. There is also need for the revival of production and accumulation as one of the most immediate strategies for the creation of employment. Concerns were also voiced regarding the increased informalisation of African economies. The large informal sector of Africa must be formalized through capacity building to generate more productive capacity;

- The need for the revival of regional and national planning processes and mechanisms that will set targets and restore the social contract. They also rejected the idea that Africa would be the first continent to develop through markets. Participants also emphasized the need for a change in the pattern of Africa's integration into the global economy;

- Since agricultural development is intrinsically linked to the environment, there is a need to pursue sound and prudent environmental policy in addition to an agrarian policy regimes as vital component of development;

- The AU-EU strategy should encouraged accelerated social infrastructure development;

- Need for integrated transportation system both nationally and regionally including a rethinking of Africa's aviation policy;

- Migration should be made a priority in order to address the question of brain drain, as there is a correlation between capital flight and brain drain. The issue of the Diaspora should be taken into account;

- Emphasis must be placed on the interconnection between social policy and economic development. They called on African states to emphasis development issues in the economic policy formulations and high light the need for more state intervention as basis for social and economic development;

- On the gender question, participants acknowledged the need to mainstream gender in all key areas of development;

- Participants called on AU-EU to use the existing youth led development fora such as the Pan-African youth leadership summit, Pan-EU summit, and AU-EU youth leadership program as immediate strategies for youth development.

- Agriculture was identified as a vital component of development and as such agrarian policy regime need to be strengthened.

3 African Union Commission: Discussion note on Civil Society and the Joint EU-Africa Strategy

AU- CIVIL SOCIETY CONSULTATION, ACCRA, GHANA, 26-28 March 2007

The African Union and the European Union are engaged in a dialogue process aimed at elaborating a new 'joint EU-Africa Strategy' to be adopted at the Second EU-Africa Summit which is hoped to be held in November 2007 in Lisbon. The purpose is to lay the foundations for a strengthened partnership based on a community of values and interests. Both parties agree on the need to fully associate their respective civil societies in the process of formulating the new strategy. To this end, a joint internet consultation has started in February 2007 (www.europafrica.org), to be complemented with events that allow for a direct interaction. In this context, the African Union Commission has taken the initiative to organise a first consultation of African civil society organisation in Accra from 26-28 March. This note has been prepared to facilitate this initial dialogue. It provides background information on the main elements of the Joint EU-Africa Strategy; clarifies the purpose of the meeting and proposes a set of key questions for discussion. It also invites participants to consider how civil society could be effectively involved in the next phases of the dialogue process between the AU and the EU on the joint strategy.

Context analysis

1. The EU and the AU have in the past years strengthened their relations and participated in a **structured dialogue** since the first Euro-Africa Summit in Cairo in 2000. Africa is a priority for the European Union, as reflected in the EU Strategy for Africa, a comprehensive policy framework adopted by the European Heads of State and Government in December 2005.

2. Yet the **context** surrounding EU-Africa relations has greatly **evolved** since the first EU-Africa Summit in Cairo in 2000. International relations have been shaken by the 9/11 that has brought on top of international agendas the security issue. Other policy topics have reached the top of international agendas, such as migration, environmental degradation, etc... In Africa, the birth of pan-African institutions with NEPAD followed by the African Union has allowed to enter into a legitimate and continuous dialogue at the continental level between Europe and Africa, which was not the case at the Cairo Summit yet. Furthermore, the present partnership EU-Africa has shown limitations that need to be properly assessed before starting a debate on the way forward.

3. Against this background both Unions decided to further strengthen the ties linking both continents by developing a **co-owned 'joint strategy'** which reflects the needs and aspirations of the peoples of Africa and Europe. The purpose is to agree on a new political vision and on ways and means to improve the overall effectiveness of the partnership, based on mutual respect, common interests and the principle of ownership.

4. The process of elaborating a joint strategy started in January with a first exchange between the official parties in Addis (13-14 January 2007) to be followed by a Troika experts meeting in Brussels (19-23 February 2007). Discussions focused on five inter-related themes : (i) shared vision[1]; (ii) peace and security: (iii) governance; (iv) trade and economic cooperation; and (v) key development issues[2]

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[1] 'Shared vision' is a crucial first component of the debate on the joint strategy. It raises fundamental questions on which agreement is needed such as: why is there a need for a new strategy (on top of the various existing policies)? what are the ambitions of this new strategy and what kind of product do both parties expect to come out of the process?

[2] 'Key development issues' includes a wide range of issues from infrastructure, through socio-economic issues such as health, education and migration, to debt and financial issues. Some of these have a strongly political dimension

5. Defining a new framework to structure the relations between Africa and Europe is too important a battle to be left only to generals. Hence, both parties agree on the need to involve civil society organisation from both Africa and Europe in the process of formulating the joint strategy. The African Union, through the African Citizens Directorate of its Commission (CIDO) has taken the lead in organising the participation of African civil society in the next months through various channels.

6. The AU-Civil Society meeting in Accra (26-28 March) will kick-start the broader consultation process on the joint strategy. It will bring together representatives from the various regions and categories of civil society organisations.

Objectives

7. Three main objectives are proposed for the Accra meeting:

    *(1) **Informing civil society participants on progress achieved with the joint strategy process** (i.e. what are the main outcomes so far of the dialogue?'; 'what are the areas of divergence?'; 'what are the next steps the process between the official parties?').*

    *(2) **Collecting initial civil society inputs on the substance of the joint strategy** (i.e. 'how do African civil society organisations perceive the EU-Africa partnership so far?'; 'what vision should underpin the new strategy?'; 'what are the main expectations of civil society with regard to peace and security; governance; trade and economic cooperation and the various development issues?'; 'what other topics need to be included on the agenda?').*

    *(3) **Agreeing on the follow-up of the consultation process up to the Lisbon Summit** (i.e. 'how to ensure an efficient continuation of the dialogue with civil society in the next months?'; 'how to connect the outcomes of the civil society consultations with the ongoing political talks between the two Unions on the joint strategy?').*

Key questions

8. The first session of the seminar will be dedicated to informing and updating African civil society organisations on the joint strategy process as conducted so far (see objective 1 of the meeting).

9. Then the debate between AU and civil society can start on the joint strategy (see objective 2). The consultation is conceived as an open-ended process, with no preconceived agendas or taboos. However, in order to facilitate civil society inputs into the ongoing dialogue between the two Unions, some alignment with the 5 above mentioned themes that structure the official debate may be useful (see further)

10. During the seminar it is proposed to consider four main questions:

    *(1) **What are the civil society views on the prevailing EU-Africa partnership?** This first question seeks to obtain a civil society perspective on the strengths and weaknesses of the existing EU-Africa partnership, dialogue processes, policy frameworks (e.g. the Cotonou Agreement) and practices. Such a retrospective analysis and stock-taking should help to clearly determine the possible added-value of the new 'joint strategy'.*

    *(2) **What are the expectations of civil society towards the proposed new joint strategy?** The purpose here is to obtain clarity on the civil society agenda with regard*

as well as a development aspect.

to the joint strategy. What are the main changes required at strategic and operational level? What should be the EU-Africa cooperation priorities in the years to come? How can the role of civil society (from Africa and Europe) in the partnership?

