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„Is "Europe" still underdeveloping Africa?
Revisiting Walter Rodney's study through the Economic Partnership Agreements between the European Union and the African, Caribbean and Pacific countries, with a focus on the East African Community.“

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List of Abbreviations

AASM	Associated African States and Madagascar
ACP	African, Caribbean and Pacific States
CAP	Common Agricultural Policy
COMESA	Common Market for Eastern and Southern Africa
CSS	Country Support Strategy
EAC	East African Community
EBA	Everything But Arms
ECOWAS	Economic Community of West African States
ECU	European Currency Unit
EEC	European Economic Community
EDF	European Development Fund
EPA	Economic Partnership Agreement
ESA	Eastern and Southern Africa
EU	European Union
FTA	Free Trade Area
GATT	General Agreement on Tariffs and Trade
GSP	Generalised System of Preference
IBRD	International Bank for Reconstruction and Development
IPC	Integrated Programme for Commodities
IMF	International Monetary Fund
LDCs	Least Developed Countries
LLDCs	Least-Less Developed Countries
MFN	Most-Favoured Nation
NGO	Non-governmental Organization
NIEO	New International Economic Order
RECs	Regional Economic Communities
SACU	Southern African Customs Union
SADC	Southern African Development Community
SDT	Special and Differential Treatment
STABEX	Stabilization of Export Earnings

SYSMIN	Stabilization scheme for Mineral Products
UNCTAD	United Nations Conference on Trade and Development
UNECA	United Nations Economic Commission for Africa
WTO	World Trade Organization

Abstract

Relations between Europe and Africa have a long history. The first contacts date back to 500 hundreds years ago when Europeans, taking advantage of their expertise in shipping, started to explore the African continent. Walter Rodney, Guyanese scholar, political activist and author of *How Europe Underdeveloped Africa*, argues in this book written in 1972, that, Europe established a relationship unfavourable to Africa since the very beginning. As Europe gradually developed by exploiting African population and resources, Africa underdeveloped, with the consequences of this process being clearly evident in the current structural problems of the African continent. With this book, Rodney became an advocate and exponent of the dependency theory, a theoretical perspective originally born to explain the underdevelopment of Latin America as consequence of a relation of exploitation with foreign nations.

Through my thesis and having as benchmark Walter Rodney's study on Europe-Africa relations, I will deal with the following questions: what has the political independence meant for African countries? Is the African position into the world economy changed since the end of colonialism? How does the legacy of colonialism still influence the current relations between the European Union and Africa? How has the attitude of the EU towards Africa evolved after the end of colonialism? Can we define the current EU-Africa relationship as a partnership of equals or an asymmetric relationship? What are the interests at stake? Is African development a real concern for the EU?

I will answer to these questions through a critical analysis of the evolution of Europe-Africa relations since the end of colonialism and, in particular, of the Economic Partnership Agreements, ongoing trade agreements between the EU and seven African, Caribbean and Pacific regions.

To denounce the consequences of Europe's exploitation on the topical African structural problems is the first aim of my thesis. The second is to highlight that behind the declared commitment of the European Union to foster Africa's self-reliant development, there is rather, the intention to continue to exert its influence and power on its former colonies and to expand its market. Basically the European Union continues to pursue its own interests and development at the cost of further delaying Africa's industrialization and economic independence.

Abstract (German)

Beziehungen zwischen Europa und Afrika haben eine lange Geschichte. Erste Kontakte fanden vor 500 Jahren statt, als Europäer anfingen sich ihre fortschrittliche Schifffahrt zu Nutze zu machen, um den afrikanischen Kontinent zu erkunden. Walter Rodney, ein guyanischer Gelehrter, politischer Aktivist und Autor von *How Europe Underdeveloped Africa*, argumentiert in seinem 1972 geschriebenen Buch, dass Europa eine Beziehung etablierte, welche von Anfang an unvorteilhaft für Afrika war. Während Europa sich schrittweise durch die Ausbeutung von Afrikas Bevölkerung und Ressourcen weiterentwickelte, blieb Afrika selbst unterentwickelt. Die Konsequenzen daraus sind klar ersichtlich in den heutigen strukturellen Problemen Afrikas. Mit diesem Buch wurde Rodney zu einem Befürworter und Vertreter der Dependenztheorie, welche ursprünglich entwickelt wurde, um die Unterentwicklung Lateinamerikas als eine Folge der ausbeuterischen Beziehungen seitens anderer Nationen zu erklären.

In meiner Arbeit werde ich, mit Walter Rodneys Analyse der europäisch-afrikanischen Beziehungen als Bezugspunkt, folgende Fragen behandeln: Was bedeutete die politische Unabhängigkeit für afrikanische Länder? Hat sich Afrikas Position in der Weltwirtschaft seit dem Ende des Kolonialismus geändert? Wie wirkt sich das Erbe des Kolonialismus immer noch auf die derzeitigen Beziehungen zwischen der EU und Afrika aus? Wie hat sich die Haltung der EU in Bezug auf Afrika entwickelt nach dem Ende des Kolonialismus? Können wir die jetzigen EU-Afrika-Beziehungen als Partnerschaft von Gleichgestellten, oder als asymmetrisches Verhältnis definieren? Welche Interessen stehen zur Diskussion? Ist die Entwicklung Afrikas ein echtes Anliegen der EU?

Ich werde diese Fragen durch eine kritische Analyse der Entwicklung der europäisch-afrikanischen Beziehungen seit Ende des Kolonialismus beantworten. Insbesondere gehe ich dabei auf die Wirtschaftspartnerschaftsabkommen (WPA), laufende Handelsabkommen zwischen der EU und sieben afrikanischen, karibischen und pazifischen Regionen, ein.

Das Hauptanliegen meiner Arbeit ist es, die Auswirkungen der europäischen Ausbeutung auf die aktuellen strukturellen Probleme Afrikas anzuprangern. Ein weiterer wichtiger Punkt ist, hervorzuheben, dass hinter dem erklärten Engagement der EU, die selbständige Entwicklung Afrikas zu fördern, eher die Absicht steht, weiterhin seinen Einfluss und seine Macht auf die ehemaligen Kolonien auszuüben und seine Märkte auszuweiten. Im Grunde

fährt die EU damit fort, seine eigenen Interessen und die eigene Entwicklung zu verfolgen, auf Kosten einer weiteren Verzögerung von Afrikas Industrialisierung und wirtschaftlicher Unabhängigkeit.

CHAPTER I

1. Introduction

1.1 Choice of the topic

Whether by divine creation or cosmic accident, the planet we live in is an extraordinary work of art, an articulate living habitat, where human beings have generally been able to survive, feed themselves, benefit from its resources, make scientific discoveries, create beauty, culture, art. Basically to create beauty from beauty. But this is one side of the story. The human history has been characterized, from the very beginning, by countless wars for the control of territories, resources, or due to racial or religious reasons. As consequence of the discovery of new lands and the relative territorial conquests, some populations have prevailed over others and have started to exploit their inhabitants and resources. This is, certainly among others, one of the main reason why the world is nowadays divided in areas characterized by different levels of development and a huge and unfair inequality in the distribution of wealth. A part of the world has seen the spread of wealth and well-being, enjoys the progress of science and medicine, produces plenty of food and carelessly dares to waste it. In contrasts, according to the last United Nations Food and Agriculture Organization's study, 233 million people in Sub-Saharan Africa and 512 million in Asia were hungry or undernourished in 2014-2016.[1] The World Health Organization and the United Nations Children's Fund estimated that in 2016 47% of people living in Least Developed Countries had no access to basic handwashing facilities.[2] It is estimated that "children in sub-Saharan Africa are more than 15 times more likely to die before the age of 5 than children in high income countries."[3]

I find this passage of William Esterly's book *The White Man's Burden* particularly instructive in this respect.

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[1] "Africa Hunger Facts," World Hunger Education Service, accessed September 5, 2017, https://www.worldhunger.org/africa-hunger-poverty-facts/.

[2] World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), *Progress on drinking water, sanitation and hygiene: 2017 update and SDG baselines* (Geneva: World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), 2017), 5.

[3] "Children: reducing mortality", World Health Organization, October 2017, http://www.who.int/mediacentre/factsheets/fs178/en/ .

"I am driving out of Addis Ababa, Ethiopia to the countryside. An endless line of women and girls is marching in the opposite direction into the city. They range in age from 9 to 59. Each one is bent nearly double under a load of firewood. The heavy load propels them forward almost at a trot. I think of slaves driven along by an invisible slave-driver. They are carrying the firewood from miles outside of Addis Ababa, where there are eucalyptus forests, across the denuded lands circling the city. They bring the wood to the main city market, where they will sell the load for a couple of dollars. That will be it for their day's income, as it takes all day to heft firewood into Addis and to walk back.
I later found that BBC News had posted a story about one of the firewood collectors. Amaretch, age 10, woke up at 3 a.m. to collect eucalyptus branches and leaves, then began the long and painful march into the city. Amaretch, whose name means "beautiful one," is the youngest of 4 children in her family. She says:
I don't want to have to carry wood all my life. But at the moment I have no choice because we are so poor. All of us children carry wood to help our mother and father buy food for us. I would prefer to be able to just go to school and not have to worry about getting money."[4]

Among the world's injustices and calamities, I consider the unequal distribution of wealth among humankind, the most unacceptable one. The topic of this thesis has something to do with this. I have been somehow inspired, in the choice of the topic, by my study experience in South Africa, where, not only the academic research at university, but also and mostly the life experience, the people I met, and the stark contrasts I saw, got me thinking. The apartheid, whose dramatic effects on South African society are still present and visible today, belongs to the long list of brutal crimes committed by white people to the detriment of other populations. And, inevitably, it evokes the European discovery and scramble of Africa. In this already thought-provoking environment, Ian Taylor, Professor Extraordinary in Political Science at the University of Stellenbosch in South Africa, where I have been studying for five months, presented in one of his lecture, Walter Rodney's book *How Europe Underdeveloped* Africa, which immediately caught my attention. I found his theory not only right, powerful and well-argued but also extremely topical. Extremely topical because, in

[4] William Easterly, *The White Man's Burden. Why the West's Efforts to Aid the Rest Have Done so Much Ill and so Little Good* (Oxford: Oxford University Press, 2006) and BBC NEWS | Photo journal: Ethiopian wood collector, News.bbc.co.uk, accessed September 3, 2017, http://news.bbc.co.uk/1/shared/spl/hi/picture_gallery/04/africa_ethiopian_wood_collector/html/7.stm .

my opinion, what is today the European Union (EU), has not learnt from the past, nor is trying to remedy its past responsibilities. The terms of the so-called Economic Partnership Agreements (EPAs), its most recent economic agreements with the seven African, Caribbean and Pacific regions, prove this statement.

1.2 Research Questions and Aim of the Thesis

This series of questions has represented the starting point to develop the precise topic of my thesis: what has the political independence meant for African countries? Is the African position into the world economy changed since the end of colonialism? How does the legacy of colonialism still influence the current relations between the European Union and Africa? How has the attitude of the EU towards Africa evolved after the end of colonialism? Can we define the current EU-Africa relationship as a partnership of equals or an asymmetric relationship? What are the interests at stake? Is African development a real concern for the EU?

Specifically, through my work and having as benchmark Walter Rodney's theory illustrated in *How Europe Underdeveloped Africa* written in 1972, I decided to deal with the following questions: is the current relationship between the EU and Africa still occurring as Rodney described it, namely in a way which only serves European interests, while preventing Africa's development? The Economic Partnership Agreement between the European Union and the East African Community (EAC) will serve as case study to answer also to these questions: how have the EPAs between the EU and Africa been negotiated and concluded? Do the EU and the African economic regions have the same bargaining power? Will the EPA between the EU and the EAC benefit both actors to the same extent? Which objectives is the EU trying to pursue through this agreement? Which are the possible impacts on both sides? Why do some African countries fear the effects of the agreement on the economic performance of their countries?

The current special relationship between the European Union and Africa clearly stems from the colonial period and in general from the fact that Europeans started exploring the African continent 500 years ago. Since then, Rodney argues, Europe gradually developed at the expense of Africa's underdevelopment. As leading power of the international trade, Europeans fixed the role of Africa into the world economy as supplier of labour force and raw materials. Producing manufactured goods, on the contrary, was an exclusively European "skill". Africa was bound to export primary commodities and import manufactured goods. This dynamic, in addition to "monoculture", namely the specialisation of a colony on a single crop, has been the root of two current limits of African economies: scarce industrialization and commodity dependence.

The events occurred from the fifteenth to the twentieth century explain logically, following Rodney's line of reasoning, the current underdevelopment of Africa. To denounce the consequences of Europe's exploitation on the topical African structural problems is the first aim of my thesis. The second is to highlight that behind the declared commitment of the European Union to foster Africa's self-reliant development, there is rather, the intention to continue to exert its influence and power on its former colonies and to expand its market. Basically the European Union continues to pursue its own interests and development at the cost of further delaying Africa's industrialization and economic independence.

1.3 Methodology and theoretical framework

Relations between Europe and Africa have been widely and deeply analysed by several scholars and historians. As Stephen Hurt and Ian Taylor agree, different approaches have emerged to interpret this relationship. The EU view, derived from liberalism, asserts the existence of mutual benefits. "From this viewpoint, exploitative relations are absent and, rather, Africa's development is dependent upon greater integration into the global economy, which the EU can help facilitate, on mutually advantageous conditions for both parties."[5] On the contrary, advocates of the Dependency Theory, approach particularly dominant in the 1970s, see the Europe-Africa relationship, as an expression of the core-periphery relationship. "In short, the colonization process resulted in Africa's economies being oriented more toward the needs of European capital than the requirements of the local."[6]

Walter Rodney's thinking, which falls under the category of dependency theories, will constitute the theoretical framework of my thesis. My assumption is that, Europe-Africa relationship may still be partially interpreted through the Dependency Theory. Specifically I will try to prove that implementing the EPAs will be economically favourable to the EU but detrimental for African economies.

[5] Ian Taylor, *The International Relations of Sub-Saharan Africa* (New York, London: Continuum, 2010), 99.
[6] Ibid., 100.

I will conduct my research through documentary analysis. Books, papers, and reports will be consulted. I will rely on the writings of Walter Rodney and other dependency theorist as Samir Amin, as well as on more recent publications as those of Ian Taylor, Stephen Hurt, Maurizio Carbone, William Brown, Patrick I. Gomes, Mareike Meyn, Michael Kluth, Walden Bello, Helmut Asche and Ulf Engel.
Reports and impact studies on the EPAs by international organizations and research institutes such as the United Nations, the European Union, the European Centre for Development Policy Management, the World Bank and the International Monetary Fund will also be consulted to provide triangulation of the data.

I will deal with Europe-Africa relationship mostly in economic and political terms. The temporal limits of my research will be the end of colonialism on the one hand, and today, on the other hand. The previous period will be addressed through the work of Walter Rodney.

This will be the structure of my thesis. In Chapter II I will introduce Walter Rodney' theory. I will explain why it represents in my view an extraordinary contribute to the historical explanation of Africa's poverty and underdevelopment. This part, specifically, will serve to explain the devastating effects of the European presence on the African continent among which, scarce industrialization and dependency for the majority of African economies on the export of just two or three primary commodities are, for example, a clear legacy of the colonial period. In Chapter III I will provide an historical overview of Africa post-independence from the first promising years, in which Africa and the South of the world in general were emerging on the global scene, and through the United Nations Conference on Trade and Development (UNCTAD) formulating their requests to the industrialized countries for a fairer and more equitable world order, to the 1980s and 1990s, characterized by the crisis of UNCTAD and the imposition of Structural Adjustment Programmes (SAPs) on more than seventy Third World countries. Chapter IV will address the post-colonial economic relations between the EU and African countries, from the first association Treaty between the six founding countries of the EU and its then still colonies, through the Lomé Convention signed in 1975, to the Cotonou Partnership Agreement signed in 2000. The specific characteristics of these agreements and how they have gradually shaped and remodelled the economic relations between the EU and Africa will be examined and discussed.

In Chapter V I will analyse in details the ongoing EPA between the European Union and the East African Community. Here I will illustrate the different views on the agreement and its possible impacts on both sides. Negotiations have proved to be difficult due to the different perspectives of the contracting parties. Critics of the agreement argue that it would undermine regional integration among African countries and would afflict the emergent local industries, whose products can not compete with the cheaper and better quality EU products. The EPA would therefore advantage European economy by expanding its market, while hindering the already difficult task of African countries to step up their economic development. This argument, will bring us back to Walter Rodney's theory, which despite was elaborated in 1972, is still valid to explain the current EU-Africa relationship.

