

**COOPERATION BETWEEN THE EUROPEAN COMMUNITY AND**

**AFRICAN, CARIBBEAN AND PACIFIC COUNTRIES (1957-1990):**

**A STUDY IN GROUP DIPLOMACY**

**Thesis presented for the award of the degree of**

**Ph.D (Econ)**

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**by**

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## **ABSTRACT**

This study deals with relations between the member states of the European Community and the African, Caribbean and Pacific (ACP) countries all of which are signatories to the Lomé Convention. It traces the origins of Eurafrican association to the relations which existed between France and her colonies and Britain and the Commonwealth. It then examines ACP organs and EEC institutions for negotiation and policy implementation but focuses on the ACP countries. The thesis aims principally to determine the appropriateness of ACP diplomacy to the objectives of ACP-EEC cooperation and theoretical concepts pertaining to group diplomacy, coalition formation, influence, conflict and cleavages are used to analyze the procedures involved in the negotiation of common ACP positions.

The thesis is based on the consideration that cooperation between developed and developing countries can neither be ignored nor avoided and that, judging by the historical fact of interdependence among states, it is reasonable for the ACP countries to attempt to maximise the benefits of their EEC connections. The investigations in this study suggest that as a result of the underdeveloped economic and political potentials of the ACP countries, ACP diplomacy is essentially reactive especially over bread-and-butter issues such as aid and trade cooperation with the EEC. These issues, incidentally, are at the fore of ACP-EEC relations. However, there is also evidence that ACP diplomacy can be dynamic where life-and-death issues such as toxic waste dumping and environmental degradation in Africa are concerned.

ACP-EEC cooperation has so far failed to meet the ultimate aim of redressing development problems in the ACP states. But, the ACP-EEC relationship is in fact a

model representation of general North-South relations and this failure should be placed in that context. However, an exception is taken to the line of argument in development theory which puts all blame on the North for the inability of the South to achieve economic success. The argument reinforces the notion of incapacity on the part of the ACP countries to find solutions to their own problems and inappropriately takes away blame, as well as responsibility for policy implementation and economic development, from the ACP countries. An alternative view is adopted that the quest for a panacea to the social, economic and political problems of the ACP countries should be conducted from within the ACP group with improved and strengthened institutions and the postulates of such a search should help shape ACP positions in ACP-EEC cooperation.



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## **ABBREVIATIONS AND ACRONYMS**

<b>AASM</b>	<b>: Associated African States and Malagasy</b>
<b>ACP</b>	<b>: African, Caribbean and Pacific</b>
<b>ASEAN</b>	<b>: Association of South-East Asian Nations</b>
<b>CAP</b>	<b>: Common Agricultural Policy</b>
<b>CARICOM</b>	<b>: Caribbean Community and Common Market</b>
<b>CARIFTA</b>	<b>: Caribbean Free Trade Area</b>
<b>CARISEC</b>	<b>: Caribbean Community Secretariat</b>
<b>CEAO</b>	<b>: Communauté Economique de l'Afrique de l'Ouest</b>
<b>CEDEAO</b>	<b>: Communauté Economique des Etats de l'Afrique de l'Ouest</b>
<b>CET</b>	<b>: Common External Tariff</b>
<b>CFA</b>	<b>: Communauté Financière Africaine</b>
<b>CILSS</b>	<b>: Inter-state Committee against Drought in the Sahel</b>
<b>DG</b>	<b>: Directorate-General (of the European Commission)</b>
<b>EBRD</b>	<b>: European Bank for Reconstruction and Development</b>
<b>ECA</b>	<b>: Economic Commission for Africa</b>
<b>ECOWAS</b>	<b>: Economic Community of West African States</b>
<b>ECSC</b>	<b>: European Coal and Steel Community</b>
<b>ECU</b>	<b>: European Currency Unit</b>
<b>EDF</b>	<b>: European Development Fund</b>
<b>EEC</b>	<b>: European (Economic) Community</b>
<b>EIB</b>	<b>: European Investment Bank</b>
<b>EMU</b>	<b>: European Monetary Union</b>
<b>EU</b>	<b>: European Union</b>
<b>(E)UA</b>	<b>: (European) Unit of Account</b>
<b>EUROSTAT</b>	<b>: Statistical Office of the European Communities</b>
<b>GATT</b>	<b>: General Agreement on Tariffs and Trade</b>
<b>GSP</b>	<b>: Generalised Scheme of Preferences</b>
<b>G77</b>	<b>: Group of 77</b>
<b>IDA</b>	<b>: International Development Assistance</b>

<b>IGADD</b>	<b>: Intergovernmental Authority on Drought and Development</b>
<b>ILO</b>	<b>: International Labour Organisation</b>
<b>IMF</b>	<b>: International Monetary Fund</b>
<b>IOC</b>	<b>: Indian Ocean Commission</b>
<b>M.</b>	<b>: Monsieur</b>
<b>MEP</b>	<b>: Member of European Parliament</b>
<b>MFA</b>	<b>: Multi-fibre Agreement</b>
<b>MFN</b>	<b>: Most Favoured Nation</b>
<b>NAFTA</b>	<b>: North American Free Trade Agreement</b>
<b>NAM</b>	<b>: Non-aligned Movement</b>
<b>NGOs</b>	<b>: Non-Governmental Organisations</b>
<b>NIEO</b>	<b>: New International Economic Order</b>
<b>NIPs</b>	<b>: National Indicative Programmes</b>
<b>OAU</b>	<b>: Organisation for African Unity</b>
<b>OCAM</b>	<b>: Organisation Commune Africaine et Malagache</b>
<b>OCTs</b>	<b>: Overseas Countries and Territories</b>
<b>OECD</b>	<b>: Organisation for Economic Cooperation and Development</b>
<b>OECS</b>	<b>: Organisation of Eastern Caribbean States</b>
<b>OPEC</b>	<b>: Organisation of Petrol Exporting Countries</b>
<b>PTA</b>	<b>: Preferential Trade Area</b>
<b>SADDC</b>	<b>: Southern African Development Coordination Conference</b>
<b>SAPs</b>	<b>: Structural Adjustment Programmes</b>
<b>SMEs</b>	<b>: Small- and Medium-sized Enterprises</b>
<b>SPEC</b>	<b>: South Pacific Bureau for Economic Cooperation</b>
<b>STABEX</b>	<b>: Stabilisation of Export Earnings Scheme</b>
<b>SYSMIN</b>	<b>: Stabilisation Scheme for Earnings from Mineral Products</b>
<b>UDEAC</b>	<b>: Customs and Economic Union of Central African States</b>
<b>UN</b>	<b>: United Nations</b>
<b>UNCTAD</b>	<b>: United Nations Conference on Trade and Development</b>

## **PROLOGUE**

**...If we cannot renegotiate, we wither and die!**

**- Vincent (Danny DeVito)**

**in TWINS, Universal City Studios, 1988**



## INTRODUCTION

This study deals with relations between the member states of the European Community and the African, Caribbean and Pacific (ACP) countries, but it focuses on the ACP countries with the aim of determining the appropriateness of ACP diplomacy to the objectives of ACP-EEC cooperation. It examines ACP-EEC cooperation in general and ACP diplomacy in particular and covers the period from the signing of the Treaty of Rome (1957) through to the entry into force of the Lomé IV Convention (1990). ACP diplomacy is evaluated to show that it can be dynamic where life-and-death issues such as toxic waste dumping and environmental degradation in Africa are concerned. However, as a result of the underdeveloped economic and political potentials of the ACP countries, ACP diplomacy remains essentially reactive especially over bread-and-butter issues such as aid and trade cooperation with the EEC. These issues, incidentally, are at the centre of ACP-EEC relations.

Several ideas and events mark the evolution of ACP-EEC cooperation and ACP diplomacy. Historically, the idea of an association between Europe and Africa grew out of the special relations which existed between France and her Overseas Countries and Territories (OCTs). These relations led to the granting of special trade concessions to the OCTs through their inclusion in Part IV of the Treaty of Rome which established the EEC in 1957.<sup>1</sup> Following independence in 1960, eighteen of the former French colonies signed

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<sup>1</sup>In keeping with the practice in most published works and official documents, the term EEC is used throughout this study rather than the more precise EC to refer to the European Community. The Community evolved to become the European Union (EU) following the entry into force of the Maastricht treaty on 1 November 1993: "Disunion greets birth of the European Union", Financial Times, October 30-31 1993, p.3. However,

two Yaoundé Conventions with the EEC in 1963 and 1969 respectively. Britain's successful bid to join the EEC in 1972-1973 later encouraged Commonwealth developing countries in Africa, the Caribbean and the Pacific to join the first Lomé negotiations which were concluded in 1975. Elements of present ACP-EEC cooperation and ACP diplomacy derive from these early initiatives.

It has often been said that ACP-EEC efforts in the Lomé Convention are insufficient. However, these efforts remain commendable especially in view of the stagnant North-South dialogue. As one ACP diplomat aptly put it: "Lomé is the only show in town."<sup>2</sup> Furthermore, at the signing of the third Convention in Lomé, capital of Togo, that country's President, Gnassingbé Eyadéma, declared that the renewal of the Convention constituted a proof of the effectiveness of the ACP-EEC instrument of cooperation.<sup>3</sup> The effectiveness of the Lomé Convention is certainly questionable, but the upward progression in the number of countries joining the Convention perhaps indicates approval of the efforts made in ACP-EEC cooperation.<sup>4</sup>

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the metamorphosis has not had an immediate effect on the organisation of the ACP and EEC structures discussed here. Besides, this study focuses on the period from 1957-1990.

<sup>2</sup>Cited by Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé III: New beginning for EEC/ACP Cooperation" in AussenPolitik, Vol.36, No.3 1985, p.177.

<sup>3</sup>Objectif Europe, Nos 26-27, Décembre 1984, p.3.

<sup>4</sup>Due to lack of space, and also as a result of the express bias in favour of the ACP countries, a complete text of the ACP-EEC Lomé Convention is not reproduced in this study. Instead, the Georgetown Agreement and the Suva Declaration - two documents relating to the establishment of the ACP group - are given in Appendices 1 and 2 respectively. For a complete text of the Lomé Convention, see special issues of The Courier: no.31, March 1975 for Lomé I; and no.58, November 1979 for Lomé II. For the

The number of participants on both sides of the negotiating table increases constantly but, clearly, there has been a greater increase on the ACP side. A total of 46 ACP countries joined the Lomé I Convention; 57 joined Lomé II which was signed in 1979, 66 joined Lomé III in 1984 and 69 joined Lomé IV in 1989.<sup>5</sup> ACP populations have also increased from 69 million people at Yaoundé I to 413 million at Lomé III<sup>6</sup> and 427 million at Lomé IV. Again, the ACP countries at Lomé III represented more than half of the world's developing countries. Furthermore, the Lomé Convention itself is far-reaching in that it gives duty-free access to the EEC market for nearly 99 per cent of ACP products without reciprocity.<sup>7</sup>

It is clear from the brief statistics that the ACP countries and the EEC member states are not contemplating the end of their relationship. Consequently, this study is based on the reasoning that, in ACP-EEC relations, there is a backlog of tasks in economic

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Lomé III and IV Conventions, see The Third ACP-EEC Convention of Lomé, Luxembourg: Office for Publications of the European Communities, 1985; and Compilation of Texts XV, Luxembourg: Office for Official Publications of the European Communities, 1992 respectively.

<sup>5</sup>Appendix 3 gives a list of 69 ACP countries by region, indicating state capitals, population size, land mass, and first treaty or convention signed with the EEC. The signing of the Lomé Convention by the EEC member states (currently 12) reflects membership of the Community: France, Belgium, Germany, Italy, Luxembourg and The Netherlands were the original member states in 1957; Britain, Denmark and the Republic of Ireland joined in 1973; Greece in 1982; and Spain and Portugal in 1986.

<sup>6</sup>"Bilan de la coopération financière et technique ACP-EEC 1976-1985" in Marchés Tropicaux et Méditerranéens, N°2138, 42<sup>e</sup> Année, 31 Octobre 1986, p.2721.

<sup>7</sup>Objectif Europe, *op. cit.*, pp.2-3.

development, both begun and unfinished.<sup>8</sup> It is, therefore, not feasible in the foreseeable future to complete all these projects, pay off all dues, and start fresh, radically different relations. Since that eventuality is not even on the agenda of ACP-EEC negotiations, and in consideration of the historical fact of interdependence among states, it is reasonable for ACP negotiators to invest their efforts in the elaboration of long-term projects.

Recent events in international relations, in particular, reforms in Eastern Europe and opportunities for Western investments in the former Eastern bloc countries, further underline the need for the ACP countries and the EEC member states to be more focused on the principles of the "model" relationship which they have established in the Lomé Convention.<sup>9</sup> Given that ACP-EEC relations will be continued, at any rate, into the foreseeable future, it makes good sense for the ACP countries to take an inward look and to re-orientate their negotiating strategies and demands for the establishment of adequate structures to confront the challenge of economic development. On the evidence reviewed in the thesis, there is certainly a need for the ACP countries to be more demanding, innovative and pro-active in their relations with the EEC.

Development theory has extensively explored the impact of contacts between Europe and Africa on Africa's development. Two critiques, one of intra-African relations and the other of Africa-developed world relations, have been made. On the one hand,

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<sup>8</sup>I. William Zartman, "Lomé III: Relic of the 1970s or Model for the 1990s" in C. Cosgrove and J. Jamar (eds.), The European Community's Development Policy: The Strategies Ahead, Bruges: Collège D'Europe, Cahiers N.S. 44, 1986, p.59.

<sup>9</sup>The first article of both the Lomé I and II Conventions affirms the desire to secure a "better balance" in the trade of the ACP and EEC countries while the first article of the Lomé III and IV Conventions expresses a resolve that ACP-EEC cooperation should constitute a model for North-South relations.

Vijay Gupta has demonstrated that colonisation adversely affected trade between two neighbouring African states where they happened to be under the rule of different metropolitan powers, and that colonisation obstructed the formation of natural markets, even within the framework of colonial divisions.<sup>10</sup> On the other hand, Bade Onimode has argued that contact with Europe through slavery and colonisation is the root cause of Africa's underdevelopment. Onimode pushes the argument to its extreme by drawing extraneous links to the internal causes of Africa's underdevelopment. The lack of modern democratic practice in Africa, for instance, is linked to the authoritarian nature of colonialism, while bloated military expenditure and neglect of investment in social infrastructures is explained by the fear of foreign intervention.<sup>11</sup> The debate is interesting; however, the present study is based on the contemporary era (1957-1990) and looks to the future on the principle of Africa's ability to control her own destiny. This implies that Africa, especially after 30 years of independence, should accept a fair measure of responsibility for policy implementation and economic development.

Present trends in ACP-EEC cooperation suggest that the *raison d'être* of the ACP group is relations with the EEC while the converse is far from being the case for the EEC. For example, concessionary resource transfers from the EEC have been seen as the reason

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<sup>10</sup>Vijay Gupta, "The ECOWAS and West European Colonial Heritage" in K. B. Lall and H. S. Chopra (eds.) The EEC and the Third World, Atlantic Highlands, N.J.: Humanities Press, 1981, pp.312-314.

<sup>11</sup>Bade Onimode, A Future for Africa - Beyond the politics of adjustment, London: Earthscan Publications Ltd, in association with the Institute for African Alternatives, 1992, pp.8-12.

for signing successive Lomé Conventions by almost all the ACP states.<sup>12</sup> The Community was not established as a result of the ACP countries, but neither was the ACP group constituted as a result of the Community. Certainly, the ACP countries came together for the first time in order to negotiate trade agreements with the EEC but they should not be written off as merely dependent on the EEC. In this consideration, it is worth recalling that the ACP group was formed by the ACP countries themselves in an effort to institutionalise the level of unity which they had achieved in the first Lomé negotiations in 1975. Moreover, as a result of these circumstances, the ACP group has developed a particular diplomatic strategy with regard to the EEC. Thus, the ACP group developed out of the historical and economic circumstances which linked Africa and Europe one to the other. And the evolution of ACP-EEC relations reflects the will of the ACP countries to exploit their European connections just as, for its part, the EEC led by France had worked to profit from her African connections. These considerations underlie our study of ACP-EEC cooperation and ACP diplomacy.

Other considerations bear upon ACP diplomacy in their negotiations with the EEC. The ACP countries have some characteristics in common (economic underdevelopment, small size of local markets, etc.). However, they also have ideological differences which are reflected in disagreement on certain issues. But, it is not unusual for the members of a coalition to disagree with each other. In some cases, the differences give some strength to the group as the different positions converge in the search for a compromise. With their differences and commonality of interests, the ACP countries are effectively treated as a group. ACP group diplomacy is examined through issues arising from the Lomé

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<sup>12</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", in Journal of Common Market Studies, Volume XXIII, No. 2, December 1984, p.105.

Convention.

By studying the issues raised in the Lomé Convention, we intend to analyze the workings of ACP-EEC cooperation and ACP diplomacy. This will enable us to identify areas where ACP diplomacy has been dynamic, or has remained reactive, in the goal of working in partnership with the EEC in the task of redressing development problems in the ACP states.

### Outline of Chapters

This study is made up of seven chapters. Chapter 1 surveys the literature on the Lomé Convention and related subjects as well as the aims, scope and methodology of the study. This chapter also gives some of the theoretical considerations of the study. The remaining six chapters are divided into two parts each of which is made up of three chapters. As this study focuses on ACP diplomacy within ACP-EEC cooperation, all the chapters deal with ACP-EEC relations in some detail. However, Chapters 2-7 are presented to underline different phases in the development of ACP diplomacy. There are three such phases. The initial phase (Chapters 2 and 3) relates to both reactive and dynamic African diplomacy. The second phase (Chapter 4) relates to dynamic ACP diplomacy at its zenith. The third phase is also the current phase (Chapters 5-7) and relates to reactive ACP diplomacy with bouts of dynamism.

Chapters 2, 3 and 4 (Part I) provide us with a background analysis to the subject of ACP-EEC cooperation and ACP diplomacy. However, the issues discussed in these chapters are not merely introductory to the present study: they form an integral part of the thesis because they enable us to identify evolving stages in ACP-EEC cooperation and

ACP diplomacy. Chapter 2 traces the events and ideas which led to the establishment of an association between the EEC and the ACP countries. Two historical events are evaluated in the consideration of the *origins* of ACP-EEC cooperation. Firstly, the special relations which existed between France and her former colonies contributed directly to the signing of two Yaoundé Conventions for former French colonies in the 1960s. Secondly, Britain's unsuccessful bid to join the EEC in 1961-1962 contributed indirectly to the signing of the Nigeria-EEC Agreement and the Arusha Accord in the 1960s for Nigeria and the East African countries respectively. Elements of later ACP-EEC cooperation derived from these initial agreements by retaining acceptable principles and abandoning controversial ones. Chapter 3 examines the differences and commonality of interests between the ACP countries through conceptions in the 1960s on ideological questions such as self-determination, independence, association, economic development, and international trade. The ACP group was not constituted until 1975 and a phase in African diplomacy characterised by both reactiveness and dynamism is identifiable through the discussions of these concerns of the immediate post-independence era. Chapter 3 also examines the commonality and divergence of interests between the ACP and the EEC.

Chapter 4 analyses the conflict, negotiations and coalitions which culminated in the signing of the first Lomé Convention in 1975. This phase witnesses the birth of ACP diplomacy strictly speaking and it is characterised by dynamism at its highest level. In this regard, it considers the inter-African arguments over reverse preferences as well as the role in decision making of major actors such as big member countries, the position of small members and effects of membership in regional organisations such as the OAU, ECOWAS, CARICOM and SPEC. Chapter 4 also evaluates the outcome of the first Lomé negotiations and the Georgetown Agreement which subsequently institutionalised the ACP



group.

Chapters 5, 6 and 7 (Part II) examine contemporary ACP-EEC relations and ACP diplomacy in practice through the functioning of ACP organs, EEC departments and joint ACP-EEC institutions. Chapter 5 looks at the internal diplomacy of the ACP group through ACP organs, procedures for negotiations and joint ACP-EEC structures as well as specific EEC departments and institutions which are concerned generally with EEC development cooperation policy, and those structures concerned specifically with the ACP countries. The effect of the organisation of these structures is related to ACP group coordination and an attempt is made to ascertain the impact of these arrangements on ACP bargaining strategy. The relative smallness in ACP staff numbers and lack of expertise in comparison to the EEC point to overwhelming evidence that current ACP diplomacy is essentially reactive on bread-and-butter issues such as aid and trade relations with the EEC.

Chapters 6 and 7 deal with the major issues raised at the negotiation of each Convention from Lomé I-IV. Chapter 6 studies the main issues raised during the Lomé I and Lomé II negotiations in 1973-1975 and 1978-1979 respectively. For example, the implied principles of ACP-EEC cooperation, i.e. aid and trade preferences, formed the basis of these early ACP-EEC negotiations. The concepts of aid and trade preferences are discussed with reference to ACP collective bargaining and the GSP introduced by the EEC in 1971. STABEX, a scheme for the stabilisation of foreign exchange earnings for certain agricultural products in vulnerable ACP states which was introduced at Lomé I and SYSMIN, a comparable scheme for mineral products which was introduced at Lomé II are both also discussed in Chapter 6.

Chapter 7 evaluates the major issues and innovations at the Lomé III and Lomé

IV negotiations in 1983-1984 and 1988-89 respectively. The questions of human rights and "policy dialogue" were topical at Lomé III while the environment and the notion of sustainable development became crucial issues at Lomé IV. Regional Cooperation is also discussed in this chapter. Although regional cooperation was incorporated in ACP-EEC relations since Lomé I, it represents one of the most important - and at the same time one of the most elusive - areas of ACP-EEC cooperation. We consider the discussion of regional cooperation at the end of the last part of the study to be symbolic because the spirit of ACP-EEC cooperation can be related to the principle of regional integration. With regard to ACP diplomacy, Chapters 6 and 7 further demonstrate the reactivity of ACP diplomacy on aid and trade issues. However, ACP diplomacy has also known spasms of dynamism especially on life-and-death issues such as toxic waste dumping in Africa and protection of the environment. Dynamic ACP diplomacy is captured through discussions of these issues in Chapter 7.

The conclusion incorporates a discussion of the problems and prospects of ACP-EEC cooperation and ACP diplomacy. It addresses the question of the appropriateness of ACP group diplomacy in responding to the objectives of ACP-EEC cooperation as set out in the Lomé Convention. Among other things, it summarises the various recommendations which have been made by ACP and EEC experts or diplomats, as well as this writer's suggestions, aimed at maximising the effectiveness and, by extension, the benefits of ACP diplomacy in ACP-EEC cooperation.

## **CHAPTER ONE:**

### **SURVEY OF THE LITERATURE AND THEORETICAL CONSIDERATIONS**

#### **1.1 SURVEY OF THE LITERATURE<sup>1</sup>**

Literature for this study can be classified into two broad subject areas according to whether they deal with ACP-EEC trade relations or whether they deal with the ACP group as an established institution and assess ACP diplomacy. In general, studies in the first category assess ACP-EEC cooperation within the context of international political economy while those in the second category assess ACP-EEC relations from an institutional, group diplomatic or legal perspective. However, it is worth noting that there is no watertight categorisation of the literature. The subject areas are inter-related: one particular aspect of ACP-EEC cooperation may motivate a given study, but the final work cuts across different aspects of the relationship.

##### **1.1.1 ACP-EEC Trade and Political Relations**

Works in this category look at the political economy of ACP-EEC relations. They also examine trade under successive conventions and sometimes evaluate the progress made in ACP-EEC cooperation from one convention to another. Trade is the main focus of ACP and EEC relations, but Commonwealth countries were noticeably absent from EEC trade cooperation in the 1960s, except for the Nigeria-EEC Agreement in 1966 and

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<sup>1</sup>Details concerning the publishers of works surveyed in this section can be found in the Bibliography.

the Arusha Accord between the EEC and the East African Community (consisting of Kenya, Tanzania and Uganda) in 1969. As a result of the relative absence of English-speaking participants, there are few English-language publications on Eurafrikan cooperation during this period. One exception, however, is P. N. C. Okigbo (Africa and the Common Market, 1967) which gives a clear account of the issues which were involved in the first Yaoundé and the Nigerian negotiations.

Most of the literature on Eurafrikan trade relations after the signing of the Treaty of Rome was based precisely on that Treaty and the later Yaoundé Conventions. Pierre-Bernard Cousté (L'Association des Pays d'Outre-Mer à la Communauté Economique Européenne, 1959) studies the aspects of the Treaty of Rome which relate to the associated territories. Daniel Vignes (L'Association des Etats Africains et Malagache à la CEE, 1970) and Jacques Bourrinet (La Coopération Economique Eurafrikanne, 1976) both assess Eurafrikan relations during the period of the Yaoundé Conventions. It is clear that these works were produced by French authors, some of whom treated EEC development policy as strictly relations between France and her Overseas Countries and Territories (OCTs). Indeed, during this period, Britain and the Commonwealth developing countries had not maintained relations with the Community long enough to generate a comparable volume of literature in English. The Nigeria-EEC Agreement, in fact, never came into effect.

However, when it became apparent in the early 1970s that Britain would bid again for EEC membership (following unsuccessful bids in the 1960s), there was renewed interest in the Commonwealth countries for the EEC. In Britain, EEC-related studies were based on the merits for Britain of accession to the Treaty of Rome. However, prospects for trade with the Commonwealth African countries were sometimes analyzed to assess

the extent to which it would be affected especially within a protected EEC. "The Phoenix is short-sighted - A survey of the prospects for European unity", special report by Norman Macrae in The Economist, 16 May 1970 centred on the benefits of EEC membership for Britain. On the other hand, Tom Soper (Britain, the EEC and the Third World, 1971) considers Britain-Commonwealth economic relations and notes such anomalies in the Imperial Preference System as EEC-associated East African Commonwealth countries granting preferences to EEC member countries and against Britain.

Britain's final accession to the Treaty of Rome in 1973 and subsequent participation of the Commonwealth developing countries in the first Lomé Convention brought about a change in the treatment of Eurafrikan relations. A new phase emerged in EEC development policy which could only then be properly called ACP-EEC cooperation. The ACP also established itself as a group during this period. Henceforth, publications on the specific EEC development cooperation policy towards the African countries began to proliferate in English. In addition, these publications pioneered a new methodology which has come to dominate the analysis of ACP-EEC cooperation, namely, the assessment of past and present ACP-EEC Conventions.

Carol Cosgrove Twitchett (A Framework for Development: The EEC and the ACP, 1981) analyses ACP-EEC trade, aid, stabex and industrialisation under the Lomé I Convention, and then assesses the Lomé II Convention which had just come into force. Following this type of analysis were political economy assessments such as Christopher Stevens (The New Lomé Convention: Implications for Europe's Third World Policy, 1984) and, later, Marjorie Lister (The European Community and the Developing World, 1988). Similarly, Gérard Brayer (Europe-Tiers Monde, Lomé: Une nouvelle coopération douanière?, 1989) analyses trade cooperation, but goes a step further and studies the EEC

and the ACP countries as members of a large free trade area. Brayer applies the mechanisms of a customs union to their activities under both the Yaoundé and the Lomé Conventions.

ACP-EEC cooperation was designed from the outset to represent a model for North-South relations. Consequently, Lomé is a "framework convention" which covers a wide variety of the economic and political activities involved in North-South relations. Perhaps due to its extensiveness, a volume can literally be produced on each area relating to ACP-EEC relations as, indeed, Christopher Stevens (ed.) has done in six separate surveys entitled EEC and the Third World (1981-1987) and as the Revue du Marché Commun did in April 1986 when it devoted an entire issue (No.296) to the Lomé Convention. Also, for reasons of extensiveness of the subject, the bulk of studies on ACP-EEC relations are presented in the form of short articles in scholarly journals. Some of the most important references for the present study come from such journal articles which generally deal with specific areas of ACP-EEC cooperation.

Some of these articles include Matthew McQueen ("Lomé and Industrial Cooperation - the Need for Reform" in Journal of World Trade Law, 1983). McQueen looks at ACP-EEC industrial cooperation and attributes the poor performance of ACP exports to restrictive trade measures of the EEC and the limited capacity of the ACP countries to export processed primary products and manufactured goods. Guy Martin ("African-European Economic Relations under the Lomé Convention: Commodities and the Scheme of Stabilization of Export Earnings" in African Studies Review, 1984) analyses the stabex. And, Otto Schmuck ("Half-time in Lomé IV Negotiations" in Development and Cooperation, 1989) gives political and economic reasons for the continuation of Lomé relations despite the half-hearted commitment of the partners. The

stated reasons are that Lomé is a show-case of EEC development cooperation, the EEC member states need raw materials supplied by the ACP countries; and for their part, the ACP countries need an export outlet for the primary products of their mono-cultural economies.

Numerous important articles under editors have been published since the pre-Lomé era. One pre-Lomé publication which gives an insight into the origins of ACP-EEC relations is Ali A. Mazrui ("African Attitudes to the European Economic Community" in Lawrence B. Krause (ed.), The Common Market: Progress and Controversy, 1964). More contemporary articles dealing with specific aspects of ACP-EEC cooperation include Joshua C. Anyiwo ("Industrial Cooperation in the Lomé Convention" in Frans A. M. Alting von Geusau (ed.), The Lomé Convention and a New International Economic Order, 1977) and James Mayall ("The Implications for Africa of the Enlarged European Economic Community" in Timothy M. Shaw and Kenneth A. Heard (eds.), The Politics of Africa: Dependence and Development, 1979). Anyiwo criticises lack of adequate financial and technical provisions for the difficulties of industrial development in the ACP countries, and Mayall argues that the enlargement of the Community in 1973 helped to promote African unity because, their initial differences notwithstanding, the French- and English-speaking African countries at the end negotiated jointly with the EEC.

Similar contemporary analysis of ACP-EEC relations is offered in French by Sophia Mappa ("Les relations Nord-Sud dans les migrations des pays ACP vers la CEE: défis et impasses de la coopération" in Sophia Mappa, (éd.), Ambitions et Illusions de la coopération Nord-Sud: Lomé IV, circa. 1990), and Gérard Grellet ("Le processus d'ajustement dans les pays ACP" in Sophia Mappa (éd.), Ambitions et Illusions de la coopération Nord-Sud: Lomé IV, circa. 1990). Mappa and Grellet discuss the impact of

international migration and structural adjustment respectively on ACP-EEC cooperation.

Apart from the above-mentioned sources, literature for the study of ACP-EEC relations is also produced by Non-Governmental Organisations (NGOs) and ACP-EEC organs. The Lomé Briefing series, edited by Myriam Vander Stichele, was produced during the negotiation of Lomé IV by the Liaison Committee of Development NGOs at the European Commission. The Committee was made up of researchers from several EEC and ACP countries. Similarly, The Courier magazine which gives general features of ACP-EEC cooperation and country profiles is published by the European Commission, with occasional editorial contribution from the ACP Secretariat. DG VIII also compiles reports, for example, Ten Years of Lomé. A Record of ACP-EEC Partnership 1976-1985 (1986), assessing the progress achieved by ACP-EEC cooperation, with listings of projects funded by successive European Development Funds (EDFs).

#### 1.1.2 ACP-EEC Institutions and ACP Diplomacy

Publications in this category assess the organisation and functioning of ACP-EEC institutions and consider the relevance of ACP diplomacy to the aims of development cooperation. In this area, I. William Zartman (The Politics of Trade Negotiations between Africa and the European Economic Community - The Weak Confront the Strong, 1971) gives a detailed account of the issues which influenced negotiating positions in early Eurafrikan relations. Sylvain Camara ("La Convention de Lomé et les investissements étrangers dans le Tiers Monde" in Afrique Contemporaine, 1984) gives a chronological account of evolving ACP and EEC positions in the negotiations preceding the signing of Lomé II on the specific subject of the protection of private European investments in the



ACP countries.

Tony Hill ("Un Nouveau Souffle pour Lomé" in Objectif Europe, 1984) discusses the difficulties faced by ACP diplomacy and points out that ACP countries are scattered around the globe, have opposing interests, and only react to EEC proposals but are not innovative. A similar critical assessment is given by Adrian Hewitt ("The Lomé Conventions: Entering a Second Decade" in Journal of Common Market Studies, 1984). Hewitt analyses the Lomé negotiating arrangements and considers the division of the ACP for concessionary purposes into least-developed, land-locked and island countries thereby obliging these countries to negotiate separately with the EEC. He then states that the Community has found it easy to apply the policy of divide and rule, especially as the EEC definition of "least developed" is different from the accepted UN definition.

I. William Zartman ("Lomé III: Relic of the 1970s or Model for the 1990s" in C. Cosgrove and J. Jamar (eds), The European Community's Development Policy: The Strategies Ahead, 1986) makes suggestions pertaining to ACP diplomacy such as the strengthening of the ACP Secretariat and the negotiation of yearly Conventions. The suggestion to strengthen the ACP Secretariat recalls a statement by the former ACP Secretary-General Edwin Carrington ("Le rôle du Secrétariat Général ACP" in Le Courier n°102, 1987) that the ACP Secretariat is one of the institutions best placed to function as a secretariat to all developing countries.

One of the rare works which consider the ACP countries in a group diplomatic context is John Ravenhill (Collective Clientelism - The Lomé Conventions and North-South Relations, 1985). On case studies, it has been shown by Trevor W. Parfitt "EEC Aid in Practice: Sierra Leone" and Adrian Hewitt "Malawi and the EEC: the First Seven Years" both in Christopher Stevens (ed.), EEC and the Third World: A Survey 4 (1984)

that EEC aid has, in sum, been insufficient due to a combination of insufficiency of funds and improper local administration.

On special issue areas, Paul Collier ("Africa's External Economic Relations 1960-1990" in Douglas Rimmer (ed.), Africa 30 Years On, 1991) has stressed the need to rethink the franc zone because of the impending monetary union of Europe. To this end, Amadou B. Touré ("Les pays africains face à l'échéance européenne de 1992" in Marchés Tropicaux et Méditerranéens, 1991) has proposed the establishment of an African currency with a fixed parity to a future European currency and envisages a Eurafrican currency system similar to the French operated CFA zone, although the European monetary system would include English-speaking African countries such as Nigeria. These suggestions are similar to those offered by Patrick et Sylviane Guillaumont ("Monnaie européenne et monnaies africaines" in Revue Française d'Economie, 1989) and modified into English with an English-speaking bias as "The Implications of European Monetary Union for African Countries" in Journal of Common Market Studies, 1989. The English-speaking focus stresses the incentive for Britain's traditional African trading partners to peg their currencies to a Eurafrican currency system if Britain joins the European Monetary Union (EMU).

Several other special issue areas have been discussed including Francisco Granell ("El acceso de Haiti y Republica Dominicana a las ayudas del Convenio de Lomé" in Revista de Instituciones Europeas, 1991) who examines the problems faced in the implementation of the Regional Cooperation Fund by the CARICOM Secretariat following the accession of Haiti and the Dominican Republic to the Lomé Convention, particularly in view of the fact that the two new Caribbean members as well as Surinam are non-members of CARICOM.

ACP-EEC relations can also be assessed from a legal perspective. José Heredia (Las Relaciones de Cooperación para el Desarrollo CEE-Estados ACP, 1985) concentrates on the association agreements and related documents as well as on the legal framework of EEC development cooperation policy with the ACP countries. Michael K. Addo ("Some issues in European Community Aid Policy and Human Rights" in Legal Issues of European Integration, 1988) focuses on the legal aspects of the ACP-EEC policy dialogue and human rights debate and argues that the differences between the EEC and the ACP countries on those issues were over the means to be adopted rather than the end (improving aid effectiveness) on which both parties were in agreement.

#### 1.1.3 Other Related Publications

Mention still needs to be made of two other categories of publications which are of relevance to the subject of ACP-EEC cooperation. The first category relates directly to the subject but was not classified above because it is not author-produced. This category includes specialist reviews which target international investors but report occasionally on specific aspects of ACP-EEC agreements. These reviews include Marchés Tropicaux et Méditerranéens (various); Multinational Business (cf. "What's new in Lomé III?", No.2 1985); and Transnational Associations (cf. "Lomé IV et l'environnement: les propositions des associations européennes", No.4, Juillet-Août 1989). Another occasional newsletter is Ecomonde Service which has been published during negotiations for each Convention since Lomé II. It is an authoritative and useful reference.

The second category of related publications comprises those which are useful as references but do not deal directly with ACP-EEC relations. Some of these focus on the

concepts of diplomacy and negotiations, others centre on the institutions and structures of the EEC, and yet others deal with general developed-developing country relations. Among those focusing on diplomacy and negotiations are Fred Charles Iklé (How Nations Negotiate, 1964) and Gerard Curzon (Multilateral Commercial Diplomacy, 1965). Those which centre on the EEC include T. C. Hartley (The Foundations of European Community Law, 1981) and Paul Taylor (The Limits of European Integration, 1983). Hartley explains the relationship between Commission and Council decisions, directives, recommendations, and so on and Taylor discusses Community decision-making procedures. Finally, those publications which deal with general developed-developing country relations include Peter Tulloch (The Politics of Preferences, 1975) and Marc Williams (Third World Cooperation: the Group of 77 in UNCTAD, 1991). Several other works relating to the thesis are listed in the Bibliography.

## 1.2 AIMS, SCOPE OF THE STUDY, METHODOLOGY AND THEORETICAL CONSIDERATIONS

### 1.2.1 Aims of the Study

Survey of the literature in the previous section has shown that some aspects of ACP-EEC cooperation have not received adequate consideration. For example, the scope of previous studies have tended to be limited both by the issues raised and the number of Lomé Conventions used in the analysis. Furthermore, the spirit of the ACP-EEC relationship has not been reflected in previous studies which have tended too often to be uni-dimensional, being either mainly French- or English-inspired in terms of the issues considered or the sources of materials used. Again, ACP diplomacy and negotiating strategy have not been properly explored and the concept of group as it applies to the ACP countries has not been adequately discussed.

Any study on ACP-EEC cooperation reflects the relevant issues of its time. And time has given us the advantage of being able to discuss a wider range of issues, elaborated over four Lomé Conventions with the added possibility of drawing on examples or experiences from two Yaoundé Conventions. The present study aims to take full advantage of this historical facility. Furthermore, linguistics will be put to beneficial use through a wider consideration of the literature in English, French and Spanish - especially useful in view of the fact that the Dominican Republic joined the ACP group in 1990. The wider linguistic consideration will take account of diverse motivating interests in ACP group cohesion. From an ACP-EEC perspective, this will not only place emphasis on France and Britain as the focus of early ACP-EEC relations, but will also allow us to

consider the EEC and the ACP countries individually or collectively through, for example, interviews and discussions with a wider variety of ACP and EEC representatives than is usually found in the literature. With regard to ACP diplomacy, the issues raised in this study demonstrate that ACP diplomacy can be dynamic in some areas - usually over life-and-death issues, although it is essentially reactive - especially over bread-and-butter issues which remain the crux of ACP-EEC cooperation.

The question of the appropriateness of ACP diplomacy to the aims of ACP-EEC cooperation is addressed in this study through an analysis of the ways in which the ACP countries are constrained or motivated by the particular nature of their evolution in international relations. Thus, the ACP countries and their response to, or their diplomacy towards, EEC development cooperation is studied within the framework of other international developments. For example, the difficulty in forming an African consensus with regard to the EEC during the 1960s is related to the different colonial systems which existed in Africa and, subsequently, to the varying levels of appreciation of Eurafrikan colonial relations by African post-independence leaders.

Similarly, the inter-African quarrel over reciprocity, or reverse preferences, is related to different African ideologies and conception on economic development, for example, Nigeria's stance against reverse preferences in international fora such as the UNCTAD and the GATT. Finally, this study aims to show that international factors such as an understanding reached between the United States and the EEC over the extension of trade preferences to all developing countries under the Generalised Scheme of Preferences (GSP) implied that non-reciprocity would be acceptable in the EEC association. This consequently weakened the argument of the Associated French-speaking countries for reverse preferences and facilitated joint African negotiations with the EEC.

The principle of cooperation is emphasised in the thesis to reflect our interpretation of contemporary relations between the ACP countries on the one hand, and the EEC on the other. Eurafrican relations could be evaluated from three perspectives: colonial history, political economy of independence or juridical perspectives. Each approach allows a specific type of analysis. The first two, that is the colonial history and the political economy approaches, will tend to reveal a bias against Africa since it will almost certainly portray the continent as being composed mainly of former colonies. Thus, European initiatives will be seen to take precedence over African ones and European nations will be seen as active players which set the direction and the pace for Eurafrican relations. However, the juridical approach is adopted here to augment the literature which tends to be mainly based on the other two perspectives. The juridical equality approach is used to emphasise that more than thirty years after independence the ACP and the EEC can properly be considered *de jure* equal cooperating partners although, *de facto*, differences exist among them.

This approach has several merits which underline the exception of the present study to other literature on ACP-EEC cooperation. It avoids the traditional approach of seeing the ACP simply through EEC initiatives and analyses ACP actions within a wider international context. It is also a novel approach in that it does not consider the ACP countries as mere aid recipients but considers them as partners in cooperation with the EEC member states albeit partners in an unorthodox bargaining position. Of course, the peculiar history of the ACP countries can be a constraint on their choice of any particular development strategy or relations with certain trade partners. But so also, if well thought out, can that history facilitate a development strategy or special relations with other trade partners. Above all, the juridical equality approach implied in this study brings together

both historical and economic considerations by studying the ACP as any other group in international relations characterised by factors other than dependence and exploitation.

### 1.2.2 Scope of the Study and Methodology

This study covers the period from the signing of the Treaty of Rome (1957) through to the entry into force of the Lomé IV Convention (1990). However, there are specific periods of focus. Indeed, the embryonic phase of ACP-EEC cooperation was the period 1957-1973, from the signing of the Treaty of Rome through to the end of the Yaoundé II Convention. Similarly, the high point of ACP joint negotiation was the period 1973-1975, from Britain's entry into the EEC to the signing of the Lomé I Convention. These two periods will be focused upon for their relevance to the development of ACP group diplomacy. In addition, examples of Eurafrikan relations or ACP-EEC cooperation which support the thesis will be drawn from the period before 1957 and the period from 1990 to the present respectively.

At an earlier stage in this study, a questionnaire was prepared in both English and French. The aim of the questionnaire was to determine the level of consciousness of regional economic organisations in Africa, the Caribbean and the South Pacific (ECOWAS, CARICOM and SPEG respectively) and to ascertain the level of awareness on the ACP group by comparing knowledge of the Lomé Convention with that of these regional organisations.<sup>2</sup> The questionnaire was distributed to different categories of persons interested in the ACP countries. These included diplomats, lecturers, students and other

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<sup>2</sup>Arlene Fink and Jacqueline Kosecoff, How to Conduct Surveys. A Step-by-Step Guide, London: Sage, 1985 was a useful reference in preparing the questionnaire.



informed people in both French- and English-speaking African, Caribbean and Pacific countries. A total of 130 questionnaires were distributed and 75, that is 58 per cent, were returned.<sup>3</sup>

The following observations can be made from the response to the questionnaire. For obvious professional reasons, diplomats from all regions showed full awareness of their own regional organisations, the organisations of other ACP regions, and the ACP group/Lomé Convention. Lecturers and students, for their part, generally showed full awareness of the regional organisations in their region of interest but appeared uninformed of the other regional organisations or of the ACP group/Lomé Convention. A noticeable exception is the specialised category of lecturers and students in the Social Sciences who showed awareness of regional organisations in their area of interest as well as the Lomé Convention, but not necessarily an awareness of the ACP group. This indicates that the Lomé Convention (especially viewed as part of EEC development policy) is better known than the ACP group (the other half of ACP-EEC cooperation).

However, between the French- and English-speaking categories, sharply differing levels of awareness of the ACP group/Lomé Convention were recorded: 100 per cent for the French- and only 50 per cent for the English-speaking persons questioned. The full awareness rate of the French-speaking participants is hardly surprising since virtually all French-speaking African countries have participated in EEC development cooperation since independence; in other words, for a longer period than their English-speaking counterparts. Again, EEC development cooperation has been promoted and conducted almost exclusively by the French since the signing of the Treaty of Rome in 1957. EEC Commissioners do not take instructions from their home governments but it is instructive

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<sup>3</sup>See Appendix 4A for a copy of the questionnaire in English.

to note that the Italian Lorenzo Natali who became EEC Development Commissioner at the beginning of January 1985 was the first non-Frenchman to assume this function in the Commission.<sup>4</sup> The late Natali succeeded five French Commissioners in charge of EEC development cooperation: Robert Lemaigen, Henri Rochereau, Jean-François Deniau, Claude Cheysson, Edgar Pisani.<sup>5</sup> Natali was succeeded by the Spaniard Manuel Marín who is current Development Commissioner.

Finally, the high level of awareness in the French-speaking countries is not surprising against the consideration that participation in EEC development cooperation via the Lomé Convention and the ACP group has become a matter of public interest and of political recognition. During the May 1993 ACP Council of Ministers meeting in Brussels, the fact that Zaire was barred from attending was broadcast on the local radio thereby publicising the ACP group particularly among the Zairian community in Brussels and, by the same token, emphasising loss of recognition for Mobutu's government which had so far resisted the winds of democratisation blowing across Africa.

On the whole, the findings of the questionnaire underline the need

- 1) for a new approach to be taken in ACP-EEC research - one which focuses more on the ACP, and
- 2) for the above approach to be directed to speakers of the English language.

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<sup>4</sup>Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé III: New beginning for EEC/ACP Cooperation" in AussenPolitik, Vol.36, No.3 1985, at footnote, p.177.

<sup>5</sup>Jacques Ferrandi, "Lorenzo Natali m'a dit...", Interview in Marchés Tropicaux et Méditerranéens, N°2194, 43<sup>e</sup> Année, 27 Novembre 1987, p.3141.

The present study clearly addresses these needs.

The process of data collection was in two stages. The first stage involved the collection of secondary source materials and the second stage involved the collection of primary source materials. In essence, the first stage consisted of readings from relevant books and articles while the second consisted of readings from ACP and EEC publications and interviews or discussions with various persons interested in ACP-EEC relations as specialists, diplomats or negotiators. As part of the second stage of data collection, this writer visited Brussels in January 1992 and January 1993 prior to a three-month stay in Belgium from March-May 1993. Interviews were conducted with the Chief of Protocol at the ACP Secretariat (M. A. N. Barry); Section Coordinator at the European Commission Directorate-General VIII for Development (Mr. James Moran); longest-serving ACP Ambassador in Brussels (His Excellency Raymond Chasle of Mauritius); and Head of Chancery of the biggest ACP member country (Mr. O. G. Nnaji of Nigeria). In addition, several less formal discussions were held with specialists of ACP-EEC cooperation.

Materials on the origins of ACP-EEC relations are collected mainly from published works and complemented by interviews with ACP and EEC experts, negotiators and diplomats. Materials on the institutional structures of ACP-EEC cooperation are partly collected from published works, principally from ACP and EEC working documents and complemented by discussions with ACP and EEC personnel concerned with development cooperation. Finally, the primary source of materials on ACP negotiating positions is minutes of ACP and EEC meetings and where possible specialist articles. These include reports on Development Cooperation from the EEC Commission and the European Parliament.

However, there were certain problems with collecting materials from ACP and

EEC working documents and minutes of meetings. Earlier versions of these documents outlined the positions of particular EEC and ACP countries at various stages in the development of particular issues which eventually evolved into specific articles or protocols in subsequent Lomé Conventions. But more recent versions no longer state the particular EEC or ACP country which initiates a given proposal. Indeed, more recent Development Committee documents do not state the side (ACP or EEC) which makes a proposal. Perhaps in a bid to present a façade of united ACP-EEC coalition, these documents have moved from stating the country from which a proposal emanates as was done, for example, in the ACP-EEC Annual Report 1976-77 and the Second Annual Report 1977-78.<sup>6</sup> Instead, subsequent documents, for example, European Working Document 2-1104/84<sup>7</sup> simply state the side (ACP or EEC) which makes a proposal.

Consequently, finding out specific development of country or regional positions, or the evolution of given issues has involved consulting specialist publications and discussing with persons closely familiar with the negotiations. For example, Lomé appears to be established as the ACP-EEC Convention signing city. However, based on close study of specialist publications and interviews, we now know that the venue for the signing of each ACP-EEC Convention was always open to debate.<sup>8</sup>

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<sup>6</sup>The 1976-77 Report discusses Somali bananas, p.13 while the 1977-78 Report discusses Botswana's beef and veal, p.15. But in these reports, it is clearly stated that such and such country representative raised a particular point.

<sup>7</sup>PE 93.106/fin., "Report on the achievements of the ACP-EEC Joint Committee and Consultative Assembly", 28/11/84, p.13.

<sup>8</sup>Despite being chosen for the first signing ceremonies, Lomé was not always an undisputed venue for the signing of subsequent Conventions. In the run-up to the signing of the second ACP-EEC Convention, Khartoum was tipped as the favourite candidate:

No particular preference is given to English texts over French or Spanish ones. For example, the choice of the language editions of The Courier magazine to be used depended more on the copies available than on a preference for a particular edition. Thus, during research at the EEC Commission Library in Brussels, French editions of texts were more often used, especially where English versions, being more highly in demand, were unavailable. However, within the body of this study, English terms, expressions or citations are used instead of their French or Spanish equivalents. Where a citation is given in one of those other languages, this writer's personal translation is given in the body of the text and the original text is printed in the footnote for further reference.

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Ecomonde Service n°53, le 12 juillet 1979, Partie IV, p.9. We know that the Convention was eventually signed at Lomé.

By the third negotiations, however, Lomé had established itself as a permanent venue. Mauritius was a strong contender for the third signing ceremonies, but as that country's Ambassador to the EEC, H. E. Raymond Chasle, revealed in a personal interview on 21 May 1993, Mauritius had to drop her bid when it turned out that despite initially obtaining the support of up to 40 ACP countries she would have received the final support of only 15 countries. This was because the idea of signing the Convention in Togo had become enshrined in the minds of the negotiators due to the availability of adequate accommodation and security facilities in Lomé.

### 1.2.3 Theoretical Considerations

Theoretical analysis of ACP-EEC cooperation provides a framework for insight into the construction, development and maintenance of ACP group diplomacy. Diplomacy is concerned with the management of relations between states and between states and other actors.<sup>9</sup> It refers to the interaction of these actors in which each participant aims to gain for his or her country or organisation some advantage, favour or prestige from others. Diplomacy goes back to early relations between states. But, in the period following the first and second World Wars, and in view of the tragedies with accompanied those wars, a particular awareness emerged among states based on the merits of harmonious coexistence and peaceful resolution of conflicts. Modern diplomacy then emerged on the basis of the principle of pacific coexistence among states.

The evolution of modern diplomacy was facilitated by the development of efficient transportation and telecommunications which led to increased interactions among different states. This also led to increasing cooperation among these states. Modern diplomacy was further facilitated by the political independence in the 1960s of several formerly colonised countries and territories resulting in a considerable increase in the number of sovereign states. Dialogue between the emerging entities and other states, in particular on economic issues, was provided within the framework of modern diplomacy. Diplomacy is multi-faceted and the procedures adopted to achieve set goals vary. One of the main types of diplomacy is conference diplomacy. But, this is a generic term which describes international meetings held on a high ministerial or professional level to discuss a subject of international political or economic interest. Conference diplomacy often leads to the

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<sup>9</sup>R. P. Barston, Modern Diplomacy, London: Longman, 1988, p.1.

creation of new organisations or the establishment of new codes of conduct or new principles of international law. A conference can also refer to the qualification of its participants, for example, a conference of technical experts or a summit conference of Heads of State and Government.

In the same manner, a trade conference refers to meetings held to discuss questions relating to trade between the countries concerned, and one clear example is the United Nations Conference on Trade and Development (UNCTAD). This type of conference relates to the principles of international trade and the diplomacy adopted is called trade or economic diplomacy. Trade relations by their nature are based on peaceful, that is non-military, co-existence. When conflict occasionally arises, actors in these relations usually resort to dialogue with the aim of arriving at a compromise. Peaceful economic diplomacy has thus become an established area of modern diplomacy.

ACP-EEC cooperation is based primarily on the maintenance of economic relations. The ACP group is specifically concerned with improved and sustained trade relations with the EEC. This is stated as one of the main objectives of the group.<sup>10</sup> It can therefore be stated that the ACP countries adopt economic diplomacy in their relations with the EEC. Moreover, the ACP countries adopt group diplomacy in their relations with the EEC because they are made up of different participants each working towards common benefits for all the members of the group. Indeed, group diplomacy takes place when two or more states work towards the attainment of some set objectives. It implies the existence of a coalition which has continuity at least up to a point where the principal objectives

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<sup>10</sup>Article 2 (a), (b) and (c) of the Georgetown Agreement which established the ACP group in 1975 reaffirms the desire of the ACP countries to strengthen relations with the EEC on the basis of the Lomé Convention. See Appendix 1.

are achieved. The furtherance of the interests of the members is a characteristic of groups or organisations with an important economic aspect.<sup>11</sup>

States constantly negotiate to join organisations of which they are not members, or they try to leave organisations of which they are already members. For any given state, this is an expression of her independence and sovereignty. However, each time an intention is expressed to join or to leave a coalition, such intention provokes reactions from the members of the gaining, as well as those of the losing, coalition. It is pertinent to note in this regard that France insisted on the inclusion of the OCTs in Part IV of the Treaty of Rome in 1957. This was done as a result of the perceived disruptive effect of the European Common Market on the Franco-African Community. Similarly, Britain's initial attempt to join the EEC in the early 1960s and, later, her successful signature of the Act of Accession in 1972 provoked interesting discussions on EEC association for Commonwealth developing countries. Protocol 22 of the Act in turn facilitated the establishment of favourable relations between the EEC and the Commonwealth Associates. Reactions provoked by imminent or real changes in the membership of an organisation are reflected in the declarations or resolutions of its members. These reactions can be recorded through a study of individual members, sub-groups of members or the group as a whole. In other words, the effects of change on coalition can best be understood within the context of group diplomacy.

The study of a group explores the effects on individuals, organisations or states of dynamic factors such as the increase or decrease in the membership of the group or the increase or decrease in available benefits to the members of the group. Social

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<sup>11</sup>Mancur Olson, The Logic of Collective Action - Public Goods and the Theory of Groups, London: Harvard University Press, 1971 (Eighth Printing, 1980), p.5.



psychologists justify the study of group behaviour by maintaining that the attitude of one or several members of a group is modified as a result of an association or dissociation of other members.<sup>12</sup> This principle can be applied to interstate relations to justify the study of group diplomacy because the behaviour of states regarding a concept or ideology influences other states when, for example, one state leaves or another joins a group. In Eurafrican relations, despite strong initial criticisms of the EEC association by the Commonwealth African countries, Nigeria's subsequent decision to negotiate an agreement with the EEC in the mid-1960s clearly weighed on the East African Commonwealth countries which later negotiated their own accord with the Community. These combined Euro-African efforts facilitated the conclusion of the joint ACP-EEC Lomé Convention in 1975.

The concept of influence as an essential feature of collective action can also be applied to the study of group diplomacy. Within a group, members influence each other, for example, when the opinions or actions of some members are modified by the opinions or actions of other members. Two contrasting categories of influence situation can be identified. In the first, the source of influence is a majority and, in the second, the source of influence is a minority. Dynamics of influence are traditionally studied as a form of dependence which ensures the dominance of the majority or superior party over the minority or subordinate party. However, the concept of minority influence in group consensus formation can also be envisaged. The relationship of dominance and dependence has a component of conflict which emerges when influence is applied. This implies disagreement at least at the initial stages; yet, the essence of a group is continuity.

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<sup>12</sup>Randy Y. Hirokawa and Marshall Scott Poole (eds.), Communication and Group Decision-Making, London: Sage, 1986, p.17.

Under the threat of splitting the coalition, stronger members of the group may be inclined to redefine their positions or actions to appease the less powerful members. Thus, stronger members could lean to pressure however tacit from their less powerful partners.<sup>13</sup>

Influence in ACP-EEC relations can be examined first in intra-ACP relations and second in ACP-EEC cooperation. Intra-ACP influence can be studied from two viewpoints: the first relates to the Lomé I negotiations and the second relates to present ACP institutional structures. At the Lomé I negotiations in 1973-75, the Commonwealth African countries, in particular Nigeria and the members of the East African Community (Kenya, Tanzania and Uganda), exerted a great deal of majority influence over the Associated French-speaking countries. Relatively developed economic base, relative trade independence from the six original EEC member states and bigger size of the internal market as a result of larger populations were factors which provided the basis of majority influence for the Commonwealth countries. However, present ACP institutional arrangements, for example, equal membership and voting in ACP decision-making organs has reduced the preponderance of these bigger-size ACP countries. One member-one vote procedures are adopted in ACP institutions and this ensures that a small size ACP country wields as much influence as does a big size country. This implies that a couple of small countries with a negligible combined population or economic strength can exert considerable minority influence in intra-ACP relations.

In ACP-EEC cooperation, it was clear that the ACP countries exercised predominant bargaining influence over the EEC in particular during the Lomé I negotiations when they pressured the Community into granting most of their economic

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<sup>13</sup>Serge Moscovici, Gabriel Mugny and Eddy Van Avermaet, Perspectives on minority influence, London: Cambridge University Press, 1985, pp. xi-xii, 3 and 18.

demands. The international climate of the 1970s (oil crises, heavy EEC dependence on primary commodities from the ACP countries, the cold war and the often unstated political need for EEC presence in the ACP countries) gave an impetus to ACP influence. However, most of these situations having evolved, the ACP countries have now calmly assumed the position of the minority partner. However, in so far as the partners are interested in maintaining the ACP-EEC relationship, the ACP countries - even considered as a minority group - could exert vital influence. But, the ACP countries do not appear to consider this option seriously since some accounts have suggested that the ACP group is passive and only responds to EEC proposals. For example, during the last negotiations for Lomé IV, the ACP countries demanded that all provisions in the preceding Convention (Lomé III) be renegotiated. Thus, the ACP countries were implicitly only reacting to EEC initiatives<sup>14</sup> since EEC priorities dominated the Lomé III negotiations.<sup>15</sup>

Also related to group diplomacy is the concept of the collective good which implies that non-collective benefits must be provided to give potential members an incentive to join<sup>16</sup> or to remain in the group. For most ACP countries, the propelling force of ACP-EEC cooperation is Lomé aid and grants. This is still mostly the case for the former Yaoundé Convention signatories for which the association arrangements were intended to provide development capital. However, other countries have joined the ACP-EEC partnership while development aid and grants have continued to diminish in real

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<sup>14</sup>Myriam Vander Stichele, "The Lost Spirit of Lomé" in Lomé Briefing N° 14 January-February 1990, p.2.

<sup>15</sup>Several proposals at the Lomé III negotiations, including the much-debated "policy dialogue", originated from the EEC Commission.

<sup>16</sup>Mancur Olson, op. cit., p.16.

terms. Consequently, the new entrants into the Lomé Convention recourse to benefits other than financial aid and grants as a justification for joining the Lomé Convention. These alternative benefits refer mainly to concessionary trade in commodities such as sugar, rum, bananas, beef and veal, etc. In essence, it is necessary to provide alternative benefits for all members of a group because in the pursuit of their interests, states will not retain membership in a coalition if the costs to them outweigh the expected benefits.<sup>17</sup>

Where there is no direct immediate advantage, the spill over benefits is another important consideration for countries participating in a group. Spill over benefits may refer to benefits to be realised at a later stage of association with the group or to be realised within a related association. In an ACP context, Haiti and the Dominican Republic, the two most recent ACP member countries could not arrive at cooperation arrangements with the Commonwealth Caribbean countries prior to joining the ACP group. However, since joining the ACP group in 1990, the possibility of cooperation between the two countries and the other Caribbean states has been underlined by Michael Manley, former Jamaican Premier.<sup>18</sup> Similarly, concessions made by the EEC to ACP sugar producers represent an incentive to banana producers while they are negotiating concessions for their own product. Banana producers have arguably worked to consolidate the ACP group in anticipation of future favourable arrangements for bananas. The initial concessions made to sugar producers constitute a precedent which can be called upon in negotiations over

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<sup>17</sup>Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, pp.8-9.

<sup>18</sup>Michael Manley stated that Jamaica would be pleased to work with Surinam, Haiti, the Dominican Republic and the English-speaking CARICOM countries within the framework of the Caribbean Forum and the Lomé Convention: Actualités - Journal périodique du Groupe ACP, Numéro 2 -Décembre 1990, p.1.

banana exports to the EEC.<sup>19</sup> Thus, a distinction should be made between two kinds of common interests: an identical common interest in a single arrangement, and a complementary interest in an exchange of different objects.<sup>20</sup> Direct or indirect benefits to be derived from membership is clearly an important consideration which may contribute to an increase in participation. The number of countries joining the ACP group is always on the increase. Constant increase in the membership gives credibility to a group, ensures continuity, helps cohesion and, in the case of the ACP group, encourages horizontal cooperation among ACP countries.

However, the existence of common interests does not eliminate conflict from a group. A conflict situation can arise both from a similarity or a dissimilarity of interests. The concept of cleavage relates to the process of conflict. Cleavage analysis is particularly helpful when attempting to assess the extent of division or similarity of interests and the existence of overlapping interests.<sup>21</sup> Cleavages are the criteria which divide the members of a community or subcommunity into groups. Three general classes of cleavages have been identified. Ascriptive or "trait" cleavages, for the purpose of this study, include levels of development, structure of domestic economies; attitudinal or "opinion" cleavages

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<sup>19</sup>A break-through in the ACP-EEC banana negotiations was reached in early 1993 when the EEC confirmed duty-free entry for 857 700 tonnes of ACP bananas to the EEC: Règlement (CEE) N° 404/93 du Conseil du 13 février 1993 portant organisation commune des marchés dans le secteur de la banane in Journal officiel des Communautés européennes, N° L 47, 25.2.93, Article 33, p.11. However, the matter remains fully unresolved as a result of German opposition to the decision.

<sup>20</sup>Fred Charles Iklé, How Nations Negotiate, London: Harper & Row, 1964, pp.2-3 states that mutual tariff concessions have the purpose of settling an exchange.

<sup>21</sup>Marc Williams, op. cit., p.7.

include ideology and a country's analysis of the political economy of trade and development as well as perceptions of the benefits from proposed measures; and behavioural or "act" cleavages include voting patterns, organisational membership and support for group cohesion. Cleavage by traits determines the "heterogeneity" or "homogeneity" of a group; cleavage by attitude determines the extent of "dissensus" or "consensus" of a group; and cleavage by behaviour determines the "fractionalisation" or "cohesion" of a group.<sup>22</sup> These cleavages interplay continuously to determine the shifting levels of concord or discord on issues within a coalition.

In intra-African and later ACP diplomacy, the level of ascriptive cleavages was not significant because all countries were homogeneous in terms of levels of development and structure of domestic economies. However, attitudinal cleavages were rather significant in intra-African relations in the 1960s to early 1970s. Hence, there was a high degree of discord among these countries as they could hardly reach consensus in terms of ideology on colonisation and analysis of the political economy of trade and development. This explains the lack of full dynamism in African diplomacy during that period. Behavioural cleavages when related to inter-African relations in the 1960s can explain the level of fractionalisation between the French- and English-speaking countries as they voted differently on development issues in the UNCTAD as a result of their affiliations to different groups. However, in contemporary ACP diplomacy, voting pattern and organisational membership in the ACP has actually promoted group cohesion as these countries vote in other fora in support of issues favourable to members of their organisation.

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<sup>22</sup>Douglas W. Rae and Michael Taylor, The Analysis of Political Cleavages, London: Yale University Press, 1970, pp.1-2 and Marc Williams, op. cit., p.7.

The concepts of bargaining and decision-making are also relevant to the study of group diplomacy. Three modes of bargaining have been identified: distributive bargaining where the parties attempt to maximise their share of fixed benefits; integrative bargaining where they attempt to increase the share of joint benefits; and mixed bargaining where they attempt to increase joint benefits and then decide on its allocation. A fourth bargaining process, intraorganisational bargaining, derives from the first three and refers to the course of negotiations designed to achieve consensus within the group and between the two sides in the negotiations.<sup>23</sup> With respect to ACP-EEC cooperation, the interplay of these modes of bargaining depends on whether the negotiations are "intra-group" (ACP) or "integrative" - between the group and another organisation (ACP-EEC). ACP-EEC negotiating procedures enable the ACP group to adopt integrative bargaining over the volume of financial aid allocated under the Lomé Convention. In effect, the volume of aid that would be allocated to a particular ACP country is not known at the outset of negotiations; but ACP countries put in a concerted effort to demand for increased aid from the EEC in the hope that each ACP country at the end would be rewarded with a reasonable volume of financial resources.

There are two tendencies within the EEC regarding financial disbursements to the ACP countries. One tendency is that of the EEC member states which prefer a reduction in Community financial commitments to the ACP countries. Supporters of this approach propose an alternative which amounts to easier access to the Community market for ACP

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<sup>23</sup>Richard E. Walton and Robert B. McKersie, A Behavioral Theory of Labor Negotiations, 2nd ed., New York: ILR Press, Cornell University, 1991, pp.xv and 4-6, and Marc Williams, op. cit., pp.5-6.

exports.<sup>24</sup> The other tendency is that of the EEC member states which support a real increase in financial assistance to the ACP countries or at least a maintenance of its level (taking into account increase in ACP membership and populations).<sup>25</sup> But, even with the support of the second group of EEC member states, the ACP countries always receive far less financial aid than they ever bargain for.

