

What next for the Joint Africa-EU Strategy?

**Perspectives on revitalising an
innovative framework**

A Scoping Paper

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www.ecdpm.org/dp94

Discussion Paper No. 94

March 2010



EUROPEAN CENTRE FOR DEVELOPMENT POLICY MANAGEMENT
CENTRE EUROPÉEN DE GESTION DES POLITIQUES DE DÉVELOPPEMENT

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11 March 2010

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“... Our common future requires an audacious approach, one that allows us to face with confidence the demands of our globalizing world ... We are resolved to build a new strategic political partnership for the future ... We are determined to give this new strategic partnership the necessary means and instruments that will enable it to fulfill the Joint Strategy...” (Excerpts from the Lisbon Declaration – 2nd EU Africa Summit, Lisbon, 8-9 December 2007).

The Joint Africa-EU Strategy (JAES) at a critical juncture

*The Joint Africa-EU Strategy (JAES) was agreed upon at the 2007 Lisbon Summit. The purpose of the new policy framework was to “take the Africa-EU relationship to a **new strategic level with a strengthened political partnership** and enhanced cooperation at all levels”². It reflected a bold, ambitious and innovative response to new geopolitical realities (e.g. emergence of new players such as China, Brazil, India) as well as major changes in Europe and Africa. It was meant to provide an “**overarching long-term framework for Africa-EU relations**”³, to be implemented through eight thematic partnerships and successive Action Plans (AP).*

*Two years later, the mood seems less euphoric. Many stakeholders on both sides, argue that the JAES is not moving in the right direction –or not fast enough- in terms of modifying substantially the nature and quality of EU-Africa relations as originally intended, despite some qualified successes and the best efforts of many. The 13th Africa - EU Ministerial Troika in October 2009 acknowledged this state of affairs and invited all stakeholders to proceed to a “**fundamental review**” of the structures and functioning mechanisms of the first Action Plan and to come up, if necessary, with proposals for “**significant changes**”, to be discussed at the next Troika at the end of April 2010.*

Ever since, officials in Africa and Europe have brainstormed on the start-up challenges experienced by the JAES and explored potential solutions, reflecting a common concern to make progress before the 3rd EU-Africa Summit in November 2010. Yet this important review exercise should not be limited to ‘downstream’ (technical) implementation issues. Revitalizing the JAES may require a preparedness to also reflect and act on ‘upstream’ (political) bottlenecks that are currently limiting ownership and reducing its effective use.

*As an independent foundation, engaging with both European and African actors and following the JAES process from the outset, ECDPM seeks to contribute, in a non-partisan way, to this crucial debate in the form of a ‘**scoping paper**’. Building on the commitments made by European and African stakeholders with regard to the JAES (section I), it reviews progress achieved so far as well as highlighting perceived gaps between political ambitions and actual implementation practices (section II). It thereby focuses primarily on political bottlenecks hampering effective delivery. The paper then argues that the observed weaknesses in the implementation strategy followed so far do not undermine the intrinsic value of the JAES vision. The political objectives underpinning the JAES seem now even more relevant than in 2007 (section III). The ball is in the camp of political leaders in Europe and Africa. This is not the time for criticising the two Commissions involved for the limited progress achieved so far. All parties (particularly Member States on both sides) share responsibility for the success or failure of the JAES. All parties stand to lose if the opportunities provided by this highly innovative policy framework are not strategically exploited (even if it may take some time). Both the April Troika and the November Summit provide opportunities to redefine their respective levels of ambitions with regard to the JAES. The paper concludes with a brief exploration of three possible reform scenarios which policy-makers may choose to follow (section IV).*

² The Africa-EU Strategic Partnership. A Joint Africa-EU Strategy. 2007. See under “Shared Vision”, par. 4

³ Ibid. See under “Shared Vision”, par. 5.

I A short reminder of the ambitions of the JAES

1. It makes little sense to review progress achieved so far and to discuss necessary changes without revisiting the **key objectives of the JAES** to which parties committed themselves during the 2007 Lisbon Summit. The large number of actors involved on both sides – each with varying levels of knowledge about the JAES – makes this brief reminder even more imperative.
2. The JAES reflects **both continuity and a major break with the past**. It reconfirms existing principles of cooperation such as ownership and joint responsibility, respect for human rights, democratic principles and the rule of law, and the need for a people-centre partnership involving non-state actors (also to be found in the ACP-EU Cotonou Agreement). Several JAES thematic partnerships focus on topics that have been on the Africa-EU agenda for quite some time (e.g. peace and security, governance, economic development, MDGs).
3. Yet the JAES foundation documents also include **major innovations** aimed at “overcoming the traditional donor-recipient relationship” and fundamentally changing Africa-EU relations.
4. The summary of this **transformative reform agenda** can be given in four major points, as reflected in Box 1 below

Box 1: Key Joint Commitments and Innovations included in the JAES

- “To reinforce and elevate the Africa-EU partnership to address **issues of common concern**”

This objective illustrates the ambition to take the Africa-EU relationship to a new, strategic level with a strengthened political partnership and enhanced cooperation at all levels, including in the joint promotion of a system of effective multilateralism.

