



# THE EU AND AFRICA

## Towards a Strategic Partnership



### BOND'S SUBMISSION TO THE HOUSE OF LORDS CALL FOR EVIDENCE

February 2006



**BOND'S SUBMISSION TO  
THE HOUSE OF LORDS CALL FOR EVIDENCE:  
THE EU AND AFRICA: TOWARDS A STRATEGIC PARTNERSHIP**

2005 brought a unique focus of world attention on African development. It has been perceived as a brief window of opportunity to introduce policies that bring about real change. With the EU-Africa Strategy agreed by the European Council in December 2005, the European Commission and the Member States recognise that a renewed focus on Africa is required and BOND commends that. The EU-Africa Strategy puts policies towards the region at the service of reaching the Millennium Development Goals (MDGs) in 2015.

However, the Strategy fails to bring convincing responses to key obstacles to Africa's development over which Europe has influence. These include the heavy debt burden of many countries not covered by the 2005 G-8 deal, and unfair trade rules undermining Africa's agriculture and rural livelihoods. Some 80 percent of Africa's population depends on the agricultural sector, and what is needed in order to preserve food security is, not only infrastructure but the ability of governments to protect their agricultural markets and small farmers. Furthermore, despite Africa's heavy burden of debt, there is hardly any mention of debt relief. As Our Common Interest (the report of the Commission for Africa) noted, "Debt relief is highly efficient compared with other aid modalities in that it can deliver flexible, long-term, untied, predictable and on-budget resources." All EU countries need to be encouraged to cancel the debts of all those countries which need this in order to achieve the MDGs.

As it stands, the Strategy contains general objectives and outcomes, without concrete explanations of the various strategies, processes and implementation that the EU intends to apply in achieving these objectives. It places little emphasis on African needs, political processes and expectations and is very much EU focused. The Strategy refers to the African Union and NEPAD, but makes limited reference to the priorities AU-NEPAD has set. The Strategy should be grounded in these priorities. This seems to contradict statements about a quantum leap in the EU Africa relationship as it is not clear how the ownership and partnership principles will be put into practice.

BOND has the following recommendations on the EU's Strategy for Africa:

**The EU's Role in Africa**

1. **The EU and the African Union (AU) should recognise that civil society has a key role to play and requires support. The Strategy must include capacity building for civil. AU governments, supported by the EU, should act to increase opportunities for citizens to articulate their needs and interests;**
2. **The EU should also take action to raise awareness, amongst all actors involved in EU development cooperation, of issues relating to disability and the fundamental human rights of disabled people; and ensure that these rights are addressed in development cooperation;**
3. **The EU should ensure that it puts the promotion of gender equality for women and men of all ages at the centre of its development co-operation, trade and political dialogue.**

**Policy Coherence**

4. **The EU should ensure coherence between trade and foreign policies that exacerbate inequality and development policies that aim to reduce inequality;**

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5. The EU should work with the ACP in current WTO talks to introduce greater flexibility into rules governing trade agreements between developed and developing countries to allow developing countries to decide when, how and whether to open up sensitive sectors to import competition.

**Priorities**

6. EU Member States should dedicate more resources to sexual and reproductive health programmes with the aim of prevention and treatment of HIV/AIDS, and to the mitigation of the socio-economic impact of the epidemics, especially on the most vulnerable groups;
7. The EU should tackle the major role of disability in poverty by increasing support for WHO campaigns to tackle avoidable disability and addressing the rights of disabled people all levels throughout the Strategy;
8. The EU should fulfil obligations under the Cotonou Agreement by assisting countries to address domestic supply-side constraints to efficient production that will allow countries to benefit from stable opportunities to trade, rather than on increasing "integration" through Economic Partnership Agreements (EPAs);
9. The EU should ensure that EPAs are not used to limit countries' policy choices to promote local interests through managing investment, and designing government procurement and competition rules that best suit their development objectives.

**Financing**

10. The European Commission should clarify the distribution of the financing of the various initiatives between the EDF, the Africa Peace Facility and the EU's budget. Furthermore, the Commission must resolve the disjoint between having one Strategy for 'One Africa' and having three separate geographical budget lines in the next Financial Perspectives (2007-2013)?

**Conditionality**

11. The EU should seek to integrate the principles agreed in the Paris Declaration on Aid Effectiveness with particular regard to those on ownership, alignment and mutual accountability.

**Delivery of Aid**

12. The EU should ensure that the Action Plan on Aid Effectiveness has a clear monitoring system that allows for civil society access to information and review of reports, and adequate space for input into the reviews;
13. EC aid should match stated policy commitments on fostering democracy and respect for human rights and promoting equality between women and men of all ages.

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**Security & Peace-keeping Capabilities**

14. To ensure the EU's engagement in Africa is sustainable and tackles the root causes of conflict and insecurity, implementation of the EU-Africa strategy should:
  - a. Ensure that UN Peacebuilding Commission emphasises its preventive mandate and has the political backing and resources required to make it effective;
  - b. Establish a Council Common Position or Action Plan on Fragile States to ensure a common, strategic approach is made a political priority;
  - c. Implement the EU Strategy to combat Illicit Small Arms accumulation and trafficking;
  - d. Ensure that conflict assessments become a pre-requisite for programme development and policy, informing all EU-African regional and country and regional strategy papers;
  - e. Ensure the African Union's Peace Fund has unearmarked, annual joint funding.
15. The EU should recognise the differential impact of war and conflict on women and ensure that gender is mainstreamed in peacekeeping operations and women and children are given special protection against violence and displacement caused by war and conflict.