For example, at the Lomé II negotiations, the ACP countries were united in their requests for a total aid package of 10 billion UA from the EEC<sup>26</sup> but at the end they received 5.227 billion UA<sup>27</sup> - a little more than half of the requested sum. Again, at the Lomé III negotiations, the ACP countries asked for ECU 10 billion<sup>28</sup> but after intense negotiations they settled for ECU 8.5 billion. It soon became clear that discussions over the volume of Lomé aid were inherently contentious. Henceforth, in order to avoid

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<sup>24</sup>Françoise de La Serre, "Lomé III: l'approche britannique" in Revue du Marché Commun, Numéro Spécial - La Convention de Lomé III, n°296, Avril 1986, pp.200-203, presents Britain rather cynically as a major proponent of this approach. She links this tendency to Britain's traditional stance in favour of free trade.

<sup>25</sup>France is among the foremost supporters of this approach for reasons of her historical commitment to financial cooperation. But, it is worthy to note that EEC member states which produce figs, early strawberries and citrus fruits, in particular Spain, Greece and Italy also support this tendency and sometimes back the idea of limited ACP access to the Community market in order to avoid competition from ACP tropical products: see Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé IV: A Chance for Black Africa's Return to the World Economy?" in Aussen Politik, Vol.41, No.2/90, p.185.

<sup>26</sup>Ecomonde Service, N°41, le 17 Janvier 1979, Partie IV, p.1.

<sup>27</sup>Ibid., N°61, le 4 Décembre 1979, Partie IV, p.1.

<sup>28</sup>Ibid., N°164, le 4 Juillet 1984, Partie IV, p.14.



recurrent stalemate in the Lomé negotiations, the negotiators adopted the practice of leaving the question of the volume of financial aid until nearer the end of the negotiations. During the Lomé IV negotiations which started in late 1988, discussions on the volume of financial aid were not even raised until October 1989<sup>29</sup> - three months before the signing of the Convention in December. However, in these negotiations, the ACP countries also asked for ECU 15.3 billion<sup>30</sup> - more than the EEC was willing to concede. After vehemently rejecting two previous EEC offers, the ACP countries settled for ECU 12 billion. However, in all these instances, integrative bargaining clearly promoted ACP group cohesion.

Three modes of group decision-making can be identified: minimum common denominator, splitting the difference, and upgrading the common interest.<sup>31</sup> For fear of down-grading the common decision when joint negotiation with the EEC was initially contemplated in the 1960s between the French-speaking Associates and the English-speaking non-Associates, the view was expressed, especially by the Nkrumah school of African thinking, that the African in the Commonwealth had greater sovereign dignity than the African in the Franco-African Community. It was therefore felt that an amalgamation of the two groups for the purpose of joint negotiation with the EEC might pull down the Commonwealth African to the level of dependence of the French-speaking African rather than pull up even, say, the relatively economically advanced Côte d'Ivoire to the level of

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<sup>29</sup>Ibid., N°280, le 17 Octobre 1989, Partie I, p.4.

<sup>30</sup>Ibid., N°281 le 2 Novembre 1989, Partie I, p.26.

<sup>31</sup>Ernst B. Haas, Beyond the Nation-State, Stanford: Stanford University Press, 1964, pp.103-13 and Marc Williams, op. cit., p.6.

self-assertion open to Ghana.<sup>32</sup>

In contemporary ACP-EEC relations, the particular decision-making approach adopted depends on the side (ACP or EEC) which is seen to be conceding advantages. Despite the fact that the EEC stands to gain from cooperation as much as the ACP or perhaps even better given the fact of fully established EEC institutions for the implementation of ACP-EEC decisions, a general impression has been created over the years that the EEC is the giver while the ACP is the receiver. This trend is supported by the attitude of ACP negotiators who tend to see the aid component of the Lomé Convention as its most attractive feature.<sup>33</sup> Consequently, the EEC would be expected to focus on the minimum common denominator and the ACP group would aim to upgrade the common interests accruing to its members.

The concept of side payments is also relevant in this study. Side payments refer to the granting of bilateral or limited multilateral concessions to selected members of a group in order to reduce their support for a common position.<sup>34</sup> The foregoing definition clearly refers to side payments when conceded by the group on the other side of the negotiating table. However, it is also possible within a given group for some of its members to concede benefits to fellow members in order to safeguard group cohesion. In

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<sup>32</sup>Ali A. Mazrui, "African Attitudes to the European Economic Community" in Lawrence B. Krause (ed.), The Common Market: Progress and Controversy, N.J.: Prentice Hall, 1964, p.131 and Ali A. Mazrui, The Anglo-African Commonwealth - Political Friction and Cultural Fusion, London: Pergamon, 1967, pp.65-66.

<sup>33</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", in Journal of Common Market Studies, Volume XXIII, No. 2, December 1984, p.101.

<sup>34</sup>See Marc Williams, op.cit., p.10.

effect, side payments can be used by either side to make or break the coalition depending on bargaining priorities. In other words, side payments can be used for both positive and negative ends. We shall term "negative side payments" those offered by partners on the opposite side of the negotiating table with the potential effect of disrupting group cohesion of their opposite partners, and we shall term "positive side payments" those offered by members of a group to their co-partners with the potential effect of maintaining the cohesion of their group.

In ACP-EEC relations, negative and positive side payments occur when concessions are accorded to one or only a few ACP states. But, the ACP countries have turned their fortunes around by supporting initial negative EEC side payments and later achieving positive side payments by pushing for further concessions in favour of the ACP group. A relevant example was offered early in ACP-EEC relations by the decisions adopted during the Council of Ministers meeting in Fiji on 14 April 1977. At the request of the ACP states, derogations from the rules of origin were granted by the EEC in favour of Malawi (Decision No 1/77) and Kenya (Decision No 2/77) in respect of artificial fly for fishing.<sup>35</sup> Requests from Mauritius with respect to textile products and tuna were not granted. However, about seven months later, at a meeting on 23 November 1977, the Committee of Ambassadors adopted, in favour of Mauritius, Decisions No 11/77 on the importation of bleached cloth and No 12/77 on canned tuna.<sup>36</sup>

By granting initial concessions to Malawi and Kenya through joint ACP efforts, not only was group cohesion maintained in the mean time but the benefits were later

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<sup>35</sup>Second Annual Report of the ACP-EEC Council of Ministers, Brussels: European Commission, 14 March 1978, p.28.

<sup>36</sup>Ibid., pp.28-29.

extended to Mauritius whereas limited EEC concessions could potentially have split the ACP coalition. Concessions given in this way appear to serve a useful purpose both for group cohesion and for the advancement of the interests of a greater majority of the group. In intra-ACP relations, the French-speaking EEC Associates at the Lomé I negotiations were in favour of the idea of granting reverse trade preferences to the Community while the Commonwealth Associate countries were opposed to the idea. However, it can be argued that Nigeria offered positive side payments to the French-speaking Associates in return for their change of stance in the Lomé I negotiations in support of the Commonwealth position. The Nigerian Government had hinted that it would be prepared to accept some responsibility for dealing with the special problems of the weaker African states. Nigeria's President, General Yakubu Gowon, had promised that Nigeria would not make excessive demands on the weaker states.<sup>37</sup>

In negotiations between two groups of countries at different levels of political and economic development, the less favoured group could have its bargaining strength greatly improved by pooling together the resources of its composite members. In ACP-EEC relations, the ACP group by most analyses symbolises the less powerful side and the strategy by which the group can enhance its bargaining power has been called "collective clientelism". This refers to a process in which a group of weak states combine in an effort

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<sup>37</sup>Gowon had said: "We shall be the last to call on our brothers to commit economic suicide in the face of unknown realities." : West Africa, 16 July 1973 in James Mayall, "The Implications for Africa of the Enlarged European Economic Community" in Timothy M. Shaw and Kenneth A. Heard (eds.), The Politics of Africa: Dependence and Development, New York: Africana - Holmes & Meier, 1979, at footnote 27, p.314.

to exploit the special ties that link them to a more powerful state or group of states.<sup>38</sup> ACP group diplomacy precisely aims to extract concessions from the EEC by virtue of the historical connections which link the members of the group to the member states of the EEC.

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<sup>38</sup>John Ravenhill, Collective Clientelism - The Lomé Conventions and North-South Relations, New York: Columbia University Press, 1985, p.22.

**PART I -**  
**ORIGINS OF ACP-EEC COOPERATION AND ACP DIPLOMACY:**  
**FROM FRANCO-AFRICAN COLONIAL RELATIONS**  
**TO THE FORMATION OF THE ACP GROUP**

This part of the study (comprising Chapters 2, 3 and 4) looks at the ideas which led to ACP-EEC cooperation and the events which subsequently led to the establishment of ACP group diplomacy. ACP-EEC cooperation and ACP diplomacy are traced to Franco-African colonial relations and the institutionalisation of the ACP group in 1975 *en passant par* Britain's initial EEC application in 1961 and the reactions to this application by the Commonwealth African and Caribbean countries since they became "EEC Associates" by virtue of Britain's application. This part of the study also examines Britain's eventual EEC membership in 1973 and the impact it had in facilitating joint African negotiations with the EEC.

## **CHAPTER TWO: EVOLUTION OF ACP-EEC COOPERATION**

ACP-EEC cooperation can be traced to several events and documents representing different stages in the evolution of ACP-EEC relations. The particular nature of relations between France and the Overseas Countries and Territories (OCTs) marked the beginning of European development cooperation policy. The signing of the Treaty of Rome and formation of the EEC in 1957 later presented an occasion for the establishment of a legal framework. Part IV of the Treaty provided for the maintenance of special relations between the six original members of the EEC and their OCTs. After the independence of the OCTs, the special relations established by Part IV were continued in two Yaoundé Conventions signed in 1963 and 1969 respectively. French-speaking African diplomacy during this period relied on France to promote policies considered to be of interest to the emerging countries and territories.

Britain's initial 1961 bid to join the EEC sparked off a considerable level of interest from Commonwealth developing countries which became prospective Associates by virtue of Britain's application. In the event, Britain's entry was vetoed by General Charles de Gaulle, President of France. Yet, despite reservations on their part over Britain's intention to join the EEC, four Commonwealth African countries, that is, Nigeria on the one hand, and Kenya, Tanzania and Uganda on the other, later signed two separate agreements with the EEC in 1966 and 1969 respectively. This chapter looks at these developments and their relevance to ACP-EEC relations and ACP diplomacy which emerged in the early 1970s. At this initial phase, English-speaking African and Caribbean diplomacy was essentially reactive, and perhaps it was more clearly so than French-speaking African diplomacy. The Commonwealth developing countries seemed only to be

responding to Britain's application and Eurafrican association arrangements.



## **2.1 FRANCE AND THE OVERSEAS COUNTRIES AND TERRITORIES (OCTs)**

As negotiations for the establishment of the European Coal and Steel Community (ECSC) were coming to an end at Messina in Italy in 1955, the French delegation raised a question on the economic relations that would exist between France, Belgium and their OCTs on the one hand, and between the Community and the OCTs on the other. France requested that the OCTs be given special concessionary status by member states of the Community. The French proposal aroused some interest and was further debated during negotiations for the Treaty of Rome establishing the European Common Market. As a result of French insistence, Part IV entitled "The Association of the Overseas Countries and Territories" was included in the Treaty of Rome.

### **2.1.1 Impact of Franco-African Colonial Relations**

The origins of ACP-EEC cooperation can effectively be traced to the particular relations which existed between France and Belgium and their African dependent territories. Indeed, France, and to a lesser extent, Belgium and Italy, had developed important political and commercial relations with developing countries, mainly in Africa.<sup>1</sup> A list of the OCTs concerned shows that France was involved in a majority of them, Belgium was involved in two, while Italy and the Netherlands were involved in one

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<sup>1</sup>Delsie M. Gandía, The EEC's Generalised Scheme of Preferences and the Yaoundé and Other Agreements - Benefits in Trade and Development for Less Developed Countries, New Jersey, Montclair: Allanheld & Osmun, 1981, p.1.

colonial territory each.<sup>2</sup> Understandably, other prospective EEC member states in particular Germany and the Netherlands were not supportive of the proposal to establish special relations with the OCTs because the arrangement would be unfavourable to them. The two countries had disengaged from their colonies since 1919; consequently, the two had developed extensive relations with developing countries in general. A majority of these countries were not part of the French overseas territories since the Franco-African Community was well shielded against foreign penetration.

However, France would not give in. She even went as far to make her own accession to the Treaty of Rome dependent on the association of the OCTs.<sup>3</sup> There are several economic and political (but hardly any humanitarian) explanations for France's show of benevolence. One of the few known humanitarian arguments holds that, historically, since the early days of European and African encounters, the French tended to treat the Africans generally better than did other nations in terms of raids, attacks and extermination of the people.<sup>4</sup> The political and economic explanations are more

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<sup>2</sup>France: Dahomey (Benin), Cameroon, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Madagascar, Mali, Mauritania, Niger, Senegal, French Somaliland, Sudan, Togo, Upper Volta (Burkina Faso), Comoros, Algeria and the French Overseas Territories; Belgium: Belgian Congo (Zaire), Ruanda-Urundi (later producing Rwanda and Burundi respectively); Italy: Somaliland; The Netherlands: New Guinea, (Surinam became effectively associated in September 1962). Major source: The Courier no. 120, March-April 1990, p.27.

<sup>3</sup>Paul Bourdeaux, "Le marché commun et l'association CEE-EAMA dans la presse quotidienne de cinq pays africains", Mémoire, Université Catholique de Louvain: Juillet 1967, p.5.

<sup>4</sup>See Dorothy Shipley White, Black Africa and de Gaulle: From the French Empire to Independence, London: Pennsylvania State University Press, 1979, pp.10-11.

compelling. As far back as 1765, le Duc de Choiseul, French Minister for Foreign Affairs had issued instructions, in the face of fierce European competition, that Africa existed for trade and must produce goods different from those produced in the metropole.<sup>5</sup> This policy was continued into the twentieth century.

General de Gaulle's policy towards the colonial territories, which emerged during World War II, was consistent with that of his forebears. In the aftermath of the War, de Gaulle was grateful for the contributions made by Africa towards the liberation of France. This is understandable since 100 000 Africans fought in the Free France armies. Also, de Gaulle's visits to Africa and BBC radio broadcasts to Brazzaville helped to coordinate and to consolidate the various branches of the French liberation movement. In his Memoirs, de Gaulle had said that if France was liberated, links of solidarity would be established with the overseas territories. On August 27 1946, he had declared that the French Constitution should reaffirm and impose the solidarity of all the overseas territories with France. He argued that France would remain a great power as long as she kept the territories, but without them she may not have much power.<sup>6</sup> As history would have it, de Gaulle was President of France at the time of the negotiations for the Treaty of Rome.

After 1945, successive French Governments encouraged the production of tropical foodstuffs and cotton in their dependencies. In addition, they virtually prohibited imports into metropolitan France from third countries. The result was that the competitiveness of Franco-African markets had been stifled by the absence of free competition and by the mid-1950s most French colonies were uncompetitive by world market standards. It was largely this situation which led the French Government to insist on the inclusion of Part

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<sup>5</sup>Ibid., p.17.

<sup>6</sup>Ibid., pp.78 and 153.

IV of the Rome Treaty as part of the price for its signature.<sup>7</sup> For France, colonial policy was intricately worked out and it would be a loss of administrative ingenuity and economic advantage to abandon the system.

Markets in French-speaking Africa were specially protected by a network of external tariffs, quotas and exchange controls. Moreover, access to French metropolitan markets for African products was guaranteed. To compensate for any losses caused by trade diversions from her territories, France paid *surprix* for African imports. This practice, also called the system of *prise en charge*<sup>8</sup> involved the payment of prices higher than those paid on the world market for African products. In return for running the system, France also received higher-than-market prices for her manufactured and processed goods. Furthermore, the French and CFA franc zone was maintained by special monetary agreements and provided for pooled foreign reserves which were held in Paris. When the need arose, these were used in addition to French grants and loans to balance deficits. Actual deficits on OCT trade were difficult to ascertain because invisible transfers within the franc zone, for example, repatriation of funds by French companies and individuals to France were not subject to any controls.<sup>9</sup>

Thus, the franc zone constituted a highly protected economic area. Commercial

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<sup>7</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community" in Timothy M. Shaw and Kenneth A. Heard (eds.), The Politics of Africa: Dependence and Development, New York: Africana - Holmes & Meier, 1979, p.296.

<sup>8</sup>Gerard Curzon, Multilateral Commercial Diplomacy, London: Michael Joseph, 1965, p.239.

<sup>9</sup>Francis Terry McNamara, France in Black Africa, Washington DC: National Defense University, 1989, p.101.

exchanges between the metropole and the OCTs were guaranteed by customs, monetary and other barriers which offered an efficient protection against foreign competition.<sup>10</sup> Invariably, these arrangements secured favourable trade balances for France. For example, close to the time of negotiations for the Treaty of Rome, in 1954, the *surprix* paid by France on trade with her overseas territories amounted to 60 billion old French francs whereas in the same year, the overseas territories paid a *surprix* of 80 billion old French francs. Thus the net advantage accruing to France amounted to 20 billion old French francs.<sup>11</sup> Similarly, in 1956, in the heat of negotiations for the Treaty, 30 per cent of French exports went to her overseas territories while 70-80 per cent of the production of the French Union were imported by France under favourable conditions of trade.<sup>12</sup> The reason for the insistence of France on the inclusion of the OCTs in the Treaty of Rome is clear from the foregoing considerations.

Until only recently, the CFA franc had a pre-independence fixed parity of 50 to 1 French franc.<sup>13</sup> However, the French Treasury still finances deficits in the operation of the franc zone. In addition, the operating account of the franc zone has continued to

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<sup>10</sup>Pierre-Bernard Cousté, L'Association des Pays d'Outre-Mer à la Communauté Economique Européenne, Paris: Librairies Techniques, 1959, p.209.

<sup>11</sup>Teresa Hayter, French Aid, London: Overseas Development Institute, 1966, p.73.

<sup>12</sup>José Manuel Sobriño Heredia, Las relaciones de Cooperación para el Desarrollo CEE-Estados ACP, Universidad de Santiago de Compostella, Monografías nº107, 1985, p.93.

<sup>13</sup>13 of the 14 CFA countries devalued their currency on 12 January 1994 by 50 per cent with the 14th limiting its devaluation to a third: Africa Research Bulletin, Volume 30 Number 12, December 16th 1993-January 15th 1994, p.11535.

register deficits but, the French Treasury has also continued to compensate the deficit. For example, the French Treasury had to compensate deficits of 988 billion CFA francs (19.5 billion FF) in 1986 and 550 billion CFA francs (11.6 billion FF) in 1987 respectively. However, France has not ceased to record a trade surplus with the CFA franc zone countries. She recorded surpluses of 21.5 billion FF in 1986 and 15.8 billion FF in 1987 respectively. A comparison of the deficits of the franc zone financed by France and trade surpluses recorded during this period shows that France ended up with a credit balance.<sup>14</sup> The establishment of a customs union and a common external tariff (CET) by the EEC would have meant the erosion or total elimination of the favourable position which France occupied in the markets of the OCTs. Viewed within the context of the post-War period, France's closed economic system had two main purposes. The first was to shelter the weakened French economy from competition and the second was to provide official French development capital to the African countries and dependencies.

However, at about the same time that negotiations for the Treaty of Rome were taking place, a wind for political emancipation was blowing across colonial territories. Ghana, led by Dr. Kwame Nkrumah, set a precedent in West Africa by proclaiming full independence from Britain in 1957. Ghana's independence certainly raised the possibility of independence for other European colonies in West Africa. Suddenly, France was contending not just with European integration but also with possible serious modifications of her colonial empire. These prospects should also be placed in the context of French colonial wars. At the end of the second World War, France engaged herself in the war of Indochina. France lost that colony in 1954 when North and South Vietnam emerged, and

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<sup>14</sup>Amadou B. Touré, "Les pays africains face à l'échéance européenne de 1992" in Marchés Tropicaux et Méditerranéens, N°2400, 47<sup>e</sup> Année, 8 novembre 1991, pp.2838-39.

she only narrowly escaped being caught up in the Vietnam war which ensued soon afterwards. But, even as France was pulling out of Indochina, tension was rising in Algeria. Militant members of the *Mouvement pour le triomphe des libertés démocratiques* including Ben Bella formed a Revolutionary Committee in 1954. French response which included military raids in Algeria continued throughout the late 1950s up to 1962 when, following the Evian Accords, Algerians voted for independence.<sup>15</sup> The long struggle for independence in Indochina and North Africa was an education for French-speaking African leaders.<sup>16</sup>

In France, consequent to these colonial wars, public opinion was arguably more favourable towards autonomy-seeking African territories in the late 1950s. The new attitude was adopted for two reasons. Firstly, French politicians did not want their country to be ever fighting colonial wars. Secondly, it was estimated that if France remained foremost in support of the emancipating territories, there was a possibility of maintaining favourable French positions after independence. This, in turn, would continue the promotion of French civilisation in the independent states. Henceforth, the concern in France was over the means of preventing political independence from automatically breaking up the close links which had been forged over many years. Nudged on by the general international trend towards decolonisation, France became clearly disposed to accord formal independence to the African territories but at the same time was determined to preserve close cultural, economic and political ties with the OCTs.

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<sup>15</sup>These accounts of the Indochina and Algerian wars are based on readings from Petit Robert 2, Paris: Dictionnaires Le Robert, 1989.

<sup>16</sup>I. Wallerstein, The Road to Independence: Ghana and the Ivory Coast, Paris: Mouton & Co, 1964, pp.73-74.

Although aspects of Franco-African relations had been established prior to this period as witnessed by the *surprix* and the franc zone systems, the establishment of a European Common Market and the prospects of political independence of the territories gave renewed vigour to French association policies. Also, in proposing the inclusion of the OCTs, France clearly expected to score political points. Apart from affording de Gaulle the opportunity of fulfilling his War-time promise to the African territories, the project of association with the EEC was within the framework of de Gaulle's third world policy. The policy involved rallying round emancipating countries and territories to form a third way<sup>17</sup> or *troisième force*<sup>18</sup> during the bipolar cold war period distinct from both the United States and the Soviet Union. France would play the role of leader and spokesperson for the emerging political entities.

Incidentally, France was not the only party that showed reluctance in breaking off relations: the OCTs were equally unwilling to sever all links with the metropole. Following the completion of the project for a new Constitution establishing the Fifth Republic in France, a referendum was held on 28 September 1958 to decide on the fate of the Franco-African Community in view of these developments and political aspirations in Africa. In the referendum held simultaneously in metropolitan France and in the colonies, the overseas territories voted overwhelmingly with a "yes" in favour of the Franco-African Community. They voted to remain with France while retaining autonomous powers in some areas of government. They would have their own institutions with internal autonomy but not full sovereignty since certain domains such as foreign

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<sup>17</sup>*Troisième voie ou voix.*

<sup>18</sup>Enzo R. Grilli, The European Community and the Developing Countries, Cambridge: Cambridge University Press, 1993, p.102.



policy, defence, money, common economic and financial policy, raw materials, the judiciary, higher education, telecommunications and international transportation would remain under French control.

One colonial territory, however, refused to join the Community. Guinea under Sékou Touré voted "no" in the referendum with a majority of 95.2 and became independent on the same day in 1958. A few days after the "no" vote, a note was sent to Guinea ending French help in administration and transferring the French civil service within two months. Equipment credits were also cut off and the French army, including army doctors and medical supplies which had been responsible for the health of the civilian population, were also removed. A detailed account shows that when Touré arrived at Government House all the furniture, telephone and other utilities had been removed.<sup>19</sup> Indeed, fearing that the example of Guinea might be followed by other states which had joined the Community, the French Government removed everything of value from the Guinean territory. Nkrumah, the Ghanaian leader, later recounted with compassion that French administrators and teachers were promptly withdrawn from Guinea while documents and even electric light bulbs were removed from government buildings. Financial assistance, trade support and the payment of pensions to Guinean war veterans were also discontinued.<sup>20</sup>

But, precedence had been set by Nkrumah's Ghana and, more especially among

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<sup>19</sup>For a full account of Guinea's vote for independence and subsequent deterioration of relations with France see Dorothy Shipley White, op. cit., pp.210-11 and Edward Mortimer, France and the Africans 1944-1960: A Political History, London: Faber & Faber, 1969, pp.329-35.

<sup>20</sup>Kwame Nkrumah, Neo-colonialism - The Last Stage of Imperialism, London: Thomas Nelson, 1965, pp.16-17.

French-speaking colonies, by Guinea. Independence was inevitable. The majority of the colonies became independent in 1960.<sup>21</sup> An efficient system of bilateral agreements then became the basis of relations between France and the newly independent states. Each agreement was tailored to the specific needs of each African state. For example, agreements with Senegal, Ivory Coast, Central African Republic, Congo, Gabon, Chad, Dahomey (Bénin), Niger, Mauritania and, after the coup d'état in 1963, Togo included a full range of diplomatic, defence, monetary, economic and technical assistance. Arrangements with Cameroon and Upper Volta (Burkina Faso) avoided the common defence accords but covered all the others including military aid agreements. Arrangements with Mali, which at the time was seeking autonomy, included only economic and technical assistance.<sup>22</sup> In January 1959, three protocols were signed with Guinea for technical, financial and cultural agreements. Still, Guinea was conspicuously absent from the full cooperation arrangements.

Thus, although independence profoundly changed the formal nature of relations between France and the new African countries, the continuity of French presence and privileges was maintained through cooperation agreements. In this way, transition to political independence in French-speaking Africa was achieved without resorting to

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<sup>21</sup>All the Associated African States and Madagascar, except Burundi and Rwanda, gained political independence in 1960. These two gained their own independence on 1 July 1962. Table showing dates of independence presented by Paul Bourdeaux, *op. cit.*, p.7.

<sup>22</sup>Francis Terry McNamara, *op. cit.*, p.96 and Maurice Ligot, Les accords de coopération entre la France et les Etats Africains et Malgache d'expression française, Paris: Documentation française, mai 1964, pp.27-48. Ligot lists each of these Franco-African cooperation accords.

measures that would displease the newly independent countries. The above accounts serve to demonstrate that France insisted on the inclusion of the CCTs in the Treaty of Rome out of well-considered foreign policy objectives. The proposal to give special consideration to French OCTs was seen as an extension of French colonial policy aimed at transferring part of her financial obligations to her European partners.<sup>23</sup> Some people further argue that the Eurafrique association to some extent helped to reduce tension in the French decolonisation process.<sup>24</sup>

All in all, France benefited economically and politically from the new arrangements in three ways. Firstly, France was actually able to shed some of her responsibilities by getting her EEC partners to contribute towards the European Development Fund (EDF) which was set aside for the finance of projects in the OCTs. Apart from projects in the newly independent African countries, those in French overseas departments such as Martinique and Guadeloupe were also eligible for EDF finance. Secondly, since French companies were already implanted in the OCTs, they walked off with some of the best contracts funded by the EDF. Finally, from the perspective of the African countries, due to French proposals and persistent support for these arrangements, France came to be viewed as the champion of their cause among developed countries. These discussions have shown that French-speaking African diplomacy during this period was not pro-active: it was essentially dormant and relied on France to initiate policies on behalf of the emerging entities.

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<sup>23</sup>José Manuel Sobriño Heredia, op.cit., p.95.

<sup>24</sup>Paul Bourdeaux, op. cit., p.7.

### 2.1.2 The Treaty of Rome and the Yaoundé Conventions

At the Messina Conference in June 1955 where the six members of the ECSC laid down the foundation for a future European Community and at the Venice Conference in May 1956, the French delegation suggested that the future Community should establish an association with the overseas territories. This position was reaffirmed in a Franco-Belgian report on the "Participation of the Overseas Countries and Territories in the European Economic Community" presented on 11 October 1956.<sup>25</sup> France, as the richest country in colonies, was not going to sign the Treaty of Rome if there was no special provision for the OCTs. In the final analysis, Germany and the Netherlands along with the other EEC member states towed the French line. De Gaulle as President of France succeeded in getting his European partners to accept the proposal for an association partly because of the good personal relationship which existed at the time between him and Chancellor Adenauer of West Germany. The Chancellor met M. Guy Mollet, the President of the Council in February 1957<sup>26</sup> and in March the Treaty of Rome, including Part IV on the "Association of the Overseas Countries and Territories" was signed. The association regime of the Treaty of Rome established the first EDF (EDF I). The association regime was also reciprocal, that is, the Associated countries and territories were expected to also provide non-discriminatory preferential trade access to all EEC member states.

During the period of operation of the Treaty of Rome, from 1957 to 1963, many of the OCTs were still evolving as independent states. When final independence

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<sup>25</sup>Doc. M.A.E. (document of the Ministers for Foreign Affairs no. 5481, 1956) in José Manuel Sobriño Heredia, *op. cit.*, p.92.

<sup>26</sup>José Manuel Sobriño Heredia, *ibid.*, p.95.

significantly changed their political status and the nature of their association with European nations, the OCTS re-submitted to join subsequent Conventions with the EEC. In this respect, the first Yaoundé Convention which was signed in July 1963 can be considered a roll call to determine which countries were still in the association and which countries were out. In essence, the Yaoundé Convention took stock, in a new juridical context, of the intervening changes in Eurafrican relations since the signing of the Treaty of Rome in 1957.

Association under the Treaty of Rome was imposed on the OCTs concerned but, under Yaoundé, associated countries for the first time were able to sign up for themselves. For example, although included in the Treaty of Rome as Somaliland, Somalia, comprising former British Somaliland after 1960, re-associated with the EEC at the first Yaoundé Convention in 1963. Similarly, following the union of French and British Trust Territories of Cameroon in 1961, the country rejoined Yaoundé I which, besides, was signed in its capital. Furthermore, Burundi and Rwanda, members of the former Belgian colony of Burundi-Rwanda re-signed Yaoundé I after independence. However, two countries associated under Part IV of the Treaty of Rome - Algeria and Dutch New Guinea - did not sign the Yaoundé Convention after independence.<sup>27</sup> Algeria was associated to the EEC in 1957 but, following the war with France, she did not join the association after independence in 1962.<sup>28</sup>

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<sup>27</sup>Paul Bourdeaux, op. cit., pp.7-8.

<sup>28</sup>Algeria later signed a bilateral cooperation agreement with the EEC on 26 April 1976: Council of the European Communities, Protocols to the EEC-Algeria Cooperation Agreement and other Basic Texts, Luxembourg: Office for Official Publications of the European Communities, 1990, cf. p.3.

In all, Yaoundé I embraced eighteen of the former OCTs. It entered into force on 1 June 1964 and instituted a five-year aid and trade package. This was the first concrete effort towards cooperation between sovereign European and African states. However, Yaoundé I was in fact adapted from Part IV of the Treaty of Rome which had been drafted according to the wishes of the EEC, and in the absence of the African states. With reference to the principle of equality used in this study, it should be noted, however, that in December 1962 the eighteen Associated African States and Malagasy (AASM) agreed with the six EEC member states to continue their association on the basis of equality. Thus, Yaoundé I was concluded between *de jure* equal partners, even though the Eighteen were still regarded as Associates.

These initiatives also laid the foundations for future ACP-EEC cooperation. Three parallel negotiating procedures were adopted at the Yaoundé negotiations: one on the level of the six EEC member states, the second on the level of the eighteen Associates, and the last on the level of the Twenty-four.<sup>29</sup> At the insistence of the Associates themselves, a provision was included in Article 13 of the Convention to allow them to form free trade areas or customs unions, and to conclude economic cooperation agreements with other African states.<sup>30</sup> Apart from this, the new association also provided for technical and financial assistance through funds set aside under EDF II.

Yet, Yaoundé I had its limitations and consequently the negotiators were apprehensive of the future. However, these developments can be placed within the context of the period between the signing of the Rome Treaty (1957) and the first Yaoundé

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<sup>29</sup>Paul Bourdeaux, *op. cit.*, pp.6 and 9.

<sup>30</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community" p.290.

Convention (1963) which also witnessed the accession of the African states to political independence with the attendant difficulties in state building. The newly-independent states were preoccupied with the consolidation of administrative and juridical institutions. One can then appreciate that negotiations for Yaoundé I were not carried out in an entirely propitious atmosphere. However, Euro-African efforts in Yaoundé I certainly set the scene for future negotiations. Yaoundé II was signed on 29 July 1969. In many ways, it was similar to the first Convention.

## 2.2 BRITAIN AND THE COMMONWEALTH DEVELOPING COUNTRIES

Following the independence of Ghana in 1957 and that of several other Commonwealth African countries in the 1960s, it was inevitable that the new states would try to exert some influence in Commonwealth relations, at least as an expression of their new-found sovereignty. The African countries promptly exercised their new influence against race-conscious South Africa which, in the face of imminent Ghanaian independence, had vowed in 1955 that if Ghana was accepted into the Commonwealth, she would withdraw. By 1961 the threat to withdraw from the Commonwealth as a device for keeping some other country out of the club was turned against South Africa herself. An article published by Dr. Julius Nyerere of Tanzania in The Observer (London) on 7 March 1961, during the Commonwealth Prime Ministers' Conference, created a climate of negative opinion against South Africa. This in turn forced South Africa which had hoped to re-enter the Commonwealth after becoming a Republic to withdraw her application rather than face almost certain refusal.<sup>31</sup> Ghana, in her turn, joined Tanzania's demands and declared: "It is either South Africa or Ghana - Commonwealth must decide."<sup>32</sup>

It became thus clear that, as enthusiastic members of the Commonwealth, African countries were going to have their say when Harold Macmillan's Government applied for Britain's EEC membership in July 1961. The issue was seriously raised about associating

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<sup>31</sup>Julius Nyerere, Freedom and Unity - Uhuru na Umoja - A Selection from Writings and Speeches 1952-65, London: Oxford University Press, 1967, p.108.

<sup>32</sup>Ali A. Mazrui, The Anglo-African Commonwealth - Political Friction and Cultural Fusion, London: Pergamon, 1967, p.33.



Commonwealth Africa to the EEC, particularly as the Commonwealth was in many ways viewed as a positive organisation from the perspective of the newly independent countries. On the specific issue of race, the concept of the Commonwealth tended to connote an exact antithesis to the racialistic associations of the term European. As an objective before the eyes of the nationalists in pre-independent Africa, membership of the Commonwealth constituted more of a recognition of sovereignty than, say, a seat in the United Nations given the fact that the United Nations had always been multi-racial.<sup>33</sup>

The debate over Britain's EEC membership was therefore more precisely over the preservation of Commonwealth principles. But there was a cloud of uncertainty over the exact implications of Britain's application and the effects that it would have on Commonwealth relations. However, Prime Minister Harold Macmillan cleared the air by confirming that there was no choice to be made between the Commonwealth and the Community. The problem, he said, was rather "how to reconcile the historic and living structure of the Commonwealth with the new and growing structure of Europe".<sup>34</sup> However, it turned out that English-speaking African and Commonwealth diplomacy was essentially reactive: it only seemed to be responding to Britain's EEC application and to Eurafrican association arrangements which were threatening their traditional trading outlets to the Community.

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<sup>33</sup>Ibid., pp.60 and 74.

<sup>34</sup>"Report of Meeting of Commonwealth Prime Ministers", September 1962, cited in P. N. C. Okigbo, Africa and the Common Market, London: Longmans, 1967, p.74.

### 2.2.1 Britain's initial EEC Application and Effects on African and Caribbean EEC Relations

On 10 October 1961, Edward Heath, the Lord Privy Seal, opened negotiations for Britain's entry into membership of the EEC.<sup>35</sup> The Commonwealth Prime Ministers meeting held in London from 10-19 September 1962<sup>36</sup> provided an occasion for the expression of Commonwealth reactions to Britain's proposed EEC membership. Perhaps in anticipation of forth-coming firm comments on Britain's EEC membership from Commonwealth countries, Edward Heath, the chief British Common Market negotiator, was hard pressed to give some outlining definitions of the Commonwealth in a speech made to the Ministerial Council of Western European Union held in London on 10 April 1962. The member states of the EEC were certainly not used to firm opinions from their ex-colonies over the organisation of the Common Market, but Mr. Heath knew only too well that the Commonwealth countries would insist on making their voices heard over Britain's potential EEC membership. He therefore reassured his colleagues on the Council:

"We shall, of course, retain our constitutional ties and the arrangements for consultation with the Commonwealth, which we have worked out. In my judgment these will be a source of strength to Europe. They will in no way prevent us from participating fully in the growth of a new Europe, and this in its turn will give

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<sup>35</sup>Common Market and Commonwealth - a new survey by The Times, London: The Times Publishing Company Limited, October 1962, p.49.

<sup>36</sup>Ibid., p.107.

fresh vitality to our Commonwealth connexions. The Commonwealth is a grouping of countries with widely differing views about the great questions which divide the world. In our opinion it will be particularly important that Europe should continue to show a sympathetic comprehension for these different attitudes towards world affairs."<sup>37</sup>

Britain was clearly caught between two sides (EEC and Commonwealth African countries) which, having essentially different opinions on economic development, had so far avoided direct confrontation on the specific issue of Eurafrican association. Having pre-empted the members of the EEC, it was now left to Edward Heath to elaborate on the implications of Britain's EEC bid for Commonwealth countries. Mr. Heath reaffirmed that association would be a suitable solution for both African and Caribbean Commonwealth countries. He made it clear that the British Government seriously hoped that the Commonwealth countries would see the advantages to themselves of association, of the trade concessions offered and of assistance from the development fund.<sup>38</sup>

However, all the independent states, with the exception of Sierra Leone and Trinidad, were unequivocal in their rejection of the offer of association under Part IV of the Treaty of Rome. The ground for this rejection varied from country to country, but three major levels of objection were discernable in the attitudes of its Commonwealth African critics.<sup>39</sup> There was, first, the objection such as Ghana's which, in its extreme

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<sup>37</sup>The Times, 13 April 1962, p.11.

<sup>38</sup>P. N. C. Okigbo, op. cit., pp.74-75.

<sup>39</sup>These attitudes have been discussed by Mazrui, but subsequent developments in Euro-African relations enable us to develop the arguments further. Compare Ali A.

form, amounted to virtually complete opposition to the idea of a united Europe. There was, second, an attitude of objection shown by Nigeria and the East African Community which conceded an African need to be linked to the prosperity of a united Europe, but not on the terms implied by formal associate membership. The third attitude, such as Sierra Leone's, suggested indifference to whether Europe united or not, and was not particularly enthusiastic about Africa being directly linked to a united Europe.

Nkrumah of Ghana had criticised, in the following terms, the inclusion of the French-speaking African states in Part IV of the Treaty of Rome and the reciprocity arrangement between the EEC and these countries:

"The main benefit of this is reaped not by the people of these parts of Africa, who cannot afford the expensive products of industrial Europe, but by European industry which is assured of cheap, tariff-free raw material. Furthermore, the arrangement prevents the building up of industry in Africa which, to survive, needs the protection in the early years of its growth from the unequal competition of the industrialized nations."<sup>40</sup>

In Nkrumah's absence at the 1962 Commonwealth Prime Ministers meeting in London, Mr. Goka, Ghana's Minister of Finance, recalled a speech by the President the previous year stating that Ghana was "decidedly and strongly opposed" to any

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Mazrui, "African Attitudes to the European Economic Community" in Lawrence B. Krause (ed.), The Common Market: Progress and Controversy, N.J.: Prentice Hall, 1964, p.122.

<sup>40</sup>Kwame Nkrumah, "Positive Action in Africa", in James Duffy and Robert A. Manners (eds.), Africa Speaks, London: D. Van Nostrand, 1961, pp.48-57.

arrangement which used the unification of western Europe as a cloak for the perpetuation of colonial privileges in Africa. Mr. Goka emphasised that Ghana still thought that the Treaty of Rome, through the device of associate membership, would prevent the complete political and economic emancipation of the African continent.<sup>41</sup> Mr. Goka rejected association because the concept was neo-colonialist and it would deter economic and political emancipation of African countries:

"the European Economic Community was bound to discriminate economically against African countries and to perpetuate the many artificial barriers which had been imposed on Africa by European colonial Powers. [Ghana would therefore] not seek association with the Community on any terms whatever".<sup>42</sup>

Nigeria challenged the legality of the Common Market's arrangements. Nigeria's Prime Minister, Sir Abubakar Tafawa Balewa, put forward a proposal for the solution of the trade problem, namely the dismantling of preferential areas and the placing of the currently preferred countries on an equal footing with other countries. Supported by Ghana and other tropical producers, Nigeria linked the solution of the problem of EEC selective preferences to free entry for tropical products into all European countries and North America.<sup>43</sup> Sir Abubakar also rejected association on the grounds that it had not solved the economic problems of the Associated African countries. Besides, the EEC seemed to

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<sup>41</sup>The Times, 12 September 1962, p.8.

<sup>42</sup>"Report of Meeting of Commonwealth Prime Ministers", September 1962, cited in P. N. C. Okigbo, op. cit., p.75.

<sup>43</sup>Gerard Curzon, op. cit., p.283.

be opposed to the actual development of African countries by encouraging the export of agricultural products the volume of which was on a constant decline, and the import of manufactured products the prices of which were on a constant increase.

Furthermore, Nigeria's attempt to diversify her export products through industrialisation was met with resistance. Sir Abubakar affirmed that the problems confronting developing countries were of so profound a nature that the issue of association or non-association was relatively insignificant; the attitude of the EEC towards economic development was far more the issue. Sir Abubakar summed it up: "The trade policies of the E.E.C. towards the developing countries are, to say the least, perplexing."<sup>44</sup> He viewed with foreboding Mr. Macmillan's hope that Britain's entry would infuse the EEC with a liberal outward-looking spirit, and commented: "I cannot easily persuade myself to optimism on this subject, and can only pray that you succeed."<sup>45</sup>

The Commonwealth East African countries (Kenya, Tanzania and Uganda) based their main argument on the possible impact on their own East African Community of both Britain's entry into the Common Market and the EEC association. Mr. Kawawa, the Prime Minister of Tanzania, speaking also on behalf of Kenya and Uganda, rejected association for the East African Governments in terms as strong as Ghana's. He argued that the political implications of association were objectionable since association involved a commitment to a particular bloc. However, Mr. Kawawa maintained that the East African Governments would value the economic opportunities that might become available in the Community. He was clearly thinking of the conclusion of a trade agreement since "it should be clearly understood that association was wholly ruled out of consideration as far

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<sup>44</sup>The Times, 13 September 1962, p.13.

<sup>45</sup>Ibid.

as Tanganyika [Tanzania] was concerned".<sup>46</sup> Mr. Kawawa added that he expected Britain to help them, so that their trading position was not affected:

"We have informed the British Government that we would like to have some other arrangements with the Common Market besides associate membership. We have proposed arrangements like Libya, Tunisia and Morocco have with the Common Market. We thought these would be quite good for us, but would not commit us in political implications. We don't see any reason why Britain should not secure such arrangements for us."<sup>47</sup>

The protocol concerning Libya, Tunisia and Morocco provides that the application of the Treaty of Rome shall not prevent these countries from enjoying free entry for their goods to the European country which already offered them free entry: Morocco and Tunisia to France, and Libya to Italy.

Other Commonwealth African leaders based their arguments against association on the political and cultural virtues of the Commonwealth. Julius Nyerere, Tanzania's first Prime Minister, and later President when the country became a Republic on 9 December 1962, explained his faith in the Commonwealth quite simply:

"The Commonwealth is the one association of nations in the world with which you can associate something positive: the good of the members themselves who have

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<sup>46</sup>"Report of Meeting of Commonwealth Prime Ministers", September 1962, cited in P. N. C. Okigbo, *op. cit.*, p.77.

<sup>47</sup>The Times, 18 September 1962, p.14.

come together. You mention the Commonwealth and you cannot think of anything negative they want to do. They want to do something positive for themselves. They have nothing against anybody."<sup>48</sup>

Nyerere was right particularly in view of the fact that comparable organisations such as the Franco-African Community and, indeed, the European Community had set up trade barriers which would in time have negative effects on the trade of non-member states or non-associated countries and territories. Nyerere feared that through association with the Common Market, the Commonwealth might begin to think in negative instead of positive terms. Similarly, Tanzania's Minister for Finance, Mr. Paul Bomani, said at a press conference at the 1962 Commonwealth Prime Ministers meeting that

"the political association of the Commonwealth can best be strengthened by the sort of common purpose which we have at present. At present we have special privileges when we trade with a Commonwealth country. But once that is removed there would be a vacuum, and that vacuum would tend to slacken the tie-up between the Commonwealth countries."<sup>49</sup>

Even in Ghana where criticisms of European association had been the most fierce, officials believed that countries which graduated from the same tutelage in the task of governing a modern state should be kept in touch with one another under an association such as the Commonwealth provided, and this was accepted as a thing of value. So also

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<sup>48</sup>Ibid., 7 September 1962, p.13.

<sup>49</sup>Ibid.



was the similarity in institutions by which the peoples of the member countries were governed. These were the ties to which Ghanaian leaders referred when they talked of common heritage. But the suggestion that this had any concrete political significance was dismissed as unrealistic. It was argued that were any significance to be attached to the political content of the Commonwealth association, it would be only a matter of time before Commonwealth membership would be swapped for membership of pan-Africa, Europe, or a union of neutralist republics. Ghana pointed to the intra-Commonwealth alignments of Natoists, neutralists, pan-Africanists, and European Common Marketeers, which continue to multiply within the club.<sup>50</sup>

The disposition of the Commonwealth to accommodate change and diversity in the expression of sovereignty was also part of its appeal to the African countries which preferred Britain's free hand to France's heavy handedness and disapproval of change as witnessed by the treatment of Guinea when it opted for independence in 1958. Within the Commonwealth, there used to be a time when direct allegiance to the British Crown was deemed as the essential link that kept the Commonwealth together. The accession of India and Pakistan established that a republican form of government was not inconsistent with membership of the Commonwealth. There used further to be a time when the ultimate test of "Reciprocity in Defence" in the face of an enemy was regarded as the final proof of the oneness of the Commonwealth. It can no longer be seriously suggested that non-alignment is inconsistent with membership of the Commonwealth.<sup>51</sup> Several Commonwealth countries belong to the Non-aligned Movement (NAM), and Nigeria, which at independence in 1960 had conceded refuelling, stopover and other rights to the

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<sup>50</sup>Common Market and Commonwealth, *op. cit.*, p.87.

<sup>51</sup>Ali A. Mazrui, The Anglo-African Commonwealth, p.74.

British in the event of war or international crisis,<sup>52</sup> abandoned the Anglo-Nigerian Defence Pact following student protests in 1962.

Nor could the time have been forgotten when it was taken for granted that common democratic ideals constituted the essential heritage of the Commonwealth. The emergence of a benevolent dictatorship in Pakistan, and of authoritarianism in Ghana, had established that departures from parliamentary ideals were not inconsistent with membership of the Commonwealth. And, since 1961, it had been argued by champions of Britain's entry into the Common Market that even the disappearance of the Commonwealth Preference would not weaken the links between Britain and other members of the Commonwealth.<sup>53</sup> However, criticisms of Britain's EEC application were persistent.

Sir Alexander Bustamante, Prime Minister of Jamaica, firmly supported the virtues of the Commonwealth and on that account was as critical of Britain's application to join the Treaty of Rome as Ghana, Nigeria and the East African countries. The Jamaican Prime Minister emphasised that he did not share the optimism of Mr. Macmillan that Britain would be able in the future to maintain its own character and institutions intact against the pressure of Continental institutions and thinking:

"...the Treaty of Rome is like a surgeon's knife thrust into the body of the Commonwealth, cutting off one member from another, dividing one friend from

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<sup>52</sup>James Mayall, "The Hopes & Fears of Independence: Africa and the World 1960-1990" in Douglas Rimmer (ed.), Africa 30 Years On, London: The Royal African Society in association with James Currey Ltd, 1991, p.23.

<sup>53</sup>Ali A. Mazrui, The Anglo-African Commonwealth, p.74.

another. I do not see that such a treaty can be beneficial to us all."<sup>54</sup>

But Sierra Leone and Trinidad supported the idea of Britain's membership of the EEC. Dr. Eric Williams, Prime Minister of Trinidad, went a step further. He expressed his determination to join the EEC association, irrespective of Britain's decision, on considerations of the beneficial impact it would have in promoting Caribbean unity. He firmly stated: "Whether or not Britain joins the Common Market, Trinidad will seek associated status."<sup>55</sup>

But the main rub of the British offer was the contention that for some Commonwealth countries association would be incompatible with the Treaty of Rome while for others it was held fully compatible. The concept had been rejected for India, Pakistan and Sri Lanka but held appropriate for African and Caribbean countries. According to Mr. Heath, the offer of association could not be made to India, Pakistan and Sri Lanka because these countries differed from the associated countries in their products, their stage of economic development and their size. The implication was clearly that the more industrialised a country was, the more difficult it became to accept its association with the Community. It was generally accepted by both Britain and the EEC that the economic structure and production of the Commonwealth African countries were comparable to those of the associated states. Europe's position on the association of these countries implied that

"association would not be acceptable for developing countries with powerful

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<sup>54</sup>The Times, 13 September 1962, p.13.

<sup>55</sup>Ibid., 18 September 1962, p.14.

manufacturing industries and trade predominantly in manufactures and semi-manufactures."<sup>56</sup>

Besides, Mr. Heath explained that no associated state was likely to become sufficiently advanced industrially in the next five years to create a disruptive problem for the Community. He added that where, in course of time, any associated state should become so industrialised, the logical development would be for a bilateral trade agreement to be substituted for association. This argument of British officials lent strong weight to the criticism that association under Part IV of the Treaty of Rome might hamper the industrialisation of the associated countries in spite of the provisions that ostensibly enables them to protect an infant industry.<sup>57</sup> The United Nations Economic Commission for Africa (ECA) had, in fact, expressed a fear shared by many Africans, notwithstanding EEC assurances to the contrary, that

"if the associated territories were to try to diversify their economies, by increasing the protection of their local industry against the competition of the EEC, it is doubtful if the EEC countries would continue to offer the same advantages to the export of primary products by the associated countries."<sup>58</sup>

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<sup>56</sup>P. N. C. Okigbo, op. cit., p.72-73.

<sup>57</sup>Ibid., p.77.

<sup>58</sup>"The Impact of Western European Integration on African Trade and Development," U.N. Economic and Social Council Document E/CN.14/72, 7 December 1960. Cited by Ali A. Mazrui, "African Attitudes to the European Economic Community", p.126.

The Prime Minister of Sierra Leone, Sir Milton Margai, raised the legal question on whether Article 238 of the Treaty was available to African countries as an alternative to association under Part IV of the Treaty. Mr. Heath replied that Article 238 was limited to association of fully developed countries such as Greece, while Part IV was concerned with free or preferential entry into Europe of tropical products and products resulting from industrialisation in tropical countries. Dr. Jagan of British Guiana asked another question to which Mr. Heath reiterated this argument in maintaining that Article 238 would have, of necessity, to cover free movements of persons between the contracting parties while Part IV did not explicitly provide for this though making no provision against it.<sup>59</sup>

Furthermore, if Britain's negotiations succeeded, it was proposed that with African countries declining association the enlarged Community would negotiate trade agreements but on terms less favourable than those of association. Mr. Goka raised the question whether countries that rejected association would have to suffer reverse preferences. To this Mr. Heath replied that African countries of the Commonwealth that rejected association would certainly face reverse preferences. Thus, Britain had accepted the principle that there would be discrimination between Commonwealth countries that accepted association and those that did not, although this was subject to such alternative arrangements as might prove to be negotiable.<sup>60</sup>

The above points cast some doubt on the preparedness of the EEC to achieve full industrialisation for the associated countries. The points further suggest that even if ACP-EEC cooperation develops into a proper free trade area, full integration would be excluded given such reluctance expressed at this early stage by the EEC to favour free movements

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<sup>59</sup>P. N. C. Okigbo, *op. cit.*, p.76.

<sup>60</sup>*Ibid.*, pp.75-76.

of persons which is a sure way of extending the benefits of integration to the populations of all the countries involved.

In the event, Britain's bid to join the EEC collapsed<sup>61</sup> in January 1963 due to a veto by General de Gaulle of France. This also put a temporary hold on any kind of eventual association for the Commonwealth developing countries. Later events, for example, the support given to the Nigerian-EEC Agreement, showed that other EEC member countries, in particular Germany and the Netherlands, were not pleased with the failed opportunity to bring Commonwealth developing countries into some kind of association with the EEC. In the meantime, EEC development cooperation remained essentially a Franco-African affair.

Following the failure of the Britain-EEC negotiations, Commonwealth developing countries began to reassess their relations with the EEC. The African countries most critical of association, in particular Ghana and to a lesser extent Nigeria, however, continued to criticise association. Meanwhile, the French OCTs having become independent in 1960 negotiated and signed the first Yaoundé Convention which came into force in 1964. In 1965, Nkrumah pointed to the wider problems of neocolonialism and its irresponsible nature and commented on the new association grouping which he said had been devised to benefit a wider range of European nations:

"...the limited neo-colonialism of the French period is now being merged in the collective neo-colonialism of the European Common Market which enables other States, hitherto outside the French preserve, to profit by the system."<sup>62</sup>

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<sup>61</sup>See The Economist, "The common market's backyard", 6 May 1972, p.74.

<sup>62</sup>Kwame Nkrumah, Neo-colonialism - The Last Stage of Imperialism, p.19.

Britain's more liberal trade policy in her former colonies had meant that Ghana by 1962 already had considerable amount of trade with the members of the European Community. But dependence on Italy, Germany, France and Britain as separate trading partners was quite different from a new dependence on these countries as a unified economic entity, collectively bargaining for the same terms from Africa. Associate membership would formalise this latter type of dependence.<sup>63</sup> Ghana, therefore, considered association unacceptable. Nigeria, on her part, also continued to reject association and to criticise the reverse preferences which the EEC demanded from the Associates as the price for the Community's concessions. Alhaji Shehu Shagari, at that time Nigeria's Commissioner for Finance, had declared that "Nigeria will definitely not associate."<sup>64</sup>

However, as a result of the failure of this round of negotiations to include Britain in the EEC and also as a result of continued EEC efforts to consolidate the Community's common external tariff (CET), Commonwealth African countries finally began to re-examine the nature of the relations that would govern their trade, in the absence of Britain, with the burgeoning Community. Britain's accession would have had both positive and negative implications for trade between the Commonwealth African countries and the EEC. On the positive side, Britain's accession would have greatly improved Africa's trade since Commonwealth Africa's traditional exports to both Britain and the EEC member states would have combined to qualify for duty-free entry into the Community. Thus, Britain's entry into the EEC would have doubled the total volume of Nigeria's exchanges with the Community, increased Ghana's by 175 per cent, and the East African countries'

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<sup>63</sup>Ali A. Mazrui, The Anglo-African Commonwealth, p.66.

<sup>64</sup>"The Market Game", West Africa, No. 2855, 3rd March, 1972, p.242.

by 273 per cent.<sup>65</sup>

But, on the negative side, if Britain had successfully acceded to the EEC, the alignment of the UK tariff with the Community's CET would have caused the imperial preference to be eroded and in due course to disappear. With the initial failure of the British negotiations this threat was no longer there, but, it would reappear if Britain renewed her bid successfully at a future date.<sup>66</sup> Consequently, there was a pressing need from the perspective of the Commonwealth African countries to negotiate special arrangements with the Community in anticipation of such an event.

Between the Commonwealth Prime Ministers' meeting of September 1962 where Commonwealth developing countries, notably Ghana, Nigeria and the member countries of the East African Community, had rejected association, and 1964 when many of these countries had reconsidered their decision and requested negotiations toward association, many issues had evolved to encourage a change of heart. Indeed, Britain's bid for EEC membership had failed. But, the Yaoundé Convention had also been made public and signed, and it had become clear that some agreement protecting Commonwealth Africa's trade with the Community would be necessary.<sup>67</sup>

Other elements had also contributed to the change of heart. One was the text of the Yaoundé Convention itself, which helped allay political fears, particularly through its safeguard clauses (Yaoundé, art. 13) and through its verbal encouragement of intra-African

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<sup>65</sup>P. N. C. Okigbo, op. cit., p.78.

<sup>66</sup>Ibid.

<sup>67</sup>I. William Zartman, The Politics of Trade Negotiations between Africa and the European Economic Community - The Weak Confront the Strong, New Jersey: Princeton University Press, 1971, p.78.



economic arrangements (Yaoundé 9). Another was the end of Nigeria's isolation in Africa and its growing contacts with French-speaking states in the various African groups<sup>68</sup> of the OAU. A third element was the absence of European constraint on the foreign policies of the Associates, as shown by the ostentatious radicalism of Mali and Congo-Brazzaville. Furthermore, the January 1963 veto of British entry into the Common Market by France reinforced the determination of the other five members of the EEC and the Commission not to have the association limited primarily to former French colonies. This desire was substantiated before the Dutch would agree to final ratification of the Convention.

But the most important element which later substantiated the desire of the five EEC member states to include other developing countries in the EEC association was a Declaration of Intent of the EEC Council of Ministers. The Declaration was issued at the end of a meeting held from 1-2 April 1963 and was distributed in mid-July, at the time of the signing of the Yaoundé Convention.<sup>69</sup> The Declaration confirmed an offer made during Britain's negotiations that association should be open to independent Commonwealth countries in Africa and the Caribbean. The EEC Ministers declared that the Community would be ready to:

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<sup>68</sup>At the announcement of the Six Year Plan in March 1962, Nigeria's Minister of Finance, Chief Okotie-Eboh, stated that Nigeria attached "the greatest importance to the closest possible economic cooperation with other African states and particularly, initially, with the other West African states.": Claude S. Phillips, The Development of Nigerian Foreign Policy, Evanston: African Studies No. 13, Northwestern University Press, 1964, p.116.

<sup>69</sup>I. William Zartman, The Politics of Trade Negotiations between Africa and the European Economic Community, p.79.

"negotiate in a sympathetic spirit agreements with any non-member countries who so requested and whose economic structure and production were comparable to those of the Associated States".<sup>70</sup>

Three options were open to such countries:

- i) full accession to the Association Convention according to the procedure in Article 238 of the Treaty of Rome;
- ii) some other form of association including reciprocal rights and obligations, notably in respect of trade (allusion to reverse preferences); or
- iii) trade agreements to facilitate and develop trade between (a group of) countries and the Community.<sup>71</sup>

It was on the basis of these provisions that Nigeria and the East African Community eventually started negotiations for preferential relations with the EEC.

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<sup>70</sup>EEC, Seventh General Report, 1963/64, pp.225-6. Cited in P. N. C. Okigbo, op. cit., p.116.

<sup>71</sup>Anthony Kershaw, "The developing countries in the official negotiations" in Tom Soper, (Rapporteur of Conference), Britain, the EEC and the Third World, London: Overseas Development Institute, 1971, p.26.

### 2.2.2 The Nigeria-EEC Agreement and the Arusha Accord

It has been stated that the Lagos Convention was based on Article 238 of the Treaty of Rome which provides for association between the Community and non-members, unlike the Yaoundé Convention, which grew out of Part IV of the Treaty.<sup>72</sup> However, the comments made by Edward Heath at the 1962 Commonwealth Prime Ministers meeting specifically on this subject in response to a question by Sir Milton Margai of Sierra Leone and Dr. Jagan of British Guiana<sup>73</sup> lead us to believe that the Nigeria-EEC Agreement indeed grew out of Part IV of the Treaty of Rome. The Nigerian negotiations were concluded in mid-1965,<sup>74</sup> but French boycott prevented the Agreement from entering into force at the beginning of 1966 as initially planned. The entry into force was further delayed by the Nigerian military coup of January 1966. In all, it took two and a half years for Nigeria to squeeze through the negotiations.<sup>75</sup>

Throughout the negotiations, Nigeria and France maintained less than friendly relations. Nigeria had broken diplomatic relations with France in early 1961 in protest against French atomic tests in the Sahara. But although rupture of relations was never an explicit obstacle, it certainly cast an ambiguous shadow over the negotiations.<sup>76</sup> Again,

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<sup>72</sup>Gordon L. Weil, A Foreign Policy for Europe? - The External Relations of the European Community, Bruges: College of Europe, 1970, p.167.

<sup>73</sup>These responses have been discussed in the previous section.

<sup>74</sup>"In from the cold", The Economist, 17 July 1965, p.230.

<sup>75</sup>"The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.

<sup>76</sup>I. William Zartman, The Politics of Trade Negotiations between Africa and the European Economic Community, pp.82 and 92.

Nigeria and France had had a running battle since November 1961, when Nigeria proposed to the General Agreement on Tariffs and Trade (GATT) meeting the immediate elimination of tariffs on tropical products, a proposal which France opposed as direct attack on Association.<sup>77</sup> Furthermore, France stood against Nigeria which at the United Nations Conference on Trade and Development (UNCTAD) meeting in Geneva in 1964<sup>78</sup> had taken a strong stance against reciprocal tariff arrangements such as the EEC Association and yet was seeking to benefit from an arrangement with the EEC. Nigeria had openly challenged the legality of the Yaoundé Convention's preferential arrangements when compared with GATT rules. Finally, as the Dutch and the Germans reacted to the 1963 veto of British membership with a determination to push the open nature of the Association, so did France in turn respond with proud resolution not to acquiesce automatically in the Dutch and German campaign for their overseas candidate.<sup>79</sup>

In the Nigerian negotiations, the EEC asked for reverse preferences, or reciprocity, such as was offered by the Yaoundé Associates. This was difficult for Nigeria which had consistently supported the argument within UNCTAD and other international organisations against the extension of concessions from developing to developed countries. Article 1 of the GATT establishes the most favoured nation (MFN) principle, i.e., non-discrimination, as the basic rule of international commerce. But non-reciprocity was also established under Chapter 3 of the GATT as the principle governing participation by developing countries

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<sup>77</sup>Gerard Curzon, op. cit., pp.238 and 283.

<sup>78</sup>Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, p.43.

<sup>79</sup>I. William Zartman, The Politics of Trade Negotiations between Africa and the European Economic Community, p.83.

in trade negotiations with industrial states.<sup>80</sup> However, the EEC agreement with the Associates had been justified under Article 24 of the GATT, which allows for exceptions to the MFN rule in cases of custom unions and free trade areas. While non-Associates accepted the desirability of a contractual agreement, they wished to reject Article 24 as a proper guide to relations between developed and underdeveloped countries.<sup>81</sup> As non-Associate, Nigeria defended this line of argument in the major international fora.

Nigeria had stated that she stood against the extension of preferential systems and did not propose to negotiate for preferences in the Community.<sup>82</sup> She had stated that her purpose in negotiating with the Community was merely

"to seek an equally competitive position with her major competitors for whom a preferential zone had been created only in 1958, thus endangering her position in her traditional markets in Europe."<sup>83</sup>

The argument is understandable against the consideration that the EEC market represented an ever-increasing outlet for Nigeria's exports over a quarter of which, in 1964, were going to the six EEC member countries compared to 14 per cent ten years

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<sup>80</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.303.

<sup>81</sup>Ibid., p.304.

<sup>82</sup>P. N. C. Okigbo, op. cit., p.118.

<sup>83</sup>Ibid.

earlier.<sup>84</sup> Furthermore, the distribution of Nigeria's foreign trade was such that between 1960 and 1964 her exports to the Commonwealth had fallen from 50 to 42 per cent while her exports to the EEC had risen from 31 to 41 per cent.<sup>85</sup> Nigeria finally made a gesture on reverse preferences by dropping customs, but not revenue, duties on twenty-six items from the EEC which were of little importance to her trade and of almost total indifference to her trading partners outside the EEC. The twenty-six items together accounted for 9 per cent of Community exports to Nigeria,<sup>86</sup> and only 4 per cent of Nigeria's total imports and represented no more than a symbolic preference.<sup>87</sup> Thus, English-speaking African diplomacy during this period was essentially reactive: it only responded to Britain's EEC application and to Eurafican association arrangements which were threatening their traditional trading outlets to the Community.

The Nigerian Agreement was much more limited than the Yaoundé Convention. Firstly, while the EEC gave unlimited free entry to exports from the Associated countries, it imposed duty-free quotas on Nigeria's four most important exports: cocoa, groundnut, plywood and palm products. However, it was expected that this would be no great hardship to Nigeria as she had argued that the Agreement was negotiated primarily to secure existing outlets to the Community.<sup>88</sup> Secondly, the Nigeria-EEC Agreement created

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<sup>84</sup>"Nigeria as Associate", review of P. N. C. Okigbo, Africa and the Common Market, (London: Longmans, 1967) in The Economist, 23 September 1967, p.1102.

<sup>85</sup>P. N. C. Okigbo, op. cit., p.81.

<sup>86</sup>Gordon L. Weil, op. cit., pp.167-168.