- “To this end both sides will **treat Africa as one and upgrade the Africa-EU political dialogue to enable a strong and sustainable continent-to-continent partnership, with the AU and the EU at the centre**”

This commitment stresses the need to deal with Africa as one (as opposed to the current fragmentation of policy frameworks ‘slicing’ up EU relations with Africa). It considers an upgraded political dialogue as the linchpin of the new partnership. It clearly states that the continental level is the key focus and added value of the JAES, with the two Unions at the core of the process and institutional architecture. In order to make this work, parties agreed on the need to have “strong institutions [on the African side] that invest particularly in their capacity to act effectively together and interact with each other”. To this end, the EU commits itself to further support the “ongoing institutional transformation process of the AU”⁴

- “To strengthen regional and **continental integration in Africa**”

Through the Lomé Conventions and the Cotonou Agreement, Europe has provided long-standing support to regional integration processes. Yet the JAES is the first political framework which also fully recognizes the need to promote “continental” integration. This reflects the creation of the AU and the need to support its pan African integration agenda. The “unity of Africa” is therefore considered to be one of the fundamental principles underlying the JAES⁵.

- “To provide an **overarching long-term framework for Africa-EU relations**”

The adoption of such an “overarching” new framework inevitably an obligation to “enhance the coherence and effectiveness of existing agreements, policies and instruments”⁶ such as the Cotonou

⁴ Ibid. See under Institutional Architecture and Implementation, par. 98

⁵ Ibid. See under “Principles”, par. 6

⁶ Ibid. See under “Principles”, par. 6

Agreement (CA) and the European Neighbourhood Policy (ENP). To this end, parties committed themselves “to work together towards gradually adapting relevant policies and legal and financial frameworks... to the needs and objectives of the partnership”⁷.

5. Implementing such an ambitious agenda requires a **transition period**, based on experimentation, collective learning and adjustments to well-established ways of organizing Africa-EU relations. The transition should allow the JAES to gradually find its place alongside existing, legally binding policy frameworks and to demonstrate its added value. By definition, it should be expected that the JAES objectives may, to some extent, overlap/compete/conflict with other policy objectives (such as ENP)⁸. Progress on all these complex points is likely to largely depend on the capacity of both parties to strategically use the JAES effectively as a trigger to push forward their respective priority agendas. In many ways, the JAES can therefore be equated to a ‘building in construction’.

II The track record so far

Assessing results: a challenging job

6. Two years is a **short period of time to assess the functioning of a complex, ambitious and innovative framework such as the JAES**. Experience suggests that it tends to take years before innovative multilateral initiatives gain full awareness, ownership and momentum so as to deliver results to the stakeholders. Yet it is possible to look at the trajectory followed since the 2007 Lisbon Summit, to identify emerging trends as well as directions of change in the implementation process so far and to compare these to the specific political objectives the JAES set out to achieve (as described in the previous section).
7. In this initial period (2008-2009), the JAES sought to push forward the various partnerships and related action plans, through political dialogue (primarily in the form of six-monthly Troika meetings), policy dialogue (on thematic issues) and (informal) Joint Expert Groups (JEGs) that were supposed to function as the main implementation mechanism of the JAES. In the process, a variety of institutional actors, experts and non-state actors were mobilized on both sides.
8. The JAES parties committed themselves to a **result-oriented approach**. However, measuring the performance of the JAES was bound to be a challenging exercise, considering its innovative nature, the diversity of stakeholders’ expectations, attribution problems as well as the lack of a clear and jointly agreed methodology to measure performance. Since the launch of the JAES, regular progress reports have been prepared (primarily by the EC) and endorsed (by the Joint Task Force⁹). The latest joint ‘Assessment Report’ (October 2009) reviews progress and challenges in each of the thematic partnerships as well as in the institutional structures and working methods of the JAES.
9. With regard to **progress achieved**, the report presents a wide range of activities (e.g. high-level conferences, joint workshops, studies) and initiatives (that have been launched or are in pipeline) as well as some qualified successes. For instance, the report explicitly mentions achievements such as:

⁷ Ibid. See under “New Approaches”, par. 9 (f)

⁸ For instance, the privileged partnership relations sought with North African countries in the framework on the ENP is not necessarily compatible with the stated JAES objective to “treat Africa as one”.

⁹ Joint Task Force, Assessment Report, 9 Oct. 2009 FINAL.