CHAPTER II

2. Walter Rodney's study on Europe-Africa relationship

2.1 Today's relevance of How Europe Underdeveloped Africa

Walter Rodney was the author of an accurate and comprehensive historical analysis of the relations between Europe and Africa from the late fifteenth century to the end of colonialism. I refer to *How Europe Underdeveloped Africa*, published in 1972. The choice of a book written more than forty years ago as starting point of my thesis and as lens through which look at the current EU-Africa relationship stems from a series of reasons: first of all, I deem imperative to consider that the structural problems of Africa, which today prevent its self-reliant and sustainable development, are direct legacies of slave trade and colonialism. The current role of Africa in the global economy is the result of a long process and of a relationship of exploitation, meticulously described by Rodney, which began five hundreds years ago. In 1972 Rodney wrote: "this book derives from a concern with the contemporary African situation. It delves into the past only because otherwise it would be impossible to understand how the present came into being and what the trends are for the near future."[7] The end of colonialism and fifty years of political independence for African countries, have not at all, in my opinion, appeased that "concern with the contemporary African situation". Secondly, history repeats itself. The European Union indeed, has not stopped, in its relationship with Africa, to exclusively pursue its own interests at the expense of Africa's development, exhibiting an even more guilty blindness, considering its huge past responsibilities.[8] Thirdly, as Rodney correctly asserts in the preface, "at least certain solutions are implicit in a correct historical evaluation, just as given medical remedies are indicated or contraindicated by a correct diagnosis of a patient's condition and an accurate case history."[9] Walter Rodney's study still constitutes, in my view, a valid explanation of the causes of Africa's underdevelopment and therefore it outlines at the same time the steps Africa should take to develop. If the asymmetric relationship between Europe and Africa does not know a breakthrough, unlikely the issue of Africa's backwardness will see significant improvements.

[7] Walter Rodney, preface to *How Europe Underdeveloped Africa*, (Baltimore, MD: Black Classic Press, 2011), VII.
[8] I refer here to the responsibilities of the European colonial powers.
[9] Rodney, preface to *How Europe Underdeveloped Africa*, VII.

2.2 Walter Rodney's background

Walter Rodney was a Guyanese scholar, historian, lecturer and political activist. He dealt with African and Caribbean history, Atlantic slave trade and Africa's underdevelopment. He has been considered as a Marxist, Pan-Africanist and dependency theorist, who applied the Latin American dependency model to the African history.[10] He has been defined finally as an "unswerving advocate of oppressed and exploited classes especially those of the black world."[11]

Rodney was born in 1942 in Georgetown, capital of Guyana, at that time a British colony. His intellectual and political evolution was deeply influenced by the social and political environment in which he grew up, but also by important historical events that followed his birth.[12] The family atmosphere played an important role in developing his interest in politics. Both his parents were members of the People Progressive Party (PPP), the country's first mass party, which was leading the struggle for the rights of Guyanese working people and for Guyana's independence from Great Britain. It was also a multiracial party and according to Rodney "the only party in the West Indies which had any pretensions about having a scientific socialist outlook or working-class outlook."[13] Through the activism of his parents, Rodney indirectly assimilated the concept of class struggle, and politics became for him a daily business.

The international context was also particularly inspiring. In 1945 the Fifth Pan-Africanist Congress drafted a resolution asking for the end of racial discrimination and European colonial rule. The 1950s saw the spread of nationalist movements throughout the African continent. In 1960, known as the Year of Africa, seventeen African colonies became independent. At the same time, in the USA black people were protesting against racial discrimination; in the 1960s also the Caribbean British colonies of Jamaica, Trinidad and Guyana became sovereign states.[14]

Walter Rodney entered the University of West Indies at Mona, in Jamaica in 1960, where he graduated in history in 1963. In the same year he won a scholarship at the School of Oriental

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[10] Institute of the Black World, *Walter Rodney Speaks: The Making of an African Intellectual* (Trenton, New Jersey: Africa World Press, 1990), VI and Rupert C. Lewis, *Walter Rodney's Intellectual and Political Thought* (Barbados: Press University of the West Indies, 1998), 69.
[11] Institute of the Black World, *Walter Rodney Speaks*, VI.
[12] Lewis, *Walter Rodney's Intellectual and Political Thought*, 2-3.
[13] Institute of the Black World, *Walter Rodney Speaks*, 5-6.
[14] Ibid., 117.

and African Studies of London which allowed him to conduct his doctoral research in African history. His first important publication on this subject, namely his doctoral dissertation, was *A History of the Upper Guinea Coast 1545-1800*. In this work he analysed the impact of the Portuguese administration in Upper Guinea Coast, and in particular the dramatic consequences of the slave trade on the region. Rodney will further developed this theme in his major work *How Europe Underdeveloped Africa*.

Since the beginning of his education Rodney carried his studies along with his political commitment. He was not only an excellent student but also a political activist and a brilliant debater.[15] The period spent in London did not persuade him "to settle into the safety of conventional academic life."[16] Instead, he used to deliver public speeches at Hyde Park, touching political and historical themes, and giving the possibility to the West Indians who gathered to listen to him, to talk about ways to end their exploitation and discrimination.[17] He was also a member of a group of West Indian students who met regularly, guided by the Marxist revolutionary scholar C. L. R. James, known for his history of the Haitian Revolution, *Black Jacobins*. Coming himself from a Caribbean British colony, Trinidad, C. L. R. James had a great influence on Walter Rodney who acknowledged that what he got out of these meetings was "a certain sense of historical analysis."[18] It was during this period and under the influence of C. L. R. James, that Rodney started to read Marxism more thoroughly and to develop his thought on it. His interpretation of Marxism was influenced also by his previous political activity in Guyana and by the reading of some African Marxists such as Amilcar Cabral and Samir Amin. Rodney's Marxism was not dogmatic. Instead he sought to apply it to the African and Caribbean history. His evolution as Marxist found its fulfilment in the 1960s and 1970s in conjunction with the decolonization process in Tanzania and Southern Africa. For Rodney "Marxism became an intellectual instrument to better understand and change subject nations to free ones."[19]

After teaching for a year at the University College in Dar es Salaam, Tanzania, Rodney returned to Jamaica. Here he taught African history at the University of West Indies, but probably, his political engagement among ordinary people of Jamaica, in particular the

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[15] Horace Campbell, "Walter Rodney: A Biography and Bibliography," *Review of African Political Economy*, No. 18, Special Issue on Zimbabwe (May-Aug., 1980), 132.
[16] Vincent Harding, Robert Hill, and William Strickland, introduction to *How Europe Underdeveloped Africa*, by Walter Rodney (Baltimore, MD: Black Classic Press, 2011), XIV.
[17] Lewis, *Rodney's Intellectual and Political Thought*, 33-34.
[18] Ibid., 37.
[19] Ibid., 40.

Rastafarian community, was much more significant. In informal teaching sessions, later collected and published as *Grounding with my Brothers*, he enlightened black people about African history, seeking to reawaken in them a sense of black consciousness.[20] The Jamaican government considered Rodney's activities so subversive that, in 1968, it declared him persona non-grata and banned him from returning to Jamaica. Rodney, however, will not betray his commitment to the liberation of oppressed people.

It was in the fervid political and cultural environment of Tanzania, where Rodney came back in 1969, that he produced his most influential work, *How Europe Underdeveloped Africa*. Rodney himself acknowledged in the preface that it was no accident "that the text as a whole has been written within Tanzania, where expressions of concern for development have been accompanied by considerably more positive action than in several parts of the continent."[21] Julius Nyerere, president of Tanzania, had just proclaimed the Arusha Declaration, a document which established the birth of a socialist society, dissociating itself from the capitalist ideology of the colonizers. Tanzania was also playing an active role in offering assistance to Mozambique in its fight against the Portuguese domination. Rodney was literally living the history, namely the liberation of Africa from colonial rule.

With this book, Rodney properly became an advocate and exponent of the dependency theory. This theoretical perspective, whose origins date back to the essay *The Economic Development of Latin America and its Principal Problems* published in 1950 by the Argentinian economist Raùl Prebisch, developed as an attempt to explain underdevelopment in Latin America as consequence of a relation of exploitation with foreign nations. Its main exponents have been Andre Gunder Frank, Celso Furtado, Theotonio dos Santos and Fernando Henrique Cardoso. According to the theory, "the economy of certain nations is believed to be conditioned by the relationship to another economy which is dominant and capable of expanding and developing. Thus the interdependence of such economies assumes contrasting form of dominance and dependence so that dependent nations might develop as a reflection of the expansion of dominant nations or underdevelop as a consequence of their subjective relationship."[22] Rodney will apply the same concept to the African history,

[20] Ibid., 94-95.
[21] Rodney, preface to *How Europe Underdeveloped Africa,* VII.
[22] Ronald H. Chilcote, "Dependency: A critical synthesis of the literature," in *Latin American Perspectives*, Vol. 1, No. 1, Dependency Theory: A Reassessment (Spring, 1974), 4.

relating Europe’s development to Africa’s underdevelopment, as phenomena tied by a reciprocal cause-and-effect relationship.

2.3 *How Europe Underdeveloped Africa*

The scope of the time frame, conceived by Rodney, in which European-African relations originated and developed is already an indicator of how profound and lasting the consequences of this relationship, be they positive or negative, may have been. According to Rodney, massively positive for Europe and absolutely negative for Africa. Rodney’s study, developed in *How Europe Underdeveloped Africa*, covers five-hundred years, with the limits of its inquiry being the fifteenth century, on the one hand, and the end of colonialism, on the other hand.[23] The starting point is the moment in which Europe and Africa came into contact for the first time, establishing a relationship unfavourable to Africa since the very beginning. Rodney’s thought is radical and does not leave space for interpretation: since then, “Africa helped to develop Western Europe in the same proportion as Western Europe helped to underdevelop Africa.”[24]

Rodney supports his thesis, explaining in which way Europe took advantage of this relationship, further speeding up its growth, while stopping Africa’s path of development. To compare the relationship between Europe and Africa during the slave trade and colonialism, with that of today may appear to some anachronistic. Undoubtedly, significant changes have taken place in the last fifty years. I aim to prove, however, that the European Union’s priority in its relationship with Africa remains, exactly as during the slave trade and colonialism, that of pursuing its own interests and exerting its influence and power on the African continent. The downside of this strategy obviously burdens on Africa’s chance of development. Today, as in the past centuries dealt with by Rodney, development (of Europe) and underdevelopment (of Africa) “are not only comparative terms, but … they also have a dialectical relationship one to the other: that is to say, the two help produce each other by interaction.”[25] Granting Africa a real political and economic autonomy and assisting her on the way of a sustainable and self-reliance development remains empty rhetoric.

[23] Rodney, preface to *How Europe Underdeveloped Africa*, vii.
[24] Rodney, *How Europe Underdeveloped Africa*, 75.
[25] Ibid.

Rodney divides his argumentation in two main parts: firstly he explains how Europe extracted wealth from Africa. Secondly he tells us how Africa was severely damaged, expropriated of its resources and integrated into the world economy with the specific function to serve Europe's interests.

How did it all start? Rodney explains that in the fifteenth century, taking advantage of their expertise in naval and military technology, Europeans started to explore other parts of the worlds and to take control of the waterways. From 1415 onwards the Portuguese headed towards the Atlantic coast seizing different ports. After passing Cape of Good Hope in 1495 and reached the Indian Ocean, the Portuguese, followed by the Dutch, English and French, attempted to replace the Arabs, as traders between East Africa and Asia. They not only succeeded in this; they soon emerged as the leading power of the international trade, determining which role Africa and Asia had to play according to their economic interests, namely which goods they had to buy and sell. As middle-men between Africa and Asia, Europeans sold for example the East African ivory on the Indian market, and Indian clothes and beads in East and West Africa. In the words of Rodney, Africa and Asia became for Europe "economic satellites."[26] And this was possible because the worlds' shipping routes and therefore the international trade, were under European control. Therefore terms and rules of trade were set by Europeans.[27] Indeed, even before the slave trade period, when a "conventional" trade relationship existed between Europe and Africa, "the overall range of trade goods which left the European ports of Hamburg, Copenhagen, and Liverpool was determined almost exclusively by the pattern of production and consumption within

[26] Ibid., 76.

[27] Rodney's analysis of the world has been successively challenged by other theories which, though not diminishing his contribute, deserve to be mentioned and considered. Specifically Immanuel Wallerstein, in *The Modern World System I*, though recognizing the military and naval superiority of the Europeans, argues, citing Donald F. Lach, that "from 1500 to 1800 Europe's relations with Asian states "were ordinarily conducted within a framework and on terms established by the Asian nations." I. Wallerstein, *The Modern World System I. Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (University of California Press, 2011), 330.
Andre Gunder Frank in his world system theory claimes that before 1800, not Europe, but Asia, and China in particular, has always been the core of the world system, whose origin dates back, according to him, to about five thousand years ago. "Europe was certainly not central to the world economy before 1800. Europe was not hegemonic structurally, nor functionally, nor in terms of economic weight, or of production, technology or productivity, nor in per capita consumption, nor in any way in its development of allegedly more advanced" "capitalist" institutions. In no way were sixteenth century Portugal, the seventeenth-century Netherlands, or eighteenth-century Britain "hegemonic" in world economic terms. Nor in political ones. None of the above! In all these respects, the economies of Asia were far more "advanced," and its Chinese Ming/Qing, Indian Mughal, and even Persian Safavid and Turkish Ottoman empires carded much greater political and even military weight than any or all of Europe." A. G. Frank, *Re-Orient: Global Economy in the Asian Age* (University of California Press, 1998), 5.

Europe."[28] In the same way, "European decision-making power was exercised in selecting what Africa should export – in accordance with European needs."[29] The dialectical relationship of Europe's development by Africa's underdevelopment, started to take shape. Accordingly Africa started to orient its economy according to European interests.

When European discovered the Americas, the "conventional" trade between Europe and Africa was replaced by the slave trade. Once realized the wealth that, with a sufficient labour supply, could be extracted from the new continent, Europeans "used their control of international trade to insure that Africa specialized in exporting captives."[30] Since the first half of the seventeenth century, Indian and European goods became therefore the commodity to exchange for African slaves to be deported in Central and South America. From that time onwards, the main concern of African rulers became that of capturing slaves. The trajectory of development of African society and economy was therefore dependent on European needs. The idea of dependency is at the heart of the dependency theory school, to which Rodney belongs.

"The concept of metropole and dependency automatically came into existence when parts of Africa were caught up in the web of international commerce. On the one hand, there were the European countries who decided on the role to be played by the African economy; and on the other hand, Africa formed an extension to the European capitalist market. As far as foreign trade was concerned, Africa was dependent on what Europeans were prepared to buy and sell."[31]

African's main function in the international capitalist system was established. The consequences on African society, economy and population were devastating. Data about the number of Africans forcibly transported to the Americas remain imprecise. However, at any estimated figure, ranging between 10 and 12 million people, one should add the number of people died on the march to the coast, those killed during the capture and not least those who did not survive the crossing.[32] Therefore, a figure well above the number of Africans who disembarked alive on the other side of the Atlantic Ocean.[33] The most affected regions, Rodney reports, were "firstly West Africa from Senegal to Angola along a belt extending

[28] Rodney, *How Europe Underdeveloped Africa*, 77.
[29] Ibid.
[30] Ibid., 78.
[31] Ibid., 76.
[32] Ibid.
[33] Ibid.

about two hundred miles inland and, secondly, that part of East-Central Africa which today covers Tanzania, Mozambique, Malawi, northern Zambia, and Eastern Congo."[34]

The Atlantic slave trade entailed first of all an enormous demographic decline and therefore a severe loss of labour force. The picture becomes even more dramatic, if we consider that the captives were the youngest and the most healthy.[35] Secondly, it meant for African communities to focus on slaves raiding and kidnapping instead of farming and mining. Basically, the linear economic development of Africa was interrupted and distorted. Different communities started fighting each other to capture slaves to sell to Europeans. They found no reasons to engage in agriculture or in economic activities aimed at production. The gold trade of the Gold Coast, for example, was replaced by slave raiding. Labour force was the export required by Europe; Africa's economy was then diverted to meet this demand. When trade involved other activities like hunting for elephants, or providing raw materials, no technological advance was encouraged either. The problem was that none of these activities implied a productive process. As Rodney clearly states, "the lines of economic activity attached to foreign trade were either destructive as slavery was, or at best purely extractive, like ivory hunting and cutting camwood trees."[36] Besides this, the European meddling hindered economic integration and trade between different African regions. Due to their superiority in the shipping sector, Europeans became the middlemen between different African harbours. Moreover, each community started to look at the external actors instead of their neighbours. When one inquires the reasons of Africa's failed industrialization, it is therefore imperative to look back on the slave trade period.