<sup>87</sup>"In from the cold", The Economist, 17 July 1965, p.233, and "The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.

<sup>88</sup>"The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.

an obligation for both sides not to impose new quantitative restrictions, raise customs duties or impose new ones, except under defined conditions. But, there was no obligation to harmonise the customs tariff. Each side was free to determine and to implement its own external tariff against third countries.<sup>89</sup> Thus, although the Nigeria-EEC Agreement corresponded to a free trade area<sup>90</sup> similar to that created by the Yaoundé Convention, it was different from the Yaoundé association where the terms of the free trade area between an Associated state and a given EEC member country could be modified by an existing or future concessionary arrangement agreed between the Associate and another EEC country. In essence, the Nigeria-EEC Agreement gave some freedom of manoeuvre in the development of trade links with third countries.

Thirdly, there was a major difference between the presence in the Yaoundé Convention of institutions such as the joint ministerial Association Council and parliamentary assembly both established for the administration of cooperation, and the absence of such institutions in the Nigeria-EEC Agreement. Nigeria tried to keep the institutional links to the barest minimum to safeguard her independence. As one of the biggest of the newly-independent African states, Nigeria was determined to assert her political independence from Europe. Finally, the Yaoundé Convention and the Nigeria-EEC Agreement were also different in that the six EEC member states provided financial aid worth \$730 million to the eighteen Associated countries while Nigeria neither asked for nor received any financial assistance from the EEC.<sup>91</sup> Thus, Nigeria avoided not only

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<sup>89</sup>P. N. C. Okigbo, op. cit., p.131.

<sup>90</sup>Ibid.

<sup>91</sup>"The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.

the close political ties envisaged in the Yaoundé Convention but also the European programme of multilateral development finance.<sup>92</sup>

The Nigeria-EEC Agreement, however, did not come into force due to the outbreak of the Biafran civil war<sup>93</sup> and the ensuing deterioration of relations between Nigeria and France.<sup>94</sup> However, the principle of the Agreement provided a basis for the future structure of Africa's international economic relations. Post-independence trade relations between Africa and the rest of the world had been polarised into two blocs. The first bloc comprised Britain and the Commonwealth (for the English-speaking African countries) while the second bloc comprised France and the EEC (for the French-speaking African countries). The conclusion of the Nigerian Agreement represented a bridge between these two trading blocs.<sup>95</sup> As a point of African solidarity, the Yaoundé Associates had backed the Nigerian Agreement even though the Associates would have been facing Nigerian competition in selling their tropical produce to the EEC market.<sup>96</sup> Thus, although never ratified, the Nigerian Agreement certainly marked a bridge across the long-standing

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<sup>92</sup>P. N. C. Okigbo, op. cit., p.158.

<sup>93</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.8.

<sup>94</sup>Nigeria accused France and South Africa (among other countries) of supporting Biafra during the war, to the frustration of Frenchmen in Lagos who exclaimed: "*Dans le même sac que l'Afrique du Sud..! Zut alors!*": "Sheep, goats and Frenchmen", The Economist, 31 January 1970, p.30.

<sup>95</sup>P. N. C. Okigbo, op. cit., p.132.

<sup>96</sup>"In from the cold", The Economist, 17 July 1965, p.233 and "The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.



division between English- and French-speaking Africa.<sup>97</sup>

The Nigeria-EEC Agreement also set a precedent in Commonwealth African relations with the EEC. But, by going through with the agreement, Nigeria delivered a blow to the Nkrumahist doctrine that association with the common market is nothing but a neo-colonialist plot.<sup>98</sup> From a group theory perspective, we have already noted that the attitude of one or several members of a group is modified as a result of an association or dissociation of other members.<sup>99</sup> We can now consider Nigeria and the members of the East African Community as belonging to a similar group, that is, the group of Associable Commonwealth developing countries. We can then note that despite the strong initial criticisms of the EEC association by the Commonwealth African countries, Nigeria's decision to negotiate an agreement with the EEC encouraged the Commonwealth East African countries to conclude their own accord with the Community since the Nigerian effort had taken the weight out of the argument against association.

Indeed, the Commonwealth East African countries (Kenya, Tanzania, Uganda) negotiated an accord with the EEC which was signed in Arusha, Tanzania, on 24 September 1969. The Arusha Accord came into effect at the beginning of 1971 and established reciprocal trade preferences between the six EEC member countries and the three East African states but on a more limited scale than the Yaoundé Convention.

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<sup>97</sup>"Nigeria as Associate", review of P. N. C. Okigbo, Africa and the Common Market, in The Economist, 23 September 1967, p.1102.

<sup>98</sup>"The Six and Africa - Come and join the club", The Economist, 23 July 1966, p.341.

<sup>99</sup>See Theoretical Considerations section of this study and Randy Y. Hirokawa and Marshall Scott Poole (eds.), Communication and Group Decision-Making, London: Sage, 1986, p.17.

Firstly, in order to protect the interests of the Yaoundé Associates, free entry was restricted by quota in the case of three products which competed with the exports of the Yaoundé countries, that is, coffee, canned pineapple and cloves. Secondly, the three East African countries offered reverse preferences to the EEC but this was also limited, covering only one-sixth of EEC exports.<sup>100</sup> Finally, unlike the Yaoundé Convention, there was no provision for aid in the Arusha Accord.<sup>101</sup> A proposal by the East African countries to include aid in the Arusha Accord was abandoned when it threatened to jeopardise the negotiations.<sup>102</sup>

With regard to British Commonwealth relations, the Nigeria-EEC Agreement marked the first gesture of a Commonwealth country instituting a preference against Britain.<sup>103</sup> However, actual discrimination against Britain was avoided due to the failure of the Agreement to enter into force. The Commonwealth East African countries similarly instituted a preference against Britain in the Arusha Accord. When the Accord came into effect, these events created an anomalous situation in the Commonwealth preference system in that the Commonwealth East African countries became associated to the EEC and granted preferences to the six original EEC member states and against the UK.<sup>104</sup> The

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<sup>100</sup>Mordechai E. Kreinin, "European Integration and the Developing Countries" in Bela Balassa, (ed.), European Economic Integration, Oxford: North-Holland, 1975, p.332.

<sup>101</sup>Joanna G. Moss, "The Yaoundé Convention, 1964-1975", Ann Arbor, Michigan: University Microfilms International, 1978, p.143.

<sup>102</sup>"The common market's backyard", The Economist, 6 May 1972, p.74.

<sup>103</sup>"In from the cold", The Economist, 17 July 1965, p.233.

<sup>104</sup>Tom Soper, (Rapporteur of Conference), Britain, the EEC and the Third World, London: Overseas Development Institute, 1971, p.14.

preferences against Britain were probably not significant since the Arusha Accord was replaced a few years later by the ACP-EEC Lomé Convention.

On the whole, the relations which evolved in the 1960s among France, the Associates and the EEC on the one hand, and among Britain, the Commonwealth African countries and the EEC on the other, provided a basis for Eurafrican development cooperation. These relations also contributed to the strengthening of African negotiating positions and ACP diplomacy when different African, Caribbean and Pacific groups later came together to negotiate the first Lomé Convention with the EEC in the early 1970s. However, common ACP negotiation during the Lomé negotiations was not without difficulties.

**CHAPTER THREE:**  
**DIFFERENCES AND COMMONALITY OF INTERESTS**  
**BETWEEN THE ACP COUNTRIES AND THE EEC**

This chapter analyses the differences and commonality of interests among ACP countries on the one hand, and between them and the EEC on the other. ACP differences are examined through individual country, sub-regional or regional conceptions on ideological issues including self-determination, sovereignty, independence, association, partnership and economic development. The nature of intra-ACP discord or agreement is considered in terms of issues involved in the first Lomé negotiations between 1972-1975. The origins of the divergences are traced to events which took place during the 1960s such as the various African conceptions on Eurafrican relations, the 1963 EEC Council of Ministers Declaration of Intent which categorised developing countries for the purpose of association with the Community into Associables and non-Associables. These origins are also traced to the inter-African divisions which emerged after the adoption of the OAU Charter in 1963. The discussion of these issues show African diplomacy at its early dynamic phase.

In spite of the enormous differences which exist between them, the EEC and the ACP countries have also been keen to continue their relationship. This chapter finally examines the attractions of cooperation for both the ACP countries and the EEC member states to show that both sides are equally motivated to promote partnership. This consideration is relevant to the aim in this study to place emphasis on both ACP and EEC factors in the analysis of the benefits of cooperation.

### 3.1 DIFFERENCES BETWEEN THE ACP COUNTRIES AND THE EEC

This section examines the differences between the African, Caribbean and Pacific countries which appeared in the early days of association between the EEC and Associated African States and Malagasy (AASM). There were considerable divergences of ideological opinions between the African, Caribbean and Pacific countries prior to the signing of the Lomé Convention, especially during the period 1963-1973. These divergences emerged once again during the early stages of the Lomé I negotiations. This section also examines differences between African, Caribbean and Pacific countries and the EEC which can most readily be found in social and economic indicators.

#### 3.1.1 Differences between ACP Countries

As with most other groups of states, differences exist among the ACP countries.<sup>1</sup> However, contemporary inter-African differences with regard to relations with Europe can be traced to the 1963 EEC Council of Ministers Declaration of Intent. Other differences can be traced indirectly to different African colonial experiences and different political ideologies or economic priorities adopted by African and Caribbean leaders after independence. Further differences between African, Caribbean and Pacific countries range from geographical and climatic factors to their trading products and partners.

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<sup>1</sup>Differences exist even among the EEC member states. And Williams has also demonstrated inter-state differences within the Group of 77: Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, 1991.

### 3.1.1.1 Conceptions of Eurafrican colonial relations and the 1963 EEC Council of Ministers Declaration of Intent

The effect of colonisation on Africa has been extensively explored. Gupta has convincingly demonstrated that colonisation adversely affected trade between two neighbouring African states where they happened to be under the rule of different metropolitan powers, and that colonisation obstructed the formation of natural markets, even within the framework of colonial divisions.<sup>2</sup> Onimode has also argued that contact with Europe through slavery and colonisation is the root cause of Africa's underdevelopment. He pushes the argument to its extreme by drawing extraneous links to the internal causes of Africa's underdevelopment.<sup>3</sup> The debate is interesting, however, it falls outside the scope of this study both in terms of time and approach. This study is based on the contemporary era (1957-1990) and looks to the future on the principle of Africa's ability to control her own destiny. In particular, the present section looks at inter-African differences through African post-independence ideologies.

Divergences among African post-independence leaders can be related to their different experiences under French, British and Belgian colonial administrations. The French colonial policy of assimilation focused on the ambitious strategy of making Frenchmen out of Africans. The British colonial system of indirect rule relied on limited

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<sup>2</sup>Vijay Gupta, "The ECOWAS and West European Colonial Heritage" in K. B. Lall and H. S. Chopra (eds.) The EEC and the Third World, Atlantic Highlands, N.J.: Humanities Press, 1981, pp.312-314.

<sup>3</sup>Bade Onimode, A Future for Africa - Beyond the politics of adjustment, London: Earthscan Publications Ltd, in association with the Institute for African Alternatives, 1992, in particular pp.8-12.

contact between the British and a few African leaders who took orders and then passed them on to the local population. However, the Belgian colonial system, in the Congo, was quite similar to the racist policy in apartheid South Africa in that the Belgians controlled colonial affairs while avoiding direct contact with the local population. These different colonial systems had varying degrees of influence on the attitudes of post-independence African leaders. But, it must be said to the credit of Africa's post-independence diplomacy that these leaders, although often having directly opposing views, avoided direct confrontation over the interpretation of Eurafican colonial relations, perhaps in the hope of realising an eventual African Unity which they all sought after - each one in his own peculiar way. The early stages in dynamic African diplomacy can already be discerned. And the African leaders did not spare a chance to express their individual views.

The French colonial policy of assimilation was largely based on France's *mission civilisatrice* (civilising mission) dedicated to the spreading of the French language and culture around the world. French colonisation was accompanied with teachings on the common destiny of all French-speaking peoples. In French colonies, school children recited passages which suggested that the *Gaulois* were their ancestors. Such assimilationist ideas later met with firm refutation in the 1950s and 1960s even from French-speaking Negro-African writers such as Mongo Béti and Cheikh Hamidou Kane.<sup>4</sup>

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<sup>4</sup>On the one hand, Mongo Béti, in Le Pauvre Christ de Bomba (Paris: Robert Laffont, 1956), presents a missionary father from France who becomes exasperated with recalcitrant Africans whose souls he was dedicated to bringing to God. He subsequently abandons his mission when he is overwhelmed by "pagan" African practices such as dancing and polygamy, and returns to France.

On the other hand, Cheikh Hamidou Kane, in L'Aventure Ambiguë (Paris: René Julliard, 1962), presents an African protagonist who embarks on the "ambiguous

However, the cultural and economic presence of France in Africa was so pervasive that French-speaking African countries clearly showed a better understanding of the virtues of colonisation than did their English-speaking counterparts.

Firstly, as colonies of France, the French-speaking countries supported the efforts of France to associate them to the EEC through special provisions in Part IV of the Treaty of Rome. Léopold Sédar Senghor of Senegal, as deputy for French West Africa in the French National Assembly and member of the drafting committee of the European Community treaty, had said: "We are for the European Community and, by that it [is], for the Eurafrican Community."<sup>5</sup> Secondly, with the exception of Guinea, the French-speaking countries all voted in favour of participation in the Franco-African Community in the 1958 French referendum which also marked the beginning of the Fifth Republic. And thirdly, after independence, the French-speaking African countries signed the Yaoundé convention of association with the EEC in 1963.

Differences persisted throughout the 1960s between French- and English-speaking African countries. Senghor's lecture at Oxford in October 1961 provided an occasion to ponder on the Negritude philosophy and colonial rule, and by that, underlined the points of departure with the ideologies of Sékou Touré of Guinea as well as those of English-speaking African leaders, in particular, Dr. Kwame Nkrumah of Ghana. Within the context

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adventure" of studying in France as a means of assimilating European values. He tries to reconcile himself to the differences between African and European cultures but the futility of his efforts is symbolised by the abandonment of his studies and return to Africa.

<sup>5</sup>Personal translation from the French: "*Nous sommes pour la Communauté européenne et, par de la elle, pour la Communauté eurafricaine*": Carol Ann Cosgrove, "The European Economic Community and the African Associates", Thesis, University of London, 1976, pp.29 and 33.



of the *Civilization of the Universal*, Senghor saw positive contributions in both British and French colonial rule:

"The policies of the former tended to reinforce the traditional native civilization. As for France's policy, although we have often reviled it in the past, it too ended with a credit balance, through forcing us actively to assimilate European civilization. This fertilized our sense of Negritude."<sup>6</sup>

Of course, certain aspects of colonisation were bad, and in drawing up the first Senegalese Four-Year Plan based on "African Socialism", Senghor and his advisers had to choose between the various aspects of colonial rule, the sum total of which showed that colonisation was a positive experience:

"... we had to eliminate the flaws of colonial rule while preserving its positive contributions, such as the economic and technical infra-structure and the teaching of the French language; inspite of everything the balance sheet of colonization is positive rather than negative."<sup>7</sup>

Senghor also maintained a conciliatory tone on the specific question of EEC association:

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<sup>6</sup>Léopold Sédar Senghor, "Negritude and African Socialism" in Kenneth Kirkwood (ed.), *African Affairs*, Number Two, St Antony's Papers, Number 15, London: Chatto & Windus, 1963, p.13.

<sup>7</sup>*Ibid.*, pp.18-19.

"I do not seek to deny, in this process of decolonization, the disinterested action of noble minds, of intellectuals, of teachers, of philosophers, spurred on by a high ideal of brotherhood. These men and women have saved Europe's honour, and made possible the co-operation between Africa and Europe which exists today."<sup>8</sup>

Guinea broke with the Franco-African Community, and the EEC, in 1958. President Sékou Touré regarded the Association Agreements as a form of collective neo-colonialism, reinforcing the indirect control which France continued, in his view, to exercise in her former territories.<sup>9</sup> Given Guinea's rejection of the Franco-African Community, it comes as no surprise that Sékou Touré's views on French colonisation differed from Senghor's. On the crucial questions of French assimilation and economic development, Touré argued that colonisation had distorted Africa's development:

"It is evident that if we impose upon a certain society structures which are incompatible with that society's conditions..., we not only distort the man of this society but we constrain him, we enslave him, we interrupt the development and fulfilment of his faculties in peace and harmony. This is the path of assimilation. We have categorically and definitely rejected this path."<sup>10</sup>

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<sup>8</sup>Ibid., p.17.

<sup>9</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community" in Timothy M. Shaw and Kenneth A. Heard (eds.), The Politics of Africa: Dependence and Development, New York: Africana - Holmes & Meier, 1979, p.288.

<sup>10</sup>Sékou Touré, "Africa's Destiny" in James Duffy and Robert A. Manners (eds.), Africa Speaks, London: D. Van Nostrand, 1961, p.41.

Relishing in his freedom outside the Franco-African Community, Touré affirmed:

"...Guinea prefers liberty in poverty to opulence in slavery..."<sup>11</sup>

As for the British indirect rule system, it had the advantage of leaving the culture of the Africans relatively intact. Leaving intact the culture of the English-speaking African implied the preservation of self-pride. In effect, while French-speaking African leaders such as Senghor were singing the praise of colonisation and justifying association with the EEC under Part IV of the Treaty of Rome, Kwame Nkrumah, along with other African leaders such as Sékou Touré, showed less appreciation for European colonisation, and were critical of association. Indeed, Nkrumah was concerned by the continued influence of Western powers in Africa after independence. In the same year that Senghor gave his lecture at Oxford, Nkrumah addressed the Ghanaian National Assembly and declared that the Treaty of Berlin of 1885 had found a successor in the Treaty of Rome:

"the former treaty established the undisputed sway of colonialism in Africa; the latter marks the advent of neo-colonialism in Africa... [and] bears unquestionably the marks of French neo-colonialism."<sup>12</sup>

In fact, Nkrumah considered Western activities in Africa after independence as "neo-colonialism", one of the consequences of which, in the context of the East-West

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<sup>11</sup>Ibid., p.44.

<sup>12</sup>Nkrumah's address to Ghana National Assembly, May 30, 1961 in Ali A. Mazrui, The Anglo-African Commonwealth - Political Friction and Cultural Fusion, London: Pergamon, 1967, p.72.

conflict, would be the waging of wars by the super powers on the territory of others, usually small states which were under neo-colonial control. Nkrumah argued that African Unity was the only way to destroy neo-colonialism and thereby bring an end to imperialism in Africa. He affirmed: "...if Africa was united, no major power bloc would attempt to subdue it by limited war."<sup>13</sup>

But, in contrast to both the British and French colonial systems, Belgium adopted a colonial system assorted with a veritable apartheid policy. In the Congo, Blacks were not allowed into European quarters without a pass and they were forbidden to enter into bars or restaurants reserved for Whites.<sup>14</sup> Furthermore, punishment by whipping was not only administered on the local population, but also on elders and the sacred person of the customary Chief. This colonial practice inflicted shame on the tribe, and provoked a hatred which promised to turn to revenge in the future.<sup>15</sup> But, revenge was not far-fetched. On the occasion of independence on 30 June 1960 in the presence of King Baudouin of Belgium, one of Congo's independence leaders, Joseph Kasa-Vubu expressed appreciation for the benefits of 80 years of colonisation. However, Patrice Lumumba, another independence leader, chose this unlikely occasion to castigate Belgium in the following terms to the utter astonishment of the Belgian delegation:

"No Congolese worthy of that name can ever forget that it is by struggle that independence has been won, a continuous, ardent, and idealistic struggle in which

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<sup>13</sup>Kwame Nkrumah, Neo-colonialism - The Last Stage of Imperialism, London: Thomas Nelson, 1965, p.xi. See also p.259.

<sup>14</sup>Euloge Boissonnade, Le Mal Zaïrois, Paris: Editions Hermé, 1990, p.36.

<sup>15</sup>Ibid., pp.36-37.

we spared neither our strength, our privations nor our blood. A noble and just struggle, inevitable to end the humiliating slavery which was imposed upon us by force... We have known mockery, insults, blows which we had to suffer morning, noon and night because we were niggers. Who will forget that to a Black person one used [the familiar] *tu*, not, certainly, as to a friend, but because the polite *vous* was reserved for only Whites."<sup>16</sup> (Suspension mine)

These sharply contrasting opinions on the merits of European colonisation and differences of conception about the nature of Eurafrican relations, while pointing to a certain dynamism in African diplomacy, also mitigated against joint African negotiations with the EEC during the first part of the 1960s. And, to a certain extent, these differences were also later reflected in African positions at the early stages of the first Lomé negotiations.

However, specific differences between developing countries with regard to EEC relations appeared in 1963. In April of that year, the EEC Council of Ministers adopted

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<sup>16</sup>Personal translation from the French: "*Nul Congolais digne de ce nom ne pourra oublier que c'est par la lutte que l'indépendance a été conquise, une lutte de tous les jours, ardente et idéaliste, dans laquelle nous n'avons ménagé ni nos forces, ni nos privations, ni notre sang. Une lutte noble et juste, indispensable pour mettre fin à l'humiliant esclavage qui nous était imposé par la force... Nous avons connu les ironies, les insultes, les coups que nous devons subir matin, midi et soir, parce que nous étions des nègres. Qui oubliera qu'à un Noir on disait "tu", non certes comme à un ami, mais parce que le "vous" honorable était réservé aux seuls Blancs.*" Cited by Euloge Boissonnade, *ibid.*, p.47.

Compare Patrice Lumumba, "The Independence of Congo" in James Duffy and Robert A. Manners (eds.), *op. cit.*, pp.90-93.

a Declaration of Intent concerning developing countries other than those which were signatories to the first Yaoundé Convention. The Declaration was aimed at countries with economic structures similar to those of the Yaoundé Convention countries. It was an invitation to these non-associated countries to enter into negotiations for special relations with the EEC. The Declaration offered three options for association to the eligible developing countries: i) full accession to the Association Convention; ii) some form of association including reverse preferences; or iii) trade agreements between a group of countries and the Community. The three options were later repeated in Protocol 22 of the Act of Accession when Denmark, the Republic of Ireland, Norway and Britain signed the EEC treaty in 1972.

In effect, the Declaration invited developing countries to associate with the EEC but on different terms. In other words, the EEC offer categorised the future ACP countries into "associables" and "non-associables". Furthermore, the EEC offer was formulated in such a way that only the third option was open to Commonwealth countries in Asia (India, Pakistan, Sri Lanka). This implied a permanent separation between these and other Commonwealth developing countries with regard to EEC relations. It appears that the Declaration of Intent of 1963, and later Protocol 22 of the Act of Accession, were designed to ensure that Britain came into the EEC association with as few of her large and varied household of Commonwealth countries as possible.

### 3.1.1.2 Differences in Post-Independence African Ideologies

Examples of a unified coalition among the French-speaking African states in their relations with European nations, as indicated by the almost total acceptance of the Franco-African Community and Part IV of the Treaty of Rome, contrasted sharply with lack of consensus in their relations with other African countries. In essence, despite their relatively unified relations with France and the EEC, differences persisted in inter-African relations. Indeed, the French-speaking African countries were able to present a common front only with respect to issues bordering on relations with France and the EEC. Ideological differences emerged as a reflection of the political ideology and economic priorities of various African post-independence leaders. These differences can be situated on two levels: first, there was the desire for influence and, therefore, rivalry among French-speaking countries and, second, there were differences in the conception of political and economic issues between French- and English-speaking countries. Rival African blocs, to borrow Mayall's apt phrase, "provided fertile soil for ideological dispute."<sup>17</sup>

Although differences between the two linguistic groups were profound, great difficulties were also encountered in the presentation of a common French-speaking African front, especially during the period of the Yaoundé Conventions, due to different ideologies even within the Franco-African Community. In fact, differences in political ideology explain why "radical" French-speaking African countries such as Guinea, and Algeria in the North, were never associated under the Yaoundé Convention. During

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<sup>17</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.287.

colonisation and in the early days after independence, privileged relations with metropolitan France had been maintained by the French-speaking countries at the expense of good-African-neighbour relations. In most cases, rivalry and jealousy among Francophone leaders emerged as a direct outcome of participation in *Afrique francophone*.

In February 1965, the Presidents of thirteen ex-French Republics met at Nouakchott, the capital of Mauritania, and as a gesture to Pan-African solidarity after the creation of the Organisation of African Unity (OAU) in 1963, agreed to end the political life of their own group, but revived it as *Organisation Commune Africaine et Malgache* (OCAM).<sup>18</sup> However, OCAM was plagued with divisions and schisms among its own members on the one hand and between the group and the more radical African states on the other. Disunity in OCAM reflected the differences between its "hard-core" members - members of the *Conseil de l'Entente* led by Félix Houphouët-Boigny of Côte d'Ivoire and linking Niger, Volta (Burkina Faso), and Dahomey (Bénin) - and its other members. Even among these core members, Bénin left the fold for two years as a result of a quarrel with Niger, and on 6 July 1965 Mauritania, a founding member, decided to leave the organisation following the offer of membership to Moïse Tshombe of Congo (Leopoldville) - an offer which provoked strong reactions from both within and without the OCAM ranks.

Tshombe was disliked because, while Patrice Lumumba of Congo and other African leaders held pan-African views on economic development, Tshombe's rebel regime obtained assistance from *Union Minière du Haute Katanga*, a European multinational corporation, and tried to secede within a few weeks of Congo's independence. Lumumba's efforts to crush the secession became a symbol of African unity and resistance to neo-

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<sup>18</sup>"Ex-French Africa: changing patterns", *The Economist*, 17 July 1965, p.233.



colonisation.<sup>19</sup> Lumumba's death in mysterious circumstances made him a martyr of Pan-Africanism and deepened the hatred for Tshombe. To make matters worse for Tshombe, Ben Bella's spokesmen bluntly told him that he was not welcome to the forth-coming, all-important Afro-Asian conference at Algiers in June 1965.<sup>20</sup> Nkrumah who was foremost in the Pan-African movement later suggested that Moïse Tshombe and Joseph Kasa-vubu of Congo (Leopoldville) were American agents, a strong accusation in Nkrumahist anti-imperialist terms, by describing them as supporters of Moral Re-Armament (MRA) an organisation founded in 1938 by the American, Frank Buchman.<sup>21</sup>

Wider differences in the OCAM membership were demonstrated by the fact that the last-minute postponement of the Algiers conference in June 1965 averted a bigger split in its ranks. Its members attached widely differing importance to the conference with the result that some of them had accepted invitation to Algiers, others had rejected it and some would have only sent observers.<sup>22</sup> The inability of the French-speaking African countries to present a common front in these developing countries fora contrasted with their enthusiasm for cooperation with metropolitan France and the EEC. These ideological differences were reflected in squabbles, on a wider scale, between post-independence African leaders. The EEC did not discourage internal cooperation between the African countries, yet, there was little or no contact between members of the AASM and those of

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<sup>19</sup>P. Olisanwuche Esedebe, Pan-Africanism - The Idea and Movement 1776-1963, Washington, DC: Howard University Press, 1982, p.210.

<sup>20</sup>"Ex-French Africa: changing patterns", The Economist, 17 July 1965, p.233.

<sup>21</sup>Kwame Nkrumah, Neo-colonialism - The Last Stage of Imperialism, p.248.

<sup>22</sup>"Ex-French Africa: changing patterns", The Economist, 17 July 1965, p.233.

the East African Community which were operating or negotiating forms of association with the EEC in Brussels during the late 1960s.

Indeed, one of the major stumbling blocks against total participation in association with the EEC and against united African positions in the run-up to the first Lomé negotiations was colonial legacies, which was sometimes reflected in different post-independence ideologies in French- and English-speaking countries. One ACP diplomat has, however, stated that the so-called differences between the French- and English-speaking Africans was a "non-issue"<sup>23</sup>. What initially seemed like differences soon dissipated once the two linguistic groups came to work closely together: it became clear that both groups had more characteristics in common (for example, smallness in the size of their territories and local markets, and the need for economic development) than there were differences between them.<sup>24</sup>

While this claim of unity may have been relevant in the mid-1970s, the events which occurred in inter-African relations during the 1960s point to strong differences. Yet, these post-independence differences were clearly not based on simple linguistics, but were based on political ideology resulting, for example, in the division of African countries into the Casablanca and Monrovia groupings during the OAU negotiations.<sup>25</sup> And this explains in part why total African cooperation with the EEC was not achieved in the 1960s. The

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<sup>23</sup>*Faux-problème.*

<sup>24</sup>Interview with M. A. N. Barry, Chef des Relations Publiques, Presses, Information et Protocol, ACP Secretariat, 28 January 1992.

<sup>25</sup>Ghana and Nigeria, both English-speaking countries, belonged to the separate Casablanca and Monrovia groupings respectively. See "West African Reshuffle?" in The Times, 12 September 1962, p.9.

separation between the French- and English-speaking countries was further deepened by the stance taken by France which although having agreed with her EEC partners to extend association to developing countries other than the Yaoundé Associates had worked relentlessly to preserve the privileges of association for these Associates.<sup>26</sup>

Britain's relations with her former colonies after independence had continued to underline the desire to respect the autonomy of the newly independent states. For example, practices which tended to recall European colonial presence in Africa such as the CFA franc zone and limited trading partnership in the independent French-speaking countries were progressively abandoned in the Commonwealth African countries. African Commonwealth leaders were pleased with the level of autonomy thus given and, from a group diplomatic perspective, were wary of down-grading the common decision if joint participation with the EEC was accepted with the French-speaking Associates. The Nkrumah school of African thinking held the view that the African in the Commonwealth had greater sovereign dignity than the African in the Franco-African Community and that an amalgamation of the two groups was likely to pull down the Commonwealth African to the level of dependence of the French-speaking African rather than pull up even, say, the relatively advanced Côte d'Ivoire to the level of self-assertion open to Ghana.<sup>27</sup>

In fact, Nkrumah and Houphouët-Boigny had put up a wager against each other

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<sup>26</sup>The French indicated their willingness to let Commonwealth Africa join the EEC association but were unwilling to let the Caribbean because they did not want the whole regional set-up to be swallowed into a scheme of tariff preferences for the underdeveloped countries at large: The Economist, 16 May 1970, p.36.

<sup>27</sup>Ali A. Mazrui, "African Attitudes to the European Economic Community" in Lawrence B. Krause (ed.), The Common Market: Progress and Controversy, N.J.: Prentice Hall, 1964, p.131 and Ali A. Mazrui, The Anglo-African Commonwealth, pp.65-66.

on the success of competing Ghanaian and Ivorian approaches to development. In the area of economic development, Ghana had adopted the policy of structural transformation which emphasises reduction of dependence on the outside world and encourages state participation in the economy. Côte d'Ivoire, on the other hand, had adopted the policy of gradualism which emphasises outward-looking growth and gives a smaller role to the state in the development process.<sup>28</sup> Nkrumah went on a state visit to Abidjan in April 1957, shortly after Ghana's independence. On that occasion, his host Houphouët offered him a bet in which he said:

"The dies are cast.

Let now God, Providence and the work of men determine the future of each of our experiments.

The better will influence incontestably and definitively Africans in their ceaseless struggle for the human and social emancipation of Africa."<sup>29</sup>

In the 1960s, the schisms and suspicions which had existed among African leaders,

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<sup>28</sup>For a full discussion of these strategies, see Elliot J. Berg, "Structural Transformation versus Gradualism: Recent Economic Development in Ghana and the Ivory Coast" in Philip Foster and Aristide R. Zolberg (eds.), Ghana and the Ivory Coast: Perspectives on Modernisation, Chicago: The University of Chicago Press, 1971, pp.187-230.

<sup>29</sup>Abidjan-Matin, 8 April 1957 in I. Wallerstein, The Road to Independence: Ghana and the Ivory Coast, Paris: Mouton & Co, 1964, pp.33 and 78. See also Immanuel Wallerstein, "Introduction" in Philip Foster and Aristide R. Zolberg (eds.), op. cit., p.3 and Elliot J. Berg, op. cit., p.187.

in particular those between the Monrovia, Casablanca and Entente groups in the 1963 OAU negotiations, once again emerged. And, by 1965 the chimera of political unity achieved by the OAU had receded farther than in 1962.<sup>30</sup> In an attempt on the life of President Diori Hamani of Niger - a core member of OCAM - on 13 April 1965, the would-be assassin was branded a Ghana-trained terrorist by members of OCAM. The accusation heightened tension between these countries and Ghana more so as OCAM had embarked on an open counter-offensive against their more radical neighbours, in particular Ghana. Nkrumah promptly denounced the OCAM as promoting American imperialism in Africa by calling its members: "the American group of states in Africa."<sup>31</sup>

Such was the level of divisions among African leaders in the 1960s. Strictly speaking, there was more a political than an economic or even a linguistic dimension to inter-African differences in the 1960s. Although differences were sometimes based on competing ideologies on economic development as witnessed by the challenge between Nkrumah and Houphouët, there were hardly any real conflicting economic interests. After all, the French-speaking Associates had lent their support to the ill-fated Nigeria-EEC Agreement in spite of the fact that favourable access for Nigerian produce into the EEC market could potentially have had trade diversion effects on their own exports to the Community. Inter-African differences underline attitudinal cleavages between the African countries. Attitudinal cleavages refer to different ideology and analysis of the political economy of trade and development. The presence of these cleavages explain the lack of full dynamism in African diplomacy during the 1960s to early 1970s.

With specific regard to the Yaoundé Convention, these rivalries further separated

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<sup>30</sup>P. N. C. Okigbo, Africa and the Common Market, London: Longmans, 1967, p.163.

<sup>31</sup>"Ex-French Africa: changing patterns", The Economist, 17 July 1965, p.233.

the EEC Associates from the non-Associates. Incidentally, the core radical states were not Associates. However, the wide gap between the African leaders were soon to be bridged. Amidst name-calling and while "violent personal insults" continued to resound between the leaders, Houphouët-Boigny and his old rival Senghor deployed a lot of energetic diplomacy to draw together the OCAM states. At the end, President Modibo Keita of Mali had a series of cordial meetings with Houphouët-Boigny, Sekou Touré, his friend of yesterday, as well as the Presidents of Niger and Volta (Burkina Faso). Senghor, having successfully kept out of the war of words, also used his slightly detached position to conciliate Cameroon and other African states.<sup>32</sup>

With the conciliation of their differences, African post-independence leaders now focused on relations with the developed world in the same manner as did other third world statesmen whose careers were devoted to reversing European colonial intervention, once independence had been achieved. These leaders worked to achieve these objectives in the area of economic relations through "attempts to derive an ethic of redistributive justice from the institutions of the Western international economy."<sup>33</sup> It became imperative for the African leaders to find specific ways of achieving these objectives. Having agreed on the substance, differences however persisted between the EEC Associates and the Commonwealth non-Associates on how to advance towards these goals.

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<sup>32</sup>Ibid.

<sup>33</sup>James Mayall, "International Society and International Theory" in Michael Donelan (ed.), The Reason of States - A Study in International Political Theory, London: George Allen & Unwin, 1978, p.135.

### 3.1.1.3 Ideological and Socio-Economic Differences between African, Caribbean and Pacific Countries

Differences between African and Caribbean countries are based on political ideology, trading products and trading partners. Ideological differences of the type which have been demonstrated between Caribbean and Latin American conceptions on mass participation in the political process and decolonisation can also be demonstrated between African and Caribbean independence leaders.<sup>34</sup> For Caribbean statesmen, the question of decolonisation involved the fundamental principle of self-determination and implied the right of the majority of the population to decide upon it. Decolonisation in the Caribbean did not seek radically different relations with Europe but implied a measure of political constancy. In this regard, it has been argued that the Caribbean élite to whom political power was bequeathed after independence remained faithful, for the most part, to the British Westminster model. The Caribbean political horizon was lifted only piecemeal as the programme for political change was carefully crafted to focus upon the Westminster-Whitehall model.<sup>35</sup>

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<sup>34</sup>For most Latin American statesmen, decolonisation was a question of freedom with regard to foreign domination, and a decision could be taken on this without consultation with the mass population. This approach contrasted with the Caribbean practice of consulting the people: Val T. McComie, "The Commonwealth Caribbean States and the Organization of American States" in Anthony T. Bryan (ed.), The Organization of American States and the Commonwealth Caribbean Trinidad: University of the West Indies, Institute of International Relations, 1986, p.44.

<sup>35</sup>Paul Sutton, "Constancy, change and accommodation: the distinct tradition of the Commonwealth Caribbean" in James Mayall and Anthony Payne (eds.), The fallacies of hope - The post-colonial record of the Commonwealth Third World, Manchester:

Thus, from the perspective of the Caribbean leaders, their African counterparts wanted political autonomy at all costs and gave preference to particular post-independence policies, considering this to be desirable for the entire population. The local people were generally not consulted nor was public opinion considered. For instance, under Nkrumah the Ghanaian Foreign Ministry firmly established a policy of non-association with the European Community without conducting a study of association. It was only under the pressure of criticisms from the Associated states in various African meetings that Nkrumah agreed to the preparation of a study to enable the Foreign Ministry to answer the critics.<sup>36</sup>

These differences in approach to political and ideological issues were later reflected in ACP group relations as the Caribbean, Indian and Pacific Ocean states feared too-predominant African interests and were wary of any sign that the Lomé link might foster a resurrection of the "Eurafrika" concept at the expense of ACP solidarity.<sup>37</sup> There were significant differences between these groups of countries which mitigated against coherent united policy stands. Indeed, they seemed to only really come together within the framework of relations with the EEC.<sup>38</sup>

The African, Caribbean and Pacific countries also differ from one another in

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Manchester University Press, 1991, pp.107-108.

<sup>36</sup>I. William Zartman, The Politics of Trade Negotiations between Africa and the European Economic Community - The Weak Confront the Strong, New Jersey: Princeton University Press, 1971, p.21, at footnote no.15.

<sup>37</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, London: Allen and Unwin, 1981, p.10.

<sup>38</sup>Ibid.



population and size, ranging from Tuvalu with a population of 8 000 and a land mass of 26 km<sup>2</sup> to Nigeria with a population of nearly 90 million and a land mass of 932 768 km<sup>2</sup>.<sup>39</sup> Geographically, the ACP countries are spread across three continents, with 46 countries in Africa, 15 in the Caribbean, and 8 in the Pacific. The African member countries represent 97 per cent of the ACP population. Africa, therefore, remains the centre of gravity of the EEC's Lomé policy.<sup>40</sup>

There are also differences in the trade of the ACP countries. Some ACP countries depend on petrol (Nigeria, Angola, Trinidad and Tobago), others depend on silver (Bahamas) while a majority of the remaining ACP countries focus their economic development on the export of primary products such as sugar, bananas, coffee, tea, cocoa, groundnuts, minerals. However, these countries all have a high level of dependence on earnings from export products.<sup>41</sup> There are further differences between the African and the Caribbean countries in that a relatively low proportion of the working population of the Caribbean countries is engaged in agriculture and their economies are rather more diversified than those of the other ACP states.<sup>42</sup> Other differences between ACP countries can be found in per capita GNP which in 1987 varied from US\$ 80 per year in Chad to

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<sup>39</sup>Appendix 3 gives population size and land mass of the ACP countries.

<sup>40</sup>Jean-Pierre Lutgen, Le Centre pour le Développement Industriel: radioscopie et évaluation dans le cadre des Conventions de Lomé, Bruxelles: Bureau d'Informations Européennes S.P.R.L, 1991, p.18.

<sup>41</sup>Ibid.

<sup>42</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.10.

US\$ 7 138 in Trinidad and Tobago.<sup>43</sup>

Further differences have also appeared between ACP countries in the realm of trade as the Caribbean members have generally been much less dependent on the EEC as a trading partner than other ACP states.<sup>44</sup> The Caribbean states have access to favourable conditions in the large US market. Consequently, they were not keen on ACP-EEC commitments if these would compromise their links with North America.<sup>45</sup> Indeed, the Caribbean countries participate in concessionary arrangements such as the Caribbean Basin Initiative (CBI) and CARIBCAN. The CBI was instituted by the United States, within the context of the cold war, to stifle communism in the Caribbean sub-region, while CARIBCAN is an economic aid package provided by Canada for the Commonwealth Caribbean Community. However, the attenuation of superpower conflict has been reflected in the diminution of the importance of these arrangements. ACP-EEC cooperation has not been primarily based on the cold war conflict and the diminution of the scope of the North American-Caribbean arrangements has further underlined the need for closer cooperation between the Caribbean and African countries within the ACP group.

The foregoing considerations of the differences between the African, Caribbean and Pacific countries indicate that the old French- and English-speaking divide, while still important, is relatively much less significant than it was at the beginning of post-independence inter-African relations. The main distinction now is between those ACP

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<sup>43</sup>Mary Sutton, "Le Groupe ACP - Informations Générales", Supplément de Lomé Briefing, N°8 Avril 1989.

<sup>44</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.10.

<sup>45</sup>Ibid.

countries which remain desperately poor and those which seem to be on the path to economic modernisation.<sup>46</sup>

### 3.1.2 Differences between ACP Countries and the EEC

Between the ACP and the EEC countries, there are also enormous differences. This fact is best underlined by socio-economic indicators. As a group, the average per capita GNP of the ACP countries in 1987 was about US\$ 964 compared to US\$ 7 994 for the EEC while life expectancy on the average is 56 years in the ACP countries and about 75 years in the EEC. Again, the ratio of doctors to inhabitants is 1 to 13 000 in the ACP countries and 1 to 500 in the EEC; the rate of infant mortality from birth to 1 year is 8 per cent in the ACP and less than 1 per cent in the EEC; but, on the other hand, population growth rate is 2.6 per cent in the ACP countries (4 per cent in Kenya and Côte d'Ivoire) while the rate is zero in the EEC.<sup>47</sup>

Equal development is not a stated aim of ACP-EEC cooperation yet the above figures indicate that the ACP countries are in a crisis situation when compared to their EEC partners. It therefore follows that efforts made towards sustained economic development and well-being of the populations of the ACP countries "through the satisfaction of their basic needs", as stated in the Lomé Conventions,<sup>48</sup> have so far not been achieved.

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<sup>46</sup>Ibid.

<sup>47</sup>Mary Sutton, op. cit.

<sup>48</sup>Art. 4, Lomé III; and repeated in Art. 4, Lomé IV.

### **3.2 COMMONALITY OF INTERESTS BETWEEN ACP COUNTRIES AND THE EEC**

Despite the differences between the ACP countries and the EEC, there are several areas in which the interests of two sides coincide, at least in principle. We shall discuss the attractions of cooperation for both sides in order to emphasise both ACP and EEC factors in the Lomé partnership.

#### **3.2.1 Attractions of Cooperation for ACP Countries**

Despite the differences outlined in the previous sections, members of the ACP share some experiences and problems which encourage cooperation towards achieving common objectives. The focus of the ACP countries is on economic development, but their geographical conditions constitute an obstacle to development. A large number of ACP states in Africa are land-locked while many of those in the Caribbean and the Pacific are island states. Some sub-Sahara African states are affected by desert encroachment while island states in the Caribbean and the Pacific are often devastated by hurricanes and similar natural disasters. All these are problems which demand close cooperation and coordination of efforts among the affected countries.

Similarly, several ACP states in particular those belonging to the category of less developed countries are heavily indebted and suffer the effect of the world economic crisis since this has caused a reduction in earnings from the export of raw materials. Also, smallness in the size of the local market adversely affects many ACP states. As ACP states identify with some of these disadvantageous situations, they come together in the hope of finding some remedy through special relations with the EEC.

Although divided by their colonial heritages, the Yaoundé Associates and the Commonwealth developing countries were, however, all confronted with the challenge of economic development.<sup>49</sup> In effect, the diversity and peculiarity of their situations and problems constitute a constant challenge to the ACP countries. Meetings and discussions on these problems among the ACP countries and between the ACP and the EEC can be considered a useful means of confronting the problems and of forming consensus on these issues of common concern.

### 3.2.2 Attractions of Cooperation for the EEC

There are both economic and political considerations for the continuation of EEC development cooperation policy with the ACP countries. On the economic side, the EEC depends on Africa for the procurement of its raw materials: up to 65 per cent of its uranium needs. The EEC depends far more heavily on primary products for its development (75 per cent against 25 per cent for the United States and less than 10 per cent for the [former] USSR). The period of colonial pillage having passed, cooperation with developing countries becomes imperative for the EEC, all of the ACP countries being well endowed with primary commodities.<sup>50</sup>

The EEC also imports several products (rubber, copper, coffee, etc.) which

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<sup>49</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.8.

<sup>50</sup>Gérard Fuchs, "La Convention de Lomé et la coopération industrielle" in Revue d'Economie Industrielle - n°27, 1<sup>er</sup> trimestre 1984, p.142.

constitute a base for economic activity and for everyday European life.<sup>51</sup> Again, for the Community the Lomé Convention was a logical extension of the Yaoundé Association. This extension was necessary to take account of the Community's enlargement in 1973, and in particular Britain's numerous Commonwealth connections.<sup>52</sup> Trade in manufactured products between the EEC and developing countries is largely positive to the benefit of the EEC. In 1982, trade with all developing countries was worth ECU 69.8 billion of which 11.6 billion was with the ACP countries alone. The EEC is inclined to accept cooperation with the ACP countries because, as one liberal French opinion maintains, it can be deduced from the trade figures that, on the whole, EEC industrial exchanges with the developing countries create far more jobs in the Community than they cause to disappear.<sup>53</sup>

On the political side, several non-EEC countries have continued to establish special association with the Community. One British Conservative criticism of development cooperation, however, contends that the West ought to be firm in resisting the economic demands of the developing countries, and Western donor countries should avoid making promises they cannot keep. For example, the donors accepted the aid target of 0.7 per cent of GNP recommended by the World Bank's Pearson Committee in 1969. But, by the end of 1976, the UK, for example, had not progressed beyond 0.38 per cent and Germany had

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<sup>51</sup>La Communauté Européenne et le Tiers-monde, Le Dossier de l'Europe n°15, Commission des Communautés Européennes, Bruxelles, octobre 87, p.4. Cited in Jean-Pierre Lutgen, op. cit., p.16.

<sup>52</sup>Hugh Reay, The European Community and the Developing World: A Conservative View, London: European Conservative Group, February 1979, p.2.

<sup>53</sup>Gérard Fuchs, op. cit., p.142.

declined from its 1974 level of 0.37 per cent to 0.31 per cent.<sup>54</sup> In fact, recent figures indicate that UK aid is down to 0.32 per cent of GNP,<sup>55</sup> despite the goodwill of the EEC which is apparent from declarations by relevant Community institutions. For example, within the context of Lomé II, the ACP-EEC Consultative Assembly stressed that the industrialised countries, including EEC member states, should attain as soon as possible the objective of allocating 0.7 per cent of their GNP to development aid and to raise this to 1 per cent as quickly as possible.<sup>56</sup>

In fact, on the conservative idea of refusing aid to developing countries, there was never a *coherent* suggestion by any of the six original EEC member states that the Common Market should simply ignore the demands of the developing countries. Indeed, the EEC does not ignore these requests because of the effect of such a negative reaction on bilateral relations between EEC member states and the country concerned. Furthermore, the EEC appears to favour cooperation with other countries because of the need to propagate the myth that the Community is outward-looking in order to avoid criticism of internal policy decisions.<sup>57</sup>

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<sup>54</sup>Hugh Reay, op. cit., p.13.

<sup>55</sup>Lord Judd of Portsea, "Global Governance: A Cry for Action", Discussion Paper 2, London School of Economics: Centre for the Study of Global Governance, January 1993, p.9.

<sup>56</sup>Document 1-522/80, PE 66.715/fin., European Parliament Working Documents 1980-81, 30 October 1980, Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly, Report drawn up on behalf of the Committee on Development and Cooperation, Rapporteur: Mr. V. Sable, p.14.

<sup>57</sup>Gordon L. Weil, A Foreign Policy for Europe? - The External Relations of the European Community, Bruges: College of Europe, 1970, p.35.

Global EEC aid to the ACP countries only represents 10 per cent of the total public aid which they receive (but 51 per cent if Community aid is added to that of individual EEC member states).<sup>58</sup> A European Parliament report on Community aid in 1981 proudly stated that the Community in that year provided 35.6 per cent of all development aid against 4.4 per cent for the USSR, 9 per cent for Japan, 19.6 per cent for the Organisation of Petrol Exporting Countries (OPEC), 20 per cent for the United States, and 11.0 per cent for other categories of donors.<sup>59</sup> Combined EEC aid figures look impressive and make good sense of joint Community development aid policy. Furthermore, against the background of both the history of Europe and the success of the Community, the EEC feels a moral responsibility to establish itself as a peace-loving organisation and to contribute towards the development of other parts of the world. This fact was emphasised when the European Parliament moved a motion stressing that the Community was established in the wake of two terrible World Wars which were European in their origins. The motion also stresses the need for the Community to continue

"to make a creative contribution to world peace... and that, as a regional community, it is particularly well qualified - and has a special responsibility - to strengthen inter-regional cooperation and thereby contribute to reducing tensions...

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<sup>58</sup>Hubert Ferraton, "De Lomé I à Lomé III: la coopération CEE-ACP en mutation", in Objectif Europe, Nos 26-27, Décembre 1984, p.9.

<sup>59</sup>Document 1-605/83/II, PE 85.143/fin./II, European Communities, European Parliament Working Papers 1983-1984, Report on the context of the future ACP-EEC convention to follow Lomé II, Part II: Sub-reports by the individual rapporteurs and opinions of the committees asked for an opinion, 12 August 1983, Rapporteur: Mr. U. Irmer, p.95.



to improve North-South cooperation."<sup>60</sup> (Suspensions mine)

In the early 1970s, the EEC and ACP countries moved towards cooperation partly due to hopes, in the South, that this shift would finally open the door to a New International Economic Order (NIEO). It was hoped that the NIEO would allow developing countries to negotiate the terms of international trade with the developed countries as equals, though, in the event, not all the expectations were fulfilled.<sup>61</sup> Also, the need for development cooperation for the ACP countries was aptly demonstrated at the outbreak of the Arab-Israeli conflict in the early 1970s. The conflict had led to massive oil price increases and members of the OPEC had put billions of dollars into Western banks. With the notable exception of Nigeria, most potential ACP countries saw the prospects of the investment of petro-dollars in their economies by the West.

From their own perspective, Western governments were also keen on regulating the markets for other primary commodities in order to prevent the development of cartels likely to cause uncertainties similar to those produced on the oil market.<sup>62</sup> The need for economic convergence and monetary union also became apparent in the EEC in the early

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<sup>60</sup>Document A 2-203/86, PE 109.430/fin., European Parliament Working Documents 1986-87, Series A, 12 January 1987, Rapporteur: Mrs. K. Focke, p.5.

<sup>61</sup>Marie Bittlestone, The EC and the Third World: the Lomé Agreement, The Polytechnic of North London: European Dossier Series No.4, 2nd ed., 1989, p.10.

<sup>62</sup>Tom Glasser, "EEC-ACP cooperation: the historical perspective" in The Courier, no. 120, March-April 1990, p.25.

1970s when the United States suspended the convertibility of the US dollar.<sup>63</sup> That period coincided with the beginning of world wide monetary instability, aggravated by the oil crisis discussed above as well as the oil crisis of 1979. These events underlined the need for the Community to cooperate with developing countries.

The principle of Community development policy having thus been firmly established, it was up to the ACP countries to overcome their own divisions and differences in order to negotiate a favourable arrangement with the Community.

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<sup>63</sup>Pascal Fontaine, Europe in Ten Lessons, Luxembourg: Office for Official Publications of the European Communities, 1992, p.6.

**CHAPTER FOUR:**  
**ACP COLLECTIVE BARGAINING AND**  
**IMPACT ON THE FIRST ACP-EEC NEGOTIATIONS**

This chapter examines the coordination of African, Caribbean and Pacific positions and the negotiating strategy adopted before and up to the signing of the Lomé I Convention. During the first Lomé negotiations analyzed in this chapter, the ACP had not been constituted as a group. This chapter therefore also examines the processes which led to the establishment of the ACP group in 1975. This chapter witnesses the second phase in the development of ACP diplomacy which shows dynamic ACP diplomacy at its zenith.

#### 4.1 INITIAL DIFFICULTIES IN ACP COLLECTIVE BARGAINING AND THE DYNAMICS OF INFLUENCE

The "Great Debate" on the principle of Britain's entry into the EEC ended with a Parliamentary vote in October 1971 and the signing of the treaty of accession in January 1972.<sup>1</sup> The treaty, or Act of Accession, entered into force in 1973. Protocol 22 of the Act of Accession concerned relations between the EEC and the Associates as well as non-Associated Commonwealth developing countries, and it renewed the three options offered by the 1963 EEC Council of Ministers Declaration of Intent. Annex VI of the Act of Accession lists twenty Commonwealth countries which could benefit from the provisions of the Protocol. There were thirteen of these eligible countries in Africa; four in the Caribbean; and three in the Pacific Ocean.<sup>2</sup>

The position of Britain in 1972 with regard to EEC relations and Commonwealth developing countries was quite similar to that which she had maintained in her initial EEC negotiations in 1961-1962. Britain wanted as many Commonwealth countries as possible to accept, if not welcome, her accession to membership of the Community and she sought

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<sup>1</sup>Peter Tulloch, "Developing Countries and the Enlargement of the EEC" in Bruce Dinwiddy (ed.) Aid Performance and Development Policies of Western Countries - Studies in US, UK, E.E.C., and Dutch Programs, London: Praeger in association with the Overseas Development Institute, 1973, p.88.

<sup>2</sup>These were, in Africa: Botswana, Gambia, Ghana, Kenya, Lesotho, Malawi, Mauritius, Nigeria, Sierra Leone, Swaziland, Tanzania, Uganda and Zambia; in the Caribbean: Barbados, Guyana, Jamaica, and Trinidad and Tobago; and in the Pacific: Fiji, Tonga and Western Samoa: Journal Officiel des Communautés européennes, Edition spéciale, 15e année n°L73, 27 Mars 1972, p.137.

for them as good trading terms as possible from the six original EEC member states. In the event, only Uganda, of all the British Commonwealth countries, opposed British membership.<sup>3</sup> But, despite the similarities which have been discussed in the previous chapter, differences persisted between the Yaoundé Associates and the non-Associates over the presentation of a common negotiating strategy in the negotiations with the EEC. However, the bigger African countries used their influence to coordinate the different ACP positions.

#### 4.1.1 Reverse Preferences: Bone of Contention between African Associates and Non-Associates

Each associable country was asked to choose from the three options for association, and to respond to the Community by January 1973 with a statement of the option it had chosen so that negotiations with the EEC could start in August 1973.<sup>4</sup> The eighteen Yaoundé Associates initially responded by choosing the first option to which, of course, they were already party.<sup>5</sup> The Eighteen reiterated that given their economic relations with Europe and the benefits received under association, they chose to base their development programmes on cooperation with the EEC rather than seek economic success

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<sup>3</sup>Hugh Reay, The European Community and the Developing World: A Conservative View, London: European Conservative Group, February 1979, pp.2-3.

<sup>4</sup>"EEC and Africa", West Africa, No. 2922, 11th June 1973, p.782.

<sup>5</sup>"Line-up for chaos", The Economist, 24 February 1973, p.55 and Joanna G. Moss "The Yaoundé Convention, 1964-1975", Ann Arbor, Michigan: University Microfilms International, 1978, p.149.

through the United Nations development system or in UNCTAD where they had little influence.<sup>6</sup> The Associates were also concerned about the possible loss of their privileged position and erosion of the trade preferences which they had under the Yaoundé Convention. Their concern was justified since competing African countries did not make inroads into Community market under the Yaoundé arrangements.<sup>7</sup>

The EEC's proposal for a system of reverse preferences, or reciprocity, applied in the Yaoundé Convention was a bone of contention between the French- and English-speaking countries. The reciprocity system meant that the Yaoundé signatories accorded preferential treatment to the EEC countries in exchange for the preferences which they received. The French-speaking African countries argued that this clause should be maintained on considerations of political equality. In fact, the requirement of granting the EEC reverse preferences was accepted by the Yaoundé leadership as a form of payment for EDF aid. Not granting the European reverse preferences would amount to asking for a "handout".<sup>8</sup> Senghor told the EEC Commission that reverse preferences provided the moral basis for association and that

"the Associates willingness to offer Europe something in return for what they get from the Community is all that keeps them from being beggars at the EEC's door."<sup>9</sup>

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<sup>6</sup>"Yaoundé and the new EEC", Africa Confidential, Vol 13, No 5, 3 March 1972, p.4.

<sup>7</sup>Joanna G. Moss, op. cit., p.149.

<sup>8</sup>Ibid., p.150.

<sup>9</sup>"Adieu, Yaoundé", The Economist, 31 March 1973, p.52.

The non-Associated English-speaking countries, on the other hand, felt that given the inequality of the partners it was not conceivable for reasons of international morality to maintain the principle of reciprocity. The differences of opinions between the Associates and the non-Associates were persistent and time was running out for the future Associates to respond to the EEC offer.

#### 4.1.2 Majority Influence: Role of Bigger ACP Countries

The concept of influence as an essential feature of collective action can be applied to group diplomacy. Two contrasting categories of influence situation have been identified. In the first, the source of influence is a majority and in the second, the source of influence is a minority.<sup>10</sup> When the ACP countries first came together at the Lomé I negotiations, the Commonwealth African countries, in particular, Nigeria and the members of the East African Community (Kenya, Tanzania and Uganda) exerted a great deal of majority influence over the Associated French-speaking countries. Relatively developed economic base, relative trade independence from the six original EEC member states and bigger size of the internal market as a result of larger populations were factors which provided the basis of majority influence for the Commonwealth countries.

The Commonwealth African countries criticised Yaoundé-type arrangement as having been designed to induce them to accept conditions which they regarded as

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<sup>10</sup>Serge Moscovici, Gabriel Mugny and Eddy Van Avermaet, Perspectives on minority influence, London: Cambridge University Press, 1985, p.3.

inconsistent with their economic underdevelopment and political independence.<sup>11</sup> And they were unequivocal in their opposition to the principle of association with the EEC. Indeed, there were major disagreements between the Associates and the Commonwealth countries. In the realm of aid, the Commonwealth countries took exception to the policy of linking aid from the EDF with what they saw as the political condition of acceptance of the Yaoundé model. They also rejected the requirement under Article 22 of the Yaoundé Convention to inform the Commission of their development programmes and to communicate later amendments. These requirements they felt were an infringement on the Associates' political sovereignty.

The Commonwealth countries further claimed that the Yaoundé provisions regarding the right of establishment and the movement of capital imposed too much external restrictions on the Associates. The institutions of the Association - Ministerial Council, Official Committee, Parliamentary Conference and the Court of Arbitration - were seen as political conditions the effect of which, given the disparity of economic and political power between the Community and the Associates, was to reduce the Associates' independence. Ironically, these institutional structures were created precisely to satisfy Associate demands that their sovereignty, equality and independence should be respected.<sup>12</sup>

Nigeria, by far the largest African country both in terms of the size of her population and economy, took up the role of directing Commonwealth positions in the

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<sup>11</sup>John Pinder, "The Community and the Developing Countries: Associates and Outsiders" in Journal of Common Market Studies, Vol. XII, No.1, September 1973, p.53 in Joanna G. Moss, op. cit., p.151.

<sup>12</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community" in Timothy M. Shaw and Kenneth A. Heard (eds.), The Politics of Africa: Dependence and Development, New York: Africana - Holmes & Meier, 1979, p.291.



Lomé negotiations. Firstly, Nigeria rejected the terms of the EEC offer for herself. When the Associate countries came together, Nigeria made it known that the first two options of Protocol 22 (full association and partial association) would be rejected saying that any form of association which did not put them on an equal footing with Europe was unacceptable.<sup>13</sup> Nigeria moved and succeeded in letting Europe know that this was the stance of Commonwealth Africa in general.

Furthermore, Nigeria moved to cancel a meeting of the Associate Commonwealth countries of Africa, the Caribbean and the Pacific which had been scheduled to take place at the close of an ECA-sponsored meeting at Accra in February 1973. She also persuaded the other Commonwealth countries to steer clear of discussing the issue of association among the 41 member states of the ECA. Finally, the African Commonwealth countries agreed to set up a special secretariat under the aegis of the East African Community to coordinate their negotiations with the EEC.<sup>14</sup> Nigeria was able to spurn association and thereby place herself in a position to negotiate a fair trade agreement because of the size of her population and vast oil reserves. In contrast, the smaller Yaoundé countries were in an economic position which made it difficult for them to take a tough negotiating line with the EEC for fear of turning off the development aid tap.<sup>15</sup>

Not surprisingly, the Yaoundé countries disagreed with the Commonwealth countries and their positions on these issues. But, they had little choice but to accept the

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<sup>13</sup>"Line-up for chaos", The Economist, 24 February 1973, p.55.

<sup>14</sup>Ibid.

<sup>15</sup>"Nigeria as Associate", review of P. N. C. Okigbo, Africa and the Common Market, (London: Longmans, 1967) in The Economist, 23 September 1967, p.1102.

turn of events.<sup>16</sup> Nigeria, the strongest political force in Africa, together with the East African states, and the Commonwealth grouping, of which these nations made up the leadership, represented twenty countries, outnumbering the Yaoundé Eighteen. The Yaoundé Eighteen were further outnumbered by their populations. Although some associated countries had large populations, such as Congo (Kinshasa) with 16 million people<sup>17</sup>, the eighteen Associates were outnumbered by combined populations. The Commonwealth countries eligible for the EEC offers had a combined population of over 100 million inhabitants, compared with 70 million for the Associated states.<sup>18</sup> Furthermore, conservative estimates of the cancelled Nigerian population census of 1973 put the country's population at around 75 million people<sup>19</sup> thus making her population alone greater than that of all the eighteen Associates combined.

Nigeria was thus a force to be reckoned with in the Lomé negotiations both by the ACP and EEC negotiators. From an economic perspective, having oil and other natural resources and a substantial economic base, Nigeria had no real need for association. Nigeria had been in a strong enough political and economic position *vis-à-vis* Europe not to ratify the Lagos Agreement long after the Biafran civil war was over.<sup>20</sup> It is generally believed that Nigeria did not stand to gain significantly from association. She rather lent

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<sup>16</sup>Joanna G. Moss, *op. cit.*, p.154.

<sup>17</sup>Alassane D. Ouattara, "Trade Effects of the Association of African Countries with the Common Market", DPhil thesis, University of Pennsylvania: 1972, p.8.

<sup>18</sup>"The common market's backyard", The Economist, 6 May 1972, p.74.

<sup>19</sup>"Sheikhs of black Africa", The Economist, 2 August 1975, p.70.

<sup>20</sup>Joanna G. Moss, *op. cit.*, p.154.

her political weight to the negotiations to help the other, less prosperous third world countries to get a better deal.<sup>21</sup> However, a Nigerian diplomat in Brussels insists that the period 1972-75 was a missed opportunity for Nigerian diplomacy and argues that Nigeria should have used the influence she had during the first Lomé negotiations to achieve long-term economic concessions in ACP-EEC relations.<sup>22</sup>

Be that as it may, Nigeria played other important and prominent roles in uniting the positions of the Associates and the Commonwealth African countries. From a group diplomatic perspective, it can be argued that Nigeria offered "side payments"<sup>23</sup> to the Associates in return for a change of stance in the negotiations in support of the Commonwealth African position. It has been shown that diplomacy of this kind is not impossible.<sup>24</sup> The Nigerian Government had indeed hinted that it would be prepared to accept some responsibility for dealing with the special problems of the weaker African states. This assurance may have allayed the fears of those Associates which had shown reservations about joint negotiations for fear that big countries such as Nigeria would cause the benefits of the aid which they received from the EEC to diminish. General

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<sup>21</sup>Ibid., p.155.

<sup>22</sup>Mr. O. G. Nnaji, Head of Chancery, Nigerian Embassy, Brussels, in a personal interview, 12 May 1993.

<sup>23</sup>See Theoretical Considerations section of this study for a discussion of the concept of side payments.

<sup>24</sup>Gaddafi claimed in an interview to have brought about change of policy against Israel in several African countries: The Times, London, 25 Oct. 1973. Cited by James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.295.

Yakubu Gowon of Nigeria had promised: "We shall be the last to call on our brothers to commit economic suicide in the face of unknown realities"<sup>25</sup>

In the event, Nigeria did not ask to benefit from financial assistance from the EDF under the first Lomé Convention. Furthermore, it was General Gowon's letter to the EEC, written in his capacity as OAU Chairman, which was decisive in persuading the Community to accept a negotiation with the OAU, a formula which made it possible for Ethiopia, Liberia, Equatorial Guinea, Guinea-Bissau and Sudan to participate in the negotiations.<sup>26</sup> Guinea also participated. Thus, these countries joined the other African states although they were neither Yaoundé signatories nor Commonwealth member countries.<sup>27</sup> Ethiopia and Liberia were non-colonial countries while Guinea had left the Franco-African Community in 1958. The Commonwealth members which had expressed fears of neo-colonialism noted the presence of countries which never had colonial ties with Europe and this weakened the fear of neo-colonialism.<sup>28</sup>

Yet, the Commonwealth African countries, all in all, refused the three options of Protocol 22 and instead began organising among themselves, to push for a new type of economic pact.<sup>29</sup> Nigeria and the East African Community hastily called Commonwealth African Trade Ministers meeting in Lagos on 11 February 1973 and decided not to discuss

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<sup>25</sup>West Africa, 16 July 1973. Cited by James Mayall, ibid., at footnote 27, p.314.