- Reinforced cooperation between the two continents (e.g. Peace and Security).
 - Expanding the horizon of Africa-EU relations to new areas (e.g. in the partnership on Science, Information Society and Space, Energy)
 - Enhanced political dialogue (e.g. in the field of migration)
 - Stronger synergies between the priority actions of some partnerships and African defined and owned priorities (e.g. in the field of election observation; or with regard to the 'Comprehensive Africa Agricultural Development Programme')
 - Shared analysis of issues and co-ordination of policy responses (e.g. MDG partnership)
 - Search for Joint Positions on a variety of themes and elaboration of Joint Declarations (e.g. on Climate Change, 2008)
 - Mobilisation of funding for specific continental and regional programmes
 - On the institutional side, the establishment of the EU Delegation to the African Union is seen as "one of the most important decisions taken by the EU in implementing the Partnership". It has consolidated a collective EU approach to the African Union, provided greater insight from Africa to the challenges of making the JAES work to Europeans – enhancing day-to-day dialogue
10. The October 2009 Assessment Report also recognizes several **challenges** in each of the thematic partnerships. Among those frequently mentioned one finds: "insufficient communication"; "inadequate financial and human resources" (on the African side); "delays in the preparation of consolidated African positions"; "the lack of broad ownership by stakeholders"; the lack of a "dedicated implementation process"; and limited involvement of "Member States, civil society and the private sector".
11. Furthermore, in the view of the Joint Task Force "**mixed results**" have been achieved with regard to the **institutional architecture and working methods** of the JAES. Much effort has been exerted to put in place the necessary coordination and monitoring bodies within the two Commissions (mandated to be the motor of the JAES), at Council level (mainly on the EU side) and with other stakeholders (Parliaments, non-state actors). However, the report recognizes important institutional bottlenecks such as the limitations of the Troika format (as the main body for political guidance); the less than optimal levels of ownership and involvement of key players such as Member States and the Regional Economic Communities (RECs); and the insufficient link between the (technical) expert work of the JEGs with (political) decision-making processes.
12. From an independent perspective, an observant reader is likely to be struck by the primarily '**technocratic**' nature of the reporting. The general focus in the Assessment Report is on describing activities, listing roadmaps, steps and support measures taken and presenting future expectations. Also the sections on "challenges and opportunities" are rather technically conceived, focusing on downstream implementation problems (e.g. lack of capacity). In some partnerships, there is a timid probing into the 'politics' of the JAES processes, yet this is generally limited to observing a lack of ownership, without analyzing why this happens.
13. The **lack of a solid political analysis of the interests at stake** in the JAES is particularly visible in sensitive partnerships. Thus, the Trade, Regional Integration and Infrastructure Partnership extensively reports on meetings, programmes and specific activities but does not mention the existing difficulties and tensions between both parties around the Economic Partnership Agreements (EPAs), which rather surprisingly are not formally integrated and discussed in the JAES framework. The Partnership on Climate Change considers the 2008 Joint Declaration as a "major political achievement" but remains silent on the political challenges involved in reconciling the diverging interests of both continents on this dossier with strong North-South connotations¹⁰. The subsequent Copenhagen Conference clearly illustrated the divisions and lack of agreement between Europe and Africa. A similar a-

¹⁰ As reflected amongst others in an African Position on Climate Change, prepared at AU level for the Copenhagen Summit.

political tone prevails in the reporting on the partnership on Migration, Mobility and Employment, a policy area still largely determined by national policies and interests. There is much information on activities and funding opportunities yet no in-depth political analysis of existing tensions and diverging interests on this critical and divisive policy issue. The list of challenges proposed in the report is, not surprisingly, also of a technical nature (i.e. the need to address the lack of an African co-chair; greater involvement of non-state actors; better visibility).

How to deal with politics, interests and incentives?

14. The above points to a major risk in the JAES implementation process so far: the perceived ***gradual dilution of the political substance of the new policy framework***. This lies in contrast to the original negotiations for the JAES where there was a much stronger sense of negotiating political differences. It is reflected in the fact that the JAES finds it difficult (so far) to politically uplift the partnership “beyond Africa”, “beyond cooperation” and “beyond institutions”¹¹. This dilution should be a matter of concern considering that the added value of the JAES, compared to existing policy frameworks such as the Cotonou Agreement or bilateral relations, precisely lies in its ambitious political agenda to renew/transform Africa-EU relations.

15. ***The signs on the wall*** of this ongoing ‘dilution’ are there:

- “*Political dialogue*” was put at the centre of the new partnership. It was meant to cover all relevant areas of shared issues and to involve a wider range of institutional actors. There are undoubtedly positive dynamics in some specific areas, with a potential for further development. However, according to most stakeholders, ***political dialogue as a whole has not yet been substantially improved or expanded under the JAES***. It works well in areas such as Peace and Security but this is strongly linked to the utilization of dialogue structures, processes and resources predating the JAES¹². In new policy areas progress has been rather limited for a variety of reasons including: (i) the tendency to confine political dialogue largely to bi-annual Troika meetings (characterized by overloaded agendas and limited time for other matters than peace and security issues); (ii) the choice of the EU¹³ to deal with various sensitive matters *outside* the JAES framework (e.g. the EPA processes¹⁴, or selectively inside, e.g. migration); (iii) difficulties on the African side to elaborate and agree upon regional and continental agendas and (iv) duplication of work in other existing multilateral fora and (v) the objective difficulty for development-oriented European Commission units (e.g. DG DEV) to push for a substantial political dialogue on non-development issues (e.g. migration, environment) managed by other parts of the European Commission with a different culture and confronted with a variety of (conflicting) interests in the policy area concerned.
- The JAES was expected to establish a “*continent-to-continent*” *partnership*. While there is no shortage of institutional links and worthwhile initiatives between the respective Unions/Commissions, it has proven ***difficult to ensure a focus on pan-African***

¹¹ These are the “three beyonds” the JAES sought to introduce in Africa-EU relations.

¹² Thus the existence of an African Peace Facility has proven instrumental in ‘federating’ actors and interests and promoting political dialogue.

¹³ Depending on the issue at stake, this choice reflected either a political decision from the side of the EU/EC or the lack of suitable conditions to address the topic in the JAES (e.g. the lack of sufficient interest/capacity or political sensitivities with the regions on the African side to meaningfully participate in a dialogue).

¹⁴ With regard to EPAs some regions (RECs) have seemed reluctant to give the AUC an effective lead coordinating role, thus somewhat reducing the incentives to deal with the matter in the JAES. These and other matters related to the JAES Trade, Regional Integration and Infrastructure Partnership are analyzed in greater detail in a paper soon to be released by ECDPM.

initiatives and on harmonizing AU – Regional Economic Communities (REC) policy frameworks in the implementation of the JAES.