(3) What are the views of civil society with regard to the 5 main themes discussed by official parties:

- the shared vision underlying the new partnership
- peace and security issues
- governance
- trade and economic cooperation
- various key development issues

(4) What are the main 'missing topics' from a civil society perspective? This third question invites African civil society organisations to complement the official agenda on the joint strategy with topics that are of a particular interest to them[3]. These topics could be further elaborated and discussed in the months to come.

Planning the follow-up of the civil society consultation process

11. The concluding session of the seminar will consider ways and means to ensure an effective participation of civil society during the *next phases* of the joint strategy process (objective 3).

12. During the seminar participants will receive detailed information on (i) the calendar of the joint strategy process up to the Lisbon Summit (November 2007); (ii) the proposals of the AUC for future consultations with civil society on the joint strategy (including AUC financial support to the process); (iii) the dialogue events planned in Europe; (iv) the opportunities to connect the civil society consultations with the official process of defining a new strategy.

13. The expected outcome of this session is a clear *roadmap* indicating how African civil society organisations can work effectively with other relevant and important stake holders to provide inputs in the process leading to a joint strategy.

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[3] In June 2006, civil society representatives from Africa and Europe met in Vienna to discuss the EU-Africa strategy. The resulting Vienna Declaration enriches the agenda of the joint strategy with new demands shared by civil society from both sides. An example is the specific request for effective monitoring and evaluation mechanisms to assess the implementation of commitments made in the context of the EU-Africa partnership.

4 Towards an Africa-European Joint Strategy for African Development : Some General Observations from the CODESRIA Secretariat

Introductory Background:

1. Africa and Europe have relations that date back a very long time in history. Indeed, some, mostly focusing on old Egypt, date the relations back into antiquity. However, it would be fair to argue that insofar as the relations which shape the contemporary period are concerned, these can be dated to the last five hundred years. Over that period, relations between Africa and Europe underwent an immense transformation that occurred in different phases. The first phase was characterised by the European trans-Atlantic slave trade that entailed the denuding of whole regions of the African continent of their population for transfer to European-owned plantations in the Americas and the Caribbean as slave labour. Considering the numbers of people transferred from the continent, not a few historians have observed that the slave trade has been the biggest, most significant transportation of people from one part of the world to the other in the modern world system.

2. The second phase in Africa's relations with Europe was the short period between the abolition of the slave trade and the onset of colonial rule. Characterised in the conventional historical literature as the period of the "legitimate trade", it involved the unequal exchange of African raw materials for basic European consumer goods. Predicated as it was on the huge European appetite for African raw materials and a growing search for external markets, the period of the "legitimate trade" was to presage the onset of the third phase, namely, the colonial era when the sovereignty of African states and peoples was put at bay and direct European rule imposed. It was the heyday of empire and in the European imperialist project of the period, Africa was, together with India, the most prized territory for which different European powers scrambled.

3. The end of the colonial period in Africa, ushered in by the independence of The Sudan and Ghana in the second half of the 1950s and followed by many others during the decade of the 1960s ushered in the fourth phase. Variously characterised as post-colonial or neo-colonial, it is the period that characterises the present moment in Africa's history in which the achievement of independence has been and continues to be conditioned by a heavy, sometimes overarching presence and interest by the former colonial powers and new key international players, as well as the international financial institutions dominated by the leading Western countries.

Basic Historical Facts and Principles for a Meaningful Partnership:

4. Africa's contemporary relations with Europe are certainly complex enough to allow for generalisations. On the one hand, the continent's historical connections with Europe mean that Europe continues to exercise a heavy political, policy and socio-cultural influence. On the other hand, the imperatives of Africa's development mean that the continent is constantly in search of a formula for greater self-realisation, even self-determination. The tempo with which the quest for self-realisation has been pursued has fluctuated from one period to another even as the European concern to maintain a determinant role and influence has remained constant, only changing in its nuances and sophistication over time.

5. It is in this broad context that the quest for a new framework for an Africa-Europe partnership for the development of Africa needs to be viewed and certain basic historical facts and principles spelt out to serve as a basis for the exploration of cooperation. These facts and principles could be summarised as follows:

a) Europe's relations with Africa have never been based on altruism but on the pursuit of clearly defined interests corresponding ultimately to the requirements for securing the welfare of its peoples. Though bound by history and geography to Europe, Africa has been the worsted partner in the relationships forged over the last 500 years and allusions to deep historical ties should not be made as though the history in question has been innocent and neutral;

b) For too long, Africa's relations with Europe have, overall, been driven less by the pursuit of the strategic interests of the continent in part because of the vulnerability of the continents political and policy structures to external hijack. The situation has subsisted for a long time in which Europe has assumed it to be a right not only to join in deciding for Africa on various issues but also to determine or prescribe what is right and acceptable;

c) In the formulation of a new Africa-Europe partnership, the priority concerns for advancing the frontiers of development on the continent should as a matter of course be set by Africa based on a reading by Africans themselves of the key developmental needs and concerns of the peoples of the continent;

d) In the implementation of the priorities set, Africans should, incontestably, be in the drivers seat. Co-drivers, or worse still, drivers who usurp the African leadership position under whatever guise or for whatever reason cannot, in all seriousness, be considered as worthy partners. The tragedy in the history of post-independence development cooperation assistance to Africa is that all too frequently, Africans have been relegated to the position of hapless passengers as different drivers take turns at experimenting with their livelihoods;

e) The proposed new partnership between Africa and Europe would need to be constructed on a principle of reciprocal accountability in which the latter would be as accountable as the former. The practice has gone on for too long of a one-sided structure and culture of accountability that ultimately explained the highly authoritarian nature of the donor-recipient relationship.