The consequences of the slave trade on African society have been studied also by the Egyptian-French scholar Samir Amin who talks about "devastating effects on all the regions where it took place."[37] "There were wars and anarchy almost everywhere on the continent, and the flight of peoples towards regions of shelter which were difficult to reach and also very often poor … It all ended with an alarming decrease in the population. The processes of integration were stopped, as well as the construction of large communities, begun in the pre-mercantilist period. Instead there was an incredible fragmentation, isolation, and

[34] Ibid., 100.
[35] Ibid.
[36] Ibid., 106.
[37] Samir Amin, "Underdevelopment and Dependence in Black Africa-Origins and Contemporary Forms," in *The Journal of Modern African Studies*, Vol. 10, No. 4, Dec., 1972, (Cambridge University Press), 513.

entanglement of peoples, and this, as we know, is the root cause of one of the most serious handicaps of contemporary Africa."[38]

Europe benefited enormously from slave trade and in different ways. The gold and silver of the Americas mined by slaves, satisfied the demand for coin of Western Europe, financed further expeditions, and could be reinvested in technological research.[39] African labour force allowed Europe to make progress in several sectors as shipbuilding and naval technology in general, agriculture, insurance and machinery manufacture. The engine for progress was obviously the prospect of profit. The same reason underpins the increasing commercial links between different European nations, all determined to earn as much as possible from the commerce derived by the slave trade. "Brazilian dyewoods, for example, were re-exported from Portugal into the Mediterranean, the North Sea and the Baltic, and passed into the continental cloth industry of the 17th century. Sugar from the Caribbean was re-exported from England and France to other parts of Europe to such an extent that Hamburg in Germany was the biggest sugar-refining centre in Europe in the first half of the 18th century. Germany supplied manufactures to Scandinavia, Holland, England, France and Portugal for resale in Africa."[40]

The end of the slave trade in the late 19th century, did not improve Africa's position in its relationship with Europe. Instead, it opened the way to colonialism. And again the role of Africa was determined by Europe and bound to serve European interests only. According to Samir Amin the African society under colonialism, "lost its autonomy, and its main function was to produce for the world market under conditions which, because they impoverished it, deprived the members of any prospects of radical modernisation. This 'traditional' society was not, therefore, in transition to 'modernity'; as a dependent society it was complete, peripheral, and hence at a dead end."[41]

European powers, from the late 19th century entered the foreign phase of capitalism, what has been called "imperialism" during which, they started to compete with each other for securing overseas a direct control over new markets, raw materials and labour force.[42]

[38] Ibid.
[39] Rodney, *How Europe Underdeveloped Africa*, 83-84.
[40] Ibid., 85-86
[41] Samir Amin, "Underdevelopment and Dependence in Black Africa-Origins and Contemporary Forms," 513.
[42] Rodney, *How Europe Underdeveloped Africa*, 136

Moreover, technological development had reached a level that allowed them to penetrate the African continent.

With the advent of colonialism, Africa's function became that of proving raw materials and labour force paid at the lowest possible wage. Capitalism in Africa was more ruthless than elsewhere. Indeed, "while capitalism was willing to exploit all workers everywhere, European capitalists in Africa had additional racist justifications for dealing unjustly with the African worker. The racist theory that the black man was inferior led to the conclusion that he deserved lower wages."[43] Rodney reports that while a Nigerian coal miner at Enugu earned one shilling per day, his Scottish or a German counterpart, "could virtually earn in an hour what the Enugu miner was paid for a six-day week."[44] Again as during the slave trade, there was no incentive for industrialization or technological progress. That of producing manufactured goods was an exclusively European task. Africans were useful only as unskilled workers; there was no necessity to provide them with education or improve their skills; once raw materials were provided to Europe, Africa had no alternative but to import manufactured goods.

These two different roles played by the colonized and the colonizers were at the root of "monoculture", namely the specialisation of a colony on a single crop. This practise was justified as part of the "international division of labour" between the metropole and the periphery with harmful consequences for the colonies.[45] It made them completely dependent on the sale of one or two commodities and therefore extremely vulnerable: diseases or any event that might damaged the crops had devastating effects.

By reading about monoculture and the specialization of Africa in exporting raw materials, one may not avoid to consider one of the main characteristics of contemporary African economies, namely the dependence on primary commodities and a "narrow export basket."[46] Data show that since the end of colonialism, changes have not taken place. "Sub-Saharan Africa's resource-rich countries have made little progress in diversifying their exports. This is particularly evident in oil-exporting countries, where oil accounted for over 85 percent of total exports in 2011—a trend that has persisted for many years. Overall, 11 countries out of

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[43] Ibid., 150.
[44] Ibid.
[45] Ibid., 234.
[46] Heiko Hesse, *Export Diversification and Economic Growth*, Working paper n°21 (Washington, DC: The International Bank for Reconstruction and Development / The World Bank, On behalf of the Commission on Growth and Development, 2008), 1.

47 rely on a single commodity for 50 percent of export earnings. Most of these are primary commodities, especially oil. The share of oil in total exports in 2011 was over 97 percent in Angola and around 85 percent for Nigeria. In some countries, agricultural commodities have a large share, for example, cashew nuts (93 percent) in Guinea-Bissau, coffee (70 percent) in Burundi, and tobacco (53 percent) in Malawi. Nearly three-quarters of countries rely on three commodities for 50 percent or more of export earnings."[47] Such limited export portfolio of African countries make their economies extremely unstable and exposed to the volatility of commodity prices. It is not however a feature of the last decades, but it dates back to the system of exploitation of colonies by the Western European powers.

As consequence of the international division of labour, agriculture did not experience any technological progress or innovation. And this is what Rodney deems "the most decisive failure of colonialism in Africa" and the proof that any assumption about the modernization brought in Africa by the colonizers is superficial and false.[48] While capitalism meant incredible modernization in Europe, "the vast majority of Africans went into colonialism with a hoe and came out with a hoe."[49]

Colonialism as the slave trade played a crucial role in pushing for scientific and technological advancement in Europe. The engine for innovation was again the prospect of greater profit. The research for new and more effective machinery was motivated by the need of processing the colonial raw materials; the military science was massively funded, due to the concern to safeguard the borders of the colonial empires.

Rodney does not attribute any positive effect to colonialism. "The only positive development in colonialism was when it ended."[50] The amount of alleged benefits brought to Africa by the colonizers, such as infrastructures or social services, was either "amazingly small" or aimed at suiting the interests of Europeans. If these benefits were real, it remains without explanation the fact that "the figure for infant mortality was 39 per 1.000 live births among white settlers; but it jumped to 170 per 1,000 live births in the case of Algerians living in the towns."[51] Social services provided to Africans were indirectly a benefit for Europeans, since a healthy labour force was a necessary element to produce profits. "Enlightened self-interest

[47] The World Bank, *Africa's Pulse. An Analysis of issues shaping Africa's economic future*. October 2013 | Volume 8, 2013, 9.
[48] Rodney, *How Europe Underdeveloped Africa*, 219.
[49] Ibid.
[50] Ibid., 261.
[51] Ibid., 206.

made the colonialists realize that more could be gained out of the African worker who maintained basic health and who had some degree of literacy in industrial contexts."[52]

Finally the geographical distribution of infrastructure such as roads and railways is an incontestable proof that they were built to better meet European needs. They had to facilitate the export of African goods and materials. It is not for accident that "where exports were not available, roads and railways had no place."[53] In no way European infrastructure encouraged internal contacts and trade between or within the colonies. "There were no roads connecting different colonies and different parts of the same colony in a manner that made sense with regard to Africa's needs and development. All roads and railways led down to the sea."[54]

The political sovereignty reached by African countries in the 1960s and 1970s represented undoubtedly the first essential step to overturn Africa's future. After five-hundreds years, Europeans left Africa formally free to determine its political, social and economic system. But as we will see in the following section, the economic dependence and the structural problems created by slave trade and colonialism are still at the basis of Africa's difficulty to escape poverty.

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[52] Ibid., 208.
[53] Ibid., 209.
[54] Ibid.

CHAPTER III

3. Post-colonial Africa

3.1 Independent Africa and the New International Economic Order

Political sovereignty represented an historical accomplishment due to its symbolic meaning and the resulting regained freedom for Africa to determine its own political, social and economic future. The symbolic words of Kwame Nkrumah, 'Seek ye first the political kingdom and all else will added unto you,' revealed a widespread optimism among national leaders and Africanist scholars that flag independence would bring about significance changes and prosperity for all.[55] Yet, self-rule was only a necessary but not sufficient condition "before Africa could fulfil or realize any of her other fundamental aspirations."[56]

1960 marked not only the African year, since 17 African colonies became independent, but also the beginning of a trend reversal in the relationship between the "North" and the "South" of the world. Trend reversal strongly claimed by the South, at that time represented by an increasing number of new states born by the decolonization process. The request by the South for what will be called a New International Economic Order found an eminent mediator in the United Nations Conference on Trade and Development (UNCTAD).

The 1960s and the 1970s were years of hope and expectations for Africa. Population saw a significant increase from about 200 million in 1950 to almost 500 million in 1980 due to scientific progress and better health conditions.[57] "Mass vaccination reduced several epidemic diseases and eradicated smallpox in 1977."[58] The discovery of cheap synthetic drugs allowed to treat diseases such as tuberculosis, syphilis, and leprosy.[59] "In 1960 tropical Africa had one qualified doctor for every fifty thousand people; in 1980, one for every twenty thousand."[60]

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[55] Paul Nugent, *Africa Since Independence* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2012), 8.

[56] Ali A. Mazrui, "The struggle for political sovereignty: from 1945 to independence," in *UNESCO General History of Africa, vol. VII, Africa since 1935*, ed. Ali A. Mazrui (UNESCO, Heinemann Educational, University of California Press, 1993), 105.

[57] John Iliffe, *Africans: The History of a Continent* (New York: Cambridge University Press, 2007), 251.

[58] Ibid.

[59] Ibid., 251-252.

[60] Ibid., 252.

National leaders started to implement development plans to finally catch up with the industrial world. These based essentially on three factors: cash-crop production, mining and industrialization.[61] Different economic strategies were adopted. Some countries like Ghana of Kwame Nkrumah and Tanzania of Julius Nyerere committed to socialism; others like Kenya and Côte d'Ivoire adopted a free-market economy.[62] Economic data concerning the first two decades after independence suggest that a general growth was taking place. "During the 1960s, for instance, African agriculture performed relatively adequately and only 17 out of 45 sub-Saharan states suffered negative annual growth rates in their per capita food production."[63] "Between 1965 and 1980, sub-Saharan Africa's Gross Domestic Product (GDP) per head, (at constant prices) grew at an average of 1.5 percent per year."[64]

More than these data, much more significant was the new role that Africa and the South of the world in general, were carving out at international level in the same period. With the end of colonialism, the newly created states of the developing world, began to question the global economic order and to call for a more equitable and fairer world. The United Nations Conference on Trade and Development represented the official global arena where, since the end of the colonial empires, the requests of the South have been expressed and formalized. Before its founding, the first official meeting of the developing world took place at Bandung, Indonesia in 1955. Here twenty-nine countries from both Asia and Africa gathered in a conference defined as "in essence a celebration of the wave of independence that had swept across Asia and was then cresting in Africa."[65] The outcome of this conference was the adoption of a series of resolutions described as "an augur of a future protest against the subordinating stays of the developing countries in the international system."[66] The new sovereign states started to put pressure on the rich countries. Time had arrived for the capitalist world to take responsibility for the colonial past, and to work concretely to facilitate the development of the South of the world.

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[61] Ibid., 260-261.
[62] Ibid., 262-263.
[63] Bade Onimode, *A Political Economy of the African Crisis* (London: Institute for African Alternatives, 1988), in Ian Taylor, *The International Relations of Sub-Saharan Africa* (New York, London: Continuum, 2010), 114.
[64] Iliffe, *Africans: The History of a Continent,* 260.
[65] Robert A. Mortimer, *The Third World Coalition in International Politics* (Boulder, CO: Westview Press, 1984) in Ian Taylor and Karen Smith, *United Nations Conference on Trade and Development (UNCTAD)* (London and New York: Routledge, Taylor & Francis Group, 2007), 8.
[66] Ibid.

Noteworthy was also the firm stand that the attendants adopted at the Bandung Conference with regard to the international politics, at that time dominated by United States and the Soviet Union. In order to promote world peace and cooperation, the Bandung Conference called for the "abstention from the use of arrangements of collective defence to serve the particular interests of any of the big powers."[67] The developing world was therefore distancing itself from the power politics of the Cold War, and rather committed to end any form of colonialism. The Non-Aligned Movement was officially founded at its first conference in Belgrade in 1961.

In the meantime other African colonies obtained independence, increasing the number of countries sharing the concerns expressed at the Bandung Conference. The last decisive meeting before the founding of UNCTAD was the Conference on the Problems of Economic Development held in Cairo in 1962. Through the Cairo Declaration, 36 delegates from Africa, Asia and Latin America, officially called for an international conference within the United Nations on "all vital questions relating to international trade, primary commodity trade and economic relations between developing and developed countries."[68] The socialist countries of Eastern Europe promptly joined the appeal with two resolutions asking for such a conference.

3.2 The United Nations Conference on Trade and Development

The first United Nations Conference on Trade and Development took place in Geneva, Switzerland, from 23 March to 16 June 1964. Convened as one-off conference, few months later, UNCTAD became a permanent "forum for North-South dialogue and negotiations on issues of interest to developing countries."[69] Convening such a conference was already a success for the developing world. The aim and the balance of power within UNCTAD distinguished it from the other main international economic institutions established at the end of the Second World War. The so-called Bretton Woods institutions, namely the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD), later called the World Bank, were mainly set up to correct those flaws

[67] *Final Communiqué of the Asian-African Conference*, Interventions: International Journal of Postcolonial Studies, 11:1, 94-102, (2009).
[68] *The History of UNCTAD 1964-1984* (New York: United Nations, 1985).
[69] "History", United Nation Conference on Trade and Development, accessed September 22, 2017, http://unctad.org/en/Pages/About%20UNCTAD/A-Brief-History-of-UNCTAD.aspx .vb

of the global financial system, that, according to many, had contributed to the outbreak of the Second World War.[70] The IMF was originally set up to oversee the international monetary system, by ensuring a stable exchange rate, and to facilitate the international trade.[71] The World Bank's task was that of rebuilding the economies of countries destroyed by the war.[72] Finally, the General Agreement on Tariffs and Trade (GATT) signed in 1947, as provisional measure before the formation of a specific agency, would regulate the international trade. Through these three institutions, the North of the world aimed "to promote free trade and payments by dismantling trade restrictions and allowing market forces to bring about the optimum international division of labour and maximum welfare of all countries."[73] However, the vast majority of the later called Third World countries were not sovereign states at the end of the Second World War. Their needs and concerns therefore, were not considered in the original design of the new international economic order. For example "the GATT did not include terms regarding commodity accords or foreign investment rules or preferential trading systems for the developing world."[74] Moreover, the decision-making power of the Bretton Woods institutions has always been mainly in Western hands.

Recognizing the "heavy dependence of individual developing countries on primary commodity exports" and promoting a fairer integration of the South of the world into the international system, the UNCTAD shared the dependency theory's worldview.[75] The goals of the organization reflected indeed the ideas of Raùl Prebisch, its first Secretary General and initiator of the dependency theory. One of Raùl Prebisch's most influential thought was the issue of the inexorable worsening of the terms of trade for primary exporters, according to which, progressively, "more of the South's raw materials and agricultural products were needed to purchase fewer of the North's manufactured products."[76] This phenomenon is the consequence of the technological progress which implies the progressive substitution of

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[70] Peter Calvert and Susan Calvert, *Politics and Society in the Developing World* (Harlow: Pearson Education, 2007), 175.
[71] "About the IMF," International Monetary Fund, accessed October 15, 2017, http://www.imf.org/en/About .
[72] "History," The World Bank, accessed October 15, 2017, http://www.worldbank.org/en/about/history .
[73] *The History of UNCTAD, 9.*
[74] Ian Taylor and Karen Smith, *United Nations Conference on Trade and Development (UNCTAD)* (London and New York: Routledge, Taylor & Francis Group, 2007), 7
[75] *Proceedings of the United Nations Conference on Trade and Development*, Geneva, 23 March – 16 June 1964, Volume I, Final Act and Report, United Nations, New York 1964, First Part – Preamble; Ian Taylor and Karen Smith, *United Nations Conference on Trade and Development (UNCTAD)*, 15, 56, 59.
[76] Walden Bello, *Deglobalization. Ideas for a new world economy*, 34.

natural products with man-made products. Therefore the demand and accordingly the price of primary commodities is bound to decrease, with obvious losses for developing primary commodities exporters.