- The JAES has not been instrumental in “*treating Africa as one*”. If anything, the fragmentation of the Africa-EU relations has increased with the creation of the Union for the Mediterranean and with the potential division of portfolios between the new European Commission and European External Action Service¹⁵. Also on the African side, actors have not spoken with one voice on the issue or used existing dialogue mechanisms to agree on a common African position on a potentially divisive topic¹⁶.
- Little tangible progress has been achieved in establishing the JAES as the *overarching* political framework for Africa-EU relations¹⁷. It continues to ***co-exist, rather uneasily, with other policy frameworks such as the Cotonou Agreement (CA) and the European Neighbourhood Policy***. During the recent revision of the CA, the EC tabled proposals to better integrate the AU into the ACP framework. Yet much remains to be done to clarify the overall relationship and complementarity between the two policy frameworks (and related interest groups). So far, the parties have also not taken a firm initiative to align existing programming and financial instruments to the JAES nor is there a clear timetable to achieve this. A structured dialogue on how best to set-up the envisaged “progressive establishment of a Pan-African financial support programme”¹⁸ (to fund the continental ambitions of the JAES) is yet to start.¹⁹ It also remains to be seen whether the effective implementation of the Lisbon Treaty on the European Union will facilitate greater EU coherence towards Africa.
- Constructing a new political partnership requires time, experimentation as well as collective learning. Moving the partnership “beyond aid, deepening the political dialogue or ensuring coherence between existing policy frameworks and the JAES, these are all highly political and complex enterprises. ***Quick fixes and rapid impact should therefore not be necessarily expected in such a process.*** Against this background, the focus on “*quick wins*” (in the form of projects, activities, one off events, ad hoc funding) in the various JAES partnerships risks undermining the long-term goals parties set out for themselves. To some extent, this approach can be understood as there were pressures to show results in order to increase interest and support for the new policy framework. The problem is that the search for quick wins has become so dominant that it tends to transform the JAES into a bureaucratic tool to implement specific (and often low ambition) activities rather than a framework to construct, over time, a new partnership between two continents around shared interests and global agendas (e.g. on migration, climate change, the financial crisis).
- *Levels of ownership* tend to be low beyond the inner circle of those concerned with the JAES, particularly among Member States, Parliaments, civil society, local governments, private sector (in both Europe and Africa) as well as among the Regional Economic Communities (RECs). While most these actors strongly lobbied for an inclusive approach during the negotiation process of the JAES, they have been much less active/visible at the implementation level. A main reason for this is that many actors do

¹⁵ It is currently unclear what type of split of geographic responsibilities for Africa (if any) there will be between the European External Action Service and the European Commission.

¹⁶ There is no shortage of potentially conflicting agendas on the African side. For instance, Northern African States may be attracted to the special benefits offered by ENP and this may prove a more powerful incentive than vaguely defined pan-African agendas. African States and regions may theoretically support the idea of a pan-African envelope, but may at the same time be afraid that this will jeopardize their interests (and part of the overall EU/EC aid budget).

¹⁷ There is usually a rhetorical commitment to the JAES in for example the communiqués on the EU Strategic Dialogue with South Africa or the EU-ECOWAS Ministerial Troika in West Africa.

¹⁸ See the Joint Africa-EU Strategy as approved during the 2007 Lisbon Summit, par. 114

¹⁹ This process is not helped by the difficulties encountered by the AUC in managing an earlier EC support programme of 55 million Euro.

not (yet) perceive that the JAES ‘adds value’ (in political, operational or financial terms) to existing bilateral and multilateral policy frameworks and instruments. All this means that there are **limited incentives to engage** in the process (beyond ad hoc events). Further analysis will be needed on how to effectively and efficiently apply the principle of a ‘people-centered’ JAES.

16. Depending on the view of the ambitions of the JAES, this state of affairs can either be seen as a transitory implementation problem or as the reflection of a more fundamental crisis affecting the foundations of the JAES. Yet whatever perspective is taken, an ***in-depth reflection*** is needed on the future of the JAES. Both parties are invited to assess how serious this political dilution is and why it happened. Where does the credibility crisis of the JAES come from? Why are levels of ownership low? How can it be explained that the JAES is now primarily driven by bureaucratic incentives (on both sides) rather than by a clear and audacious political agenda, supported by coherent leadership and active support of Member States on both sides?

The dynamics of political dilution?

17. This scoping paper proposes ***six possible (inter-related) explanatory factors for the perceived political dilution process***, although we acknowledge that stakeholders may have others. They are formulated in the form of questions so as to stimulate an open-ended and *constructive* debate among all parties.