Africa's Contemporary Development Concerns:

6. A review of the contemporary political economy of African countries will indicate a range of development concerns which could be summarised as follows:
    a) Insufficient economic growth rates which have meant that the rates of unemployment have remained very high, particularly among young school leavers, the cost of living relative to individual and household incomes has been too high for a great majority of the populace, social inequalities are growing, and poverty remains a widespread problem;

    b) A prolonged crisis in the real sectors of African economies that has translated into a combined industrial and agrarian decline, diminished capacities to produce and sell even as speculative activities in finance and real estate thrive, and deepened the structural imbalances in the economies of the countries;

    c) Problems of market access for the output of African countries, especially agricultural and manufactured commodities which are not only subject to a variety of non-tariff barriers but also undermined by the regime of subsidies put in place to secure the competitiveness of western economies;

    d) A massive drain in human resources taking the form of a prolonged brain drain and an outward migration of an increasing number of young people from the continent, many seeking to relocate themselves from what they see as the "dead-end" of the continent to "greener pastures" abroad;

    e) A massive and continuing flight of capital from the continent which not only denies the countries of the region of investible resources generated from their economies but also perpetuates a dependency on aid and the accumulation of official and private debts with all the familiar consequences;

    f) A rapid expansion of the informal sector side by side with the growth of informal urban processes which not only bring out in sharp relief, the inadequacies of the

infrastructural framework for development but also fuels domestic insecurity as criminality sinks roots;

g) Problems of political stability in a significant number of countries where the democratic quest continues to be obstructed by an admixture of socio-economic and political factors that are too many to enumerate here;

h) Extensive public administration challenges that are generally described in policy and political dialogues as problems of "good" governance but which go to the very heart of state-society relations, citizenship and legitimacy;

i) Challenges with the project of regional integration and cooperation in Africa which have made the process heavy on formal institutional structures and rituals but weak in content, dependent on external donors, and removed from the dominant policy processes of the very countries which should be cooperating on the way to integration; and

j) Difficulties with the terms of Africa's participation in the contemporary world economy, including the question of how it might manage international trade rules in its own interest, the trade relations between Africa and the European Union, the trade relations between Africa and the United States of America, and Africa's strategy in relation to Asia generally and China and India in particular.

7. These development concerns are traceable in their origins to a multiplicity of sources and they vary in their intensity from country to country. They can be clustered under seven broad categories that are central to the prospects of continental development. They are:

a) Macro-Economic Policies for Growth and Development;
b) Macro-Social Policies for Human Welfare;
c) Democracy, Participation and Citizenship;
d) Public Institutions and Service;
e) Regional Integration and Continental Unity;
f) Physical Infrastructure;
g) Balanced Integration into the World Economy encompassing trade, labour movements, and investments.

Issues for Africa-Europe Partnership:

8. It is true that there are already in existence several framework documents for cooperation between Europe and Africa. The most prominent of these is the Cotonou Accord that was the much-heralded successor to the Yaoundé and Lomé conventions. It is also true that several initiatives are being discussed to further enhance cooperation. Perhaps the most prominent –may be even significant of these is the Economic Partnership Agreement (EPA) framework being discussed with different sub-regional organisations on the continent. Various resolutions and action plans for promoting "good" governance, democracy, human rights, peace, and conflict resolution have also been adopted and pursued by the EU in its relationship with Africa. Further, commitment has been expressed in relation to the promotion of African ownership in the relationship with Europe. Substantial progress has been registered in the promotion of institutionalised exchanges between the AU Commission and the EU Commission.

9. However, a key question which African countries and the AU need to address and resolve is whether it is wise to employ some of the existing frameworks for the promotion of the relations of cooperation with Europe. Perhaps the most important of these frames are the Cotonou Partnership Agreement and the on-going EPA negotiations. It is important to pose these questions because of the many contentious consequences which they carry not only for the promotion of a relationship of equality with Europe but also the realisation of Africa's own long-term development objectives.

10. Related to the question of the existing frameworks is the multi-track approach which has been built into them and within which Europe pursues a three-tier relationship with Africa as

a region. The three tiers consist of sub-Saharan countries grouped under the Cotonou Agreement; the Euro-Mediterranean Partnership which is targeted at the countries of North Africa and built into the new European Neighbourhood Policy; and the Trade and Development Cooperation Agreement with South Africa. This three-tier approach carries serious problems of differential treatments for the continent especially as Africa itself primarily relates to Europe as a bloc and not in a differentiated way that is co-terminus with its multiple interests.

11. The main themes that have been tabled to date as the issues that are of concern to Europe in its partnership with Africa were spelt out by the Council of Ministers in December 2006 and include five broad concerns: A Shared Political Vision for Collaboration; Peace and Security; Governance, Democracy and Human Rights; Trade and Regional Integration; and Key Development Issues. While these different clusters may be broad enough as to allow Africa to integrate as many of its own concerns as possible into the negotiations, these concerns need to be carefully articulated in order to ensure that European perspectives do not predominate in the definition of the problematic an d the articulation of solutions. In this regard, it would be strategic for the AU to lazy out a set of non-negotiable principles that would guide the negotiations around the five issue-clusters; these principles would represent the foundation on which African concerns would be anchored and secured.

12. While the five issue-clusters are broad umbrellas under which many concerns can be accommodated, it is crucial to keep in mind that the priorities spelt out within the ambit of each of them, whilst being important, are not necessary all of the first order of priority either in their content or sequencing for policy action. Thus, increasing aid to meet set targets may be desirable but perhaps even more important is the stemming of capital flight. Similarly, it bears pointing out that while there might be agreement on the importance of an issue-cluster, the interpretation put on it will definitely differ in material details between the partners. Thus, an agreement on the importance of peace and security cannot be taken as agreement that terrorism, which is a big concern in Europe, is also of the same magnitude of concern in Africa.

13. The issue of migrations has emerged as a major concern in Europe, as in indeed for Africa, but for different reasons which are well-known. What has not been sufficiently tackled as a substantive agenda item is the treatment of African migrants in Europe and the many attacks to which they are subjected, whether legal or illegal, especially as European politicians pander to xenophobic publics. Considering the central importance of the Diaspora to the strategy of the AU for the development of Africa and the dignity of its peoples, this question would require to occupy a central place.

14. Linked to the question of migration is the drain of talent from Africa through out-migrations by qualified African professionals themselves but also through massive recruitment drives pursued by various European countries. A comprehensive examination of this question is required in order for a sustainable and equitable solution to be found. For example, what Europe offers in aid for the development of the African health sector can hardly ever be sufficient to compensate for the number of doctors, nurses and laboratory technologists recruited through direct visits to service the European health system. It is in the light of such developments that the entire fabric of European development assistance to Africa should be assessed for their real worth and effectiveness.

15. The monitoring and evaluation of the joint cooperation between Europe and Africa is an important task that should be undertaken as a strategic responsibility which the AU Commission would pursue on behalf of the African side. This means, in effect, the strengthening and re-orientation of the institutional mechanisms of the Commission to assume this responsibility on behalf of the continent in an overall coordinating capacity that involves other key institutional players, especially non-governmental ones, in the assessment of the quality of the partnership with Europe.

16. There are a number of important issues of history, identity and responsibility which have hung over Europe–Africa relations, flaring up occasionally to assert themselves but still largely unresolved. They include particularly the injustices of slave trade and colonialism, both of which had hugely tragic consequences that Europe has not adequately addressed. Indeed, if anything, over the last few years, attempts have been made to re-write history by seeking, as the French Parliament did in 2005, to even glorify the colonial system and deny the basic responsibility of Europe for the slave trade. It would be important to clear the historical decks in the forging of Europe-Africa relations first by Europe fully acknowledging its responsibility and tabling an apology through the AU, and, secondly, by seriously responding to the African campaign for reparation. There is no option of wishing these unhappy historical experiences away; they simply are too big to sweep under the carpet.

