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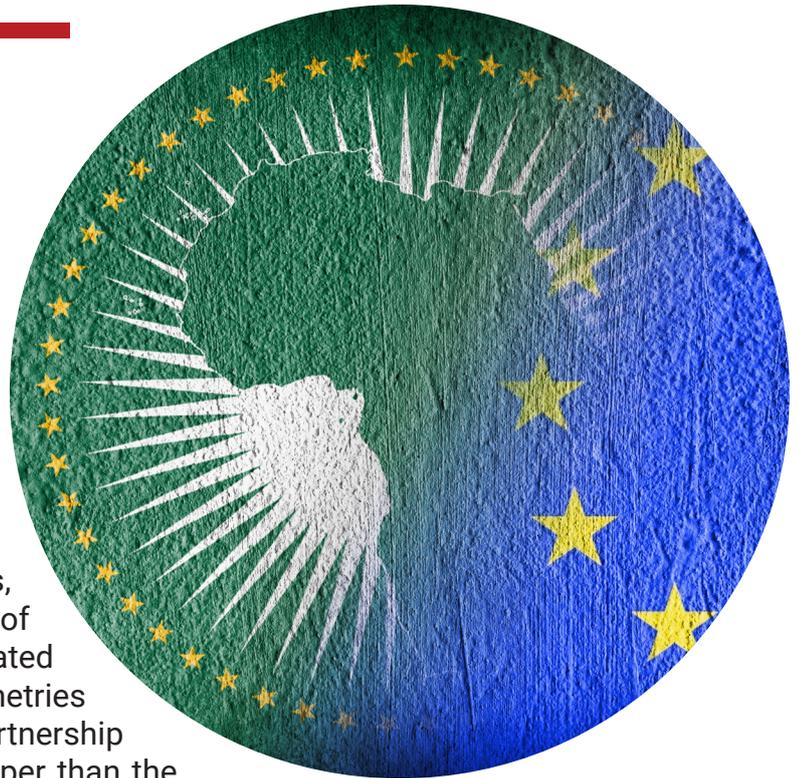
# AU-EU INSTITUTIONAL RELATIONS

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## TOWARDS A NEW ERA?

### ABSTRACT

This policy brief addresses the state and perspectives of African Union–European Union (AU–EU) cooperation in the run-up to the sixth AU–EU Summit, which has now been earmarked for February 2022. It provides a broad overview of the framework and content of AU–EU institutional relations, as well as of common and contested fields of cooperation. The core of the analysis is dedicated to revealing the main structural asymmetries preventing cooperation from achieving a partnership of equals. These asymmetries originate deeper than the apparent differences in mandate, governance and resources between the two organisations and have their roots in the AU’s capacity deficits and in the EU’s lack of a coherent narrative for Africa. In order to mitigate these asymmetries, the brief outlines a set of policy recommendations – highlighting the importance of strengthening AU external agency and improving EU policy coherence.



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## 1. A challenging context for cooperation

The context of African Union–European Union (AU–EU) cooperation has seen interesting developments over the last few years. The African landscape has been witness to a proliferation of external actors and stakeholders, increasing the complexity of African foreign relations and consolidating the continent’s interdependency on international partners. In the last decade, alongside traditional partners like the EU and the United States (USA), global players such as China have dominated through their presence and influence, while others – like India, Russia, Turkey and the Gulf States – have emerged as prominent actors, triggering what observers have termed a “new Scramble for Africa”.<sup>1</sup> The AU has striven to adapt to this changing environment and addressed an urgent need to reform its agency by endowing AU institutions with a broader mandate than hitherto, better capacities and financial self-sufficiency. AU institutional reforms are currently in need of swift progression, and will depend on member states’ sustained commitment to agreed implementation outcomes and timelines.<sup>2</sup>

On the EU side, Brexit has deprived the bloc of part of its African leverage and development support, as the EU no longer receives UK contributions for development assistance. At the same time, EU member states, not least those in Central and Eastern Europe, have echoed the EU’s renewed priorities in Africa and

either revised or developed a national strategy towards the continent.<sup>3</sup> Thanks to this activism in strengthening bilateral relations, the EU has broadened its diplomatic reach – notably, in sub-Saharan Africa. Relying on 27 diplomatic representations, “the EU can visit all African partners in a couple of days”.<sup>4</sup> Moreover, national strategies could become increasingly “complementary with that of the EU, as each country offers its own comparative advantage in relations with African partners”.<sup>5</sup> One of the greatest topical challenges is thus to “facilitate convergence among national strategies and build consensus on EU strategic priorities”.<sup>6</sup>

However, it can be argued that AU–EU cooperation “has not made any significant quality leap”<sup>7</sup> since the last AU–EU Summit in 2017. On top of weak political momentum and the pandemic crisis, much of this stalemate can be explained by the general hurdles faced by multilateralism worldwide. In line with a global trend, AU and EU member states have often opted for bilateral relations rather than cooperation at partnership level. Trust in intergovernmental and supranational institutions has waned under the conviction that member states could achieve better deals bilaterally and that they should resort to multilateralism only when convenient to them and with their own conditionality, rejecting the “give and take logic which is part of the multilateral game”.<sup>8</sup>

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<sup>1</sup> Gustavo de Carvalho, Steven Gruzd and Chido Mutangadura, “At the Table or on the Menu? Africa’s Agency and the Global Order,” *ISS Africa Reports*, no. 18 (2019), <https://issafrica.org/research/africa-report/at-the-table-or-on-the-menu-africas-agency-and-the-global-order>.

<sup>2</sup> Yayew Genet Chekol, “African Union Institutional Reform: Rationales, Challenges and Prospects,” *Insight on Africa* 12, no. 1 (2020): 29-44, <https://doi.org/10.1177/0975087819899342>.

<sup>3</sup> Giovanni Faleg and Carlo Palleschi, “African Strategies. European and Global Approaches towards Sub-Saharan Africa,” *EUISS Chailot Papers*, no. 158 (2020), <https://www.iss.europa.eu/node/2460>.

<sup>4</sup> IAI interviews with EU officials, June-August 2021.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> IAI interviews with EU and AU officials, June-August 2021.

<sup>8</sup> *Ibid.*

Nevertheless, a genuine interest has been voiced on both sides in revamping AU–EU cooperation through a more balanced and inclusive partnership. A cross-cutting concern on the AU side is that the EU usually holds “poor consultations” on issues of common concern.<sup>9</sup>

## 2. The AU–EU Partnership

The AU–EU Partnership was launched at the first Africa–EU Summit in Cairo in 2000 (when it was known as the “Africa–EU Partnership”).<sup>11</sup> It was conceived as a multilevel and multi-actor arrangement, and is driven by institutional meetings between EU and AU institutions and bodies as well as by stakeholder dialogues that include civil-society organisations, youth, socio-economic actors and the private sector. Annual meetings at commission, ministerial, parliamentary and committee levels culminate in the AU–EU Summit, which is traditionally held every three years and alternates between Africa and Europe.

On the occasion of its second meeting, in Lisbon in 2007, the summit adopted the Joint Africa–EU Strategy (JAES), which serves as a long-term political framework to guide the partnership and expand cooperation beyond development aid. The founding aim of the strategy was to replace the unbalanced

Likewise, EU officials point to the AU’s lack of initiative and leadership vis-à-vis its member states, often claiming that “we have invited Africa to engage, now it has to put its ideas on the table”.<sup>10</sup>

donor–recipient relationship with one of equal representation and participation. The JAES established eight thematic partnerships,<sup>12</sup> with the overarching objective of attaining the United Nations Millennium Development Goals (MDGs) by 2015. Since 2007, a number of Multiannual Roadmaps and Action Plans have been adopted, setting priorities and expected outcomes to guide implementation; ensuing AU–EU Summits were held in Libya (2010), Brussels (2014) and Abidjan (2017). The EU has provided dedicated support for the implementation of the partnership through the Pan-African Programme (€845 million), the first EU development programme ensuring full African coverage, and the African Peace Facility (€2.7 billion),<sup>13</sup> whose budget has been mostly allocated to peace-support operations.<sup>14</sup>

Following the fifth AU–EU Summit, in 2017, the joint Abidjan Declaration<sup>15</sup> streamlined cooperation to four strategic priority areas:

<sup>9</sup> IAI interviews with AU officials, June–August 2021.