- *To what extent has the political leadership of the JAES implementation process been sufficient?* The JAES is unambiguous about the political ambitions it seeks to achieve. The various Action Plans provided a first, inevitably incomplete, roadmap for implementation. In order to translate the lofty objectives of the JAES into practice, ***ongoing political leadership and engagement at the highest level, on both sides, was set to be crucial all along the implementation process***. However, the question can be raised whether sufficient leadership was effectively provided by the AUC, the EC and African and European member states. The perception is rather that following the 2007 Lisbon Summit, implementation of the JAES was largely delegated to high officials/experts located in specific units within the two Commissions and officials in member-states heading each partnership. These units and officials invested heavily in the process yet they generally lacked the power and leverage (or support) to move forward the political agendas of the JAES. From their position, they found it difficult to consult, develop and articulate at the continental level collective interests to be furthered as part of a political dialogue. Putting real “interests” on the table rather than projects requires political engagement. These systemic limitations may, quite naturally, have pushed officials to largely ‘avoid’ the broader political agendas and fall back on things they could manage at their level. This, in turn, may explain the rapid ‘bureaucratisation’ of the JAES process and related obsession with quick wins so as to demonstrate that something was being achieved.
- *To which degree are parties prepared to reconcile (diverging) interests through political dialogue?* As a fundamentally political partnership, the question of interests is at the heart of the JAES. Between Africa and Europe there may well be shared issues, but not necessarily shared interests (as illustrated with recent positions at the Copenhagen Climate Change conference). This does not negate the value and premise of the JAES as a framework for continental interaction but rather the importance of the quality of a ***robust political dialogue*** that should create it. While key officials (on both sides) claim that “there are no taboos” in the JAES, it would appear that the JAES has so far not been sufficiently exploited as a political framework through which to creatively articulate, further and protect interests in Africa and Europe, particularly on sensitive topics where interests may be divergent. This reflects the weak political buy-in and ownership so far

of the JAES in Europe and Africa. It also suggests that the parties are still struggling to apply the 'JAES spirit', i.e. to open-up the political dialogue to *all* issues of concern to each continent and to arrive at a truly *joint* agenda-setting.

- *Inclusive partnership yet with “actors” or “experts”?* One of the potential strengths of the JAES is its focus on inclusiveness. This reflects a welcome recognition that all relevant actors need to play a part in the construction of a different type of Africa-EU relations. Yet organizing such a multi-actor partnership has proven to be a complex matter. Currently, the JAES architecture is generally perceived to be far too heavy, cumbersome and inflexible. There is also a disturbing blurring of roles and responsibilities between “actors” (i.e. institutions with formal political mandates) and “experts” (i.e. individuals with specific competencies and/or representing particular interests). This **confusion of roles** is manifest in the functioning of the JEGs, where both set of players are mixed up (e.g. with Parliaments being invited to participate as ‘experts’). This has reduced both the legitimacy and effectiveness of the JEGs (see Box 2).

Box 2: The mandate of Joint Expert Groups – Mission impossible?

The informal Joint Expert Groups (JEGs) are seen as the motors to implementing the JAES. Under the political steering of the Troika, they are tasked to carry out crucial technical work regarding implementation, coordination, mobilization of actors and resources. It was expected that the work of the experts could be linked back to the political level, resources and implementation agencies.

It is now widely acknowledged that this scheme has not worked optimally. In most cases, the JEGs' ability to 'make things happen' proved rather weak as a result of limited clarity on: (i) their structural links to the political level, (ii) resources at their disposal, (iii) connection to implementation (e.g. existing programming cycles) and (iv) membership. In the absence of ongoing political guidance, the Joint Expert Groups (JEGs) are largely left on their own to implement the JAES, with ambiguous mandates and roles, stretching far beyond their remit as an informal technical body of experts. The structural weaknesses of the JEGs have limited participation and engagement in Europe and Africa. There are few incentives for “experts” to attend JEGs other than a bureaucratic imperative – even then it is unclear what kind of continental or regional mandate the participants have. All this suggests the JEGs suffer from a structural design flaw, requiring fundamental adjustments.

- *Incentives for effective implementation: invest in processes or projects?* The political vision of the JAES is couched in language with strong ‘process’ connotations. There is much talk about constructing a new partnership, defining common agendas, supporting the pan-African architecture, building coherence, etc. These are all, by nature, process outcomes to be achieved over a longer period of time. Yet in practice the JAES has been under heavy pressure to deliver quick outcomes in the form of ‘projects’. While the concern for tangible outcomes is perfectly legitimate, the parties still need to find a way to **reconcile the search for short-term results with the inherently political and long-term objectives of the JAES**.
- *Are both parties open for a real change in the ‘culture’ of cooperation?* The JAES goals are to move from the previous EU-Africa relationship based on donor-recipient roles into a modern partnership geared to managing and reconciling common interests and global challenges. This means addressing a wide range of new issues “beyond aid” that are not historically a part of the regular EU-Africa policy dialogue conducted by these institutions. The entire JAES approach therefore profoundly **challenges existing norms and ways of working** of institutions in Africa and Europe that have been established over decades. This means the review should also consider the following questions: To what extent have European and African officials been **empowered to work creatively** or **differently** on EU-Africa relations? Has there been sufficient leadership to drive the required institutional change process? Have the necessary

incentives been put in place to gradually transform traditional behaviour, adapt mindsets, rethink dialogue approaches, adjust working methods and develop new institutional arrangements? What steps have been considered to 'open-up' the traditional aid sector (on both sides) to think in a different, broader way? What has been done to bring non-traditional development actors 'on board'?

- Were the **asymmetries in capacities** between the two Unions adequately considered? The African Union, with its expanded mandate to promote pan African integration agendas, was launched in 2002. Inevitably, there is still a way to go before the new continental structures, processes and capacities are in place and working. In addition, in many African countries bureaucracies do not have the same resources at their disposal as EU member-states. How was this reality reflected in the JAES process and in the demands the stakeholders made to each other?