**Ownership**

16. The EU should support mechanisms to build and strengthen government accountability to its citizens as this is the most sustainable form of partner country ownership;
17. For the EPA component of the Strategy to be transformed into a joint EU-Africa Strategy - genuinely 'owned' by African states a fundamental change of approach would be required, both to the negotiating process and to the content of the EC's negotiating directive.

**Dialogue**

18. The EU should give priority to creating or strengthening mechanisms for systematic dialogue with non-state actors, including local civil society, on aid and trade issues, and to information sharing;
19. The EU should demonstrate willingness to learn from African experience and analysis and strengthen fora where such mutual Africa/EU learning and sharing could take place as well as fostering learning within and between African countries.

**Monitoring & Review**

20. Follow up and monitoring mechanisms of the EU-Africa Strategy should specify the need to disaggregate all poverty data by gender, age, disability and ethnicity. The Strategy should contain a clear commitment to support African governments and their regional institutions to establish and extend basic social protection mechanisms that support their most vulnerable citizens across the life course;
21. The 2006 review of the EPA negotiations needs to evaluate what *each* party wants to achieve from the negotiations and whether they are on course to achieve their respective objectives.

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### **The EU's Role in Africa**

1. The EU has a major role to play in promoting sustainable democracy and good governance, both of which are vital to reducing poverty and inequality, the achievement of the Millennium Development Goals in sustainable and equitable ways and to the successful implementation of the EU-Africa Strategy.
2. A key challenge for Africa is the construction of new relationships between ordinary people and the institutions, especially those of government, which affect their lives. This means building accountable and democratic governance and increasing citizen's influence in decision-making. **If the EU wants to see more democratic and legitimate governments and policies in Africa, it should recognise that civil society has a key role to play and needs more support.**
3. Excluded and disempowered groups of citizens in African societies need to increase their capacity to exercise political influence, through the formal democratic system and other channels. Increased awareness and capacity enables citizens to use the full panoply of channels and tactics: voting; lobbying and persuasion; advocacy; resistance; protest and confrontation; dialogue; representation, resulting in improved access to quality basic services. The EU, alongside, European civil society, can play an important role here.
4. BOND supports the EU proposal to launch "a Governance Initiative that encourages participation in the APRM-driven process and provides support to African countries for implementation of APRM-driven reforms". However, **the Strategy must include capacity building for civil society or non-state actors in the governance initiative.** At the moment, the EU Strategy alludes to non-state actors only in as far as ownership and service delivery with a specific focus on direct MDG investment and not in the general governance agenda. This does not reflect the breadth and depth, and the potential of civil society involvement in policy making and transformation of Africa's grassroots, country-level and regional institutions. It reduces civil society's role to public service contractors, instead of as transformers and institution builders.
5. To achieve irreversible reforms in government, bottom-up as well as top-down action is required. African Union (AU) governments, supported by the EU, can take action to increase accountability by, for example, improving internal and external scrutiny and providing for sanctions if performance is poor or rules are broken. Governments can take action to increase the public sector's receptivity to citizens' needs and interests, for example by establishing fora at local, district or national level where civil servants and representatives of citizens organisations can meet, discuss, and agree priorities, and ensure that such fora are open to the disadvantaged. Changes to administrative structures and procedures, laws and political processes are also required to produce more responsive and accountable governments. Here again, the EU can play a useful role. For effective civic engagement in democratic politics, citizens need not only to be aware of their political rights, but also to be able to exercise those rights through a variety of organisational forms and political practices.
6. **At the same time as increasing accountability, AU governments, supported by the EU, can act to increase opportunities for citizens to articulate their needs and interests,** for example:
  - By changing the ways in which electoral systems are designed;

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- Establishing joint civil society/state participatory governance, planning, budgeting and monitoring processes at national and local levels (including PRSP dialogue);
  - Building alliances with the local communities as well as the private sector in scaling up the provision and the monitoring of affordable, appropriate and sustainable basic services;
  - Creating clear mechanisms at local level to enhance accountability and transparency;
  - Establishing opportunities for dialogue between citizens and the state (for example, citizens can organise into representative groups to work together with the local administration to plan and manage services);
  - By making better use of technology to improve information flows and transparency in decision-making and resource allocation; and
  - Introducing legislative frameworks, such as rights to information acts.
  - Strengthening Disabled People's Organisations and ensuring their involvement in formulation of future Country Strategy Papers, as advised by the recent European Parliament resolution on Disability and Development.<sup>1</sup>
- In each of these areas, EU development co-operation can play a supportive role.

7. Key to sustainable democracy and good governance is respect for human rights and in particular women's rights. Here again, the EU can supplement the role of the UN and its associated agencies.
8. **The EU should also take action to raise awareness, amongst all actors involved in EU development cooperation, of issues relating to disability and the fundamental human rights of disabled people; and ensure that these rights are addressed in development cooperation.**
9. Globally African women make up the worlds poorest. According to the United Nations Development Programme's Gender Development Index (GDI) African women have the lowest life expectancy and Africa has the greatest disparity between women and men in access to education, literacy and income in the world.<sup>2</sup> African Governments have committed to a range of international, regional and pan-African declarations on gender equality including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Beijing Declaration and Platform for Action; SADC Gender and Development Declaration; The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.<sup>3</sup> The New Partnership for Africa's Development (NEPAD) lists accelerating the empowerment of women, as one of its primary objectives. While NEPAD urges African leaders to take responsibility for 'promoting the role of women in society and economic development' through 'education and training, access to credit' and 'assuring women's participation in political and economic life', there is limited recognition of the systemic barriers and discrimination African women face in these arenas<sup>4</sup>. Poverty, HIV/AIDS, lack of agricultural subsidies, lack of economic empowerment opportunities and conflict have a disproportionate impact on women. These strong political commitments and promises remain unfulfilled.