17. The governance of the international development architecture, including the international financial institutions, is an issue which is central to African concerns – and indeed, the prospects for the development of Africa. Surprisingly, it is an issue which has not been high up on the agenda of Africa-Europe collaboration. Considering the disproportionate ways in which the activities and powers of the IMF, the World Bank, the WTO, the UN family of organisations, transnational companies impact on Africa, it is clear that for Africa, the reform of their governance – and with it the governance of the entire international development architecture is a live concern that should be of more central concern. In this connection, it should go without saying that the treatment of the WTO and the international financial institutions as "neutral" agents in the world economy can certainly not stand as a basis for the serious re-thinking of the international development architecture.

Concluding Thought:

18. There is a whole world of challenges and opportunities in the building of Europe-Africa relations for the development of Africa. But in exploring this world, Europe in particular has to unlearn many things with regard to its mode of relating with Africa, namely that of a senior partner entitled even to determine the course which the continent of Africa should be following. There is a lot, historically and contemporaneously, in Europe-Africa development cooperation that is both authoritarian and short on accountability. Africa too needs to unlearn many things, including the syndromes of dependency that have developed over the years, in order to play its role as a full and equal partner with Europe in deed and as a matter of principle.

5 African Union Commission: Working paper on shared vision for AU-EU strategy

The desire to transform the EU strategy for Africa from an European framework for engaging with Africa into a "joint strategy" must begin with a "shared vision". This working paper highlights the "necessary and sufficient conditions" for this exercise. It begins with a definition of the notion of a vision and the various forms that it can take. It then proceeds to analyze the foundation of this particular enterprise and establish its key components.

Defining vision

A vision is an inspiration that gives perspective to any undertaking. Its elements must include a sense of ultimate purpose, a clear destination, a political commitment to achieving this end and a set of guiding principles or roadmap that will enable actors involved in this enterprise to arrive at this destination.

Forms of vision

A vision can be driven by individual sense of direction or common purpose. Visions entailing common purpose demand that key actors involved in his enterprise must establish a common understanding of goals, means and end. This is what a shared vision entails.

Shared visions have certain general characteristics as follows:

a) It must be informed by a history of past and present relationships and aspirations for the future.
b) It must be defined in the context of dialogue and consultations that seek to provide a perspective for the future.
c) It must offer benefits to all parties while seeking to limit or minimize differences. In this regard, it must embrace elements of convergence and recognize divergence. It must be instructed by and aligned with political will and commitment.

EU Strategy For Africa

It is essential to recognize that the development of a new shared vision within the context of AU-EU strategy cannot begin on a clean slate. There is a previous AU-EU strategy developed by the European Union to anchor this cooperation. The text spells out the European vision for cooperation as follows: "Europe and Africa are bound together by history, by geography and by a shared vision of a peaceful, democratic and prosperous future for all their peoples." It then proceeds to focus on the key elements of European interest in this exercise namely: issues pertaining to peace, security, human rights and governance and sustainable economic growth, as well as regional integration and trade. The prioritization of the agenda for cooperation in this context places premium on political elements. Moreover, the agenda of cooperation for development in the latter part is focused on full integration of Africa into world trading system by pressing for a successful outcome to the Doha Round, providing increase aid for trade building on EU community commitment, Economic Partnership Agreement (EPA) with Africa's regional groupings, compliance by African countries with EU rules and standards, support for Africa in countering the effects of climate <u>change in accordance with the EU Action Plan</u> on <u>Climate change</u> and recognizing the importance of women in all our policies.

The EU documents recognize the need for partnership and highlight the need to develop the partnership with AU, NEPAD and other African partners respecting the principles of African ownership and the importance of working closely with Africans of the multilateral

fora and it also outlines a need to build on the Cairo Summit, enhance EU political dialogue and broader relationship with Africa and to hold a second EU/AU Africa Summit in Lisbon. Even so, Section 9(a) that outlines a strategy for delivering on commitments is EU centred. It provides for a review process of implementation by the European Council every two years through which European Ministers and the European Commission will oversee details of delivery and monitoring of commitment.

The context of a shared vision

In view of the above, it should be clear that the objective of a joint strategy cannot be the validation of the existing EU Strategy for Africa but to come up with a new joint strategy that can reflect the merged aspiration of both sides.

Foundation for partnership

The proposed partnership must be based on previous linkages derived from history, geography, previous dialogues, as well as the new geopolitical context prevailing between Africa and EU particularly the emergence of the African Union. In this context, emphasis should be placed on the goals of the AU especially the drive for accelerated integration of the continent and its development.

What should be the elements of the joint strategy

Elements of a joint strategy must include the proposition to improve on present cooperation arrangements and modalities through which they have evolved. Thus, it must include a review of the relationship between Africa and EU as it has developed in the past and seek to strengthen EU-Africa partnership taking into account the following considerations:

- The requirement of mutuality. The union must emphasise common interests, mutual respect, principle of ownership and shared purpose. It must in particular reconcile Africa's demand for emphasis on developmental goals and requirements with the European desire for focus on creating enabling conditions for this process through peace and security and good governance
- Agreement on process modalities and outcomes. The vision must emphasise alignment of both process and outcomes in order to strengthen synergies, constructive interaction and complementarities that would stimulate harmony in the formulation, implementation and review and monitoring processes of the cooperation arrangement.
- Organic links are required at operational and policy levels that will take into account the various interests of the two continents, their management structures and different capacities to ensure effective implementation and monitoring of related Action Plans.
- Emphasis must also be placed on a dynamic arrangement that would capitalise on quick wins to establish the necessary momentum and an accompanying spin-off and spill over effects

African inputs for the shared vision

African inputs for the shared vision must include the following:
1. A political vision of partnership that is based on mutual respect, common interests, shared purpose and genuine co-ownership.
2. The concept of Africa as one - this would imply the revision of current EU policy towards Africa that tends to fragment rather than unite the continent through the EPA approach and the singling out of South Africa as distinct entities. There is a need here to insist on the indivisibility of the AU and a regional approach towards cooperation.
3. The prioritisation of the development imperative - the European vision of cooperation emphasizes political imperatives and values. The focus of the relationship for Africa

must be on the developmental imperatives of the continent. Africa has to recognise the importance of political values in creating enabling environment for this process. Hence, a marriage of intentions must be negotiated here. This marriage must be situated in the context of using democracy for development.

4. The focus on democracy and development must highlight the requirement of peace, security and governance as universal values that would support Africa's development. However, the internalization and promotion of these values must derive legitimacy from consensual African documents such as the Declaration on Unconstitutional Changes of Government, The CSSDCA Declaration and Memorandum of Understanding, the Charter on Democracy and Governance and most importantly, the Constitutive Act of the Union.