<sup>10</sup> IAI interviews with EU officials, June–August 2021.

<sup>11</sup> Until 2017, AU–EU relations were placed in the broader framework of the Africa–EU Partnership and Summits, so as to enable the participation of Morocco, a non-AU member. With Morocco rejoining the AU in January 2017 (it had withdrawn in 1984 following the organisation’s recognition of the Sahrawi Arab Democratic Republic), these are now usually referred to as the AU–EU Partnership and AU–EU Summit.

<sup>12</sup> Peace and security; Democratic governance and human rights; Trade, regional integration and infrastructure; the

MDGs; Energy; Climate change; Migration, mobility and employment; Science, information society and space.

<sup>13</sup> This text uses US billions (ie one billion = a thousand million) rather than UK ones (one billion = a million million).

<sup>14</sup> For comprehensive information on the Africa–EU Partnership and Strategy see the Africa–EU Partnership website: *The Partnership and Joint Africa–EU Strategy*, <https://africa-eu-partnership.org/en/node/8261>.

<sup>15</sup> African Union and European Union, *Investing in Youth for Accelerated Inclusive Growth and Sustainable Development*, 5th AU–EU Summit Declaration, Abidjan, November 29–30, 2017, <https://au.int/en/node/37747>.

- 1) Investing in people – education, science, technology and skills development;
- 2) Strengthening resilience, peace, security and governance;
- 3) Migration and mobility; and
- 4) Mobilising investments for African structural sustainable transformation.

These priorities have been steering the partnership since 2017 and will be reviewed at the upcoming sixth AU–EU Summit, initially planned for 2020 and rescheduled to February 2022 due to the COVID-19 pandemic.

Assessments of the success of the JAES are mixed.<sup>16</sup> On one hand, during its almost fifteen years of existence, the strategy contributed to the objectives of reinforcing AU–EU political dialogue and expanding cooperation. A common agenda has grown to address a variety of common challenges beyond development cooperation, including governance, trade, regional integration and climate change. On the other, overall follow-up and monitoring has been weak and cooperation has been undermined by enduring dependency dynamics, as shown by “an agenda focused on African issues and by the need for EU financial support”.<sup>17</sup>

Since its inception, it has also been questioned whether the JAES has truly achieved a people-centred partnership.<sup>18</sup> A number of critiques have come from civil society pointing to a

<sup>16</sup> For a comprehensive evaluation of JAES see: Nicoletta Pirozzi, Nicolò Sartori and Bernardo Venturi, *The Joint Africa–EU Strategy* (Brussels: European Parliament, 2017), <https://op.europa.eu/s/s5VS>.

<sup>17</sup> IAI interviews with EU and AU officials, June–August 2021.

<sup>18</sup> For an early assessment on JAES and civil society participation see: Open Society Foundations, “EU–AU Relations: The Partnership on Democratic Governance and Human Rights of the Joint Africa–EU Strategy,” *Open Society Briefing Papers*, July 2011, <https://www>.

JAES top-down approach and lack of effective mechanisms to enable participation and “ownership” by the wider public. In recent months, civil-society groups have reiterated their call for meaningful and timely consultations in order to flag up their views and recommendations on the future partnership.<sup>19</sup>

In view of defining a new joint partnership agenda beyond the JAES, the EU Joint Communication to the European Parliament and the Council, *Towards a Comprehensive Strategy with Africa*, published in March 2020,<sup>20</sup> proposes to engage African partners in order to enhance future cooperation through five partnerships:

- 1) a partnership for green transition and energy access;
- 2) a partnership for digital transformation;
- 3) a partnership for sustainable growth and jobs;
- 4) a partnership for peace and governance; and
- 5) a partnership on migration and mobility.

These proposed alliances aim to build on the priorities agreed in Abidjan, strengthen the AU–EU alliance on multilateralism, establish a cross-cutting partnership and identify new areas for cooperation. While a strong focus remains on peace and security, growth, job creation and migration, a new emphasis is placed on digital transformation and the green transition. The latter two areas are seen as common yet ambitious challenges requiring political and

[opensocietyfoundations.org/publications/eu-au-relations-partnership-democratic-governance-and-human-rights-joint-africa-eu-strategy](https://opensocietyfoundations.org/publications/eu-au-relations-partnership-democratic-governance-and-human-rights-joint-africa-eu-strategy).

<sup>19</sup> JAES Group, *JAES Group Letter: Engaging Civil Society in the Future Africa–EU Partnership*, December 8, 2020, <https://wp.me/paJLmU-2dZ>.

<sup>20</sup> European Commission and EEAS, *Towards a Comprehensive Strategy with Africa* (JOIN/2020/4), March 9, 2020, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52020JC0004>.

financial incentives in order for EU and AU member states to secure adequate buy-in and

cooperation at partnership level.

### 3. AU–EU cooperation: Convergence or divergence?

Historically, the strongest convergence of priorities and interests in AU–EU cooperation has been observed on the peace-and-security file. Indeed, the evolution of the then Organisation of African Unity (OAU) into the AU, founded in 2002, was driven by member states' strong demand for peace and security on the continent,<sup>21</sup> and contributed to the swift development of the African Peace and Security Architecture (APSA).<sup>22</sup> At the same time, African concerns have found a resolute EU will in maintaining peace and stability in Africa as an investment in its own security and prosperity. The EU has long been the main sponsor of AU peace-support operations, and has contributed almost €3 billion through the African Peace Facility since 2004.

Joint cooperation on peace and security has been rather effective in mobilising resources for conflict management in Africa, although it is still characterised by financial dependency.<sup>23</sup> Above all, this has prevented sustained, predictable and

prioritised funding. As a result, despite formally acknowledging the importance of structural conflict prevention, cooperation on peace and security has struggled to move from crisis-driven financing towards sustainable institutional capacity building. Efforts have been limited to some form of operational conflict prevention (eg peace support, mediation, electoral observation) but failed to address structural conflict prevention more broadly by linking peace and security with governance challenges.<sup>24</sup> Notwithstanding these shortcomings, peace and security will remain “one of the strongest drivers of institutional cooperation and an area carrying a great potential” for common objectives and deliverables.<sup>25</sup>

Investment and trade are other areas of cooperation characterised by converging interests. Sustaining economic growth by creating employment opportunities and promoting regional integration in Africa is high on the agenda of EU and AU member

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<sup>21</sup> In contrast with the OAU, the AU departed from the principle of *non-interference* in domestic affairs in order to embrace the principle of *non-indifference* to genocide, crimes against humanity and war crimes.

<sup>22</sup> The APSA comprises a cluster of institutions and organisations which deal with peace and security matters in Africa, operating under the principles of collaborative security and subsidiarity. The Peace and Security Council is the highest standing decision-making body of the APSA. Other institutions include the analysis centre (the Continental Early Warning System), the external mediation and advisory body (the Panel of the Wise) and the military element (the African Standby Force and the Military Staff Committee). The APSA is financed by the AU budget through contributions from member states and international partners, including the

EU. For a comprehensive account on the origins of the African Union: Jan Vanheukelom, “Understanding the African Union. How to Become Fit for Purpose?,” *PEDRO Background Papers*, 2017, <http://ecdpm.org/wp-content/uploads/African-Union-Background-Paper-PEDRO-Political-Economy-Dynamics-Regional-Organisations-Africa-ECDPM-2017.pdf>.