<sup>26</sup>West Africa, 10 February 1975, p.151.

<sup>27</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, London: Allen and Unwin, 1981, pp.8-9.

<sup>28</sup>Ellen Frey-Wouters, The European Community and the Third World: the Lomé Convention and its Impact, New York: Praeger, 1980, p.27.

<sup>29</sup>Joanna G. Moss, op. cit., p.153.

Africa-EEC relations at the ECA-organised meeting at Accra. While consensus had not been reached between the Associates and the Associables, this decision was taken presumably to avoid further divisions over thorny issues such as reverse preferences. Nigeria took the initiative and suggested (and gained support from other African Commonwealth states) the establishment of a separate secretariat specially devoted to the issue of discussing African strategy *vis-à-vis* Europe.

#### 4.1.3 Merits of joint negotiations between Associates and Non-Associates

Two factors had triggered off the growth of networks of preferential trading agreements in the 1960s and early 1970s. Firstly, the preferences which already existed between some European countries, notably France, and their former colonies were inherited by the EEC. Secondly, the sheer impact of the Common Market on world trade put pressure on some of the EEC's trading partners to try to get inside the EEC's common external tariff (CET). But, for the Associated countries, it was essentially a bread-and-butter issue. They reckoned they had more to gain from association with the EEC than they would ever gain from the United Nations and the multilateral agencies where their influence was negligible. As associates, the Yaoundé countries received almost twice as much aid per head as did the British Commonwealth African states.<sup>30</sup>

However, on the trade side, the African Associates were less happy for several reasons. Firstly, the Yaoundé Convention had not protected them against a progressive worsening in their terms of trade. Indeed, by joining the EEC association, the former French colonies had opted for far lower EEC prices and had given up higher export prices

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<sup>30</sup>"The common market's backyard", The Economist, 6 May 1972, p.74.

on the French market guaranteed by the *surprix* system. Secondly, Germany and the Netherlands had essentially disengaged from their colonies since the end of the first World War. They had instead developed extensive economic relations with developing countries, particularly in Latin America. With already established trade networks, it made better economic sense for the two EEC countries to continue to import coffee and bananas from their traditional suppliers in Latin America in spite of the provisions in Part IV of the Treaty of Rome in favour of the Associated countries.

Thirdly, in the course of the Yaoundé Convention, the six EEC member states on two occasions had to reduce tariffs on coffee and cocoa, two major tropical commodities, under pressure from other developing countries. Fourthly, the return from the Yaoundé preferences had been reduced by the introduction of an EEC Generalised System of Preferences (GSP) on industrial exports from all developing countries in 1971. Finally, the Yaoundé associates stood further to lose from the agreement reached between Britain and the Six which would allow twenty Commonwealth countries, comprising Ghana and Nigeria, to negotiate special relations with the EEC. The admission of the Commonwealth countries would make the Yaoundé preferences become so diluted as to be virtually meaningless for certain commodities, such as cocoa, where Nigeria and Ghana together accounted for 70 per cent of world production.<sup>31</sup>

At a meeting of the Council of Association of the Six and the Eighteen in Brussels in December 1971, EEC ministers gave guarantees to the Associates that their privileges would in no way be infringed as a result of the enlargement of the Community from Six to Ten and the subsequent extension of association to the Commonwealth developing countries. In fact, the EEC ministers were merely recalling guarantees which had been

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<sup>31</sup>Ibid.

written into the Yaoundé Convention at French insistence. But, although apprehensions remained among the Eighteen over the enlarged association, these assurances boosted the views expressed by Senghor that enlargement should be welcomed for its positive long term effects on African unity. President Houphouët-Boigny of Côte d'Ivoire and President Ahidjo of Cameroon also adopted the same idea.<sup>32</sup> These positions were favourable to coordinated African positions and paved the way for closer cooperation between the French- and English-speaking African countries.

In April 1972, the Coordinating Council of the eighteen Associates met in Nouakchott, the capital of Mauritania. The main purpose of the meeting was to prepare a common position for the Third UNCTAD Conference at Santiago de Chile, but the Associates also decided that they would negotiate alongside the Commonwealth Associates. Thus, the Associates agreed to participate "on an equal basis" with the English-speaking countries in the forth-coming negotiations with the EEC.<sup>33</sup>

But, strong points of discord remained in inter-African relations despite the show of solidarity among the eighteen Associates in their relations with the EEC, the support they gave to Nigeria over the ill-fated Lagos Agreement, and the resolution on joint negotiation with the Commonwealth countries which the Associates had adopted in Nouakchott. Differences emerged, firstly, among French-speaking African countries and then, between French- and English-speaking countries. The differences were based partly on the reluctance of some African countries to participate in a supra-African Community

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<sup>32</sup>"The Market Game", West Africa, No. 2855, 3rd March, 1972, pp.241-242.

<sup>33</sup>Adrien N'Koghe-Essingone, "Le Renouveau de la Convention de Yaoundé", Mémoire pour le Diplôme d'Etudes Supérieures de Droit Public, Université de Rennes: Octobre 1974, p.3.

and partly on divergence of opinions over the political and economic orientation of such a Community.

In June 1972, French-speaking West African states signed a treaty for the establishment of the *Communauté économique de l'Afrique occidentale* (CEAO). In April 1973, at the Abidjan Conference, these countries prepared protocols necessary for the operation of the treaty. However, at the end of the conference, Dahomey (Bénin) abandoned her seat on the membership of the CEAO to become an observer arguing on the need to develop economic relations with English-speaking countries such as Ghana and Nigeria.<sup>34</sup>

In the course of 1973 two parallel movements seeking to create a Common Market in West Africa got under way. One movement comprised French-speaking countries which wanted to create the Common Market and then invite English-speaking countries to join and the other movement comprised countries which opposed such a plan. In March 1974 the French-speaking countries met in Ouagadougou to discuss the next moves but Nigeria, meanwhile, established a special understanding with Togo to recommend the alternative approach of joint French- and English-speaking West African constitution of the Common Market from the start.<sup>35</sup> The negotiations for the creation of an Economic Community in West Africa were not concluded on this occasion. However, by stressing the need for common African organisations, and in view of the decision of the eighteen Associates at Nouakchott to cooperate with the Commonwealth countries in the negotiations with the

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<sup>34</sup>Marc Penouil, "Problèmes Economiques Africains (1973)" in Année Africaine 1973, pp.290-291.

<sup>35</sup>See Ali A. Mazrui, Africa's International Relations - The Diplomacy of Dependency and Change, London: Heinemann, 1977, pp.111-112.



EEC, Bénin, Togo and Nigeria were proposing a project which would play an important part in presenting a unified African position in the Lomé negotiations.

The determination of the Yaoundé Associates to negotiate the Lomé Convention alongside the Commonwealth countries can also be linked, ironically, to a vague condition of British entry into the EEC. This condition suggested that countries which were particularly dependent on the export of a single commodity would be borne in mind when Yaoundé was renegotiated. The Caribbean sugar producers and Mauritius were later to benefit from this condition when the enlarged EEC took over the Commonwealth sugar agreement after it ran out in 1974. In anticipation of the beneficial use of this condition,<sup>36</sup> the Yaoundé Associates had decided to join forces with the Commonwealth countries.

United negotiations had several advantages. From the French-speaking African perspective, joint negotiations would represent a meeting between countries which had drifted away from the Franco-African Community such as Guinea and those which had remained faithful to the Community, with the reunion taking place under the control of the Africans. From a pan-African perspective, ten years after the OAU Charter was agreed upon in 1963, joint negotiations with the EEC would offer a new opportunity of convergence between the radical and the moderate African countries in the Casablanca and Monrovia groups.

For the Commonwealth African countries, Britain's entry into the EEC made the choice between a global and a regional trade and development strategy almost unavoidable because unless these countries reached an accommodation with the Community, from 1975 onwards they would find themselves in a less favourable position in the British market

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<sup>36</sup>"The common market's backyard", The Economist, 6 May 1972, p.74.

than the existing Associates.<sup>37</sup> Moreover, there was a psychological reason to be considered by the Commonwealth African countries in favour of cooperation with the French-speaking countries. At the beginning of March 1972, Mauritius started negotiations to become a member of the Yaoundé association. The principle of Mauritian association was approved by various Community and Association institutions, more so as Mauritius although member of the British Commonwealth was also member of the French-speaking organisation, OCAM. With some French-speaking population Mauritius may well have been able to enter the Yaoundé group<sup>38</sup> even from the start. Mauritius eventually completed her application and joined the second Yaoundé Convention.<sup>39</sup>

From the perspective of Commonwealth numerical superiority, the decision by Mauritius to join the Yaoundé group was a balancing act in that the number of the Associates rose from eighteen to nineteen and by the same token the number of the Commonwealth countries fell from twenty to nineteen. From that point onwards, the Commonwealth countries could no longer remain obstinate on considerations of numerical superiority. Consequently, cooperation with the French-speaking countries became an attractive option in the Lomé negotiations.

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<sup>37</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.291.

<sup>38</sup>"The Market Game", West Africa, No. 2855, 3rd March, 1972, p.242.

<sup>39</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.8.

## **4.2 JOINT ACP NEGOTIATION AND COLLECTIVE BARGAINING**

The similarities between the African, Caribbean and Pacific countries were demonstrated in 1973-1975 during negotiations for the first Lomé Convention. In 1973, representatives of Africa, the Caribbean and the Pacific met in Brussels and decided for the first time to speak through a single representative in their relations with the EEC. That decision marked the beginning of a process of collective bargaining which culminated in the formation of the ACP group when the Georgetown Agreement was signed in 1975.

### **4.2.1 Organisations for the coordination of African, Caribbean and Pacific positions**

When several of the African countries became independent in 1960, the United Nations Economic Commission for Africa (ECA), which was established in 1958, performed a number of important functions as the major African economic organisation. The ECA secretariat adopted positions on economic issues relating to Africa. For example, at the Geneva UNCTAD in 1964, the ECA supported the majority position and argued that it would be in the interest of Africa as a whole to see selective preferences abolished.<sup>40</sup> When the Organisation for African Unity (OAU) was established in 1963, it took on responsibility for Africa's international relations, especially on non-economic issues. The ECA continued to handle economic issues hence it was active in formulating

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<sup>40</sup>ECA Secretariat, "Activities of the Economic Commission for Africa Related to the United Nations Conference on Trade and Development" in Proceedings 1964, vol.VII, p.248. Cited by Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, 1991, p.42.

African positions for the Lomé negotiations<sup>41</sup> and in organising conferences on the implications of association for African countries.

Later, the ECA sponsored an African ministerial meeting in Accra in February 1973. The meeting was called to discuss Africa's future relations with the EEC, and it was resolved that the African Commonwealth countries and the eighteen French-speaking Associates would negotiate with the EEC as a bloc. It was also decided that the OAU would serve as the organising body, holding summit conferences to establish common positions.<sup>42</sup> Soon afterwards, there was however concern to merge the divergent roles of the ECA and the OAU. The Kenyan Finance Minister, Mwai Kibaki, suggested to the Accra Convention that all ECA resolutions should be submitted to the OAU summit, insisting that

"it was a mistake to divide economic and political matters as if they were two different components; there seemed to be a gap between economic analysis and the political will to implement ECA decisions."<sup>43</sup>

The decision to expand the OAU's role was a deliberate strategy on the part of the Commonwealth countries. African Commonwealth statesmen were jointly in favour of a concerted African approach in the Lomé negotiations. The OAU Secretary-General, Nzo Ekangaki, was anxious to form a coalition in the face of continued differences between

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<sup>41</sup>Joanna G. Moss, op. cit., p.147.

<sup>42</sup>Ibid., p.154.

<sup>43</sup>S. Cronje "What next for Africa and the EEC?" in African Development, May 1973, p.7. Cited by Joanna G. Moss, op. cit., p.155.

the French- and English-speaking African countries over the economic issues discussed within the framework of the ECA. Prior to the Accra meeting, Nzo Ekwangaki emphasised that it was necessary to arrive at a "common denominator" to ensure that a "united Europe deals with a united Africa and not with balkanised African groups."<sup>44</sup>

In contrast to the African countries, the Caribbean countries were relatively more united on the formation of consensus at the first Lomé negotiations. Economic and structural differences and the two-tier division of the Caribbean into the so-called bigger and smaller countries were taken into account at the Eighth Summit Conference of Caribbean Heads of Government held in April 1973 in Georgetown, Guyana where a decision was taken to create a Caribbean Community and Common Market (CARICOM).<sup>45</sup> The Treaty of Chaguaramas establishing CARICOM was signed on 4 July 1973 in Trinidad and Tobago, and it came into force on 1 October 1973. Considerations of the effects of the disparity in levels of development between the bigger<sup>46</sup> and the smaller<sup>47</sup> Caribbean countries were taken into account and a special regime was included in the CARICOM treaty for the smaller and lesser developed CARICOM members which were also members of the Eastern Caribbean Common Market (ECCM). These ECCM countries were allowed to grant to each other concessions which they did not have to extend to the

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<sup>44</sup>"The Market Game", West Africa, No.2908, 5th March, 1973, p.298.

<sup>45</sup>John C. Mgbere, "Les Etats Caraïbes dans l'Intégration Américaine: Une Etude de Politique Régionale", Mémoire pour le D.E.A., IHEAL, Université de la Sorbonne-Nouvelle, Paris III: Octobre 1990, pp.11-15.

<sup>46</sup>Barbados, Guyana, Jamaica, and Trinidad and Tobago.

<sup>47</sup>Antigua and Barbuda, Bahamas, Belize, Dominica, Grenada, St. Christopher & Nevis, St. Lucia, St. Vincent & the Grenadines.

more developed members of CARICOM.<sup>48</sup>

Having thus settled their differences within the framework of CARICOM, the Caribbean countries were able to present a unified position during the Lomé negotiations. In effect, Caribbean unity was achieved in 1973 as the ACP countries were finding common grounds for negotiations with the EEC. The level of cooperation and understanding among the Caribbean countries at the Lomé negotiations in 1973 can arguably be compared to the level of unity achieved by the African countries at the formation of the OAU in 1963. It is therefore easy to see how the Caribbean leaders were able to coordinate their positions via the new CARICOM with a minimum of friction.

As a result of their relative unity, the Caribbean countries were also foremost in pushing for a unified ACP approach in the Lomé negotiations. At a conference of the Non-aligned Movement (NAM) in Guyana in August 1972, that country's Foreign Affairs Minister, Shridath Ramphal, called an informal meeting of countries eligible for association with the EEC.<sup>49</sup> Explaining the exploratory nature of the talks to his colleagues on the Council of Ministers of the Caribbean Free Trade Area (CARIFTA), Mr. Ramphal said:

"...These are not formal discussions. They are not secret discussions. They are just talks to see if we can get other people to pool their resources with ours in relation

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<sup>48</sup>For a more detailed discussion of the history and legal framework of CARICOM, see Hans J. Geiser, Pamela Alleyne, Carroll Gajraj, Legal Problems of Caribbean Integration - A Study on the Legal Aspects of CARICOM, Trinidad: UWI, Institute of International Relations, 1976.

<sup>49</sup>Mabel Ogechukwu Akosa, "The diplomacy of the ACP states in their relations with the EEC", Ph.D thesis, University of London: 1985, p.33.

to the negotiations that lie ahead."<sup>50</sup>

The Pacific countries were also present at the first Lomé negotiations and, like the CARICOM countries, they showed relative cohesion. Two factors explain their unity. Firstly, there were only three Pacific countries involved in the negotiations.<sup>51</sup> It was certainly easier for three countries to reach consensus than it was either for the eighteen Associates or the thirteen African Commonwealth Associates to do so. Secondly, and again like the CARICOM members, the Pacific countries had just completed the formation of their own regional organisations prior to the start of the first Lomé negotiations. As the Prime Minister of Fiji, Ratu Sir Kamisese Mara, recalled at the negotiation opening conference in Brussels in July 1973, the South Pacific Forum was established in 1971 and the South Pacific Bureau for Economic Cooperation (SPEC) was instituted in 1972, with the participation of these countries. It was therefore to be expected that the unity which they had achieved would be reflected in coherent Pacific positions at the Lomé negotiations. In contrast to the unity of the Caribbean and Pacific countries, during this period, negotiations between the French- and the English-speaking West African countries over the creation of ECOWAS had still not been resolved.

The OAU eventually became the organisation for the coordination of African negotiating positions with the EEC, performing both economic and political functions. Countries such as Guinea, Nigeria, and even Ghana, all originally opposed to participation,

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<sup>50</sup>Shridath Ramphal, "The ACP/EEC Negotiations: A lesson in Third World Unity", Guyana: Ministry of Foreign Affairs, June 1975, p.5. Cited by Mabel Ogechukwu Akosa, ibid., p.44.

<sup>51</sup>These were Fiji, Tonga and Western Samoa.

were willing to participate once it became clear on the African side that the negotiations could be handled under the auspices of the OAU. From a pan-African ideological perspective, joint negotiations with the EEC united African countries - as Senghor had argued it would - and provided them with their first real opportunity since 1963 to demonstrate their solidarity in negotiations with a group of major industrial powers. Thus, the enlargement of the European Community to include Britain promoted African unity because of the impact it had in encouraging joint negotiations between the French- and English-speaking African countries.<sup>52</sup>

In May 1973, African Ministers of Trade, Finance and Development met at an OAU-sponsored conference. African Heads of State met at Addis Ababa at the Tenth OAU summit held in May 1973. The summit meeting produced an Economic Charter which contained eight guiding principles on trade and cooperation which defined the basic principles governing individual or collective action of the African states. These principles were:

- 1) non-reciprocity for trade and tariff concessions given by the EEC;
- 2) extension on a non-discriminatory basis towards third countries of the provision on the 'right of establishment';
- 3) revision of rules of origin to facilitate the industrial development of Africa;
- 4) revision of the provisions concerning the movements of payments and capital to take account of the objective of monetary independence in African countries;
- 5) the dissociation of EEC financial and technical aid from any form of

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<sup>52</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.291.



relationship with the EEC;

6) free and assured access to EEC markets for all African products whether or not they are subject to the common agricultural policies of the EEC;

7) the guaranteeing to African countries of stable, equitable and remunerative prices in EEC markets for their main products; and

8) any agreement made with the EEC should not adversely affect intra-African cooperation.<sup>53</sup>

Agreement on the eight points of the African meeting did not however spell the end for divisions and schisms. Many of the French-speaking countries continued to favour reverse preferences<sup>54</sup> even though point one of the African Economic Charter stressed non-reciprocity in trade and tariff concessions. However, at the end, the Ministers agreed that these eight principles would form the basis of their discussions with the EEC. This meeting, therefore, marked another bridging gap between the French- and the English-speaking African positions.

Despite long estrangement from both France and the EEC, Guinea was represented at a Lagos meeting of OAU Trade and Economic Ministers held in July 1973. On that occasion General Lanfane Diane prefaced a resolution calling for the creation of an African Common Market - a revival of one of Nkrumah's favourite projects - with the suggestion that this should be an essential counterpart, if not precondition, to any

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<sup>53</sup>Ibid., at footnote no.17, pp.312-313.

<sup>54</sup>Joanna G. Moss, op. cit., p.158.

agreement with the EEC.<sup>55</sup> Also, at these meetings, the Commonwealth Associates in the Caribbean, Indian and Pacific Oceans were invited to liaise with the OAU-sponsored African group.<sup>56</sup> Prime Minister Michael Manley of Jamaica sent a note to the meeting calling for a ministerial conference of all the countries concerned by the EEC association, thus interjecting the Caribbean and the Pacific states into the discussion.<sup>57</sup>

#### 4.2.2 United African, Caribbean and Pacific front and negotiating strategy

Despite the conceptual differences which had existed between African and Caribbean countries, there was convergence of interests on the question of joint negotiations with the EEC. Cooperation between the Commonwealth countries in Africa and the Caribbean was clearly easier than it had proved to be between the French-speaking and the Commonwealth African countries. Throughout the 1960s, and especially after the formation of the OAU in 1963, the West African French- and the English-speaking countries could not find a common ground on several of the ideological and economic issues which confronted Africa.

In contrast, the English-speaking African and Caribbean countries appeared to agree on the issues which were involved in the negotiation of the first Lomé Convention, for example, the principle of partnership and non-reciprocity. Apart from the obvious

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<sup>55</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.294.

<sup>56</sup>Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.9.

<sup>57</sup>Joanna G. Moss, op. cit., p.156.

explanation of the English-speaking countries all having had similar colonial experiences and all belonging to the Commonwealth, the closeness of these English-speaking countries can be understood against the background of long-established amicable interactions. For example, George Padmore, the journalist from Trinidad, had served in Nkrumah's cabinet in Ghana while Sir Arthur Lewis, the West Indian economist, had been an advisor to the Ghanaian and Nigerian governments. In effect, colonial links only explain in part why African states chose or refused to cooperate with one another.

The African, Caribbean and Pacific countries began to converge with regard to the EEC starting with a negotiation opening conference which was called in Brussels from 25-26 July 1973 between the EEC, the Associates and the Commonwealth Associate countries. At this conference, the position of the African, Caribbean and Pacific group of countries were presented by a representative for each region. The Nigerian Minister for Trade, Mr. Wenike Briggs, speaking on behalf of the African group, told the EEC that the eight-point African declaration on trade and cooperation would form the basic principles of African positions. The declaration, of course, included non-reciprocity. The Yaoundé Associates supported the declaration and this could be seen as the final gesture of abandonment of reverse preferences as a principle of the negotiations with the EEC.

The formal abandonment of the reciprocity principle reflected other sets of considerations.<sup>58</sup> First, it became clear that its abandonment was likely to be decided over the heads of African statesmen as part of a deal between the United States and the EEC. In his speech at Punta del Este, US President Johnson implied a collective responsibility of the industrial states in providing a stimulus to the manufactured exports of developing

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<sup>58</sup>See James Mayall, "The Implications for Africa of the Enlarged European Economic Community", pp.304-307.

countries. In other words, the principle of universality of preferences was to be maintained. But, the scheme depended on the phasing out of existing preferential arrangements in general and in particular of the reciprocal arrangements favouring the EEC in the markets of its Associates. The American position hardened as the Americans faced up first to a continuing trade deficit, secondly, to the implications of the EEC enlargement and finally, to ramifications of the energy crisis.<sup>59</sup>

In his Trade Reform message to Congress in April 1973, President Nixon proposed measures to help build a new international economic order and to further American interests.<sup>60</sup> He also proposed that the Generalised Trade Preferences (GTP) should be extended to developing countries. But although he maintained the commitment in principle he went on to say that

"on the basis of international fair play we would take into account the actions of other preference granting countries, and we would not grant preferences to countries which discriminate against our products in favour of goods from other industrialized nations unless these countries agree to end such discrimination."<sup>61</sup>

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<sup>59</sup>Ibid., p.305.

<sup>60</sup>"Message from President Nixon to Congress on his proposed Trade Reform Bill, 10 April 1973" in James Mayall and Cornelia Navari (eds.), The End of the Post-War Era: Documents on Great-Power Relations, 1968-1975, pp.589-590.

<sup>61</sup>US Department of State, Bulletin, lxxviii, 1766, 30 Apr. 1973, pp.513-22 in James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.305.

On the European side, following the enlargement of the Community, the abandonment of the reciprocity provisions was offered by the Commission in response to requests by American officials that a gesture was needed from Europe to offset the rising tide of protectionism in the United States and to convince the American administration of the good faith of the EEC in future trade negotiations. For the EEC this was after all a relatively painless gesture to make. Indeed, all that appeared to be necessary was a clarification, not a change at all. Thus the Deniau Memorandum published in April 1973 concluded that the future Association agreement, as in the past, should conform with the GATT.<sup>62</sup>

The second reason which encouraged the Associates to endorse the majority position on reciprocity was that they sensed the possibility of strengthening their bargaining position in areas in which they were already dissatisfied with the working of the Yaoundé Convention and where there were opportunities for united African action. One such area was commodity price stabilisation, another area was improving the market for commodities such as the various kinds of vegetable fats and oil seeds which were denied duty-free access into the Community because they competed with products covered by the Common Agricultural Policy (CAP).<sup>63</sup>

At the 25-26 July 1973 Brussels conference, Ratu Sir Kamisese Mara, Prime Minister of Fiji, spoke on behalf of the Pacific group and noted that direct contact between Pacific countries was undermined during the nineteenth and early twentieth centuries due to influence and struggle for domination by the colonial powers. However, since independence, contacts have been renewed and regional cooperation has been

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<sup>62</sup>James Mayall, *ibid.*, pp.305-306.

<sup>63</sup>*Ibid.*, p.307.

reinforced thanks to the South Pacific Forum established in 1971 and the SPEC instituted a year later. Speaking on behalf of the Caribbean group, Mr. S. S. Ramphal, Guyanese Minister for Foreign Affairs, recalled that the history of the Caribbean states had been determined by European powers but that these states were now devoted to coordination and union with African and Pacific countries as autonomous states. Mr. S. S. Ramphal later declared at the Third Conference of OAU Trade ministers held in early October 1973 at Dar-es-Salaam that the Caribbean states were making contacts at all levels in order to achieve union with African countries. This preparatory conference paved the way for regular contacts between the African, Caribbean and Pacific countries.

At the October 1973 Dar-es-Salaam meeting, the African countries were conclusively able to overcome any smouldering differences between them with specific regard to the first Lomé negotiations. The concordance was achieved thanks to calls from President Julius Nyerere of Tanzania and Babacar Ba, the President of the Council of Ministers of the Associated States.<sup>64</sup> President Julius Nyerere's speech to the African Trade Ministers who were involved in the negotiation of the Lomé Convention reflects the mood of the African leaders who, on the one hand, were desirous to obtain a fair deal from the international economic system and the EEC in particular and, on the other hand, were intent on obtaining reparations for past exploitation of Africa's human and economic resources. At the October 1973 meeting, the Tanzanian President noted that Africa had spoken with one voice at the exploratory meeting with the EEC in July 1973 and he suggested that, in the negotiations with the EEC, the efforts of the African Ministers should be directed towards obtaining

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<sup>64</sup>Seydina Oumar Sy, "La naissance du Groupe ACP" in Le Courier, n° 93, septembre-octobre 1985, p.53.

"... remunerative trading arrangements in a dynamic context, through a scientifically worked out built-in mechanism within the framework of international trade and exchange, and full reparations for past neglect imposed on us by colonialism."<sup>65</sup>

By alluding to the principles of international trade, Nyerere was reiterating the agreed stance of the African countries against preferences from developing to developed countries, and by asking for reparations, the Tanzanian leader was making a claim which has now been revived by other African statesmen.<sup>66</sup>

On the whole, the independent countries of Africa, the Caribbean and the Pacific sought to present a common front and thereby benefit from their historical links with Europe. At a ministerial meeting for the Lomé negotiations later held in Brussels on 17-18 October 1973, Namwisi Ma Koye, Zaïre's Minister for Foreign Trade was chosen as the spokesman for the three ACP groups. He stated the principles, aims and aspirations of all the ACP countries as earlier cited by each ACP sub-group. This action was seen by all parties involved as the final success of their unified approach. It was a new situation which aimed to modify the power relationship between the EEC and the three ACP groups

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<sup>65</sup>"United in Brussels?", West Africa, 15 October 1973, p.1443. See also James Mayall, "International Society and International Theory" in Michael Donelan (ed.), The Reason of States - A Study in International Political Theory, London: George Allen & Unwin, 1978, p.141.

<sup>66</sup>An international conference on reparations to Africans and Africans in Diaspora called by Chief M. K. O. Abiola was held in Lagos, Nigeria, in December 1990. It was attended by personalities of African descent from all over the world. See "Cost of Suffering", West Africa, 4-10 February 1991, p.143.

and, ultimately, to reinforce to a considerable extent the negotiating power of the ACP group of countries.

#### 4.2.3 Minority Influence: ACP collective bargaining and EEC difficulties

The concept of minority influence in group consensus formation implies that under the threat of splitting the coalition, stronger members of a group may be inclined to redefine their positions or actions to appease the less powerful members. Thus, stronger members could lean to pressure however tacit from their less powerful partners.<sup>67</sup> For the purpose of this discussion, we can view the EEC and the ACP countries at the Lomé I negotiations as constituting a group since they all had the common objective of negotiating a trade agreement. And, without suggesting that the ACP countries cannot exercise predominant bargaining influence, we can view the ACP countries as representing the minority partner from the perspective of their underdeveloped resources. Once we accept these premises, it becomes clear that during the Lomé I negotiations the ACP countries exercised predominant minority influence over the EEC because they pressured the Community into granting most of their economic demands.

The international climate of the 1970s (oil crises, EEC dependence on primary commodities from the ACP countries, the cold war and the often unstated political need for EEC presence in the ACP countries) gave an impetus to ACP influence. The most important factor in ACP influence and collective bargaining at the first Lomé negotiations was the fact that the negotiations took place against the backdrop of the oil crisis in

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<sup>67</sup>Serge Moscovici, Gabriel Mugny and Eddy Van Avermaet, Perspectives on minority influence, pp. xi-xii, 3 and 18.



Europe. Europe was unprepared for this turn of events, while these factors added strength to the unity of the ACP countries. Throughout the negotiations the recurrent shock waves of the tripling of oil prices in 1973 and the uncertainty over future European oil prices made the EEC nations vulnerable to ACP demands. This was especially true since many of the ACP states do have oil.<sup>68</sup>

Nigeria was the world's eight largest producer of oil, and Gabon, Congo (Brazzaville), Zaire and, in the Caribbean, Trinidad and Tobago controlled 1 300 million tonnes of proven oil reserves. Furthermore, oil companies have been exploring in the Cameroons, Bénin, Ghana, Senegal, and Ethiopia. Hence, the changes in the international energy picture strengthened the ACP position especially when compared to the impotence of the Yaoundé Eighteen. The European need for these and other primary products put them in a more compromising position *vis-à-vis* the Africans than during earlier negotiations.<sup>69</sup> The energy crisis further created difficulties for the EEC where its nine members could not find a common ground on the strategy to adopt in the international energy negotiations.<sup>70</sup>

European unity and strength in front of the ACP countries were also diminished for other reasons. The Europeans were weakened by the recurrent internal divisions of opinion on how to deal with the Africans. Specifically, the German and French differences that were present during the Yaoundé negotiations emerged once again. Also, the expanded EEC and Britain's presence added a particular element of difficulty since these

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<sup>68</sup>Joanna G. Moss, op. cit., pp.159-160.

<sup>69</sup>Ibid., pp.160-161.

<sup>70</sup>"United we stand?", The Economist, 8 February 1975, p.58.

were the first negotiations with all nine members present with the Associates and the Commonwealth African, Caribbean and Pacific countries.<sup>71</sup> Britain had her own specific interests to protect in the Commonwealth countries, for example, in the area of sugar supply. Meanwhile, the world commodity crisis and the resulting rise in "producer power" in petroleum and other commodities brought the realisation to the developing countries of the power to be exercised by collective bargaining.<sup>72</sup>

The Deniau Memorandum prepared by the European Commission presented the EEC proposals for the negotiations. Broadly speaking, the EEC proposals covered three subject areas. The first related to concessionary trade relations between the Community and the eligible Associates, and did not rule out the possibility of reverse preferences. The second was the stabilisation of export earnings for a number of products: sugar, groundnuts, palm products, cotton, cocoa and bananas. Finally, the third area covered by the memorandum was financial and technical cooperation aimed at the industrial development of the Associated countries to be achieved partly through the funding of small and medium-sized enterprises (SMEs).<sup>73</sup> Apart from areas where the EEC proposals coincided with ACP demands, the Deniau Memorandum and the negotiating position of the EEC were no match for the determination of the ACP countries.

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<sup>71</sup>John Pinder, "The Community and the Developing Countries: Associates and Outsiders" in Journal of Common Market Studies, Vol. XII, No.1, September 1973, p.71 in Joanna G. Moss, op. cit., p.159.

<sup>72</sup>Joanna G. Moss, ibid.

<sup>73</sup>Marc Penouil, op. cit., pp.291-292.

#### 4.2.4 Outcome of the Negotiations

Based on the prescription in the Yaoundé Convention, negotiations for the first ACP-EEC Convention which replaced the second Yaoundé Convention lasted eighteen months. During the course of the negotiations, 493 coordinating meetings of the ACP took place, 183 negotiation sessions were held between the EEC and the ACP, and 350 joint documents were drawn up. A total of eleven months of working days went into the creation of the Convention.<sup>74</sup> The Convention was signed in Lomé on 28 February 1975. The following were its main provisions:

1. Duty-free access for ACP exports into the EEC without reciprocity;
2. A stabex fund of 375m units of account (UA);<sup>75</sup>
3. Financial aid of 3 000m UA from the EDF and 390m UA from the European Investment Bank (EIB);
4. Provisions for industrial and technical cooperation;
5. Joint ACP-EEC institutions for policy implementation;

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<sup>74</sup>Isebill V. Gruhn, "The Lomé Convention: inching toward interdependence" in International Organization, Spring 1976, Volume 30, Number 2, p.248 and West Africa, 10 February 1975, p.153.

<sup>75</sup>The EEC Council of Ministers, by its decision of 21 April 1975, defined the EDF resources in European Units of Account (EUA), as did the Governors of the EIB: Commission of the European Communities, Information - the EUA, 114/76, pp.1 and 2. Discussed by Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, p.62.

6. Protocol 3 on special concessions for 1.4m tonnes of ACP sugar per year to the EEC market.

The outcome of the first Lomé negotiations was a triumph for the combined efforts of the former EEC Associates and the non-Associates because, alone, the French-speaking Associates would have been in a much weaker bargaining position.<sup>76</sup> The success of the Convention is, arguably, to be found in the three historical circumstances of close colonial ties between the ACP and the EEC countries, Britain's entry into the Community, and the growing militancy in the early 1970s of developing countries in the quest for a NIEO which was made against the backdrop of the oil crisis of 1973-74 and the recurring monetary crises which accompanied that event.<sup>77</sup> However, although the ACP countries wanted almost £4 billion over five years, they settled for only about £1.7 billion because they had no wish to beg. Part of this sum was for the financing of Stabex on twelve primary commodities (cotton, tea, coffee, bananas, sisal, groundnuts, copra, hides and skins, palm and timber products and - the only mineral - iron ore).<sup>78</sup>

But, above all, the issue of reverse preferences which was the biggest bone of contention between the Lomé negotiators was resolved satisfactorily for all parties involved.<sup>79</sup> The agreement on reverse preferences allowed the ACP countries the

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<sup>76</sup>Joanna G. Moss, *op. cit.*, p.156.

<sup>77</sup>See Peter C. J. Vale, "The Lomé Conventions: From Sunday Charity to a New International Economic Order?", Braamfontein: The South African Institute of International Affairs, January 1980, p.2.

<sup>78</sup>"You can please them all", The Economist, 8 February 1975, pp.58-59.

<sup>79</sup>Ibid., p.58.

possibility of building trade links with other developing countries. Article 7, para 2(a) and (b), of the Lomé I Convention stipulates that in trade with the EEC, the ACP countries shall grant to the Community treatment "no less favourable than the most-favoured-nation treatment" but that the most-favoured-nation treatment "shall not apply in respect of trade or economic relations between ACP States or between one or more ACP States and other developing countries". The ACP countries considered this a big concession since the EEC had been reluctant to meet their expectations throughout the negotiations.

Two factors appear to have been of particular importance in enabling the ACP states to secure significant concessions without the offer of formal reciprocity. First, not only was the group of states much larger than in the previous Association negotiation, but the ACP position was strongly influenced by the economically more influential state, Nigeria, which had consistently shown itself intent upon extracting maximum trade and aid concessions from the EEC.<sup>80</sup> Secondly, it seems clear, as earlier stated, that against the background of the energy crisis and shortages of other raw materials, the EEC was more sensitive than in the past to the need to protect future supplies.<sup>81</sup>

Non-signatories to the Lomé Convention also appeared satisfied with the outcome of the first ACP-EEC negotiations. It was clear in general United States policy statements that the US was pleased at the removal of reverse preferences. To some extent this was a position of self interest. The US was able to penetrate the markets of its Southern trading partner, Latin America, without the benefit of preferential tariff arrangements

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<sup>80</sup>Nicholas Hutton, "Africa's changing relationship with the EEC" in The World Today, Vol.30, No.10, October 1974, p.426.

<sup>81</sup>James Mayall, "The Implications for Africa of the Enlarged European Economic Community", pp.307-308.

because of its general economic strength, and it could only benefit from a chance to compete on equal terms for the African market<sup>82</sup> if the EEC did not receive special preferences. India's Prime Minister, Madame Indira Gandhi, in an address to the Commonwealth Heads of Government assembled at Kingston, from 29 April to 6 May 1975, welcomed the Lomé Convention while India's Ambassador to the EEC expressed the hope that the Lomé provisions on South-South cooperation would encourage the ACP countries to call on the expertise of relatively advanced developing countries such as India to participate in ACP industrial cooperation.<sup>83</sup>

Three broad conclusions follow from the discussion of ACP-EEC Lomé I negotiations in this chapter. First, the conclusion of the Lomé I Convention and the resolution of the differences which preceded it provided the French- and the English-speaking West African states with an opportunity to create their own Common Market. It is more than a simple coincidence that these countries finally settled their differences over the modalities of such a common market, and that the ECOWAS was created in 1975, the year in which the Lomé Convention was signed. Second, from both the ideological and economic points of view, the negotiations stimulated inter-African cooperation. Numerous conflicts of interest, of course, persisted but since Britain's entry to the Community meant that Commonwealth preferences would be abolished after 1975

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<sup>82</sup>I. William Zartman, "An American Point of View" in "The Lomé Convention and Third Countries: As seen by Outsiders" in Frans A. M. Alting von Geusau, (ed.), The Lomé Convention and a New International Economic Order, Leyden: A. W. Sijthoff, 1977, p.135.

<sup>83</sup>K. B. Lall, "An Indian Point of View" in "The Lomé Convention and Third Countries: As seen by Outsiders" in Frans A. M. Alting von Geusau, (ed.), ibid., pp.145 and 150.

there was, practically, little alternative but to attempt to resolve these conflicts within the context of a single agreement, or at least a related series of agreements.<sup>84</sup> Finally, the Lomé I negotiations presented an occasion of united negotiations which encouraged the African, Caribbean and Pacific countries to establish an ACP group.

#### 4.2.5 Formation of the ACP Group: the Georgetown Agreement

During the Lomé negotiations, the African group in its Council of Ministers meeting held at Addis Ababa from 20-22 February 1974 decided that the African, Caribbean and Pacific countries should adopt a common position *vis-à-vis* the EEC. Following this decision, at a meeting held in Brussels with the EEC on 27 March 1974, Babacar Ba, speaker for the African group declared:

"...the results of the Ministerial Conference at Addis Ababa have reinforced and consolidated our group. It is for this reason that you have before you no longer three groups expressing harmonised positions with one voice, but a single group of the ACP countries..."<sup>85</sup>

From then on the ACP countries have established the practice of expressing their positions through only one spokesperson. After the Addis Ababa Conference in February 1974, other Ministerial Conferences were held in Dakar (June and December 1974) and

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<sup>84</sup>See James Mayall, "The Implications for Africa of the Enlarged European Economic Community", p.308.

<sup>85</sup>Seydina Oumar Sy, *op. cit.*, p.53 and The Courier no. 120, March-April 1990, p.25.

Accra (February 1975). Also, following the Brussels preparatory conference between the African, Caribbean and Pacific regions and the EEC, other joint meetings were held in Kingston (July 1974), and Brussels again (January 1975). The next meeting to follow this was held in Lomé on 28 February 1975 for the signing of the first in the series of Conventions which bear the name of that city. Negotiations for the Lomé Convention had proved a valuable experience for the African, Caribbean and Pacific countries since they were able to present a common front with regard to the EEC.

These countries therefore decided to maintain the momentum attained during the Lomé negotiations and to institutionalise their group. On 6 June 1975, just over three months after the signing of the first Lomé Convention, the African, Caribbean and Pacific countries signed the Georgetown Agreement in Guyana. The first article of the Agreement states:

"There is hereby formally established the African, Caribbean and Pacific Group of States which shall be known as the "ACP Group".<sup>86</sup>

The Georgetown Agreement sets out eight objectives for its members. These include the promotion and reinforcement of the existing solidarity between the ACP countries in order to contribute to the development of economic, trade and cultural relations between the ACP member states in particular and among developing countries in general. Some of the other objectives of the group are to contribute to the promotion of regional and inter-regional cooperation between these countries, to reinforce links between regional organisations of which these countries are members and to promote a

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<sup>86</sup>See Appendix 1 for a text of the Georgetown Agreement.



NIEO. The objectives of ACP group cooperation are based on economic relations and can be summarised into three categories. Firstly, economic cooperation among members of the newly institutionalised ACP group; secondly, to develop relations between members of the group and other developing countries with a view to promoting a NIEO and, thirdly, to continue economic cooperation with the EEC through the Lomé Convention.

The Georgetown Agreement constitutes the most important document in the development of the ACP group because it formally created the Group. However, other documents relating to ACP cooperation have been adopted to enhance ACP group diplomacy. In April 1977, the ACP Council of Ministers adopted the Suva Declaration on the programme of action for intra-ACP cooperation.<sup>87</sup> The Suva Declaration deals with six principal sectors of intra-ACP cooperation, namely transport and telecommunications, trade, development of intra-ACP industrial enterprises, development finance, technical assistance, and cultural scientific and educational cooperation. The Montego Bay Plan was later adopted in July 1980. The Plan contains a series of decisions and programmes aimed at the effective implementation of the Suva Declaration.<sup>88</sup> A similar Programme of Action was adopted in Harare in 1985.<sup>89</sup>

In conclusion, it is worth noting that, unlike during the pre-Lomé era when the Yaoundé Associates liaised with the EEC on several issues, these programmes and measures were adopted at the initiative of the ACP countries. This also suggests that,

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<sup>87</sup>See Appendix 2 for a text of the Suva Declaration.

<sup>88</sup>N. M. C. Dodoo, "L'organisation et le développement du Groupe ACP", in Le Courier n° 93, septembre-octobre 1985, p.57.

<sup>89</sup>Mary Sutton, "Le Groupe ACP - Informations Générales", Supplément de Lomé Briefing, N°8 Avril 1989.

henceforth, the ACP group has established its capacity to operate on the same terms as the EEC. Above all, ACP diplomacy was dynamic and the ACP countries were pro-active in confronting the issues of cooperation with the EEC as well as that of institutionalisation of their group. The success of the ACP countries in achieving most of their aims and objectives during this period stands to emphasise the gains to be derived from dynamic and pro-active ACP group diplomacy.

**PART II - MANAGEMENT OF THE RELATIONSHIP:**  
**ACP ORGANS, EEC INSTITUTIONS AND PROVISIONS OF THE**  
**LOMÉ CONVENTION**

This part of the study (comprising Chapters 5, 6 and 7) examines ACP-EEC cooperation and ACP diplomacy in practice through the organisation of ACP organs, EEC departments and joint ACP-EEC institutions. It also examines specific institutions for policy management, for example, the EDF as well as general issues elaborated in the Lomé Convention, for example, Trade Preferences and Regional Cooperation. The choice of the Lomé issues discussed in this study is not exhaustive; however, the issues discussed in these chapters are selected because they highlight the procedures involved in ACP-EEC cooperation and ACP diplomacy. This part of the study highlights the current phase in ACP diplomacy. In effect, current ACP diplomacy is mainly reactive over bread-and-butter issues such as aid and trade cooperation with the EEC. This is due to relative small representation in ACP organs and lack of expertise in relation to the EEC. However, ACP diplomacy has also known fits of dynamism when it comes to life-and-death issues such as toxic waste dumping in Africa and environmental degradation. But, as aid and trade discussions are at the centre of ACP-EEC cooperation, the discussions on those issues in this part of the study will lead us to the conclusion that ACP diplomacy is essentially reactive.

## **CHAPTER FIVE:**

### **ACP-EEC ORGANS AND INSTITUTIONS FOR POLICY COORDINATION**

This chapter discusses the working and internal coordination of ACP organs to show how ACP group diplomacy is facilitated or constrained by institutional arrangements. This chapter also evaluates EEC institutions which participate either directly or indirectly in the elaboration of Community's development cooperation policy. Discussion of these relevant Community institutions is intended to show the strength of the EEC in relation to their ACP partners. This discussion is also intended to demonstrate the scale to which ACP diplomacy would need to develop to meet the objectives of ACP-EEC cooperation.

## **5.1 ACP ORGANS**

Protocol 5 of the Lomé I Convention provides for the establishment of a coordinating body for the ACP states. Protocol 5 further provides that this body is to be made up of a Council of Ministers and a Committee of Ambassadors both of which are to be assisted by a Secretariat. The Georgetown Agreement which later institutionalised the ACP group, at its Article 3, reaffirms the provisions of the Lomé protocol concerning the ACP organs. These organs are analysed to highlight the procedures involved in the elaboration of ACP group diplomacy

### **5.1.1 ACP Council of Ministers**

The Council is the executive organ of the ACP group. It is composed of a member of government or a designated representative of each ACP member state, but headed by a president who is the principal spokesperson for the ACP group and who is empowered to make statements on behalf of the group. The Council defines the main line of action to be taken in the pursuance of the objectives of the ACP group. The president of the Council calls meetings after consultation with the members of the Council. The Council meets in plenary twice a year. However, one of these plenary meetings precedes the joint ACP-EEC Council of Ministers meeting and so it is usually primarily concerned with matters of joint ACP-EEC concern while the other meeting deals mainly with intra-ACP affairs. Each plenary session is attended by representatives of all 69 member countries of the ACP group, with one member having one vote.

Some of the smaller ACP countries do not have representation in Brussels and,

consequently, cannot participate fully in the regular activities of the ACP group. A Directory of the ACP countries shows that six Caribbean ACP states (Antigua and Barbuda, The Bahamas, Belize, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines) and one Pacific ACP country (Tonga) have their representation to the EEC based in London. Two African ACP countries (Comoros and Equatorial Guinea) have their EEC representations based in Paris; and one (Cape Verde) has her representation based at The Hague. Finally, three Pacific ACP countries (Kiribati, Tuvalu, Vanuatu) do not have any representation based in the EEC.<sup>1</sup> Representatives of these countries do travel specifically to attend the plenary where draft resolutions, including those from the Committee of Ambassadors are adopted. However, the inability of the smaller ACP countries to maintain permanent representation at the centre of policy coordination in Brussels often delays or even hampers joint ACP decision in some cases when discussions are re-opened for the benefit of non-resident members. Inability to maintain representation in Brussels reflects the wider problem of financial constraint on some ACP countries. This constraint undermines ACP group diplomacy as resources necessary for the formulation of common positions, recruitment of staff or financing of studies are often inadequate.

The president of the Council summarises the conclusions reached at various meetings of the Council. The summary submitted by the president is then regarded as the decision of the Council on any given issue. The decision of the Council is reached by consensus. The procedure for the elaboration of decisions of the Council is stated in Article 10 of the Georgetown Agreement:

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<sup>1</sup>Information on ACP representations based on readings from the directory Representation des Etats d'Afrique, des Caraïbes et du Pacifique (Rev. 93 SN 1400/93), Secrétariat ACP, Bruxelles: 1er février 1993.

"Decisions made by the Council of Ministers shall be arrived at on the basis of a consensus of the members. However, under special circumstances and after consultation, decisions may be arrived at by a majority of two-thirds of the members of the Council."

However, if a reservation is expressed, and if it is only for record purposes, it will not affect consensus. But, the reservation may mean that a country which is not disposed to accept a compromise or the common point of view can disrupt the decision-making procedure based on consensus. On certain occasions, the Council has had recourse to voting. But, voting is not obligatory. Consequently, when the Council cannot arrive at a decision by consensus it is not initially constrained to carry out a vote. It can consider other possibilities, including consultation to arrive at a consensus or compromise. If voting is decided, the Council will indicate that the problem being considered constitutes an exception. As indicated in Article 10 of the Georgetown Agreement, a decision taken in such circumstances must be obtained by a two-thirds majority of the members of the Council of Ministers.

The work of the Council is facilitated by a bureau which sifts through reports of the Committee of Ambassadors before the plenary sessions of the Council. The bureau is elected for six months and is made up of six members, representing the three ACP regions as follows: four for Africa, one for the Caribbean and one for the Pacific. For this purpose, Africa is sub-divided into four regions: West, East, Central and Southern Africa. The Council of Ministers elects its president from among the six members on a rotational basis between the three main regions, that is, African, Caribbean and the Pacific. The decisions of the bureau are mere recommendations calling for the attention of the Council

to a particular subject.

Ironically, regional representation in the bureau, and in the presidency of the Council of Ministers, reinforces the division of Africa into regions. But, it is worth noting that in this case the division is at the initiative of the Africans themselves. It is also worth noting, in conclusion, that in this arrangement, the previously separated French- and English-speaking West Africans belong in a single sub-division.

From a group diplomatic perspective, these ACP institutional arrangements, in particular, equal membership and voting in the Council of Ministers, have eroded the preponderant position of the bigger-size ACP countries. The dominance of bigger-size countries such as Nigeria and other Commonwealth countries was witnessed at the Lomé I negotiations in 1975. However, one member-one vote procedures are adopted in ACP institutions and this ensures that a small size ACP country wields as much influence as does a big size country - at least in principle. This in turn implies that a couple of small countries with a negligible combined population or economic strength can exert considerable minority influence in intra-ACP relations. But, minority influence through the ballot box may not be so rampant since ACP decisions are reached by consensus and not by voting. Hence, it is still the case that a good deal of old-fashioned bargaining remains in vogue in intra-ACP decision-making procedures.

#### 5.1.2 ACP Committee of Ambassadors

The second organ of the ACP group is the Committee of Ambassadors. The Committee is made up of an Ambassador or designated representative of each ACP member state. Article 13 of the Georgetown Agreement provides that the Committee of



Ambassadors shall "assist the Council of Ministers in the performance of its functions and shall carry out any mandate entrusted to it by the Council of Ministers." Consequently, the Committee of Ambassadors presents reports to the Council on its activities. The Council in turn examines the reports in relation to the objectives of the ACP group. The report of the Committee of Ambassadors concerns the activities undertaken within the framework of ACP-EEC cooperation or intra-ACP cooperation. Other duties of the Committee of Ambassadors relate to the internal functioning of the ACP Secretariat. The Committee of Ambassadors also assists the ACP representatives of the ACP-EEC Joint Assembly.

A chairman is appointed from among the members of the Committee of Ambassadors. The chairman of the Committee is the ACP spokesperson who announces the common positions of the group at the Committee of Ambassadors level. As with the Council of Ministers, the Committee of Ambassadors elects a bureau every six months. The bureau is made up of six members representing the ACP regions who elect a chairman from among themselves on a rotational basis from each region in the following order: West Africa, the Caribbean, East Africa, Central Africa, the Pacific, Southern Africa. The bureau coordinates the work of the Committee of Ambassadors, but does not have decision-making power. In effect, the bureau system implies proportional representation of the ACP countries, but since the participation of the Pacific countries is minimal, the three bigger Pacific countries (Fiji, Papua New Guinea and Western Samoa) can be expected to benefit from a quicker turnover in the chairmanship of the bureau. Yet, the bureau system has its advantages. Since members of the bureau are also members of the Committee of Ambassadors, placing a report in their hands before moving on to a plenary session will allow them to check and modify the report according to the prevailing

mood in the Committee of Ambassadors. In turn, this will promote group cohesion because the report will become more acceptable in the plenary Committee. A similar system of check is offered by the bureau of the Council of Ministers. This double-check facility certainly promotes compromise and maintains ACP group cohesion.

The Committee of Ambassadors meets on average twice a month but, as the Council of Ministers meets only twice a year, the Committee of Ambassadors is effectively the only organ through which the objectives of the ACP group are carried out between the sessions of the Council. Concerning the procedure for arriving at decisions, Article 16 of the Georgetown Agreement states that decisions of the Committee of Ambassadors are arrived at on the basis of a consensus of its members. In this regard, the Committee of Ambassadors operates in a way similar to the Council of Ministers although, unlike Article 10 on the Council of Ministers, there is no provision in Article 16 for voting in the Committee of Ambassadors.

The Committee of Ambassadors carries out its work through nine sub-committees. These sub-committees deal with different areas of interest within the objectives of the ACP group, namely:

- a) trade cooperation and customs,
- b) stabex,
- c) sugar,
- d) financial and technical cooperation,
- e) less developed, land-locked and island countries,
- f) industrial cooperation including sysmin,
- g) agricultural cooperation,

- h) intra-ACP cooperation,
- i) establishment and finance.

The first seven sub-committees govern the practical application of the Lomé Convention. The sub-committee for intra-ACP cooperation takes measures and initiatives considered necessary for furthering the ambitions of the group in that area, including cooperation within ACP regions. The sub-committee for establishment and finance deals with questions affecting the Secretariat, including staff recruitment and budget.

*Ad hoc* committees or groups of experts are sometimes set up by the sub-committees themselves, or in some cases, directly by the Committee of Ambassadors. And sometimes, there are permanent working groups within the sub-committees. For example, there are permanent working groups within the sub-committee on trade cooperation which deal with rum, bananas, the Generalised Scheme of Preferences (GSP) and the promotion of ACP-EEC trade. Each sub-committee has its own chairman and two vice-chairmen.

However, the sub-committees, unlike the Committee of Ambassadors which they represent, do not have executive powers: they only make reports and recommendations on their work to the Committee of Ambassadors which has competence to make final decisions and to report to the Council of Ministers. Since the Council of Ministers meets only twice a year, it has delegated its executive function for day-to-day implementation of the Lomé Convention to the Committee of Ambassadors. In essence, therefore, the sub-committees deal with issues on a technical level and make recommendations to the Committee of Ambassadors while the Committee acting on behalf of the Council of Ministers, does have executive powers.

### 5.1.3 ACP Secretariat General

It is pertinent to note that the ACP group does have a Secretariat unlike other developing countries' fora which do not have a secretariat for coordinating positions both before and during international conferences.<sup>2</sup> This section therefore examines the origin, structure and working of the ACP Secretariat General to determine whether or not its existence has facilitated the formation of group consensus in ACP group decision-making.

The Secretariat goes back to the first Yaoundé Convention. From 1964, and for ten years, a small secretariat based in Brussels managed the affairs of the Associated States. It had only six members of staff, headed by the Malian, M. Djim Sylla. But, the period preceding negotiations for the first Lomé Convention witnessed the creation of an African Secretariat, assisted by small Caribbean and Pacific units. The different bodies later joined forces to form an *ad hoc* ACP Secretariat, run by 12 staff, which monitored the negotiations leading up to the signing of the Lomé I Convention in 1975. Article 3 of the Georgetown Agreement in 1975 established an ACP Secretariat General which was officially constituted in 1976. The Secretariat had 73 staff<sup>3</sup> in 1987 but is now run by a total of 83 staff.<sup>4</sup>

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<sup>2</sup>Williams has stated, for example, that the Group of 77 does not have a secretariat which coordinates positions both before and during international conferences: Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, 1991, p.7.

<sup>3</sup>E. W. Carrington, "Le rôle du Secrétariat Général ACP" in Le Courier n°102, Mars-Avril 1987, p.12.

<sup>4</sup>The current figure is based on an informal interview with ACP personnel.

In the structure of the ACP, the Secretariat was created to assist the ACP organs and it is not an ACP organ in itself. However, there have been debates on the status of the Secretariat. The Secretariat is financed mainly by the contributions of ACP member states although experts who deal directly with matters relating to the implementation of the Lomé Convention are financed by EDF funds. The prevailing consideration within the ACP is that if the Secretariat is given the status of an organ of the group, it would be able to access EDF funds in its own right and, perhaps eventually, it would receive full funding from the EDF. That eventuality would establish a certain independence of the Secretariat and permit it to function with a large degree of autonomy from the ACP states. As the Secretariat was established to service the ACP group, it is argued that the Secretariat has no *raison d'être* other than as such a functional body. Consequently, it can have no specific objectives of its own and, therefore, can only be viewed as a subsidiary arm of the ACP group subject to the political control and policy direction of the group.<sup>5</sup>

Article 19 of the Georgetown Agreement defines the functions of the Secretariat which are to monitor the implementation of the Lomé Convention, to service the organs of the ACP group and the joint institutions established under the Lomé Convention, and to carry out such tasks as may be assigned to it by the Council of Ministers and the Committee of Ambassadors. In keeping with these objectives, the Council adopted a decision concerning the organisation of the Secretariat. The decision was debated at the meeting of the Council of Ministers in Georgetown in June 1975 and was finally adopted in Malawi in December of the same year. The text emphasises the role, functions and responsibilities of the Secretariat as well as its place in the hierarchy of the ACP bodies.

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<sup>5</sup>Based on discussions with His Excellency James Matheson, former Ambassador of Guyana to the EEC.

Some of the functions of the Secretariat stated in this text, but not stated in Article 19 of the Georgetown Agreement are:

to ensure the development and application of the Georgetown Agreement, and to carry out studies and make propositions likely to help in promoting regular intra-ACP cooperation in all areas, particularly in international trade and generally in the development of cooperation with other developing countries.

In its hierarchy, the ACP Secretariat is headed by a Secretary General appointed by the Council of Ministers. The Secretariat is currently headed by Dr. Ghébray Berhane, former Ethiopian Ambassador to the EEC. Dr. Berhane succeeded Mr. Edwin Carrington who had been elected to the position in 1985. Article 10 of the Georgetown Agreement provides that voting in intra-ACP relations can be carried out "under special circumstances" and it is significant to note that this provision has been used only with regard to the election of the Secretary General. This fact emphasises both the importance and the contentiousness of the election to the post of ACP Secretary General.

At the election of Mr. Carrington in 1985, a decision had been taken to appoint three Assistant Secretaries General (ASGs) from each of the three ACP regions to replace the existing position of Deputy Secretary General (DSG). However, the problems which had arisen from the election of the Secretary General in 1985 and the strong, almost divisive, feelings which these problems had engendered made the ACP states and the new Secretary General quite reluctant to broach the actual selection process for the ASGs.<sup>6</sup> At the end, rather than run the risk of reviving old ACP divisions, not only was the issue of

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<sup>6</sup>Ibid.

electing the ASGs allowed to die a natural death but the position of DSG was also left vacant from February 1985 onwards. However, the position of DSG was re-introduced in the ACP structure in 1992 and it is now occupied by Mr. Carl Greenidge. These discussions point to a certain dynamism in internal ACP diplomacy which in this case has averted long-term dissension or, perhaps in its extreme conception, demise of the group. Thus, although ACP group diplomacy is mainly reactive as a result of small size in ACP manpower and financial resources, ACP diplomacy at its current phase can still be active on some intra-group issues as demonstrated here.

The Secretary General is answerable to the Council of Ministers or, outside the sessions of this body, to the Committee of Ambassadors. He directs the administration of the ACP group and helps the sub-committee on establishment and finance in staff recruitment by drawing up a list of candidates. The auxiliary staff, secretaries and local agents are also appointed by the Secretary General. Senior personnel of the Secretariat General are, however, appointed by the Committee of Ambassadors on the recommendation of the sub-committee on administration and finance. The Secretary General also manages the budget of the Secretariat.

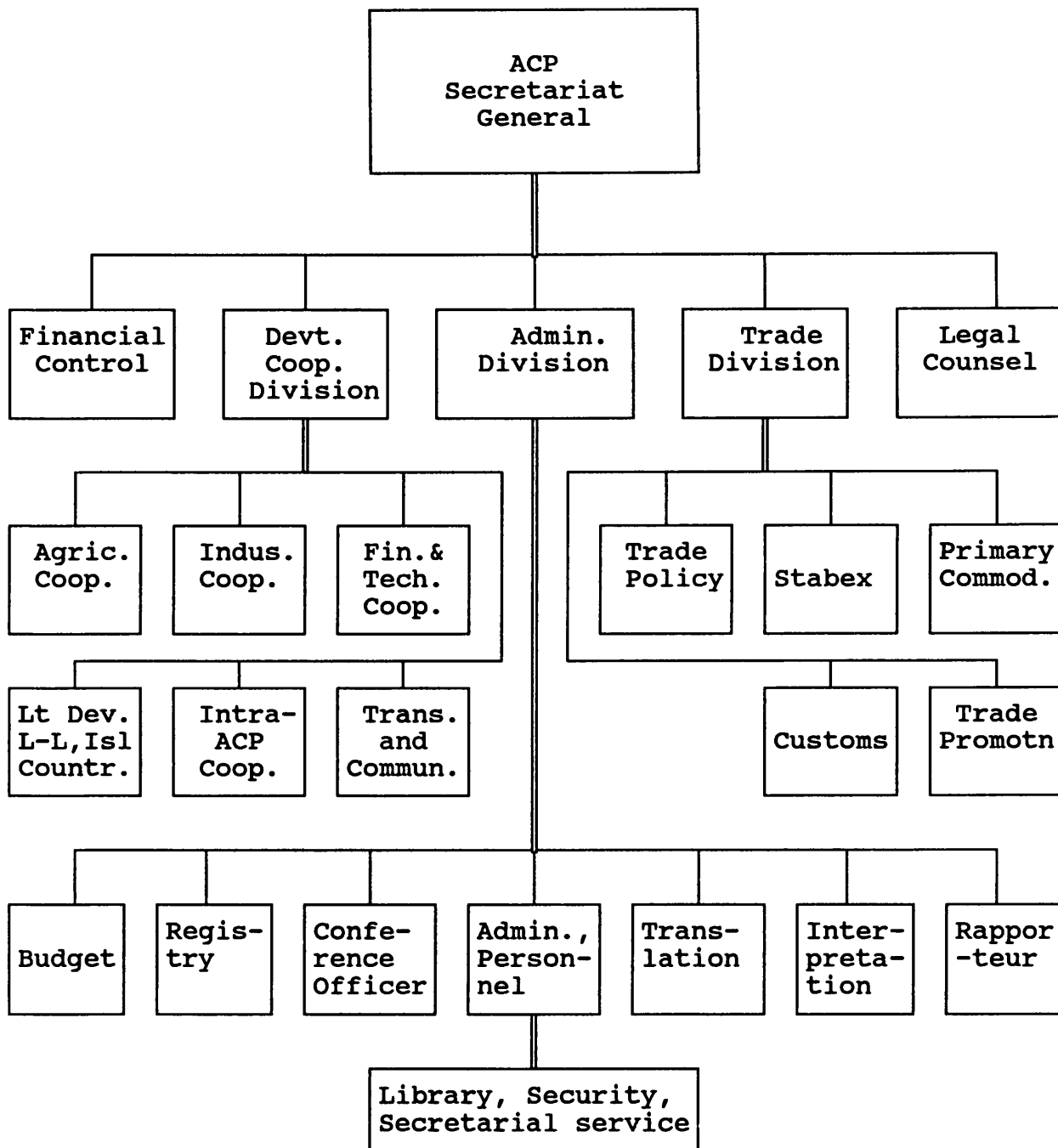
The ACP Secretariat General has three principal divisions:

- a) development cooperation division,
- b) administration division, and
- c) trade division.

Organogram 1 shows the structure of the ACP Secretariat General.

Organogram 1<sup>7</sup>

Structure of the ACP Secretariat



<sup>7</sup> Source: The Courier no.102 - March-April 1987, pp.14-15.



Apart from the three principal divisions, there are also financial and legal divisions at the Secretariat. Furthermore, there is a section for public relations, information and protocol which is directly attached to the Secretary General's office. Each of the three main divisions of the ACP Secretariat is further divided into sub-divisions according to sector which correspond to the relevant sub-committees of the Committee of Ambassadors. For example, the administration division of the Secretariat is responsible for personnel and staff recruitment and also handles the organisation of conferences, linguistic and secretarial services. But it also follows closely the work of the sub-committee on establishment and finance of the Committee of Ambassadors.

During negotiations for each Lomé Convention, the divisions and sub-divisions of the ACP Secretariat work closely with the corresponding *ad hoc* sub-committees of the Council of Ministers and Committee of Ambassadors, providing expert and consultancy back-up to the Ambassadors and Ministers. But, the divisions and sub-divisions of the Secretariat also operate on a permanent basis both within and outside Convention negotiations, and there is little doubt that their permanency and indeed that of the Secretariat itself provides a level of continuity in ACP diplomacy which is lacking in other developing countries' fora. The virtue of this arrangement was underlined by former ACP Secretary General, Edwin Carrington, when he said that the ACP Secretariat has the best developed structures which can enable it to serve as a secretariat to all developing countries.<sup>8</sup> We may add that the ACP group has a commendable institutional framework although it would definitely need increased manpower to meet the challenge of serving developing countries at large.