5. Africa must also stress the need for the common understanding and shared purpose that is contained in the vision to inform the activities and design of the various clusters.

6. Finally, the vision must stress a comprehensive approach that recognises organic linkages in all segments of the cooperation arrangement and the vital inter-relationship of all aspects of society involved in the process of implementation such as governments, social and professional groups, in civil society, gender, parliament, the private sector etc and encourage all to towards development of the continent.

Vision Statement

The various considerations must inform an African vision statement that should now be discussed with the Europeans.

Proposed Vision Statement

Africa and Europe share a vision of development, peace, security and prosperity that places people in the centre of their efforts. This vision is driven by a partnership based on mutual respect, common interest and shared purpose that commits both regions to deepening regional integration as a means of achieving economic and social development. They also share a vision of advancing democracy, good governance and human rights as universal values for promoting development and strengthening cooperation in a context that respects the solidarity and indivisibility of the two continents.

6 Oxfam's Contribution on Trade, Investment and Regional Integration

I. Introduction

During 2006, more than 100 developing countries were engaged in over 67 bilateral or regional trade negotiations, and signed over 60 bilateral investment treaties. More than 250 regional and bilateral trade agreements now govern more than 30 per cent of world trade, whilst an average of two bilateral investment treaties have been agreed every week over the last ten years.[i]

FTAs (Free Trade Agreements) pose a deep threat to multilateralism and the core values of the WTO. They directly contradict the Most Favoured Nation (MFN) principle, the cornerstone of the multilateral trading system. They create a maze of overlapping arrangements, leading to substantial trade diversion as countries discriminate against efficient, low-cost suppliers outside of the trade agreement in favour of less efficient suppliers from within the trading bloc. Costs of trade further increase as each agreement has its own rules of origin, tariff schedules, and periods of implementation.

African countries are entering new agreements in the expectation that FDI (Foreign Direct Investments) will increase as a result, but there is no evidence that this is the case. Brazil, for example, is one of the world's largest recipients of FDI but has not ratified a single bilateral investment agreement.[ii] African countries have between them signed over 1000 bilateral investment treaties, but receive less than four per cent of global FDI. [iii] Making it harder for investment to boost economic development
Flows of foreign investment entering developing countries are at an all-time high, worth $334bn in 2005 alone.[iv] They are concentrated in a few industries, particularly oil and gas, telecommunications, financial services, and real estate and most FDI flows into a relatively small group of African countries.

Regional integration is a central plank of the Cotonou Agreement[v] and a key part of the development strategies of African countries. For Africa, regionalism can promote the pooling of resources, the expansion of markets, increased trade and investment, and greater diversification and value addition, and in turn reduce dependency on a small number of developed country markets. The EU has also recognised in its EPA negotiating mandate that 'economic and trade integration shall build on regional integration initiatives of ACP states'[vi] and 'shall take into account the regional integration processes within the ACP'.[vii] However, if regional markets are opened to EU imports before they have been consolidated, it will undermine, rather than reinforce, the regional efforts currently under way.

It is imperative that the EU uses the Comprehensive Review of the negotiation to seriously consider the proposals put forward by the African groupings, and to explore alternative arrangements. If EU-AU trade arrangements are to serve development, the least the negotiating parties should do is consider all options with proper assessment of their impacts, in order to be able to make the best choice. Member states need to give the Commission a clear message to conduct negotiations in a manner that fully respects the partnership and development objectives enshrined in the Cotonou Agreement.

II. Regional Integration

Given the small size of most African economies and their tendency towards dependency on a few primary commodities, regional integration among groupings of developing countries can offer these countries mutually beneficial development gains. Such trade

arrangements can promote the pooling of resources, expanded markets, increased intra-regional trade and investment, greater diversification and value addition. In turn they can reduce dependency on a small number of Northern markets and diminish vulnerability to a downturn in those markets. Moreover, in the longer term such regional projects could place countries in a stronger position to trade in higher value-added products on a more level playing field with major trading partners like the EU. African governments recognise these potential benefits, and currently a substantial majority of them are involved in varying forms of regional economic integration initiatives. **However, regional integration is still at an early stage in most regions, and opening to EU imports before regional markets have been consolidated could undermine rather than support the process.**

There are a number of reasons why advancing intra-regional integration within ACP blocs is a slow and complex process which needs to be allowed to go at its own internally-driven pace. For example, in most ACP sub-regions, adjacent states are largely confined to the production of the same limited basket of primary commodities for export outside the region. Market infrastructure and institutional frameworks tend to have an outward orientation, and the intra-regional enabling environments for trade tend to be weak. These realities add up to a lack of immediate complementarity of neighbouring states for intra-regional trade. Without first addressing these structural weaknesses in a way that leads to increased economies of scale and regional economic integration *within* developing-country negotiating blocs, there is little possibility of equitable economic exchange with an economic giant like the EU.

In order to ensure that sufficient regional integration and development occurs before liberalisation, the ESA (Eastern and Southern African countries) group has proposed to link the two. An essential clause in the ESA proposal is Article 19, 'Development Benchmarks and Review Clause', which proposes a five-yearly review of the EPA to assess whether it is indeed achieving its objectives: development (to be laid out in specified development benchmarks), and regional integration (building the ESA regional market). The ESA countries would be able to define when they would consider themselves to be ready for the next stages of market opening to the EU and would be able to postpone those stages if development or regional integration does not progress as expected.

The ESA group argues that to protect rural livelihoods and food security, as well as policy space for promoting development, at least 40 percent of products should be exempt from tariff liberalisation. Whereas the list of sensitive products that is to be proposed is a matter that still needs to be negotiated within the ESA group, ESA negotiators are suggesting informally that they are likely to propose around 40 per cent of sensitive products – based on criteria such as: "
(i)   Revenue contribution, for example to gross customs receipts;
(ii)   Importance of product/sector to the country's economy, e.g. contribution to
       employment, GDP, export earnings, food security, etc;
(iii) Potential of the product/sector to economic development;
(iv) Social, Health, Cultural and Religious reason;
(v) Environment;
(vi) Products enjoying domestic support/subsidies in the EU."[viii]

III. WTO Compatibilty

The EC's interpretation of GATT Article XXIV on free trade agreements between one developed country, or regional bloc and another party is critical for the ACP to understand the negotiating parameters of EPAs. There is no definitive answer on the interpretation of Article XXIV in terms of levels of liberalisation or on implementation periods, as no WTO panel has interpreted these rules in relation to FTAs between such unequal partners as the EU and ACP. According to the Institute for Development Studies, "the EU has stated

consistently in GATT/WTO committees that it believes the Article XXIV requirement that an FTA must cover 'substantially all' trade can be fulfilled if both parties reduce to zero tariffs on products that account for 90 percent on average of the current trade between them. It has also indicated that it believes this average figure can be achieved asymmetrically, with the EU liberalising on more than 90 percent and its partner on less."[ix] This is an extremely strict interpretation of the WTO rules that could jeopardise rural livelihoods and development.