<sup>23</sup> Bernardo Venturi, “AU-EU Relations on Peace and Security,” *FEPS Policy Briefs*, 2021 (forthcoming).

<sup>24</sup> Luckystar Miyandazi et al., “AU-EU Relations: Challenges in Forging and Implementing a Joint Agenda,” *South African Journal of International Affairs* 25, no. 4 (2018): 461-480.

<sup>25</sup> IAI interviews with EU and AU officials, June-August 2021.

states. Attractive sectors for investment and trade include infrastructure, agriculture, manufacturing and energy.<sup>26</sup> The COVID-19 pandemic has created consensus on 'building back better', "bringing economic recovery [to] the heart of the agenda and stressing the importance of joint initiatives promoting investment and regional integration with Africa".<sup>27</sup> However, unlike the realm of peace and security, AU–EU cooperation still lacks joint instruments and processes to promote investment and regional integration. Despite the EU's keen interest in and support for the implementation of the African Continental Free Trade Area (AfCFTA),<sup>28</sup> a potential milestone on the way to a continent-to-continent free-trade agreement, investment and trade relations are governed by a variety of arrangements that are not undertaken in partnership with the AU but rather see the prominence of bilateral or regional agreements with varying degrees of engagement.<sup>29</sup>

Areas such as governance and migration have long been on the partnership agenda but tend to be contentious, as member states of both organisations often diverge in terms of perceptions and interests. Institutional cooperation on governance and human rights has not delivered as expected, and has failed

to replicate existing cooperation within the APSA in the context of the African Governance Architecture (AGA).<sup>30</sup> A number of reasons account for this slow progress; they include the sensitiveness of most governance issues for domestic affairs, the low degree of member states' ratification and domestication of AU-relevant governance frameworks and limited AU enforcement mechanisms.

Concerning migration, diverging perceptions and interests have developed since 2015. The EU approach to this issue has been fuelled by increasing perceptions of migration as a threat to security, thus directing the bulk of the funding towards migration initiatives countering trafficking and facilitating returns and readmissions. On the contrary, AU member states often perceive migration as an opportunity to promote further integration and development, and advocate serious negotiations with the EU to facilitate legal pathways and visa facilitation.<sup>31</sup> For a breakthrough in this field, cooperation will have to reconcile staunch EU support for border management with AU endeavours to foster African integration and mobility.

A new stream of priorities includes the green transition and digital transformation, which are relatively new to the arena of AU–EU

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<sup>26</sup> Naiga Resty, "The EU-AU Development and Trade Partnership: Towards a New Era," *FEPS Policy Briefs*, 2021 (forthcoming).

<sup>27</sup> IAI interviews with AU and EU officials, June-August 2021.

<sup>28</sup> On 21 March 2018, the African Continental Free Trade Area (AfCFTA) agreement was signed off by 44 of the AU's 55 members. The AfCFTA entered into force in May 2019 and has, to date, been signed by all African countries (except Eritrea), with 38 of them having reached the stage of full ratification. The AfCFTA aims to accelerate the growth of intra-Africa trade, strengthening Africa's common voice and policy space in global trade negotiations.

<sup>29</sup> These include the new Partnership with the

Organisation of African, Caribbean and Pacific States (OACPS); the Economic Partnership Agreements (EPAs); the Association Agreements (AAs) with North African countries; and a bilateral trade agreement with South Africa.

<sup>30</sup> The AGA provides a platform for dialogue between AU stakeholders mandated to promote good governance and strengthen democracy in Africa. It seeks to implement the African shared values related to democracy, governance and human rights contained in the AU's Constitutive Act and the African Charter on Democracy, Elections and Governance. The AGA framework was adopted by a Decision of the AU Assembly in 2011.

<sup>31</sup> Luckystar Miyandazi et al., "AU-EU Relations."

cooperation. These are perceived as topical and strategic challenges by the EU, and were put forward in the proposed draft Strategy with Africa.<sup>32</sup> While there is common understanding on the risks of climate change for Africa, there is still little agreement on the responsibility for financing green transition efforts. By appealing to the principle of “common but differentiated responsibilities”, African countries expect the EU to finance climate adaptation and mitigation measures in order for them to cut emissions without curbing economic growth.<sup>33</sup> In order to provide these incentives, the EU will have to address the AU’s climate-finance needs, which remain largely unmet.<sup>34</sup> At the same time – as shown by converging AU–EU interests in the provisions of the Paris Agreement – limiting global heating and strengthening joint processes for climate diplomacy could enable a coherent AU–EU alliance beyond unilateral initiatives (eg European Green Deal, African Group of negotiators).

Digital transformation is also high on the agenda and, unlike cooperation on climate change, it can rely on a number of instruments such as the EU–Africa Digital Economy Partnership and EU–Africa Digital Economy Task Force, which propose concrete measures to support Africa’s digital integration and markets. The EU Pan-African Programme also supports the Policy and Regulation Initiative for Digital Africa (PRIDA). Nevertheless, EU investments in developing African digital infrastructure are facing strong competition from external actors – particularly China. As a result, African countries tend to exploit this competition to their own advantage, seeking the best offer between European and non-European partners. Immediate political and economic gains from bilateral deals challenge the added value of AU–EU cooperation in carrying out the digital transformation in Africa.<sup>35</sup>

#### 4. Understanding asymmetries in institutional relations

Although the AU and the EU have experienced mutual cooperation for the last two decades, the two institutions remain fundamentally different and each of them is characterised by its own evolving and distinct governance, functions and accountability mechanisms. General macro figures well illustrate the differences.<sup>36</sup> For instance, the EU’s 27 member

states have a population of 445 million, which is just over a third of that of the AU’s 55 member states collectively (1.3 billion). At the same time, the EU’s gross domestic product (GDP), at around €15 trillion, is about seven times that of the AU, worth €2 trillion. Economic gaps in budget allocations are even more striking. The EU’s annual budget currently stands at €166

<sup>32</sup> European Commission, “EU Paves the Way for a Stronger, More Ambitious Partnership with Africa,” *Press Releases*, March 9, 2020, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_373](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_373).

<sup>33</sup> Alfonso Medinilla, “AU-EU Cooperation on Climate and Energy: In Search of a Common Narrative,” *ECDPM Briefing Notes*, no. 133 (2021), <https://ecdpm.org/?p=42657>.

<sup>34</sup> *Ibid.*

<sup>35</sup> For further analysis on the AU-EU common agenda

see: Alfonso Medinilla and Chloe Teevan, “Beyond Good Intentions: The New EU-Africa Partnership,” *ECDPM Discussion Papers*, no. 267 (2020), <https://ecdpm.org/?p=38799>.

<sup>36</sup> For a statistical portrait: Eurostat and African Union Commission, *The European Union and the African Union. A Statistical Portrait* (Luxembourg: Publications Office of the European Union, 2019), <https://op.europa.eu/s/tai0>.

billion, which is more than 300 times that of the AU's (€550 million). Differences are also evident in human-resources endowments. The AU Commission employs some 1,600 people, versus 32,000 employed by the European Commission.

These differences often emerge in bilateral relations in a way that challenges the notion of an equal and balanced partnership. A thorough understanding of the asymmetries in AU–EU institutional relations thus calls for a twofold reflection: investigating the sources and drivers of these asymmetries, beyond the general data; highlighting the immediate implications that asymmetries carry for institutional cooperation.

#### 4.1 Understanding AU capacity deficits

The AU is characterised by a series of capacity deficits, which prevent it from developing an equal partnership with the EU.