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<sup>1</sup> European Parliament resolution on Disability and Development, adopted on 19th January 2005. P6\_TA-PROV(2006)0033. Disability and development PE 368.254

<sup>2</sup> Seager, J. 2003 The Atlas of Women: an Economic, Social and Political Survey. The Women's Press. London

<sup>3</sup> In particular, the Protocol to the African Charter must be ratified.

<sup>4</sup> Muthoni Wanyeki, L. 'The New Partnership for African Development (NEPAD): a Brief Gender Critique'. African Women's Development and Communication Network (FEMNET).

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10. **The EU has an important role to play in ensuring that it puts the promotion of gender equality for women and men of all ages<sup>5</sup> at the centre of its development co-operation, trade and political dialogue.**
11. Of course, such commitments cannot be viewed in isolation of the global financial and trade institutions which have created huge disparities between Southern and Northern countries through trade liberalisation, Structural Adjustment Programmes and enforced debt repayments. African governments have been seriously disadvantaged through the WTO, IMF and the World Bank.

### **Policy Coherence**

12. The EU is right to target coherence as a guiding principle of its Africa Strategy. Coherence is about ensuring that the aims and objectives of EU development co-operation policy are not undermined by other EU policies that have an external impact. There is no point in the EU pursuing policies that have a particular goal if it also pursues policies that contradict that goal. Improved coherence is also very important for ensuring the effective use of scarce Community resources and good governance of public interests, as well as for the credibility of the EU in general. Article 178, Treaty establishing the European Community, states that the Community *'shall take account of its objectives in the area of development co-operation when it implements other policies that are likely to affect developing countries'*.

So, in summary:

- With great demands on finite resources it allows greater efficiency through coordinating activities of Member States and different Directorate-Generals, according to respective competencies and strengths and pooling of resources
- It also allows compensatory or complementary activities to take place to counter unavoidable side-effects of necessary or otherwise desirable reforms to EU policies - for example providing compensation and additional assistance to African, Caribbean and Pacific (ACP) countries affected by EU sugar reform and preference erosion due to lowering of EU tariffs through WTO talks.
- It also should ensure that activities and objectives of one part of EU body, do not undermine or jeopardise those of another - for example, that the pursuit of the Lisbon agenda through the EU's trade agenda does not undermine its objectives as expressed in the new 'European Consensus on Development' or commitments under the Cotonou Agreement.

Progress has been made towards much greater coherence, for example, through the work of the Inter-Service Quality Support Group. However, there are still some enormous challenges.

### **Trade & Agriculture**

13. As the largest trading block, the EU has considerable power within the WTO. The EU is committed to the WTO project of liberalising trade (except for the Common Agricultural Policy) and to supporting Southern countries to engage more effectively in the global economy. At the same time, the EU is committed to increasing its own share of global trade and promotes its own interests aggressively.
14. The view that more trade is key to poverty reduction is strongly held. However, more trade alone does not necessarily result in better living standards for

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<sup>5</sup> EU Regulation 806 (2004) on promoting gender equality in development cooperation

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women, men and children in developing countries (real wages in Mexico are lower today than before NAFTA).<sup>6</sup> Trade could foster sustainable development but only under certain conditions, for example, core labour standards have to be observed and the issues of subsidies and trade preferences have to be tackled.

15. Trade and agriculture should form an integral part of the EU-Africa Strategy. Women's work accounts for some 80% of food production in Africa, but they derive little benefit from government or international programmes favouring cash crops for export.<sup>7</sup> Agriculture is central to African women's livelihoods but the kind of agriculture promoted by trade liberalisation (mono-cultural crops, export-oriented production) and the WTO threatens food sovereignty. Export-oriented agriculture and imports of cheap subsidised agricultural products to local markets impacts rural women and small-scale women farmers the most.<sup>8</sup> Agriculture must be removed from the WTO remit<sup>9</sup>. It is largely agreed that the recent Ministerial Meeting in Hong Kong has delivered very little for developing countries. While there have been some concessions in the form of removing trade distorting agricultural subsidies, there has been rapid escalation in service liberalisation.<sup>10</sup> Current models of economic development and trade liberalisation need to be significantly changed to tackle gender inequality.
16. **The EU should ensure coherence between trade policies that exacerbate inequality and development policies that aim to reduce inequality.** EU countries must also take specific steps to ensure that women have equal access to markets, subsidies, resources, credit and training aimed at mitigating the negative impacts of trade liberalisation.