Despite flexibilities in the WTO, the EU is insisting on its strict interpretation. The COMESA Secretariat states, that "it is expected that the divergences will emerge regarding the size of the sensitive list category, with the EC insisting that this would have to be "compatible" with the WTO rules. Although the EC is pushing developing countries very hard to open up, the EC has also indicated that it could have a sensitive list of its own, in particular, agricultural products."[x]

The EC has interpreted the 'reasonable length of time' to be 10 years, stating that it may be longer in exceptional cases.[xi] However, longer implementation periods are the norm not the exception. For example, even an FTA between developed country partners such as Australia and the US, includes up to 18-year implementation periods.[xii]

ACP countries need time to develop their domestic economies before opening up. The ESA draft, for example, proposes longer implementation periods than the EU has proposed: up to twenty-five years for finished goods, starting with a fifteen year implementation moratorium (Art. 14), as well as an unknown number of sensitive products to be exempt from liberalisation commitments (Art. 15)

IV. Splintering regional groups

The EPA negotiations are splintering existing regional alignments and forcing ACP countries to choose the body through which they will negotiate with the EU. Within each EPA regional body,[xiii] there are problems of overlapping membership. This is particularly the case in Southern and Eastern Africa, where parties to the Southern Africa Development Community (SADC) Trade Protocol have split into three groups. Sixteen of the member states of SADC and COMESA are negotiating with the EU under the banner of the Eastern and Southern Africa (ESA) Group; the Democratic Republic of Congo is negotiating in the Central African Group; while the remaining members of SADC (Southern African Customs Union members Botswana, Lesotho, Namibia, and Swaziland, together with Angola, Mozambique, and Tanzania) are negotiating a completely separate EPA in the SADC Group. In addition, the Five East Africa Community (EAC) states (Uganda, Kenya, and Tanzania, Burundi and Rwanda) are split between the SADC and ESA groupings.

This complex realignment of regional blocs and the pace of negotiations that the EU is forcing on its former colonies will create serious difficulties for the harmonisation of liberalisation schedules. Because ACP countries have different priorities regarding the sectors they wish to protect from import competition and to preserve for the generation of tariff revenues, it is possible that each member of an EPA will select different products on which to liberalise. If regional groupings are not sufficiently harmonised before an FTA is launched, the EPAs will create new barriers to intra-regional trade.

V. Regional partnerships under strain: inside or outside an EPA?

The presence of both LDC and non-LDC countries within EPA negotiating groups is also likely to produce difficulties for regional integration initiatives. Under the EBA arrangement, LDCs already have duty-free access to the European market for 'everything but arms', and therefore have little incentive to sign a further free trade agreement. In

ECOWAS, for example, 13 of the 16 member countries are LDCs. However, if these countries choose to opt out of an EPA, but continue with the ECOWAS regional integration process, they will still feel the effects of EU imports entering their markets via their non-LDC regional neighbours.

The hidden dangers that free trade agreements with the EU pose for regionalism are illustrated by the case of the Southern African Customs Union (SACU). Although South Africa is a member of SACU, it has signed a free trade agreement with the EU — the Trade, Development and Co-operation Agreement (TDCA). While the agreement did not formally include the other members of SACU — Botswana, Lesotho, Namibia, and Swaziland — it has had a clear impact on them, effectively making them *de facto* members. Because of the SACU's common external tariff, the four countries will be forced to reduce their tariffs on imports from the EU at the rate agreed by South Africa. It is estimated that this could lead to a 21 per cent decrease in their tariff revenues, with Botswana standing to lose around 10 per cent of its total national income.[xiv] Similarly, the partners in any SADC EPA would effectively be accepting the import regime that South Africa has already agreed with the EU, unless they retained robust and costly border controls to filter out EU-originating goods coming into their country via South Africa.

The clustering of LDCs and non-LDCs within negotiating blocs is likely to produce even more difficulties. LDCs already have the Everything But Arms (EBA) arrangement, which allows them to benefit from market access into the EU without reciprocating. In ECOWAS, for example, 13 out of the 16 member countries are LDCs. Yet if these countries choose to opt out of an EPA, but continue with the ECOWAS regional integration process, they will still feel the effects of EU imports coming into their markets via their non-LDC regional neighbours. This presents countries with a grave dilemma and may actually increase regional tensions rather than promoting regional integration, given the wide disparities between the costs and benefits of EPAs for different countries in the same group.

Concluding remarks and Recommendations

New investment rules in BITS (Billateral Investment treaties) and FTAs (Free trade Agreements) prevent African governments from requiring foreign companies to transfer technology, train local workers, or source inputs locally. Under such conditions, investment fails to build national linkages, create decent employment, or increase wages, and instead exacerbates inequality. The investment chapters of free trade agreements and bilateral investment treaties allow foreign investors to sue for lost profits, including anticipated future profits, if governments change regulations, even when such reforms are in the public interest.

It is in nobody's long-term interest to have a global economy that perpetuates social, economic, and environmental injustice. In order to turn the tide and put trade and investment at the service of development, Oxfam believes that trade rules, whether multilateral, regional, or bilateral, should:

- Recognise the special and differential treatment that African countries require in order to move up the development ladder.

- Enable African countries to adopt flexible intellectual-property legislation that makes full use of safeguards to ensure the primacy of public health and agricultural livelihoods over patent rights, restricts the patenting of life forms, and protects traditional knowledge and biodiversity.

- Exclude essential public services such as education, health, water and sanitation from liberalisation commitments, and allow governments to effectively regulate the entry of foreign investors in service sectors to promote the public interest.

- Recognise the right of governments to impose capital controls on foreign investment and performance requirements that encourage joint ventures, technology transfer, and local sourcing, as well as incentives to improve labour practices.

- Include enforceable commitments by governments to protect and promote core labour standards, as set down in the ILO's Declaration on Fundamental Principles and Rights at Work, and commitments to progressively extend this to cover workers, particularly women, in precarious employment.

- Exclude agricultural tariff lines from negotiations when liberalisation threatens to undermine food security and rural livelihoods, and recognise the right of developing countries to use permanent safeguards that are triggered on the basis of both price and volume.

- Enable developing countries to use tariffs, subsidies, and other measures in support of industrial policy and to modify them as their economies develop.

- Ensure mechanisms for extensive participation of all stakeholders in the negotiating process, with full disclosure of information to the public, including the findings of independent impact assessments.

Such a shift can only come about through a change in political will and in the power imbalances, both between and within countries, that currently define trade negotiations.