As already discussed, the international division of labour's discourse is at the core of Rodney's study, according to which technology and high skills required to manufacture goods were domain of the capitalist countries, while "unskilled production by Africans was required to get the ore for export."

The 15 General and 13 Special Principles contained in The Final Act adopted by the first UNCTAD conference in Geneva in 1964, under the guidance of Raùl Prebisch, considered for the first time the interests and concerns of developing countries. The UNCTAD committed to "promoting increased market access for exports from the developing world by using preferential access and dismantling protectionism for agricultural products in the developed world; regulating and steadying the international market for primary commodities, in order to counterbalance the diminishing terms of trade for the developing countries; and approving policies to boost financial flows to the post-colonial world."[77] UNCTAD I also saw the establishment of the Group of 77, a coalition of developing countries within the United Nations, designed "to articulate and promote their collective economic interests and enhance their joint negotiating capacity on all major international economic issues within the United Nations system, and promote South-South cooperation for development."[78]

The formation of the UNCTAD led in the first years to some concrete results. But equally important, it allowed the South to emerge and speak out about issues of development, trade, inequity and responsibility of the North. Between the 1950s and the 1970s the South was indeed emerging on the global scene and strongly calling for a New International Economic Order (NIEO). The idea of a new international order was launched the first time by Raùl Prebisch, Secretary General of the UNCTAD from 1964 to 1969. In his report *Toward a New Trade Policy for Development* of the first UNCTAD conference, Prebisch stated: "it is imperative to build a new order with a view to solving the serious problems of trade and

[77] Ibid., 10-11.
[78] "About the Group of 77," The Group of 77, accessed October 13, 2017, http://www.g77.org/doc/

development that beset the world, especially the problems that affect the developing countries."[79]

At the second UNCTAD conference (New Delhi, 1968), the major achievement was the compromise reached about the objectives of a special tariffs treatment to be accorded to developing countries, called the Generalised System of Preferences (GSP). Resolution 21 (II) stated that "the objectives of the generalised, non-reciprocal, non-discriminatory system of preferences in favour of the developing countries, including special measures in favour of the least advanced among the developing countries, should be: a) to increase their export earnings; b) to promote their industrialization; and c) to accelerate their rates of economic growth."[80] In 1971 the Contracting Parties of the GATT agreed to waive the most-favoured-nation principle of Article I for ten years in order to implement the GSP.[81] In 1979 the Enabling Clause adopted at the Tokyo Round, gave a permanent validity to the tariffs preferential treatment guaranteed to developing countries.[82]

At UNCTAD III (Santiago, 1972), the President of Mexico Luis Echeverría Alvarez, proposed the idea of an international economic order based on "a charter of economic rights and duties of States."[83] On the 1st of May 1974 the UN General Assembly adopted the Declaration on the Establishment of a New International Economic Order "based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations."[84] In December of the same year the Charter of Economic Rights and Duties of States became a reality through the UN General Assembly Resolution 3281 (XXIX). At UNCTAD IV (Nairobi, 1976), consensus was reached on the Integrated Program for Commodities (IPC). "The IPC

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[79] Raùl Prebisch, *Towards a New Trade Policy for Development. Report by the Secretary-General of them United Nations Conference on Trade and Development* (New York: United Nations, 1964), 3.
[80] "History of the Generalized System of Preferences", *UNCTAD*, accessed July 18, 2017, http://unctad.org/en/Pages/DITC/GSP/About-GSP.aspx.
[81] Ibid.
[82] Ibid.
[83] Proceedings of the United Nations Conference on Trade and Development. Third Session. Santiago de Chile, 13 April to 21 May 1972. Volume 1a, part one. Summaries of statements by heads of delegation, 186.
[84] United Nations General Assembly Resolution 3201 (S-Vi). Declaration on the Establishment of a New International Economic Order.

stipulated that agreements for eighteen specified commodities would be negotiated or renegotiated with the principal aim of avoiding excessive price fluctuations and stabilizing commodity prices at levels remunerative to the producers and equitable to consumers. It was also agreed that a common fund would be set up to regulate prices when they either fell below or climbed too far above the negotiated price targets."[85]

These were the last significant achievements of the UNCTAD.

3.3 United Nations Conference on Trade and Development's crisis and advent of neoliberalism

Since the foundation of the UNCTAD, the North proved to be quite reluctant to approve the requests of the South. And, through consensus as voting procedure, developed countries could hinder basically any proposals coming from the developing countries.[86] As discussed above, however, some significant achievements such as the Generalised System of Preferences in 1968, the Declaration and Programme of Action on the establishment of a New International Order in 1974 and the Integrated Programme for Commodities in 1976, were reached. During the 1980s, however, the UNCTAD started loosing its influential role, not only because of the constant opposition of developed countries, but also due to the increasing popularity, within the capitalist North, of neoliberalism, as the most efficient way to foster growth and development. The ascendancy of neoliberalism and the concomitant abandonment of Keynesian policies was due to a series of causes, among which "the economic crises of the 1970s, ranging from the collapse of the Bretton Woods agreement, to the OPEC oil shocks, culminating in runaway inflation and high unemployment."[87] The neoliberal agenda, fostered mainly by the most powerful financial institutions and states during the 1980s (IMF, World Bank and USA), was imposed on every developing country.[88]

Certainly, the poor economic performance of African states, did not help to raise their bargaining power and political weight in international forums, which continued to be

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[85] Walden Bello, *Deglobalization. Ideas for a new world economy* (London and New York: Zed Books Ltd, 2004), 39.

[86] *United Nations General Assembly Resolution 3201 (S-Vi). Declaration on the Establishment of a New International Economic Order.*

[87] Michael W. Clune, *When Neoliberalism Exploded. Historian Daniel Steadman Jones traces the origins of the right's fascination with privatization and deregulation*. https://www.salon.com/2013/03/09/the_world_according_to_milton_friedman_partner/ , accessed December 2, 2017.

[88] Craig N. Murphy, *Global Institutions, Marginalization, and Development* (London and New York: Routledge, Taylor and Francis Group, 2005), 118.

dominated by the Western powers.[89] Indeed, the relatively prosperous years of post-independence Africa belonged already to a past epoch. “In agriculture, 29 out of 45 African countries had negative annual growth rates of per capita food production during 1970/1976, while in the 1960/1970 period only 17 of the 45 countries had such negative growth rates.”[90] “Between 1973 and 1980, i.e. the beginning of Africa’s “lost decade,” Africa’s annual growth rate had declined to a minimal 0.1 per cent or, if we take Nigeria out of the equation, a disastrous -0.7 percent.”[91] To make things worse, Africa also had to deal with a foreign debt grown out of all proportion. “Sub-Saharan Africa's total debt increased from about $6 billion in 1970 to $134 billion in 1988.”[92]

Another factor which undermined the UNCTAD’s strategy was its internal contradictions and the different views of its member states. The group of developing countries had never been completely united in advocating its requests and interests. The demand for a NIEO was indeed put forward by a heterogeneous group of conservative, radical and liberal states.[93] Some conservative heads of state of the South, for example, were in favour of neoliberal reforms.[94] “For status quo states like Mexico, world economic reform along NIEO lines was seen as a means to alleviate pressures for much-needed internal economic reforms and thus solidify the position of the ruling class.”[95] Others like Yugoslavia started to look with interest at the European integration project. Because of this fragmentation, the UNCTAD became gradually weaker and overwhelmed with the North. “At UNCTAD VI the neoliberal government of Ronald Reagan took the offensive and came out firmly against basic propositions for a Generalized System of Preferences for developing countries.”[96] “The North … refused the South’s program of debt forgiveness and other measures intended to

[89] Christopher Brown, *Africa and the international system. The politics of state survival* (Cambridge: Cambridge University Press, 1996), 163.
[90] Bade Onimode, *A Political Economy of the African Crisis* (London: Institute for African Alternatives, 1988), 6-7.
[91] World Bank, *Sub-Saharan Africa: From Crisis to Sustainable Growth* (Washington, DC: World Bank, 1989), 221.
[92] Ibid., 20.
[93] Walden Bello, Brave New Third World? Strategies for Survival in the Global Economy in *Food First Development Report*, No 5, February 1989 (San Francisco: The Institute for Food and Development Policy), 45.
[94] Taylor and Smith, *United Nations Conference on Trade and Development*, 67
[95] Walden Bello, Brave New Third World? Strategies for Survival in the Global Economy, 45.
[96] Taylor and Smith, *United Nations Conference on Trade and Development*, 68.

revive Third World economies and thus contribute to global recovery at a time of worldwide recession."[97]

The receipt to deal with negative growth and increasing foreign debt came therefore from the North, specifically from the IMF and the World Bank, in addition to the key figures of neoliberalism of the 1980s, Margaret Thatcher and Ronald Reagan. "The intractable problems of Third World poverty, hunger and debt would not be solved by misdirected international intervention, but rather by liberating enterprise, promoting trade—and defeating socialism in all its forms."[98] It started the era of Structural Adjustment Programs. The expression "structural adjustment" refers to a package of neoliberal reforms, formulated by the IMF and the World Bank to rebuild the economy of Third World countries. The basic elements of these reform packages were: reduction in public spending, privatization of state enterprises, deregulation and liberalization. By the end of the 1980s, SAPs were imposed on over seventy Third World countries.[99]

The choice of the new appointed secretary-general of UNCTAD also reflected the ascendancy of neoliberalism as the most effective strategy to pursue economic development. In 1986, after the Sri Lankan Gamani Corea, the person chosen to lead UNCTAD was the Ghanaian Kenneth Dadzie. Chosen with the support of the United States, Dadzie "introduced, for the very first time in UNCTAD's history, the notion that the market should play the key role in development."[100] Basically, from this point onward, what the developing world really needed to develop, namely preferential market access, protection of local economy and barriers to foreign products, was to be rejected by the developed world, with the hypocritical, blind, self-interest motivation that dismantlement of trade barriers and neo-liberal policies would bring growth also to the Third World.

This change of trajectory in the North-South relations took place also in the relationship between the EU and Africa, subject of the next chapter.

[97] Walden Bello, "UNCTAD X: An Opportunity Lost,'' *Focus on Trade*, no. 46 (February 2000): 55 in Taylor and Smith, *UNCTAD*, 69.
[98] Margaret Thatcher, *Downing Street Years*, HarperCollins Ebook Margaret Thatcher, *Downing Street Years*, HarperCollins Ebook.
[99] Walden Bello, *Deglobalization*, 43.
[100] Ian Taylor, *United Nations Conference on Trade and Development*, 74.

CHAPTER IV

4. Europe-Africa post-colonial relations

4.1 The end of colonialism

The "new" era of Europe-Africa relations began to take shape in the late 1950s, marked by the wave of independence movements across all Africa, and the European integration process. Talking about "new" era of relationship is, however, relatively correct or at best still premature, considering that the first official Treaty regulating the association between the European powers and the colonial territories, was signed without even consulting the African countries, then still colonies. Furthermore granting independence to the colonies was not a magnanimous act by Western powers, but the result of a series of factors. First of all "the right to independence and the corresponding duty to decolonize was installed as an international categorical imperative following the second world war and by 1960 it was the unchallenged and unchallengeable declaration of the United Nations."[101] After condemning and fighting Nazism and advocating the values of freedom, democracy and the right to self-determination of people, perpetrating the barbarity of colonialism was not excusable anymore. It is noteworthy, as Ndlovu-Gatsheni writes, that "it was the practice of racism at the centre of Europe rather than its practice in the colonies that provoked western powers to take such actions as the production of the Atlantic Charter; the Nuremberg Trials; the formation of the United Nations; and the adoption of the Universal Declaration of Human Rights."[102] Until that moment, racist and colonialist practices put in place in Africa, had not been questioned in the Western world.

Secondly, the decline of European powers due to the devastation of the Second World War and the growth of nationalist movements across the African continent, made the decolonization a process no longer undelayable.[103] Finally, the US was putting pressure on European powers to dismantle their colonial empires, whose existence undermined its plans to constitute a liberal international order and further expand its market.[104]

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[101] Robert H. Jackson, *Quasi-States: Sovereignty, International Relations and the Third World,* (Cambridge: Cambridge University Press, 1990), 82.

[102] Sabelo J. Ndlovu-Gatsheni, "Genealogies of Coloniality and Implications for Africa's Development," *Africa development,* Volume XL, No. 3, 2015, 31.

[103] Marjorie Lister, *The European Union and the South. Relations with developing countries* (London: Routledge, 1997), 40.

[104] William Brown, *The European Union and Africa. The Restructuring of North-South Relations* (London, New York: I. B. Tauris, 2002), 33.

In 1957, with the signature of the Treaty of Rome, Belgium, France, Germany, Italy, Luxembourg and Netherlands founded the European Economic Community (EEC). As firmly demanded by France, which threatened to veto the whole treaty if this condition had not been met, a special bond was recognized between the European signatories and their dependencies.[105] According to Article 131, Part IV of the Treaty of Rome, the Member States agreed "to associate with the Community the non-European countries and territories which have special relations with Belgium, France, Italy, the Netherlands and the United Kingdom."[106] As mentioned above, this association was unilaterally established by the European States and fundamentally imposed on the colonies at pressing request of France. "For France and for de Gaulle, the new relationship was a means of maintaining its relationship with the African colonies, and thus helping to protect France's increasingly dubious international standing as a world power, at a time of increasing pressure on the imperial system, and transferring some of the costs of that relationship to her new partners in the EU."[107] The association would grant both parties preferential trade access; the European members states would also provide development aid through the first European Development Fund (EDF), as laid down by the Implementing Convention annexed to the Treaty of Rome.[108]

4.2 The Yaoundé Conventions

In the 1960s diverse new African states became independent. The relationship between them and the EEC was then renewed through the Yaoundé conventions of 1963 and 1969. This time the agreement was the result of a bilateral decision between two sovereign entities. However the EEC had clearly a much greater bargaining power than its African counterparts.[109]

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105 Brett, E. A., *The World Economy Since the War: the Politics of Uneven Development* (London: Macmillan, 1985) in Brown, *The European Union and Africa. The Restructuring of North-South Relations, 35.*

106 The Treaty of Rome, 25 March 1957.

107 C. Clapham, T. Hayter, and M. Kahler, in W. Brown. *The European Union and Africa. The Restructuring of North-South Relations* (London, New York: I. B. Tauris, 2002), 41.

108 Stephen R. Hurt, "The European Union's external relations with Africa after the Cold War. Aspects of continuity and change," in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 157 and Implementing Convention Relating to the Association with the Community of the Overseas Countries and Territories in United Nations, Treaty Series, Treaties and international agreements registered or filed and recorded with the Secretariat of the United Nations, Volume 298, 157.

109 C. Clapham, *Africa and the international system,* 99

In 1963 the group of the Associated African States and Madagascar (AASM), made up of eighteen mostly French or French-speaking countries, and the European Economic Community adopted the first Yaoundé Convention, according to which both parties committed to progressively abolish "customs duties and charges having an effect equivalent to such duties" on imported goods on a reciprocal basis.[110] Specifically, the Convention "gave free access for most AAMS exports to the EU (except products covered by the Common Agricultural Policy – the CAP), and established a second EDF."[111] In exchange, the AAMS had to allow duty and quota-free access to EEC products.[112] Aid and preferential access to the European market were the attractive benefits granted to the AAMS. The reciprocal nature of the agreement, however, did not consider the necessity of developing countries of gradually building and protecting their own industrial sector, in order to reduce their dependency on the West for manufactured products. This necessity was instead being considered at global level within the GATT.[113] According to the preferential treatment principle agreed by the Third World's countries at the UNCTAD I in 1964, "agreements on liberalizing trade barriers requiring reciprocal actions (particularly under the GATT) would be waived for developing countries, so that they could build up domestic industry while still benefiting from industrial country liberalization."[114]
In 1969, the second Yaoundé Convention was signed. It established a third EDF and renewed the previous agreement for other five years.