Each year, the Secretary General presents the budget estimate and programme of

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<sup>8</sup>E.W. Carrington, "Le rôle du Secrétariat Général ACP", p.16.

action of the Secretariat to the Committee of Ambassadors which studies it, and after approval, passes it on to the Council of Ministers for study and adoption. The budget is financed in part by contributions from ACP member states and, since 1977, in part from the EDF within the framework of the Lomé Convention. The ACP Secretariat plays a central role in the coordination of the ACP side of ACP-EEC cooperation. However, the Secretariat is plagued with the problem of lack of finance. Indeed, lack of finance is identified as a hindrance to the effective operation of its activities. The Secretariat finds it difficult to collect enough monies for its operations.<sup>9</sup>

Contributions due from ACP member states are often late in arriving so the Secretariat has taken on the additional task of chasing up payments. During a visit to the ACP Secretariat in February 1993 by the President of Gabon, M. Omar Bongo, the Ambassador of Mauritius, Raymond Chasle in his capacity as President of the Committee of Ambassadors called on the Gabonese President to ask his ACP colleagues to meet up their financial commitments to the ACP Secretariat.<sup>10</sup> Also, Ambassador Chasle has described in an interview to this writer the difficulties involved in the collection of dues.<sup>11</sup> Several measures have been contemplated including the possibility of preventing defaulters from participating in ACP meetings. But that option was abandoned for fear that it would split the ACP coalition. On the whole, difficulties relating to ACP contributions reflect the wider problems of financial instability and insufficient foreign exchange earnings in several ACP countries. ACP countries which are currently experiencing crises such as

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<sup>9</sup>Ibid.

<sup>10</sup>Jeune Afrique Economie, N° 165, Mars 1993, p.137.

<sup>11</sup>Personal interview with His Excellency Raymond Chasle, Ambassador of Mauritius to the EEC, 21 May 1993.

famine and civil wars (Ethiopia, Somalia, Liberia) cannot be seriously expected to make effective contributions towards the operation of the ACP Secretariat. In the meantime, ACP diplomacy is adversely affected by insufficient manpower and finance.

A conclusion to be drawn from the analysis on the ACP Secretariat General in this section is that the existence of a Secretariat and structures which complement its operation are expedient for ACP diplomacy. However, as a result of lack of manpower and finance to research and initiate proposals, the nature of ACP diplomacy can only be reactive to proposals from negotiating partners of the ACP such as the EEC.

## 5.2 EEC INSTITUTIONS AND DEPARTMENTS

Several EEC institutions take part in the elaboration of the Community's development policy. Our interest in these institutions derive from their relevance to ACP-EEC cooperation and ACP group diplomacy. Examination of these Community institutions is intended to show the strength of the EEC in relation to their ACP partners and to emphasise the level to which ACP diplomacy would need to develop to meet the objectives of ACP-EEC cooperation.

It is perhaps worth stating that the European Community became the European Union (EU) following the entry into force of the Maastricht treaty on 1 November 1993.<sup>12</sup> However, the change has not had a fundamental impact on the organisation of EEC institutions concerned with development cooperation. Apart from giving us such possible new phrases as the "ACP-EU" Joint Assembly or DG VIII of the EU Commission, the European Union maintains the role of these institutions. Besides, the present study focuses on the period from 1957-1990. The prospects of the new relationship are discussed in the Conclusion to this study.

It is not possible in the EEC institutional structure to assign legislative, executive, administrative and political functions to a particular EEC institution.<sup>13</sup> Each EEC institution is important and plays a part in the overall activities of the Community. The European Commission, the Council of Ministers and the European Parliament have an

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<sup>12</sup>"Disunion greets birth of the European Union", Financial Times, October 30-31 1993, p.3.

<sup>13</sup>Ian Thomson, The Documentation of the European Communities. A Guide, London: Mansell, 1989, p.30.

overlapping and interrelating range of functions. The Commission (as well as the Council of Ministers) can issue *Regulations and Decisions* which automatically become Community law and are binding on the member states, enterprises, or individuals to whom they are addressed; *Directives* which are binding on member states as to the ends but not the means (national authorities are to pass appropriate legislation); *Recommendations and Opinions* which have no binding force.<sup>14</sup>

Where necessary, legislation initiated by the Commission is subject to amendment after consultation with the European Parliament or the Economic and Social Committee. In general, both the Council and the Commission can adopt legislation but only the Commission implements them. The Commission also has the duty of explaining Community policies to the population at large. Nearly 90 per cent of the Community documentation, including those relating to relations with the ACP group, originate from the Commission. A large percentage of this is generated by the process of carrying out the formal tasks of the Commission.<sup>15</sup> Apart from the Commission Directorate-Generals (DGs), the Council of Ministers, the European Council and the European Parliament have often come up with proposals designed to strengthen Community efforts in relation to development cooperation<sup>16</sup> in general and ACP-EEC cooperation in particular. The

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<sup>14</sup>T. C. Hartley, The Foundations of European Community Law, Oxford: Clarendon Press, 1981, pp.81-86 discusses classification and characteristics of Community legislation; See also Vacher's European Companion, May 1992, p.55, and The European Communities Encyclopedia and Directory, 1992, Decision-Making Procedure ("organogram") on p.xviii.

<sup>15</sup>In 1981, it was estimated that the Commission accounted for 86 per cent of EEC publications other than the Official Journal: Ian Thomson, op. cit., p.32.

<sup>16</sup>Ten Years of Lomé A Record of EEC-ACP Partnership 1976 to 1985, Brussels: EC Commission Directorate-General for Development, September 1986, p.65.

implication of this level of coordination in EEC institutions is that ACP diplomacy can bear the brunt of combined EEC proposals at one time or another.

EEC institutions concerned with development cooperation can be broadly classified into two categories. The first category comprises institutions the operation of which indirectly affects Community development cooperation policy. Institutions in this category include the Council of Ministers, the European Parliament, the Economic and Social Committee and the Statistical Office of the European Communities (EUROSTAT). The second category relates to EEC institutions the functioning of which directly affects Community development cooperation policy. This category is made up of the European Commission of which DG VIII retains direct responsibility for development cooperation. The Single European Act and the Maastricht Treaty are both important in this consideration. The Act, which came into force in 1987, made some amendments to the legislative process and introduced a new cooperation procedure between the institutions. The Treaty introduces even more radical changes in the Community decision-making procedures and these will have an impact on Community development cooperation policy.

#### 5.2.1 EEC Institutions with indirect responsibility for development cooperation

EEC institutions with indirect responsibility for development cooperation include the Council, the European Council, the European Parliament, the Economic and Social Committee, and the Consultative Committee. The case for examining these institutions is that this study is based on ACP and EEC cooperation so there is a need to throw some light on all EEC institutions which have an affect on development cooperation.

The Council is the main decision-making institution. It is made up of Ministers

from each EEC member state with responsibility for the policy area under discussion at a given meeting: foreign affairs, agriculture, industry, transport, environment. The presidency of the Council rotates among EEC member states, changing hands every six months. The main issues raised during each EEC member state's presidency reflect to some extent the political and economic preoccupations of that member state. Thus, EEC countries which favour ACP-EEC cooperation work hard to achieve set goals in development cooperation during their presidency. For example, negotiations for the second Lomé Convention started in September 1978, but soon after France took up the presidency of the Council in January 1979, she expressed optimism about concluding the negotiations by April<sup>17</sup>, i.e. during her tenure. That would have been an achievement for ACP-EEC negotiations which take eighteen months on average to conclude. In the event, the second Lomé negotiations were concluded in October 1979.

Under Article 145 of the EEC Treaty, the Council is responsible for coordinating the general economic policies of the member states by adopting Community legislation (regulations, directives and decisions). The Council is the Community's legislature as it were, although in certain areas specified by the Single Act and the Maastricht Treaty it shares this function with the European Parliament. The Council and Parliament also have joint control over the Community's budget, but the Council adopts international agreements negotiated by the Commission.<sup>18</sup> Thus, Lomé agreements are subject to approval by the Council. For instance, although the Commission for all practical purposes led Community negotiations at the Lomé II negotiations, it was the presidency of the

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<sup>17</sup>Ecomonde Service, le 17 janvier 1979, partie IV, p.1.

<sup>18</sup>Pascal Fontaine, Europe in Ten Lessons, Luxembourg: Office for Official Publications of the European Communities, 1992, p.8.

Council which was involved in signing final agreements. The Lomé II Convention was signed on 31 October 1979 by Michael O'Kennedy, then Foreign Minister of the Irish Republic, which held the presidency of the Communities at the time.<sup>19</sup>

The European Council evolved from the practice, dating back to 1974 (soon after Britain's entry into the Community), of organising regular meetings of Heads of State or Government and their Foreign Ministers. Initially the idea was to formalise the summit meetings which had been called periodically by one EEC member state or another since 1961. But as European affairs became more and more important in the political life of the member states, it became clear that there was a need for national leaders to meet to discuss the important issues being examined by the Community. The arrangement was formalised by the Single Act in 1986. Since then, the European Council meets at least twice a year and the president of the Commission now attends in his own right. As a launch pad for major political initiatives and a forum for settling controversial issues blocked at ministerial level, the European Council soon hit the headlines, thanks to its high-profile membership and its dramatic debates. The European Council also deals with current international issues through European Political Cooperation (EPC), a mechanism devised to allow member states to align their diplomatic positions and present a united front.<sup>20</sup> Thus, the EPC provides an internal mechanism for arriving at consensus at Community level on issues of interest to EEC member states, including development cooperation.

The European Parliament is one of the most important Community institutions and

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<sup>19</sup>Paul Taylor, The Limits of European Integration, London: Croom Helm, 1983, pp.125-126.

<sup>20</sup>Pascal Fontaine, op. cit., p.8.



has legislative power over a wide range of issues. Its Secretariat General is located in Luxembourg. Brussels is the usual venue for the meetings of its 19 committees and the political groups all of which prepare the ground for its plenary meetings. To further complicate the picture, the Parliament meets in plenary session in Strasbourg. Elections into the Parliament are held every five years (the first were held in June 1979). Members of European Parliament (MEPs) are elected to 518 seats. The four most populous countries (France, Germany, Italy and the United Kingdom) each have 81 seats, Spain has 60, the Netherlands 25, Belgium, Greece and Portugal 24, Denmark 16, Ireland 15 and Luxembourg 6. In spite of the allocation of seats to different EEC member states, MEPs usually operate within cross-national ideological groupings such as Socialists, Liberals, Greens, etc. all of which are supported by the Parliament's secretariat as well as research units created to reinforce the work of the groupings. It should be noted that these MEPs also participate in the ACP-EEC Joint Assembly. Yet, the ACP group does not have a single secretariat officer with responsibility for Joint Assembly matters. This example demonstrates the poor resource base of the ACP in relation to the EEC.

Parliament provides a democratic forum for debate, plays a part in the legislative process, and has a watchdog function. Parliament shares the legislative function with the Council: it has a hand in the drafting of directives and regulations, proposing amendments which it invites the Commission to take into account.<sup>21</sup> The foundation of the European Parliament's involvement in development cooperation is its power over the EEC budget, and its right to be consulted on all new Commission proposals. Hence it has greater formal responsibilities for development policies that are financed out of the budget (e.g. food aid, aid to non-Associates and CAP subsidies) than for extra-budgetary policies (e.g.

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<sup>21</sup>Ibid., p.9.

Lomé) or those without direct budgetary implications (e.g. aspects of trade policy). For this reason the Parliament has urged that Lomé be 'budgetised' (i.e. financed out of the ordinary EEC budget).<sup>22</sup>

Thus, an important area which eludes Parliament's control is the disbursement or administration of the EDF approved under the Lomé Convention. Once the EDF has been approved through the normal Community procedures, its disbursement and administration are left with the Commission-DG VIII. As a DG VIII official explained, the Parliament may be able to block the Commission's budget under Community procedures but these arrangements preclude similar control over the EDF.<sup>23</sup> Regarding how the ACP countries view the absence of Parliament's control over the EDF, we can note that there is already a feeling of apprehension within the ACP over Parliament's general tendency to influence EEC development cooperation policy. We are therefore inclined to believe that the ACP countries would prefer the current arrangements whereby the EDF eludes Parliament's control.

Much of Parliament's work since 1979 has been devoted to producing capacious reports and resolutions designed both to influence the Commission and, perhaps more importantly, to contribute to the debate on development policy.<sup>24</sup> The Committee on

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<sup>22</sup>Christopher Stevens, "Renegotiating Lomé" in Christopher Stevens (ed.), EEC and the Third World: A Survey 4 - Renegotiating Lomé, London: Hodder and Stoughton in association with the Overseas Development Institute and the Institute of Development Studies, 1984, Box 2, p.10.

<sup>23</sup>Personal interview with Mr. James Moran, Commission of the European Communities, DG VIII-Development, 30 April 1993.

<sup>24</sup>Christopher Stevens, "Renegotiating Lomé", Box 2, p.10.

Development and Cooperation of the European Parliament, currently presided over by Henry Saby, contributes actively - with a level of enthusiasm reminiscent of Commission DG VIII - to debates on projects aimed at promoting North-South interdependence. The scope of the Committee is not limited to the Lomé Convention but several of its resolutions and reports by its rapporteurs constitute a body of recommendations on which is built the foundation of ACP-EEC cooperation.

Parliament has focused on the maintenance of a consistent Community development policy since an incident in 1980. On 28 February 1980 in Arusha the Joint Committee of the ACP-EEC Consultative Assembly unanimously adopted a declaration on sugar.<sup>25</sup> In paragraph 1 of the declaration, the Joint Committee approved the proposals of the Commission on Community sugar quotas. However, during the agricultural prices debates which took place a month later on 26 March 1980, the Commission proposals were rejected by the European Parliament. In her report as rapporteur, Mrs Focke said in apparent frustration: "Your rapporteur declines to comment on this change of course between 28 February and 26 March."<sup>26</sup> It was thought that such contradictions reflected unfavourably on the European Members of the Joint Committee. It was therefore decided that henceforth reports on ACP-EEC joint parliamentary bodies shall be presented to the European Parliament to avoid conflicting approaches in Community policy towards the

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<sup>25</sup>(CA/CP/142/fin).

<sup>26</sup>Document 1-522/80, PE 66.715/fin., European Parliament Working Documents 1980-81, 30 October 1980, Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly, Report drawn up on behalf of the Committee on Development and Cooperation, Rapporteur: Mr V.Sable, p.12.

ACP countries.<sup>27</sup>

Reports of the Parliament's Committee on Development and Cooperation have the principal objective of facilitating common Community policy with regard to the ACP countries. As stated in the 1988 report, a coordinated approach between the ACP-EEC Joint parliamentary Assembly and the European Parliament is only possible if the decisions of the Joint Assembly are taken into account in the work of the parliamentary committees whose decisions have a different bearing on the social and economic situation in the ACP countries.<sup>28</sup> A Report of the Parliament relating to the ACP-EEC debate on the favourable treatment of ACP migrant workers and students in the Community pointed accurately to the interactions between the various Community institutions when it stated that responsibility for following up the resolution on that issue was left with the ACP-EEC Consultative Assembly and its Joint Committee. The Report continued:

"But the European Parliament is also involved to the extent that some of the objectives laid down in the resolution depend to a large extent on the goodwill of the Community, but first and foremost the Commission and the Council. The European Parliament must therefore, through its responsible committees (Committee on Social Affairs and Employment and Committee on Youth, Culture, Education, Information and Sport), keep track of developments so that it can

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<sup>27</sup>Ibid., p.6.

<sup>28</sup>Document A 2-0281/88, PE 126.362/fin., Series A, European Parliament Session Papers 1988-89, 29 November 1988, Report of Committee on Development and Cooperation on the results of the work of the ACP-EEC Joint Assembly in 1988 in Lomé and Madrid, Rapporteur: Mrs R-C.Rabbethge, p.9.

endorse the recommendations of the Consultative Assembly and monitor the policy pursued."<sup>29</sup>

Parliament provides democratic control in the Community institutional system. It can dismiss the Commission by a vote of censure supported by a two-thirds majority of its members - a power it has yet to use. It comments and votes on the Commission's programme each year, and monitors implementation of the common policies, relying for its information on reports produced by the Court of Auditors. It also monitors the day-to-day management of these policies by means of oral and written questions to the Commission and the Council. Foreign Ministers, who are responsible for European Political Cooperation, also answer MEPs' questions, giving them an account of their stewardship and briefing them on action taken in response to Parliament's resolutions<sup>30</sup> on Community external affairs. Officials of Commission-DG VIII answer Parliament's questions on issues relating to development cooperation. It is clear so far that the Community has structures and institutions which are unequalled by the ACP organs.

In EEC and Euratom matters, the Council and the Commission are assisted by the Economic and Social Committee. This consists of 189 members, representing various sectors of economic and social life. It must be consulted before decisions are taken on a large number of subjects, and is also free to submit opinions on its own initiative. In ECSC matters, the Commission is assisted by a Consultative Committee, which has 96 members representing various interest groups in the coal and steel industries. It too must be consulted before decisions are taken on a large number of subjects and it can also

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<sup>29</sup>Document 1-522/80, PE 66.715/fin., op. cit., p.10.

<sup>30</sup>Pascal Fontaine, op. cit., pp.9-10.

submit opinions on its own initiative.<sup>31</sup> EUROSTAT compiles reports for the Community which form a useful reference on the achievements or failures of ACP-EEC cooperation. Through these Committees, European nationals effectively take part in the elaboration of Community policies.

ACP contribution to policy elaboration similar to that of the Committees discussed above is provided through the non-governmental efforts of a few organisations and individuals interested in the ACP countries. For example, the Club of Dakar presided over by M. Mohamed T. Diawara, former Minister of Planning of Côte d'Ivoire, met in Libreville, Gabon in November 1978 during negotiations for Lomé II. The Club proposed a series of measures for the improvement of ACP-EEC cooperation.<sup>32</sup> Also, a joint international conference opened by former Nigerian President General Olusegun Obasanjo in Brussels in April 1989 evaluated the impact of Europe 1992 on West Africa.<sup>33</sup> From a Caribbean focus, the West India Committee hosted a conference in London from 30 September to 1 October 1988, two weeks before the formal opening of the Lomé IV negotiations. The theme of the conference was the completion of the European Single Market in 1992 and implications for the Caribbean region.<sup>34</sup>

These ACP initiatives may carry some political weight especially given the profile

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<sup>31</sup>Ibid., p.11.

<sup>32</sup>Ecomonde Service, le 14 mars 1979, partie IV, p.1.

<sup>33</sup>Papers from that conference were later published in Olusegun Obasanjo and Hans d'Orville (eds.), The Impact of Europe in 1992 on West Africa, London: Crane Russak, 1990.

<sup>34</sup>Tony Fairclough, "1992 and the Caribbean" in The Courier, no.113 - January-February 1989, p.6.

of the individuals who participate in them. However, in the absence of proper documentation, it is difficult to ascertain the full extent of ACP private contribution to ACP-EEC cooperation. This also makes it difficult to make a comparison with the Community pressure groups in particular and institutions with indirect responsibility for development cooperation in general.

#### 5.2.2 EEC Commission Departments with direct responsibility for development cooperation

The Commission is the key Community institution with responsibility for development cooperation. A single Commission for all three Communities (the ECSC, the EEC and Euratom) was created when the Treaty merging the executives entered into force on 1 July 1967. The number of Commissioners was increased to 17 on 1 January 1986 (two each for France, Germany, Italy, Spain and the UK, and one each for the other seven EEC countries). Commissioners are appointed by the member states by common accord. Under the Maastricht Treaty their term of office will increase (from four) to five years and their appointment will have to be approved by Parliament. The Commission represents the Community interest and the Commissioners take no instructions from individual member states.<sup>35</sup>

The 17-member Commission is backed by a civil service, provisionally headquartered in Brussels and Luxembourg. The number of Commission staff has increased from 11 000<sup>36</sup> to 17 000 in about ten years. There is a high level of policy

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<sup>35</sup>Pascal Fontaine, op. cit., p.10.

<sup>36</sup>T. C. Hartley, op. cit., p.10.

coordination between EEC institutions and so, to the 17 000 Commission staff, we can also add a further 7 000 staff from other EEC institutions such as the European Parliament.<sup>37</sup> The European Community is thus formidably strong in comparison to the ACP group where the Secretariat staff has evolved from a mere 73 persons to a mere 83 in nearly the same period. Of course, DG VIII alone within the Commission negotiates directly with the ACP group. But since there is a great deal of policy coordination between Community institutions, it can be argued that the ACP countries can be affected by a section of the colossal Community structure at one time or another.

The Commission comprises 23 departments, called Directorates-General or DGs, each responsible for implementation of common policies and general administration in a specific area. In contrast to the secretariats of conventional international organisations, the Commission enjoys financial autonomy and can spend its budget as it sees fit. The Commission has sole right of initiative and can intervene at any stage in the legislative process to facilitate agreement within the Council or between the Council and Parliament. It also has an executive function in that it implements decisions taken by the Council.<sup>38</sup>

The Commission has significant powers in relation to the conduct of common policies in areas such as research and technology, regional cohesion and development aid. Formal responsibility for the actual conduct of negotiations with developing countries varies according to the subject. In the case of the Lomé Convention, the groundwork is prepared by the Commission on the basis of a Council mandate, but Ministers from the member states become directly involved at critical stages in order to facilitate

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<sup>37</sup>The European, 18-21 March 1993, p.1 gives these figures of the current staff of EEC institutions.

<sup>38</sup>Pascal Fontaine, op. cit., p.10.



compromise.<sup>39</sup>

As in the national administrations of most member states, there is a section of the EEC Commission with titular responsibility for development - the Directorate-General for Development (DG VIII). However, this section deals with only one corner of the wide range of policies that affect developing countries. The Directorate-General for External Relations (DG I) has responsibility for many trade issues (e.g. it led the renegotiation of the multi-fibre agreement), while the Directorate-General for Agriculture (DG VI) is the all powerful guardian of the Common Agricultural Policy (CAP), and hence, for example, is in charge of negotiations on the international wheat agreement, of implementing the ACP sugar protocol, and of mobilising food aid once DG VIII have negotiated a programme.<sup>40</sup>

#### 5.2.2.1 Directorate-General I for External Relations, Directorate-General VI for Agriculture

The policies adopted by DG I and DG VI have far-reaching implications for ACP-EEC development cooperation. DG VI's response to pressure to allow EEC entry for off season mediterranean tomatoes, for example, will affect imports of those commodities from the ACP countries. Similarly, DG I is responsible for EEC economic relations with all non-Lomé countries including South Africa, the Mediterranean countries, Australia, New Zealand, Japan, China and other Asian countries, North America, Latin America. DG I also runs a programme of technical assistance to the former Soviet Union, the PHARE programme of aid to Central and Eastern Europe, and keeps a high profile in international

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<sup>39</sup>Christopher Stevens, "Renegotiating Lomé", Box 2, p.10.

<sup>40</sup>Ibid., p.3.

economic relations (GATT, OECD).

As a result of the high profile and extensive range of activities of DG I, it is likely that if the proposal to merge or re-organise DG I and DG VIII materialises, DG VIII, and hence development cooperation, will lose out when, for example, budget is reduced or staff are moved to a more promising department, product of the shake-up.<sup>41</sup> The preponderance of DG I (External Relations) in such an arrangement has already been hinted by a report which states that Hans van den Broek (EEC Foreign Affairs Commissioner), Sir Leon Brittan (Foreign Trade) and Manuel Marín (Development) have agreed, more or less, that something akin to a foreign ministry will emerge, headed by Mr Van den Broek.<sup>42</sup>

#### 5.2.2.2 Directorate-General VIII for Development

Despite the limitations discussed above, DG VIII has a wider portfolio than do most if not all of the aid departments of member states. It has a complex structure unmatched by the ACP Secretariat both in terms of manpower and finance. As custodian of the Lomé Convention, for example, it has direct responsibilities for trade as well as aid.<sup>43</sup> The organogram of the Commission shows an extensive organisation of DG VIII.<sup>44</sup>

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<sup>41</sup>Partly based on discussions with Dr. Christopher Stevens (Institute of Development Studies, University of Sussex) and an interview with Mr. James Moran (Commission DG VIII).

<sup>42</sup>"Kitchen capers", The Economist, March 6th 1993, p.30.

<sup>43</sup>Christopher Stevens, "Renegotiating Lomé", p.3.

The current political head of DG VIII, i.e. EEC Commissioner for Development, is the Spaniard Manuel Marín who assumed a second four-year term in January 1993. At the administrative head of DG VIII is a Director-General. Dieter Frisch occupied this position until his resignation in early 1993.<sup>45</sup> The Director-General of DG VIII is assisted by two officials. One official, Peter Pooley, is in charge of the coordination of Directions A, B and C and the other, Philippe Soubestre, is in charge of the coordination of Directions D, E and F.

The Directions refer to sectors of EEC development activity. Directions A to C deal with the instruments of development cooperation and relate to Development Policy (including primary commodities, compatibility of trade policy with other Community policies); Management of the Instruments (including Stabex, Sysmin, food aid, joint financing with NGOs, private investments); and Financing (including evaluation and management of the EDF). Directions D to F, on the other hand, deal specifically with individual ACP countries by region. The regions are further sub-divided into individual countries or group of small countries called *desks* each headed by a DG VIII official.

In identifying and preparing projects and programmes, the ACP states in particular the least-developed countries receive assistance from the Commission which also provides delegates for expert advice and submits a list of consultants from which the ACP states

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<sup>44</sup>Organigramme de la Commission des Communautés européennes, Luxembourg: Office des publications officielles des Communautés européennes, février 1992, pp.69-72 gives full organisational details of DG VIII.

<sup>45</sup>New African, December 1993, p.26.

choose the provider of the services.<sup>46</sup> From the perspective of the Commission, the EEC delegation in ACP states offer the opportunity for close policy implementation. As the former EEC Development Commissioner Natali explained, the delegates represent the European Commission in each ACP state.<sup>47</sup> But whatever their good intentions, the presence of the EEC officials has been viewed by some ACP countries as interference in their internal affairs. Despite the ambiguous role of the Commission in the ACP countries, the internal administration of DG VIII certainly affords the Commission a closer understanding of the particular problems faced by each ACP country.

In conclusion to the discussion of the EEC institutions, it must be stated, firstly, that an intra-ACP arrangement similar to these Community structures will be difficult to realise because the ACP countries, having known political independence for a relatively short time, may be unwilling to give up part of their sovereignty to supranational institutions - not even those which may promote ACP group diplomacy. Finally, it should be noted that the legal arrangements of the Community institutions effectively tie the hands of those Commission officials who may be disposed to promote development cooperation. It can be assumed that, as professionals and civil servants, Commission officials involved with development would harness their efforts in ACP-EEC cooperation if only to advance the prestige of their departments. But, their good intentions may well be hampered by the system of interdependence operating among Community institutions.

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<sup>46</sup>COM (84) 398 final, Commission of the European Communities, Report to the ACP-EEC Council of Ministers on the administration of financial and technical cooperation in 1983, under the Lomé Convention, Brussels: 17th July 1984, pp.9-10.

<sup>47</sup>Jacques Ferrandi, "Lorenzo Natali m'a dit...", Interview in Marchés Tropicaux et Méditerranéens, N°2194, 43<sup>e</sup> Année, 27 Novembre 1987, p.3142.

### **5.3 ACP-EEC JOINT INSTITUTIONS**

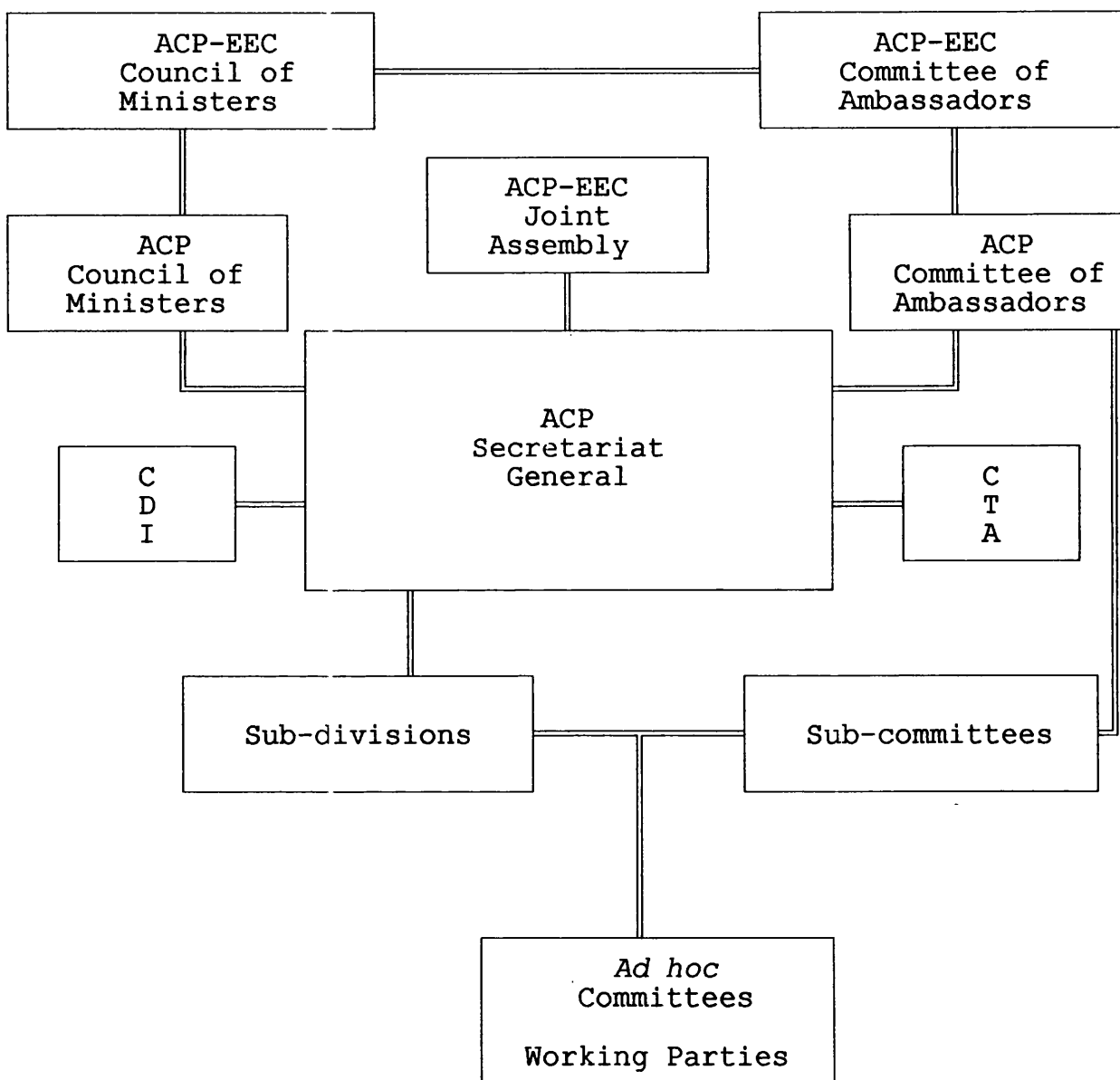
Title VI of the first Lomé Convention established joint ACP-EEC institutions which include the ACP-EEC Council of Ministers, the ACP-EEC Committee of Ambassadors, and the Consultative Assembly. Starting with Lomé III, the Consultative Assembly was, however, replaced by the ACP-EEC Joint Assembly. This section evaluates the relationship between these joint institutions in order to determine how their organisation promotes or hinders ACP group diplomacy.

#### **5.3.1 ACP-EEC Council of Ministers and ACP-EEC Committee of Ambassadors**

The functions, structure and composition of these two institutions are similar to those of the comparable ACP organs except for the obvious fact that the joint institutions are made up of both ACP and EEC representatives. In essence, most of the points earlier raised with regard to the ACP Council of Ministers and the ACP Committee of Ambassadors also apply to the joint institutions and it is not necessary to repeat those points here. Organogram 2 presents the inter-relationship of ACP-EEC joint institutions including the Council of Ministers and the Committee of Ambassadors.

Organogram 2<sup>48</sup>

Inter-relationship of ACP-EEC Joint Institutions



<sup>48</sup>Sources: ACP 14th Anniversary, 1989, p.4; Actualités, Numéro 2, Décembre 1990, p.12; and Interview with ACP experts.

It can be inferred from Organogram 2 that, in the pyramid of the ACP-EEC joint institutions (Council of Ministers, Committee of Ambassadors or Joint Assembly), the joint institution itself sits at the top followed equally and severally by the ACP and the EEC institutions, then by the sub-committees and finally by the specialised working parties. The broad base of the pyramid would correspond to the wide range of topics discussed by the working groups some of which are abandoned as the issues move upwards towards the top of the pyramid. We have an image of contentious issues being dropped down a chart from the top. The issues drop all the way down to the bottom of the chart and re-bounce to the top ready for adoption by the joint ACP-EEC institutions. The pyramidal structure has a positive effect in that ACP-EEC differences are straightened out as they progress upwards. They then become, arguably, more easily resolved when they reach the joint institutional level.

The ACP-EEC Council of Ministers and Committee of Ambassadors work closely together, but the Council is the highest joint institution. It is supposed to undertake the joint decision-making promised by the Convention, but since this has never lived up to expectation, neither has the Council.<sup>49</sup> For example, Article 267 of the Lomé III Convention and Article 340 of Lomé IV stipulate that the office of the president of the Council of Ministers shall be held alternately by a member of the Council of the European Communities and a member of Government of an ACP state. But as there are 12 EEC member states and 69 ACP countries, the rate of turnover in the presidency would be far higher in the EEC than it would be in the ACP group. This event might put some additional pressure on ACP diplomacy as the ACP countries would spend much time trying to choose one candidate among several others to represent them in the presidency

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<sup>49</sup>Christopher Stevens, "Renegotiating Lomé", p.11.

of the Council.

The work of the Council is facilitated by an Annual Report prepared by the committees of ACP-EEC joint institutions. The aim of the annual report is to allow the ACP-EEC Council of Ministers to review progress made towards the objectives of ACP-EEC financial and technical cooperation. But, as one of these Reports itself laments:

"The timing of the exercise is not in fact ideal, in that the aims of cooperation remain unchanged from year to year, and the reasons for success and causes of difficulties will also be essentially the same."<sup>50</sup>

Thus, a yearly report is likely to make monotonous reading, there being no dramatic changes, generally speaking, from one year to the next though, at least, the figures change!<sup>51</sup>

### 5.3.2 ACP-EEC Joint Assembly

Lomé I and II had a Consultative Assembly with a Joint Committee which prepared its meetings but Article 22 of Lomé III introduced the Joint Assembly as a single parliamentary institution.

The Joint Assembly is made up of one representative for each ACP state and of

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<sup>50</sup>COM (84) 398 final, op. cit., p.1.

<sup>51</sup>Ibid., pp.2 and 5.



equal number of members appointed by the European Parliament.<sup>52</sup> The Joint Assembly meets alternately in an ACP country and an EEC country and the proceedings are chaired by two co-presidents elected by the Assembly (1 ACP, 1 EEC), while these co-presidents together with 20 vice-presidents (10 from each side) who are also elected, form the Joint Assembly's bureau. These arrangements show that the Joint Assembly is governed by rules of procedure based on parity and democracy.<sup>53</sup> However, it can be argued that this democracy is not based on equality since 69 representatives from 69 ACP countries sit opposite 69 MEPs from 12 EEC member states. Still, the efforts are commendable because the ACP-EEC Joint Assembly, as proudly stated in its information pamphlet, is the "only international assembly where the representatives of different countries regularly gather together with the sole aim of promoting North-South interdependence."<sup>54</sup> The bureau of the Joint Assembly meets several times a year to discuss topical economic and political issues.

*Ad hoc* committees and working parties are also set up to facilitate the work of the Joint Assembly. The working parties in the Joint Assembly have a function similar to that of the committees in the European Parliament.<sup>55</sup> The working parties are set up to deal with specific problems or issues, hence at its meeting held in September 1985 at Inverness

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<sup>52</sup>Document A 2-206/86, PE 109.176/fin, Series A, European Parliament Working Papers 1986-87, 9 January 1987, Committee on Development and Cooperation Report on the outcome of the Joint Assembly proceedings, Rapporteur: Mr. F. Condesso, p.13.

<sup>53</sup>ACP-EEC Joint Assembly: Shared Democracy, Go Between series, published by the European Parliament, circa 1990-93, p.2.

<sup>54</sup>Ibid., p.1.

<sup>55</sup>Document A 2-0281/88, PE 126.362/fin., Series A, op. cit., p.9.

the Joint Assembly decided to set up three *ad hoc* working parties: women and population, headed by Mrs Waruhiu from Kenya; rural development and environmental problems (Mr Sene, Senegal), and the problem of indebtedness in developing countries (Mr Iroha, Nigeria).<sup>56</sup> Similarly, at its meeting in Arusha, Tanzania, in 1987 the Joint Assembly decided to set up three working parties: the problem of commodities; refugees and displaced persons; technology, training and development.<sup>57</sup> These working parties perform a technical function, yet they are informal, and often meet twice a week and into the night as well.<sup>58</sup>

The work and negotiating procedures of joint ACP-EEC institutions and the evolution of ACP-EEC issues from committee meetings into the Lomé Convention can be pictured through ACP-EEC negotiations within the Joint Committee. The subject of negotiations was migrant workers, students and trainees. A working party on migrant workers was set up following a decision taken by the Joint Committee at Maseru (Lesotho) in December 1977. The working party submitted an interim report on the problem of ACP migrant workers at the meeting<sup>59</sup> in Bordeaux at the end of January 1979. After considering and discussing the report, the Joint Committee adopted a declaration on "respect for and protection of the rights of citizens, students, trainees and migrant workers originating in the ACP countries..."<sup>60</sup> In paragraph 2 of this joint declaration, the Joint

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<sup>56</sup>Document A 2-206/86, PE 109.176/fin, Series A, op. cit., pp.21-22.

<sup>57</sup>Document A 2-0281/88, PE 126.362/fin., op. cit., p.10.

<sup>58</sup>COM (84) 398 final, op. cit., p.5.

<sup>59</sup>Document 1-522/80, PE 66.715/fin., op. cit., p.8.

<sup>60</sup>CA/CP/96/fin, Annex 1.

Committee requested that

"in negotiations on the future ACP-EEC Convention, the signatory parties should undertake to conclude, within a given time limit, an agreement on the protection of the rights and improvement of the living conditions of ACP migrant workers resident in the Member States of the Community."

Subsequently, the negotiators of the Lomé II Convention in 1979 annexed a "joint declaration on workers who are nationals of one of the contracting parties and are residing legally in the territory of a Member State or an ACP State."<sup>61</sup> In that declaration, the Community and the ACP states agreed on the reciprocal arrangements of according fair treatment with regard to working conditions, pay structures, social security benefits, etc. to migrant workers and their families. In this way, the issue of migrant workers had evolved from committee meetings to become an annex in the Lomé Convention.

But, although the arrangements were clearly reciprocal, and it was possible to have more nationals of an EEC member state residing in one ACP country than nationals of that ACP country residing in the particular EEC member state, the European Parliament's Committee on Development and Cooperation in one of its Reports stated that

"it is nevertheless clear that the Joint Committee and the Consultative Assembly are primarily concerned with ACP migrant workers resident in the Community."<sup>62</sup>

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<sup>61</sup>Lomé II, Annex XV.

<sup>62</sup>Document 1-522/80, PE 66.715/fin., op. cit., pp.8-9.

This stance underlines the Community's disposition towards ACP-EEC cooperation which appears to be constantly suggesting, wrongly indeed, that the ACP countries have more to gain from cooperation than their EEC counterparts.

At its meeting in Luxembourg at the end of September 1980, the Consultative Assembly considered a draft report which had been adopted by the Joint Committee at its meeting in Arusha (Tanzania) in February 1980. The negotiations on workers having been concluded, this report concerned ACP students and trainees in the Community. A resolution finally adopted by the Consultative Assembly on 26 September 1980 contained various recommendations aimed at protecting the rights of migrant workers, students and trainees.<sup>63</sup>

The ACP-EEC Joint Assembly and its working groups which replaced the old Consultative Assembly and the Joint Committee exemplify in many ways the working of the joint institutions. The order of session of the Santo Domingo Joint Assembly in February 1992 (Table 1) replicates the structure and interaction of other joint institutions such as the Council of Ministers and the Committee of Ambassadors.

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<sup>63</sup>Ibid., p.9.

Table 1<sup>64</sup>

Order of session of ACP-EEC Joint Assembly held at

Santo Domingo, Dominican Republic, from 17 to 21 February 1992

Thursday 13 and Friday 14 February

Meeting of ACP members

Saturday 15 February

10 a.m. Fisheries Working Group

3 p.m. Structural Adjustment Working Group

3 p.m. AIDS Working Group

Sunday 16 February

Programme of visits organised by  
the Dominican authorities

6.30 p.m. Bureau meeting

Monday 17 February

9 a.m. Separate meetings, ACP members and  
European members

11 a.m. Formal opening session

3 p.m. Start of work by the Joint Assembly

Tuesday 18, Wednesday 19 and Thursday 20 February

9 a.m. and 3 p.m. Joint Assembly

Friday 21 February

9 a.m. End of Joint Assembly session

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<sup>64</sup>Source: Doc.ACP-EEC/539/92, ACP-EEC Joint Assembly, Working Documents, Draft  
Agenda, 7 January 1992, p.2.

Thus, the February 1992 Joint Assembly meeting, like other Assembly meetings and like Council of Ministers and Committee of Ambassadors meetings, reproduces precisely the interaction between the various internal organs. Working from the bottom of the pyramid upwards, the working groups met separately on Saturday 15 February to discuss issues bordering on their area of concentration. This was followed the next day by a meeting of the bureau. Separate meetings of the ACP and EEC members were held on Monday 17 February later followed by the actual Joint Assembly which continued for three days until the end of session on Friday 21 February.

The Joint Assembly eventually focused on human rights, democracy and development - quite appropriately - given the close proximity of the Dominican Republic, venue of the Assembly, to Haiti where a military *coup d'état* had ousted elected President Jean-Bertrand Aristide.<sup>65</sup> In one of its final votes, the Assembly jointly appealed to the international community "to maintain and reinforce the embargo on Haiti for as long as unlawful military rule continued and democratic order had not been restored".<sup>66</sup> It can be argued that the ACP-EEC Joint Assembly which has a pyramidal structure, like the other joint institutions, is effectively designed to facilitate consensus at the high political level.

Article 27 of the Joint Assembly's Rules of Procedure provides that the Assembly shall lay down its financial regulation on the basis of proposals from the bureau. On the basis of this provision it was decided that from 1987 the European Parliament's budget will include a special 'Joint Assembly' section subdivided as follows:

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<sup>65</sup>Doc\_EN/ACP/206767, ACP-EEC Joint Assembly, Santo-Domingo, 17-20 February 1992, Luxembourg: European Parliament, Directorate-General Information & Public Relations, p.5.

<sup>66</sup>Ibid., pp.6-7.

- the two annual Joint Assembly meetings
- the annual meeting with the economic and social partners
- the meetings of the working parties
- the meetings of the Bureau in connection with the Joint Assembly sessions.<sup>67</sup>

On the ACP side, the most active ACP representatives within the parliamentary institutions are in fact the Ambassadors stationed in Brussels.<sup>68</sup> The reason for their activeness is obvious: they are located close to the centre of operation of ACP-EEC cooperation. This also suggests that location away from Africa, the Caribbean and the Pacific is disadvantageous for ACP group diplomacy. This is particularly the case with a good number of ACP countries, especially for the smaller ones which may experience difficulties in maintaining a fairly large number of diplomatic staff in Brussels, and certainly for the ACP countries which do not have representation at all in Brussels.

One criticism of the ACP-EEC Joint Assembly is that it is supposed to represent parliamentarians, but as some ACP states do not have Parliaments the MEPs on the Assembly often sit opposite ACP Ambassadors. Indeed, there is a considerable overlap of the people who attend all these joint fora which only adds to the outside observer's

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<sup>67</sup>Document A 2-206/86, PE 109.176/fin, Series A, op. cit., p.13.

<sup>68</sup>Document 1-605/83/II, PE 85.143/fm./II, European Communities, European Parliament Working Papers 1983-1984, Report on the context of the future ACP-EEC convention to follow Lomé II, Part II: Sub-reports by the individual rapporteurs and opinions of the committees asked for an opinion, 12 August 1983, Rapporteur: Mr. U. Irmer, p.80.

confusion.<sup>69</sup> Again, as noted in a report by the European Parliament, the Assembly is supposed to be a parliamentary body but as most ACP countries have one-party systems, there could be no real confrontation between ACP parties and the European parties.<sup>70</sup> One way towards greater effectiveness in ACP diplomacy is to have a healthy debate in the joint institutions. With the wave of democratisation in Africa, it can be hoped that MEPs will sooner rather than later experience the sense of fulfilment that should come with sitting across the bench from ACP parliamentarians.

The broad conclusion that can be drawn from the discussion of ACP-EEC joint institutions in this section is that the ACP group and the EEC have worked towards the presentation of a façade of converging ACP group interests via the organisation of their joint institutional structures. And this is in spite of possible differences which may emerge among the ACP countries. Intra-ACP differences may emerge over a given issue, but the joint institutional structures allow ACP members to "talk things over" among themselves such that sooner or later they arrive at a "common ACP position". From then on, any residual differences can be quite conveniently described as existing between the ACP *group* and the EEC.

It can be further argued that this structural group presentation has reduced the growth of influence within the ACP as the radical, or at least vocal, ACP member states are permanently silenced. Thus, such ACP states are unable to express themselves individually on ACP-EEC issues in a way, for example, that dissenting EEC member states can do on European issues. Quite often, we have heard what one EEC member state or another makes of EEC development policy, but hardly ever do we hear individual ACP

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<sup>69</sup>Christopher Stevens, "Renegotiating Lomé", p.11.

<sup>70</sup>Document 1-605/83/II, PE 85.143/fin./II, op. cit., p.80.



views. This scheme of things certainly helps to maintain ACP group cohesion but it also prevents the development of influence in ACP group diplomacy. This perhaps also explains why countries such as Nigeria and the members of the Commonwealth East African Community (Kenya, Tanzania and Uganda) which had been influential prior to Lomé I now play a relatively limited role in intra-ACP relations.

#### 5.4 ACP-EEC INSTITUTIONS FOR POLICY IMPLEMENTATION: IMPACT ON ACP GROUP DIPLOMACY

The Lomé Convention is a framework convention for ACP-EEC cooperation. A framework convention contains guiding principles for the participants who are at liberty to choose one specific area or several areas of emphasis for the advancement of their aims. This means, in effect, that the Lomé Convention defines broad areas of intra-ACP or ACP-EEC cooperation. In principle, it is left to the ACP countries and member states of the EEC to choose particular sectors of interest and to create specific institutions necessary for the operation of those chosen sectors. Claude Cheysson, former EEC Development Commissioner, liked to speak of the Lomé Convention as a "tool box" for every one to make the best use.<sup>71</sup> With the passage of time, the EEC and the ACP countries have established institutions with the purpose of facilitating administrative cooperation.<sup>72</sup>

Several ACP-EEC institutions have, therefore, been established for policy implementation. The European Development Fund (EDF) was established at the signing of Part IV of the Treaty of Rome in 1957. However, it was not until the signing of Yaoundé I in 1963 that the European Investment Bank (EIB) became directly involved

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<sup>71</sup>"*Boîte à outils*": à chacun d'en faire le meilleur usage". Cited by Hubert Ferraton, "De Lomé I à Lomé III: la coopération CEE-ACP en mutation" in Objectif Europe, Nos 26-27, Décembre 1984, p.10.

<sup>72</sup>André Auclert, "La Coopération Administrative entre la CEE et les Etats d'Afrique, des Caraïbes et du Pacifique dans le cadre de la Convention de Lomé" in Revue française d'Administration Publique, N°50, Avril-Juin 1989, pp.89-101 treats the interaction between these institutions as administrative cooperation.

with development cooperation when its funds were included in the financial protocol for projects in the OCTs. Since the signing of Lomé I in 1975, several other joint institutions including the Foundation for ACP-EEC Cultural Cooperation have been established for policy coordination. These joint institutions are discussed in this section for their relevance to ACP diplomacy.

#### 5.4.1 European Development Fund (EDF) and ACP-EEC Administrative Cooperation

The European Development Fund was set up to finance development projects that fall within the areas covered by ACP-EEC cooperation. The first EDF (EDF I) was allocated under the association agreement in Part IV of the Treaty of Rome. Since then there has been regular allocations of one EDF every five years. But, the five year time-scale has been criticised as being too long especially since other aid payments, for example IDA replenishments, are nominally for three years.<sup>73</sup> Still, the EDF has come to be a guaranteed source of foreign capital for the ACP countries. EDF I had resources for ECU 581 million although there was no additional provision from the EIB. The EDF under Yaoundé I (EDF II), however, had resources for ECU 666 million and an additional ECU 64 million from the EIB. Yaoundé II (EDF III) provided for ECU 843 million and an additional ECU 90 million from the EIB.<sup>74</sup>

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<sup>73</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade" in Journal of Common Market Studies, Volume XXIII, No. 2, December 1984, p.105.

<sup>74</sup>The European Currency Unit (ECU) came into use in ACP-EEC relations from Lomé II. Prior to that, EEC finance was quoted in US dollars or European Units of Account (UA). As at 31 December 1991, 1 ECU = £0.72: Vacher's European Companion & Consultants' Register, Number 80 May 1992, p.156.

**Table 2<sup>75</sup>**

**Financial Provisions under the Lomé Conventions (I-IV)**

in million ECU

	Lomé I	Lomé II	Lomé III	Lomé IV
	EDF IV	EDF V	EDF VI	EDF VII
EDF	3072	4724	7400	10800
EIB loans	390	685	1100	1200
<b>Total</b>	<b>3462</b>	<b>5409</b>	<b>8500</b>	<b>12000</b>

The negotiation of the first Lomé Convention marked a phase of full commitment to development cooperation between the ACP group and the EEC. Table 2 shows the allocation of financial resources under the Lomé Conventions. At the signing of each Convention, an increased EDF was approved so that each new EDF nominally provided for more funds than the previous one. EDF IV under Lomé I had resources totalling a little over ECU 3 billion. But by the time EDF VII was approved for Lomé IV, the resources had increased to ECU 10.8 billion. The ACP achieved a relatively good deal on EDF IV at Lomé I. However, EDF V under Lomé II, at ECU 4.7 billion, was worth about

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<sup>75</sup>This table was prepared using tables and information from Ten Years of Lomé A Record of EEC-ACP Partnership 1976 to 1985, *op. cit.*, pp 14-15; and the Lomé III and Lomé IV Conventions.

25 per cent less in real per capita terms given the extension of ACP membership. Although EDF IV was itself worth 20 per cent less than EDF III (Yaoundé II) in real per capita terms, it was still a good deal in political terms.<sup>76</sup> That is to say, the unity and cohesion which was achieved for ACP diplomacy in 1975 more or less compensated for the insufficiency of funds.

The bulk of EDF aid is allocated to individual national indicative programmes (NIPs) to be implemented in each of the ACP countries. In general it is used to finance development projects across a wide range of economic and social sectors (roads, ports, electrification and energy projects, hospitals, schools and factories). In the past the largest share of the EDF has gone to transport and infrastructure such as buildings, although this has been matched by the funds allocated to agro-industry and the production of foodstuffs and export crops. Most of the funds allocated to NIPs take the form of outright grants or loans with low rates of interest.<sup>77</sup>

Financial provisions under each Lomé Convention have a separate duration (5 years under Lomé I to Lomé III and 10 years with two 5-year financial protocols under Lomé IV). However, there is no requirement that the aid allocated be disbursed, or even committed, during the period of validity of a particular Lomé Convention. The EDF outlives the convention up to any time when all the resources have been allocated. For example, 40 per cent of EDF IV (the core of Lomé I aid) had not been disbursed and 9 per cent had not been committed by the end of 1981, almost two years after the

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<sup>76</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", p.105 and footnote.

<sup>77</sup>Comment - The Lomé Negotiations, London: Catholic Institute for International Relations, April 1984, p.8.

Convention had ended.<sup>78</sup> The added ingredient with the EDF is the implication in the Convention, deriving from the joint partnership arrangements and its contractual nature, that the sum agreed belongs rightfully as much to the ACP as it does to the Community. Thus, for instance, tenders for EDF contracts are formally opened and decided upon by ACP governments, not by the donor.<sup>79</sup>

Furthermore, the principle of equal opportunity for bidders in the EEC and in the ACP states is applied to competition for EDF contracts. Contracts are awarded by the ACP country where the project will be carried out, with the approval of the European Commission. Normally, a bid takes the form of open international tendering, but a lower bid may be approved by the Commission if it is judged to be economically the most advantageous to an EEC member state. This guideline may suggest the exclusion of more interesting offers from non-EEC developed countries such as the United States. In order to benefit ACP bidders, an accelerated tendering procedure may be applied to contracts under ECU 3 million and a considerable percentage preference is accorded on works and supply contracts given to ACP firms.

Finally, co-financed projects between EEC and ACP countries are highly encouraged. All these points show that a company registered in an EEC member state, and operating in partnership with another company registered in an ACP country, stands a good chance of obtaining funds from the EDF for a project within an ACP state. However, some regions of the ACP attract a larger part of EDF financing than others for a combination of political and economic reasons.

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<sup>78</sup>Christopher Stevens, "Renegotiating Lomé", p.17.

<sup>79</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", p.105.

### ACP-EEC Administrative Cooperation

Although we have repeatedly emphasised the insufficiency of Lomé funds, it remains to be said that whatever aid is actually allocated is still not easily spent. ACP-EEC administrative cooperation in fact underscores the preponderance of the EEC and the ineffectiveness of ACP diplomacy in joint policy implementation. This perhaps also emphasises the argument that ACP diplomacy is not merely reactive on ordinary issues in ACP-EEC cooperation but it is positively dormant.

The bulk of the aid is technically channelled through the EDF. In addition, the EIB provides loans both under and outside the Convention. But, responsibility for administering aid is split between the Commission (under particular responsibility of DG VIII) and the EIB on a sectoral basis. DG VIII is responsible for most sectors, for which it normally provides grants, and for Stabex and Sysmin. The EIB handles projects in the field of industry, tourism, mining, agro-processing and some infrastructure, on the assumption that these sectors are more likely to sustain "bankable" projects. It uses EDF money either to soften the terms of a commercial loan, or as risk capital to provide a soft loan or acquire an equity holding. Immediately after the Convention is signed, the programmable part of the EDF (i.e. excluding Stabex and Sysmin) is divided up, with an allocation to each ACP state and for regional projects involving two or more states. Each country's allocation is decided by the EEC on the basis, in theory, of purely objective criteria (population, GNP, etc.), but in practice normative considerations also intrude, giving the Commission some leeway. The difference between the possible upper and lower limits for each state is called the *fourchette*.<sup>80</sup>

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<sup>80</sup>Christopher Stevens, "Renegotiating Lomé", pp.17 and 18.

Having done this, the EEC sends programming missions to each ACP state to agree a NIP which forms the framework for implementation. During Lomé I the missions sought to identify and cost the projects to be aided but this proved too inflexible so that under Lomé II only the broad sectoral division of aid was agreed. Once the indicative programme is agreed, the selection and submission of projects can begin. There is supposed to be a precise division of responsibility between the two sides which is an essential element in the claim that Lomé is a partnership of equals. The ACP alone decide on the project to be financed and are the client for all works (hence, they have responsibility for preparing all appraisals and documentation, and for signing contracts), while the EEC signs the cheques when it is satisfied that the projects are well-prepared. However, the EEC has acted like other donors and used its power of the purse to influence the choice of projects.<sup>81</sup>

The approval of projects tends to be slow, partly because there are so many fingers in the pie. The ACP submit their proposals to the EEC Delegation stationed in the respective ACP countries. The Delegation makes an appraisal, and then forwards it to Brussels. The staff in DG VIII make their own appraisal, and then put the project to the EDF Committee, on which sit representatives of the EEC member states. The EDF Committee is supposed to be an advisory body, but in actual fact the committee's opinions are never ignored by DG VIII. Hence, each project has to surmount three separate hurdles (Delegation, Commission, and EDF Committee). At the implementation stage there is a similar dichotomy between theory and practice. In principle, the ACP state is solely responsible for implementation. In reality, the Commission has numerous opportunities to effect its will. It prescribes the tendering procedures and the contract conditions, vets the

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<sup>81</sup>Ibid., p.18.



tender dossiers to ensure that there is no discriminatory provision which might favour the tenderers of one country above those of another and, through the Delegation, vets the ACP state's decision on the award of contracts. This grey division of responsibilities frequently causes delay.<sup>82</sup>

To express it schematically, the following procedural steps are required prior to EDF implementation:

1. - Decision is taken on financial allocation to each ACP state;
2. - Preparation of national indicative programmes, i.e. sectors for EDF financing, by the ACP states in consultation with the Commission and the EIB;
3. - Financial proposal submitted by ACP state to EEC Delegation which submits to Commission, then EDF Committee, for opinion and back to Commission for approval;
4. - Preparation of projects by the ACP states and examination and approval of these projects by the Commission;
5. - Financial proposal then signed by ACP state and financial agreement, or primary commitment (that is to say, approval by the Commission of a proposition for project financing after consultation with the EDF Committee) is prepared and concluded;
6. - Primary commitment may contain several projects to be covered by secondary commitment (that is to say, project execution plan) pursuant to which funds are released;
7. - Transfer of the funds. The whole process from the financial allocation to

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<sup>82</sup>Ibid.

secondary commitment may take several months or even years.<sup>83</sup>

It is clear from the above discussions that a high level of administrative resources and technical expertise would be required to successfully complete the EDF procedural steps. Consequently, the efforts that go into the preparation of EDF programmes could have a disintegrative effect on ACP collective diplomacy as each ACP country becomes too engrossed in her individual project. The bulk of the EDF goes to the NIPs, but the remainder is allocated to a variety of other uses. Under Lomé II, for example, nearly US\$300m was allocated to the EIB as "risk capital" to support commercial investments, largely in the 12 or so ACP countries sufficiently developed to generate commercial opportunities. These countries include Kenya, Côte d'Ivoire, Cameroon and Zimbabwe. And, over US\$200m was allocated for emergencies and natural disasters.<sup>84</sup> In the administration of the EDF, three implementation organs are put in place: the *ordonnateur principal* (principal authorising officer) responsible for EDF resources at the Commission level, *ordonnateur national* (national authorising officer) representing each ACP state in the management of all operations financed by the EDF and the Commission *delegate* who follows up the implementation of EDF projects in each ACP state.<sup>85</sup> The principal

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<sup>83</sup>Schematisation of stages in EDF implementation based on readings from Christopher Stevens, "Renegotiating Lomé", p.18; "Bilan de la coopération financière et technique ACP-EEC 1976-1985" in Marchés Tropicaux et Méditerranéens, N°2138, 42<sup>e</sup> Année, 31 Octobre 1986, p.2741; and Bruce Zagaris, "Application of the Lomé IV Convention to Services and the potential opportunities for the Barbados International Financial Sector" in Bulletin 1991, Amsterdam: International Bureau of Fiscal Documentation, p.300.

<sup>84</sup>Comment - The Lomé Negotiations, *op. cit.*, pp.9-10.

<sup>85</sup>André Auclert, *op. cit.*, p.96.

authorising officer decides on tendering procedures, commitment of EDF funds and takes other financial measures necessary for the proper execution of approved projects. The principal officer can reject decisions taken by the national authorising officer and, in that case, the ACP state concerned bears the financial consequences of the rejected decision.<sup>86</sup> The procedure of joint policy implementation is therefore a delicate one; and procedural problems have highlighted the casual and uncooperative attitude of the EEC within the joint ACP-EEC institutions.<sup>87</sup>

The national authorising officer is designated by each ACP state and the profile of the designate varies from country to country. It ranges from senior civil servants in most Caribbean countries to ministers in most African states. The portfolios of the ministers also vary: from Planning, Economy or Trade to Finance or Foreign Affairs. In some cases such as the Bahamas, Grenada, Jamaica, Burundi (and certainly in the smaller Pacific countries), the EDF is administered from the Prime Minister's office.<sup>88</sup> The high profile of the designates reflects the importance attached to development cooperation by the ACP states although, quite clearly, the use of the Prime Minister's office in the smaller ACP states may be simply due to limited manpower and other resources. Nigeria, one of the biggest ACP states which has variously designated Ministers of Trade or Finance, has recently created a special institution, the National Planning Commission, for EEC

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<sup>86</sup>Alain Massiera et Luc Pagacz, L'Europe renforce sa coopération: Lomé IV, Paris: Editions L'Harmattan, 1992, p.139.

<sup>87</sup>Guy Martin, "African-European Economic Relations under the Lomé Convention: Commodities and the Scheme of Stabilization of Export Earnings" in African Studies Review, vol. 27, no. 3, September 1984, p.62.

<sup>88</sup>See André Auclert, op. cit., pp.96-97.

relations.<sup>89</sup> So far, the triangular "ordonnateur principal - delegate - ordonnateur national" arrangement appears to be satisfactory in ACP-EEC administrative cooperation and the model has been reproduced in European Community agreements with other geographical regions. This is the case with accords between the Community and the South and East Mediterranean (Maghreb and Mashrek) countries and Israel.<sup>90</sup>

On the crucial subject of aid effectiveness in the ACP countries, an early study has shown that, overall, the political and institutional components of the Lomé Convention were beneficial to one ACP country, namely Malawi. Furthermore, in cases of policy disagreements with the IMF or the World Bank, the study concluded that, as a least developed, land-locked and poor country, Malawi would be better placed with the EEC's preferential mantle than without.<sup>91</sup> A similar study on Sierra Leone suggested that the EEC was slow in project appraisal and that slow tendering procedures delayed project execution. The conclusions of the study also suggest that the Sierra Leonean Government must take some share of the blame for delays in the appraisal process in view of its tendency to try and "package and sell" projects, to the length of actually misinforming the Commission on costings, and in view of an attempted misappropriation of funds which

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<sup>89</sup>Information based on personal interview with Mr. O. G. Nnaji, Head of Chancery, Nigerian Embassy, Brussels, 12 May 1993.

<sup>90</sup>André Auclert, *op. cit.*, p.98.

<sup>91</sup>Adrian Hewitt, "Malawi and the EEC: the First Seven Years" in Christopher Stevens (ed.), EEC and the Third World: A Survey 4 - Renegotiating Lomé, London: Hodder and Stoughton in association with the Overseas Development Institute and the Institute of Development Studies, 1984, pp.140 and 141.

was also responsible for holding up progress on EDF implementation.<sup>92</sup>

These facts, in some ways, correspond to the argument in this thesis that ACP efforts and their impact on the group's diplomacy can play an important role in the development, or underdevelopment, of the ACP countries.

#### 5.4.2 European Investment Bank (EIB)

The EIB, or Bank as it is generally known, is another institution for policy implementation of ACP-EEC cooperation. At the beginning, the Bank's mission, as laid down in Article 130 of the Treaty of Rome, was to contribute to the balanced development of the European Common Market. However, as part of the Community's cooperation agreements under the Financial Protocols of the Lomé Convention, the Bank now also finances specified projects in ACP countries. The EIB also finances projects in Central and Eastern Europe as part of the Community's policy of supporting countries in the region that are establishing market economies.<sup>93</sup> But as we shall see presently, financing of ACP projects is only a small fraction of the Bank's overall activities and that perhaps indicates that the ACP group is not even near the top of the Bank's priority financing areas. The unattractive position of the ACP countries implies that ACP diplomacy would need extra coordination to reap comparative benefits from the Bank's operations.

Each EEC member state subscribes to the Bank's capital of ECU 57.6 billion. 7.5

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<sup>92</sup>Trevor W. Parfitt, "EEC Aid in Practice: Sierra Leone" in Christopher Stevens (ed.), ibid., p.164.

<sup>93</sup>Vacher's European Companion, May 1992, p.156.

per cent of the subscribed capital is paid in or due to be paid in with the remaining 92.5 per cent acting as guarantee capital. Investment by small- and medium-sized enterprises (SMEs) are financed through global loans in cooperation with banks and other financial intermediaries but finance for larger projects are negotiated directly with the Bank. Loans for industrial projects are given for about 4 to 12 years while loans for infrastructure projects can be given for 20 or more years. When approved, the Bank's funds are disbursed in single currencies or in currency mixes according to the borrower's preferences and the Bank's holdings. In 1991 the Bank provided finance totalling over ECU 15.3 billion for investments within the Community and ECU 916 million for investments outside the EEC, including the ACP and other developing countries.

Article 1 (b) of the Financial Protocol in Lomé IV stipulates that the Bank shall provide ECU 1.2 billion in the form of loans over a period of five years commencing 1 March 1990 for projects in the ACP countries (see Table 2). Calculated on the basis of equal yearly disbursements, the ACP countries in 1991 received just about ECU 240 million, representing a small proportion of the Bank's commitments outside the Community in that year which was ECU 916 million. However, it is worth re-stating that the Bank's provisions are in addition to the EDF allocated to the ACP countries under the Lomé Convention. As noted earlier on, the current EDF VII provides for ECU 10.8 billion and this adds to the Bank's resources to make total provisions of ECU 12 billion to various ACP projects up to the end of 1994.