18. The combined effect of these factors may help to explain the difficult start of the JAES and the resulting **gradual loss of credibility** of the new partnership framework. A vicious spiral seems to be at work. Despite all the efforts of dedicated units, particularly at the level of both Commissions, the JAES does not seem to make headway as the overarching political framework due to modernize and transform Africa-EU relations. If anything, stakeholders tend to (informally) agree that the JAES is **functioning as a 'stand-alone', primarily bureaucratic process, without strong political clout and aligned financial resources to make things happen, providing limited added value compared to existing multilateral and bilateral policy frameworks**.

III The continuing relevance of the JAES vision

19. The above analysis suggests that the JAES process may find itself at a **critical juncture**. Dissatisfaction with the lack of progress and cumbersome institutional set-up is fuelling scepticism if not despondency among key stakeholders on the added value of the new policy framework. The risk of throwing out the baby with the bathwater is real.

20. However, it also appears that the current difficulties experienced by the JAES are linked to **fundamental political choices in the implementation strategies** followed so far rather than to the validity of the overall *vision* underlying the search for a renewed Africa-EU partnership.

21. The **vision** of the JAES founding fathers – to establish a strengthened political partnership between two Unions – seems now even **more pertinent** than in 2007. A wide range of geopolitical events in the global arena make it clear that both continents badly need a JAES to manage crucial interdependencies. First, the financial crisis and the Copenhagen Conference on Climate Change have shown that national attempts at solving issues are a thing of the past for both African and European stakeholders. In an era of globalisation, there is a huge need for *platforms* (such as the JAES) where parties can collectively further their interests and enter into a political dialogue with others to pursue them and negotiate common positions. Second, there is a clear (albeit slow) move towards greater integration on both continents, reflected in the Lisbon Treaty in Europe and the African Union in Africa. To achieve global and continental outcomes it does not make sense for the political dialogue and interaction between the two continents to move in the opposite direction towards fragmented bilateral relations. Third, the global governance systems are also evolving rapidly, as exemplified by the rise of the new G-20 structure. This creates opportunities for joint Africa-EU cooperation on global issues, which could be mediated through the JAES. Fourth, the steady rise of new actors (China, Brazil and India) invites Europe to rethink its position and overall approach towards Africa in order to remain a relevant partner. A well-implemented JAES could be an effective instrument to broker a

new relationship based on common interests and providing real added value (compared to what other international players offer).

IV Three possible scenario's for the future of the JAES

22. The October 2009 Troika meeting gave a clear ***mandate for a “fundamental review”*** of the Action Plan, as it has functioned until now. This, however, may mean different things to the wide range of stakeholders (directly or indirectly) concerned with the JAES. While none of the parties seem interested to renegotiate the JAES text or its core principles, the direction of change is still unclear.
23. In order to facilitate the debate, this paper considers, ***three possible scenarios*** that policy-makers in Europe and Africa may decide to follow, depending on their own diagnosis of the current bill of health of the JAES, their respective political interests, levels of ambition and faith in the JAES process. Each of these scenarios is analyzed from a triple vantage point: (i) what is the reform agenda policy-makers are likely to emphasize: (ii) how feasible are the proposed reforms (from a political and institutional point of view)? and (iii) what are the likely effects on the achievement of the initial objectives of the JAES, agreed upon during the Lisbon Summit?
24. The following scenarios may come up during the review process:

Scenario 1: The status quo or introducing limited changes to the current set-up

25. The first scenario is premised on a ***rather positive diagnosis*** by both parties of the current JAES process. Implementation weaknesses are recognized yet proponents of this scenario tend to argue that these can be fixed through (primarily technical) adjustments at operational level (e.g. improved guidance for the JEGs; simplification of the institutional framework, a secretariat to run the JEGs, better support to civil society actors, larger and easier access to travel budgets for experts to attend meetings, etc). If this scenario would prevail, debates during the review process are likely to focus on scaling down ambitions and defining a (more realistic) second Action Plan (with related set of deliverables). The reform agenda would not seek to tackle systemic bottlenecks of a political nature related to leadership, ownership, coherence or lack of strategic funding to implement joint continental agendas over a longer period of time.
26. This scenario seems perfectly ***feasible*** (from a political and institutional perspective). It would keep open avenues for dialogue that could be built on if opportunities arise. Yet it carries risks for the integrity and credibility of the overall JAES vision, as agreed upon in the 2007 Lisbon Summit. The observed structural weaknesses of the JAES would remain unchanged. This, in turn, may further erode the political appeal and added value of the JAES (compared to other legally binding policy frameworks, well endowed with political traction and resources). Although not intended it may lead to a situation whereby Africa-EU relations are 'de facto' largely confined to a traditional 'donor-recipient' partnership, focused on development cooperation, as parties continue to pursue their real political interests outside the JAES. It may also provide only limited incentives for other actors (RECs, Parliaments, civil society, etc.) to meaningfully engage.

Scenario 2: Reforming with caution – with the risk of stopping halfway

27. In this second scenario, policy-makers would start from the assumption that the 'status quo' is not an option as it may lead to a further dilution of a potentially valid policy framework. It implies a **preparedness of both parties to address the structural and operational if not the political shortcomings** of the JAES as they emerged during the first phase of implementation. There seems to be quite some support for this scenario. During recent brainstorming sessions in the run-up to the next Troika, both parties formulated reform proposals that go beyond mere technical adjustments. These include, amongst others, the need to (i) concentrate JAES efforts primarily on continental and regional priorities; (ii) ensure that JAES activities are better aligned to existing (pan-) African policies, programmes and strategies; (iii) promote the full participation of the RECs (by ensuring that their priorities are taken on board and supported by the JAES); (iv) mainstream, where possible and relevant, the JAES in national structures and cooperation processes; (v) strengthen the political and policy dialogue; (vi) enhance the steering mechanisms and streamlining the implementation arrangements; and (vii) improve communication on the JAES.