Since its inception, its member states have been reluctant to cede any sovereignty to the AU and have been prone to entrench their national interests within its institutions and bodies. The limited agency of the AU derives from this state-centric approach – embodied by the political might of the AU Assembly, the intergovernmental body of African heads of

states and governments, which sits at the helm of the union's decision process (see Table 1 at the end of this section for a snapshot of the AU). As a result, the mandate of the AU Commission (AUC) is constrained and its role "is more that of a secretariat than a decision-making body".<sup>37</sup>

The AUC is also yet to become fit for purpose in terms of its technical capacity. Contrary to the EU's expectations for a leading AU role in negotiating a new cooperation framework with it, replacing the former Cotonou Agreement,<sup>38</sup> negotiations have been steered by the Organisation of African, Caribbean and Pacific States (OACPS) and by individual member states' technical expertise. The way in which negotiations have unfolded has been "a wakeup call for the AUC that it does not control this cooperation instrument with the EU" and clear proof that the "AU is still far from becoming a one-stop shop for its member states".<sup>39</sup> The technical gaps in the AUC are compounded by weak administrative capacities linked to cumbersome recruitment processes, highly centralised power in the execution of programmes and a high turnover of short-term staff.<sup>40</sup> Ongoing AU institutional reforms – initiated in 2016 under the leadership of Rwandan President Paul Kagame<sup>41</sup> – are attempting to remedy these gaps by enhancing capacities and improving human-resources management.

<sup>37</sup> IAI interviews with African research partners.

<sup>38</sup> The Cotonou Agreement was signed in June 2000 in Cotonou (Benin) by 78 African, Caribbean and Pacific (ACP) countries and the then fifteen member states of the EU. The treaty provided a framework for development and trade cooperation. After it expired in 2020, a new round of negotiations led to the signing of the latest EU partnership agreement with the Organisation of African, Caribbean and Pacific States (OACPS).

<sup>39</sup> Ibid.

<sup>40</sup> Mehari Taddele Maru, "The AU Reform Agenda: What Areas of Reform Are Most Transformational and of the Highest Return for the Continent?" *IPSS Policy Briefs* 11,

no. 10 (2018), <http://ipss-addis.org/?p=488>.

<sup>41</sup> In July 2016, the AU Assembly entrusted a special commission, headed by President Paul Kagame, with the preparation of a report with proposed recommendations to inform a new round of institutional reforms of the AU. The report findings claimed that the priority of reforms was to address the "crisis of implementation" and the "over dependence on partner funding". The report and subsequent round of reforms was triggered by the unsuccessful attempts at a major managerial transformation of the AU during the South African chairmanship of the AU Commission from 2012 to 2017.

Even when the AU delivers, the legitimacy of its policies and decisions is challenged by its member states' national interests. The latter tend to prioritise regional over continental issues, as they can better exercise their political influence on the former. It is the so-called "swing states" – countries such as South Africa, Nigeria, Algeria, Ethiopia and Egypt, which wield political, economic or military "weight" with the AU's main contributors – that can act as major blockers in AU decision-making processes. Smaller countries can also oppose AU decisions by exploiting voting procedures that favour representation over decision-making (eg consensus or qualified majorities) and the absence of enforcement or sanctionary mechanisms for non-compliance within the AU.<sup>42</sup> This may be the case for other intergovernmental organisations or unions, including the EU. However, the prominence of African national sovereignties is not countered by any strong, normative AUC power over its members states.<sup>43</sup>

AU policies can also lack sufficient endorsement from sub-regional actors, resulting in poor implementation at regional and national level. This may be partly explained by the challenges faced by AU cooperation with the prior structures that served as the historical "building blocks" of African integration: the Regional

Economic Communities (RECs). The RECs are regional groupings of African states which seek to facilitate regional economic integration between members of different regions, as well as continental integration within the wider African Economic Community. The RECs also seek to coordinate AU member states' interests in areas of common concern such as peace and security, development and governance. RECs predate the AU and, together, form "unique, non-hierarchical African governance structure both at regional and sub-regional level".<sup>44</sup> AU-REC relations are governed by the Protocol on Relations between the two types of body and by the Memorandum of Understanding (MoU) on Cooperation in the Area of Peace and Security between the AU, RECs and Regional Mechanisms (RMs)<sup>45</sup> – both of which were signed in 2008. The AU currently recognises and cooperates with eight RECs<sup>46</sup> and with two RMs: the Eastern Africa Standby Force Coordination Mechanisms (EASFCOM) and the North Africa Regional Capability (NARC).

Shortcomings in AU-REC relations lie in the vagueness of these legal instruments as much as in the very different levels of capacity and financial resources among RECs. The MoU is unclear on several aspects of AU-REC cooperation.<sup>47</sup> "The dearth of definitions for principles regulating relations (ie subsidiarity,

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<sup>42</sup> See the example of political violence in Burundi in 2016. The country remained a member of the AU Peace and Security Council (PSC) despite violations of its regulations, and avoided AU sanctions and intervention by threatening to withdraw Burundian troops from the AU peace operation in Somalia (AMISOM).

<sup>43</sup> Vanheukelom, "Understanding the African Union."

<sup>44</sup> IAI interviews with AU officials and researchers, June-August 2021.

<sup>45</sup> Where all-encompassing RECs did not exist (ie East and North Africa), RMs were created to oversee and coordinate the establishment of the regional brigades of the African Standby Force, a multidisciplinary peacekeeping force

established in 2003 and acting under the direction of the AU.

<sup>46</sup> The eight RECs are: the Arab Maghreb Union (UMA); the Common Market for Eastern and Southern Africa (COMESA); the Community of Sahel-Saharan States (CEN-SAD); the East African Community (EAC); the Economic Community of Central African States (ECCAS); the Economic Community of West African States (ECOWAS); the Intergovernmental Authority on Development (IGAD); and the Southern African Development Community (SADC).

<sup>47</sup> Full text of the MoU is available at: <https://www.peaceau.org/uploads/mou-au-rec-eng.pdf>.

complementarity, comparative advantage) generates ambivalence on the division of labour between the AU and RECs".<sup>48</sup> This has raised friction in AU–REC relations on several occasions.<sup>49</sup> Moreover, the MoU does not specify RECs' prerogatives as first responders in conflict prevention and crisis management, justifying RECs' complaint about their poor involvement in the elaboration and implementation of AU policies at regional level despite their local expertise and legitimacy.<sup>50</sup> To address these challenges, a new draft protocol on AU–REC relations has been proposed to replace the 2008 protocol, introducing new coordination structures and a division of labour around thematic areas.<sup>51</sup> This draft protocol was adopted by the Assembly of the AU in February 2020, but has not yet entered into force.

Besides offering a vague conceptualisation of AU–REC relations, the 2008 MoU focuses exclusively on peace and security and fails to address other important fields of cooperation. This leaves broad discretion in the implementation of governance policies and instruments to bodies such as the AGA and the African Charter on Democracy, Elections and Good Governance, which seek to enhance coordination of AU institutions and organs with a mandate in governance, democracy and human rights. The AGA and its mechanisms are intended

to complement the APSA in order to enhance structural conflict prevention, post-conflict reconstruction and development. However, both architectures need effective coordination mechanisms and a division of labour in all areas – including those of governance, development and economic integration. In this regard, a prominent and promising change at AU level is the merger of the AUC's Department of Peace and Security and its Department of Political Affairs, yielding potential for integrated and streamlined action.<sup>52</sup>

AU agency is also hindered by poor financial self-sufficiency and dependency on development partners. Member states' assessed contributions provide less than 30 percent of the AU budget while external aid is the largest source of funding, standing at around 70 percent of the budget.<sup>53</sup> The EU remains the largest donor to the AU, concentrating the bulk of its contributions on the AU programme budget and peace-support operations. Moreover, the AU's growing international standing has increased to over 30 the number of its donors in recent years – including Turkey; India; South Korea; and China, which funded the construction of the new AU headquarters in Addis Ababa.