**Economic Partnership Agreements (EPAs)**

17. An area where coherence is imperative is EPA negotiations, trade negotiations that also purport to be "tools for development". Changing trade relations with their most important trading partner will have massive impact on African countries. EPAs will also influence the amount and direction of aid spending (through the Regional Preparatory Task Forces) and regional integration processes of African countries, both of which are key planks of development strategies of those countries. ACP Ministers have already expressed regret at the "disconnect" between the activities of DG Trade and DG Development.
18. The relationship between trade and development is controversial and complex. There is a growing consensus that preconditions are important for trade liberalisation to bring benefits and that it is important to "put development first" and integrate trade policy as one part of a nationally-driven development strategy. The EU approach to EPAs risks jeopardising development outcomes for the sake of locking in trade and trade-related policy reforms in African countries. Given the artificial advantages for EU producers created by the Common Agricultural Policy, as well as the head-start generated by operating in a conducive environment, the effects of forced or premature opening up of ACP markets to such unequal competition could be devastating, as past experience has shown. Rather than allow ACP countries to decide when, how and whether

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<sup>6</sup> Study of NAFTA by Carnegie Endowment for International Peace

<sup>7</sup> <http://www.africaaction.org/action/women.htm>

<sup>8</sup> Network Women in Development Europe. 2003. 'Promoting a Development Agenda Through Trade? A Critique of the EU Position in WTO negotiations from a Gender Perspective'. WIDE's position paper for the 5th WTO Ministerial meeting, Cancun Mexico (10-14 September 2003)

<sup>9</sup> Ongoing negotiations

<sup>10</sup> Wichterich, C. 2005. IGTVN Europe/Women in Development Europe (WIDE), December 18, 2005

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to liberalise in accordance with their development priorities and strategies, EPA talks are constraining them to open up an arbitrary percentage of their trade to the EU within a fixed timeframe.

19. **The EU should work with the ACP in current WTO talks to introduce greater flexibility into rules governing trade agreements between developed and developing countries.** This flexibility must be sufficient to allow developing countries entering into Regional Trade Agreements with developed country partners to decide when, how and whether to open up sensitive sectors to import competition.
20. EPAs should themselves be governed by effective Special & Differential Treatment that would allow the ACP to protect sensitive sectors, maintain necessary policy flexibility to develop new sectors (including through raising tariffs) and to sequence market opening in line with development plans, using development targets or indicators.
21. EPAs should include effective and easy to use safeguard mechanisms to allow ACP producers to be protected against import surges or price drops.
22. EPAs should provide predictable, improved market access to ACP countries to allow them to invest in agricultural and industrial development and diversification. This would involve considering the impacts of Sanitary and Phytosanitary Standards, Rules of Origin and other Technical Barriers to Trade on ACP exporters.
23. EPAs should consider the impacts of the CAP on ACP countries, for example by allowing them to protect against increased imports of subsidised produce.
24. EPAs should be accompanied by sufficient, timely and well-designed assistance to help countries cope with the costs of adjustment (implementation costs, as well as employment and fiscal effects), to address supply-side constraints to be able to compete effectively and take advantage of market access, to assist diversification efforts. However, whilst trade reforms should be properly assisted, provision of aid should not be contingent on participation in market access talks.
25. The pace of EPAs should allow regional integration to proceed at a pace and in a manner that does not jeopardise the economic development of weaker members, and that allows countries to reap the benefits of developing regional links before opening up to the EU, to avoid hub and spoke effects.

**Foreign Policy**

26. There is a lack of policy coherence also in the area of foreign policy and some serious challenges are emerging. Current preoccupations with 'security' in the narrowest sense, and the so-called 'war on terrorism' are resulting in pressure to divert aid funds away from the campaign against poverty.

**Priorities**

27. Central to the EU's action plan for implementing the Strategy has to be action in the area of HIV/AIDS. The Strategy contains no particular strategic focus on those countries in sub-Saharan Africa that have been most hard hit by HIV/AIDS and makes no mention of the need to take into account of the impact of

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HIV/AIDS on a country's social, economic & political development. Yet, HIV will impact on nearly all the strategies the EU intends to undertake with regards to development in Africa. The HIV/AIDS pandemic is one of the biggest development challenges facing Africa. According to the World Bank, Africa is the worst affected region with 70 percent of the world's 42 million infected people. The impact of HIV/AIDS is felt most acutely by women, children and older people<sup>11</sup>. According to the Global Coalition on Women and Aids 57 percent of those living with HIV in sub-Saharan Africa, are female<sup>12</sup>. Young women aged 15 to 24 are 2.5 times more likely to be infected than young men. Households headed by older women are twice as likely to include orphans as those headed by older men. Women face particular barriers to access and treatment including poverty and violence.

28. **EU Member States should dedicate more resources to sexual and reproductive health programmes with the aim of prevention and treatment of HIV/AIDS. To be effective in reducing and halting the impact of HIV/AIDS, education and treatment needs to recognise gender inequalities and use different approaches when targeting women and men.<sup>13</sup> The EU must also recognise that women are particularly vulnerable to HIV infection and therefore require priority with regard to care and treatment.**
29. **To ensure that development co-operation reaches the poorest of the poor, the EU must ensure that disability is mainstreamed all levels in the implementation of the Africa Strategy, as demanded by the European Parliament.<sup>14</sup> This should be based on the approaches set out by the Commission's Guidance Note on Disability and development<sup>15</sup>, and should include support for the African Decade of Disabled Persons (2000-2009).**
30. The Strategy recognises that health must be a priority. As part of this, the Commission should participate actively in WHO campaigns to tackle preventable impairments, such as Vision 2020 to eliminate avoidable blindness, as called for by the European Parliament. A very high proportion of disability and impairment is avoidable - 75% of blindness can be prevented or cured – and many of the interventions to tackle this are simple and inexpensive.
31. Furthermore, the Strategy sets objectives such as sustainable economic growth, with a focus on employment and inequality. However the pursuit of foreign direct investment (FDI) and "integration into the global economy" (which generally means pursuit of liberalisation), in preference to supporting local producers and investors, needs to be put under greater scrutiny.
32. Experience has shown that prerequisites and preconditions are necessary to reap the benefits of FDI and liberalisation, and indeed to avoid harm. Evidence suggests that success attracts investment, rather than the reverse and that