In the 1970s the particular focus of the EEC on the African countries began to fade. First, the EEC was working on its enlargement process. In 1973 Britain, Ireland and Denmark joined the Community. Secondly, the EEC started looking at other Third World countries in order to expand its economic horizons. In 1971 it put in force the Generalised System of Preferences instituted within the UNCTAD, according to which all developing countries were granted preferential trade conditions, thus undermining the privileged position of the Yaoundé signatories.

[110] Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community and Annexed Documents, signed at Yaoundé on 20 July 1963, Title I, Trade, Chapter I, Customs duties and quantitative restrictions, Article 1 and 2.
[111] Brown, *The European Union and Africa,* 42.
[112] Stuart Holland, *Uncommon Market. Capital, Class and Power in the European Community* (London: Macmillan, 1980), 160.
[113] Brown, *The European Union and Africa,* 27.
[114] Ibid., 48.

The group of AAMS was therefore barely satisfied with the terms of the Yaoundé conventions. Nevertheless during the 1970s, the South of the world, as discussed in the previous chapter, was emerging on the global scene and clamouring a reversal of the international economic order. The successive agreement and its innovative terms reflected this new international climate. Meanwhile, the accession of Britain to the EEC in 1973 made the renegotiation of the Yaoundé conventions a necessary step, in order to include also the British's Commonwealth.

4.3 The Lomé Convention

Europe-Africa relations saw definitely a turning point with the signing of the Lomé Convention by 46 African, Caribbean and Pacific States (ACP) and the then nine members of the EEC in 1975. By that time, the EEC had already concluded a series of economic agreements with developing countries, such as the countries of North Africa, Middle East, Latin America and Asia.[115] The Lomé Treaty, however, was unquestionably more notable than the others, because of the variety of themes covered and the number of signatory countries.[116] In addition, it met for the first time, some of the requests that the Southern countries of the world were making at global level. As reported by William Brown, according to a large number of writers in the literature, "for the ACP, Lomé represented an important step away from a colonial, dependent relationship towards a more equitable, interdependent relationship with Europe."[117] The terms of the agreement indeed diverged considerably from those of the Yaoundé conventions in favour of the ACP group.

"On the basis of complete equality between partners, close and continuing co-operation, in a spirit of international solidarity," the Treaty aimed to "promote trade between Contracting Parties, taking account of their respective levels of development, and, in particular, of the need to secure additional benefits for the trade of ACP States, in order to accelerate the rate of growth of their trade and improve the conditions of access of their products to the market of the European Economic Community."[118]

[115] Brown, *The European Union and Africa,* 2.
[116] Ibid.
[117] Ibid., 6.
[118] ACP-EEC Convention of Lomé signed at Lomé on 28 February 1975.

In order to achieve this objective, the Treaty provided for four plans of action. The most important for the ACP states was that one relating to trade.[119] According to the Convention (Article 1-15), ACP goods were granted duty and quota free access to the EEC market on non-reciprocal base. ACP states were therefore not required to reciprocate such treatment as previously established by the Yaoundé agreements. Specifically Article 7 stated that "in view of their present development needs, the ACP States shall not be required, for the duration of this Convention, to assume, in respect of imports of products originating in the Community, obligations corresponding to the commitments entered into by the Community in respect of imports of the products originating in the ACP States."[120] Not all ACP products however, were granted unconditional free access. Restrictions were applied on goods covered by the EEC's Common Agricultural Policy. "For some Common Agricultural Policy products the ACP received duty free access, often within quota or calendar limits, while for others the EEC gave some tariff preference to the ACP over third countries. Second, the Convention included a 'safeguard clause' which would allow the EEC (as a whole or individual states if the Commission agreed) to restrict ACP product access should exports from the ACP cause 'serious disturbances' in the economies of the member states (Article 10).

The Convention also contained 'rules of origin' (detailed in Protocol 1 of the Convention), which stipulated how much value had to be added to an export in the ACP country (through processing, manufacture or origination of inputs) for it to be counted as 'originating' from that ACP country and thus qualifying as having free access to the EEC. For most products this was set at 50 per cent of the final value."[121] Three additional Protocols fixed an annual quantity and price of bananas, rum and sugar, products which alternatively could not enter freely the EEC's market.[122] In exchange ACP States were required to trade with EEC member states at not less favourable conditions then with other countries.[123]

The second plan of action, regulated by Title II of Lomé I, consisted of a "system for guaranteeing the stabilization of earnings from exports by the ACP States (STABEX)."[124] This mechanism was created in order to compensate the ACP States for losses in export

[119] Brown, *The European Union and Africa,* 61.
[120] ACP-EEC Convention of Lomé signed at Lomé on 28 February 1975, Article 7.
[121] Brown, *The European Union and Africa*, 61
[122] Ibid.
[123] Obadiah Mailafia, *Europe and Economic Reform in Africa. Structural Adjustment and Economic Diplomacy* (London and New York: Routledge), 67-68
[124] ACP-EEC Convention of Lomé signed at Lomé on 28 February 1975, Article 16.

revenue due to fluctuations in price and/or quantity of key primary products and raw materials.[125] Specifically the system encompassed the following goods: groundnuts, cocoa, coffee, cotton, coconuts, palm products, raw hides, skins and leather, wood products, fresh bananas, tea, raw sisal and iron ore.[126]

To benefit from the system, however, earnings of the product concerned had to amount to at least 7.5% of the total export earnings of a country (2.5% for least developed, landlocked or island ACP states), having as benchmark the year preceding the year of application; in addition the economic loss had to correspond to an income for the country at least 7.5 % below a particular reference level, calculated on the basis of the export earnings during the four years preceding the year of application (2.5% for least developed, landlocked or island ACP states).[127] Payments were transferred in the form of grants to the least-developed ACP States and in the form of non-interest loans repayable in five years to the other ACP states.[128]

As third plan, the European financial and technical assistance was renewed through the allocation of 3,000 million units of account (mua) from the EDF and 390 mua from the European Investment Bank (EIB).[129] The main innovation in this field was that "aid allocations, once allocated, were guaranteed for the full five years and were to be jointly managed."[130] According to Article 50 of the Convention, the shared management of aid had to be achieved through "active participation by the ACP State or group of ACP States concerned in each of the various stages of a project: the aid programming, the submission and appraisal of projects, the preparation of financing decisions, execution of projects and final evaluation of the results."[131]
Finally, a specific Title of Lomé was dedicated to industrial co-operation, the aim being to foster the industrialization of ACP states, the link between industry and other sectors, and the transfer of technology from the EEC to the ACP.[132]

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[125] Ibid.
[126] Ibid., Article 17.
[127] Ibid., Article 17-19.
[128] Ibid., Article 21.
[129] "The unit of account was worth about US $1.24 in February 1975," see note 17 in Michael B. Dolan, "The Lomé Convention and Europe's Relationship with the Third World: A Critical Analysis" in *Journal Of European Integration*, 13 December 2007 and ACP-EEC Convention of Lomé, Article 42.
[130] Hurt, "The European Union's external relations with Africa after the Cold War" in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 158.
[131] ACP-EEC Convention of Lomé signed at Lomé on 28 February 1975, Article 50.
[132] Ibid., Article 26.

The Lomé Convention included undoubtedly some significant and innovative elements compared to the Yaoundé agreements and it partially met the demands that Southern countries were making at global level. Nevertheless, it is necessary to clarify some points. First of all Lomé negotiations took place during a particular historical period, characterized by the end of the post-war economic boom and the decline of the institutional framework set up in 1944 to regulate the international economic order.[133] In addition to this, we must consider the necessity and the relative concern of the EEC to secure a stable supply of raw materials, exacerbated by the oil crisis of 1973 and by the general increase of commodities price during the early 1970s.[134] Since Africa represented a key partner as supplier of commodities, it was crucial for Europe to keep and reinforce the ties with its former colonies.[135] Therefore, the greater concessions of Lomé did not come out simply as response to the demands of the ACP States, but obviously represented a way for Europe to maintain control over one of its main sources of raw materials.

Second, a reflection is needed about the export earnings stabilisation scheme. Although it was conceived to compensate the ACP group for economic losses due to the commodities' market instability, it has been criticised by numerous authors in the literature. Johan Galtung for example argued that the STABEX scheme freezed that international division of labour, denounced also by Walter Rodney, which prevents African countries from industrializing.[136] By encouraging the export of primary goods, the STABEX has been actually seen more as an instrument to crystallize the role of Africa as exporter of such commodities and importer of manufactured products.[137]

Third, although technical and financial assistance was to be discussed and shared by the EEC and the ACP states, "the final agreement to fund aid projects was left to the EDF Committee – an EU body which contained representatives of each member state but no ACP representation."[138] The praised joint management of aid allocation was therefore limited to

[133] Brown, *The European Union and Africa,* 46.
[134] Ibid., 49-50.
[135] Ibid., 51.
[136] Johan Galtung, "The Lome Convention and Neo-Capitalism," *African Review,* Volume 6, Issue 1, Jan 1976, 40.
[137] Ibid., 9 and Hurt, "The European Union's external relations with Africa after the Cold War" in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 156.
[138] Brown, *The European Union and Africa,* 59

the design phase, rather than to the effective implementation of the program which remained under European control.

4.4 From Lomé II to Lomé IV bis

The renegotiation process of Lomé I was characterized by the conflict between two opposite perspectives. For ACP states Lomé I had represented only the starting point of a new relationship; they were therefore determined to obtain further concessions from the EEC. Conversely the EEC, while wanting to maintain its relationship with the ACP, "aimed to give few, if any, new concessions to the South."[139]

Lomé II was signed on 31 October 1979. By that time the number of ACP countries had increased from 46 to 58. The main change of Lomé II was the introduction of a new scheme, called SYSMIN (Stabilization scheme for Mineral Products), which covered the mineral sector. The mechanism of compensation for ACP States became operational in the event of "a substantial fall … in their capacity to produce, or to export, or in their export earnings to such an extent as to seriously affect the development policy of the ACP State concerned."[140] Unlike STABEX, the benchmark under SYSMIN was not only the export earnings, but also the productive and export capacity, which reflected the concern of European firms at the decline of investment in mineral production in Africa.[141] The aid provided was precisely bound to finance projects relating the mineral sector.[142]

Secondly, the total amount of financial assistance by the EEC for the period 1980-1985 was set at 5,227 million of EUA (European Unit of Account). Although the nominal value of the financial assistance fund increased by 51% compared to Lomé I, this figure represented a 16% decrease in real terms and a 25% decrease in real per capita aid.[143]

Some other marginal changes were included, such as the reduction of the export earnings benchmark to 6.5% to trigger the STABEX (2% for least developed, landlocked and island ACP states), and few concessions in terms of access of CAP covered products.[144] The requests of the ACP states were only slightly satisfied. If Lomé I was the result of the highest

[139] Ibid., 65.
[140] The second ACP-EEC Convention signed in Lomé on 31 October 1979, Article 52.
[141] Lomé II, Briefing Paper N°1 1980 February (London: Overseas Development Institute), 6.
[142] Ibid.
[143] Ibid., 5 and Hewitt, A. "The Lomé Conventions: Myth and Substance of the "Partnership of Equals"' in Cornell, M. (ed.), *Europe and Africa: Issues in Post-Colonial Relations* (London: ODI, 1981), 32.
[144] Brown, *The European Union and Africa,* 66.

point of co-operation between the EEC and the ACP group, the negotiation of Lomé II and the relative final agreement reflected rather a stalemate in the North-South dialogue. [145]

Lomé II was replaced by Lomé III, signed on 8 December 1984. By that time, the already weak bargaining power of developing countries, was being further undermined by their growing external debt, a deep economic crisis and the drop of commodity prices. As during the negotiation of the previous agreements, they asked "for free and unlimited access to the EU market; reform of the rules of origin; limitations on the use of safeguards; an extension of STABEX coverage and payments to be made on the basis of falls in the purchasing power of their exports; real joint management of Lomé aid as well as the maintenance of the ACP's preference over other Third World countries."[146] But their requests were, again, largely ignored by the EEC. Under Lomé III the EEC started to reshape its relationship with the ACP group; specifically it aimed at gaining more control over the use of aid.[147]

The reason behind this intention was the EEC's disappointment over the failure of the development and assistance policy in its recipient countries. The new strategy was expressed in the so-called Pisani Memorandum, a document presented by the then European Development Commissioner to the European Parliament in 1982. Pisani called for "a political dialogue between external providers of funds and local decision-makers" and for a concentration of resources in specific sectors, among which in particular agricultural development.[148]

While during the negotiation of Lomé II, the European proposal to interrupt financial assistance in case of violation of human rights by the recipients states, was firmly rejected by the ACP group, the new treaty mentioned for the first time the faith of both the contracting parties "in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women."[149]

Although the mention of human right did not imply the existence of strict conditions for receiving financial assistance, the "political dialogue" of Lomé III provided for a bigger

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[145] Ibid., 67.

[146] *Europe, Africa and Lomé III* (New York and London: University Press of America, 1985) in Brown (2002), 69.

[147] Brown, *The European Union and Africa,* 69, Toni Haastrup, *Charting Transformation through Security. Contemporary EU–Africa Relations* (London: Palgrave Macmillan, 2013), 13 and Aderemi Oyewumi, "The Lomé convention: From partnership to paternalism". *The Round Table: The Commonwealth Journal of International Affairs*, 80:318 (1991): 134.

[148] Brown, *The European Union and Africa,* 68 and *Negotiating the Fourth Lomé Convention*, Briefing Paper (London: ODI, 1989), 1

[149] The Third ACP-EEC Convention signed at Lomé on 8 December 1984 and related documents.

involvement of the EEC in aid development projects and above all it indicated the way that Lomé IV would follow.

With Lomé IV, we assist to a deeper reshaping of the relationship between the EEC and the ACP states, with the former increasingly interfering with domestic policies of the counterpart, and the latter losing the power to negotiate the conditions to receive financial assistance.[150] The international background played a significant role in the redefinition of the new agreement. During the 1980s the global economy was characterized by a series of events and significant changes. Developing countries were seriously hit by the increased interest rate of old loans contracted with Western countries and the fall of commodity prices. The strategy to deal with the debt crisis of developing countries was drawn up and imposed by the World Bank and the IMF. Debtor countries were required to implement a package of economic reforms denominated Structural Adjustment Programmes. This was a necessary condition to contract new loans or renegotiate debts.[151] "The measures included currency devaluation; public expenditure cuts; freeing of prices; positive interest rates and a squeeze on credit to combat inflation; import liberalization; and privatization."[152]

The introduction of aid conditionality into the Lomé Convention reflected therefore the broader North-South relationship at global level.[153]

On 31st May 1988 the EEC Council of Ministers (Development) adopted a resolution "on the economic situation and adjustment process in Sub-Saharan Africa", following a Commission's analysis on the issue.[154] The resolution stated that "reforms should be conceived and carried out in a pragmatic and differentiated manner, with due respect for economic policy options and taking account of the peculiarities and constraints of each country. It is essential in this connection that the governments of the countries concerned be involved to the greatest extent in analysing the difficulties to be resolved and in preparing reform programmes."[155] It also stressed the importance of considering the social dimension of the adjustment programme, "in order to reduce any negative effects it may have on the most vulnerable sections of the population and to promote simultaneously the objectives of

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[150] Brown, *The European Union and Africa,* 75.
[151] Ibid., 77.
[152] Ibid., 77-78.
[153] Ibid., 86.
[154] Council Resolution of 31 May 1988 on the Economic Situation and Adjustment Process in Sub-Saharan Africa
[155] Ibid.

economic growth and social justice."[156] Despite these premises, which seemed to suggest a different approach of the EEC in comparison with that of the World Bank and the IMF, the resolution underlined finally "the need for effective co-ordination between the Community on the one hand and the World Bank and the IMF, which play a de facto leading role in the dialogue on structural adjustment, on the other."[157]

Lomé IV was signed on 15 December 1989. The general framework respected that of Lomé III but some changes were introduced. First of all the Convention was signed between the then 12 member states of the European Economic Community and the expanded group of 69 ACP states. Unlike the previous agreements, Lomé IV duration was fixed at 10 years, with two five-year Financial Protocols. The volume of financial assistance as well as issues concerning trade, were a matter of dispute between the contracting parties, but also within the EEC. The northern EEC states were in favour of a greater trade liberalization and reluctant to increase the amount of financial assistance; conversely, the southern EEC states, whose producers faced the competition of ACP agricultural products, were more inclined toward an increase in aid.[158] Finally the Convention established the sum of ECU12 billion, which was, either way, below the figure of ECU 15.5 billion requested by the ACP states.[159] If this sum represented a nominal increase of 40 per cent compared to Lomé III, it was only a 20 per cent in real terms.[160] In terms of trade the general provisions remained unchanged but some concessions were granted to the ACP states for CAP-covered products.[161]

This time the Convention put great emphasis on the "respect for and enjoyment of fundamental human rights" stating at Article 5 that "the Parties reiterate their deep attachment to human dignity and human rights, which are legitimate aspirations of individuals and peoples. The rights in question are all human rights, the various categories thereof being indivisible and inter-related, each having its own legitimacy: non-discriminatory treatment; fundamental human rights; civil and political rights; economic,

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156 Ibid.
157 Ibid.
158 Obadiah Mailafia, *Europe and Economic Reform in Africa* (1997), 96 and *Negotiating the Fourth Lomé Convention* (1989), 2.
159 Obadiah Mailafia, *Europe and Economic Reform in Africa* (1997), 99. ECU: "abbreviation of European currency unit, a notional unit of exchange, conceived in 1979, based on a "basket," or weighted combination, of the currencies of nations that belonged to the European Economic Community", Encyclopedia Britannica, accessed October 5, 2017 https://www.britannica.com/topic/ecu-international-finance .
160 *The Courier,* No. 120 March-April 1990, Africa-Caribbean-Pacific - European Community, 8.
161 Brown, *The European Union and Africa,* 91-92.

social and cultural rights."[162] As we shall see below, the respect for human rights will become a specific condition for receiving aid in the revised Lomé IV Convention.