The democratisation of trade policy, especially in developing countries, could transform the negotiating dynamic and the nature of the rules that result. Despite being utterly excluded from the process, civil society in many countries has effectively challenged trade and investment agreements and given voice to the needs of the disenfranchised. Trade and investment are essential for development, and the imbalances that characterise and distort global trade and investment flows must be addressed as a matter of urgency. Unequal and exploitative trade and investment agreements, which prohibit the very policies African countries need to fight poverty, is no way to put trade and investment at the service of development, or to build a safer, fairer world.

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7 Oxfam's Contribution on *Peace and Security* Cluster[4]

As far as peace and security are concerned, Oxfam believes that the ongoing consultation on a joint strategy for a partnership between EU and Africa should focus on the ways of resolving the current conflicts and humanitarian crisis, and establishing a strong and realistic framework to ensure a sustainable peace in the continent.
We strongly believe that the principle of the **Responsibility to Protect** should govern discussions on peace and security between both entities bearing in mind the **Responsibility to Protect** include prevention, reaction and rebuilding, with an emphasis on the prevention.

The EU and the AU must agree that they will effectively engage in their responsibility to protect' (R2P) populations threatened by genocide, war crimes, ethnic cleansing, and crimes against humanity – the commitment made by EU and AU Member States at the UN World Summit in 2005. This will require taking measures to help prevent conflict and the gravest violations of humanitarian and human rights law, as well as taking immediate steps where these violations occur, and helping to rebuild societies in the aftermath of violent conflict.

In particular, the EU and the AU should:

- Agree on establishing mechanisms to monitor violations of humanitarian law, signs of state failure, and emerging conflict, in order to take timely action.
- Prioritise support for the successful negotiation of a robust international Arms Trade Treaty – with the high-level diplomacy required; tighten the regulation of arms transfers from the EU to Africa by making the EU Code of Conduct legally binding; and help control the transfer of arms through practical measures in regions where existing embargoes are consistently broken, or an extensive number of arms makes the control of their circulation difficult.
- Be prepared to use civil and military mechanisms for preventive crisis response, or swift action in conflict to uphold the **responsibility to protect**.

1. Background

The EU has much to offer in terms of protecting civilians in complex emergencies around the world and especially in Africa.

The EU has increasingly affirmed its status as a *positive* force on the international stage; its rhetoric and action has given a prominence to human rights, the protection of civilians, and conflict prevention. But the EU has more to do in order to prevent it having a *negative* impact on conflicts around the world. The EU has had a Code of Conduct governing its members' arms transfers since 1998, but some irresponsible exports still continue. The EU's controls have failed to keep up with the increasingly globalised nature of the arms industry, in which EU-based companies license production of their weapons in other countries, or supply components that are assembled in countries with weaker export controls. *In 2005, for example, Jane's Defence Weekly reported that the Italian/UK Company, AugustaWestland, had assisted in the development of China's new attack helicopter, the Z-10. China had previously exported military helicopters to a number of countries, including Sudan[5].*

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[4] Please note that this paper is not an official position paper of Oxfam on the issue but an informal contribution of its AU Liaison Office to the African CSO's consulation on the AU EU joint strategy.
[5] *Jane's Defence Weekly*, 'How may Europe strengthen China's military?', 15 January 2005, http://www.strategycentre.net/research/pubID.61/pb_detail.asp

In Africa, EU Member States, and in particular the European Commission, have pledged significant support to the African Union Mission in Sudan (AMIS). But the support has been too little to allow AMIS to succeed in its mission to stabilise Darfur. The EU should engage more on this, and help for a stronger action to end the conflict.

The EU's most successful military action outside Europe was the *Artemis* mission in the Democratic Republic of Congo (DRC) in 2003. *Artemis* stabilised the violence at the time, and protected camps for internally displaced people in the town of Bunia. Since 2003, significant numbers of EU military police, troops, experts in security-sector reform, and election observers have been deployed in the DRC. Like *Artemis*, the latest military mission in the DRC, EUFOR RD Congo (designed to deter violence in Kinshasa during the 2006 election period), had as a key objective the protection of civilians under imminent threat of physical violence.

The EU's continuing engagement in the DRC is arguably its most comprehensive response to violent conflict outside Europe. Most of the EU's specific actions, such as the security sector advisory programme, EUSEC, or the chain of payment programme for the Congolese army, remain small scale and need to be revisited.

The EU's engagement has been widely acknowledged as a useful contribution to prevent further conflict. But, in such a vast country, it has also lacked the necessary resources to move beyond small projects and some concerns persist as to the sustainability of the EU's military interventions.

2. Positions and suggestions

Oxfam welcomes the EU's engagement in the protection of civilians, but it is crucially important that the EU promotes protection more coherently and consistently in countries threatened by or already experiencing violent conflict.

The Responsibility to protect (R2P)or similar principles have been incorporated into African regional and sub regional instruments more than in any other region, including in the African Union constitutive act, the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, the SADC Protocol on Politics, Defense and Security Co-operation

Oxfam believes that the EU and the AU should maximize their current impact by focusing their efforts under the framework of R2P. This would make the protection of populations from crimes against humanity, war crimes, and genocide the overarching aim of preventive and reactive measures in third countries liable to the worst effects of violent conflicts.

Such an approach will include devoting existing resources to supporting third countries in their obligation to fulfill R2P, and, as a last resort, using these resources for coercive measures under authorization of the UN Security Council, which serve the top-line objective of protecting civilians.[6]

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[6] In order to mitigate the risk of misusing the responsibility to protect to justify aggressive military action, any use of force must meet the five principles Kofi Annan proposed as a threshold for military action and be conducted under UN authority.

In particular:

(i) The EU and the AU should ensure that there are an efficient monitoring mechanisms and early warning systems to identify and record violations of humanitarian law/signs of state failure as well as human rights violations, in order to be able to address tensions at the right time, and in the right manner.

(ii) The EU should take a strong stance to help control international arms transfers to prevent the escalation of future conflicts.
- Ensure that discussions for an International Arms Trade Treaty fully reflect existing standards of international human rights and humanitarian law;
- Regulate transfers originating from the EU by making the Code of Conduct a *legally binding document*;
- Streamline Council/Commission activities on the control of small arms in post-conflict scenarios, favoring those mechanisms which provide for reliable longer-term resources over those which make funding subject to individual decisions on every component of activity.[7]

(iii) The EU and the AU should agree on using all measures to help, or put pressure on states, to fulfill their responsibility to protect.
- If monitoring mechanisms or other information sources show that there is a risk of atrocities such as genocide, war crimes, or crimes against humanity taking place in any country.
- The EU should use financial and in-kind support to sustain efforts for the protection of civilians and support institution-building measures in fragile states, in particular in the area of security-sector reform.