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<sup>11</sup> EP report on a development strategy for Africa (A6-0318/2005), October 2005, European Programme for Action to Confront HIV/AIDS, Malaria and Tuberculosis through External Action (2007-2011), April 2005, "EU Contribution to the review of the MDGs at the UN 2005 High Level Event" (April 2005), EP Report on serious and neglected diseases in developing countries A6-0215/2005, ACP-EU Joint Parliamentary Assembly resolution of 21 March 2002 ACP-EU 3398/02/fin.

<sup>12</sup> The Global Coalition on Women and AIDS was launched in 2004 by UNAIDS and a range of partners.

<sup>13</sup> One World Action partner, MANET + has just completed a study in Malawi that shows people who are HIV positive but do not know their status are mainly responsible for further spread of the virus and it is often men that are unwilling to admit their HIV status or seek help because of stigma & discrimination.

<sup>14</sup> EP Resolution Disability and Development.

<sup>15</sup> European Commission. Guidance Note on disability and development. March 2003.

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- today's successful economies have tended to adopt liberalisation strategies after achieving a level of economic development, rather than adopt liberalisation as an initial development strategy.
33. Properly addressing barriers to growth, employment and increased equity does not exclude, but does not prioritise FDI and trade liberalisation. Instead it is important to allow countries sufficient space to support those sectors important to the livelihoods of the poor - especially agriculture; to adopt industrial strategies that allow them to develop new, dynamic industries and to manage investment to promote local development, employment and domestic resource mobilisation.
34. **Within this, the EU's role should be to:**
- **Fulfil obligations under the Cotonou Agreement by assisting countries to address domestic supply-side constraints to efficient production that will allow countries to benefit from stable opportunities to trade, rather than on increasing "integration" through EPAs;**
  - **Ensure that EPAs are not used to limit countries' policy choices to promote local interests through managing investment, and designing government procurement and competition rules that best suit their development objectives.**

## **Financing**

34. BOND welcomes the commitment made by EU Member States for half of the increase in aid (up from €46 billion in 2006 to €66 billion in 2010) to go to Africa.
35. However, the establishment of a strategy for cooperation with the whole African continent is in contradiction with the recent adoption of a new Neighbourhood Partnership Policy and Strategy that establishes a new framework for EU relations with Northern African countries and makes a clear distinction between EU objectives in its relations with neighbouring and with non-neighbouring countries.
36. The Strategy fails to account for the financial implications as it only refers to a projected increase in EU financing but provides no detailed information on what and how the additional funds will be allocated. It also fails to inform on how this process of Europe's increased engagement with Africa's development will be overseen and co-ordinated. As this "pact to accelerate African development" is a policy decision on EU behalf and not a legally binding, contractual agreement between the two parties, it will be difficult to hold the EU accountable for its delivery.
37. **The Commission should clarify the distribution of the financing of the various initiatives between the EDF, the Africa Peace Facility and the EU's budget. Furthermore, how will the Commission resolve the disjoint between having one Strategy for 'One Africa' and having three separate geographical budget lines in the next Financial Perspectives (2007-2013)?**

## **Conditionality**

38. See points above regarding governance.

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39. **The EU should seek to integrate the principles agreed in the OECD Paris Declaration on Aid Effectiveness with particular regard to those on ownership, alignment and mutual accountability.**

### **Delivery of Aid**

40. Slow disbursement of funds, bureaucratic procedures and lack of capacity continue to hinder the effectiveness of European Community aid. Much more progress is required in this area.
41. The 'Action Plan on Aid Effectiveness' that is being proposed in the Strategy should be part of the Paris Declaration agenda. However, **the EU should make sure that the Action Plan has a clear monitoring system that allows for civil society access to information and review of reports, and adequate space for input into the reviews.**
42. Current trends in development co-operation towards sector-wide approaches and direct budget support bring new challenges for the EU and how its measures aid effectiveness. While direct budget support might lead to greater country ownership, it poses an enormous challenge for tracking how well agreed priorities are reflected in government expenditure. These changes also bring new challenges for Southern (and Northern) women's or other civil society organisations wishing to monitor how development assistance is spent and its relationship to stated government and donor priorities.
43. In recognition of the specific needs of vulnerable groups, it is important that the EU-Africa Strategy clearly commits to an open review of how the direct budget support mechanism provides for non-state actor participation. The current outcome-based conditionality that the EU uses is inadequate for this process.<sup>16</sup>
44. Gaps between policy and practice undermine the effectiveness of European Community and Member State aid. **To implement the EU-Africa Strategy successfully, aid needs to match stated policy commitments on fostering democracy and respect for human rights and promoting equality between women and men.** There are gaps between these good EU policies and practice on the ground in developing countries - gaps of which our Southern partners and the communities with which they work are all too well aware. The achievement of the MDGs necessitates closing this gap between policy and practice.