The main innovation of Lomé IV was the introduction of aid conditionality to support the economies of the ACP countries. To be eligible to receive further assistance from the EEC, countries had to present the following characteristics: "low-income countries, i.e. eligible for financing from the International Development Association; a debt burden that seriously affects their capacity to import; a commitment and action to undertake significant efforts to carry out economic adjustment."[163]

Countries already pursuing reform programs financed or agreed with the main multilateral donors, were to be considered automatically eligible for EEC financial support, which clearly indicates the common approach shared by the EEC, and the IMF and the World Bank.[164]

If with Lomé IV we assist to a new balance of power, where it is the EEC to prescribe the conditions, the revised Lomé IV agreement and subsequently the Cotonou Partnership Agreement, will further undermine the ACP States' position.

Lomé IV included a clause according to which aid allocation and some other issues could be reviewed and modified in the following five years.[165] At the European Commission's initiative, the procedure of aid allocation was revised.[166] Aid would be disbursed in two tranches, with the first one being the 70% of the total indicative amount of financial assistance. The second one might be allocated taking into account various factors, among which "(a) the indicative allocation; (b) progress made in the implementation of the elements of the programme … and the agreed timetable of commitment and disbursements … ; (c) the state of preparation of the activities the ACP State intends to undertake within the framework of the second phase of the indicative programme, and (d) the specific situation of the ACP State concerned."[167] Through this amendment, the EEC could therefore decide to stop disbursing aid with plenty of room for manoeuvre.

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[162] Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Article 5.
[163] Council Common Position of 9 November 1987 on the Special Community Programme to Aid Certain Highly Indebted Low-Income Countries in Sub-Saharan Africa.
[164] Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Article 246.
[165] Brown, *The European Union and Africa*, 115.
[166] Ibid., 131.
[167] Agreement Amending the Fourth ACP-EC Convention of Lomé signed in Mauritius on 4 November 1995, Article 282 (4).

Secondly, the mid-term review of Lomé IV added further conditions ACP states had to fulfil in order to continue receiving aid. In this case the kind of aid conditionality was precisely political and strictly related to the internal situation of recipient countries. Not only the respect for human rights was considered an essential element of the EEC-ACP states relationship, but also “the recognition and application of democratic principles, the consolidation of the rule of law and good governance.”[168]

The amended Convention provided therefore for a mechanism for it to be suspended in part or fully in case of failure by one of the Party to respect one of these essential elements listed in Article 5.[169] According to Article 366a, if this event occurred, one of the Parties shall invite the counterpart “unless there is special urgency, to hold consultations with a view to assessing the situation in detail and, if necessary, remedying it.”[170] The matter with this procedure was the vague meaning of the article, and in particular the missing definition of “special urgency”, as well as a “lack of clarity … related to the method by which sanctions could be imposed and the criteria by which recipient states would be judged.”[171] With the review of Lomé IV, the EEC substantially made sure it could suspend aid to ACP states on the basis of its own interpretation of violation of human rights, democratic principles and good governance, which calls into question the principles of “equality between partners, respect for their sovereignty, … the right of each State to determine its own political, social, cultural and economic policy options” referred to in Article 2.[172] The arbitrariness of this condition is demonstrated by the fact that some ACP states such as Ethiopia and Zaire have continued to receive financial aid by the EEC, despite their record of human rights violation.[173]

4.5 The Cotonou Agreement: end of non-reciprocal trade preferences

In view of the expiration date of the Lomé regime, the European Commission committed to an evaluation of the EC-ACP relationship, comprising the goals that had been achieved, the

[168] Ibid., Article 5.
[169] Ibid., 366a.
[170] Ibid.
[171] Brown, *The European Union and Africa*, 130-136.
[172] Fourth ACP-EEC Convention, Article 2.
[173] Justice Nwobike, The Application of Human Rights in African Caribbean and Pacific–European Union Development and Trade Partnership in *German Law Journal*, Vol. 06 No. 10, 2005, 1395.

shortcomings and the possible future scenarios.[174] In 1997 this analysis was published in the *Green Paper on relations between the European Union and the ACP Countries on the eve of the 21st century*.[175] The Paper claimed that "the world" was "in the throes of far-reaching changes".[176] These changes concerned not only the international political and economic background, but also the European Community itself and the EC-ACP relationship.

First of all, the world has seen the collapse of the Berlin Wall and the end of the Cold War; in 1994, with the end of the Uruguay Round, the World Trade Organization (WTO) was established with important consequences for the Lomé provisions. Indeed, "the nonreciprocal trade regime of Lomé was illegal within WTO rules as it was granted to only and all ACP countries, regardless of their level of economic development."[177] Secondly, the EC was facing important challenges as the creation of the Single Market, the prospect of a single currency and its continuing enlargements. The new EC-ACP agreement had necessarily to consider all these elements. Thirdly, Lomé had not produced the expected results. "For many ACP countries, mainly in Africa, the economic and socio-economic indicators had even worsened and unilateral preferences had not been able to induce a change in the EU-ACP trade structure."[178] "Indeed, during the Lomé time frame, the ACP countries' share in the EU's market fell from 6.7 percent in 1976 to 3 percent in 1998, while 60 percent of the total ACP export concentrated on only 10 products. There was also an appreciable rise in poverty in many ACP countries."[179]
In the Green Paper, the European Commission provided for an explanation of these negative outcomes. According to its analysis three main factors had hindered the success of Lomé:

- "the ACP countries' manifold supply-side constraints which prevented them from increasing and diversifying their production base;
- the missing emphasis on 'good governance' and institution-building, and

[174] With the Maastricht Treaty entered into force on November 1, 1993 the EEC was renamed European Community (EC).
[175] European Commission, *Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century. Challenges and options for a new partnership*, 1997.
[176] Ibid., V.
[177] Taylor, *International Relations of Sub-Saharan Africa*, 103.
[178] Mareike Meyn, "Economic Partnership Agreement – a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions: The EU, Africa and the Economic Partnership Agreements* (Leipzig: Leipziger Universitätsverlag GmbH, 2008), 19.
[179] NEPRU, "The Lomé Convention, the Cotonou Convention and Namibia," *The Namibian Economy*, no. 34, January (2001) in Ian Taylor, *The International Relations of Sub-Saharan Africa* (New York, London: Continuum, 2010), 103.

- the unilateral character of the preferences which contributed to highly-protected, non-competitive economies."[180]

Because of the "new global environment" and drawing on "the lessons of over four decades of cooperation with the ACP countries", the European Commission proposed major changes compared to the previous regime. Undoubtedly, at that time, the attention and the interests of the EC were not focused anymore on its ex-colonies with the same emphasis of the past. Other countries, especially those in Central and Eastern Europe, but also non-ACP states in Asia and Latin America were becoming key commercial partners of the EC.[181] The ACP heads of state and governments, on the contrary, on their first summit in 1997, released the Libreville Declaration, in which they claimed for an agreement built "on the acquis of the Lomé Convention". Therefore, they asked for the maintenance of non-reciprocal trade preferences and market access and for a flexible application of WTO rules in regard to developing countries.[182]

After eighteen months of controversial and arduous negotiations the agreement was finally signed on 23 June 2000 in Cotonou, the capital of Benin.[183] The new arrangement between the 15 members of the EC and 77 ACP states went therefore to replace the Lomé Conventions for a duration of 20 years, with possible amendments every five years. The main and most debated issue introduced by Cotonou was the establishment, in place of nonreciprocal trade preferences for ACP states and in order to comply with WTO rules, of the so-called Economic Partnership Agreements, to be concluded by 2007. This topic will be dealt in detail in the next two chapters while the other not-negligible amendements made by Cotonou will be more briefly discussed below.

The new agreement introduced a specific title called "Political Dimension," committing the Parties "to engage in a comprehensive, balanced and deep political dialogue" in order to

[180] Mareike Meyn, "Economic Partnership Agreement - a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 20.
[181] Marjorie Lister, *The European Union and the South. Relations with developing countries* (London: Routledge, 1997), 147-148.
[182] The Libreville Declaration, adopted by the First Summit of ACP Heads of State and Government at Libreville, Gabon, on 7 November 1997.
[183] Olufemi Babarinde and Gerrit Faber, "From Lomé to Cotonou: ACP–EU Partnership in Transition" in Olufemi Babarinde and Gerrit Faber (Eds), *The European Union and the Developing Countries. The Cotonou Agreement* (Leiden: Martinus Nijhoff Publishers, 2005), 1.

contribute to "peace, security and stability and promote a stable and democratic political environment."[184] As Lomé IV-bis, Cotonou considered the possibility to take appropriate measures or, as a last resort, to suspend the agreement in case of violations concerning human rights, democratic principles and rule of law.[185] Notwithstanding the definition of "good governance" as "fundamental element" of the Agreement instead of "essential" as was previously defined in Lomé IV-bis, Cotonou equally provided for the possibility to impose sanctions or suspend the agreement in case of its violation, and, for the first time, great emphasis on this regard was put on the issue of corruption.[186]

Modifications were also introduced with regard to mechanisms by which aid would be disbursed and its total amount. According to the previous agreement the amount of aid available for each country was being notified "at the beginning of the period covered by the Convention" and before the country concerned had laid down its indicative programme.[187] Under the Cotonou agreement, on the contrary, it was necessary to prepare a "Country Support Strategy" (CSS) from the beginning. This document had to include information about the political, economic and social context of the country, medium-term development strategies, donors already active in the country, and appropriate measure to apply in order to follow these strategies.[188] At the same time the Commission would informed the country concerned about the indicative resource available for the five-year period.

Another significant change introduced by the Cotonou Agreement, was the explicit reference to the country's performance, as parameter to revise aid allocation, at the end of an evaluation process concerning various factors among which the effective implementation of the programme, performance in the use of resources, poverty reduction and others.[189]
Finally Cotonou removed the STABEX and SYSMIN schemes as separate source of money. Hereafter, compensation for shortfalls in export earnings had to be withdrawn from the EDF.[190]

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[184] The Cotonou Agreement, signed in Cotonou on 23 June 2000, Article 8.
[185] Ibid., Article 96.
[186] Olufemi Babarinde and Gerrit Faber, "From Lomé to Cotonou," 30 and The Cotonou Agreement, Article 9 and 97.
[187] Lomé IV, Article 5.
[188] Cotonou Agreement, Annexe IV, Implementation and Management Procedures, Chapter 1, Programming, Article 2.
[189] Ibid., Article 3 and 5.
[190] European Centre for Development Policy Management, *Cotonou Infokit. The Instruments*, January 2001.

These modifications alone marked a further departure from the progressive measures of the first Lomé Convention. However the most regressive and controversial aspect of Cotonou was, as mentioned above, the introduction of regional Economic Partnership Agreements.

CHAPTER V

5. Economic Partnership Agreements. The case of the East African Community

5.1 EPAs: content and controversial aspects

The end of non-reciprocal trade preference and its replacement with regional Economic Partnership Agreements was justified by the European Commission with two main arguments.[191]

First of all the European Commission disputed the effectiveness of non-reciprocal trade agreements, arguing that ACP states had not increased nor diversified their exports.[192] What is more is that, against this negative performance, "the developing countries' absolute global trade volume was rising."[193]

Secondly, it was necessary to comply with WTO rules. The preferential treatment granted to the ACP group violated indeed both the most-favoured nation (non-discrimination) principle established by Article I of the GATT and the so-called Enabling Clause, namely the Decision of 28 November 1979 (L/4903), which only allowed waivers to this principle on the basis of development criteria.[194] The incompatibility with WTO rules was due to the fact that the ACP states are characterized by different levels of development with "39 Least-Less Developed Countries (LLDCs), and 32 richer, middle income countries (non-LLDCs)."[195] As consequence, the Bahamas (ACP with a GNP p/c of $11,800), for example, was granted the same preferential treatment as Haiti (ACP with a GNP p/c of $230), but greater access than Nepal (GNP p/c of $200), which was outside the ACP group.[196] Moreover the

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[191] Hurt, "The European Union's external relations with Africa after the Cold War. Aspects of continuity and change," in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 164.

[192] Brown, *The European Union and Africa*, 195 and Hurt, "The European Union's external relations with Africa after the Cold War. Aspects of continuity and change," in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent,* 165.

[193] Evita Schmieg, "Foreword: Economic Partnership Agreement as development instruments – The view of German development policy in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 15.

[194] Tokyo Round Agreements, Treatment of Developing Countries, Differential and more favourable treatment reciprocity and fuller participation of developing countries, Decision of 28 November 1979 (L/4903) and Patrick Watts, "Losing Lomé: the potential impact of the commission guidelines on the ACP non-least developed countries," *Review of African Political Economy*, 25:75, 47-71, 1998.

[195] Brown, *The European Union and Africa*, 195.

[196] Patrick Watts, "Losing Lomé: the potential impact of the commission guidelines on the ACP non-least developed countries," 50.

preferential treatment was not reciprocal, therefore at odds with Article XXIV of the GATT concerning Free-Trade Areas and Customs Unions, according to which partners within the same free trade area would commit to reciprocally eliminate duties and other trade barriers.[197]

To be WTO-compatible, the preferential market access, would have to be either based on the Enabling Clause, and therefore also granted to non-ACP states with the same level of development of ACP countries, or reciprocal.[198] In particular two GATT panel reports published respectively in 1993 and 1994, ruled that the import regime for bananas granted to ACP countries was inconsistent with a series of GATT articles.[199] In order to extend the duration of the "illegal" agreement with ACP countries, the EC had to ask waivers to the other WTO's members. The last waiver was conceded in 2001, but with the explicit commitment by the EC to conclude new legal agreements by the end of 2007.[200]

Through the Cotonou Partnership Agreement, signed in Cotonou on 23 June 2000, the European Community and the ACP states committed therefore to negotiate and conclude, over a period of eight years, new WTO-compatible trade regimes, thus "removing progressively barriers to trade between them and enhancing cooperation in all areas relevant to trade."[201] These were conceived as reciprocal but partially asymmetric agreements, since the EU would open its market almost fully and immediately, with provisional restrictions for sugar and rice, while ACP countries committed to open on average 80 per cent of their markets, over a period of around 15 years.[202] EPAs would cover not only trade in goods but also services, plus a series of trade-related issues such as competition, investment, public policy and intellectual property. Article 36 specified that these agreements would be introduced gradually and that, in order to prepare ACP economies to the new regime, non-reciprocal trade preferences would be maintained during the negotiation process for all-ACP states.

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[197] Hurt, "The European Union's external relations with Africa after the Cold War. Aspects of continuity and change," in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 164.

[198] Patrick Watts, "Losing Lomé: the potential impact of the commission guidelines on the ACP non-least developed countries," 50.

[199] Panel Report, EEC - Member States' Import Regimes For Bananas, (DS32/R), 3 June 1993 and Panel Report, EEC - Import Regime For Bananas, (DS38/R), 11 February 1994.

[200] Louise Curran, Lars Nilsson and Douglas Brew, The Economic Partnership Agreements: Rationale, Misperceptions and Non-trade Aspects, *Development Policy Review*, 2008, 26 (5), 529-530.