28. These are valuable proposals, yet will they suffice to revitalize the JAES in line with its stated objective to (gradually) renew/transform Africa-EU relations? The problem with this scenario is that it remains unclear whether the parties are also prepared to address upfront the more **fundamental political bottlenecks** to effective implementation that emerged over the past two years. They concern thorny questions such as: how should one concretely tackle the ownership deficit (especially from Member States and RECs)? What incentives may push **both sides** to consistently use the JAES framework for a substantial political dialogue (including on sensitive issues where interests diverge)? Are parties willing to define a clear roadmap to gradually transform the JAES into the 'overarching' framework for Africa-EU? Can they agree on the steps required to ensure effective coherence between the JAES and existing agreements, policies and instruments (with their respective vested interests on both sides)? What type of strategic and sustainable funding could be mobilized in Europe and Africa to ensure implementation of the political objectives of the JAES while simultaneously addressing the problems of 'absorption capacity' at the level of the AUC? The October 2009 Assessment Report recognizes most of these issues but does not indicate a political way forward to deal with them (except in the longer term)²⁰.

29. The tendency to downplay/remove the more systemic (political) issues affecting the JAES may reflect a sense of realism -among both parties- of what is most feasible at this stage. Yet it is difficult to see how the JAES can live up to its original vision and expectations if these issues are *not* included and addressed in the review. The net result is likely to be a **cautious, rather limited reform** that may improve certain structural deficiencies but may not be sufficiently robust to create the conditions/promote effective delivery on the political objectives of the JAES.

Scenario 3: Back to basics or putting in place an enabling environment for the JAES to gradually fulfil its full potential and added value

30. This third scenario would opt for a more **systemic way out of the perceived crisis** of the JAES in terms of delivering –fast enough to remain attractive- on its political objectives and related change in the nature of Africa-EU relations. It boils down to going 'back to basics' and reverting to the original vision of the JAES -as a new political framework of cooperation between two continents whose main added value resides in its capacity to address global challenges and mutual interdependencies in a concerted way. It means accepting that it takes time to overcome the heritage of decades of traditional Africa-EU relations (visible on

²⁰ Joint Task Force, Assessment Report, 9 Oct. 2009 FINAL.

both sides) and construct a reinvigorated partnership with a reformed set of institutions, approaches and capacities to jointly manage a much broader political agenda. It recognizes that such a 'construction process' requires (ongoing) top-level leadership (on both sides); sophisticated political engineering work to get things moving: a willingness to put (diverging) interests on the table and to engage in the long, uphill struggle to reconcile these interests through dialogue. This is a task that cannot be delegated to JEGs (however well supported) or achieved through quick wins alone. It invites all parties concerned to concentrate the next phase of the JAES implementation process on **creating a truly enabling environment** for the JAES to fulfill its potential added value.

31. This implies introducing immediate reforms (as proposed in scenario 2) yet launching at the same time a number of processes to address upfront the political challenges now affecting the JAES (such as limited ownership, weak political dialogue, stand-alone status, technocratic focus, competing status compared to existing policy frameworks, lack of strategic funding, etc). It means agreeing upon a **'political roadmap'** indicating the processes that need to be organized –from the top- to put in place the structural conditions for an effective functioning of the JAES. This roadmap would also have clear 'deliverables' (albeit of a different nature) and usefully complement the more specific, downstream roadmaps derived from the eight partnerships. Box 3 clarifies what such a broader political reform agenda may entail in practice for both parties.

Box 3: Ideas for creating an enabling environment for the JAES: some concrete steps

1) Reinvigorate the political agenda of the JAES:

- Give a clear explicit and implicit political mandate to frankly and honestly discuss and confront both successes and implementation problems of the JAES to date. Try to agree on the (pre-) conditions that are required for the JAES to achieve its full potential²¹.
- Firmly align JAES behind already agreed continental positions and programmes in Europe and Africa (such as the African Union's Strategic Plan)
- Jointly explore ways and means to elevate the JAES beyond the Commission-to-Commission dialogue to a real partnership owned by African and European Member States. One way of doing this is for both Commissions to consult member states and reflect on their internal agendas and on the specific and concrete issues they wish to be part of future continental political dialogues. Choose to pursue these at a high level in a limited amount of fields aligned to the thematic partnerships where the buy-in is likely to be the highest and where the JAES can add real value
- Accept and factor in that continental positions both in Europe and Africa take time to develop, joint positions that aren't first "well grounded" are unlikely to be sustainable.
- Address contentious issues (Zimbabwe, ICC, EPA) while ensuring that they do not slow down/derail the overall JAES dialogue in other areas
- Clarify before the next Troika where the higher level political leadership in the EU/EC (beyond the Development Commissioner) and the AU/AUC (beyond the Department of Economic Affairs) on the JAES is going to come from and ensure active engagement from that level
- Jointly define a relevant political agenda for the next Summit focusing on core topics that are likely to dominate the partnership and require bold responses (e.g. the financial crisis, the follow-up to the Copenhagen Summit, etc.). This, in turn, should help to prove that the JAES provides an adequate political framework to address upfront (controversial/divisive) policy issues
- Clarify unambiguously the role of civil society in the JAES including the partnerships then challenge yet encourage civil society to effectively organise itself in Europe and in Africa to engage

2) Use appropriate processes and institutional forums to push forward the JAES:

²¹ Inspiration could be drawn from the JAES Peace and Security Partnership. There is wide agreement that the JAES has helped to further deepen cooperation between the two Unions in this critical area. Yet this was possible because there was already some kind of an enabling environment for effective dialogue and collaboration in place. Thus, the JAES Peace and Security Partnership could benefit from (i) the existence of continental agendas; (ii) a set of specific institutional arrangements on both sides allowing for peer-to-peer interactions; (iii) clarified relations between the AU and the RECs; (iv) the availability of dedicated and aligned funding; and (v) active engagement of member-states. This type of building blocks are also necessary for other partnerships to deliver over time.