### **Security & Peace-keeping Capabilities**

45. With the UN Peacebuilding Commission established on 20 December 2005, the EU and its Member States - as the world's largest development assistance donor - have enormous potential to address the challenges posed by insecure and unstable environments. **To ensure this new addition to the international peacebuilding architecture will be effective in Africa, the EU must ensure that not only is it provided with the adequate human and financial resources to function effectively, but also has international political support to meet its objectives on the ground – including from the**

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<sup>16</sup> World Vision UK (2005), *Poverty Reduction: are the strategies working?* A World Vision UK Report in partnership with WV Zambia and WV Bolivia.

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**international financial institutions, such as the World Bank and IMF, who are crucial actors in conflict environments.**

46. The establishment of the Commission provides a welcome opportunity for the EU to work with UN partners to adopt a more conflict preventive approach towards Africa's fragile states. After much deliberation, the mandate of the Commission allows for countries "*on the verge of lapsing or relapsing into conflict*" to be considered.<sup>17</sup> With its firm commitment to conflict prevention expressed through the Council Common Position concerning conflict prevention in 2004 and the Gothenburg European Council Programme on conflict prevention in 2001, the EU and its Member States must ensure that its UN partners demonstrate proactive support for a conflict preventive mandate for the Peacebuilding Commission.<sup>18</sup> With a preventive role, the EU Commission would be able to work with UN partners to effectively address fragile states in Africa.
47. With almost a third of the world's poor people living in fragile or failing states and the European Security Strategy highlighting "state failure" as one of key five threats facing Europe, a coherent and coordinated approach by the international community is required to address these insecure environments. The EU can take the lead in ensuring coherence towards fragile states by establishing a Council Common Position or Action Plan on fragile states. The EU has a broad range of policy instruments that can positively affect the peace, security and development of fragile states, including human rights and democracy initiatives, and huge aid and trade packages led by the Commission. In the Council, the Common Foreign and Security Policy (CFSP) - initiatives include Track I diplomacy as well as peacekeeping, rule of law and policing missions. However, the lack of a common strategy, and coherence in the analysis, planning and implementation of all these instruments is undermining the EU's impact on pre-conflict, conflict and post-conflict environments. **A Common Position or Action Plan outlining the range of EU policy instruments available and how emerging EU structures and institutions can effectively work together would achieve an effective and coherent response towards tackling the structural causes of fragile states in Africa.**
48. Any attempt by the EU to address security and development in Africa requires tackling the proliferation of small arms and light weapons (SALW) that are fuelling conflict and threatening governance across Africa. **In December 2005, EU Member States agreed a Strategy to combat the illicit accumulation and trafficking of Small Arms and Light Weapons (SALW) and their ammunition. This document, which includes an action plan, now needs to be implemented through concrete EU policies in Africa. These actions imply, among others, support to international arms control measures in the framework of the UN programme of action on small arms, support to regional and sub-regional African organizations fighting against small arms transfers, and the systematic inclusion of small arms in political dialogues with African partner countries.**
49. Tackling poverty in Africa requires an understanding of conflict processes and the links between livelihoods, conflict reduction and peacebuilding. Some

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<sup>17</sup> *The Peacebuilding Commission, Resolution adopted by the General Assembly, 30 December 2005.*

<sup>18</sup> *Council Common Position concerning conflict prevention, management and resolution in Africa: Common Guidelines, January 2004; EU Programme for the Prevention of Violent Conflict, Gothenburg European Council, June 2001.*

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services of the European Commission and EU member states (including Sweden and the UK) have recognised that development aid can sometimes exacerbate tension and feed conflict, rather than alleviate it. **To ensure EU policies do no harm, but contribute positively to peacebuilding and conflict prevention in African countries, conflict sensitive approaches to EU development aid in Africa must be mainstreamed in regional and country strategy papers.** 2006 and 2007 provides a good opportunity to mainstream conflict sensitivity when DG Development will be reviewing its regional and country strategy papers.

50. The African Peace Facility (APF) is a key tool for Africans to tackle human insecurity and conflicts on the continent. If security and stability is to prosper in Africa, it is crucial that EU Member States are committed to the key principles of the APF which include: African ownership, African solidarity and development-focused actions (in which capacity-building plays a key role)<sup>19</sup>. **The EU therefore must ensure the APF has access to predictable and flexible financing that allows them to plan ahead and respond rapidly to urgent issues.** To promote sustainable peace and security, the EU must also be committed to building the capacity of Africa by ensuring that the remaining budget (€29 million), continues to be earmarked for capacity-building, and will be used for the same purpose in the future through guaranteeing that at least 15% of the future APF budget will be earmarked for capacity-building and preventive action.
51. Women are disproportionately affected by conflict through forced displacement, violence against women and children. According to Human Rights Watch women in the Democratic Republic of Congo, Sierra Leone, Rwanda and Sudan have reported rape, sexual violence, slavery and mutilation by male combatants in conflict situations. 'Those who survived the attacks suffered from psychological trauma, permanent physical injury, and long-term health risks, especially HIV/AIDS'.<sup>20</sup> Even in post-conflict countries, women confront discrimination in reconstruction programmes, sexual and domestic violence in refugee camps, and violence when they attempt to return to their homes.<sup>21</sup> Yet women also play a leading role in peace building and conflict resolution.
52. **The EU should recognise the differential impact of war and conflict on women and ensure that gender is mainstreamed in peacekeeping operations and women and children are given special protection against violence and displacement caused by war and conflict.**

### **Ownership**

53. See points above under Conditionality about the Paris Declaration. **Supporting mechanisms to build and strengthen government accountability to its citizens is the most sustainable form of partner country ownership.**
54. The Strategy is right to place an emphasis on equality, partnership and dialogue between the EU and Africa, and, crucially, to articulate the importance of African ownership of policies at national, regional and continental levels. It is

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<sup>19</sup> *Securing Peace and Stability for Africa, The EU-Funded African Peace Facility*, European Commission, July 2004.