[201] Cotonou Agreement, Article 36.

[202] Evita Schmieg, "Foreword: Economic Partnership Agreement as development instruments – The view of German development policy" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 15.

Cotonou introduced a distinction between Least Developed Countries and non-Least Developed Countries.[203] LDCs were still granted "non-reciprocal privileged access to EU markets – an arrangement sanctioned by the WTO and not necessitating a waiver."[204] They could namely trade under the Everything But Arms (EBA) initiative, one of the three EC's Generalised System of Preferences, adopted by the EC in 2001, which grants duty and quota free access to the EU market for all products originating in Least Developed Countries. In contrast, non-LDCs had to conclude, by the end of 2007, Economic Partnership Agreements, which meant the gradual removal of non-reciprocal trade preferences. The alternatives to EPAs for non-LDCs were represented by the other two EC's Generalised System of Preferences: the standard GSP regime available to all developing countries or the GSP+, for those developing countries that have signed a series of international conventions on human and labour rights, environment protection and good governance.[205] Considering that for non-LDCs, the standard GSP implies tariff reductions on 66% of EU tariff lines and the GSP+ full removal of tariffs on the same EU tariff lines, while the EPA regime would grant full and immediate access to EU market, the latter would appear to be more favourable. And this is the reason why as explained below, in view of the deadline fixed by the EC, all but three non-least developed African countries, signed the EPA. However, the EPA regime requires ACP countries to eliminate tariffs, even if gradually, on about 80% of EU products, thus with significant gains for the EU in terms of access to ACP markets. Conversely, this liberalisation risks to wipe out the local producers and more generally to undermine the industrialisation process of ACP countries.

Negotiations over the EPAs started on 27th September 2002 at all-ACP level and from 2004 at regional level. Discussions proved to be difficult from the beginning with the first three years of negotiation seeing basically disagreement on basic issues.[206] As the waiver deadline was getting closer, however non-LCDs countries started to fear the economic consequences

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[203] Hurt,"The European Union's external relations with Africa after the Cold War. Aspects of continuity and change," in Ian Taylor and Paul Williams, *Africa in International Politics. External involvement on the continent* (London and New York: Routledge, 2004), 165 and Adrian Flint, "The End of a 'Special Relationship'? The new EU-ACP Economic Partnership Agreement," in *Review of African Political Economy*, 36:119, 86-87.
[204] Adrian Flint, 87.
[205] "Generalised System of Preferences (GSP)," European Commission, Trade, accessed September 15, 2017, http://ec.europa.eu/trade/policy/countries-and-regions/development/generalised-scheme-of-preferences/.
[206] Mareike Meyn, "Economic Partnership Agreements: A 'Historic Step' Towards a 'Partnership of Equals?" *Development Policy Review*, 2008, 26 (5): 522.

of moving to their only possible alternative, namely the GSP.[207] A study conducted by the Overseas Development Institute (ODI) in 2007 showed that these fears were well-founded, calculating that "nearly two-third of non-LDC ACP countries would see tariff jumps on over 25 percent of their EU export values" and stating in the conclusion that "application of the Standard GSP regime to all non-LDC ACP states could not, by any stretch of the imagination, be deemed to fulfil the commitment made by the EU in Article 37 (6) of the Cotonou Agreement to provide states that do not join an EPA with a 'new framework for trade which is equivalent to their existing situation…'. At the very least, it would result in the EU taxing ACP exports, generating revenue that compares unfavourably with aspects of Union-level aid. At worst, it is likely to result in the complete cessation of some ACP exports to the EU with significant adverse economic effects."[208] By the end of 2007, date when negotiations were expected to end, all but three non-LCD African states initialled interim EPAs. This decision was basically taken under the threat of suffering severe economic losses, which, as remarked by Mareike Meyn, "raises the question to what extent the EPAs are properly negotiated agreement."[209]

Overall out of 77 ACP countries, 35 countries had concluded an EPA by the end of December 2007: 15 countries belonging to the Caribbean region, 2 Pacific countries and 18 African countries. However, the only full and comprehensive EPA was concluded with the Caribbean region. The others were provisional and limited agreements, covering only goods and to be successively replaced by real EPAs. To enter into force, however, each agreement needed to be signed and ratified. In view of the length of the process and in order to prevent economic shocks, the EC adopted a regulation (Market Access Regulation 1528/2007), providing duty and quota free market access to ACP countries that have concluded an EPA. This regulation however, had a temporary nature, and was established to expire in 2014. "As a consequence, any country or region that would not have taken the necessary steps to ratify the EPA concluded in 2007, or would not have concluded a new (regional) EPA before 1st October 2014, would therefore automatically fall, after that date, under the Generalised System of Preferences (GSP), a preferential but less favourable trade regime that the EU

[207] Ibid., 523.
[208] Overseas Development Institute, *The Costs to the ACP of Exporting to the EU under the GSP*, Final Report March 2007, 22-25.
[209] Mareike Meyn, "Economic Partnership Agreement - a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 29.

gives unilaterally to all developing countries … However … any upper middle-income countries would no longer have trade preferences on the EU market as of 2016."[210]

During the negotiation process, disputes between the EC and ACP countries emerged over a wide number of issues. Undoubtedly implementing such agreements would implies a series of risks and consequences for ACP countries, which have generated criticism and scepticism among a wide number of scholars, NGOs, ACP heads of states and European politicians as well.

The main controversial issue concerns the removal of trade preference. For non-LDCs, which are not covered by the EBA initiative, implementing the EPAs means opening up, even if gradually, their domestic market to European products, thus exposing local producers and the industrial sector to a level of competition hard to withstand. It is contested that the asymmetry conceded in trade is not enough to contain the possible negative economic effects deriving from the opening of ACP markets.[211] This concern was even expressed by the European Parliament, which stated in 2006 that "too rapid a reciprocal trade liberalisation between the EU and the ACP could have a negative impact on vulnerable ACP economies and States" and that "liberalising trade between unequal partners as a tool for development has historically proven to be ineffective and even counterproductive."[212]
Moreover, while ACP countries claimed for development assistance to be strictly related to the opening of their market, meaning that access to financial resources was necessary exactly for implementing the EPAs, the European Commission saw the two topics separately. In its view, the process leading to the implementation of EPA would foster development, thus additional funding would be made available in case of need.[213]

Highly contested by ACP countries was also the pressure by the EU to include in the agreements provisions not directly connected to trade nor necessary to meet WTO

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[210] European Centre for Development Policy Management, *Economic Partnership Agreements: Frequently Asked Questions*, (October 2014), 5.
[211] Johne Brücher, "The inclusion of the 'Singapore issues' in the Economic Partnership Agreements: A resurgence of ancient Roman negotiation tactics in contemporary EC-ACP relations?" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 173.
[212] European Parliament resolution on the development impact of Economic Partnership Agreements (EPAs) (2005/2162(INI)), 23 March 2006 – Brussels.
[213] Mareike Meyn, "Economic Partnership Agreement - a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 21-22 Mareike Meyn, "Economic Partnership Agreement - a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 21-22.

requirements, such as public procurements, investment, competition policies and intellectual property rights.

Criticism derived also from the introduction in both the Caribbean EPA and the other interim agreements of the so-called most-favoured nation (MFN) clause, according to which any new more favourable treatment granted by an ACP state to a "major trading partner," should be automatically extended to the EU.[214] This measure was seen by various WTO members as an attempt by the EU to keep and increase its share of market in ACP countries and to hinder South-South cooperation.[215] Brazil, in particular, at the WTO General Council in Geneva on February 5, denounced this attempt as a violation of the WTO Enabling Clause, conceived exactly to increase the developing countries' weight in the global economy.[216] The most-favoured nation clause proved to be a sticking topic in almost any negotiation process the EU was conducting with its partners, and it still represents a point of divergence.

Problematic was also the regional aspect of EPAs negotiations. Article 35(2) of the Cotonou Agreement stressed the importance of regional integration among ACP countries as "a key instrument for the integration of ACP countries into the world economy."[217] Indeed the EU, though not excluding the possibility to negotiate agreements with single countries, pushed ACP countries to conclude the EPAs on regional basis, in order to have a common external tariff for each region.[218] To this end, seven regional groups were constituted:

- the Caribbean region;
- the Pacific region;
- Central Africa;
- West Africa;
- East African Community (EAC);

[214] Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States of the other part, Article 14 (5): "Major trading partner" means any developed country, or any country accounting for a share of world merchandise exports above 1 percent … or any group of countries acting individually, collectively or through a free trade agreement accounting collectively for a share of world merchandise exports above 1.5 percent".
[215] Victoria Hanson, "Trade Negotiations Insights, MFN provisions in EPAs: a threat to South-South trade?", International Centre for Trade and Sustainable Development, 1 March 2008, https://www.ictsd.org/bridges-news/trade-negotiations-insights/news/mfn-provisions-in-epas-a-threat-to-south-south-trade .
[216] Ibid.
[217] Cotonou Agreement, Article 35 (2).
[218] Mareike Meyn, "Economic Partnership Agreement - a preliminary review" in Helmuth Asche and Ulf Engel (Eds), *Negotiating Regions* (2008), 24.

- Eastern and Southern region (ESA);
- Southern African Development Community EPA group.

According to the European Commission, a supposed benefit of EPAs is exactly to foster regional integration and trade among neighbouring countries.[219] Critics argue, however, that the implementation of EPAs will undermine regional integration, at least within Africa.
In fact, the overall picture of regional groups in Africa is quite complex, since the EPA configurations do not correspond exactly to the existing Regional Economic Communities (RECs) recognized by the African Union (AU).[220] In addition many countries belong to two or more RECs. For example, of the SADC REC, only Angola, Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland belong to the SADC EPA group. Of the other six SADC REC members, the Democratic Republic of Congo, which belong also to the Common Market for Eastern and Southern Africa (COMESA) is negotiating the EPA within the Central Africa group, while Madagascar, Malawi, Mauritius, Zambia and Zimbabwe within the ESA.[221] Of the 19 members of the COMESA REC, 4 countries are negotiating the EPA as members of the EAC, 11 as members of the ESA, the Democratic Republic of Congo as member of the Central Africa region, Swaziland is in the SADC EPA group, while Egypt and Libya, not belonging to the ACP group, are not involved in EPAs negotiations.

Considering that the eight Regional Economic Communities were established with the aim to promote regional integration among its member states, it is reasonable to assume that setting up parallel groups with a different membership, risks to undermine and conflict with the achievements of the existing RECs.[222] Secondly each EPA group comprises countries characterised by different levels of development, namely LDCs and non-LDCs. This adds further complication to the supposed aim of EPAs of fostering regional integration. As

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[219] European Commission, *EU Trade and Development Policy. 10 benefits of Economic Partnership Agreements (EPAs)* (Luxembourg: Publications Office of the European Union, 2016).
[220] RECs: Arab Maghreb Union (UMA), Common Market for Eastern and Southern Africa (COMESA), Community of Sahel–Saharan States (CEN–SAD), East African Community (EAC), Economic Community of Central African States (ECCAS), Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD), Southern African Development Community (SADC), accessed October 28, 2017, https://au.int/en/organs/recs .b'
[221] Southern African Development Community (SADC), accessed October 28, 2017, http://ec.europa.eu/trade/policy/countries-and-regions/regions/sadc/.
[222] Cosmas Milton Obote Ochieng Ochieng and Tom Sharman, *Trade traps. Why EU-ACP Economic Partnership Agreements pose a threat to Africa's development,* (Bepress, 2004), 26-27.

mentioned above LDCs are allowed to trade under the EBA initiative, while non-LDCs have to conclude EPAs and thus remove duties and quotas on European exports. Problems arise in those regions of Africa, comprising both LDCs and non-LDCs, which constitute a customs union such as the East African Community, the Economic Community of West African States (ECOWAS) and the Southern African Customs Union (SACU), and are part of the same EPA negotiating group. Kenya for example is the only non-LDC in the EAC. The other members of the region, Tanzania, Burundi, Rwanda, Uganda and South Sudan, classified as LDCs, could still trade under the EBA initiative, but in this case, "internal border controls would have to be strengthened to avoid the leakage of EU imports from non-LDCs into their markets, reversing the process of regional integration."[223] Alternatively, in order to maintain a common trade regime and thus preserving the regional integration project, they can opt for the EPA regime. This would imply for Kenya the possibility to continue to benefit from trade preferences, but for LDCs a series of economic losses and risks for their local production.

This is the current state of play of the EPAs negotiation process between the EU and the ACP seven regional groups (updated June 2017):

- Central Africa: out of eight countries only Cameroon signed an interim EPA agreement with the EU, ratifying it in 2014; Congo moved to the GSP regime, while Gabon, classified as upper-middle income country by the World Bank does not benefit from trade preferences; the remaining Least Developed Countries (Chad, the Central African Republic, the Democratic Republic of Congo, São Tomé and Equatorial Guinea) which did not sign the agreement remain covered by the Everything But Arms initiative;
- Eastern and Southern Africa: an interim EPA was signed in 2009 by Madagascar, Mauritius, the Seychelles, and Zimbabwe and has been provisionally implemented since 2012; Comoros, Djibouti, Eritrea, Ethiopia, Malawi and Sudan, trade under the EBA scheme;
- East African Community: negotiations on the regional EPA ended in October 2014; however, only Kenya and Rwanda signed the interim agreement on 1 September 2016, with Kenya ratifying it on 20 September 2016; Burundi, South Sudan,

[223] European Parliament, Directorate-General For External Policies Of The Union, Directorate B, Policy Department, *African, Caribbean And Pacific (ACP) Countries' Position On Economic Partnership Agreements (Epas),* 2014, 14.

Tanzania, Uganda, classified as Least-Developed Countries did not signed the agreement but continue to benefit from the EBA scheme;

- Southern African Development Community: Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland signed an interim EPA agreement, which entered into force as of 10 October 2016; Angola, classified as LDC did not signed;
- West Africa: the regional EPA has been signed by all EU member states and all West Africa countries expect for Gambia, Mauritania and Nigeria; only Ghana and Côte D'Ivoire ratified an interim EPA with the EU, which entered into force respectively on 3 September 2016 and 15 December 2016;
- Caribbean region: all Caribbean countries signed the CARIFORUM - EU Economic Partnership Agreement which has entered into provisional application since December 2008 (except for Haiti);
- Pacific region: out of 14 countries, only Papua New Guinea and Fiji are implementing an interim EPA agreement with the EU; the regional EPA is in the negotiation phase.[224]

5.2 The EU-EAC EPA

5.2.1 Background and negotiations

The Economic Partnership Agreement between the EU and the EAC represents an interesting case study for a series of reasons. First of all negotiations have proven to be difficult, long and have not seen an end yet, with the EU constantly putting pressure on the EAC to sign the EPA, and the EAC's members repeatedly postponing the signature. Secondly, the members states of the EAC are characterised by different level of development: Kenya is classified as low-middle income country while Burundi, Rwanda, South Sudan, Tanzania and Uganda are considered LDCs. South Sudan, though, which joined the EAC in 2016 is not part of the EPA agreement. The different level of development, which does not represent a problem for the internal cohesion of the EAC, implies however, different incentives for the EAC members when negotiating with the EU. Eventually, as last complication, the EU has just renewed its sanctions against four top officials in Burundi due to human rights violation, which does not help the negotiation process.

[224] European Commission, *Overview of Economic Partnership Agreements* (Updated June 2017) and "Economic Partnerships," European Commission, Trade, accessed October 28, 2017 http://ec.europa.eu/trade/policy/countries-and-regions/development/economic-partnerships/ .

The EAC is a regional intergovernmental organization composed of six countries: Burundi, Kenya, Rwanda, South Sudan, Tanzania and Uganda. It was established in 2000 by Kenya, Tanzania and Uganda as successor of the previous East African Community founded in 1967, but collapsed in 1977. Rwanda and Burundi joined the community in 2007, South Sudan in 2016. The community established also a Customs Union in 2005 and a Common Market in 2010. In virtue of the Customs Union, EAC members have eliminated internal tariffs and established a common external tariff (CET) on imports coming from third countries. Specifically a tariff of 0% is applied on raw materials, 10% on intermediate products and 25% on finished goods.

The EPA negotiations started in 2002 and lasted twelve years until 2014, when, a regional interim EPA was agreed between the EU and all EAC members. As mentioned, the process has not been easy, and so far only Kenya has signed and ratified the agreement, while Rwanda has only signed it.