This growing number of donors requires the AU to manage multiple systems for donor funding

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<sup>48</sup> IAI interviews with AU officials and researchers, June–August 2021.

<sup>49</sup> See, for instance, AU–Economic Community of Central African States (ECCAS) frictions on conflict resolution in the Central African Republic (CAR), AU–Southern African Development Community (SADC) conflict on the electoral dispute in the Democratic Republic of Congo (DRC) or the Burundian crisis mentioned above (note 42).

<sup>50</sup> Ndubuisi Christian Ani, "Reforming the African Peace and Security Architecture: Options for Effective Clarity of Roles between the African Union and Sub-regional Organizations," *IPSS Policy Briefs* 15, no. 3 (2021), <http://ipss-addis.org/?p=9865>.

<sup>51</sup> For an overview on the past negotiations of the new Protocol: PSC Report, "Defining AU–REC Relations Is Still a Work in Progress," *PSC Insights*, August 1, 2019, <https://issafrica.org/pscreport/psc-insights/defining-aurec-relations-is-still-a-work-in-progress>.

<sup>52</sup> Martin Ronceray et al., "Merging Peace and Politics: Drivers, Dilemmas and Options for the AU's New Governance Setup," *ECDPM Discussion Papers*, no. 303 (2021), <https://ecdpm.org/?p=42903>.

<sup>53</sup> Kesa Pharatlhathe and Jan Vanheukelom, "Financing the African Union: On Mindsets and Money," *ECDPM Discussion Papers*, no. 240 (2019), <https://ecdpm.org/?p=35265>.

and reporting, exacerbating the bureaucratic burden on it. Harmonisation of external aid is yet to develop, and joint financing arrangements concern a minority of donor funders. Given the fact that donor funds often remain off-budget, total amounts are hard to estimate and financial management is affected by transparency and accountability gaps. Moreover, execution rates of planned AU budgets are relatively low (estimated to be around 50 percent in 2017), reflecting the weak absorption capacity of the AUC in all budget categories (operational, programmes and peace support).<sup>54</sup>

In order to build AU self-sufficiency and reduce overreliance on donors such as the EU, AU member states introduced a new funding structure as part of the block of reforms launched in 2016. With the adoption of the Kigali Decision on Financing the Union in the same year,<sup>55</sup> they agreed to implement a 0.2 percent levy on all eligible goods imported to the continent. The resulting tax revenue has the potential to raise €1 billion per year. As of 16 June 2020, however, only 17 countries – representing about 31 percent of AU membership – were at different stages of domesticating the Kigali Decision, pointing to member states' poor implementation capacities and resources.<sup>56</sup>

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<sup>54</sup> Ibid.

<sup>55</sup> Full text of the decision (Assembly/AU/Dec.605 (XXVII)) available at: [https://au.int/sites/default/files/pages/31953-file-assembly\\_au\\_dec\\_605\\_financing\\_the\\_au.pdf](https://au.int/sites/default/files/pages/31953-file-assembly_au_dec_605_financing_the_au.pdf).

<sup>56</sup> African Union, *Financing the Union. Towards the Financial Autonomy of the African Union, Status Report - An Update, Version Four*, June 16, 2020, <https://au.int/en/node/38739>.

## Foundation

- In 1999, the Heads of State and Government of the Organisation of African Unity (OAU) issued the Sirte Declaration which called for the establishment of an African Union. The aspiration of African member states was to transition from a post-colonial continental body (the OAU) to a more modern and effective organisation, capable of coping with Africa's multiple conflicts and threats to stability, the African Union (AU).
- In 2000, the Lome Summit adopted the AU Constitutive Act.
- In 2002, the Durban Summit launched the AU and convened its first Assembly.
- With 55 member states, the AU is the world's largest and most diverse regional organisation.

## Governance

- The Constitutive Act of 2000 defines the AU institutional governance and its organs' mandate and responsibilities.
- The Assembly of Heads of State and Government is the supreme organ of the Union. It holds a summit twice a year (held once since 2019) and may convene extraordinary summits.
- The Executive Council prepares the agenda and decision-making process and is responsible to the Assembly. It is composed of the Ministers of Foreign Affairs of the member states and is supported by the Permanent Representatives' Committee, which includes the permanent ambassadors of the African member states to the AU.
- The Commission supports the Union's day-to-day management and represents its interests. It is composed of the Chairperson, the Deputy Chairperson, eight Commissioners, each of them responsible for a portfolio, and staff members.
- Other AU organs include the Peace and Security Council (PSC), the Pan-African Parliament and the Economic, Social & Cultural Council (ECOSOCC).
- The AU has officially recognised eight Regional Economic Communities (RECs). These predate the AU and primarily focus on regional market integration and peace and security.

## Vision

- The vision of the AU is that of "An integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in global arena".
- This vision is enshrined in Agenda 2063, a strategic framework for Africa's long-term socio-economic and integrative transformation, adopted in 2015. The Agenda is a set of initiatives which aim at promoting African economic development, continental and regional integration, governance and justice, peace and security, among other issues.
- In 2016, under the leadership of Rwandan President Paul Kagame, the AU initiated a series of institutional reforms aimed at endowing AU institutions with a broader mandate, better capacities and financial self-sufficiency.

**Table 1:** The AU in a nutshell

## 4.2 Understanding EU policy incoherence

Focusing on the EU side now, one of the main challenges affecting relations with the AU is the fact that the EU “lacks a coherent narrative for Africa”.<sup>57</sup> This has contributed to a fragmented policy framework, the development of which has mostly responded to the EU’s political interests rather than the need for policy coherence.

The postcolonial narrative of some EU member states, which has driven their relations with African countries since the 1960s, aimed at maintaining “special relations” with their former colonies after independence. This initiated negotiations on a series of cooperation frameworks, the African scope of which was limited to the continent’s newly independent sub-Saharan countries and subsequently extended its reach to Caribbean and Pacific countries without any strategic differentiation. In 1963, the first Yaoundé Convention was signed between the European Economic Community (EEC) – spearheaded by France along with Italy, West Germany and the Benelux nations – and the AASM (Associated African States and Madagascar). The agreement was renewed in 1969, and later evolved into a broader framework for trade and aid cooperation with the Lomé Convention in 1975. The number of developing countries had by then increased from 19 African states to 46 African, Caribbean and Pacific countries (ACP Group of States).

The EU–ACP partnership was overhauled in 2000 through the Cotonou Agreement. For the first time since 1975, the EU replaced non-

reciprocal trade preferences for ACP countries with Economic Partnership Agreements (EPAs) in order to seek compliance with World Trade Organization (WTO) provisions. The agreement was signed by 78 ACP countries and underwent revision in 2005 and 2010. After the expiry of the treaty in 2020, a new round of negotiations led to the signing of the latest EU partnership agreement with the Organisation of African, Caribbean and Pacific States (OACPS),<sup>58</sup> which expanded cooperation and established a “strengthened political partnership”.<sup>59</sup>

It was in the context of a renewed EU–ACP partnership through the Cotonou Agreement that the AU was founded in 2002. Until then, the EU had been used to decades of technical cooperation on development and trade with a heterogeneous group of national interests rather than to institutional relations with a pan-African organisation, the AU, which advocated common African policies. Moreover, as foreseen by Cotonou, technical cooperation between the EU and the ACP countries was complemented by high-level political dialogue as the main instrument for addressing common issues of concern – such as democratic principles, the rule of law and good governance – thereby shrinking the space for meaningful political discussions at the AU–EU partnership level.

Furthermore, in the early 2000s, a new narrative focusing on the strategic importance of the EU neighbourhood in view of the 2004 enlargement to encompass former Eastern Bloc countries, led to the formulation of the European Neighbourhood Policy (ENP). Since the mid-

<sup>57</sup> IAI interviews with EU officials, June-August 2021.