<sup>20</sup> <http://www.hrw.org/women/conflict.html>

<sup>21</sup> *Ibid.*

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unfortunate, however, that some of the processes contributing to the component parts of the Strategy have not been conducted in this manner.

55. The EPA negotiations are a case in point. The Economic Partnership Agreements that the EU is negotiating with different groups of African countries, as instruments to 'foster integrated markets and promote trade and development' are central to the trade pillar of the EU-Africa Strategy. Yet there are serious concerns from African countries about the EPA negotiating process and a perceived lack of ACP ownership of the negotiations. Problems with the process include a reluctance on the part of the European Commission to engage in debate on many of the concerns raised by ACP countries, combined with a lack of transparency and of member state scrutiny; unrealistic timeframes that are too squeezed for over-stretched African trade ministries; and insufficient national dialogue with parliamentarians<sup>22</sup> and non-state actors to inform negotiating positions. Increasing frustration on the part of ACP countries about the EU's perceived lack of willingness to sufficiently address the ACPs' own priorities has been expressed at the highest political level.

For example: The ACP Council of Ministers, Meeting in Brussels, on 21st to 22nd June 2005, issued a Declaration on the Economic Partnership Agreements that "Expresses grave concern that the negotiations have not proceeded in a satisfactory manner having failed to start addressing most issues of interest and concern to the ACP regions, in particular the development dimension and regional integration priorities." Four months later, at a meeting in London of the ACP EPA Chief Negotiators, the ACP Secretary General Sir John Kaputin, in his concluding speech remarked that "it has become quite clear from our frank discussions that the two years of regional negotiations have generated very little tangible outputs particularly as related to the two areas of critical interest to the ACP regions and countries (...) namely the development dimension of EPAs and the support for regional integration processes. Now that we have come to a realization that our two key offensive interests will not be entertained adequately by the EC negotiators, it is incumbent upon us to agree on a bold strategy to further pursue our interests".

56. Moreover, in terms of actual policy content, the EU's vision of what EPAs should look like is fundamentally at odds with African countries' own priorities. Two examples provide illustration:

(a) Singapore Issues. The EU has continually demanded the inclusion of rules on investment, government procurement and competition policy in EPAs, seeking agreements of a nature that could prohibit ACP countries from selectively favouring domestic firms for investment and government procurement contracts, or from placing performance requirements on foreign companies, as part of national development strategies. The majority of ACP countries not only rejected these issues in the WTO, but have since made clear statements to reinforce that they do not want these issues, already rejected in the WTO, included in EPAs.

For example, in October 2003 the ACP collectively stated that it does not want to negotiate the so-called 'Singapore Issues' in EPAs, saying that this area of

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<sup>22</sup> East African MPs expressed grave concerns about the process, stating that "the pace of the negotiations has caught our countries without adequate considerations of the options open to us, or understanding of their implications, and that we are becoming hostage to the target dates that have been hastily set without the participation of our respective parliaments?" ( from Resolution of Members of East African Parliamentary Liaison Committee issued in Mombassa 1-2 April 2004)

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disagreement with the EU was of a “fundamental nature” (ACP Press Release Accompanying the Joint Report on the all-ACP – EC phase of EPA negotiations held in October 2003). More recently the African Union collectively reaffirmed the position of African countries that “except for trade facilitation, the other three Singapore issues of investment, competition policy and transparency in government procurement should remain outside the ambit of the WTO Doha Work Programme and EPA negotiations” (AU’s Ministerial Declaration on EPA Negotiations, Cairo 9<sup>th</sup> June 2005). The EC continues to turn a blind eye to such statement and to push for the inclusion of these issues in EPAs, regardless.

(b) Regional Integration. The Strategy aims to promote regional integration. Yet, in order to be consistent with its proclaimed prioritisation of ‘ownership’, EPAs would need to be supportive of existing regional integration initiatives and objectives. Yet this does not appear to be the case.

There are serious concerns that EPAs will undermine regional integration amongst ACP countries, both in splitting apart existing regional processes, and in creating likely divisions between Least Developed Country (LDC) ACP countries and non-LDC ACP countries. Any LDC that wished to join a regional trade agreement with their richer non-LDC neighbour who was part of an EPA would face the problem of trade diversion from European exports. In order to avoid becoming part of a de-facto free trade area with the EU, LDCs would have to implement substantial border measures to be able to screen out European exports. This would act as a harmful and costly disincentive to locally-owned regional trade integration.

The case of the East African Community (EAC) illustrates the difficulties. The EAC includes Kenya, Uganda and Tanzania, which have long been committed to closer economic collaboration, having already established an East African Parliament and recently a customs union. As LDCs, both Uganda and Tanzania already have duty-free and quota-free access into the EU market under the Everything But Arms initiative, which means there is nothing for them to gain in joining an EPA. Kenya’s position, as the only non-LDC in the East African Community, is now particularly isolated. At the same time the EC is emphasizing the importance of the ESA region defining a common external tariff (CET) for EPAs, which presents massive problems given the overlapping memberships and the short timeframe available. Similarly the EC wants the SADC EPA trade regime to have a CET by 2008, whereas the SADC trade agenda envisions one by 2010.