The Bank has participated in the ACP poorer countries not with its own capital but with risk capital at terms far more favourable (in most cases an interest rate of 2 per cent over 20 years) than the conditions governing loans from the Bank's own resources (5 to 8 per cent, after allowing for interest rate subsidies from EDF resources, over 10 to 15

years). The EIB often resorts to the procedure of co-financing operations in the ACP countries to spread the risk wider and to mobilise more resources. From 1981 to 1983, contracts on 30 projects with an investment value of 2 300m EUA were concluded, the EIB providing 10 per cent, the remainder coming from banks in the Community's member states, Arab funds, the World Bank and other financial institutions.<sup>94</sup> The following projects also benefitted from co-financing: development of the Senegal river, hydroelectric construction at Haute Tana and a railway line in the Congo.<sup>95</sup>

Micro-projects also witnessed a spectacular development under Lomé I and II. However, the procedures for the execution of micro-projects were later reviewed by the technical working party of the Article 108 Committee. Under the old rules, each individual micro-project was separately costed before it could be entered in an annual programme, with the danger that estimates could turn out to be too low by the time the decision on the whole programme was taken. The new system, however, allows for micro-projects to be approved in the form of an indicative programme designating sectors but not individual projects. Yet, there is an inherent problem with micro-projects: they are scattered over wide areas.<sup>96</sup> Under Lomé I, 39 ACP countries presented 2 000 projects and under Lomé II, 40 ACP countries presented 8 000 to the value of ECU 80 million. The development and construction of social infrastructure in urban areas have been the two main areas of

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<sup>94</sup>Ansgar Eussner, "Agro-Industrial Co-operation Between the European Community and the ACP Countries in Journal of Common Market Studies, Volume XXV, No. 1, September 1986, pp.53 and 55.

<sup>95</sup>"Bilan de la coopération financière et technique ACP-EEC 1976-1985", op. cit., pp.2722-23.

<sup>96</sup>COM (84) 398 final, op. cit., p.42.

focus. Again, under Lomé I, 1 664 financing agreements were signed for a total of ECU 1 946 million, and under Lomé II, the figures were 586 agreements for ECU 2 195 million and 55 contracts for ECU 300 million respectively.<sup>97</sup> True to its form, the EIB does not act as a development bank and it has been criticised for the unproductive methods of its operation in the ACP countries. This merely leads us to the same conclusion as Adrian Hewitt that for the Lomé cooperation package to be meaningful, the ACP countries require a development bank.<sup>98</sup> Resources from such a bank can then be partly utilised to finance proper coordination of ACP diplomacy.

It is clear from the above accounts that financial and technical cooperation under the Lomé Convention is not limited to the mere sums stipulated in the Convention and those from the EDF and the EIB. Financial and technical cooperation in ACP-EEC relations involve administrative cooperation and include other kinds of aid. In fact, it covers sums provided by the general budget of the Community in the form of food and emergency aid, and cooperation aid with NGOs. But there are two underlying principles of cooperation: the safeguard of acquired rights and preferences and the equal treatment of all ACP countries. Deriving from the concept of equality of the ACP states, this implies a special regime of exemptions for the less developed, island and land-locked states.<sup>99</sup> With regard to the theoretical considerations in this study the tendency to show consideration for these states reflects two significant concepts. First, ACP group

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<sup>97</sup>"Bilan de la coopération financière et technique ACP-EEC 1976-1985", op. cit., p.2723.

<sup>98</sup>Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", p.108.

<sup>99</sup>See "Bilan de la coopération financière et technique ACP-EEC 1976-1985", op. cit., p.2721.



diplomacy which is usually responsive to EEC proposals also succumbs to intra-group minority influence. Finally, by emphasising the safeguard of acquired rights and by promoting equal treatment of ACP members, ACP diplomacy also does promote an integrative bargaining strategy which ensures group cohesion.

#### **5.4.3 Foundation for ACP-EEC Cultural Cooperation**

The history of the formation of the Foundation for ACP-EEC Cultural Cooperation not only underscores the awkward posture of the ACP countries when they knock at the EEC door with requests but also highlights an occasion when reactive ACP diplomacy was brought to a level of retortion. Following the first Report on ACP-EEC Cultural Cooperation which raised the idea of a cultural foundation, the ACP-EEC Consultative Assembly at its meeting in Luxembourg on 28-30 September 1981 adopted a Resolution on the creation of such a foundation. In 1983, the third Report and the Resolution of the Consultative Assembly at its meeting in Berlin on 19-21 September of the same year proposed to the Lomé III negotiators the establishment of a cultural foundation. However, due to the reluctance of the Community to raise the volume of the EDF funds, the project for a cultural foundation was not even proposed by the ACP countries at those negotiations. The Foundation for ACP-EEC Cultural Cooperation was however established in Brussels on 19 June 1986, about two and a half months after the entry into force of Lomé III. Article 141 of the Lomé IV Convention later confirmed that the Foundation for ACP-EEC Cultural Cooperation was set up to conduct research and apply measures necessary to promote the cultural identities of the ACP and the EEC peoples.

At the outset of negotiations to formally incorporate the Foundation for ACP-EEC

Cultural Cooperation into the Lomé IV Convention, the ACP group maintained that the Foundation should have its role expanded and its budget increased. But, the EEC showed some reservation to the idea of developing yet another instrument of cooperation, stressing that there were already too many in Lomé III. The Community maintained that it would be better to put the provisions already in place to more effective use. Besides, the application of the socio-cultural dimensions of cooperation depends up to 90 per cent on the ACP countries themselves.<sup>100</sup>

The Foundation is one of the most recent and the smallest of the joint ACP-EEC institutions. It has Ambassador Chasle of Mauritius as Secretary-General, and only two other staff! Yet, ironically, it has the widest range of interests. Herein lies the dilemma of ACP diplomacy. In effect, under the heading "Cultural and social cooperation", Title XI of the Lomé IV Convention states that the human and cultural dimension of development "must embrace all areas and be reflected in all development projects and programmes" (Article 139). This implies that for the negotiators of Lomé IV, cultural cooperation covers everything that constitutes the result of the interaction between man and his environment.<sup>101</sup> The news and information covered in the Cultural Bulletin of the Foundation for ACP-EEC Cultural Cooperation mirror the areas of interest of the Foundation. These range from reports on Conferences of African Ministers of Culture through ACP Short Story Competitions to cultural displays and theatrical plays in various

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<sup>100</sup>Jean Tanguy, "Au coeur de la future convention de Lomé: la coopération culturelle" in Développement et Coopération, N°4/1989, p.25.

<sup>101</sup>*Tout ce qui constitue le résultat de l'interaction entre l'homme et son milieu: Jean Tanguy, ibid., p.25.*

ACP countries.<sup>102</sup> In a similar perspective, a conference organised in conjunction with the Foundation was held in Brussels in March 1993. The theme of the conference was "Cultural Dialogue: Do we speak the same language?"<sup>103</sup>

The ACP and the EEC appeared to concur on the principles of the social and cultural dimensions of development in the Lomé Convention. However, they disagreed on the procedures for achieving these principles. This disagreement makes it difficult to transform the general ideas on social and cultural cooperation into a precise legal document. At the Lomé IV negotiations, under the umbrella of cultural dialogue, one subject which in the past was considered a taboo, that is, population control - a question directly linked to cultural practices and to cultural systems, was openly discussed. Dieter Frisch, Director-General of Development at the Commission had said that Community intervention should only be seen as a support to the population programmes of the ACP countries.

However, there appeared to be a hitch in the cultural dialogue mainly on two subjects tackled in vain during the Lomé III negotiations: the status of ACP students in Europe (should they be accorded the same treatment as their European colleagues?) and the return of cultural objects (should former colonial powers return African or other art objects which they took possession of during colonisation or should ACP researchers at

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<sup>102</sup>See, for example, Bulletin of the Foundation for ACP-EEC Cultural Cooperation, Quarterly Nr 0, circa 1990, and Cultural Bulletin of the Foundation for ACP-EEC Cultural Cooperation, Quarterly Issue Nr 1, July-September 1992.

<sup>103</sup>H.E. Raymond Chasle (General Secretary of the ACP-EEC Foundation for Cultural Cooperation), Henry Saby (President of the Committee for Cooperation and Development at the European Parliament) and Prof. Pierre Salmon presented papers at the conference. See Public Lectures and Seminars section of Bibliography.

least not be allowed access to these archives?). The Community responded to the ACP requests with essentially legal arguments. Besides, the Community sometimes added, would these art objects not be better preserved in European museums against the ravages of time than in precarious infrastructures in the ACP countries? Maybe so, replied the ACP group, but does the Community have the right to unilaterally decide to retain these objects? In a way, yes!, replied the EEC: to the extent that these objects form a part of the common heritage of mankind.<sup>104</sup>

At the end, however, the ACP countries and the EEC were able to insert Annex XXIV to the Lomé IV Convention. Annex XXIV invites the EEC member states to cooperate in the drawing up of an inventory of ACP cultural objects in the Community with a view to returning them. But, the apparent concession on the part of the EEC is matched by Annex XXV which deals with the respect for and promotion of copy-rights. Since the EEC member states are technologically more advanced than the ACP countries, it is reasonable to expect that they will stand better to benefit from Annex XXV. In terms of the effectiveness of ACP diplomacy, it can be said that the ACP countries came off relatively worse off in the specific negotiations on the return of cultural objects. This is because the provision on copy-rights arguably can be more readily applied to detrimental effect, for example, on the transfer of much-needed technology from the EEC to the ACP countries, than the provision on cultural objects can facilitate the return of cultural objects to their ACP owners.

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<sup>104</sup>Jean Tanguy, op. cit., pp.25-26.

#### 5.4.4 ACP-EEC Institutional Arrangements and Impact on ACP Group Diplomacy

The analysis of ACP and EEC institutions in this chapter has shown that the Community has a body of highly developed institutions for policy coordination unmatched by the ACP organs. Although there is no evidence to suggest that the ACP-EEC relationship has machiavellian implications, the might of the EEC opposite the ACP remains disturbingly obvious at least from an ACP perspective. For example, figures on ACP-EEC trade are compiled by EUROSTAT, although the figures are subject to endorsement by the ACP states.<sup>105</sup> The issue is certainly not that the figures are compiled by EUROSTAT but that group decision might be adversely affected while the ACP countries wait for statistics from EUROSTAT.

But, the absence of independent ACP reports on the impact of ACP-EEC cooperation is clearly a reflection of the wider problems of inadequate management of manpower and resources in the ACP countries. And this lack of administrative competence has been identified as a major obstacle which constrains ACP diplomacy in the effort to reap benefits from relations with the EEC.<sup>106</sup> Without independent statistics, some bigger-size ACP countries (Nigeria, for example) are unable to evaluate the real and potential benefits of participation in joint ACP cooperation with the EEC and bilateral relations with the EEC respectively. In other words, the question of whether, in her relations with

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<sup>105</sup> ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and technical co-operation in 1977, Brussels: 14 March 1978, p.7.

<sup>106</sup> Mr. O. G. Nnaji, Head of Chancery, Nigerian Embassy, Brussels in a personal interview, 12 May 1993.

the EEC, a relatively advanced ACP country is better off within or outside the ACP group remains unanswered as a result of lack of internal individual or collective ACP investigations.

Further problems relating to lack of proper internal ACP group coordination have been highlighted in the interactions between the representatives of the ACP countries based in Brussels and those involved in international negotiations in Geneva or Washington. One editor who followed the Uruguay round of GATT negotiations in Geneva in 1991 told this writer that, in some instances, negotiators from the ACP countries, in order to affirm their professional independence, would rather send queries to their country's capitals (with all the communications problems that could be involved) than contact their country's representatives in Brussels.<sup>107</sup> It all sounds well so far, especially in view of the thesis in this study that the ACP countries should rely on themselves for policy coordination and implementation. The sad ending to the story, however, is that sometimes the queries have to be forwarded from the country capitals to the representatives in Brussels and then returned to the capitals before being forwarded again to the negotiators in Geneva. Ambassador Chasle of Mauritius concedes that there are problems of coordination but insists that ACP diplomats in Brussels and the ACP Secretariat have on occasion prepared reports, for example on sugar, for their counterparts negotiating in Geneva.<sup>108</sup> But, it is still evident from the above accounts that a considerable amount of time and precious ACP resources are wasted as a result of lack

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<sup>107</sup>This account is partly based on discussions with Myriam Vander Stichele, editor of Lomé Briefing.

<sup>108</sup>Personal interview with His Excellency Raymond Chasle, Ambassador of Mauritius to the EEC, 21 May 1993.

of proper internal ACP coordination. To say the least, the delay caused by such events can be disadvantageous to ACP group diplomacy.

Other pertinent questions need to be addressed by both the ACP and the EEC negotiators: What is the use of open competition for EDF projects between ACP and European businesses when the European companies are much better established than their ACP counterparts? A more equitable procedure in ACP-EEC cooperation should encourage the growth of ACP businesses by ensuring that bidding for certain contracts are reserved exclusively for ACP registered businesses, possibly working closely with EEC partners. That is one way in which ACP and joint ACP-EEC institutional arrangements can contribute to economic growth in the ACP countries. Given adequate manpower and finance ACP group diplomacy should formulate these and other proposals aimed at enhancing effectiveness of ACP-EEC cooperation.

## **CHAPTER SIX: ISSUES IN ACP-EEC COOPERATION AND ACP DIPLOMACY UNDER LOMÉ I AND II**

This chapter examines some of the issues which first entered into ACP-EEC relations during the Lomé I and II negotiations. The implied principles of ACP-EEC cooperation, that is trade and aid preferences, formed the basis of these early negotiations. The issues examined include both those which were negotiated prior to the signing of the Lomé Convention in 1975 and those discussed after the signing of the Convention. For example, the EEC's GSP became a subject of EEC development policy in the late 1960s at a time when the Yaoundé Associates were the only participants in ACP-EEC development cooperation. This scope of analysis is justified on the grounds that the present study covers the period from 1957 to 1990. Thus, our discussion of any aspect of ACP-EEC cooperation goes as far back towards 1957 as possible. With regard to ACP diplomacy, this chapter further demonstrates the reactivity of ACP diplomacy on aid and trade issues. The concepts of aid and trade preferences are discussed with reference to ACP collective bargaining and the GSP introduced by the EEC in 1971.



## **6.1 THE EEC GENERALISED SCHEME OF PREFERENCES (GSP), THE COMMON AGRICULTURAL POLICY (CAP), FOOD AID AND SPILL OVER EFFECT ON ACP DIPLOMACY**

The debate over the Community's GSP started in the late 1960s while the EEC association comprised only the French-speaking Associated African countries. Consequent to this fact, the Associated countries stood alone against other developing countries in arguing for the safeguard of the margin of preferences which they enjoyed under the Yaoundé Convention. However, the arguments of the Associates were later supported by developing countries such as Jamaica which received preferences in the markets of other developed countries. (Jamaica received preferences in the market of Britain). This event, in turn, helped the development of ACP diplomacy by bring together Caribbean and French-speaking African views.

### **6.1.1 The GSP and Spill over Effect of the negotiations on ACP Diplomacy**

Concessionary trading arrangements were the basis of Eurafrikan relations and the move by the EEC to extend preferences to all developing countries in the late 1960s understandably aroused a high level of interest in the Associated countries. In 1966, 80 per cent of the exports of the Associated African States and Malagasy (AASM) to the Community were either agricultural or mineral products. Exports of minerals such as copper, diamonds, iron ore, aluminium, phosphates, petroleum, manganese, uranium, tin and wolfram entered the Community market duty-free from all sources and the AASM therefore received no preferences on them. But, the principal AASM exports were, in

descending order of importance, coffee, saw logs and veneer sheets, cocoa beans, cotton, groundnuts, palm oil and oilcakes, cocoa butter and pineapples. These agricultural products benefitted from preferential access ranging from 4 per cent for palm and palm kernel oils to 32 per cent in 1969 for canned pineapples and pineapple juice. Yet, most of those which could be counted as processed agricultural goods (principally groundnut oil, palm and palm kernel oils, cocoa butter and canned pineapples) were products in which the main competition for AASM producers came from other developing countries. The Associates were, therefore, expected to press against the introduction of a GSP scheme by the Community.<sup>1</sup> In group diplomatic terms, such concerted pressure by the Associates against the EEC would represent integrative bargaining since the pressure would foster group cohesion among the Associates.

A comprehensive preference scheme, covering all processed and semi-processed goods as well as "manufactures" strictly defined, was likely to deprive the eighteen Yaoundé Associates of preferential trading advantages which many of them regarded as significant. The Associates were not only concerned to maintain existing preferences, but also to create conditions under which any new export-oriented processing or manufacturing ventures they might sponsor would still be assured of better terms in the Community market than those of other developing countries.<sup>2</sup>

The potential conflict between the preferential access given by the EEC to exports from its African Associates and the EEC aim of creating a wider preference scheme for

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<sup>1</sup>Peter Tulloch, The Politics of Preferences - EEC Policy Making and the Generalised System of Preferences, London: Croom Helm in association with the Overseas Development Institute, 1975, p.66.

<sup>2</sup>Ibid., p.65.

all developing countries was made even sharper by the timing of the negotiations. The first Yaoundé Convention which had come into force on 1 June 1964, was due to expire and be renewed in 1969, when the OECD and UNCTAD discussions on the GSP were coming to a head. Clearly, the question of how a generalised system would affect the special preferences of the Associates was certain to be a live issue in the 1968-69 Association talks. The African Associates were in a better position than any other group of developing countries to make their views known to the Community authorities through diplomatic missions in Brussels and through direct participation in joint institutions with the Community.<sup>3</sup>

The 1968-69 Association renegotiations formally began on 19 December 1968 in Brussels. The initial position of the Associates, supported by the Association Committee, was that the tariff preferences extended in their favour by the Community should be maintained, even strengthened. An Association Committee report originally adopted in October 1968 and sent to the EEC-AASM Parliamentary Conference meeting in January 1969 stated that

"it would be desirable at least to maintain the present preferences in favour of Associates, preferences which have not in fact hindered the normal development of Community trade with other developing countries... If there was a generalisation of preferences for finished and semi-finished products from all developing countries, it would be desirable that preferential treatment be reserved for the

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<sup>3</sup>Ibid., pp.65-66.

Associated States."<sup>4</sup>

The Parliamentary Conference itself stressed that regional preferences should not be reduced except in exchange for corresponding advantages. Within the Community, France was the main supporter of this view. The President of the Council of Ministers, Mr Gaston Thorn of Luxembourg also lent support to this position. In May 1969, in a private intervention in the Association Parliamentary Conference, he made a vigorous plea against the tendency to dissolve the association in a world preference system.<sup>5</sup>

The coincidence in time of the peak of the GSP negotiations with those for the renewal of the Yaoundé Convention certainly brought the issues involved even more sharply into focus. Not only was the attitude of the Associates to the GSP involved; the debate opened up the division within the Community itself between those member states, mainly the Netherlands and Germany, which wanted to make the ties of the Association more flexible in favour of a world approach to the problem of development, and those, led by France with its close ties with the majority of the associated states, which preferred to keep most of the Community's trade concessions for the AASM.<sup>6</sup> In effect, the discussions over the EEC's GSP reflected the history of trade relations between the EEC and developing countries which, in sum, contained two approaches regarding the conduct of these relations, namely the globalist and regionalist approaches. The former approach adopted a view that trade and aid benefits should be offered to a wide range of developing

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<sup>4</sup>EEC/AASM Parliamentary Conference Report January 1969. Cited by Peter Tulloch, ibid., p.70.

<sup>5</sup>Agence Europe, 23 May 1969 in Peter Tulloch, ibid., pp.70-71.

<sup>6</sup>Peter Tulloch, ibid., p.69.

countries and the latter favoured economic relations with developing countries on a discriminatory basis to the benefit of countries having historical and political ties with the EEC.<sup>7</sup>

Other developing countries enjoying preferential access to major Western markets later refused to accept the potential loss of their own privileged treatment. This event was a boost to ACP group diplomacy because it provided a basis for concerted efforts among affected countries. The EEC African Associates were the most militant group,<sup>8</sup> but they received strong support from some Commonwealth countries, in particular, the Commonwealth Caribbean. Jamaica's position with regard to the preferences she received in the British market was comparable to the stance of the Associates with regard to the preferences they received in the EEC market. The Jamaican Minister of Trade and Industry declared:

"In all frankness we cannot identify ourselves with the proposal to dismantle all the existing preferences for the developing countries... we would strenuously resist any effort to bring about the removal of the preferences we now enjoy so long as Britain is prepared to continue their application."<sup>9</sup>

With regard to subsequent developments in ACP diplomacy, this statement re-

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<sup>7</sup>Delsie M. Gandía, The EEC's Generalised Scheme of Preferences and the Yaoundé and Other Agreements, New Jersey: Allanheld & Osmun, 1981, p.3.

<sup>8</sup>Marc Williams, Third World Cooperation: the Group of 77 in UNCTAD, London: Pinters, 1991, p.118.

<sup>9</sup>Proceedings 1964, vol.II, p.192. Cited by Marc Williams, ibid.

emphasises the fact that the much-discussed differences between the French- and English-speaking countries were not based exclusively on linguistics but were also based on divergences in the historical and economic links of these countries to Europe. In other words, arguments for and against certain concepts in ACP-EEC trade relations (reverse preferences, association, etc.) could be linked directly to the benefits that each country hoped to gain from one arrangement or the other.

There was a spill over effect in the bargaining processes over the GSP. The negotiations were affected by membership of other organisations and this had both negative and positive impacts on concerted African, Caribbean and Pacific diplomacy. Under Article 12 of the first Yaoundé Convention, the Associates and the Community agreed to keep each other informed on matters of commercial policy. Three areas were particularly stressed: the suspension, alteration or abolition of customs duties, the granting of tariff quotas at reduced or zero duties, and the introduction, reduction or abolition of import quotas with respect to third countries, if these measures were likely to harm the interests of any EEC member state or Yaoundé Associate. The extension of GSP fell in the centre of the area covered by this Article, and the EEC had to take account of the views of the Associates in framing the GSP.<sup>10</sup> To that extent, the extension of GSP had a negative effect on joint African diplomacy because African interests appeared to be conflict: the French-speaking countries as Associates had preferential access to the EEC market and the other countries represented a threat to the preferential position of the Associates in the EEC market.

Furthermore, at UNCTAD II, the Yaoundé group had endorsed the Charter of Algiers. The Charter discussed generalised preferences and included two provisions

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<sup>10</sup>Peter Tulloch, *op. cit.*, p.69.

relating directly to the interests of this group. Firstly, it stated that any GSP should be constructed in such a way that the least advanced among developing countries might benefit from it. Secondly, it stated that any GSP should ensure at least equivalent advantages to developing countries which already benefited from preferences in developed countries (i.e. mainly the Commonwealth and Yaoundé countries) to enable these special preferences to be suspended.<sup>11</sup> In this respect, the African Associates of the EEC were able to use both their diplomatic missions in Brussels and the institutionalised structure of the association to put pressure on the EEC to safeguard their special interests.<sup>12</sup> The preferences granted under the Yaoundé Convention were later extended into the Lomé Convention in 1975. Here again, developing countries which were not signatories to the Lomé Convention, particularly the Latin American countries, complained about the discrimination instituted by the ACP-EEC arrangements. However, the existence of ACP members within the Latin American Group (of the G77) was important in reducing a cleavage between the ACP and other developing countries over the EEC's association system. The Commonwealth Caribbean countries vigorously defending the Lomé Agreement in the Latin American Group were effective in moderating that group's hostility.<sup>13</sup> To the extent that the preferences granted under the Yaoundé Convention were extended into the Lomé Convention which benefited a greater number of ACP countries, it can be argued that the extension of preferences in this consideration had a positive

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<sup>11</sup>Charter of Algiers, Programme of Action, Section B, paras (f) and (g) respectively, UNCTAD II, Proceedings, Vol.I, p.434, United Nations, 1968 in Peter Tulloch, *ibid.*, pp.69-70.

<sup>12</sup>Marc Williams, *op. cit.*, p.116.

<sup>13</sup>*Ibid.*, p.143.

impact on ACP diplomacy. This was demonstrated by ACP efforts to defend the group interest at the Lomé I negotiations.

Another example of a spill over effect of the EEC association on other international relations was presented during the multi-fibre negotiations and expressed positively on a joint ACP-EEC level. The Community's position in the negotiations was outlined at a meeting of the ACP-EEC Sub-committee on Trade Cooperation on 4 November 1977, and it suggested that ACP countries would *not* be accorded preferential treatment if they were significant suppliers of "sensitive" multi-fibre products. However, it was decided that the ACP countries were not significant suppliers of these products. But, in the spirit of cooperation and solidarity, and as pre-emptive consultation against unfavourable protective measures, the Community apprised the ACP states of the list of products which would attract duties in the event of a sudden increase in imports.<sup>14</sup>

Again, at its meeting in Fiji in 1977, the ACP Council of Ministers had expressed concern at the Commission proposal for the setting up of a European agency for trade cooperation with developing countries at large. Following the positive pressure of concerted ACP diplomacy, the Council of Ministers agreed that if set up, the operation of such a body should in no way jeopardise the interests of the ACP states. One further example underlines the spill over effect of ACP-EEC cooperation into other international relations. In February 1978, the Committee of ACP Ambassadors requested the Community and its member states to contribute to the setting up of the UN Special Fund for Landlocked

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<sup>14</sup>ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and technical co-operation in 1977, Brussels: 14 March 1978, pp.12-13.



for Landlocked Countries.<sup>15</sup> Several ACP countries (44 under Lomé IV, Article 330) fall in the category of less developed, island and land-locked states, and the ACP proposal was another positive manifestation of collective ACP diplomacy. It is so far clear that, on the whole, discussions on trade preferences tend to have a positive effect on integrative ACP diplomacy when these countries perceive their interests to be similar. On the other hand, trade discussions had a negative effect on concerted African diplomacy at the outset of Eurafrican association when economic ideology in the African countries were perceived to be in conflict.

Closely related to the ideological differences discussed in previous chapters of this study, the GSP negotiations were arguably the second most important factor which pulled the EEC Associates and the non-Associates further away from each other for the better part of the 1960s. Earlier debates over preferences had indeed turned into a running battle between the Associates and the non-Associates as the war over the principle of preferences was fought out in the UNCTAD. The non-Associates had voted as a bloc in favour of calling the first UNCTAD in 1963. But, the Associates had supported the Western view that the conference should be held in 1964. They felt that the earlier date was an implicit criticism of their association with the EEC, since one of the reasons for the proposed early date was an attempt to conclude the conference before the proposed British entry into the EEC.<sup>16</sup> Thus, behavioural cleavages emerged between the Francophone and the Anglophone African states. Behavioural cleavages refer to voting patterns, organisational membership and support for group cohesion. The presence of these cleavages explains lack of support to third world positions by the Francophone countries

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<sup>15</sup>Ibid., pp.26 and 67.

<sup>16</sup>Marc Williams, op. cit., p.34.

and their support to the EEC.

The Francophone African states produced a further note of dissension when they abstained *en bloc* over the inclusion of the Cairo Declaration on the agenda of the committee. The Cairo Conference was called from 9-18 July 1962 to discuss the Problems of Economic Development and was an event of paramount importance in the shaping of Third World solidarity on economic issues. However, the Francophone countries had not been invited to the Cairo meeting and so they argued that the Cairo Declaration was unrepresentative of Third World views.<sup>17</sup> Again, an initial draft resolution submitted by thirty-nine developing countries proposed the elimination of preferential arrangements between developed and developing countries, but the Associates refused to accept such a formulation since it meant the loss of the preferences they enjoyed under the Yaoundé Convention. A compromise was, however, finally found in support of the abolition of selective preferences with the proviso that compensation would be provided for those countries whose preferential market access would be phased out.<sup>18</sup>

The EEC's GSP was eventually introduced in 1971. To the extent that none of the Associates' major processed agricultural exports were included in the scheme introduced in 1971, the pressure which the Associates, supported by France, brought to bear on the EEC association through their participation in other fora may be said to have succeeded. But, it should also be noted that the provisions of the second Yaoundé Convention on AASM preferences were phrased in much less specific terms than those of the first Convention. This left the way open for the extension to other developing countries of tariff preferences given by the Community to the Associates, subject only to consultations

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<sup>17</sup>Ibid., pp.33-34.

<sup>18</sup>Ibid., p.46.

within the Association Council.<sup>19</sup>

The conclusion of the GSP debates, however, set in motion the procedures for consultation promised in the Lomé Convention. It should be said that in contemporary ACP diplomacy, voting pattern and organisational membership in the ACP has actually promoted cohesion as the countries have all stood in support of issues which are favourable to members of their organisation. The ACP states at the Council of Ministers meeting in Fiji in 1977 declared their support for the EEC's GSP in favour of developing countries. However, they emphasised the specific nature of the ACP group of states which embraces most of the "least advanced countries" in the world. Moreover, the international community, at the 7th Special Session of the UN General Assembly and at UNCTAD IV, had recognised the need to safeguard the preferences which the ACP states already enjoyed.<sup>20</sup> The ACP states therefore requested that consultations be opened and mechanisms be put in place for the monitoring of the GSP through ACP-EEC cooperation.<sup>21</sup>

The Community agreed to the proposal of the ACP states and a Joint Working Party (ACP-EEC Working Party on the effects of the EEC generalised preferences system) was set up. At its meeting on 23 November 1977, the Committee of Ambassadors

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<sup>19</sup>Peter Tulloch, *op. cit.*, p.71. The provisions are stated in Article 15, Yaoundé II Convention.

<sup>20</sup>The Resolution of the UN General Assembly was adopted on September 19, 1975: See K. B. Lall, "An Indian Point of View" in "The Lomé Convention and Third Countries: As seen by Outsiders" in Alting von Geusau, Frans A. M. (ed.), The Lomé Convention and a New International Economic Order, Leyden: A. W. Sijthoff, 1977, p.149.

<sup>21</sup>ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), *op. cit.*, p.8.

indicated its agreement to the name, terms of reference and composition of this working party. The working party held its inaugural meeting on 17 January 1978 when it determined its working methods and list of products to be given particular consideration. The list included wood products, in particular plywood; and fruit and vegetables, especially tinned pineapple or products facing competition from Mediterranean countries. As it is usually the case with such working parties, its members met as often as necessary to prepare documentation and then to report to the Sub-committee on Trade Cooperation.<sup>22</sup>

The Sub-committee on Trade Cooperation held a meeting on this issue on 4 November 1977 and the ACP states submitted specific comments and requests relating to the Community preferences scheme. At the meeting of the Committee of Ambassadors on 23 November 1977, the Community gave information on the progress in the discussions of the schemes for 1978, including particular references to the amendments made to the Commission proposal to accommodate the requests of the ACP states. Meeting in Lusaka in December 1977, the Ministers of the ACP States reaffirmed the ACP-EEC Committee of Ambassadors consultations concerning the setting up of a joint Working Party. The Committee of Ambassadors gave its agreement, at its meeting on 23 November 1977, to the desirability of close consultation between the Community and the ACP states, either in Brussels or Geneva, in connection with the negotiations. In this context, the Community gave information at the meeting of the Sub-committee on Trade Cooperation on 31 January 1978, on progress made and problems arising.<sup>23</sup>

However, despite the Community's GSP and efforts made towards the extension of preferential access for manufactures, Africa's trade remains very fragile and still

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<sup>22</sup>Ibid., p.9.

<sup>23</sup>Ibid., pp.10-11.

depends heavily on the Community market as an outlet for primary products. In 1987-88, primary products represented 57 per cent of Mali's exports, 47 per cent of Bénin's, 45 per cent of Liberia's, 35 per cent of Central African Republic's, 31 per cent of Burkina Faso's, 28 per cent of Chad's, and 16 per cent of Cameroon's. The fragility of most African economies is demonstrated by the fact that, following the fall in commodity prices, loss from foreign exchange earnings reached \$19 billion - representing a third of the earnings of African states - in 1986 alone. The accelerated erosion of the trade preferences accorded to ACP countries under the double effect of the extension of the GSP to all developing countries and the Uruguay Round of GATT talks promises to cause a further disequilibrium in commodity trade<sup>24</sup> to the disadvantage of the ACP countries.<sup>25</sup>

Although ACP internal diplomacy has achieved remarkable success in maintaining group cohesion through integrative bargaining (that is, negotiating for common benefits of members), ACP diplomacy with regard to the EEC has appeared to be only reactive (that is, it only responded to EEC initiatives over the GSP which at any rate related to all developing countries). However, ACP reactivity with specific regard to the GSP debates was possibly due to lack of experience of negotiating as an ACP group at these early stages of joint cooperation with the EEC.

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<sup>24</sup>Amadou B. Touré, "Les pays africains face à l'échéance européenne de 1992" in Marchés Tropicaux et Méditerranéens, N°2400, 47<sup>e</sup> Année, 8 novembre 1991, p.2837.

<sup>25</sup>The Uruguay round of GATT talks was concluded on 15 December 1993. It has been argued by many commentators that Africa's trade will be worse off under the new GATT arrangements.

### 6.1.2 The CAP and Food Aid

We have said that ACP diplomacy is generally reactive on bread-and-butter issues. In this regard, the EEC's Common Agricultural Policy (CAP) and food aid are two areas which illustrate this type of ACP diplomacy. The CAP is one issue which traditionally divides the EEC side in ACP-EEC cooperation. The policy involves the granting of special subsidies to EEC farmers and the imposition of high tariffs on agricultural exports to the EEC in order to protect local producers. CAP subsidies absorb 65 per cent of the Community's budget yet the policy has also raised Community food prices by eliminating market competition.<sup>26</sup> EEC debates over the CAP are often very heated and French farmers are quick to litter the streets with farm produce in protest against any moves by the EEC Commission to tamper with the agricultural sector. Furthermore, in ACP-EEC relations, the CAP is a no-go area and products covered by the policy have become characteristic exceptions to the list of ACP products which can be allowed duty-free entry into the Community. Thus, ACP diplomacy is virtually unable to address the issue of products covered by the CAP.

In the mean time, the food situation in Africa - and therefore for a large part of the ACP countries - has not ceased to deteriorate, with a 1 per cent reduction in per capita production every year. This situation endangers the lives of millions of people. In view of these realities, there is compelling evidence that the Lomé Convention has not been

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<sup>26</sup>See Dermot McAleese, "External Trade Policy of the European Community" in Dermot McAleese et al..., Africa and the European Community after 1992, Washington, D. C.: Economic Development Institute of the World Bank, 1993, p.20.

effective in preventing deterioration in living standards.<sup>27</sup> The food problem in Africa was highlighted by the former ACP Secretary General, Edwin Carrington, when he stated that for every 100 units of food produced in sub-Sahara Africa in 1970 only 85 units were produced in 1980 whereas for every 100 units imported, 225 were imported in the same period.<sup>28</sup> The Caribbean Regional Food Strategy and the Lagos Plan of Action adopted in 1980 suggest a new understanding of the need to promote agricultural development and to develop the agro-industrial sector,<sup>29</sup> but remain ineffective in countering the food problem in ACP countries.

During the Lomé IV negotiations, the ACP countries demanded for further preferential tariffs on the exports of products subject to the Community's CAP. The ACP countries met with a certain amount of sympathy from Britain, Germany and the Netherlands, all EEC member states which do not grow the crops in question, e.g. figs, early strawberries and citrus fruits. However, the South European countries, in particular Spain, Greece and Italy, were not willing to reduce their own sales prospects by granting further concessions to ACP producers. They argued, instead, for an increased EDF.<sup>30</sup> Thus,

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<sup>27</sup>Gérard Fuchs, "La Convention de Lomé à l'épreuve" in L'Europe en formation, N°256 - Avril/Juin 1984, p.77.

<sup>28</sup>Edwin W. Carrington, "Lomé III: un troisième essai de coopération économique et sociale entre une moitié des nations du monde - développées et en développement: un premier aperçu" in Objectif Europe, Nos 26-27, Décembre 1984, p.15.

<sup>29</sup>Ansgar Eussner, "Agro-Industrial Co-operation Between the European Community and the ACP Countries in Journal of Common Market Studies, Volume XXV, No. 1, September 1986, p.51.

<sup>30</sup>Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé IV: A Chance for Black Africa's Return to the World Economy?" in Aussen Politik, Vol.41, No.2/90, p.185.

the southward expansion of the EEC into Greece in 1982 and Spain and Portugal in 1986 created unfavourable conditions for ACP agricultural exports to the Community. The Northern EEC member states consider barriers against ACP agricultural exports as unnecessary; the Southern member states regard them as insufficient. The pressures exerted by the Southern EEC member states over agricultural debates and EEC programmes such as the CAP which favour them combine to reduce investments, especially in the agricultural sectors, of the ACP states. To illustrate the negative impact of this trend towards de-investment, it is pertinent to recall that most of the ACP countries depend on agricultural exports for a large percentage of their foreign exchange earnings. Yet, financial aid to ACP countries, both within the framework of the Lomé Convention and in bilateral arrangements, is competing with new EEC interests aimed at expanding economic cooperation into all of Europe including Southern and Eastern Europe.<sup>31</sup>

EEC agricultural surpluses, a by-product of heavy farm subsidies in the framework of the CAP, are transmitted as food aid to needy parts of the world including the ACP countries. But food aid has far-reaching implications. In instances of natural disasters such as drought, desertification, flooding, etc. food aid can certainly provide welcome relief, and in this case, it is referred to as emergency aid. However, traditional food aid is quite similar to financial aid in that it forces strong conditionalities and there are high economic prices to be paid for undue dependence on it. Consequently, food aid occasions the inconveniences associated with financial aid as scathingly described by Teresa Hayter and Catharine Watson.<sup>32</sup>

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<sup>31</sup>Ibid., p.191.

<sup>32</sup>Teresa Hayter and Catharine Watson, Aid: Rhetoric and Reality, London: Pluto Press, 1985. Definitions of aid are given in Chapter 1 and an analysis of the World Bank



By its very nature, food aid has a wide-ranging impact on the agricultural sector - the main stay of most ACP economies. In essence, the so-called food aid provides a perfect example of dumping, a practice which is against the principles of the GATT. For example, a study has shown that EEC beef dumping in West Africa floods the market with cheap produce and threatens local butchers for whom sales from beef is the only source of livelihood.<sup>33</sup> Similarly, an on-going study on the effect of the CAP on the foreign exchange earnings of six developing countries (Brazil, the Philippines, Burkina Faso, Guyana, Jamaica and Zimbabwe) - which includes four ACP countries - will tend to show that surplus agricultural commodities transmitted by the EEC onto world markets reduce market shares of developing countries and depress world prices. These heavily subsidised EEC surpluses further undermine food systems in developing countries, reduce household incomes of staple food producers and discourage government investment in agriculture.<sup>34</sup>

The problems with the CAP and food aid are compounded by the downturn in world economic growth and by the attitudes of the ACP countries which, as a result of stagnant economic growth, have become increasingly dependent on food aid for the nutritional needs of their populations. Not so long after the entry into force of the first

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strategy in the agricultural sector is provided in Chapter 8.

<sup>33</sup>Peter Madden, "Brussels Beef Carve-up - EC beef dumping in west Africa" in Viewpoint, No.3 April 1993, Christian Aid Policy Unit. At a lecture in December 1993, Dr. Kenneth Kaunda, former President of Zambia, also stated that wheat farmers in Zambia could not harvest and market their produce in 1993 because cheaper produce from the EEC (financed by the CAP) had entered into the Zambian market.

<sup>34</sup>West Africa, No.3966, 27 September - 3 October 1993, p.1720.

Lomé Convention, the ACP states renewed their interest in the possibility of obtaining supplies of surplus agricultural products from the Community on favourable terms.<sup>35</sup> In these circumstances, it is difficult to blame the CAP and the EEC for the negative effects of food aid on the economies of the ACP countries any more than we should question ACP dependence on this source of food supply. This reasoning also relates to one of the themes in this thesis that ACP diplomacy should be self-reliant in terms of policy study and prioritisation of objectives.

As part of the discussions on policy dialogue, it became possible during the Lomé III negotiations to link the problems in the agricultural sector with the overall development strategy of an ACP country. The argument could be related to the concept of self-reliant development. The Lomé III negotiators addressed a certain number of questions relating to the effectiveness of development cooperation. For example, what use, at the end of the day, is it to construct an irrigation system in a region where the unchanging peasant tradition is that of dry farming, or to construct an ultra-modern factory which after a few years will run at 50 or 30 per cent of its capacity due to the scarcity of spare parts which a poor country will be unable to replace as result of shortage of foreign exchange? It was argued that funds were sometimes wasted as a result of the lack of a global conception of projects to integrate the social and cultural dimensions of development. New ideas and new approaches appeared necessary and they were articulated in a new strategic concept:

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<sup>35</sup>ACP-EEC Convention of Lomé, Annual Report of the ACP-EEC Council of Ministers (1 April 1976 - 31 March 1977), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and technical aid in 1976, Suva, 14 April 1977, p.25.

that of self-centred development.<sup>36</sup>

In terms of occasional dynamism in ACP diplomacy, the concept of self-centred development had been adopted by the OAU in the Lagos Plan in 1980. The EEC took this concept into account in the Lomé III negotiations, which pointed to a fundamental change in approach. In economic terms, the adoption of this concept suggested "reasoning not merely in terms of particular projects, but in terms of strategies"<sup>37</sup> Two illustrations have been given of self-centred development in the key sectors of industrialisation and agriculture. In the area of industrialisation, for example, apart from some obviously big projects for the transformation of certain natural resources to allow the producing country to benefit from a maximum value-added, the problem of industrialisation becomes one mainly of the promotion of SMEs, capable of satisfying through simple technologies, basic consumer needs in the food sector (preservation of foodstuffs, fertilisers for higher agricultural yields), housing (affordable construction materials), equipment (supply of pure water), and so on. The role of foreign capital will be no less indispensable, although rural savings can be encouraged by means of remunerative agricultural prices. But, much more than big international co-financing, it is soft-lending to local development banks which can prove useful.<sup>38</sup>

In the agricultural sector, it will no longer be sufficient to build a particular irrigated zone, but to answer a certain number of questions on the best ways for a given country to move towards greater self-sufficiency in food production. Hence, the new

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<sup>36</sup>Gérard Fuchs, "La Convention de Lomé à l'épreuve", p.77.

<sup>37</sup>"*Raisonner non plus uniquement en termes de projets précis, mais en termes de stratégies*": "Gérard Fuchs, *ibid.*, p.78.

<sup>38</sup>Gérard Fuchs, *ibid.*

approach will lead to an examination of various crucial questions concerning adequate remunerative prices to be paid to peasants, the possible effects of these prices on urban consumers, the adaptation of new technologies to the specific social and cultural environment, the type of training to be given in response to these new technologies, and so on. And, in all these efforts, traditional food aid will only appear as one instrument among several others which should be generally replaced by new forms of cooperation.<sup>39</sup>

In all, although ACP diplomacy demonstrated dynamism through the adoption of the Lagos Plan of Action and the Caribbean Regional Food Strategy, the overall impact of ACP efforts was undermined by the fact that these programmes depended to a large extent on the goodwill of the EEC and other Western institutions for the transfer of adequate technology for their implementation. Hence, ACP diplomacy, although well articulated in the Lomé IV negotiations, was not sufficient in bringing about an improvement in the food situation of the ACP states. In the mean time, ACP diplomacy could only retort to EEC actions over the CAP and food aid.

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<sup>39</sup>Ibid.

## 6.2 FINANCIAL AID AND TRADE RELATIONS: MIXED BLESSING FOR ACP DIPLOMACY

ACP-EEC cooperation consists of two elements: financial aid and trade preferences. These elements have had a considerable impact in splitting ACP coalition to the extent that some ACP countries benefit mainly from aid while others benefit mainly from trade. However, aid has earned its place overall as the traditional element and it has gained weight in EEC development cooperation, both on its own merit and in relation to trade preferences. EEC trade preferences to the ACP countries have lost much of their significance as tariff liberalisation under GATT has continued in the post-World War II period and the EEC has extended tariff preferences in manufactures to all developing countries<sup>40</sup> since 1971. This section looks at the effect of different aid and trade benefits on ACP diplomacy.

### 6.2.1 Financial Aid and ACP-EEC Trade Relations

Relations with the EEC is the *raison d'être* of the ACP group and financial aid and trade relations are vital ingredients of these relations. The importance of aid and trade in ACP-EEC cooperation can, therefore, not be over-emphasised. It also follows that a close examination of aid and trade relations is indispensable in the analysis of ACP diplomacy.

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<sup>40</sup>Enzo Grilli and Markus Riess, "EC Aid to Associated Countries: Distribution and Determinants" in Weltwirtschaftliches Archiv, Vol.128 1992, p.202.

### 6.2.1.1 Financial Aid

When considered against the background of the increase in the number of countries participating in ACP-EEC cooperation, it becomes clear that EEC financial aid to the ACP countries has not recorded a high level of increase. Bilateral EEC aid to developing countries totalled \$12.8 billion in 1988, or 0.3 per cent of the Community's GNP, as compared to \$1.58 billion, or nearly 0.5 per cent, of GNP in 1963. On the other hand, multilateral EEC aid in 1988 amounted to \$2.5 billion, equivalent to 0.06 per cent of the combined GNP of EEC member countries, while in 1963 it was negligible.<sup>41</sup>

However, it should be noted that while the Lomé Convention holds a special place in ACP-EEC cooperation, it is not the only source of Community funds for the ACP countries. In 1982, they received over ECU 1 500m, almost 70 per cent of the total Community bilateral official development assistance, excluding direct Community financing, through bodies such as the UN.<sup>42</sup> Still, the share of bilateral aid in total EEC aid declined considerably after the establishment of the Community. In 1960, bilateral EEC assistance still accounted for 99 per cent of the total. Fifteen years later (in 1975),

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<sup>41</sup>Bilateral EEC aid refers to financial assistance directly distributed by EEC member states and multilateral EEC aid refers to financial assistance directly distributed by the Community as an institution (and administered by the Commission). Contributions of member states to organisations such as the World Bank and the regional development banks are not included in these definitions: Enzo Grilli and Markus Riess, *ibid.*, at footnote, p.202.

<sup>42</sup>COM (84) 398 final, Commission of the European Communities, Report to the ACP-EEC Council of Ministers on the administration of financial and technical cooperation in 1983, under the Lomé Convention, Brussels: 17th July 1984, pp.4-5.

its relative weight had fallen to 83 per cent. Since then, however, it has remained relatively stable at around 85 per cent of the total. Bilateral aid, therefore, still predominates.<sup>43</sup>

It must be stressed, however, that the decline in bilateral aid has more or less corresponded to an increase in multilateral aid. This trend may be as a result of the percentage of bilateral aid distributed by certain EEC countries being replaced by contributions from other non-traditional EEC countries towards multilateral EEC funds. Yet, bilateral aid is by nature "tied aid" which results in large volumes of parallel economic activities taking place between traditional EEC and ACP partners irrespective of the principles of joint ACP-EEC cooperation enunciated in the Lomé Convention. As noted in earlier chapters, public and private enterprises of certain EEC member states, in particular France and Belgium, had already been implanted in preferred ACP countries and special bilateral relations have continued outside multilateral ACP-EEC relations. In some cases, for example in relations between France and the French-speaking African countries, this event plays against ACP group cohesion because it implies divergence of interests between the preferred ACP countries and others left out in the cold.

EEC aid to associated developing countries is rather unevenly distributed and, as shown in Tables 3 and 4, ten countries received more than 50 per cent of both bilateral and multilateral EEC aid in 1985-87. Thus, unequal distribution of bilateral aid is not compensated for by multilateral aid from each recipient country perspective. This tendency of assistance from multilateral agencies not compensating for the unequal country distribution of bilateral aid has been found to apply to the aid distribution of most

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<sup>43</sup>Enzo Grilli and Markus Riess, "EC Aid to Associated Countries: Distribution and Determinants", p.203.

industrial countries.<sup>44</sup> The above characteristic also applies to EEC aid distributed to the ACP countries.

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<sup>44</sup>Ibid., pp.204-205.



Table 3<sup>45</sup>Bilateral EEC Aid Distribution to ACP Countries 1985-1987

RECIPIENT COUNTRY	AID RECEIVED in \$m	% of total	Cum %
Top 20 Recipients			
Tanzania	268.50	6.97	6.97
Zaire	214.53	5.57	12.53
Somalia	204.57	5.31	17.84
Senegal	199.03	5.16	23.00
Sudan	197.73	5.13	28.13
Kenya	194.90	5.06	33.19
Ethiopia	189.27	4.91	38.10
Mozambique	185.27	4.81	42.90
Mali	155.93	4.05	46.95
Côte d'Ivoire	136.60	3.54	50.49
Zambia	124.17	3.22	53.71
Cameroon	116.97	3.03	56.75
Zimbabwe	111.73	2.90	59.65
Niger	108.17	2.81	62.45
Madagascar	100.03	2.60	65.05
Congo	88.90	2.31	67.65
Chad	85.53	2.22	69.57
Rwanda	79.03	2.05	71.62
Central African Republic	77.90	2.02	73.64
Mauritania	70.03	1.82	75.46
Bottom 15 Recipients			
Tuvalu	5.03	0.13	99.25
Belize	4.43	0.12	99.36
Kiribati	4.20	0.11	99.47
Fiji	4.20	0.11	99.58
Dominica	3.37	0.09	99.67
Western Samoa	2.40	0.06	99.73
Grenada	1.77	0.05	99.78
St. Kitts	1.53	0.04	99.82
St. Lucia	1.50	0.04	99.86
Tonga	1.33	0.03	99.89
St. Vincent	1.20	0.03	99.92
Barbados	1.07	0.03	99.95
Antigua	1.00	0.03	99.98
Guyana	0.83	0.02	100.00
Bahamas	0.10	0.00	100.00

<sup>45</sup>Source: Enzo Grilli and Markus Riess, "EC Aid to Associated Countries: Distribution and Determinants", p.217. This writer's categorisation of recipients.

Table 4<sup>46</sup>Multilateral EEC Aid Distribution to ACP Countries 1985-1987

RECIPIENT COUNTRY	AID RECEIVED in \$m	% of total	Cum %
Top 20 Recipients			
Ethiopia	94.97	11.25	11.25
Uganda	88.20	10.45	21.70
Sudan	67.77	8.03	29.73
Senegal	48.23	5.72	35.45
Tanzania	33.40	3.96	39.41
Mozambique	28.17	3.34	42.74
Mali	26.20	3.10	45.85
Côte d'Ivoire	25.83	3.06	48.91
Papua New Guinea	24.77	2.93	51.84
Chad	24.50	2.90	54.75
Niger	24.37	2.89	57.63
Zambia	21.77	2.58	60.21
Zaire	21.53	2.55	62.77
Ghana	20.90	2.48	65.24
Madagascar	20.03	2.37	67.62
Kenya	18.70	2.22	69.83
Malawi	18.47	2.19	72.02
Rwanda	17.23	2.04	74.06
Cameroon	16.00	1.90	75.96
Mauritania	13.27	1.57	77.53
Bottom 15 Recipients			
Dominica	2.17	0.26	98.48
Tonga	2.03	0.24	98.72
Grenada	1.57	0.19	98.90
Trinidad	1.50	0.18	99.08
Djibouti	1.40	0.17	99.25
Surinam	1.27	0.15	99.40
Kiribati	1.23	0.15	99.54
St. Vincent	0.97	0.11	99.66
St. Kitts	0.93	0.11	99.77
Barbados	0.77	0.09	99.86
St. Lucia	0.70	0.08	99.94
Bahamas	0.30	0.04	99.98
Tuvalu	0.20	0.02	100.00
Belize	0.03	0.00	100.00
Antigua	0.03	0.00	100.00

<sup>46</sup>Source: Enzo Grilli and Markus Riess, "EC Aid to Associated Countries: Distribution and Determinants", p.218. This writer's categorisation of recipients.

Multilateral aid only partially offsets the unevenness in the country allocation of bilateral aid. For instance, fifteen of the twenty largest ACP recipients of EEC multilateral aid were also among the twenty largest recipients of bilateral aid in 1985-87. The twenty countries together received over 75 per cent of EEC aid.

Another point worthy of note is that the fifteen bottom recipients of both bilateral and multilateral EEC aid are all non French-speaking countries which historically have not maintained strong aid links with the Community. This may indicate that ACP-EEC aid relations are relatively more beneficial to those ACP countries which have traditional aid links with the EEC. This fact recalls the point made earlier on that French companies won most of the first EDF contracts as a result of being implanted in French-speaking African countries prior to the ACP-EEC association. Conversely, it will come as no surprise that more than half of the top twenty bilateral and multilateral EEC aid recipients are ACP countries which have been members of the EEC association since the Yaoundé Convention in 1963.

In the perspective of ACP group diplomacy, we shall note that notwithstanding the uneven distribution of EEC aid as outlined above, ACP-EEC negotiating procedures ensure that the ACP group adopts integrative bargaining over the volume of financial aid allocated under the Lomé Convention. The volume of aid to be allocated to each ACP country is not known at the outset of negotiations so the ACP countries put in a concerted effort to demand for increased aid in the hope that each ACP country would be rewarded with a reasonable volume of financial resources. Certainly, the ACP countries always receive far less than they ever bargain for. At the Lomé II negotiations, they were united in their requests for a total aid package of 10 billion UA from the EEC<sup>47</sup> but at the end

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<sup>47</sup>Ecomonde Service, N°41, le 17 Janvier 1979, Partie IV, p.1

they received only 5.227 billion UA<sup>48</sup> - a little more than half of the requested sum. Again, at the Lomé III negotiations, they asked for ECU 10 billion<sup>49</sup> but after intense negotiations they settled for just ECU 8.5 billion.

It soon became clear that discussions over the volume of the Lomé aid were inherently contentious. Henceforth, in order to avoid recurrent stalemate in the Lomé negotiations, the negotiators adopted the practice of leaving the question of the volume of financial aid until nearer the end of the negotiations. During the Lomé IV negotiations which started in late 1988, discussions on the volume of financial aid were not even raised until October 1989<sup>50</sup> - three months before the Convention was signed in December. However, in these negotiations, the ACP countries also asked for ECU 15.3 billion<sup>51</sup> - more than the EEC was willing to concede. But after vehemently rejecting two previous EEC offers, they settled for ECU 12 billion. However, in all these instances, integrative bargaining clearly promoted ACP group cohesion.

Except for Ghana, most of the non-Yaoundé countries among the top twenty EEC aid recipients are countries which would normally fall into the category of "land-locked, island, and least developed countries". The number of these states has increased from 24 under Lomé I through 35 (Lomé II) and 43 (Lomé III) to 44 under Lomé IV. Comprising 43 per cent of the total population of the ACP countries, they benefit from 64 per cent of

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<sup>48</sup>Ibid., N°61, le 4 Décembre 1979, Partie IV, p.1.

<sup>49</sup>Ibid., N°164, le 4 Juillet 1984, Partie IV, p.14.

<sup>50</sup>Ibid., N°280, le 17 Octobre 1989, Partie I, p.4.

<sup>51</sup>Ibid., N°281 le 2 Novembre 1989, Partie I, p.26.

the available financial resources.<sup>52</sup> These countries receive special concessions within the Lomé Convention as a result of the fragile nature of their economies, and this may explain why they are so favoured in EEC aid distribution. Non-Yaoundé countries within the ACP group which have fairly advanced economies - in relative terms to other ACP countries - for example, Nigeria, Trinidad and Jamaica among others, are absent from the list of the top twenty recipients. Furthermore, several of the non-Yaoundé island countries fall in the category of bottom recipients of both bilateral and multilateral EEC aid.

From the foregoing, we can say that ACP countries which traditionally do not maintain special relations with one or more EEC member states or which do not fall comfortably into the category of "land-locked, island, and least developed countries" have their chances of access to EEC financial aid greatly reduced. However, we must qualify this claim by stating that some of the ACP countries which appear to be left out in the cold do have other lucrative sources for the procurement of foreign exchange and, consequently, do not feel the need to scramble for limited EEC funds. Nigeria and Trinidad, for example, depend on oil exports for their foreign exchange earnings. Nigeria earns well over 90 per cent of her foreign revenue from oil. Besides, several ACP countries depend on specific commodities such as sugar, bananas, beef and veal which gain duty-free access to the EEC market through special provisions in the Lomé Convention or through specific protocols annexed to the Convention. In essence, the Lomé arrangements appear to offer something to every ACP participant. Consequently, in terms of ACP group diplomacy, each country has an overall interest in working towards unity and group cohesion.

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<sup>52</sup>"Bilan de la coopération financière et technique ACP-EEC 1976-1985" in Marchés Tropicaux et Méditerranéens, N°2138, 42<sup>e</sup> Année, 31 Octobre 1986, p.2722.

But, despite the uneven distribution of EEC aid, multilateral and bilateral EEC development policies are only loosely harmonised. EEC member states have generally resisted attempts to achieve stricter coordination of aid goals and distribution criteria made by the Commission. Whatever drift of bilateral aid towards the same group of developing countries which has occurred over the years may be credit more to the natural demonstration effect that resulted from the common aid practices at the Community level on member countries' behaviour than to a specific and a volitive attempt by members to bring national policies in line with those of the Community.<sup>53</sup>

Two conclusions can be drawn from the discussions on aid in this section. First, in ACP-EEC cooperation, as the ACP group does not allocate the aid budget, the members of the group can be easily united in formulating demands from the EEC and there would be less controversy within the ACP group over the allocation of funds in comparison to the Community where the member states have to decide on allocation. Finally, in ACP diplomacy, since the ACP is a large group of countries with a commonality of economic interests, it can be argued that the ACP group coordinates its negotiating positions by using the highest common denominator (negotiating something for every one - for example, commodities such as sugar, bananas, beef and veal for some and financial aid for others). This approach tends to minimise group dissension.

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<sup>53</sup>Enzo Grilli and Markus Riess, "EC Aid to Associated Countries: Distribution and Determinants", p.205.

### 6.2.1.2 ACP-EEC Trade Relations

In theory, the Lomé Convention sits at the top of the Community's pyramid of trade preferences with developing countries.<sup>54</sup> In practice, however, geographical regions other than the ACP have enjoyed more favourable treatment in the Community market than the ACP countries. But, the crucial question of what the position of the ACP countries would be in the absence of the Lomé Convention is left to the imagination as a result of the futile nature of a speculative search for an answer. However, the relative success of the middle economies of the Maghreb and the Machrek countries in attracting more EIB funds than the ACP countries may indicate that middle ACP economies, for example Nigeria's, would have a fairer chance of economic success either with EEC bilateral arrangements or special concessions within the Lomé Convention.<sup>55</sup>

Furthermore, the merits of the Lomé Convention have often been emphasised and the institutional structures remain unmatched elsewhere in North-South relations, but trade preferences and financial assistance in ACP-EEC cooperation remain clearly inadequate.

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<sup>54</sup>Christopher Stevens, "The European Community and Africa, the Caribbean and the Pacific" in Juliet Lodge (ed.), Institutions and Policies of the European Community, London: Pinter, 1983, pp.142-143 and Christopher Stevens, "Renegotiating Lomé" in Christopher Stevens (ed.), EEC and the Third World: A Survey 4 - Renegotiating Lomé, London: Hodder and Stoughton in association with the Overseas Development Institute and the Institute of Development Studies, 1984, p.10.

<sup>55</sup>The Maghreb countries (includes Morocco and Tunisia) and the Machrek countries (includes Egypt) received EIB loans of 152.7m and 327.6m ECU in 1983 and 1984 respectively compared to 137.7m and 160.7m ECU respectively in the same period for the ACP countries: Marchés Tropicaux et Méditerranéens, N°2048, 41<sup>e</sup> Année, Vendredi 8 février 1985, p.312.

The Community Mediterranean policy is contracted through 12 cooperation accords<sup>56</sup> but the relation with the 69 ACP states is recorded in only the Lomé Convention. There is no definite disadvantage with this arrangement except the distortion created by the fact that, despite the façade of multilateral relations, Community cooperation with the ACP countries is more bilateral than European. An example is ACP debt where the EEC as a body is the creditor of only 1.5 per cent and has no competence in the fora which decide upon it.<sup>57</sup>

Again, the content of ACP-EEC aid and trade relations promises to be diluted by the political and economic reforms in Eastern Europe. In the absence of East-West conflict, there is less need for the unprofitable financing of ideological allies in the ACP countries, and the ACP countries are now exposed to open competition from other developing countries. Furthermore, with market reforms in Eastern Europe, the ACP countries face competition for scarce European investments and possible trade diversion. In terms of trade, the above considerations indicate that ACP diplomacy needs to be directed at checking the potential negative impact on ACP-EEC cooperation of reforms in Eastern Europe.

A report on the first EEC/ACP/Central Europe professional meeting on Agricultural Commodities confirms certain concerns. It stated: i) that good quality local

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<sup>56</sup>María Pérez Ribes, "La Política Preferencial no Europea de la CEE: las relaciones con los países mediterráneos y los ACP-PTUM" in Información Comercial Española, Revista de Economía, No. 667, Marzo 1989, p.76.

<sup>57</sup>Sophia Mappa, "Les relations Nord-Sud dans les migrations des Pays ACP vers la CEE: défis et impasses de la coopération" in Sophia Mappa, (sous la direction de), Ambitions et Illusions de la coopération Nord-Sud: Lomé IV, Paris: Editions L'Harmattan, circa 1990, p.240.



produce, notably in the case of fruits (apples, pears, cherries, peaches, etc.) compete with ACP tropical fruits - even though the two sets of products are not identical - because weak spending power of Central European consumers forces them to choose between, say, apples and pineapples; and ii) that East European countries receive supplies of more competitive tropical produce, notably bananas, from Latin America.<sup>58</sup> Eastern Europe stands to benefit from these new developments in investments and trade flows. It has been suggested that with its historical, cultural and political links to Western Europe, Eastern Europe will get preference in the distribution of EEC financial aid.<sup>59</sup> Even European nations such as France which in the past had openly showed concern for the African countries appear now to be turning towards Eastern Europe, just as concern for the poorer South European nations is rising within the Community itself. It is instructive to note in this regard the enthusiasm and, sometimes, extravagance with which the European Bank for Reconstruction and Development (EBRD) was established.<sup>60</sup>

In conclusion to this section of our discussions, we can state that the differential treatment of the ACP countries in EEC aid distribution and trade relations is a mixed blessing for ACP diplomacy. On the whole, EEC aid flows which favour a particular group of ACP countries at the expense of other ACP members, or trade concessions

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<sup>58</sup>The Courier N°132 - March-April 1992, Yellow Pages, p.XII.

<sup>59</sup>Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé IV: A Chance for Black Africa's Return to the World Economy?", p.192.

<sup>60</sup>Not long after its establishment, the EBRD announced its stake in the purchase of the Czech airline: Financial Times, 8 January 1991; and, in its first Annual Report, the Bank pleaded for EEC countries to access markets in Eastern Europe: Financial Times, 31 March 1992.

accorded only to certain ACP producers have the potential of jeopardising ACP group cohesion. Indeed, alignments have developed within the ACP on the basis of Lomé aid and trade. For example, the Caribbean countries are often active in negotiations over commodities, in particular, sugar. On the other hand, the French-speaking African countries are often active in the negotiations on the volume of Lomé aid. ACP diplomats have sometimes responded to these tendencies by nominating Caribbean nationals in commodities negotiations and French-speaking nationals in Lomé aid negotiations. However, it is still possible that group support may not be given to a common position which tends consistently to benefit only a few members as commodities do to the Caribbean and aid does to the French-speaking countries.

### 6.2.2 Stabex, Sysmin, and Bananas

The Stabex, Sysmin and bananas are aspects of ACP-EEC cooperation which can further underline the working of the ACP-EEC relationship and ACP diplomacy. It is perhaps possible to draw examples of ACP-EEC cooperation and ACP diplomacy from the discussion of other areas covered by the Lomé Convention. However, we feel that an examination of Stabex, Sysmin and bananas will be sufficient to show the working of the ACP-EEC Lomé relationship.

#### Stabex

The Stabilisation of Export Earnings Scheme (STABEX) was established under the first Lomé Convention and remains one of the most impressive elements of ACP-EEC trade cooperation. The Stabex has been portrayed as one of the most unique features of ACP-EEC cooperation, and it has become, in effect, a strong uniting factor in ACP group diplomacy as ACP countries have tenaciously demanded an increase in Stabex funds at each negotiation of the Lomé Convention. The ACP countries consistently demand for an increase in order that the amounts they receive under the funds could correctly reflect their favoured status as signatories to the Lomé Convention.

As defined in Article 16 of Lomé I, the Stabex is

"a system for guaranteeing the stabilization of earnings from exports by the ACP States to the Community of certain products on which their economies are dependent and which are affected by fluctuations in price and/or quantity."

The stabilisation system covers a wide range of products deriving from groundnuts, cocoa, coffee, cotton, coconut, wood, palm oil and kernel, hides and skins (Article 17, Lomé I). Article 17 further states that the system will apply to any of these products if during the year preceding the year of application, earnings from the export of the product to all destinations represented at least 7.5 per cent of its total earnings from merchandise export.