<sup>58</sup> In April 2020, the ACP Group of States became the Organisation of African, Caribbean and Pacific States (OACPS), an international organisation with 79 members, following the entry into force of the revised Georgetown Agreement.

<sup>59</sup> European Commission, *Partnership Agreement between the European Union and Members of the Organisation of African, Caribbean and Pacific States*, April 15, 2021, [https://ec.europa.eu/international-partnerships/system/files/negotiated-agreement-text-initialled-by-eu-oacps-chief-negotiators-20210415\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/negotiated-agreement-text-initialled-by-eu-oacps-chief-negotiators-20210415_en.pdf).

1990s, EU relations with North Africa have developed in the wider multilateral framework of the Euro–Mediterranean Partnership between EU member states and countries of the Southern Mediterranean. The ENP and related instruments strengthened EU bilateral cooperation with North African partners. Between 1998 and 2005, all the countries of the region apart from Libya concluded an Association Agreement (AA) with the EU. EU relations with North Africa have thus developed on a “playing field” different from that of sub-Saharan Africa, which shares its cooperation framework with the EU with other regions as varied as the Caribbean and the Pacific.

This apparent rift in EU external action between North and sub-Saharan Africa was not only instrumental for the EU in securing bilateral AAs but also for North African countries, which also voiced their positions within the more kindred Middle East and North Africa (MENA) region rather than from within the AU or the OACPS. Nevertheless, it contributed to the development of a piecemeal EU approach towards Africa and downgraded the strategic relevance of the partnership with the AU. The JAES has attempted to address this fragmentation by complementing traditional cooperation on aid and development with partnerships in other fields (eg peace and security, governance, energy and climate change), yet it has struggled to upgrade bilateral cooperation on specific issues into an integrated strategic partnership.

Over the last few years, a new EU narrative has emerged that assigns relations with Africa a top priority within its foreign policy. Part of this narrative is that the EU has to “move away from the patronising approach”,<sup>60</sup> and

define a joint way forward for a balanced and inclusive partnership with the AU and Africa. This approach has been fuelled by official documents and statements from the EU and its member states on the strategic importance of their cooperation with African partners, and often by a deliberately accurate terminology for cooperation. An example of this is the renaming of the Directorate General for Development Cooperation (DEVCO) as the International Partnership (INTPA) – a decision that, narrative-wise, amounts to more than a mere cosmetic exercise. Moreover, the EU has been careful to name its draft strategy with Africa accordingly, “placing great emphasis on the words *towards* and *with Africa*”,<sup>61</sup> so as to anticipate a partnership of equals.

Nevertheless, this narrative has yet to produce a paradigm shift in AU–EU relations. A slight improvement in policy coherence was observed during the most recent post-Cotonou negotiations. The dichotomy between the AU–EU and the EU–ACP partnership was mitigated by bringing the new regional African Protocol under the scope of EU–AU negotiations on the new partnership, in an attempt to ensure coherence and to streamline implementation even if the two frameworks remained formally distinct. Similar improvements have been made in the planning of the EU’s external financing instruments. Within the EU 2021-27 Multiannual Financial Framework, the main external financing instrument is the new Neighbourhood, Development and International Cooperation Instrument (NDICI), also referred to as the “Global Europe Instrument”. The elaboration of the NDICI has attempted to address potential gaps and inconsistencies by merging the plethora of multiple instruments that were

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<sup>60</sup> IAI interviews with EU officials, June-August 2021.

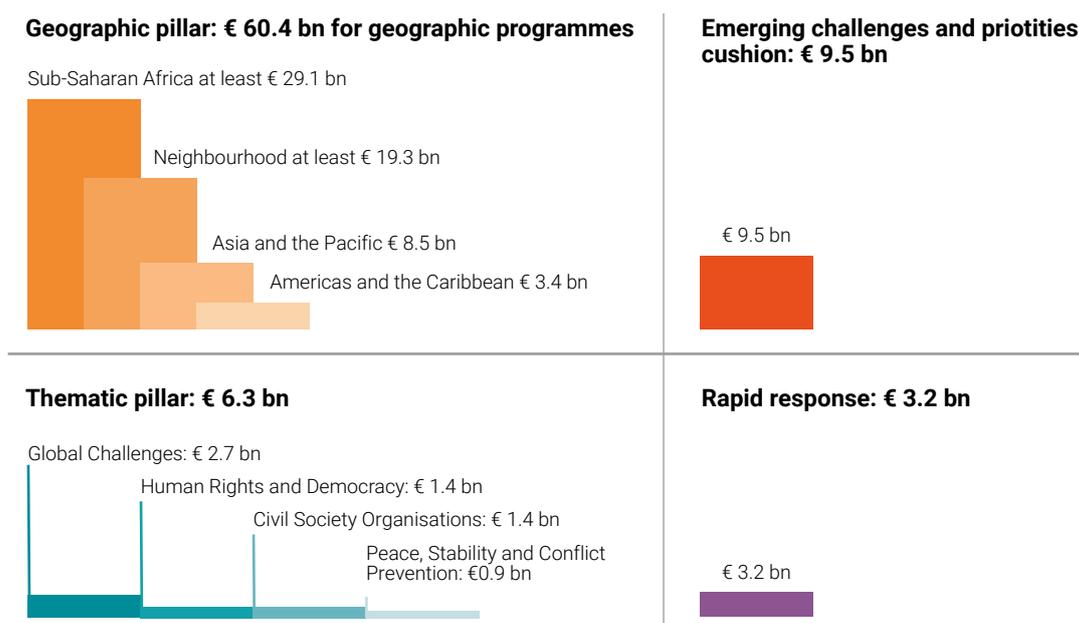
<sup>61</sup> Ibid.

providing financing for Africa.<sup>62</sup> It places special focus, along with budget allocations, on sub-Saharan Africa (€29.1 billion) and the EU Neighbourhood (€19.3 billion), including North Africa<sup>63</sup> (see Table 2 on NDICI structure).

At the same time, the NDICI's priorities for Africa tend to reflect the priorities of the EU draft Comprehensive Strategy with Africa (ie green transition, energy access, digital transformation, sustainable growth etc). This makes the new financing instrument vulnerable to the same abovementioned critiques of the EU Strategy, namely that its priorities are often set unilaterally without adequately including AU stakeholders' interests and needs in the process. The risk for the NDICI to ignore or

underfinance AU-led African initiatives for social inclusion, development and welfare redistribution requires enhanced institutional cooperation and consultations at all partnership levels, particularly at the interparliamentary level, given the European Parliament's role as co-legislator of the NDICI and enhanced functions in planning and scrutinising financing for Africa.

Having said that, the issue of EU policy (in) coherence – even beyond Africa – remains a topical concern at the highest institutional level. The President of the European Council, Charles Michel, has recently commented, "We have a trade policy, a visa policy, a development policy [...] but perhaps we lack a unified command of their deployment".<sup>64</sup>



**Table 2: The NDICI – Structure and budget breakdown**

Source: Lilyanova, "Financing for Africa," 4.

<sup>62</sup> These included the following: the Development Cooperation Instrument, the European Instrument for Democracy and Human Rights, the Partnership Instrument, the Instrument contributing to Stability and Peace and the European Development Fund.

<sup>63</sup> Velina Lilyanova, "Financing for Africa – The EU Budget and Beyond," *EPRS Briefings*, June 2021, <https://www.eprs.europa.eu/>

[www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_BRI\(2021\)690668](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2021)690668).

<sup>64</sup> Gilles Gressani, "Elements for a Doctrine: In Conversation with Charles Michel," *Groupe d'études géopolitiques*, September 8, 2021, <https://geopolitique.eu/en/2021/09/08/charles-michel>.