57. **For the EPA component of the Strategy to be transformed into a joint EU-Africa Strategy - genuinely ‘owned’ by African states (rather than merely signed up to because of a perceived lack of alternative) - a fundamental change of approach would be required, both to the negotiating process and to the content of the EC’s negotiating directive.** The review of the EPA negotiations scheduled to take place in 2006 provides an opportunity in this regard.

## **Dialogue**

58. The Cotonou Agreement provides a valuable framework for policy and political dialogue which should be adopted more broadly, and in particular, the commitment within the Cotonou Agreement that EU Delegations will establish

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mechanisms for engagement with non-state actors, including civil society. For example, all Delegations are required to appoint one official with specific responsibility for relations with local civil society. To date such engagement would appear to be quite limited in many countries. BOND research<sup>23</sup> has shown that in many cases this position was viewed as a training position for junior officials or consultants on short-term contracts.

59. **The EU should give priority to creating or strengthening mechanisms for systematic dialogue with non-state actors, including local civil society, on aid and trade issues, and to information sharing.**
60. **The EU should demonstrate willingness to learn from African experience and analysis and strengthen fora where such mutual Africa/EU learning and sharing could take place as well as fostering learning within and between African countries.**
61. In relation to EPAs, BOND is concerned about a lack of open and transparent dialogue at all levels, including
  - Between the EC and its Member States, where there has been a lack of scrutiny from Member States of the Commission and from DG-Development of DG-Trade;
  - Between the EC Commissioners - of trade and development - and the EC negotiators
  - Between the ACP regional secretariats and their member countries, whereby the latter perceive the secretariats to be driving the process with inadequate accountability to member countries; and
  - Between governments, parliamentarians and wider civil society, as explicitly called for in the Cotonou Agreement. The lack of publicly available information about the process and substance of the negotiations makes it virtually impossible for Non-state Actors to engage effectively in the formulation of policy and in the process of the negotiations, even though the Cotonou Agreement specifically provides for such involvement.

For example, partners in East Africa have shared concerns about being excluded from national fora in which negotiating positions are being decided; and about the quality of information flow between the COMESA regional secretariat and national governments. The fact that trade ministries receive EU funding for activities related to formulating their negotiating positions, including for their sustainability impact assessments, and that COMESA secretariat itself is largely EU funded, is not helping the process of trust.

62. Addressing the problems of communication flow, transparency and dialogue must be central to the discussions that take place as part of the 2006 EPA review.
63. Furthermore, the EU should increase dialogue with the Africa Decade for Disabled People, a NEPAD programme declared by the AU to mainstream and integrate disability issues across all sectors of governments and within all development aid programs to benefit Africa. The Decade aims to raise awareness about the situation of the estimated 60 million people with disabilities in the region, and to identify solutions tailored to the African experience that

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<sup>23</sup> BOND. 2004. Implementers of Actors? Reviewing civil society's role in European Community development assistance in Kenya, Senegal, Bolivia and India

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enhance full participation, equality and empowerment. Partnership with the Decade could help to ensure that EU development co-operation becomes inclusive of one of the continent's poorest groups.

### **Monitoring & Review**

64. **Follow up and monitoring mechanisms of the EU-Africa Strategy should specify the need to disaggregate all poverty data by gender, age, disability and ethnicity. BOND also suggests that the Strategy contain a clear commitment to support African governments and their regional institutions to establish and extend basic social protection mechanisms that support their most vulnerable citizens across the life course.**
65. The review of the EPA negotiations scheduled to take place in 2006 offers an opportunity to address the concerns articulated regarding inadequate African ownership of the EPA process, if it fosters the kind of genuine dialogue that allows parties to move on from entrenched positions. The AU Trade Ministers meeting in Cairo in June 2005 at the time stressed the "need to agree as soon as possible on the modalities for the comprehensive review of EPAs in 2006 foreseen in Article 37.4 of the Cotonou Agreement".
66. As BOND, we are proposing that the review needs to follow certain criteria. **In order to be a genuine and effective review, it needs to evaluate what each party wants to achieve from the EPA negotiations and whether they are on course to achieve their respective objectives. In particular, the review needs to question whether EPAs look set to achieve the Cotonou objectives of sustainable development and poverty reduction, while also adhering to the Cotonou principles of state sovereignty and the right of countries to determine their own development and trade strategies.**
67. The review must be a genuine consultation that ensures the full and genuine participation of all stakeholders, including Parliaments and the full range of non-state actors, with specific involvement of women and other vulnerable groups; it should be conducted by an independent third party, such as UNCTAD; it must allow sufficient time for extensive and meaningful consultation to take place and to follow a clear pre-agreed timetable; to take place at the all-ACP level as well as at regional levels; recognise the relative negotiating capacities of ACP and EC; and to ensure that the findings of sustainability impact assessments are communicated and factored into the review.
68. It should address the full range of issues that the ACP has highlighted as unresolved and as being of ongoing concern, including rules of origin; compliance with and implications of the Cotonou obligations on provision of alternatives, including possible revisions to WTO Article XXIV; reciprocity; use of SIAs; impact of negotiations on existing regional integration processes; and coherence between regions.

### **In Conclusion ...**

The EU-Africa Strategy presents a renewed commitment by the EU to address some of the challenges above. Persistent and concerted action is needed to make a difference to the lives of millions of women, men and children through increased and

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better aid, fair trade, access to care and treatment for HIV/AIDS survivors and action against poverty, violence and conflict.

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