Stabex, however, remains a flexible system at least as far as the products involved are concerned. In 1977, the Council of Ministers took note of a Community statement to the effect that

"where an ACP State reports difficulties due to a year characterized by exceptional events, the seriousness of which has been recognized by the international community, the Community declares itself ready to seek on a case-by-case basis, in conjunction with the ACP State concerned, a solution to these difficulties..."<sup>61</sup>

Thanks to concerted ACP diplomacy, the list of commodities qualifying for the Stabex was extended in 1977. The ACP-EEC Council of Ministers Decision No 3/77 of 14 April 1977 extended the stabilisation system to cover the following products: vanilla, cloves, pyrethrum, wool, mohair, gum arabic, ilang-ilang.<sup>62</sup> Only three months after the entry into force of the first Lomé Convention, the Commission which is responsible for managing the Stabex system, announced the signing of agreements on actual Stabex

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<sup>61</sup>ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), op. cit., p.32.

<sup>62</sup>Ibid., p.33.

transfers for exports affected during the previous trading year. A total of 72 137 562 Units of Account (UA) were transferred to 17 ACP states, viz. Bénin, Burundi, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Ethiopia, Fiji, Ghana, Upper Volta (Burkina Faso), Niger, Somalia, Sudan, Tanzania, Togo, Uganda and Samoa.<sup>63</sup>

Like the rest of the provisions in the Lomé Convention, the Stabex has been improved (in financial terms) in each successive Convention. 390m UA was set aside for Stabex under Lomé I and 550m UA was set aside under Lomé II. Financial cooperation was subsequently defined in the ECU and ECU 925m was earmarked for Stabex transfers under Lomé III while ECU 1.5 billion was set aside for a similar purpose under Lomé IV. However, as with other areas of Lomé aid, the Stabex funds have been insufficient in meeting the needs of even eligible ACP states. But it must be said that although ACP diplomacy is reactive even in this case, demands for increased Stabex funds is a source of unity which becomes apparent at negotiations for the renewal of financial provisions within the Lomé Convention.

### Sysmin

The Stabilisation Scheme for Earnings from Mining Products (SYSMIN) was established under the Lomé II Convention and it further shows the working of ACP diplomacy. The object of Sysmin is to restructure, with the help of co-financing, viable industries in the mining sector of relevant ACP economies. This process involves special lending facilities, usually of 40 year duration, with a 10-year period of respite, and interest

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<sup>63</sup>ACP-EEC Convention of Lomé, Annual Report of the ACP-EEC Council of Ministers (1 April 1976 - 31 March 1977), op. cit., pp.28-29.

rates of 0.75 per cent to 1 per cent for SMEs. Through the Sysmin facilities, ECU 83m and ECU 40m respectively have been paid out to Zambia and to Zaire, the two main beneficiaries for copper and cobalt. Next comes Guyana for bauxite (ECU 3m) and Rwanda for tin (ECU 2.8m).<sup>64</sup>

The Government of Liberia later asked for rubber to be included in the list of products covered by the Stabex system and this is an indication of unilateral effort in the advancement of ACP group diplomacy. However, the Community stated that in view of discussions at international level, it would be preferable not to go beyond the implementation of the Council of Ministers Resolution that rubber, copper and phosphates should form the objects of ACP-EEC consultations, thus ensuring that necessary collaboration took place between the ACP states and the Community in international discussions on rubber.<sup>65</sup>

Following the request by the Government of Liberia, the ACP group formulated requests for certain minerals (copper, phosphates) and rubber to be included in the Stabex system. Then, the Council of Ministers adopted a Resolution on the attainment of common objectives regarding commodity exports. This resolution was with reference to international commodity agreements to be concluded between the industrialised and the developing countries. It stated in particular that the parties to the Lomé Convention would take account of their mutual interests at international level and ensure that necessary collaboration took place between them in order to identify possible solutions to the

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<sup>64</sup>"Bilan de la coopération financière et technique ACP-EEC 1976-1985", op. cit., pp.2722 and 2741.

<sup>65</sup>ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), op. cit., p.34.

problems presented by the supply and marketing of commodities.<sup>66</sup>

In general terms, the Community and the ACP countries were in fact anxious to bring their arrangements in line with the international norms in this sector. On the whole, it was obvious from the ACP-EEC discussions over the Sysmin that, in their contemporary relations with third countries, the Community and the ACP countries do strive to work together to maintain common positions on issues which have any bearing on their relationship. This would suggest that cohesion of the ACP-EEC coalition, even within a larger international context, is of primordial importance to the partners. But credit must be given to ACP diplomacy for being innovative in pushing forward the deliberations on Sysmin.

### Bananas

The discussions on bananas is a further testimony to ACP group diplomacy. The inaugural meeting of ACP-EEC Council of Ministers was held on 14-15 July 1976 in Brussels led, on the ACP side, by Mr George A. King, Minister for Trade and Consumer Protection of Guyana who was also President-in-Office of the ACP Council of Ministers. Community delegation was led successively by Mr Max van der Stoep, Netherlands Minister for Foreign Affairs and President-in-Office of the Council of the European Communities, and Mr L. J. Brinkhorst, State Secretary, Netherlands Ministry of Foreign Affairs.<sup>67</sup> But, right from this first Council meeting, the ACP Ministers were united in

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<sup>66</sup>Ibid., p.33.

<sup>67</sup>ACP-EEC Convention of Lomé, Annual Report of the ACP-EEC Council of Ministers (1 April 1976 - 31 March 1977), op. cit., p.4.

formulating the problems faced by ACP banana producers as a result of competition from the so-called dollar bananas.<sup>68</sup> In a statement, the ACP Ministers:

- i) expressed the fear that the arrangements for banana imports applicable in the UK might be jeopardized if, as a result of free movement of goods within the Community, dollar zone bananas could enter the UK and thus compete with ACP bananas,
- ii) pointed out that the issue of import licences for dollar zone bananas in Italy could damage exports of Somali bananas to the Italian market,
- iii) stated the fact that in at least one Member State of the Community exports of ACP bananas were not in fact benefitting from a tariff preference over imports from the dollar zone.<sup>69</sup>

But, the Community replied that the drop in exports of Somali bananas to the Italian market was due to a drop in total production and expansion of exports to the Middle East, and that the Italian government had, however, introduced quotas for imports from third countries to protect the market share of Somali bananas. Furthermore, the Community had offered aid to Somalia under the stabilisation system and granted aid to improve the marketing of bananas. Somali exports later recovered during 1976.

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<sup>68</sup>The term dollar bananas refers to bananas imported mainly from Central America. These bananas are considered to be available in the EEC at prices more competitive than ACP bananas.

<sup>69</sup>ACP-EEC Convention of Lomé, Annual Report of the ACP-EEC Council of Ministers (1 April 1976 - 31 March 1977), op. cit., p.12.



With regard to Caribbean bananas, the Community noted that the UK accorded priority to bananas from its traditional ACP suppliers even though the price of such bananas was often higher than that of bananas of the same quality imported from third countries.<sup>70</sup> For nearly 20 years, ACP and EEC differences on bananas seemed irreconcilable. However, thanks to ACP persistence and well coordinated diplomacy on the issue, the negotiators appear to have seen the light at the end of the tunnel. In February 1993, Dame Eugenia Charles, Prime Minister of Dominica, pointed to the difficulties caused by the unresolved negotiations over bananas.<sup>71</sup> After several years of negotiations, the Council finally adopted a Decision on the common organisation of the market for bananas to become effective from 1 July 1993.<sup>72</sup>

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<sup>70</sup>Ibid., p.13.

<sup>71</sup>"Banana Split Threatens Caribbean", The Sunday Observer, 15 November 1992.

<sup>72</sup>Règlement (CEE) N° 404/93 du Conseil du 13 février 1993 portant organisation commune des marchés dans le secteur de la banane in Journal officiel des Communautés européennes, N° L 47, 25.2.93, Article 33, p.10.

**Table 5<sup>73</sup>**

**Traditional Quantity of ACP Bananas**

COUNTRY OF ORIGIN	QUANTITY (net weight/in tonnes)
Côte d'Ivoire	155 000
Cameroon	155 000
Suriname	38 000
Somalia	60 000
Jamaica	105 000
St. Lucia	127 000
St.Vincent & the Grenadines	82 000
Dominica	71 000
Belize	40 000
Cape Verde	4 800
Grenada	14 000
Madagascar	5 900
<b>TOTAL</b>	<b>857 700</b>

<sup>73</sup>Source: Annexe, Règlement (CEE) N° 404/93 du Conseil du 13 février 1993, ibid., p.11.

Table 5 shows the traditional quantity of ACP bananas to the EEC. 857 700 tonnes of ACP bananas will qualify for duty-free access into the Community during the first year of application of the new Council Decision. 12 countries are eligible for the scheme but, out of these, four countries alone (Côte d'Ivoire, Cameroon, Jamaica and St. Lucia) account for over half of the approved quantities. However, Germany has protested over the Decision and this is certain to delay its application in the Community.

The discussions in this chapter have shown the fragility of ACP-EEC cooperation and the difficulties faced by the ACP coalition. In view of EEC aid and trade policies which tend rather to have a divisive potential and in view of ACP dependence on aid and trade cooperation with the EEC, ACP diplomacy remains standing on a reactive and delicate footing.

## **CHAPTER SEVEN: MORE RECENT ISSUES IN ACP-EEC COOPERATION**

### **AND ACP DIPLOMACY UNDER LOMÉ III AND LOMÉ IV**

This chapter examines some of the issues which dominated ACP-EEC discussions at the Lomé III and IV negotiations. Examined issues range from human rights and private European investments in the ACP countries to toxic waste dumping in Africa, protection of the environment and regional cooperation. However, these issues were not confined to the Lomé III and IV negotiations. Some of them, for example, private European investments and regional cooperation, had been discussed in ACP-EEC Lomé I and II negotiations and had even been included in the Convention. However, they were also consequently revised and re-inserted into later Conventions and this justifies their study here under Lomé III and IV. With regard to the ACP countries, this chapter although showing reactive ACP diplomacy also records fits of dynamism as in the discussion on toxic waste dumping and the environment. This suggests that ACP diplomacy has a potential for dynamism on life-and-death issues.

Regional Cooperation was incorporated into contemporary ACP-EEC relations at Lomé I. But, its discussion here in the last chapter of the study is symbolic. Regional cooperation is one of the underlying concepts of ACP-EEC cooperation which has been reiterated in successive Lomé Conventions. Yet, its objectives have not been fully achieved. Consequently, by discussing regional cooperation in this last chapter, we intend to emphasise that issues in ACP-EEC cooperation are not mutually exclusive nor are they confined to time and space. Several of the issues elaborated in ACP-EEC cooperation are ever-present, ever-relevant yet ever-elusive.

## 7.1 Human Rights and Policy Dialogue

The ACP group and the EEC kept a low profile on political issues during the ten-year period covered by the first two Lomé Conventions from 1975 to 1985 and so ACP diplomacy was not initially directed towards addressing political debates in ACP-EEC cooperation. The ACP countries favoured the low profile stance to safeguard their sovereignty. In areas where agreement on development programmes and financial assistance would be related to the political record of the recipient countries, the ACP countries rejected political discussions on the grounds that they were a trespass on their domestic policies.<sup>1</sup> For their part, the EEC member states initially favoured a low profile approach on political issues in order to avoid giving the impression of exerting control over the ACP countries. In fact, the European Community avoided acting towards the ACP countries in any manner that could be considered "tutelage" or interference in their domestic affairs.<sup>2</sup>

Besides, during ACP-EEC negotiations at Lomé I and II, political questions such as human rights did not have an entirely humanitarian connotation. It was at that time possible to use humanitarian arguments for ideological ends. The Dutch government had in fact announced that it would withdraw aid to socialist developing countries such as

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<sup>1</sup>The ACP countries rejected political dialogue on the grounds that it was a trespass on their domestic policies: Edwin W. Carrington, "Lomé III: un troisième essai de coopération économique et sociale entre une moitié des nations du monde - développées et en développement: un premier aperçu" in Objectif Europe, Nos 26-27, Décembre 1984, p.24.

<sup>2</sup>Objectif Europe, *ibid.*, p.5.

Tanzania.<sup>3</sup> The irony of it all was that, at the same time, the Community was calmly disbursing untied EDF foreign exchange and Stabex transfers to Idi Amin's regime in Uganda<sup>4</sup> while the Director-General of the Commission's DG VIII was slated to attend the coronation of Emperor Bokassa of the then Central African Empire. Only an in-flight incident prevented the Director-General from actually attending the ceremony.<sup>5</sup>

The European Commission later reacted to the Amnesty International Report on human rights violations in the Central African Empire by recalling the EEC Council Resolution of 21 June 1977 which stated that the Community would take all necessary measures aimed at ensuring that its aid under the Lomé Convention was effectively utilised in meeting the needs of the population and not misused by the authorities. Also influenced by the Idi Amin regime, the Community sought to have a human rights regime incorporated into the Lomé Conventions at Lomé II.<sup>6</sup> But, attempts were made unsuccessfully by the EEC during these negotiations to have a human rights clause inserted in the Convention.<sup>7</sup> Another related issue which was to be blended into the debate

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<sup>3</sup>Tony Hill, "Un Nouveau Souffle pour Lomé" in Objectif Europe, Nos. 26-27, Décembre 1984, p.33.

<sup>4</sup>Tony Hill, ibid.; and Adrian Hewitt, "The Lomé Conventions: Entering a Second Decade", in Journal of Common Market Studies, p.96.

<sup>5</sup>Adrian Hewitt, ibid.

<sup>6</sup>Michael K. Addo, "Some issues in European Community Aid Policy and Human Rights" in Legal Issues of European Integration, 1988/1, p.71.

<sup>7</sup>Christopher Stevens, "Renegotiating Lomé" in Christopher Stevens (ed.), EEC and the Third World: A Survey 4 - Renegotiating Lomé, London: Hodder and Stoughton in association with the Overseas Development Institute and the Institute of Development Studies, 1984, p.15.

on human rights and policy dialogue at the initiative of the ACP countries, namely the treatment of ACP students and migrant workers, became the subject of an ACP-EEC Joint Committee statement in 1977. Following from the unity achieved in ACP diplomacy at Lomé I in 1975, ACP initiative here demonstrated pro-activeness in ACP diplomacy. At the close of its meeting held in Maseru, Lesotho, from 28 November - 1 December 1977, the Committee adopted a statement on the situation of students, trainees and migrant workers from the ACP states.<sup>8</sup> However, as negotiations progressed during Lomé II and III in the 1980s, ACP diplomacy generally speaking soon lost its 1970s level of responsiveness and became reactive to EEC proposals.

Meanwhile, on the specific issue of human rights, efforts in Africa had been channelled into the elaboration of a Resolution on Human Rights which was adopted by the OAU in Monrovia in July 1979.<sup>9</sup> Again on the EEC level, the Commission expressed its support for the African initiative. The African Charter on Human Rights was subsequently adopted by the OAU in 1981.<sup>10</sup> With these concrete moves already made in Africa, it was certain that human rights would become an important issue in the third ACP-EEC negotiations in 1983-84. One other factor also favoured the introduction of the human rights debate into the 1983-84 negotiations: the attenuation of the perceived threat

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<sup>8</sup> ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and technical co-operation in 1977, Brussels: 14 March 1978, p.72.

<sup>9</sup> Ecomonde Service, N°56, le 17 Septembre 1979, Partie IV, p.4.

<sup>10</sup> Edmond Jouve, "La protection des droits de l'homme et des peuples en Afrique" in Afrique contemporaine, 131 - juillet-août-septembre 1984 - 23<sup>e</sup> année, p.17.

of world communism in the mid- to late 1980s. The Cold War period was based on strategic interests when financial aid was invariably linked to political ideology. In this regard, support to the ACP countries was justifiable on the consideration that they were mainly former European colonies which generally adopted Western models of political and economic development.<sup>11</sup>

Yet, it was assumed, rather implausibly, in the EEC that Community development policy could not be based on considerations of political ideology. The non-political argument was based on the reasoning inside the Commission that

"not being a State, the Community does not have a strategic vision, nor does it have an historical past. [And that] not partaking in the political passions of the States, only the Community can elaborate a development aid policy that can be... politically neutral."<sup>12</sup>

But, the foundation of this argument is flawed. The history of the Community cannot be dissociated from the political history and economic policies of the composite member states. Furthermore, the argument appears to be an apology of the events in ACP-EEC relations (as demonstrated in Chapter 6) where bilateral EEC aid by far outweighs multilateral EEC aid. It seems to us that financial commitments can lead to concern over

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<sup>11</sup>There was, of course, an exception such as Uganda under Idi Amin. However, the eventual linking of aid to a country's record on human rights arguably reflects the Community's desire to place ideological excesses under stricter control.

<sup>12</sup>E. Pisani, La Main et l'Outil, Paris: Robert Laffont, 1984, p.20. Cited by Enzo R. Grilli, The European Community and the Developing Countries, Cambridge: Cambridge University Press, 1993, p.102.



the particular political system in operation in the host country. Consequently, the apparent absence of political constraints in EEC development policy can be more convincingly explained by lack of full-hearted financial commitments in the ACP countries than by lack of history. In any case, the ACP countries at the third Lomé negotiations in 1984 hardly accepted the argument that the Community was not seeking to influence them politically. But, if the extent of political control in Community development policy was debatable up to the mid 1980s, the disintegration of the former Eastern bloc from 1989 onwards clearly lessened the importance of the ACP countries from both the strategic and economic points of view and, thereby, exposed them to undisputable control by the Community.

EEC concern to include human rights in the Lomé negotiations was voiced at the Jamaica Joint Committee in February 1983.<sup>13</sup> The Lomé III negotiations started in the Autumn of 1983, and as it was the case in the Lomé II negotiations<sup>14</sup>, the EEC and the ACP at the outset of the Lomé III negotiations created joint specialised negotiating groups charged with examining or reviewing specific aspects of ACP-EEC cooperation. At its fifth session in Brussels on 21 December 1983, the ACP side of the negotiating group on policy dialogue was virulent in its attack on the notion of policy dialogue. The ACP negotiators firmly criticised the EEC whose aid was like "peanuts" in comparison to aid from the International Monetary Fund (IMF) for trying to use similar conditionalities as

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<sup>13</sup>Christopher Stevens, "Renegotiating Lomé", p.11.

<sup>14</sup>Three working groups were set up during the Lomé negotiations charged respectively with examining 1) trade cooperation and Stabex, 2) industrial cooperation, fishing, energy sector and customs, 3) financial, technical, agricultural and regional cooperation. A fourth working group, the presidential group, was charged with negotiating the inconclusive human rights issue at Lomé II: Ecomonde Service n°41, le 17 janvier 1979, Partie IV, p.1.

the IMF.<sup>15</sup>

In ACP circles, it was widely held that the British, German and Dutch negotiators strove for a procedure that would be rather similar to the IMF practice in granting credits. But, the ACP group also found it difficult to evolve common negotiating positions in a group diplomatic context. Not only did lack of expertise in comparison to the EEC come to bear on the group, but the ACP Secretariat also performed worse than in the past. Furthermore, it became evident in 1983-84 that the ACP had no generally recognised spokesman, unlike in previous years when Nigeria and Jamaica fulfilled that function.<sup>16</sup> But, even more than in previous rounds of discussions, the third negotiations in 1983-84 were also adversely affected by the difficulties which the European nations themselves had in coordinating their positions. This was evident in the discussions on the substance of policy dialogue. The French term *dialogue politique* is ambiguous: it could be translated either as "policy" or "political" dialogue depending on the purpose of the negotiating side. While the Community did not address the various connotations of the term, the ACP countries emphasised the political meaning. This forced the EEC to adopt the more descriptive and less ambiguous "dialogue on policies".<sup>17</sup>

However, the underlying aim of the EEC was constant: policy dialogue meant the exchange of views in the development sector between the Community and individual ACP

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<sup>15</sup>Ecomonde Service n°152, le 14 janvier 1984, Partie IV, p.16.

<sup>16</sup>Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé III: New beginning for EEC/ACP Cooperation" in AussenPolitik, Vol.36, No.3 1985, p.179.

<sup>17</sup>*Dialogue sur les politiques.*

states.<sup>18</sup> The form to be taken by this exchange of views was open to debate. The EEC Development Commissioner during the negotiations, Edgard Pisani, conceptualised the Community position on the subject. He urged new approaches to partnership and cooperation. It was maintained, though not always convincingly, that Pisani and most of the EEC member states envisaged something that would differ fundamentally from the conditionality applied to IMF loans.<sup>19</sup>

But, the ACP countries interpreted policy dialogue as a way of giving the EEC greater control, or even the power, in making part of the Lomé aid conditional on the ACP countries altering sectoral policies in areas which did not suit the Community. ACP fears were based on the reasoning that the ever diminishing aid package would be available only to those states which complied with stringent EEC conditions. This could be done by setting an upper and lower cash limit in each ACP indicative aid programme, with the upper limit being available only to successful dialogists. The evidence is that at least some of the EEC member states saw policy dialogue as a vehicle for increasing donor control in order to improve the effectiveness of Lomé aid since the relative freedom of the ACP to set spending priorities had been associated in some states with a dismal record of poorly applied aid.<sup>20</sup> Policy dialogue was therefore a counter measure by which the Community would be given an opportunity to examine for itself the feasibility of ACP

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<sup>18</sup>Jürgen Nötzold and Klaus Freiherr von der Ropp, "Lomé III: New beginning for EEC/ACP Cooperation", pp.179 and 183.

<sup>19</sup>Ibid., p.179.

<sup>20</sup>Christopher Stevens, The New Lomé Convention: Implications for Europe's Third World Policy, Brussels: Centre for European Policy Studies, Papers No.16, 1984, p.17.

policy proposals.<sup>21</sup> Development Commissioner Pisani emphasised that "full effectiveness requires coordination and dialogue".<sup>22</sup> But, the response from Mr Agne of Senegal to this statement mirrored the concern of the ACP countries. Mr Agne said:

"I regard this dialogue as excessively one-sided, I feel that it is always the EEC calling for dialogue and setting out the terms of that dialogue, and perhaps that is why many ACP states find it difficult to accept and adapt to the concept of dialogue on policies."<sup>23</sup>

It is worth the reminder that the Lomé Conventions were not meant to be human rights treaties, but their significance in that direction cannot be denied. Human rights therefore have to be dealt with as part of the general economic relations undertaken by the Conventions.<sup>24</sup>

The position of the European Commission, at least at the outset of the negotiations, was that the whole controversy was a "storm in a teacup". The Commission argued that the Community had no intention of interfering in ACP sovereignty, but merely wanted detailed discussion of ACP plans for those sectors for which Community aid was

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<sup>21</sup>Michael K. Addo, op. cit., p.78.

<sup>22</sup>Document 2-1104/84, PE 93.106/fin., European Parliament Working Documents 1984-1985, 28 November 1984, Report of the Committee on Development and Cooperation on the achievements of the ACP-EEC Joint Committee and Consultative Assembly, Rapporteur: Mr. F.Wurtz, p.12.

<sup>23</sup>Ibid., p.13.

<sup>24</sup>Michael K. Addo, op. cit., p.82.

requested. Both sides could then agree on how best to insert Community aid into this framework.<sup>25</sup> The idea was to prevent EEC aid, according to the imagery of Commissioner Pisani, from being used to "build sand castles in the desert".<sup>26</sup>

Two illustrations can be given to show the difficulties which emerged in the discussions over policy dialogue and human rights. Typically, in the old ACP-EEC dialogue, an ACP state arrived with a "shopping list" of proposed projects (a road, a dam, a factory, etc.). The EEC then accepted some of these projects and rejected others depending on the financial resources allocated to that ACP state. Replacing this dialogue with what Pisani called "dialogue on policies", represented a fundamental change in ACP-EEC cooperation. In effect, each ACP state had to be able to explain how the road, the dam, or the factory fits into a precise development plan. Hence, a legitimate concern on the part of the ACP countries over this method of dialogue. The ACP countries wondered whether the Community would not give itself a new right to observe the external political choice of the ACP states.<sup>27</sup> But, the Community calmed those fears by stressing that the sovereignty of the ACP states would be respected.

The second area of difficulty was over human rights which sought to integrate into the debate the social and cultural dimensions of development. In the ACP-EEC discussions, deliberations on the question of human rights implied that the success of a given project depended on the participation of the people for which the project is designed

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<sup>25</sup>Christopher Stevens, The New Lomé Convention: Implications for Europe's Third World Policy, p.18.

<sup>26</sup>*Pour bâtir des cathédrales dans le désert*. Cited by Gérard Fuchs, "La Convention de Lomé à l'épreuve" in L'Europe en formation, N°256 - Avril/Juin 1984, p.77.

<sup>27</sup>Gérard Fuchs, ibid., p.79.

as much if not more than it does on the technical quality of the project. The issue of human rights therefore raised new concerns, and sparked off an ideological counter-offensive from the ACP countries which sought to place an emphasis on the *right to development* rather than on the need for human rights especially in circumstances where people were dying from starvation and malnutrition. More importantly, the ACP countries questioned the Community's trade relations with racist South Africa.<sup>28</sup>

Thus, in group diplomatic terms, the ACP group sought to turn the human rights and political dialogue arguments against the Community. The group sought to use these politically-charged issues against the Community. This effectively happened when, in response to Community human rights and political dialogue arguments, the ACP countries retorted that the treatment of ACP migrant workers and students within the Community and the cordial relations which existed between the EEC member states and apartheid South Africa rendered the Community unqualified to pass human right judgements on the ACP countries.<sup>29</sup>

Following the recommendations of the Commission, the Community sought to directly incorporate into the Convention provisions linking its activities in the ACP countries, especially aid, to human rights performance of its ACP partners. In this case, the Community called *inter alia* for the creation of a link between the advantages offered to ACP countries and the observance of certain international labour standards.<sup>30</sup> But, there

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<sup>28</sup>Ibid.

<sup>29</sup>Tony Hill, op. cit., p.33.

<sup>30</sup>Com., Doc. (78) 492 of Nov. 1978, Commission of the ECs, "Development Cooperation and the Observance of Certain International Standards Governing Working Conditions" in Michael K. Addo, op. cit., p.72.

seemed to appear some issues bordering on the absence of good faith. To begin with, not all the Community member states had in fact ratified all the ILO Conventions the compliance of which they sought from the ACP states.<sup>31</sup>

There was also the case of the Community's relations with South Africa - a country which had a deliberate official policy designed in all forms and manner to violate the most basic human rights - which the Community did not seem keen on addressing. These surrounding circumstances coupled with the confusion relating to the links sought between trade and human rights on the one hand and those between aid and human rights on the other as though they were inseparable proved unacceptable to their ACP partners. There was a fear shared by the ACP states that the nature of the links designed by the Community were capable of abuse and to be used as a pretext for intervention in their domestic affairs.<sup>32</sup> It is significant to point out that there was not adequate evidence to the effect that the ACP states did object to a human rights link *per se* but rather to the use of any link capable of sparking off feelings of paternalism and neo-colonialism. At the end, both parties adopted declarations affirming their adherence to the principles of the UN charter on human rights.<sup>33</sup>

In conclusion, an innovation in ACP pro-active diplomacy was evident in the human rights and policy dialogue arguments since ACP initiatives directed the discussions.

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<sup>31</sup>Com., Doc. (78) 492 of Nov. 1978, Commission of the ECs, "Development Cooperation and the Observance of Certain International Standards Governing Working Conditions", para.9, p.9 in Michael K. Addo, ibid.

<sup>32</sup>Doc. No. CA/47/48/49/fin., Proceedings of ACP-EEC Consult. Ass. (2nd Annual Meeting), p.27 in Michael K. Addo, ibid., p.73.

<sup>33</sup>Michael K. Addo, ibid.

However, the EEC found it easy to use ACP tools to tighten the bolt around the ACP countries themselves.<sup>34</sup> The ACP countries bargained for the right to development, but they got arrangements on policy dialogue which could potentially be applied as a check against their choice of development strategies. At the end, however, not only did ACP-EEC efforts in the promotion of human rights appear to have begun to pay off but ACP fears on the unsuitability of policy dialogue also proved to be founded. Thus, it would appear that overall pro-activeness in ACP diplomacy in the human rights and policy dialogue debates had been well formulated and could later be related to real developments in ACP-EEC cooperation. We shall give some examples. On the initial success of the efforts on human rights, first, the ACP-EEC Joint Assembly eventually decided to nominate Mr. Nelson Mandela for the 1987 Nobel Peace prize<sup>35</sup> in recognition of his struggles against the apartheid regime in South Africa. Second, the Lomé IV provision on human rights has been put into practice in Haiti where, following the military coup against democratically elected President Jean-Bertrand Aristide, the EEC has suspended all non-humanitarian aid under the Lomé Convention to that country.<sup>36</sup> Finally, on the difficult take-off of policy dialogue, it is significant to note that the EEC Director-General for

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<sup>34</sup>Note that the African ACP countries adopted the Charter on Human Rights in 1981. Their effort, it could be argued, partly paved the way for a re-introduction of the human rights debate into the 1983-84 Lomé negotiations.

<sup>35</sup>Document A 2-206/86, PE 109.176/fin., Series A, European Parliament Working Papers 1986-87, 9 January 1987, Committee on Development and Cooperation Report on the outcome of the Joint Assembly proceedings, Rapporteur: Mr. F. Condesso, p.19.

<sup>36</sup>Francisco Granell, "El acceso de Haiti y Republica Dominicana a las ayudas del Convenio de Lomé" in Revista de Instituciones Europeas, Vol. 18, N.º3, Septiembre-Diciembre 1991, p.894.



Development, Mr. Dieter Frisch, resigned his position in early 1993 over the Community's "tendency to withdraw some ACP functions which give countries a greater say in the national economic programmes".<sup>37</sup>

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<sup>37</sup>"ACP Countries cry 'Foul'", New African, December 1993, p.26.

## 7.2 Private European Investments in the ACP countries

An account of evolving ACP and EEC positions in the negotiations over private European investments in the ACP countries emphasises the negotiating strategies of the two sides and underlines determination in ACP concerted diplomacy.

The subject of private investments was not given due consideration during the Lomé I negotiations. However, at the outset of the second ACP-EEC negotiations in 1978, the European Commission started a serious campaign to encourage private European investments in developing countries to counter the efforts of the United States and Japan, and at the same time to guarantee the EEC's supply of raw materials.<sup>38</sup> The focus of the EEC debates was on the promotion of private investments in the Community's cooperation agreements, including the Lomé Convention.

ACP-EEC negotiations on the issue were situated on four levels: Commission, Council of Ministers, ACP group, and European Private Sector. The Commission communicated its plan of action to the Council of Ministers in January 1978. The plan announced that in order to protect private European investments in developing countries the Commission would negotiate in all development cooperation agreements basic rules to be applied to foreign investments and specific rules for investments in the mining and energy sectors. These rules would cover transfer of profits and guarantees against nationalisation. France, Germany and the UK did not receive the proposal favourably and declared themselves indisposed to commit Community funds to the protection of private

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<sup>38</sup>Sylvain Camara, "La Convention de Lomé et les investissements étrangers dans le Tiers Monde" in Afrique Contemporaine, 132 -octobre-novembre-décembre 1984 - 23e année, pp.3-4.

investments. They argued that their bilateral arrangements were sufficient to encourage European investments abroad.<sup>39</sup>

The ACP countries, for their part, expressed concerns on the safeguard of their own sovereignty. They complained that the Commission was merely concerned with the procurement of raw materials for European industries. The ACP countries further complained that the Commission proposals relating to investments in mining, for example, would not have a positive effect on the economies of the host ACP countries.

In July 1978, the "Group of 7" investors in ACP countries published a memorandum proposing measures for the promotion and guarantee of investments. Unrelated to the G-7 group of industrialised countries, the Group of 7 comprises representatives of seven specialised committees representing 1 200 European enterprises operating in Africa.<sup>40</sup> More far-reaching than the Commission proposals, the Group of 7 memorandum underlined the importance of SMEs in the industrial sector of the host country and suggested that the Guarantee Fund set up against non-trade risks should be made an ACP-EEC institution. On 24 November, the Permanent Conference of Chambers

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<sup>39</sup>Ibid.

<sup>40</sup>The Group of 7 comprises specialised Committees from Belgium (Chambre de Commerce belgo-africaine), Germany (Afrika-Verein), The Netherlands (Afrika Institut), Britain (West Africa Committee and East Africa Association), Italy (Assafrica), France (CIAN-Comité International pour l'Afrique noire): "Une nouvelle politique de coopération privée CEE-ACP" in Marchés Tropicaux et Méditerranéens, 41<sup>e</sup> année - N° 2048, Vendredi 8 février 1985, at footnote, p.309.

There is also a new member, ELO, from Portugal. The West Africa Committee alone has 130 members which include banks, oil and construction companies: Gerald Blakey, "Statements" in Olusegun Obasanjo and Hans d'Orville, (eds.), The Impact of Europe in 1992 on West Africa, London: Crane Russak, 1990, p.77.

of Commerce and Industry gave its own opinion which rebuked developing countries for not appreciating that a system of protection was a definite means of encouraging investments.

Ironically, the intervention of the European private sector pushed the ACP countries to harden their negotiating position with the EEC. It would appear that the ACP group resented non-governmental intervention from the Community industrial sector. Hence, the ACP countries hardened their negotiating position by showing themselves less disposed to accept the Commission, or indeed the European private sector, proposals. France, Germany and the UK later accepted the idea of a system for the protection of investments but were still opposed to the proposal to establish financial guarantees for the mining and energy sectors. Denmark, on the other hand, supported the Commission proposal and in fact recommended that the guarantee should be extended to investments in all sectors.<sup>41</sup>

EEC positions, however, began to converge in May 1979 but there were still fundamental disagreements between the ACP and the EEC. In an effort to bridge the gap between the two sides, the Commission proposed the signing of specific agreements on the protection of investments and the inclusion of the most favoured nation (MFN) clause in such an agreement.<sup>42</sup> This would, of course, mean that an EEC member state would automatically benefit from advantages accorded by an ACP state to another EEC member state in the protection agreement. It was further proposed that such an agreement should have retroactive effect. It appears that the Commission proposal was intended to guide the negotiators back to the original goal of spreading guarantees to all EEC and ACP

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<sup>41</sup>Le Monde, 11 mai 1979, p.38.

<sup>42</sup>Sylvain Camara, op. cit., p.5.

countries. This would have been made possible, first, by allowing the new Commission proposal to be used by more enthusiastic EEC and ACP countries to promote bilateral negotiations on a preferential level. Then, the MFN clause would later have enabled the other EEC member states to claim retroactively for themselves the guarantees already accorded between the more enthusiastic EEC and ACP countries.

The positions of the ACP and the EEC countries appeared to converge in a meeting held in June 1979. The EEC side even thought that the debate had been concluded. But, in the early Autumn, the ACP states cast a doubt in every one's mind by arguing that they did not agree on the MFN clause. They maintained that each EEC member state should sign an independent agreement with the host country.<sup>43</sup> From a group diplomatic perspective, the ACP group position had the prospect of maintaining equal and fair treatment for members of the group which would be in a better position to achieve greater advantages while negotiating together than they would if negotiating individually. If the option were left with individual ACP countries to negotiate investment protection agreements, the possibility would be left open for an EEC member state to go to a willing ACP country and make extensive protection arrangements. Having thus negotiated a favourable agreement, that same or another EEC country could, at a later date, demand similar favourable arrangements from a more reluctant ACP country which perhaps offers better investment potentials.

On 8 October 1979, the ACP group publicly declared that it stood by its position in rejecting the MFN clause. The discussions seemed for a while to have reached a deadlock. However, at an ACP-EEC meeting held in London on 14 October, a compromise was reached on the principle of non-discrimination. But, on arrival at Lomé

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<sup>43</sup>Ibid.

in late October for the signing ceremonies of the new Convention, the EEC member states were shocked to discover that the text of the Convention was different from that agreed in the London compromise. The new text suggested that the principle of non-discrimination would be discussed after the entry into force of the Convention. The EEC promptly rejected the text, and negotiations started all over again and continued through the night of 30 to 31 October. A new compromise was reached. The final text of Lomé II took account of the concerns of the ACP countries without ruling out retroactivity. It was agreed that specific agreements would be concluded to encourage investments in the mining and energy sector and that non-discriminatory treatment would take effect from the entry into force of the Convention.<sup>44</sup>

The discussions in this section have shown how compromise was reached in ACP-EEC negotiations over private European investments in the ACP countries. In effect, between two extremes, on the one hand, the EEC proposal that the protection clause should have retroactive effect and, on the other hand, the ACP proposal that it should be discussed after the entry into force of the Convention, an agreement was reached that the protection clause should take effect from the entry into force of the Convention. Thus, both the Community and the ACP group gave some ground and converged in the middle. This can be seen as one happy ending to another contentious debate in ACP-EEC relations. But given the relative smallness of ACP manpower and financial resources as discussed in earlier chapters, the middle ground adopted by the ACP and the EEC in this debate should be viewed as a triumph for ACP concerted diplomacy. Following after Lomé II, Lomé III included a call out to private investors in the ACP states. The Group of 7 responded favourably to this call. In a communiqué published in Brussels on 18

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<sup>44</sup>Ibid., pp.5-6.

October 1984, the French Committee declared its support for the ACP-EEC position,<sup>45</sup> thus lending credence to the implied contribution of the ACP countries to EEC development cooperation.

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<sup>45</sup>"Une nouvelle politique de coopération privée CEE-ACP", op. cit., p.309.

### 7.3 Toxic Waste dumping and Protection of the Environment

This is yet another issue which emphasises the negotiating priorities of the EEC and the ACP countries. But it strongly underscores dynamism in ACP diplomacy. In the late 1980s, toxic waste disposal had become a major problem for several ACP countries in Africa and at least one casualty had been reported in connection with this practice. As toxic waste dumping posed inherent danger to lives, African response both at the OAU and joint ACP-EEC levels had been pro-active throughout the debates. This determined stance supports our argument that ACP diplomacy can be dynamic on life-and-death issues. In 1987, there were at least nine cases of toxic waste dumping involving over 19 million tonnes of industrial waste shipped to Ghana, Guinea, Guinea-Bissau, Congo, Equatorial Guinea, Nigeria, Sierra Leone and Bénin. In 1988, there were at least 11 cases, involving contracts totalling \$830 million to Guinea, Guinea-Bissau, Nigeria, Sierra Leone, Liberia, Cape Verde and Bénin. The waste exporting companies concerned were from the United States, Britain, France, Italy and Australia. Under one scheme foiled by the European Environmental Alliance, Guinea-Bissau was going to host 10 per cent of Europe's industrial waste.<sup>46</sup>

As a result of these and other incidents, the African countries took the initiative against the export of waste and poisonous substances to Africa in May 1988 when the OAU Summit of Heads of State and Government decided to terminate all waste dumping agreements. The OAU Summit adopted Resolution 1225(L) on control of transboundary

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<sup>46</sup>K. N. M. Sonko, "Toxic waste dumping in West Africa" in New African, January 1993, p.24.



movements of hazardous wastes and their disposal in Africa.<sup>47</sup> Nigeria, which led this move, followed it up the next month at the ECOWAS Summit and ensured that waste dumping in West Africa was declared a criminal offence.<sup>48</sup> Nigeria's leadership efforts on the toxic waste issue is reminiscent of the old days of ACP dynamic diplomacy at the Lomé I negotiations in 1975. At country level, Gambia, Gabon, Ghana, Guinea, Guinea-Bissau, Nigeria, Sierra Leone, Senegal, Togo and Côte d'Ivoire officially prohibited the use of their territories for waste dumping. In Côte d'Ivoire, for example, legislation provides for imprisonment of up to 20 years and a fine of \$1.6 million to boot. Outside the scope of government, private consumer organisations from eighteen African countries met in Nairobi in June 1988 and called on their governments and international agencies to help put an end to waste dumping.<sup>49</sup> In the Caribbean, the first CARICOM Ministerial Conference on the Environment held in Trinidad and Tobago from 31 May - 2 June 1989 adopted the Port of Spain Accord on the Management and Conservation of the Caribbean Environment.<sup>50</sup>

In ACP-EEC relations, initiatives against toxic waste disposal and environmental

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<sup>47</sup>Wordsworth Filo Jones, "The Evolution of the Bamako Convention: An African Perspective" in Colorado Journal of International Environmental Law and Policy, Vol.4, 1993, p.335. Jones also chronicles several international incidents of what has been referred to as "toxic terrorism": pp.325-329.

<sup>48</sup>Ibid., p.335.

<sup>49</sup>K. N. M. Sonko, op. cit., p.24.

<sup>50</sup>Bruce Zagaris, "Application of the Lomé IV Convention to Services and the potential opportunities for the Barbados International Financial Sector" in Bulletin 1991, Amsterdam: International Bureau of Fiscal Documentation, p.290.

protection were of ACP origin and that is credit to ACP dynamic diplomacy. The protection of the environment became a specific convention issue in ACP-EEC relations at Lomé IV. A conference organised in Brussels in October 1988 on the theme "Lomé IV and the environment" was attended by 170 participants representing Non-Governmental Organisations (NGOs) in various EEC and ACP countries. Participants at this conference proposed that a chapter on Urban Development be included in the Lomé IV Convention.<sup>51</sup> Although the response to this specific request was not on the scale expected it was certainly in the direction anticipated.

Apart from the African and Caribbean efforts discussed above, ACP dynamic diplomacy can also be underlined by the fact that several EEC member states were toxic waste producers which had no real interest in promoting anti-waste dumping policies. Thus, there was a consideration of self-interest in the reluctance of the EEC to take on board the toxic waste debate. However, thanks to well coordinated diplomatic efforts, the ACP countries were intent on pushing forward the debate in the ACP-EEC joint fora. On 19 May 1988, the European Parliament adopted a Resolution similar to the OAU Resolution 1225(L) on control of transboundary movements of hazardous wastes. But, while EEC Environmental Ministers had not reached a unanimous decision on the subject, the ACP-EEC Joint Assembly at its meeting in Madrid in September 1988 adopted a Resolution calling for a ban on the export of poisonous substances from the EEC to the ACP countries. The Resolution also recommended that the principle of non-export of

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<sup>51</sup>"Lomé IV et l'environnement: les propositions des associations européennes" in Transnational Associations, No.4, Juillet-Août 1989, p.204.

poisonous substances be reflected in the forthcoming Lomé IV Convention.<sup>52</sup>

In November 1988, EEC Environmental Ministers finally moved against toxic exports. In view of the argument that ACP diplomacy was dynamic and pro-active on the environmental debate, it is significant to note that the move by the EEC Environmental Ministers came several months after the OAU Resolution against hazardous wastes had been adopted in May 1988. Later, in 1989, the EEC, Belgium, Denmark, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain and the UK ratified the Basel Convention for controlling the international movement of hazardous wastes.<sup>53</sup> The Lomé IV Convention (Articles 33-41) subsequently incorporated provisions on environmental preservation and control of the international movements of hazardous waste, radioactive waste and the safe use of pesticides and other chemical products. However, the African countries had levied several criticisms against the Basel Convention. The principal of these criticisms was that the Basel Convention is aimed not at banning the traffic of hazardous substances but at regulating its movement from one jurisdiction to another. Yet, the Lomé definition of "hazardous waste" (Art. 39, para 3) refers to that of the Basel Convention. Hence, African diplomacy within the ACP group rested neither on Basel nor on Lomé but continued to channel efforts into the elaboration of a separate Convention. African efforts came to fruition with the signing of the Bamako Convention at the end of the Pan-African Conference on the Environment and Sustainable

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<sup>52</sup>Document A 2-0281/88, PE 126.362/fin., Series A, European Parliament Session Papers 1988-89, 29 November 1988, Report of Committee on Development and Cooperation on the results of the work of the ACP-EEC Joint Assembly in 1988 in Lomé and Madrid, Rapporteur: Mrs. R-C. Rabbethge, p.13.

<sup>53</sup>Multilateral Treaties deposited with the Secretary-General, Status at 31 December 1992, New York: United Nations, 1993, p.831.

Development held under the auspices of the OAU in Mali from 23-30 January 1991.<sup>54</sup>

The Bamako Convention aims at banning all imports of hazardous and nuclear wastes into Africa. To that extent, Article 4 stipulates that contracting parties shall take appropriate legal, administrative, and other measures to prohibit the import of all hazardous wastes from non-contracting parties into Africa and that such import shall be deemed to be illegal and shall constitute a criminal act.<sup>55</sup> An OAU Resolution maintains the African position which is that the Bamako Convention should be signed and ratified by African states *before* any similar instruments, in particular the Basel Convention.<sup>56</sup> This stance can explain the reluctance of the ACP countries as a whole to join the Basel Convention.<sup>57</sup>

The discussion of toxic waste dumping and protection of the environment in this section has shown ACP pro-active diplomacy at work. Since toxic waste dumping endangers lives in the ACP countries, these countries have applied concerted efforts in bringing environmental issues onto the agenda of ACP-EEC cooperation. However, as the issues have not been satisfactorily addressed in the ACP-EEC fora, they have transcended ACP-EEC cooperation into the Bamako Convention. Due to continuing international consciousness on environmental issues, it is likely that the debate on toxic waste dumping

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<sup>54</sup>"Africans ban hazardous and nuclear waste dumping", OAU Press Release, OAU General Secretariat, ESCAS Dept., Addis Ababa, Ethiopia, 29 January 1991, p.1.

<sup>55</sup>See Wordsworth Filo Jones, *op. cit.*, p.337.

<sup>56</sup>"Africans ban hazardous and nuclear waste dumping", *op. cit.*, p.4.

<sup>57</sup>By the end of 1992, only four ACP countries had joined the Basel Convention. Nigeria joined in 1990; and the Bahamas, Mauritius and Senegal joined in 1992: Multilateral Treaties deposited with the Secretary-General, *op. cit.*, p.831.

and protection of the environment will be re-opened at future ACP-EEC discussions. Having already been put in a legal framework thanks to ACP dynamic diplomacy via the Lomé and Bamako Conventions, we can expect that if as a result of the renewal of the Lomé Convention in the year 2000, the environment appears as a subject of interest, African initiatives will be re-introduced - with a view to being cemented - in ACP-EEC cooperation.

#### 7.4 Regional Cooperation under the Lomé Convention

This section surveys the difficulties in intra-ACP regional cooperation as a reflection of the problems with ACP group diplomacy. Development theory has maintained for years that small, poor states must coordinate, if not integrate, their development efforts to compensate for the disadvantages normally associated with smallness in size of their populations and internal markets. This, for example, was one of the principal arguments put forward in favour of establishing the Caribbean Community and Common Market.<sup>58</sup> Thus, development theory has argued that common markets, custom unions, currency clearing mechanisms, transport and communication facilities and, indeed, industrial development ought to take place on a regional basis. The European Community is often cited as a model of regional development by the developing countries. Yet the history of post-independence Africa and, to some degree, the Caribbean and the Pacific, is littered with non-functional "paper" regional organisations.<sup>59</sup>

However, the development since the 1970s of ECOWAS in West Africa, SADCC in Southern Africa, Mano River Union and several other efforts elsewhere - even though

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<sup>58</sup>Sidney Chernick (coordinating ed.), The Commonwealth Caribbean: the Integration Experience, Washington: The Johns Hopkins University Press, 1978, p.5 and John C. Mgbere, "Les Etats Caraïbes dans l'Intégration Américaine: Une Etude de Politique Régionale", Mémoire pour le D.E.A., IHEAL, Université de la Sorbonne-Nouvelle, Paris III: Octobre 1990, pp.17-18.

<sup>59</sup>Isebill Gruhn, "Lomé Convention Renegotiations: Litmus Test for North-South Relations" in Robert Boardman, Timothy M. Shaw, Panayotis Soldatos (eds.) Europe, Africa and Lomé III, London: University Press of America, Dalhousie African Studies Series 3, 1985, p.30.

these are largely fledgling institutions - makes some sense for the North to notice these attempts and to give special support and attention to such inter-state development efforts.<sup>60</sup> The earmarking of a small proportion of funds for regional cooperation under the Lomé Convention can be seen as both a symbolic and a tangible boost to regional efforts which is certainly preferable to many other forms of "conditionality."<sup>61</sup>

Indeed, under the Lomé Convention, a proportion of financial aid transfer funds is specifically targeted for ACP regional development. Regional Cooperation as defined in the Lomé Convention essentially entails cooperation between ACP states in the form of joint transnational projects. Such a joint action can be undertaken either directly between ACP states, or through regional organisations acting on behalf of the ACP states. According to Article 102 of the Lomé III Convention, regional cooperation can also take place between an ACP state and neighbouring developing countries. Thus, the Lomé Convention expressly encourages regional and South-South cooperation. Article 109 further stipulates that, in that case, Community involvement will cover the responsibilities of the ACP country in such a joint effort. This arrangement appears to be a system of *prise en charge* whereby the Community takes up some of the responsibilities of the ACP countries in a joint operation with other developing countries. The ACP region most likely to benefit from this provision is the Caribbean which is situated within close proximity of other developing countries, namely the Latin American nations.

The EEC was in favour of regional cooperation in the ACP states right from the

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<sup>60</sup>See list of Abbreviations and Acronyms at the beginning of this dissertation for the full names of the organisations discussed in this section.

<sup>61</sup>Isebill Gruhn, "Lomé Convention Renegotiations: Litmus Test for North-South Relations", p.30.

start of ACP-EEC cooperation at Lomé I. It has been argued that the Community stance was consistent with the fact that the Community itself is a regional organisation. It was considered thus natural that the Community should respond favourably to the establishment of regional cooperation links with regard to the administration of development aid in other regions of the world.<sup>62</sup> In the context of decolonisation, the massive increase in the number of independent countries and subsequent rise of some great leaders of international repute such as Nasser and Nkrumah contributed to creating a Third World "pressure group" which was formed notably within and around the structures of the United Nations: UNCTAD, G77, NAM. In an atmosphere of shifting positions between combativeness and frustration, the new states demanded from the industrialised countries a radical improvement in their conditions and at the same time turned inwards to themselves in a spirit of solidarity and self-reliance in order to resolve their problems together. South-South cooperation finds its roots in these developments. The climax of this movement the objective of which was to create a NIEO through North-South dialogue and collective self-reliance among developing countries was reached in the mid-1970s, precisely at the moment of the signing of the first Lomé Convention.<sup>63</sup>

But, as with other aspects of financial aid in the Lomé Convention, with the exception of the national indicative programmes (NIPs), the ACP states do not all benefit to the same degree or in a predictable manner, from the regional cooperation funds. Some

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<sup>62</sup>Jürgen Köppen, "L'Appui de la Communauté Européenne à la Coopération Régionale dans le Tiers Monde - le cas de la coopération régionale entre les Etats d'Afrique, des Caraïbes et du Pacifique (Etats ACP) dans le cadre de la convention de Lomé" in Revue du Marché Commun, n°308, Juillet 1987, p.390.

<sup>63</sup>Ibid., p.391.



ACP states or groups of states meet the requirements for regional funds more easily than others, and this splits the ACP coalition as the ACP countries have not all been in favour of any particular increase in the Regional Cooperation funds. Thus, in a group diplomatic context, the failure of the funds to be distributed equitably among the ACP states and the dissatisfaction and lack of interest subsequently caused by this development splits common ACP positions in the demand for additional financial assistance. This specific point underscores the importance which the ACP as a group should give to an equitable distribution of funds in general. During the Lomé III negotiations, it was at one time proposed that Regional Cooperation funds should be increased by 14 to 25 per cent of the total EDF, but they were at the end raised to ECU 1 billion, more or less proportionately to the increase in total Lomé aid.<sup>64</sup>

The procedure for the execution of regional programmes are exactly the same as for cooperation in the framework of the NIPs of each country (as discussed in Chapter 5.4). However, regional programmes involve many countries, perhaps too many. For this reason, they are *à priori* more complex to set up both at the preparation and execution stages. Although aid to regional organisations is not ruled out in the Lomé Convention, the ACP states have tended to retain their sovereign powers over the use of regional cooperation funds, only calling upon the established structures of their respective regional organisations when necessary. Thus, regional organisations have often been involved at the request of the ACP states.

In the absence of alternative Government parastatals and also as a result of some of the difficulties earlier discussed with regard to policy coordination in the ACP states, regional organisations which have already been established can be considered to be more

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<sup>64</sup>Ibid., p.392.

efficient in coordinating regional development programmes within the framework of the Lomé Convention. When ACP regional organisations become involved in regional development programmes, their roles vary, ranging as the case may be, from one of simple coordinator to that of principal executor of the programmes. In this way, the Community has helped a large number of regional organisations, either by direct institutional aid, or by financing their projects.

For example, at the regional Caribbean level, comprehensive support programmes focusing on the development of tourism, marketing and related activities were implemented under Lomé I and II which amounted to more than ECU 9m. The Lomé III Caribbean regional programme allocated approximately ECU 17m to tourism and trade, supplemented by other resources.<sup>65</sup> Regional cooperation has achieved a high level of refinement in the Caribbean. Caribbean regional cooperation covers several areas of human endeavour from business (the sub-regional Leeward Islands Air Transport) to Sports (West Indies Cricket Team) to education (the University of the West Indies). It is clear that Lomé regional cooperation funds when channelled through these established regional institutions would be more efficient in meeting the desired objectives of development projects than any new institutions which may be put in place for the occasion. Other ACP regional organisations have benefitted from Lomé regional funds. They include organisations with a wider spectrum of activities, for example, CARICOM, CEAO<sup>66</sup>, ECOWAS, SPEC, SADCC, UDEAC, PTA as well as those with a more

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<sup>65</sup>Bruce Zagaris, op. cit., p.293.

<sup>66</sup>CEAO (Communauté Economique de l'Afrique de l'Ouest) is composed of only French-speaking West African states and is different from the ECOWAS whose French acronym is CEDEAO (Communauté Economique des Etats de l'Afrique de l'Ouest).

specifically defined programme, for example, CILSS and IGADD. Other organisations which have benefitted from regional cooperation funds include research and regional training institutes.<sup>67</sup>

Article 112 of the Lomé III Convention earmarks ECU 1 billion for the financing of regional projects and programmes. Table 6 presents EDF disbursements at the beginning of 1989 and covers ECU 817m, that is, over 80 per cent of total regional funds under Lomé III. Seven ACP regional organisations or groups of states benefitted from the disbursement of the funds. SADCC received ECU 210m mainly to finance transport and the food security sectors; SPEC received ECU 34m for the development of natural resources (agriculture, fishing, energy) and transport; CARISEC and OECS jointly received ECU 72m for the development of tourism, trade, transport, agriculture and the rural areas; and the IOC received ECU 26m for the priority development of maritime resources, inter-island cooperation, as well as research and training.

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<sup>67</sup>Jürgen Köppen, *op. cit.*, p.394.

Table 6

EDF Disbursements for Regional Programmes under Lomé III

Recipient Region or Organisation	Amt disbursed in mECU	% of total	Sector of Finance
West Africa	210	25.70	Desert control Research and development of transportation
SADDC	210	25.70	Transportation Food security
East Africa	185	22.64	Transport corridors and Desert control
Central Africa	80	9.79	Rural devt Transportation Forestry and Fishing
CARISEC and OECS	72	8.82	Tourism, trade Transportation Agric & Rural Development
SPEC	34	4.17	Transportation and Natural Resources (fishing, etc)
IOC	26	3.18	Sea resources Inter-island cooperation
TOTAL	817	100	

Key to Abbreviations:

SADDC : Southern African Development Coordination Conference  
 CARISEC : Caribbean Community Secretariat  
 OECS : Organisation of Eastern Caribbean States  
 SPEC : South Pacific Bureau for Economic Cooperation  
 IOC : Indian Ocean Commission

Three groups of ACP states, all in Africa, received substantial sums for specific projects. West Africa was allocated ECU 210m for desert control and development of transportation between the countries of the Sahel, development of transport as well as research and training in the coastal states; East Africa received ECU 185m for the construction of transport corridors and for desert control; finally, Central Africa was allocated ECU 80m for the development of transport, forest and fishing resources and the rural areas.<sup>68</sup>

West Africa and SADDG both absorbed over 50 per cent of EDF disbursements for regional programmes under Lomé III. This trend may be a reflection of both the technical content and the humanitarian implications of the projects involved, namely desert control in West Africa and food security in Southern Africa. However, the favoured sector overall for funding of regional projects was the transport sector. But, concentration of particular projects in other sectors also reflects the preoccupation of a given region. For example, tourism is conspicuously cited for the CARICOM Secretariat and the OECS countries while fishing resources is cited for coastal states in particular those in the Indian and Pacific oceans

In 1992, regional projects generated commitments or payments of ECU 130m.<sup>69</sup> However, by the end of 1992, ECU 824m or 93 per cent of the total Lomé III regional funds had been decided upon. It is worth noting that there was little progress made from

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<sup>68</sup>Ecomonde Service, le 20 janvier 1989, N°264, Partie I, p.4.

<sup>69</sup>Commission des Communautés Européennes, Direction Générale du Développement, Notes d'Information VIII/C/1-VIII/6, "Bilan Synthétique de la Coopération Financière et Technique mise en oeuvre en 1992 dans le cadre des Conventions de Lomé", 22 mars 1993, p.8.

ECU 817m to 824m between 1989 and 1992. But this trend can be explained by the fact that, with the Lomé III funds almost completely disbursed, new programmes relating to projects of any sizeable importance during this period were submitted for consideration within the framework of Lomé IV. On the whole, the commitment or payment of a total of ECU 824m by 1992 makes the global Lomé III regional programme of ECU 1 billion nearly expended.

Regional cooperation within the Lomé Convention has been evaluated with regard to some ACP countries, namely Barbados on the one hand and Haiti and the Dominican Republic on the other. The basic assumption is that the regional character of the Lomé agreement, especially when contrasted with the bilateral nature of counterpart regimes such as the Caribbean Basin Initiative (CBI), provides a useful guarantee against any risk of domination. The adoption of a five-year financial package which allows estimates vital to sustained development efforts to be made, and which enables the planning of development assistance programmes over a reasonable period of time is seen as another positive feature of the Lomé Agreement.<sup>70</sup>

More specifically, Lomé IV allows Barbados to mine a relatively successful regional integration organisation for ideas, assistance and business. For example, Article 40 of the Lomé IV Convention on the control of the international movements of hazardous waste provides an opportunity for CARICOM and Barbados to obtain technical assistance and funding in achieving some of the goals of the Port of Spain Accord. In particular, the emphasis in Lomé IV on the environment can assist in the achievement of Barbados' national priorities and programmes on the environment, such as the formulation of a national conservation strategy, the protection of important natural habitats and coastal

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<sup>70</sup>Bruce Zagaris, *op. cit.*, p.289.

conservation protection.<sup>71</sup>

Benefit from the Regional Cooperation funds is another positive feature of the Lomé Convention for Barbados. Joint projects that are conducted in Barbados and for which Barbadians can benefit will qualify for EDF assistance under Lomé IV whereas individual Barbados projects may not qualify for funding from the regional cooperation funds. Another enlightened feature of the Lomé Convention is the explicit recognition and assistance given to tourism and the meaningful amount of financial assistance given to a broad range of activities. The positive disposition of the Lomé Convention towards the development of tourism in the Caribbean region contrasts with the negative attitude in the United States where for six years Congress refused to allow the United States Travel and Tourism Agency (USTTA) to participate in technical assistance or to complete a report on Caribbean tourism. The Reagan Administration had threatened to abolish the USTTA and so members of Congress from tourism states responded by directing the Administration not to use any money whatsoever for any project outside the United States.<sup>72</sup>

The rules of origins were too strenuously defined under previous Lomé Conventions.<sup>73</sup> They have, however, been simplified under Lomé IV. A single list of

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<sup>71</sup>Paper of Barbados representative, the Hon. N. K. Simmons, Minister for Employment, Labour Relations and Community Development at the 1989 Port of Spain Conference on the Environment. Cited by Bruce Zagaris, *ibid.*, pp.289-90.

<sup>72</sup>Bruce Zagaris, *ibid.*, p.293.

<sup>73</sup>Rules of origin define the ratio of ACP input necessary in order to qualify a product as "originating" from an ACP country for the purpose of duty-free entry to the EEC market.

exceptions, based on the new customs nomenclature (the Harmonised System) has replaced the "negative" and "positive" lists of Lomé III. The requirements concerning the degree of processing or working has been made more flexible by doubling the margin of tolerance for non-originating inputs (10 per cent), abolishing the double-threshold rule for a number of products and lowering the percentage of value added required for others.<sup>74</sup> This relaxation of the rules of origins would be of potential benefit to the development of the industrial sector in Barbados.

Certain advantages of membership in Lomé have also been identified for Haiti and the Dominican Republic, the two most recent members of the ACP group. Spill over benefits of membership of ACP-EEC cooperation could be considered an important consideration for Haiti and the Dominican Republic. Spill over benefits refer to benefits to be realised at a later stage of association with the group or to be realised within a related association. Admission to the Lomé Convention gives Haiti and the Dominican Republic access to finance from the EDF and the EIB for regional projects. In other words, these countries can participate in regional projects along with traditional CARICOM beneficiaries. Again, the two countries previously were excluded from taking part in CARICOM projects partly on the grounds that they did not share a common political history with the members of CARICOM all of which belong to the British Commonwealth. However, since joining the Lomé Convention, former Jamaican Premier Michael Manley has suggested that the possibility was now open for cooperation between the two countries and CARICOM.<sup>75</sup>

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<sup>74</sup>Bruce Zagaris, *op. cit.*, p.291.

<sup>75</sup>Michael Manley stated that Jamaica would be pleased to work in the Caribbean Forum with Surinam, Haiti, the Dominican Republic and the English-speaking CARICOM



From an ACP-EEC perspective, participation in the Lomé Convention allows Haiti and the Dominican Republic favourable access to the EEC market via preferential tariff arrangements, and it brings them closer to securing bilateral agreements with one or several EEC member states through ACP-EEC institutions for industrial cooperation. Finally, membership in the ACP-EEC partnership enables Haiti and the Dominican Republic to participate in joint ACP-EEC institutions.<sup>76</sup> Important policies affecting developing countries of which these two are part and parcel are often deliberated upon in the joint ACP and EEC fora. Participation in these institutions enable the ACP countries in general to make a positive contribution to the wider North-South debate. Thus, there are several benefits to be derived from effective intra-ACP regional cooperation on of which is better coordinated ACP diplomacy.

The discussion in this second part of the study of ACP-EEC cooperation and ACP diplomacy in practice shows that the ACP group, in spite of all the odds that are stacked against it, has managed to evolve a negotiating strategy in its relations with the EEC. This was most firmly demonstrated in the debates over policy dialogue, human rights and the environment. However, as developing countries with a poorly managed resource base in terms of manpower and finance, and also due to the diversity of ACP members' interests, ACP diplomacy is generally only reactive to EEC proposals. Still, the transcendancy of African initiatives in the debate over toxic waste dumping in Africa and protection of the environment (which resulted in the Bamako Convention) points to the potential dynamism of ACP diplomacy. In sum, ACP diplomacy is essentially reactive; however, it can indeed

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countries within the framework of the Lomé IV Convention: Actualités - Journal périodique du Groupe ACP, Numéro 2 - Décembre 1990, p.1.

<sup>76</sup>Francisco Granell, op. cit., p.886.

be dynamic when the debate moves from bread-and-butter matters to life-and-death issues.

## **CONCLUSION**

This study has examined ACP-EEC cooperation and ACP diplomacy from 1957-1990 through the organisation of ACP organs, EEC institutions and joint ACP-EEC structures for policy implementation within the framework of the Lomé Convention. The examination of the ACP-EEC association has been based on the need for cooperation between the two parties and for the ACP countries to adopt an inward-looking negotiating strategy. The study has thus focused on the ACP countries and theoretical concepts pertaining to group diplomacy, coalition formation, influence, conflict and cleavages have been used where possible to analyze some of the procedures involved in the negotiation of common ACP positions. The concern here, however, was not with testing these concepts, but rather it was with using them to arrange our thoughts on ACP-EEC relations.

The investigations on the ACP group have shown that ACP diplomacy is primarily reactive over aid and trade cooperation issues with the EEC. This is due to relative small representation in ACP organs and lack of expertise in relation to the EEC. However, ACP diplomacy has also known bouts of dynamism when it comes to life-and-death issues such as toxic waste dumping in Africa and environmental degradation. But, as aid and trade discussions are at the centre of ACP-EEC cooperation, the discussions in the thesis have led us to the general conclusion that ACP diplomacy is essentially reactive.

Indeed, the study has pointed to a certain number of problems with ACP-EEC cooperation and ACP diplomacy. But, it has also enabled us to draw some conclusions on the prospects for the relationship. The picture we have is gloomy indeed. But, it is perhaps worth stating that the discussion of the problems of ACP-EEC cooperation and the

difficulties with ACP diplomacy is not intended to obscure several of the desirable features of North-South relations which are already incorporated in the Lomé Convention. On the contrary. The discussion of the problems merely indicates that there is need for further work to be done to bring the ACP-EEC relationship closer to the ideal. Presently, there are several problems with ACP-EEC cooperation and ACP diplomacy. These difficulties can be broadly classified into two categories. The first category relates to the organisation of EEC institutions, ACP organs and joint ACP-EEC structures. The second relates directly to coordination of ACP diplomacy both on the intra-group and regional levels.