As for policy dialogue, a long-standing asymmetry persists in the low level of involvement of AU institutions and bodies in EU policy-making on African issues. This is both a by-product of the AU's weak political agency and financial dependency on the EU and the above-mentioned patronising attitude of the EU towards its African counterpart: "we know what your problems are, we know what to do".<sup>65</sup> This is often the case with the European Commission and its competent Directorates-General (DGs) – notably, DG INTPA (Directorate-General for International Partnerships) – which are "under pressure to disburse aid",<sup>66</sup> even when such aid programming does not envisage any adequate

consultation or ownership of interventions by the AU. AU representatives are not invited to observe the EU's key policy-making bodies – notably, its African Working Party (COAFR) and the Political and Security Committee (PSC) – even when AU related issues are on the agenda. Conversely, the EU has participated as an observer in AU meetings, as its attendance at AU summits and Peace and Security Council sessions demonstrates. This lower level of involvement (and voice) on the part of the AU compared with the EU extends beyond bilateral relations – as can be seen by the case of the G20, in which the EU is a full member while the AU has observer status only.

## 5. The implications for AU–EU cooperation

AU capacity deficits and EU policy incoherence affect relations in multiple ways. The struggle of the AU to speak with its own voice has prevented it from acting on an equal footing with the EU. A tangible sign of the AU's strategic passivity is "the absence of any official reaction to the EU comprehensive Strategy with Africa, which aims at relaunching the JAES".<sup>67</sup> Although the draft strategy could be subject to revision during the sixth AU–EU Summit in order to incorporate African views, negotiations will most likely focus on the priorities proposed by the EU. The challenges to devising a common AU position, endorsing or challenging EU strategic lines, let alone an AU strategy weaken the partnership's cooperation potential and outcomes.

At the same time, EU "poor consultations" with AU stakeholders on policy-making negatively affects trust and reciprocity in relations, often

fuelling an unequal partnership based on "EU-financed solutions for African problems".<sup>68</sup> It is yet to be seen whether the new narrative advocating an equal and strategic partnership with Africa will lead to a concrete upgrading of EU–AU institutional dialogue and working-level arrangements.

The unclear division of labour between the AU and the RECs leads to competition rather than collaboration over EU funding and technical assistance. This has facilitated a fragmented EU policy approach towards Africa, which does not address the AU as the main interlocutor. In practice, the EU alternatively prefers the lead of AU institutions, RECs or individual member states or groupings, depending on its own priorities on one hand and on African stakeholders' abilities to deliver on the other. This "cherry picking" compounds difficulties

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<sup>65</sup> IAI interviews with EU officials, June-August 2021.

<sup>66</sup> Ibid.

<sup>67</sup> IAI interviews with AU officials and researchers, June-

August 2021.

<sup>68</sup> Ibid.

surrounding the AU's legitimacy, policy coordination and oversight challenges as well as the building and harmonisation of the RECs' implementation capacities. For example, the EU has opted to support ad hoc arrangements or member states' groupings rather than continental mechanisms as the former rely on AU member states' own resources and procedures, improving cost-effectiveness and ownership by local authorities. In the field of peace and security, for example, the EU has increasingly contributed to the operations of the G5 Sahel, or to the AU-mandated Multinational Joint Task Force (MNJTF) combatting Boko Haram.<sup>69</sup> On the migration file, the EU has opted for bilateral agreements with AU member states in order to deal with returns and readmissions.

Poor AU administration capacities hinder compliance with the EU's burden of regulations and procedures. Weak retention strategies have had an impact on the level of AUC staff, half of which works on short-term contracts dependent

## 6. Conclusions and recommendations

This analysis of AU capacity deficits and EU policy (in)coherence has been aimed at unveiling some of the most relevant structural drivers accounting for asymmetric institutional cooperation. As argued, asymmetries also stem from the different structures, mandates, narratives, interests and resources of the two unions. As long as they endure, structural asymmetries are likely to delay the paradigm shift from a donor-recipient relationship to a partnership of equals. This might suggest that the goal of pursuing an equal partnership is

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<sup>69</sup> Venturi, "AU-EU Relations on Peace and Security."

<sup>70</sup> IAI interviews with AU officials and researchers, June-August 2021.

on donor funding. Administrative challenges are diverting resources away from addressing more strategic matters. Weak administrative capacities affect AU-EU cooperation, as much as they affect other AU partnerships. The latter "have proliferated in recent years without being adequately matched by enhanced technical expertise"<sup>70</sup> – notably, in partnership management, monitoring and evaluation.

Likewise, asymmetries in financial relations draw much of the attention on programming and funding, narrowing the scope of cooperation to financial rather than strategic interests. The sheer amount of EU funding, close to the AU's total in the arenas of peace and security, fuels this dependency and allows the EU to set the agenda in the formulation of AU programmes and operations, shrinking AU ownership of what gets funded or implemented. As a result, programme alignment is usually skewed towards the EU's rather than the AU's priorities.

unrealistic and that, for the time being, a more pragmatic approach in relations is appropriate.

Nevertheless, a new era of trust, reciprocity and ownership can only be inaugurated by a partnership in which the interests of both the AU and the EU are evenly embedded and accommodated. To this end, the two unions should jointly address and mitigate their asymmetries, both at partnership level and within their institutions and bodies.

In view of the upcoming AU–EU Summit, earmarked for February 2022, the following policy recommendations could contribute to reshaping the partnership and ushering in a new era of cooperation:

#### For the AU–EU Partnership

- **Foster mutual trust, reciprocity and ownership within and beyond institutional dialogue.** The EU and AU seem not to know each other well enough. This often leads to weak confidence and a lack of will at political level as well as poor ownership of the partnership by civil society, which prevents the implementation of ambitious strategies and programmes. In order to promote mutual knowledge and trust in relations, the partnership has to foster dialogue beyond annual institutional meetings. The EU and AU could consider increasing the annual frequency of interaction between AU–EU bodies and working groups (eg between government officials, commissioners and exchanges of officers and administrative staff). On the ground, officials and stakeholders have lamented the lack of regular meetings between AU liaison offices and EU delegations leading to concrete follow-up actions, hence the dearth of joint field assessments and visits in view of joint programmes and operations. Moreover, civil society should be regarded as a major stakeholder in the development of a new AU–EU Partnership. This calls for a genuine and active involvement of civil society in the process leading to the summit in 2022, by organising meaningful consultations with AU and EU bodies and granting a specific space for civil-society groups’ recommendations during the summit. Special consideration and support should be given to civil-society multi-stakeholder platforms piloting innovative partnership approaches, such as the AU–EU Youth Cooperation Hub.

- **Mitigate donor–recipient asymmetry.** As long as the donor–recipient relationship endures, achieving an equal partnership will remain an unachievable utopia. AU–EU cooperation should dedicate more effort to promoting AU sustainable financing and the upscaling of its own resources. The EU could leverage its experience in the Customs Union and Common Market to provide the funding and technical assistance needed to implement the AU Kigali Decision and facilitate collection of the 0.2 percent levy on African imports. Moreover, both unions could envisage cost-sharing ratios and matched funding systems in which EU contributions are proportionally linked to those allocated by AU member states. This would mitigate financial dependency while promoting accountability and ownership by AU member states. Joint spending-review mechanisms could be envisaged in order to reallocate contributions from the partnership’s worst-performing and unilaterally driven sectors or programmes to those building financial sustainability. It is worth remarking that for the EU 2021-27 multiannual financial framework, the European Parliament acted as a co-legislator in establishing the new NDICI/ Global Europe Instrument and will have an enhanced role in defining the main strategic choices and in scrutinising financing for Africa. Therefore, a process of mitigating the donor–recipient relationship will also have to promote EU parliamentary cooperation with Africa with the aim of setting a common agenda with related financial requirements. Without this kind of cooperation EU financing to Africa through NDICI risks fuelling unilateral solutions to African problems without taking into account the demands for social development and inclusion arising from stakeholders within the AU, particularly from member states and civil society. Enhanced parliamentary cooperation can be achieved by resorting to existing cooperation channels, such as

the EU Delegation for Relations with the AU Pan-African Parliament, and by opening new avenues for parliamentary cooperation, such as the EU Regional Parliamentary Assembly with sub-Saharan countries foreseen by the new EU–OACPS Partnership Agreement.