3. Our Comments and answers to ECDPM questions

How best can the EU contribute to reducing conflict in Africa: by providing support to AU or sub-regional peacekeeping operations and building up African capacity to prevent and manage conflict? Or through the UN and in support of UN missions? Or by other means?

- Capacity building is a 15 year programme - the lesson from Darfur is lives were lost because of a capacity building experiment in the worst humanitarian crisis of the time; so capacity building cannot be the focus.
- The pre-eminent way in which the EU should contribute to reduce conflict in Africa should be to support the AU and other African institutions. But it shouldn't be either/or with support to UN missions. As in Darfur, both AU and UN missions may be vital.

How do you feel about EU financial support to the AU peacekeeping operation in Darfur (Sudan)? Should the EU provide such support to the AU more often? Should it provide other forms of support? And if so, which type of support?

Such EU support is encouraged. It has been essential given the reality of the rest of the donor community not being generous or tying too many conditions to their aid (eg US only giving in kind). However, although there have been legitimate concerns about accountability

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[7] United Nations Disarmament Research, 'Pilot Project: European Action on Small Arms and Light Weapons and Explosive Remnants of War, an executive summary',
http://www.unidir.org/pdf/UNIDIR%20executive%20summary%20European%20Action%20on%20SALW%20and%20ERW.pdf, last visited 25 July 2006.

of the AU, the EU reporting requirements have been impossible to meet and caused delays in paying salaries on the ground which has contributed to poor performance of AMIS.

Specifically on the use of the Africa Peace Facility as a funding source:
Oxfam believes the Africa Peace Facility has proved to be an extremely important mechanism to help ensure protection of civilians in African contexts where capacity is insufficient. There are nevertheless shortcomings which we believe should be addressed over the long term:

Funding issues- the APF has consistently faced funding shortages, though through it the EC has proved a generous donor. We believe further funds should be sought including from the EDF for situations where lack of security is impeding development opportunities. But also an additional or alternative budget line should be sought.
The idea of a Trust Fund to be funded through voluntary contributions, as proposed by Germany, seems a good idea given the difficulties using enough EDF money for the APF, though in itself we believe the use of development money for security is justified. Furthermore, disbursement of funds should be released rapidly in response to need and not subject to political pressures and therefore the long negotiation processes through minimized.
Finally, the reporting processes have been arduous for the AU in Darfur resulting for example in delayed payment of personnel in Darfur -despite legitimate concerns about accountability, ways of reducing reporting requirements should be sought.

Capacity building - the EC should increase its offer of European support to the recipient regarding the management of funds. While African ownership is important, we have seen in the Darfur case that more expertise is required to manage funds and account for them in Addis/Sudan. Providing more expertise along with funds may not only avoid delays in payments but encourage member states to agree more easily and with greater confidence to disbursal of funds and provide timely information flow and influencing opportunities.

How do you see EU Member States military operations/interventions in Africa? Do you see them as linked in any way to a comprehensive European policy towards Africa?

Bilateral initiatives are OK (eg French in Ivory Coast) but good to be endorsed by EU and over time to break down historical dependencies. In the shorter term, we cannot expect everything to go through the EU or a bottleneck ensues.

What is in your perspective the value-added of the EU in engaging in peace and security work in Africa?

EU is a more neutral player than the US and UK (especially in north Africa after the damage done in Iraq and double standards associated with Israel UNSC resolutions) so, the EU has a key role to play. Some of the behind the scenes works on facilitating political processes have been key. Bit it needs to back this up publicly more often than it does. In some areas the EU has been noticeably quiet when it could lend support and encouragement to African processes like the Juba talks on Uganda - this does not equate to interference.

Simply, the EU's added value is that it's more sympathetic to Africa's needs than anywhere else in the North. EU policy may not be perfect, but it's better than the US (which is so self-interested), Japan (uninterested) etc. So the AU-EU partnership does make sense

What are the main causes of instability and conflict in Africa? How best could the EU and the AU and African sub-regional organizations tackle such root causes?

Governance and poverty issues are most commonly root causes of conflict while others

exacerbate these causes eg: natural resources, arms flow. The EU has engaged usefully on all these aspects and needs to find a balance between pan Africa level and country specific situations eg: its work on security sector reform in the DRC has been a great example of kneading the way.

Should conflicts in Africa be dealt with by African forces or rather an international/UN force? Why? What are the advantages and disadvantages of having African forces dealing with conflicts in Africa?

African forces just like any other regional force can play an interim role. They should not substitute for the overall responsibility for peace and security, the UN. To avoid the AU getting into a rut and the UN abdicating its responsibility, the AU needs to be proactive and clear about its exit strategy early on and balance its engagement on one conflict with others. The handover of AMIB in Burundi to the UN was a good model. The experience of depending on the AU for Darfur has led to a failure of the international community in its responsibility to protect because there was no exit strategy and thus - along with other factors - the intervention became politicized.

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[i] UNCTAD (2006) 'World Investment Report 2006. FDI from Developing and Transition Economies – Implications for Development.'

[ii] M. Hallward-Driemeier (2003) 'Do Bilateral Investment TreatiesAttract FDI? Only A Bit And They Could Bite', World Bank.

[iii] UNCTAD (2006), *op.cit.*

[iv] UNCTAD (2006), *op.cit.*

[v] The Agreement states that 'economic and trade co-operation shall build on regional integration initiatives of ACP States, bearing in mind that regional integration is a key instrument of ACP countries into the world economy' (Article 35 (2)), and that negotiations will take 'into account the regional integration process within the ACP' (Article 37 (5)).

[vi] EC EPAs Negotiating Guidelines, Article 35 (2),2002.

[vii] *Ibid.*, Article 37 (5).

[viii] COMESA Secretariat, Brief on Market Access, prepared for meeting of Non-State Actors, Addis Ababa, 7-8 November 2006.

[ix] http://www.ids.ac.uk/ids/global/pdfs/CSEPAHandbook2005.pdf

[x] COMESA Secretariat, Brief on Market Access, prepared for meeting of Non-State Actors, Addis Ababa, 7-8 November 2006.

[xi] European Commission (2005) 'Economic Partnership Agreements — Putting a Rigorous Priority on Development', memo, 20 January 2005.
Brussels: European Commission. www.europa-eu-un.org/articles/en/article_4245_en.htm.

[xii] Bilal and Rampa, Alternative (to) EPAs: Possible Scenarios for the Future ACP Trade Relations with the EU, p. 26.

[xiii] The regional EPA negotiating bodies of the sub-Saharan Africa countries are the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the Common Market for Eastern and Southern Africa (COMESA), and the Central African Economic and Monetary Community (CEMAC). The Caribbean Forum (CARIFORUM) is the regional integration body for the Caribbean states, while the Pacific ACP Group represents countries in the Pacific region.

[xiv] C. Grant (2006) 'Southern Africa and the European Union: The TDCA and SADC EPA', TRALAC Trade Brief, No. 1/2006.