- Identify, support and utilize legitimate continental and regional processes and forums (within Europe and Africa) that can articulate sustainable (not ad hoc) common positions on shared interests (e.g. the AU Peace and Security Council, the EU Political & Security Committee (COPS), COAFR in Europe, Permanent Representative Council (PRC) in Africa (including PRC Sub-Committee for Multilateral Affairs)
 - Confine the role of the JEGs to providing an inclusive consultative forum and organize clear lines of political leadership, decision-making and accountability at the level of appropriate joint AU-EU-member states committees to be clearly identified for each partnership
- 3) *Ensure greater coherence among various policy frameworks dealing with Africa*
- Jointly raise, in appropriate fora, the question of compatibility/complementarity of the JAES with the ACP framework (over time). Enter into a structured dialogue on how the two frameworks could be made more compatible
 - The EU, the AU and the governments of the Maghreb and Mashrak to enter into a dialogue on how the European Neighbourhood Policy and Instrument could be made more compatible with the JAES
 - Member States on both sides to undertake to review their national policies towards the continent with a view to ensuring greater coherence and synergies with the JAES
- 4) *Think creatively about sustainable sources of joint funding for the JAES*
- The first pre-requisite is *not* think in the old ways of mobilising (new) donor money. but rather to ensure much better transparency, utilization, ease of access and alignment of existing resources.
 - “Cost” the tangible priorities in the second Action Plan: it is a general management principle that action plans without a cost estimate lack credibility. Costing the action plan doesn't require immediate commitment of joint resources but does clarify the level of ambition.
 - Start the dialogue to consider sustainable funding strategies for the continental agenda of the JAES
 - Identify the challenges to be overcome in order to establish a dedicated pan-African envelope linked to the JAES, to be jointly funded and managed by the EU and AU (possibly using the funding model of the Africa Peace Facility to ensure ownership within Africa)

32. From a political and institutional perspective, this option may in the short term at least seem **less feasible**. The suitable configuration of power, interests and incentives –on both sides of the equation- may simply not be there to make such a qualitative jump forward at this stage of the process. Proponents of this more ambitious reform path will have to undertake a sophisticated analysis of the **interests, incentives as well as ‘drivers of change’** that may render this scenario possible over time.
33. From a **European perspective** this soul-searching exercise should probe into questions such as: how much of a geopolitical priority is Africa for Europe in the coming years? Can the EU develop and maintain genuinely common positions in its dialogue with Africa or is further fragmentation likely to prevail (with a Community-driven JAES process co-existing with other policy frameworks and bilateral policies)? How much political support is there for the idea to effectively treat Africa as one or for the declared objective to bring more coherence into the policy frameworks and instruments dealing with Africa? Who is prepared to champion these reforms (beyond the Commission) and promote the institutional innovations to make it work? What can be expected from the EEAS in the post-Lisbon configuration?
34. Also on the **African side** there is no shortage of ‘existential’ questions to be addressed. The AUC may call for a unified approach to Africa and a pan-African envelope, but for this to happen it will have to muster sufficient political support among its Member States and RECs. This has been conspicuously absent so far and it is the primary responsibility of African states and their regional/continental bodies to foster this agenda. This, in turn, will require concerted efforts to elaborate clear pan-African agendas, from the bottom-up and aligned to national and regional interests. Clarity should also be provided on how and in

what form the African side will co-finance this joint strategy (so as to avoid falling into the traditional donor-recipient approach).

The crucial next months

35. Policy-makers from both continents (respective Commissions and Member States) will decide in the next months about the future of the JAES on the basis of these or other scenarios. The ball is in their court. The outcome is uncertain. The responsibility for “making the JAES work” as intended should not only be ‘dumped’ on the respective Commissions. It is a shared responsibility between Commissions, Member States as well as all other key stakeholders (RECs, Parliaments, civil society, local governments, private sector). Yet if the search for a coherent, overarching framework for a renewed Africa-EU partnership was to lose momentum, ***much would be lost and in a few years time a similar framework may have to be reinvented to deal with global agendas*** and major cooperation challenges between the two continents. Neither the status quo nor a further fragmentation of Africa-EU relations is likely to serve either continent’s mid and long-term interests in an increasingly globalised world.

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ISSN 1571-7569

The ECDPM acknowledges the support it receives for these Discussion Papers from the Ministries of Foreign Affairs in Finland, Luxembourg, the Netherlands and Sweden, the Directorate-General for Development Cooperation in Belgium, Irish Aid, the Swiss Agency for Development and Cooperation, the Instituto Português de Apoio ao Desenvolvimento in Portugal, and the Department for International Development in the United Kingdom.