Before discussing the potential effects of the EPA, some considerations on the EU's conduct of negotiations are needed. As already explained, the deadline by which non-LDCs, in order to continue to benefit from duty and quota free access to the European market, had to ratify the EPA concluded in 2007, or conclude a new EPA, was set at the 1st October 2014. If not, they would automatically moved, after that date, to the less favourable GSP. Kenya, the only non-LDC within the EAC, had, using the words of Ska Keller, a German member of the European Parliament, "a gun pointed" at her chest – either it signed the agreement, or its exports would lose the preferential access to the EU market.[225] Particularly in peril was the flower industry, Kenya being one of the main world's exporter of cut stems, and considering that 70% of Kenya's total flower industry production is exported to the EU.[226] As the deadline of 1 October 2014 passed, without Kenya and the rest of EAC signing the EPA, due to a series of contentious issues, the EU answered by imposing higher tariffs on Kenya's cut flowers, with a cost for flower companies, which decided to absorb the duties, of €3m.[227] The main issues on which the EU and the EAC disagreed and which delayed the negotiations concerned the level of liberalisation requested by the EU, duties and taxes on exports, the

[225] Cited in Josephine Moulds, "EU trade agreements threaten to crush Kenya's blooming flower trade", *The Guardian*, 16 January 2015.
[226] Delegation of the European Union to Kenya, *Trade between the EU and Kenya*, April 2015.
[227] Josephine Moulds, "EU trade agreements threaten to crush Kenya's blooming flower trade", *The Guardian*, 16 January 2015.

MFN clause, the agricultural export subsidies provided in the EU, development aid and safeguard measures to protect infant industries. After two weeks the two Parties finally solved the contentious issues and finalized the negotiations on 16 October 2014. Kenya, however, continued to trade under the GSP until December 25th 2014, when the EU reverted it again to the duty-free, quota-free export regime, on the basis of the Market Access Regulation 1528/2007. The European Union's Delegation to Kenya, in a press statement, called it, a "Christmas gift for Kenyan exporters."[228]

This way of leading negotiations, putting under pressure the other contracting party, belies, first of all, the false rhetoric of a "partnership of equals" between the EU and Africa. It should not be under threat of imposing higher tariffs that an agreement is concluded. The EU should instead putting the development argument at the centre of negotiations, and taking into consideration the concerns of its partners. After all if the EPA is supposed to bring positive outcomes for the EAC, as stated by the European Commission, then there would be no reason to force the negotiations. Secondly, as only Kenya, facing the risk to see her exports sold at a higher price on the European market, was under pressure to conclude the agreement, the EU risks in this way to undermine the regional integration project of the EAC. Indeed the other EAC members, as LDCs, see no incentives in signing the EPA, since they can continue to benefit from the EBA regime, and thus export duty and quota free to the EU market. It is for this reason that the negotiations are still deadlocked, with Kenya being in the awkward position of urging the other EAC members to sign the agreement. At the time of writing this thesis, only Kenya and Rwanda signed the EAC-EU EPA; Kenya went ahead with the ratification process, while Burundi, Tanzania and Uganda postponed the signature several times.

At present EAC members export to the EU without duty or quota restrictions, while EU products enter the EAC market according to the EAC common external tariff. Hence the "EAC-EU trade liberalization under EPAs will offer no additional market access benefits to EAC partner states to EU market, but it will enhance market access for EU exports into the

[228] Delegation of the European Union to the Republic of Kenya, *Press Release, Christmas gift for Kenyan exporters as EU restores duty-free access for Kenyan goods*, Accessed November 3, 2017, http://eeas.europa.eu/archives/delegations/kenya/documents/press_corner/20141224.pdf.

EAC region."[229] Specifically, the implementation of the EPA implies for the EAC to liberalise, over a period of 25 years up to 82.6% of all of its imports from the EU. Even if some sensitive products remain excluded from the liberalization process, the opening by EAC countries of their domestic markets to European products, necessarily expose them to a harsh competition. According to Andrew Mold, acting director of the UNECA in Eastern Africa, "the African countries cannot compete with an economy like Germany's. As a result, free trade and EU imports endanger existing industries, and future industries do not even materialise because they are exposed to competition from the EU."[230]

5.2.2 Potential effects of the EU-EAC EPA

Undoubtedly trade liberalisation benefits consumers, due to the access to many more cheap and supposedly better quality finished products coming from the EU. Another argument in favour of trade liberalisation is that also producers would benefit from cheaper intermediate goods to insert in the production process. However, once finished products will be available on the EAC market at cheap prices, it is highly unlikely, not to mention suicide, that local producers will enter the market, attempting a losing competition with European producers. For the same reason, what will be the likely effect on local industries and producers already in the market, when cheaper and better quality products will flood the market? It is reasonable to assume, as argued by Fredrick Njehu, that "permanent removal of tariffs on these products makes it extremely difficult for EAC to produce them in future thus curtailing the industrialisation process and relegating the region to the perpetual production of raw materials."[231]

This represents the major potential and long-term devastating damage to the economy of African countries, but it is not the only one. Another negative effect deriving from the implementation of the EPAs is the loss of revenue for ACP governments due to the elimination of tariffs on European imports. Milner et al. estimated the revenue losses for Uganda and Tanzania following the implementation of the EU-EAC EPA. Their conclusion

[229] Mary Lucia Mbithi, Seth Omondi Gor and Kennedy Otwori Osoro, Impact of economic partnership agreements: the case of EAC's manufactured imports from EU, *International Journal of Business and Economic Development* Vol. 3 Number 2 July 2015.

[230] Cited in Josephine Moulds, "EU trade agreements threaten to crush Kenya's blooming flower trade", *The Guardian*, 16 January 2015.

[231] Fredrick Njehu, "Manoeuvering at the margins of an EPA deadlock: Has the EAC bowed down to EU pressure?" in ECDPM's *Great Insights, Economic Partnership Agreement and Beyond*, Volume 3 - Issue 9, October/November 2014, 24-26.

is clear: “the potential revenue losses are quite large, equivalent to over half of tariff revenue in the estimates for Tanzania and Uganda. Given that these countries, like most ACP countries, derive a large share of tax revenue from tariffs, and the potential to diversify the tax base in the short-run is limited, these losses are significant.”[232] Similar considerations are expressed in a study by the United Nations Economic Commission for Africa (UNECA), according to which “given the prominence of EU imports into these countries, the reliance of majority of the African countries on tariff revenues, the tariff dismantlement result in all cases in significant revenue shortfalls … The major challenge that these revenue shortfalls will pose is the adjustment costs associated with tax policy and administration reforms. The EPAs, if no appropriate measures are put in place to forestall the macroeconomic imbalances that are likely to result from the falling revenues, will have the possibility of undermining developmental objectives of the African countries.”[233]

While African countries stand to lose from the EPA implementation in terms of competition with European products and revenue losses, the EU, in contrast, as documented by different studies, has much to gain. Indeed, trade liberalisation will inevitably lead to an increase in consumption of European imports, whose prices will become more competitive in comparison with those of imports from third countries or EAC countries themselves. Mbithi, Gor and Osoro, for example, show in their study that that “if EAC countries eliminate tariffs applicable to manufactured goods imported from EU while tariffs applicable to imports from other countries remain, then imports from EU to EAC region are likely to increase by a value of about US$392 million or by about 9% of the current import values.”[234] Their conclusions are in line with those of the UNECA, according to which “the first consistent outcome in each of the proposed EPA at the regional economic community (REC) level is that EU stands to gain significantly in terms of expanded trade into RECs markets.”[235]

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[232] Chris Milner, Oliver Morrissey, Andrew McKay, “Some Simple Analytics of the Trade and Welfare Effects of Economic Partnership Agreements,” Journal of African Economies, 2005, Volume 14, Number 3, 346.

[233] Karingi, Rémi Lang, Nassim Oulmane, Romain Perez, Mustapha Sadni Jallab and Hakim Ben Hammouda, *Economic and Welfare Impacts of the EU-Africa Economic Partnership Agreements*, African Trade Policy Centre. Work in Progress No. 10. Economic Commission for Africa, March 2005, 82.

[234] Mary Lucia Mbithi, Seth Omondi Gor, Kennedy Otwori Osoro, “Impact of economic partnership agreements: the case of EAC’s manufactured imports from EU,” *International Journal of Business and Economic Development* Vol. 3 Number 2 July 2015, 7.

[235] Stephen Karingi, Rémi Lang, Nassim Oulmane, Romain Perez, Mustapha Sadni Jallab and Hakim Ben Hammouda, *Economic and Welfare Impacts of the EU-Africa Economic Partnership Agreements*, African Trade Policy Centre. Work in Progress No. 10. Economic Commission for Africa, March 2005, X-XI.

There is eventually another effect to consider due the elimination of duties on European imports. As European imports tend to increase due the elimination of tariffs, accordingly, imports from third or EAC countries will see a parallel reduction. Uganda, for example imports 27% of her total imports from other EAC members.[236] This means that the welfare gain for Ugandan consumers, due to the supply on the market of cheaper and better products "will, however, be in part at the expense of Kenyan producers pushed out of the regional market by EU exporters."[237] It seems therefore difficult to support the EU Commission's argument that "EPAs promote closer relations between neighbouring countries."[238]

5.3 Alternative to EPAs?

The debate over possible alternatives to EPAs has been quite intense over the last decade. Notwithstanding, the EU has not offered any other option to the ACP countries and has instead forced the negotiations, basically imposing the signature of the agreements. Scholars, university academics, civil society and NGOs have, however, fuelled the debate, and envisaged diverse alternatives.

The issue with the previous trade preference regime accorded by the EU to the ACP countries was its non-compliance with the WTO prescriptions, namely the Article XXIV of the GATT concerning free trade areas and the Enabling Clause allowing for a more favourable treatment to all developing countries, but without discriminating between different developing countries (Article I of the GATT). There are some considerations to make. The first concerns the interpretation of Article XXIV of the GATT. With regard to free trade areas, as EPAs are conceived, the cited article commits the contracting parts to eliminate duties and other restrictive trade measures "with respect to substantially all the trade between the constituent territories of the union", without specifying, however, the extent of trade that must be liberalised.[239] If the EU understanding of this provision corresponds to a liberalization of an average of 90% of the trade between the parties of a free trade area, the ambiguity of the article leaves room for a more generous interpretation, and thus for a lower

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[236] Chris Milner, Oliver Morrissey and Evious Zgovu, "Adjustment implications of bilateral trade liberalisation," in Helmut Asche and Ulf Engle, *Negotiating Regions,* 45.
[237] Ibid.
[238] European Commission, *EU Trade and Development Policy. 10 benefits of Economic Partnership Agreements (EPAs)*. Luxembourg: Publications Office of the European Union, 2016.
[239] The General Agreement on Tariffs and Trade, Geneva, July 1986, Article XXIV.

liberalization.[240] Another controversial point was the "reasonable length of time" mentioned by Article XXIV paragraph 5(c) of the GATT to implement such liberalization within a free trade area. In the 'Understanding on the Interpretation of Article XXIV of the GATT" adopted at the Uruguay Round in 1994, it was specified that "the "reasonable length of time" referred to in paragraph 5(c) of Article XXIV should exceed 10 years only in exceptional cases. In cases where Members parties to an interim agreement believe that 10 years would be insufficient they shall provide a full explanation to the Council for Trade in Goods of the need for a longer period." Thus, also in this case, there was room for a flexible interpretation of the article, which would have appeased more the concerns of ACP countries.

Still compliant with WTO rules, possible alternatives to EPAs were conceivable and workable. Different WTO compatible alternatives have been envisaged for example by Sanoussi Bilal and Francesco Rampa in their study "Alternative (to) EPAs" published in 2006:

1. "Light" EPAs. With this option, Bilal and Rampa suggested the implementation of EPAs with a minimum level of liberalisation just necessary to comply with WTO prescriptions. According to their estimates, in this scenario, "the ACP would arguably have to eliminate tariffs on only 50% to 60% of their imports over a 20-year period," limiting in this way the potential negative effects of a too rapid and excessive liberalisation.[241]
2. EPAs with explicit Special and Differential Treatment (SDT). This scenario is feasible under two alternative conditions. Either the EU is willing "to change its self-defined criteria for WTO compatibility," with regard to the meaning of "substantially all trade," or the WTO amends the Article XXIV, "by allowing explicit lower thresholds and/or a favourable methodology for developing countries (DCs) in determining criteria for 'substantially all trade' and extending the possible transition period for the implementation of a Free Trade Area to at least 18 years for DCs."[242]
3. "Binding provisions on development-related liberalisation." Under this scenario, the gradual liberalisation of trade between the EU and ACP countries would be

[240] Sanoussi Bilal and Francesco Rampa, "Alternative (to) EPAs. Possible scenarios for the future ACP trade relations with the EU," *Policy Management Report 11,* European Centre for Development Policy Management, February 2006, 23.
[241] Ibid., 71.
[242] Ibid., 74-75.

dependent and correlated to the achievement of particular "development thresholds that would trigger further liberalisation."

Some NGOs, among which ActionAid International, have proposed to extend the EBA regime "to all low-income countries with similar development needs," thus excluding much more competitive developing countries such as Brazil, China or India. This exclusion, as confirmed by the decision taken by the WTO Appellative Body in the case India vs EC, would still be WTO compatible. As declared in the related report, the Enabling Clause allows, in order to meet "a widely-recognized development, financial [or] trade need," for a differential treatment among different developing countries.[243]

The concrete possibility of undertaking different actions and the obstinate determination of the EU to necessarily conclude controversial agreements with the ACP group, raise serious doubts over the real commitment of the EU to foster the development of such countries.

[243] WTO, *European Communities - Conditions for the granting of tariff preferences to developing countries.* Report of the Appellate Body.WT/DS246/AB/R, 7 April 2004.

Conclusion

Through this study, I have tried to investigate the evolution of Europe-Africa relations since the end of colonialism until today. The history of this relationship within the previous five-hundreds years, masterfully described by Walter Rodney in his book *How Europe Underdeveloped Africa*, has served as essential starting point and benchmark to develop my thesis. As starting point to remind us how the present came into being, how Europe developed and how and by whom the economy and the society of the entire African continent was upset and deeply harmed. The huge gap in terms of wealth and well-being that exists between the EU and Africa is certainly the consequence of a series of factors. But among these, the European irruption in the African continent's history has played undoubtedly a major role; and the study of Walter Rodney is a valuable reminder in this sense. Both as important historical contribute to the explanation of the causes of Africa's current underdevelopment and as effective antidote against racist and blind representations of Africa as continent whose internal limits and inabilities would not allow it to catch up with the Western world. The structural problems of Africa are direct legacies of the European exploitation of Africa started five hundred years ago.

As benchmark, Walter Rodney's study has served in this thesis to evaluate the evolution of EU-Africa relations since the end of colonialism until today. Which changes have taken place? Has Africa undertaken an independent path of development from that of the EU? Namely, has that dialectical relationship by which Europe has developed at the expense of Africa's underdevelopment evolved in a partnership of equals?

The first years following the end of the colonial era inspired certainly some optimism. The flag independence, though being only the first step of an arduous path, raised hope and provided the concrete possibility of building a different and better future for Africa. Signals of growth across the African continent and the emerging role of the entire third world on the international stage gave grounds to think that the world was taking the right path. It was, sadly to say, a false alarm. The Lomé Convention of 1975 represented the highest point of cooperation between the EU and Africa. Afterwards the EU gradually acted to regain a certain control over its former colonies, in particular over the use of aid, raising conditionalities along the same line as the IMF and the World Bank. With the Economic

Partnership Agreements envisaged by the Cotonou Agreement in 2000, the EU regained its own image as "an inconsistent actor which, while reiterating the importance of the fight against poverty and the quest for sustainable development in its public statements, continues to perpetuate poverty in the so-called developing world through unfair practices and double standards in some of the most sensitive sectors for developing economies."[244]

By imposing, with the use of pressure, the implementation of the Economic Partnership Agreements, the EU has consciously decided to take the risk to compromise that process of emancipation of Africa from its dependence on raw material exports and manufactured products imports. With the entrance on the African market of EU products, it is difficult to envisage that the local industry would be able to develop or even survive. On the contrary this will imply the taking over of a wide market share for the EU. This unfair partition of costs and benefits resulting from the end of non-reciprocal trade preference is nothing but the same result of that dialectical relationship between Europe and Africa denounced by Walter Rodney.

[244] Lorenzo Fioramonti and Arlo Poletti, "Facing the Giant: Southern Perspectives on the European Union," in *Third World Quarterly,* February 2008, 171.

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