- **Invest in structural conflict prevention.** The AU–EU Partnership has a long track record of cooperation in the peace-and-security sector. However, cooperation has focused on operational rather than structural conflict prevention, and financing has been mostly crisis-driven. Future AU–EU cooperation needs to address joint conflict-prevention strategies and programmes, taking into account regional and national governance challenges – especially “between elections”, and not only “during elections”.<sup>71</sup> In practice, enhanced cooperation on conflict prevention can be achieved by elaborating joint plans and assessments, strengthening inter- and intra-institutional cooperation and early-warning mechanisms, improving information flows, and capacity building for middle- and lower-level peacebuilding officials.

#### For the AU

- **Establish a dedicated AU external-action service.** The counterpart of the European External Action Service (EEAS)<sup>72</sup> in the AUC is Africa’s Strategic Partnership Division within the Bureau of the Chairperson, which provides the required secretariat support to partnerships with the AU. The division is in

charge of the coordination and implementation of AU partnerships, including relations with the EU. However, its technical capacity – in terms of both human and financial capital – is not comparable with that of the EEAS. AU officials admit that the partnership division is overwhelmed with administrative burdens that prevent the AU from devising a strategic approach to its partnership with the EU. Notwithstanding member states’ reluctance to transfer decision-making powers to the AUC, establishing a dedicated AU external-action service is of the utmost importance. Setting up such a body would mitigate the AU–EU asymmetries in external action, enabling the AU to define a clear foreign policy towards the EU as well as to ensure effective implementation and monitoring of its partnership. An intermediary step, which could eventually lead to the establishment of an AU external-action service, could foresee the transformation of the partnership division into a full-fledged department with strengthened administrative and financial capacities.

- **Improve the division of labour between the AU and the RECs.** The RECs are the building blocks of African integration and have to play a complementary role with regard to the AU. They can benefit from local expertise and legitimacy, and should step-up their role as implementing partners of AU policies and programmes. The AU has a clear comparative advantage in policy coordination and oversight, and should enhance the harmonisation of resources and capacities, discourage member

<sup>71</sup> IAI interviews with AU and EU officials June-August 2021. The interviewees stressed the need for AU–EU cooperation on conflict prevention at a structural rather than operational level, going beyond electoral observation by establishing, for instance, joint early warning mechanisms based on shared information flows.

<sup>72</sup> The European External Action Service (EEAS) is the European Union’s diplomatic service. It supports the High Representative for Foreign Affairs and Security Policy in conducting and implementing the Union’s Common Foreign and Security Policy. It was formally established on 1 December 2010.

states' multiple REC memberships, and encourage joint programming across RECs. At the same time, AU–REC relations need to develop a better definition of principles for cooperation, such as subsidiarity, which can be made operational through the adoption of a new, binding legal text with agreed standards and procedures. AU member states could also establish integrated AU–REC desk offices in their foreign services and promote AU–REC staff exchanges not only at administrative level but also between decision-making structures.

#### For the EU

- **Channel EU African policies and programmes through the AU.** EU policy (in)coherence is affected by the development of multiple political narratives, which have consolidated a piecemeal policy approach towards Africa (ENP, OACPS, AU, RECs, ad hoc security arrangements and bilateral agreements with AU member states). This approach challenges the EU's legal and political commitment to the Promotion of Coherence for Development<sup>73</sup> (art 208 TFEU<sup>74</sup>), for which the EU has pledged to play a leadership role with its partners. Recent attempts to ensure coherence between the EU's policy frameworks and external financing instruments for Africa will need sustained political will, both at the European Commission and at the member state level, to fully translate coherence for development into practices of cooperation with the AU.

Furthermore, the proliferation and competition of African stakeholders in EU relations has

shrunk the space for meaningful AU–EU strategic cooperation and undermined political alignment on common priorities. To revive the partnership, the EU should deal with the AU as its main African interlocutor. It should avoid sidelining the AU in relations with the OACPS, RECs and AU member states, in order not to compromise the union's legitimacy, coordination and oversight at regional and national level. The EU could foster greater AU-led African integration by increasing support for AU regional bodies' joint projects.

- **Improve consultations with the AU.** Both sides commonly acknowledge that EU policy-making processes envisage limited participation and consultation with AU stakeholders. The draft Comprehensive Strategy with Africa has been criticised as mostly the outcome of a unilateral exercise by the EU rather than of an inclusive process at partnership level. Similar critiques can be made for the NDICI, whose priorities reflect the EU agenda of green transition, digital transformation and sustainable growth which may not be in line with a more progressive AU approach to post-COVID socio-economic recovery and development. The improvement of consultations processes and outcomes calls for more frequent Commission-to-Commission meetings, at least biannual instead of annual meetings. The latter should also include AU and EU high representatives from other institutions and bodies, to ensure cross-institutional awareness and coordination. Likewise, EU parliamentary cooperation with the AU should be enhanced in order to facilitate common positions on

<sup>73</sup> For the latest overview of PCD and of EU initiatives: European Commission, *2019 EU Report on Policy Coherence for Development* (SWD/2019/20), January 28, 2019, [https://ec.europa.eu/international-partnerships/system/files/swd-2019-20-pcdreport\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/swd-2019-20-pcdreport_en.pdf).

<sup>74</sup> Article 208 of the Treaty on the Functioning of the EU concerning PCD states: "The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries."

shared priorities, as well as to promote further consultations on EU financing for Africa.

With a view to relating to Africa as a partner rather than a beneficiary, the EU should enhance the participation of AU institutions and bodies in policy processes on African issues. AU representatives should, for instance, be invited to EU sessions of the COAFR or the PSC when Africa is on the agenda – just as the EU is used to attending sessions of AU bodies, especially on peace and security issues. At the same time, EU political dialogue with AU members has to place more emphasis on the implementation of global (Agenda 2030 and the SDGs), continental (Agenda 2063) and regional (REC) commitments at country level. EU and AU officials agree that EU policies and AU member states' national development plans are not sufficiently aligned with the continental objectives of Agenda 2063,<sup>75</sup> stressing that dialogue with the EU should instead prioritise joint monitoring of the agenda's implementation at national level with special regard to national policy coherence, budget allocation and resource mobilisation.

On the eve of its third decade, AU–EU cooperation is at a crossroads – having to choose between perpetuating deep-seated asymmetries in institutional relations or attempting to mitigate them in order to achieve the partnership's full potential. Opting for the second option would not only make an equal partnership more likely but it would also provide the AU and the EU with a unique opportunity to lead multilateral

cooperation and steer global governance in a post-COVID era. Ultimately, advocating a win–win partnership calls for a new era of AU–EU cooperation based on inclusiveness, reciprocity and mutual trust.

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<sup>75</sup> Agenda 2063 is a set of initiatives of the AU, which aim at promoting African economic development, continental and regional integration, governance and justice, peace and security, among other issues. The elaboration of the agenda was initiated when African heads of state and government signed the 50th Anniversary Solemn

Declaration during the Golden Jubilee celebrations of the formation of the OAU/AU in May 2013. The agenda was adopted on 31 January 2015 at the 24th AU Ordinary Assembly. It identifies key flagship programmes and activities to be undertaken in its ten-year Implementation Plans.

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