The resurgence of European internal dynamism and the organisation of EEC institutions have had some negative impact on ACP diplomacy. At the outset of Eurafrikan cooperation, development policy was advanced as one of the more substantial vehicles for demonstrating European unity. Former EEC Development Commissioner, Edgard Pisani, even described the policy towards developing countries as a "cornerstone of European integration."<sup>1</sup> It is symptomatic of the subsequent change that development is now not even the exclusive concern of one EEC commissioner. Development Commissioner Manuel Marín holds the portfolios of both development cooperation for the ACP countries and fisheries, the latter a subject of considerable concern to his native Spain. There is also a possibility that an impending restructuring of the EEC Commission would bring about a further reduction in the capacity of DG VIII (Development) to deal adequately with development cooperation. A report has stated that in the proposal to re-organise the

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<sup>1</sup>Christopher Stevens, "The Impact of Europe 1992 on the Maghreb and Sub-Saharan Africa" in Dermot McAleese et al., Africa and the European Community after 1992, Washington, D. C.: Economic Development Institute of the World Bank, 1993, pp.74-75.

Commission, Hans van den Broek (EEC Foreign Affairs Commissioner), Sir Leon Brittan (Foreign Trade) and Manuel Marín have agreed, more or less, that something akin to a foreign ministry will emerge, headed by Mr. Van den Broek.<sup>2</sup> DG VIII, and hence development cooperation, could lose out when, for example, its budget is reduced or staff are moved to a more promising department, product of the re-organisation. Due to inadequate manpower and finance undue pressure might be brought to bear on ACP diplomacy if the ACP countries are forced to contend with new, revamped or unfamiliar structures within the Commission. The recent changes in Eastern Europe have added yet another area of competition for EEC interests. Trade and financial aid with ACP countries, both within the framework of the Lomé Convention and in bilateral arrangements, is competing with new EEC interests aimed at expanding economic cooperation into all of Europe including Southern and Eastern Europe.

On a comparative level, an observation of EEC institutions and ACP organs shows that the partners are far from being the equals they had set out to be.<sup>3</sup> On consideration of numbers, the EEC Commission employs over 17 000 persons. And, since EEC institutions are closely coordinated, we may also add 7 000 staff of other Community

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<sup>2</sup>"Kitchen capers", The Economist, March 6th 1993, p.30.

<sup>3</sup>When Britain joined the EEC in 1973, the Community had affirmed to African, Caribbean and Pacific countries which were wary of the EEC association that "to become an Associate does not mean joining the Community; it means organising on an equal footing with the Community a shared framework of economic and development cooperation.": Protocol 22 Doc no. COM (73) 500f, Luxembourg: Office for Official Publications of the European Communities, 4 April 1973, p.4. Cited in Carol Cosgrove Twitchett, A Framework for Development: The EEC and the ACP, London: George Allen and Unwin, 1981, p.8.

institutions such as the European Parliament to the overall strength of the EEC Commission. By contrast, the ACP Secretariat which for all intent and purpose is the ACP group's equivalent of the EEC Commission employs only 83 persons. Some may be tempted to argue that of all the EEC institutions DG VIII within the Commission alone negotiates with the ACP group. Even if this were the case, DG VIII's strength *vis-à-vis* the ACP group can still be illustrated by recalling that it has so many more staff than the ACP group that it can afford not only to administer the general provisions of the Lomé Convention (EDF, Food Aid, etc.) but also runs nearly as many *desks* responsible for individual ACP countries as there are members of the ACP group.

Yet, as if DG VIII's strength were not enough to overcome the ACP's tiny resources, in addition, it has to face up to the colossal Commission and indeed EEC institutions as a whole. In effect, DG VIII seeks specialist advice and liaises with other EEC departments in its relations with the ACP countries. For example, in matters relating to the agricultural sector such as food aid and duty-free entry into the Community of certain agricultural products (tomatoes, bananas, etc.) which may compete with similar products originating in the territories of EEC member states, DG VI (Agriculture) is consulted and provides information which cannot be ignored by DG VIII. Similarly, the powers of the European Parliament in development cooperation matters increases constantly to the bewilderment of ACP officials who have to face up to ever increasing pressure from various sections of the Community to justify the development aid funds which they receive. Thus, the strength and effective coordination of existing Community structures adds further pressure on ACP diplomacy.

On consideration of technical expertise, the EEC is also in a more favourable position than the ACP group. The EEC employs several resident experts while the ACP

Secretariat cannot afford to keep an adequate number of experts on its payroll. The Secretariat only hires expert services when critically needed, for example, during negotiations. Again, the Secretariat often finds it difficult to meet the expenses involved in this exercise and, consequently, has to look up to the EEC for help in paying for the experts. The low financial standing of the ACP Secretariat is aggravated by the fact that contributions from ACP countries are often late in arriving - if and when they do arrive. Needless to say the Community will not be overly motivated to bankroll ACP diplomacy especially where the ACP group seeks to extract concessions from the Community.

A critical look at joint ACP-EEC structures further gives a lie to the argument that ACP-EEC cooperation is based on the principle of equality of the partners. A case in point is the ACP-EEC Joint Assembly which promises that representation of the EEC and the ACP countries shall be based on the principle of parity. This claim poses two problems. First, it implies that the EEC which has numerically fewer member states, i.e. 12, presents the same number of parliamentarians to the Joint Assembly as the 69 ACP countries. The second problem is more fundamental: many ACP countries do not have a parliament at all, and are therefore represented in the Joint Assembly by ambassadors or other government officials while the EEC side is represented by Members of the European Parliament (MEPs). There is no doubt that the EEC side, made up of career parliamentarians, would be more committed to debates in the Assembly than the ACP representatives who may, quite naturally, have other professional preoccupations. The foregoing is an example of a case in which the good intentions of ACP-EEC arrangements may not benefit both sides equally. Conversations with ACP experts confirm that MEPs come to the Joint Assembly meetings with well revised resolutions as well as full research and secretarial support whereas ACP members of the Joint Assembly are often left in the

dark as to the substance of deliberations until motions are ready to be adopted. These events - occasioned by lack of expert and administrative support on the ACP side - also have a negative impact on ACP group diplomacy as resolutions cannot be properly discussed beforehand by the ACP representatives under those circumstances.

Another case in which joint ACP-EEC arrangements do not benefit both sides equally can be found in tendering procedures for EDF and Lomé-related contracts. Based on the principle of equality of the partners, contracts are open for tenders from companies registered either in an EEC member state or in an ACP country. Co-tendering is encouraged in the Lomé Convention but such a procedure will hardly benefit ACP-registered businesses which in most cases may be less technologically advanced than their EEC counterparts. The solution is certainly not to glorify mediocrity. But it would go a long way towards promoting ACP-EEC industrial cooperation if contracts for certain projects were reserved exclusively for one or more ACP-registered enterprises, possibly with technical assistance from EEC operators. Such a procedure would be consistent with ACP-EEC efforts aimed at alleviating the burden of technological limitations of the ACP countries. From an ACP standpoint, the procedure could also boost intra-group diplomacy because, given their minimal technological capabilities, the ACP countries might be likely to pull resources together towards lucrative ventures.

One last problem to be mentioned with regard to the comparison of ACP and EEC structures is that ACP diplomacy relies on statistics from the EEC partners or from individual ACP state capitals. There is no equivalent in the ACP of the EEC-own statistical sources. The ACP group and most ACP countries rely on statistics from EUROSTAT for policy coordination. This arrangement could have been acceptable on the principle of ACP-EEC solidarity except that valuable time is lost in the decision-making



process and group coordination is delayed while the ACP pieces together information from different EEC sources and from the various ACP state capitals. Non-availability of ACP-own data implies that ACP governments may have to rely on the same source of information as the general public for the implementation of important policies. In fact, lack of independent ACP statistics relates to the difficulties in the coordination of ACP internal diplomacy

Thus, ACP diplomacy presents several problems of coordination. The lack of independent ACP data can be linked to difficulties in the coordination of development policy at both the intra-group and ACP regional levels. The difficulty extends into ACP group relations, and is also reflected in regional cooperation, or rather, in the lack of it. The inability of the ACP countries to put Lomé provisions relating to regional cooperation to beneficial use points to wider problems on a regional level. With a few exceptions, notably in the Caribbean, these problems include lack of efficient regional transportation and telecommunications links, particularly better roads, railroads, and air transportation.<sup>4</sup> It is evident from current world events that regional groupings will lead international economic relations into the 21st century. The European Community itself is a concrete example of this tendency towards regional integration. Burgeoning regional groups already exist in Asia (ASEAN) and others are forming in the Americas (NAFTA). The ACP countries cannot afford to be mere spectators while what we perceive as the future of international economic relations takes shape. ACP diplomacy has much to gain from effective regional cooperation. Yet, apart from the Caribbean where some efforts have been made towards cooperation in air transportation, sports and education, it appears that

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<sup>4</sup>Dermot McAleese et al..., Africa and the European Community after 1992, Washington, D. C. Economic Development Institute of the World Bank, 1993, pp.x-xii.

little or no consideration is given to the benefits which ACP countries might achieve in ACP-EEC relations through better regional economic integration. Several political and economic groupings do exist (ECOWAS, SADDC, PTA, etc.), but they have insufficient political commitments from their members, and therefore generate little in terms of economic cooperation or group coordination.

In the consideration of the prospects of ACP-EEC cooperation and ACP diplomacy, as it is often the case in Eurafrikan relations, these prospects will tend to depend on the internal evolution of the Community itself.<sup>5</sup> It is significant to note in this regard that the European Community evolved to become the European Union (EU) following the entry into force of the Maastricht treaty on 1 November 1993.<sup>6</sup> Already, phrases such as ACP-EU Joint Assembly and DG VIII in the EU Commission are coming into usage. If the EEC, or the EU, further evolves towards a common currency, we can envisage the establishment of an African currency with a fixed parity to such a European currency. In this perspective, it has been suggested that in the event of a fully operational European Monetary Union (EMU), the CFA franc could possibly be the first currency to be tied to the ECU or some other eventual European currency.<sup>7</sup> The extension of the principles of convertibility of this Euro-african currency system to other African

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<sup>5</sup>Note that the participation of France in the Treaty of Rome in 1957 on the one hand, and the signing of the Act of Accession by Britain in 1972 on the other, pushed the ACP countries into negotiating special relations with the EEC.

<sup>6</sup>"Disunion greets birth of the European Union", Financial Times, October 30-31 1993, p.3.

<sup>7</sup>Amadou B. Touré, "Les pays africains face à l'échéance européenne de 1992" in Marchés Tropicaux et Méditerranéens, N°2400, 47<sup>e</sup> Année, 8 novembre 1991, p.2839.

countries can also be expected, although it is yet to be determined how the system will be financed. It is however clear that rethinking the franc as a result of the impending monetary union of Europe would enable the countries of Anglophone Africa to become members of the zone should they choose to do so.<sup>8</sup> Such a development would enhance inter-African diplomacy in the short term and might even alleviate the financial constraints in inter-ACP diplomacy in the long run if other ACP regions should choose to subscribe to a fully convertible currency bloc. Financial constraints would be alleviated for example in the operation of the ACP Secretariat General where ACP financial contributions could jump the hurdle of convertibility.

French businesses are enthusiastic about the opportunities that such a development would offer, especially in terms of penetration into the markets of English-speaking African countries.<sup>9</sup> There may be incentives too for Britain's traditional African trading partners to peg their currencies to a Eurafrikan currency system if Britain joins the EMU.<sup>10</sup> These hypotheses blend in well with the hopes expressed within the Community on the need for greater global exchange rate stability and realistic exchange rate policies of

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<sup>8</sup>Paul Collier, "Africa's External Economic Relations 1960-1990" in Douglas Rimmer (ed.), Africa 30 Years On, London: The Royal African Society in association with James Currey Ltd, 1991, pp.162-63.

<sup>9</sup>Amadou B. Touré, op. cit., p.2839.

<sup>10</sup>Patrick Guillaumont and Sylviane Guillaumont, "The Implications of European Monetary Union for African Countries" in Journal of Common Market Studies, Volume XXVIII, No. 2, December 1989, pp.139-153.

Community trading partners.<sup>11</sup> The appeal of the monetary system can be appreciated against the consideration of guaranteed convertible currencies at a fixed parity for both the European investor and the African host country.

Not only might the development of a Eurafrikan currency bloc promote inter-African diplomacy (monetary cooperation would bring the French- and English-speaking countries even closer together) but it will also be welcome to compensate for the possible adverse effects of the defacement of the traditional hallmarks of Eurafrikan cooperation such as Franco-African monetary cooperation, a convention signed within reasonably short intervals and close Commonwealth relations. Firstly, the CFA franc which has had a fixed parity of 50 to 1 with the French franc since 1947 has now been devalued.<sup>12</sup> If France's historical support for the African countries is taken into account, this event can be viewed as symbolising the abandonment of the traditional tenets of Eurafrikan cooperation. In other words, the devaluation of the CFA franc implies that the African countries now stand alone and should no longer expect France or other industrialised countries to act on their behalf as they did after independence in the 1960s. As the franc zone has sometimes been criticised for undermining the independence of the French-speaking African countries, here is perhaps an opportunity for the Europeans and the Africans together to devise a new, and more acceptable, monetary cooperation system. The new system which

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<sup>11</sup>Dermot McAleese, "External Trade Policy of the European Community" in Dermot McAleese et al., Africa and the European Community after 1992, Washington, D. C.: Economic Development Institute of the World Bank, 1993, pp.19-20.

<sup>12</sup>Under pressure from a French government no longer prepared to subsidise its former colonies, 13 of the 14 CFA countries devalued their currency on 12 January 1994 by 50 per cent with the 14th limiting its devaluation to a third: Africa Research Bulletin, Volume 30 Number 12, December 16th 1993-January 15th 1994, p.11535.

should maintain competitive exchange rates for the eventual African currency may then help to reverse the trend in Community trade which tends towards diversification of procurement sources of raw materials: cocoa from Malaysia; bananas from Latin America. This trend has caused the volume of ACP trade to fall progressively. ACP exports to the European market (in percentage of the total) was 9 per cent in 1960, 7.7 per cent in 1980 and only 4.1 per cent in 1987.<sup>13</sup> Declining terms of trade, Africa's debt and debt service payments, divestment and disinvestment of foreign capital to areas of higher priority such as Eastern Europe are resulting in net annual transfers of capital to the rest of the world. Loss of resources undermines concerted ACP diplomacy. Secondly, the Lomé Convention which had been renewed every five years is now due for renewal after ten years, Lomé IV being valid from 1990 to the year 2000. This may suggest an EEC fatigue with development cooperation: it has been indicated to this writer that the Community unilaterally set the validity of the Lomé Convention to ten years.

Thirdly, closer interactions between Britain and other EEC member states has already begun to undermine the solidarity of the Commonwealth. An opinion poll has suggested that increasing contact with, and awareness of, European countries has contributed to break down age-old barriers of distrust and suspicion between Britain and other European countries. This has had the effect, when coupled with the loosening of the special ties that in the past have bound Britain to the Commonwealth, of making the British feel increasingly closer to the people of Europe.<sup>14</sup> Britain may feel less emotional

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<sup>13</sup>Amadou B. Touré, *op. cit.*, p.2837.

<sup>14</sup>Neill Nugent, "British Public Opinion and the European Community" in Stephen George (ed.), Britain and the European Community - The Politics of Semi-Detachment, Oxford: Clarendon Press, 1992, p.193.

about her Commonwealth connections in Africa and elsewhere but the less powerful Commonwealth countries no doubt appreciate the occasions presented within the Commonwealth to coordinate their diplomacy on some of the international issues which concern them. Consequently, a shift of emphasis in Britain away from the Commonwealth and towards the European Union can be viewed as a loss in diplomatic strength of the Commonwealth developing countries. However, the ACP countries might still choose to re-organise group diplomacy and advance their development objectives around the relevant structures of the Commonwealth. The evolution and long-term impact of changes in the Commonwealth and the EEC could form the subject of further research on ACP-EEC cooperation and ACP diplomacy.

#### Towards a more effective ACP diplomacy

ACP-EEC cooperation as embodied in the Lomé Convention is commendable but does not make adequate provisions for the ACP countries to reap high benefits from the relationship. It is also clear that as the EEC, or the EU which replaces it, turns its focus away from development cooperation as an essential feature of external relations, it can no longer be expected to initiate proposals which take fully into account the interests of the ACP countries. The ACP countries must therefore take their destiny in their own hands by evolving a more consistently dynamic group diplomacy.

The development and consolidation of sub-regional and regional ACP organisations should be a matter of urgency. In Africa, due to the possible initial difficulties of coordinating continental negotiating strategies which may be due to poor communications links, it would be a good start to integrate resources on a sub-regional level (West,

Central, East and Southern Africa) with a view to coordinating with the other sub-regions and then other ACP regions in the near future. As economic and political integration is explored and indeed implemented in the Americas, Asia and Europe in anticipation of the challenges of the next century, surely the opportunity has presented itself once again for African leaders to bring to fruition one of Africa's age-old yearnings - that for Pan-African integration. Individual countries will be too weak to deal with the EU and other regional groupings. Once the principle is accepted, the new Pan-Africanism should be formulated to respond to current world realities. As a first step, African governments should eliminate barriers to an intra-African flow of capital, manpower resources and goods. Other related aspects of Pan-African integration should aim at self-sufficiency in food production on a sub-regional basis. Political style and economic management can be a serious constraint upon the further development of economic cooperation within a region and, in view of donor conditionality, upon the flow of direct foreign investment from abroad. Political adjustment should therefore form a part and parcel of economic adjustment on both national and sub-regional levels. The move towards democracy in the ACP countries would be propitious for inward-looking negotiating strategies as development issues could be publicly debated under such circumstances.

ACP-EEC relations could pose some threats in the future. European protectionism may result in an increase in trade barriers in the form of high environmental and health standards, quotas and restrictive rules of origin. The declining relative importance of the ACP countries due to the Community's current focus on making internal adjustments and on assisting Eastern Europe to make the transition to market economies and democratic governments will be also reflected in reduced levels of resources, including intellectual resources through technical assistance, for ACP economies.

But, ACP-EEC relations could also offer some opportunities in the future. The creation of an economic union in Europe could provide benefits for the ACP countries which would largely be attributable to increases in the Community's rate of economic growth. High growth rates would translate into increased imports, particularly of primary products, but also of some manufactures. Economic growth in the Community should point to the need for the ACP countries to develop the manufacturing sector in order to increase the value-added of traditional primary exports and improve their foreign exchange earnings. Increased competition within the Community might result in the availability of cheaper capital goods and costs of services which the ACP countries could afford if they are able to increase their foreign exchange earnings through concerted efforts and well coordinated diplomacy. Some damage may already have been done as a result of years of uncoordinated ACP diplomacy. However, the growth of the Community presents further possibilities for the ACP countries. This time, the opportunities must be taken at ACP-own initiative. Herein lies our hope for the future.



## **EPILOGUE**

"It must be recognised that co-operation is the greatest word of the century. With co-operation we can command peace, goodwill and concord. Without: chaos, confusion and ruin. But there can really be no co-operation between inferiors and superiors. Try as they may, there must come a time when the elements of superiority will seek to dictate, and the inferior ones will resent such dictation. It logically follows, therefore, that unless an honest effort is made to raise the inferior up to the prestige of the superior, and the latter can suffer it, all our talk of co-operation is so much empty gas..."

- Words spoken by J. Casely-Hayford in 1925:

The Autobiography of Kwame Nkrumah

(London: Panaf, 1973), pp.168-169.

## APPENDIX 1

### **THE GEORGETOWN AGREEMENT\***

**Guyana, 6 June, 1975**

THE GOVERNMENTS OF THE AFRICAN, CARIBBEAN AND PACIFIC STATES,  
hereinafter called the "ACP Group",  
HAVING CONTRIBUTED, through united and concerted endeavours to the acceleration  
of the process of solidarity of developing countries,  
HAVING REGARD to the ACP-EEC Convention of Lomé,  
TAKING into account the objectives of the international and regional organisations to  
which the ACP States belong,  
DESIROUS of consolidating and strengthening the existing solidarity of the ACP Group,  
RESOLVED to promote and develop greater and closer trade and economic relations  
between the ACP States,  
DETERMINED to promote effective regional and inter-regional co-operation among the  
ACP States,  
DETERMINED to ensure that the Convention of Lomé contributes fully to the realisation  
of the common aspirations of countries of the developing world,  
RESOLVED to establish the Group of the African, Caribbean and Pacific States to  
achieve the above objectives as a process towards the realisation of the new international  
economic order,  
HAVE AGREED as follows:

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\*Source: The Courier no.93 - September-October 1985, pp.54-55.

## **The organisation and objectives of the ACP Group**

### *Article 1*

#### **The Group**

There is hereby formally established the African, Caribbean and Pacific Group of States which shall be known as the "ACP Group".

The Members of the ACP Group shall be the African, Caribbean and Pacific States which are signatory to the Convention of Lomé and to this Agreement.

Any other State which accedes to the Convention of Lomé may become a member of the ACP Group in accordance with Article 22 of this Agreement.

The ACP Group shall have legal personality. It shall have the capacity to contract, acquire, and dispose of movable and immovable property and to institute legal proceedings.

### *Article 2*

#### **The Objectives of the ACP Group**

The objectives of the ACP Group shall be as follows:

- (a) to ensure the realisation of the objectives of the Convention of Lomé,
- (b) to co-ordinate the activities of the ACP States in the application of the Convention of Lomé,
- (c) to determine joint positions of the ACP Group vis-a-vis the EEC on matters covered by the Convention of Lomé,
- (d) to promote and strengthen the existing solidarity of the ACP Group,
- (e) to contribute to the development of greater and closer trade, economic and cultural relations amongst the ACP States and amongst developing countries in general, and to this

end to develop the exchange of information amongst the ACP States in the fields of trade, technology, industry and human resources,

(f) to contribute to the promotion of effective regional and inter-regional co-operation amongst the ACP States and amongst developing countries in general, and to strengthen the links between the respective regional organisation to which they belong,

(g) to promote the establishment of a new world economic order.

## **Chapter II**

### **Organs of the group**

#### *Article 3*

The organs of the ACP Group shall be the Council of Ministers and the Committee of Ambassadors.

The Council of Ministers shall take steps to ensure a liaison with the members of the ACP States in the Consultative Assembly set up by the Lomé Convention.

The Organs shall be assisted by a General Secretariat of the ACP Group.

### **The Council of Ministers**

#### *Article 4*

The Council of Ministers shall consist of a member of the Government of each of the ACP States or of a representative designated by the latter.

#### *Article 5*

The Council of Ministers shall define the broad outlines of the work to be

undertaken for the attainment of the objectives specified in Article 2 of this Agreement.

It shall periodically review the attainment of the objectives set out in Article 2.

#### *Article 6*

The Council of Ministers may delegate to the Committee of Ambassadors any of its powers.

#### *Article 7*

The Council of Ministers shall elect its Bureau at the end of each ordinary session of the Council of Ministers.

The Bureau shall be composed of six members designated as follows:

- four from Africa,
- one from the Caribbean,
- one from the Pacific.

The Council shall elect its President from among the members of the Bureau on a rotation basis between Africa, the Caribbean and the Pacific Groups.

#### *Article 8*

The Council of Ministers shall meet in ordinary session once in each six months.

In addition the Council may meet in special session whenever necessary on the decision of the President after consultation with all the members of the Bureau.

#### *Article 9*

The acts of the Council of Ministers may take the form of a decision, resolution or recommendation.

#### *Article 10*

Decisions made by the Council of Ministers shall be arrived at on the basis of a consensus of the members.

However, under special circumstances and after consultation, decisions may be arrived at by a majority of two-thirds of the members of the Council.

#### *Article 11*

The Council of Ministers shall adopt its rules of procedure.

### **The Committee of Ambassadors**

#### *Article 12*

The Committee of Ambassadors shall consist of an Ambassador or other representative of each of the ACP States.

#### *Article 13*

The Committee of Ambassadors shall assist the Council of Ministers in the performance of its functions and shall carry out any mandate entrusted to it by the Council of Ministers.

In particular the Committee of Ambassadors shall ensure the implementation of the Lomé Convention.

The Committee of Ambassadors shall present to each meeting of the Council of Ministers a report of its activities.

#### *Article 14*

There shall be a Bureau of the Committee of Ambassadors which shall co-ordinate the work of the Committee of Ambassadors.

The Bureau of the Committee of Ambassadors shall be composed of a

Chairman and five Vice-Chairmen who shall hold office for a period of six months.

*Article 15*

The acts of the Committee of Ambassadors shall take the form of a decision, resolution or recommendation.

*Article 16*

Decisions made by the Committee of Ambassadors shall be arrived at on the basis of a consensus of the members.

*Article 17*

The Committee of Ambassadors shall adopt its own rules of procedure.

**Chapter III**

**The ACP General Secretariat**

*Article 19\**

The ACP General Secretariat for servicing the organs of the ACP Group shall be located in Brussels, Belgium.

*Article 19*

The ACP General Secretariat under the authority of the organs of the ACP Group shall:

- monitor the implementation of the Lomé Convention,
- service the organs of the ACP Group and the joint institutions established under the Lomé Convention, and
- carry out such tasks as may be assigned to it by the Council of Ministers and the

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\*This author's note: Should read "Article 18".

Committee of Ambassadors.

*Article 20*

The Council of Ministers, on the proposal of the Committee of Ambassadors, shall determine the organisational structure of the ACP General Secretariat; and define its staff regulations.

*Article 21*

The Council of Ministers shall establish the financial regulations and the budget of the ACP General Secretariat.

Each ACP State shall contribute to the budget in accordance with provisions established by the Council of Ministers.

**Chapter IV**

**Final and general provisions**

*Article 22*

A State which accedes to the Lomé Convention may accede to this Agreement, with the approval of the Council of Ministers. The new State shall assume all the rights and the obligations arising from this Agreement.

*Article 23*

Regional bodies of the ACP States shall be entitled to participate as observers in the meetings of the organs of the ACP Group.

*Article 24*

The provisions of this Agreement may be amended by a decision of the Council of Ministers.



#### *Article 25*

The working languages of the ACP Group shall be English and French. A delegation may oppose the examination of any text if it has not been drawn up in both languages.

#### *Article 26*

This Agreement is open for signature at the ACP General Secretariat from the Sixth day of June, 1975, being the date on which the approved text, in the English and French languages, was initialled in Georgetown, Guyana.

This Agreement shall come into force two months after signature thereof by at least two-thirds of the Member States of the ACP Group.

## APPENDIX 2

### **THE SUVA DECLARATION\***

**Fiji, 14 April, 1977**

**THE ACP COUNCIL OF MINISTERS:**

**RECALLING** the declaration of Heads of States, Head of Governments and Government Ministers of ACP Countries manifesting the political will of the ACP States to strengthen cooperation among themselves for their individual and collective benefit;

**CONSIDERING** the steps already taken to consolidate and strengthen the existing solidarity of the ACP Group in the conclusion of the Georgetown Agreement formally establishing the ACP Group;

**MINDFUL** of the need to translate into practical action the principles of collective self-reliance and of self-determination by the ACP countries to reinforce their unity and capacity for joint action;

**HEREBY DECLARES THE ADOPTION OF THE FOLLOWING PROGRAMME OF ACTION.**

#### **The Action Programme for Intra-ACP Cooperation**

The Action Programme deals with six major sectors of cooperation among ACP countries, viz.:

(1) Transport, communications and other services;

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\*Source: The Courier no.93 - September-October 1985, pp.55-56.

- (2) Trade;
- (3) Development of Intra-ACP Enterprises and Cooperation in production;
- (4) Development finance;
- (5) Technology, know-how, and technical assistance;
- (6) Cultural, Scientific and Educational Cooperation.

### **1. Transport, communications and other services**

An essential complement to the development and strengthening of trade cooperation, as well as to the development of intra-ACP enterprises and cooperation in production, is the implementation of appropriate measures in the service sectors, particularly shipping, air and land transport, communications and banking, insurance and credit.

In respect of shipping and shipping services, the ACP would need to examine and to identify the particular measures necessary for assisting the following main areas:

- (i) the expansion of trade between the ACP countries;
- (ii) intra-ACP cooperation in production;
- (iii) the stimulation of exports from ACP countries to third countries;
- (iv) cooperation in import policy and practice among ACP countries.

Related studies on alternative means of transport and the creation, improvement, or adaptation of port facilities, will also have to be undertaken.

The question of transportation is fundamental to the development of intra-ACP cooperation. With regard to new trade flows between the ACP countries, much will depend on the availability and cost of the transport services. Thus the ACP will need to determine to what extent the lack of these services or their cost constitutes a barrier

to the expansion of trade in ACP commodities. The ACP would also need to examine the existing and potential trade routes and the cargo flow estimates to determine the traffic demands in relation to the existing shipping tonnage owned by ACP States.

With respect to the stimulation of exports from ACP to third countries, and the coordination of export policies and practices by ACP States, studies will initially centre around the considerable savings that might be made by ACP countries from cooperative efforts in the bulk handling of homogenous cargoes moving in large quantities and the aggregation of mixed liner cargoes on a regional or sub-regional basis. Such investigations should also illustrate the economic feasibility of establishing or strengthening regional shipping lines serving the different areas of the ACP. The importance of communications networks between the ACP countries as a basic precondition for the development of intra-ACP cooperation in trade production, is all but equalled by that of the services such as insurance, banking and credit. The machinery for increased functional cooperation between these sectors of the ACP States should therefore be considered at an early stage.

## **2. Trade**

Having regard to the need for a fair distribution of the benefits of such a programme among the regions of Africa, the Caribbean and the Pacific, measures in this area must be designed with a view to:

- (i) the strengthening of the collective bargaining power of the ACP countries in their export and import trade with the industrialised countries and their ability to exploit more fully available opportunities in the markets of those countries;
- (ii) the liberalisation of trade among the ACP countries and between the ACP

countries and other developing countries. The mechanism for such trade liberalisation would be the adoption of an ACP-wide scheme for the provision of a distinct margin of advantage in favour of ACPs and other developing countries' supplies from developed countries care being taken to ensure an equitable distribution of the costs and benefits of the scheme among the individual participating countries. The scheme need not necessarily aim at full trade liberalisation but could be restricted to immediate and realistic targets;

(iii) the full utilisation of those measures in the Lomé Convention (eg. as in Article 7 (2)(b) of Title I) which offer direct support to the expansion of ACP trade, of the GATT protocol of December 8, 1971 relating to Trade Negotiations among Developing Countries and other international arrangements providing special support for intra-developing countries' trade;

(iv) the adoption of active measures of trade cooperation between the ACP States such as the conclusion of medium and long-term contractual arrangements as a means of directly expanding intra-ACP trade flows and of developing new trade flows. These arrangements can involve commitments to supply and purchase specific commodities within mutually agreed price ranges over given periods of time;

(v) the strengthening of cooperation between ACP producers for joint action aimed at improving and stabilising prices, at cooperation in processing, at product improvement, at providing technical support and at direct marketing distribution and shipping. Such efforts would have the result of reducing the traditional dependence on the marketing systems and distribution channels of the developed countries, especially those organised through the intra-firm transactions of transnational corporations and through commodity markets or exchanges controlled by the developed countries; and of

increasing the share of the value-added retained by ACP countries. Joint ACP marketing and market intelligence services should also be contemplated in this regard;

(vi) the full exploitation of the provisions of the Lomé Convention relating to the accumulation of processing and cumulative treatment in respect of exports to the European Community;

(vii) the identification of the possibilities for the production of and the trade in goods deriving from the particular specialisation of ACP States and the scope for complementarity between various sectors of different ACP countries;

(viii) the identification of specific obstacles to the initiation and expansion of trade between the ACP countries and taking the necessary steps to overcome the obstacles;

(ix) the initiation of effective intra-ACP cooperation in developing a system of payments arrangements for trade, by means of a network of clearing arrangements at the regional and sub-regional levels, by the development of closer linkages between these arrangements, and by the development of closer links between the central banks of ACP countries with a view to furthering the principle of collective self-reliance.

### **3. The development of intra-ACP enterprises**

#### **and cooperation in production**

Central to the strategy for the achievement of the objectives of intra-ACP cooperation is the development of multinational Intra-ACP Enterprises for production. The development of such complementary productive capacity is a major precondition for the satisfactory development of the resource endowments of many ACP States, for the expansion and diversification of intra-ACP trade, as well as for the enhancement of the position of ACP trade in the markets of third countries.

Article 8(a) of Protocol No 2 of the Lomé Convention makes basis provision for financial support in the setting up of "regional and interregional enterprises"; such initial impetus as represented by these resources should be fully utilised in the achievement of this major objective.

The process of identifying opportunities for establishing such enterprises should be given immediate expert attention so that there can be early initiation of intra-ACP collaboration and negotiations for the establishment of appropriate intra-ACP enterprises in the fields of natural resources, technology, management, finance, markets, etc. The balancing of the interests of participating countries should not be overlooked and emphasis might be more wisely placed on factor complementarity rather than on equity financing in the creation of these enterprises.

Collaboration should also be strengthened in relation to the development of infrastructure and services such as hydro-electric plants, road networks, telecommunications, water development, airline and shipping services, insurance, finance and banking institutions and technological and research services. Special concern for the benefits of the least developed, island and land-locked countries should continue to be a major preoccupation of such collaboration.

Regional and sub-regional plans for the production of food for home consumption should also be the subject of exchanges and collaboration between ACP countries.

As a first step, inventories of possible Intra-ACP Enterprises in all these fields should be drawn up in cooperation with regional and sub-regional financial institutions - and if possible with national development banks. The gathering of technical data essential to this exercise must be undertaken immediately, together with the organising

and updating of relevant data available in U.N. Agencies and financial institutions, such as the World Bank Group.

#### **4. Development finance**

In the field of development finance, provisions already exist in the Lomé Convention under which direct financial support is available for the furtherance of intra-ACP cooperation. Apart from this, an early start should be made within the ACP Group to ensure greater collaboration and cooperation in respect of the individual aid programme now being established under the Lomé Convention. In addition, machinery can be instituted within the ACP Secretariat for maximising the benefits to ACP enterprises arising out of the provisions of the Convention relating to invitations to tender in respect of EEC-financed projects.

Other measures aimed at improving the availability of capital on terms more favourable to the ACP countries might be contemplated, and whenever possible, with the cooperation of other developing countries. Intra-ACP cooperation, in the context of cooperation with other development countries, could:

- (i) provide for balance-of-payments adjustments assistance,
- (ii) support stabilisation of commodity export prices at equitable and remunerative levels and
- (iii) serve as a framework for long-term development finance.

Experience regarding monetary and financial measures now in existence or under contemplation in various regions or sub-regions of the ACP could be shared on a systematic basis with a view to their deepening and widening for the benefit of the ACP States jointly and severally.



## **5. Technology, know-how and technical assistance**

Intra-ACP technical cooperation projects are a vital part of Intra-ACP cooperation. They are already envisaged under the Lomé Convention and this can be used as a basis for the development and expansion of technology transfer among the ACP States. The measures to achieve this could include:

- (i) Increased flow of technologies and know-how evolved within the ACP or other developing countries;
- (ii) Exchange of information and expertise in respect of available technologies;
- (iii) Technical assistance, in particular through the exchange of experts, advisory services and training courses;
- (iv) the utilising of the services of engineering design and consultancy firms in ACP or other developing countries which could provide the appropriate technology and ensure the maximum component of indigenous equipment;
- (v) Collective efforts at joint projects for the acquisition and development of technologies for utilisation in more than one country;
- (vi) The elaboration of preferential arrangements for the development and transfer of technology among themselves and the establishing of regional and sub-regional centres for development and transfer of technology which could serve as essential links with centres in other countries.

A start can be made by preparing files on available expertise within the ACP countries, such files drawn up with the assistance of the regional and sub-regional groups as well as the information now available in regional and international organisations.

## **6. Cultural, scientific and educational cooperation**

The development of programmes and the establishment of machinery within the ACP Group for educational, scientific and cultural exchanges must be contemplated at an early date. In this regard, the ACP Secretariat, in collaboration with appropriate regional institutions, might initially be used as a clearing house for the exchange of information as to possibilities in this field.

As far as practicable, the initial steps in the realisation of these measures should give emphasis to and be built on regional cooperation.

In all undertakings in the context of the Action Programme, the problems of the least developed, landlocked, semi-landlocked and island countries must continually be borne in mind and therefore efforts must be made to define the measures which would be of benefit to those countries within the action programme of intra-ACP Cooperation.

THE ACP STATES ACCEPT THE ABOVE AREAS AND METHODS OF COOPERATION AS CONSTITUTING THE FOUNDATION OF THEIR EFFORTS AT COOPERATION AND SELF RELIANCE, A FOUNDATION ON WHICH THEY WILL STRIVE TO BUILD A STRONG AND UNITED BROTHERHOOD OF NATIONS.

### APPENDIX 3\*

#### **LIST OF ACP COUNTRIES BY REGION, INDICATING STATE CAPITALS, POPULATION SIZE, LAND MASS, AND FIRST TREATY OR CONVENTION SIGNED WITH THE EEC**

##### Africa (46 ACP countries)

**Angola** (Luanda, 9 230 000, 1 246 700km<sup>2</sup>, Lomé IV)  
**Bénin** (Cotonou, 4 300 000, 112 622km<sup>2</sup>, Treaty of Rome)  
**Botswana** (Gaborone, 1 170 000, 581 730km<sup>2</sup>, Lomé I)  
**Burkina Faso** (Ouagadougou, 8 310 000, 274 200km<sup>2</sup>, Treaty of Rome)  
**Burundi** (Bujumbura, 5 000 000, 27 834km<sup>2</sup>, Yaoundé II)  
**Cameroon** (Yaoundé, 10 860 000, 475 422km<sup>2</sup>, Treaty of Rome)  
**Cape Verde** (Praia, 350 000, 4 033km<sup>2</sup>, Lomé II)  
**Central-African Republic** (Bangui, 2 700 000, 622 984km<sup>2</sup>, Yaoundé I)  
**Chad** (N'Djamena, 5 270 000, 1 284 000km<sup>2</sup>, Treaty of Rome)  
**Comoros** (Moroni, 470 000, 2 171km<sup>2</sup>, Lomé II)  
**Congo** (Brazzaville, 1 840 000, 342 000km<sup>2</sup>, Treaty of Rome)  
**Côte d'Ivoire** (Abidjan, 11 140 000, 322 462km<sup>2</sup>, Treaty of Rome)  
**Djibouti** (Djibouti, 370 000, 22 000km<sup>2</sup>, Lomé II)  
**Equatorial Guinea** (Malabo, 410 000, 28 051km<sup>2</sup>, Lomé I)

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\*Main source: The Courier, No.120, Special Issue - Lomé IV Convention, March-April 1990, pp.20-22.

**Ethiopia** (Addis Ababa, 46 180 000, 1 221 900km<sup>2</sup>, Lomé I)

**Gabon** (Libreville, 1 060 000, 27 667km<sup>2</sup>, Treaty of Rome)

**Gambia** (Bangul, 790 000, 11 295km<sup>2</sup>, Lomé I)

**Ghana** (Accra, 13 700 000, 238 537km<sup>2</sup>, Lomé I)

**Guinea** (Conakry, 6 380 000, 245 857km<sup>2</sup>, Treaty of Rome)

**Guinea Bissau** (Bissau, 920 000, 36 125km<sup>2</sup>, Lomé I)

**Kenya** (Nairobi, 22 940 000, 582 656km<sup>2</sup>, Lomé I)

**Lesotho** (Maseru, 1 620 000, 30 355km<sup>2</sup>, Lomé I)

**Liberia** (Monrovia, 2 350 000, 111 369km<sup>2</sup>, Lomé I)

**Madagascar** (Antananarivo, 10 890 000, 587 041km<sup>2</sup>, Treaty of Rome)

**Malawi** (Lilongwe, 7 500 000, 118 484km<sup>2</sup>, Lomé I)

**Mali** (Bamako, 8 680 000, 1 240 000km<sup>2</sup>, Treaty of Rome)

**Mauritania** (Nouakchott, 1 860 000, 1 030 700km<sup>2</sup>, Treaty of Rome)

**Mauritius** (Port Louis, 1 000 000, 1 860km<sup>2</sup>, Yaoundé II)

**Mozambique** (Maputo, 14 550 000, 783 030km<sup>2</sup>, Lomé III)

**\*Namibia** (Windhoek, 1 740 000, 824 292km<sup>2</sup>, Lomé IV)

**Niger** (Niamey, 6 490 000, 1 267 000km<sup>2</sup>, Yaoundé I)

**\*\*Nigeria** (Lagos, 101 910 000, 932 768km<sup>2</sup>, Lomé I)

**Rwanda** (Kigali, 6 530 000, 26 338km<sup>2</sup>, Treaty of Rome)

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\*Source: ACP Diplomatic Directory, Brussels: Sicotrad, Third Edition, 1992, p.37 for details concerning Namibia.

\*\*Under the Administration of General Ibrahim Babangida, the seat of the Nigerian Federal Government was moved from Lagos to Abuja on 12 December 1991. Also, the 1991 Nigerian census put the country's population at 88 514 501: Gabriel Umoden, The Babangida Years, Lagos: Gabumo Publishing Co., 1992, pp.181 and 295.

**Sao Tomé & Príncipe** (Sao Tomé, 110 000, 964km<sup>2</sup>, Lomé II)

**Senegal** (Dakar, 6 790 000, 196 192km<sup>2</sup>, Treaty of Rome)

**Seychelles** (Victoria, 70 000, 280km<sup>2</sup>, Lomé II)

**Sierra Leone** (Freetown, 3 850 000, 71 740km<sup>2</sup>, Lomé I)

**Somalia** (Mogadiscio, 6 860 000, 637 657km<sup>2</sup>, Treaty of Rome)

**Sudan** (Khartoum, 23 130 000, 2 505 813km<sup>2</sup>, Lomé I)

**Swaziland** (Mbabane, 710 000, 17 363km<sup>2</sup>, Lomé I)

**Tanzania** (Dar es Salaam, 23 220 000, 945 087km<sup>2</sup>, Lomé I)

**Togo** (Lomé, 3 150 000, 56 790 km<sup>2</sup>, Treaty of Rome)

**Uganda** (Kampala, 16 600 000, 236 036km<sup>2</sup>, Lomé I)

**Zaire** (Kinshasa, 32 460 000, 2 345 409km<sup>2</sup>, Treaty of Rome)

**Zambia** (Lusaka, 7 560 000, 752 614km<sup>2</sup>, Lomé I)

**Zimbabwe** (Harare, 8 640 000, 391 109km<sup>2</sup>, Lomé II)

#### The Caribbean (15)

**Antigua and Barbuda** (St John's, 80 000, 441km<sup>2</sup>, Lomé III)

**Bahamas** (Nassau, 240 000, 13 935km<sup>2</sup>, Lomé I)

**Barbados** (Bridgetown, 250 000, 431km<sup>2</sup>, Lomé I)

**Belize** (Belmopan, 170 000, 22 973km<sup>2</sup>, Lomé III)

**Dominica** (Roseau, 80 000, 751km<sup>2</sup>, Lomé II)

**Dominican Republic** (Santo Domingo, 6 720 000, 48 734km<sup>2</sup>, Lomé IV)

**Grenada** (St George's, 110 000, 344km<sup>2</sup>, Lomé I)

**Guyana** (Georgetown, 990 000, 214 969km<sup>2</sup>, Lomé I)

**Haiti** (Port au Prince, 5 500 000, 27 700km<sup>2</sup>, Lomé IV)

**Jamaica** (Kingston, 2 410 000, 10 991km<sup>2</sup>, Lomé I)

**St. Christopher & Nevis** (Basseterre, 50 000, 360km<sup>2</sup>, Lomé III)

**St. Lucia** (Castries, 140 000, 616km<sup>2</sup>, Lomé II)

**St. Vincent & The Grenadines** (Kingstown, 110 000, 340km<sup>2</sup>, Lomé III)

**Surinam** (Paramaribo, 390 000, 163 265km<sup>2</sup>, Treaty of Rome-in 1962)

**Trinidad & Tobago** (Port of Spain, 1 220 000, 5 128km<sup>2</sup>, Lomé I)

### **The Pacific (8)**

**Fiji** (Suva, 700 000, 18 272km<sup>2</sup>, Lomé I)

**Kiribati** (Bairiki, 70 000, 710km<sup>2</sup>, Lomé II)

**Papua New Guinea** (Port Moresby, 3 480 000, 461 691km<sup>2</sup>, Lomé II)

**Solomon Islands** (Honiara, 290 000, 28 446km<sup>2</sup>, Lomé II)

**Western Samoa** (Apia, 160 000, 2 842km<sup>2</sup>, Lomé I)

**Tonga** (Nuku'alofa, 110 000, 699km<sup>2</sup>, Lomé I)

**Tuvalu** (Funafuti, 8 000, 26km<sup>2</sup>, Lomé II)

**Vanuatu** (Port Vila, 140 000, 14 760km<sup>2</sup>, Lomé III)

## **APPENDIX 4A**

### **QUESTIONNAIRE ON AWARENESS OF THE ACP GROUP**

(See Chapter 1.2.2 for results of questionnaire)

**THE LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE**

**DEPARTMENT OF INTERNATIONAL RELATIONS**

**HOUGHTON STREET, LONDON WC2A 2AE**

27 July 1992

Dear Sir or Madam

This questionnaire is drawn up within the framework of a PhD research under the supervision of Professor James Mayall, Convener of the Department of International Relations. The subject of research is "ACP-EEC Cooperation : A Study in Group Diplomacy".

The questionnaire has two aims : first, to determine whether people with a consciousness of individual African, Caribbean and Pacific (ACP) countries' foreign affairs have a general consciousness of the ACP as a group; and second, to ascertain the level of awareness of the ACP by comparing knowledge of member states' regional organizations with knowledge of the group itself. The questionnaire is divided into four parts to facilitate the analysis of the results.

Persons questioned are of different backgrounds representing all regions of the ACP. They include diplomats, business people, lecturers, students, journalists, and generally all informed people interested in an ACP region. State your profession on the top of the questionnaire if it is not adequately represented, and kindly return the completed questionnaire to me at the above address.

Thank you for your cooperation.

Yours faithfully

John Mgbere  
Research Student

**QUESTIONNAIRE**  
(Also available in French)

- A.1. How would you consider your knowledge of African External Affairs?  
a) very good b) good c) fairly good d) not good enough
2. How would you consider your knowledge of Caribbean External Affairs?  
a) very good b) good c) fairly good d) not good enough
3. How would you consider your knowledge of South Pacific External Affairs?  
a) very good b) good c) fairly good d) not good enough
- B.4. Do you think there are possible links between any two or all three groups of countries mentioned above in the area of :
- i. Cultural History a) Yes b) No
- ii. Colonial History a) Yes b) No
- iii. Economic Development a) Yes b) No
- (If yes, please list which groups in each case using numbers as follows :  
1=Africa, 2=Caribbean, and 3=Pacific)
5. Could you conceive of them coming together as members in a group for their common interest? a) Yes b) No  
Please give reasons, if any :
- C.6. Have you heard of the ECOWAS - Economic Community for West African States?  
a) Yes b) No  
Do you know any member state? a) Yes b) No
7. Have you heard of the CARICOM - Caribbean Community and Common Market?  
a) Yes b) No  
Do you know any member state? a) Yes b) No
8. Have you heard of the SPEC - South Pacific Bureau for Economic Cooperation?  
a) Yes b) No  
Do you know any member state? a) Yes b) No
- D.9. Have you heard of the Lomé Convention?  
a) Yes b) No  
Do you know any signatory?  
a) Yes b) No If yes, which one :
10. Are third world members of the above-mentioned regional economic organizations also signatories to the Lomé Convention?  
a) Yes b) No c) Not sure
11. Have you heard of the African, Caribbean and Pacific (ACP) Group?  
a) Yes b) No  
Do you know any member state?  
a) Yes b) No If yes, which one :
12. Are Lomé signatories from Africa, the Caribbean and the Pacific all members of the ACP Group?  
a) Yes b) No c) Not sure



APPENDIX 4B

**QUESTIONNAIRE SUR LA PRISE EN CONSCIENCE DU GROUPE ACP**

THE LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE

DEPARTMENT OF INTERNATIONAL RELATIONS

HOUGHTON STREET, LONDON WC2A 2AE

le 27 juillet 1992

Madame/Monsieur

Ce questionnaire est établi dans le cadre d'une thèse de doctorat sous la direction du professeur James MAYALL, qui s'occupe du département des Relations Internationales à la London School of Economics. Le sujet de recherche est "La Coopération ACP-CEE : Une Etude de la Diplomatie de Groupe".

Le questionnaire a deux objectifs. Premièrement, il essaie de déterminer si les personnes qui connaissent les relations individuelles des Etats africains, caraïbes et pacifiques (ACP) connaissent aussi le groupe ACP. Et deuxièmement, il cherche à savoir si le niveau des connaissances des organisations économiques régionales dont les Etats membres font partie correspond à celui du groupe même. Le questionnaire est divisé en quatre parties afin de faciliter l'analyse des résultats.

Les personnes interrogées représentent les différentes régions de l'ACP et elles ont des expériences professionnelles très variées. Il s'agit de diplomates, d'hommes d'affaires, d'enseignants, d'étudiants, de journalistes ainsi que de personnes généralement informées et intéressées par une région de l'ACP. Indiquez votre profession en haut du questionnaire si elle n'est pas bien représentée et veuillez me l'envoyer à l'adresse ci-dessus.

Merci de votre compréhension.

Veuillez, agréer, Monsieur/Madame mes salutations les plus distinguées.

John MGBERE  
Etudiant-Chercheur

## QUESTIONNAIRE

(Disponible également en version anglaise)

- A.1. Que diriez-vous de votre connaissance sur les relations extérieures des Etats africains?  
a) très bon    b) bon    c) moyen    d) insuffisant
2. Que diriez-vous de votre connaissance sur les relations extérieures des Etats des Caraïbes?  
a) très bon    b) bon    c) moyen    d) insuffisant
3. Que diriez-vous de votre connaissance sur les relations extérieures des Etats du Pacifique sud?  
a) très bon    b) bon    c) moyen    d) insuffisant
- B.4. Croyez-vous que l'on puisse établir des liens entre les deux ou les trois groupes de pays mentionnés ci-dessus dans le domaine de:  
i. l'histoire culturelle    a) Oui    b) Non  
ii. l'histoire coloniale    a) Oui    b) Non  
iii. développement économique    a) Oui    b) Non  
(Si oui, désignez les groupes concernés en indiquant des chiffres :  
1=Afrique, 2=Caraïbes, et 3=Pacifique)
5. Pouvez-vous les concevoir comme membres coopérant d'un groupe constitué par leurs intérêts communs? a) Oui    b) Non    Avez-vous une raison? -
- C.6. Avez-vous entendu parler de la CEDEAO - Communauté Economique des Etats de l'Afrique de l'Ouest?    a) Oui    b) Non  
Connaissez-vous un Etat membre?    a) Oui    b) Non
7. Avez-vous entendu parler de la CARICOM - Communauté et Marché Commun des Caraïbes?    a) Oui    b) Non  
Connaissez-vous un Etat membre?    a) Oui    b) Non
8. Avez-vous entendu parler de la SPEC - Bureau pour la Coopération Economique du Pacifique sud?    a) Oui    b) Non  
Connaissez-vous un Etat membre?    a) Oui    b) Non
- D.9. Avez-vous entendu parler de la Convention de Lomé?  
a) Oui    b) Non  
Connaissez-vous un Etat signataire?  
a) Oui    b) Non    Si oui, lequel?
10. Les Etats du tiers monde, membres des organisations économiques régionales mentionnées ci-dessus, sont-ils également signataires de la Convention de Lomé?  
a) Oui    b) Non    c) Incertain
11. Avez-vous entendu parler du Groupe Afrique, Caraïbes et Pacifique (ACP)?  
a) Oui    b) Non  
Connaissez-vous un Etat membre?  
a) Oui    b) Non    Si oui, lequel?
12. Les signataires de la Convention de Lomé en Afrique, aux Caraïbes et au Pacifique sont-ils tous membres du groupe ACP?  
a) Oui    b) Non    c) Incertain

## **APPENDIX 5**

### **CHRONOLOGY OF ACP-EEC RELATIONS**

- March 1957 - Treaty of Rome signed. Part IV of the Treaty concerns EEC relations with the OCTs.
- July 1961 - Britain applies to join the EEC.
- 30 May 1961 - Kwame Nkrumah addresses Ghana National Assembly and criticises Treaty of Rome as a successor to the Treaty of Berlin which divided up Africa for exploitative purposes.
- 26 October 1961- Léopold Sédar Senghor gives lecture at Oxford. He sings praise of European colonisation and commends EEC association.
- September 1962 - Crucial Commonwealth Heads of State and Government Meeting in London discusses Britain's application to join the EEC. Britain's application was vetoed by France's General de Gaulle, but the principle of the application and the effects of a possible future successful bid on Commonwealth relations provoke strong reactions from various Commonwealth leaders.
- 1-2 April 1963 - Following the failure of Britain's EEC application, the EEC Council of Ministers adopt a Declaration of Intent (made public in July) giving three options to developing countries, including Commonwealth countries, seeking to negotiate special trade arrangements with the EEC.
- July 1963 - The first Yaoundé Convention is signed between the EEC and

former OCTs which were associated to the Community under Part IV of the Treaty of Rome. It enters into force on 1 June 1964.

- 1966 - The Nigeria-EEC Agreement is signed after two and a half years of negotiations, but it never enters into force.
- 29 July 1969 - The second Yaoundé Convention is signed between the same partners as Yaoundé I. Mauritius, a member of the Commonwealth, later joins in 1972.
- 24 September 1969 - The Arusha Accord is signed between the EEC and the three members of the East African Community (Kenya, Tanzania Uganda). The Accord enters into force in 1971.
- 1972 - Britain successfully signs the Act of Accession to the Treaty of Rome which enters into force in 1973. Protocol 22 of the Act invites Commonwealth developing countries with economies comparable to those of the Yaoundé Associates to join future negotiations with EEC for the renewal of the Yaoundé Convention.
- April 1972 - The eighteen Associates meet at Nouakchott, Mauritania, and decide to cooperate with the Commonwealth Associates in the forth-coming Lomé negotiations. But, differences persist between the Associates and Associates over the principle of association to be adopted in the negotiations.
- August 1972 - At conference of the NAM in Guyana, that country's Foreign Minister, Mr. S. S. Ramphal calls informal meeting of countries eligible for association with the EEC.
- February 1973 - ECA calls OAU ministerial meeting at Accra, Ghana to discuss

Africa's future relations with the EEC.

- 11 February 1973 - Nigeria and the East African Community hastily call Commonwealth African Trade Ministers meeting in Lagos and decide not to discuss Africa-EEC relations at Accra. While consensus had not been reached between the Associates and the Associables, this decision was taken presumably to avoid further divisions over thorny issues such as reverse preferences.
- May 1973 - At an OAU Trade Ministers meeting in Addis Ababa, eight principles to form the basis of joint African negotiations with the EEC agreed.
- 7-9 July 1973 - Lagos meeting called to coordinate African positions before forthcoming Brussels ACP-EEC preliminary meeting. Nigeria's General Gowon and Nzo Ekwangaki, OAU Secretary-General, speak on the need for African consensus and on the merits of having the OAU to coordinate African negotiating positions.
- 25-26 July 1973 - ACP-EEC preliminary meeting held in Brussels. Nigeria's Minister of Trade, Mr. Wenike Briggs, presents Africa's position; Guyana's Minister for Foreign Affairs, Mr. S.S. Ramphal presents Caribbean position; and Fiji's Prime Minister, Ratu Sir Kamisese Mara, presents Pacific position.
- 20-22 Feb. 1974 - The African group in its Council of Ministers meeting held at Addis Ababa decided that the African, Caribbean and Pacific countries should adopt a common position *vis-à-vis* the EEC.
- 27 March 1974 - At a meeting held in Brussels with the EEC Babacar Ba, speaker

for the African group declared that there would no longer be three groups expressing harmonised positions with one voice, but a single group of the ACP countries.

28 February 1975 - ACP-EEC Convention signed at Lomé (Lomé I); enters into force on 1 April 1976. Novel features: stabex

6 June 1975 - Georgetown Agreement signed in Guyana institutionalising the ACP Group

31 October 1979 - Lomé II signed; enters into force on 1 January 1981. Novel features: sysmin

8 December 1984 - Lomé III signed; enters into force on 1 May 1986. Novel features: role of women in development, cultural cooperation

15 December 1989 - Lomé IV signed; entered into force in 1990 novel features: environment, convention valid for ten instead of usual five years, EDF (financial protocol) for five years as before. Signs of stagnation sets into ACP-EEC cooperation.

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Commission des Communautés Européennes, Direction Générale du Développement, Notes d'Information VIII/C/1-VIII/6, "Bilan Synthétique de la Coopération Financière et Technique mise en oeuvre en 1992 dans le cadre des Conventions de Lomé", 22 mars 1993

Commission of the European Communities, Report to the ACP-EEC Council of Ministers on the administration of financial and technical cooperation in 1983 under the Lomé Convention, COM (84) 398 final, Brussels: 17th July 1984

Council of the European Communities, Protocols to the EEC-Algeria Cooperation Agreement and other Basic Texts, Luxembourg: Office for Official Publications of the European Communities, 1990

EC Commission Directorate-General for Development, Ten Years of Lomé A Record of EEC-ACP Partnership 1976 to 1985, Brussels: September 1986

European Commission, ACP-EEC Convention of Lomé, Annual Report of the ACP-EEC Council of Ministers (1 April 1976 - 31 March 1977), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and technical aid in 1976, Suva, 14 April 1977

European Commission, ACP-EEC Convention of Lomé, Second Annual Report of the ACP-EEC Council of Ministers (1 April 1977 - 28 February 1978), Commission Report to the ACP-EEC Council of Ministers on the administration of finance and

technical co-operation in 1977, Brussels: 14 March 1978

European Parliament Working Documents 1980-81, 30 October 1980, Document 1-522/80, PE 66.715/fin., Report on the outcome of the proceedings of the ACP-EEC Joint Committee and Consultative Assembly, Report drawn up on behalf of the Committee on Development and Cooperation, Rapporteur: Mr. V. Sable

European Parliament Working Papers 1983-1984, Report on the context of the future ACP-EEC convention to follow Lomé II, Part II: Sub-reports by the individual rapporteurs and opinions of the committees asked for an opinion, 12 August 1983, Document 1-605/83/II, PE 85.143/fin./II, Rapporteur: Mr. U. Irmer

European Parliament Working Papers 1986-87, 9 January 1987, Series A, Document A 2-206/86, PE 109.176/fin., Committee on Development and Cooperation Report on the outcome of the Joint Assembly proceedings, Rapporteur: Mr. F. Condesso

European Parliament Working Documents 1986-87, 12 January 1987, Series A, Document A 2-203/86, PE 109.430/fin., Rapporteur: Mrs. K. Focke

European Parliament. Fact sheets on the EP and the activities of the EC (Directorate-General for Research), Luxembourg: Office for Official Publications of the European Communities, Sept 1988

European Parliament Session Papers 1988-89, 29 November 1988, Series A, Document A 2-0281/88, PE 126.362/fin., Report of Committee on Development and Cooperation on the results of the work of the ACP-EEC Joint Assembly in 1988 in Lomé and Madrid, Rapporteur: Mrs. R-C. Rabbethge

European Parliament, ACP-EEC Joint Assembly: Shared Democracy, Go Between series, circa 1990-93

European Parliament, Directorate-General Information & Public Relations, ACP-EEC Joint



Assembly, Santo-Domingo, 17-20 February 1992, Doc\_EN/ACP/206767,  
Luxembourg

Journal Officiel des Communautés européennes, "Actes relatifs à l'adhésion aux  
Communautés européennes du Royaume de Danemark, de l'Irlande, du Royaume  
de Norvège et du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord" Edition  
spéciale, 15e année n°L73, 27 Mars 1972

Office des publications officielles des Communautés européennes, Organigramme de la  
Commission des Communautés européennes, Luxembourg: février 1992

Office for Publications of the European Communities, The Third ACP-EEC Convention  
of Lomé (signed on 8 December 1984) and related documents, ACP-EEC Council  
of Ministers, Brussels, Luxembourg: 1985

- Rules of Procedure of the Council of Ministers; Rules of Procedure of the  
Committee of Ambassadors

- Texts relating to Agricultural and Rural Cooperation V, 1 January 1987 - 31  
December 1987

- Texts relating to Industrial Cooperation VIII, Texts relating to Agricultural and  
Rural Cooperation VI, 1 January 1988 - 31 December 1988

Office for Official Publications of the European Communities, Treaties establishing the  
European Communities, Treaties amending these Treaties, Single European Act,  
Resolutions-Declarations, Luxembourg: 1987

Office for Official Publications of the European Communities, ACP-EEC Council of  
Ministers, Compilation of Texts XV, ACP-EEC Conventions of Lomé, 1 January  
1990 - 31 December 1990, Luxembourg: 1992

Official Journal of the European Communities, "Minutes of ACP-EEC Joint Assembly

meeting held in Amsterdam, 24-27 September 1991", C31, Vol. 35, 7 February 1992

Règlement (CEE) N° 404/93 du Conseil du 13 février 1993 portant organisation commune des marchés dans le secteur de la banane in Journal officiel des Communautés européennes, N° L 47, 25.2.93

### 2.3 Joint ACP-EEC Publications

ACP-EEC Joint Assembly, Working Documents, Doc.ACP-EEC/539/92, Draft Agenda, 7 January 1992

Centre for the Development of Industry (ACP-EC), Annual Report '90, Brussels: 1991  
ACP-EEC Convention of Lomé (Lomé I), Complete Text in The Courier no. 31, Special Issue, March 1975

The second ACP-EEC Convention signed in Lomé on 31 October 1979, Complete Text in The Courier ACP-EEC no. 58, Special Issue, November, 1979

ACP-EEC Convention: Lomé III, in The Courier no. 89, Special Issue, January-February 1985

Lomé IV Convention in The Courier no.120, Special Issue, March-April 1990

### 2.4 Publications by non-ACP-EEC Organisations

OAU General Secretariat, ESCAS Dept., "Africans ban hazardous and nuclear waste dumping", OAU Press Release, Addis Ababa, Ethiopia, 29 January 1991

United Nations, Multilateral Treaties deposited with the Secretary-General, Status at 31

December 1992, New York: 1993

## 2.5 Public Lectures and Seminars

"Caribbean Co-operation - The Imperative For Survival": the Fourth Norman Manley Memorial Lecture by the Rt Hon Michael Manley, P.C., London School of Economics, 30th October 1992

- lecture was illuminating on the possibility of cooperation between the Commonwealth Caribbean ACP countries and the Dominican Republic and Haiti (the two new members of the ACP group) in view of the fact that intra-Caribbean cooperation was difficult to achieve between these countries prior to the signing of Lomé IV in 1990

"Qui exerce le pouvoir en Afrique? Un modèle de développement à l'Occidentale ou une Communauté Economique pour l'Afrique est-ce la solution?" par S. E. Charles Valy Tuho, Ambassadeur de la Côte d'Ivoire et Professeur Platau (Namur), Université Libre de Bruxelles, 15 Mars 1993

"Dialogue des cultures: Parlons-nous le même langage?" par S. E. Raymond Chasle, Secrétaire Général de la Fondation ACP-EEC pour la Coopération Culturelle et Ambassadeur de l'Ile Maurice; Henry Saby, Président du Comité pour la Coopération et le Développement au Parlement Européen; et Pierre Salmon, Professeur de l'Histoire Africaine à l'ULB, Université Libre de Bruxelles (ULB), 17 Mars 1993

- useful in giving definitions of ACP-EEC cultural cooperation which include the

social and cultural dimensions of development

Pan-Africanism and Africa's future challenges by Dr. Kenneth Kaunda, former President of Zambia, London School of Economics, 7th December 1993

- of relevance to this thesis, lecture stated that wheat farmers in Zambia could not harvest and market their produce in 1993 because cheaper produce from the EEC (financed by the CAP) had entered into the Zambian market

## 2.6 Interviews

Formal interviews were conducted with the following persons:

28 Jan. 1992: M. A. N. Barry, Chef des Relations Publiques, Presses, Information et Protocol, ACP Secretariat. Main discussions: origins of ACP-EEC cooperation; the internal coordination of the ACP group and impact of the differences between ACP countries.

30 April 1993: Mr. James Moran, Head of Administrative Coordination Sector, Commission of the European Communities, DG VIII-Development. Main discussions: internal organisation of DG VIII; administration of EDF, particularly in view of European Parliament influence over Commission budget; evaluation and execution of NIPs and role of Commission Delegation in ACP states.

12 May 1993: Mr. O. G. Nnaji, Head of Chancery, Nigerian Embassy, Brussels.  
Main discussions: Nigeria's role and influence in contemporary ACP-EEC relations, particularly against the background of the consideration that she is one of the biggest ACP countries and in view of the prominent role she played in the formation of ACP consensus at the first Lomé negotiations in 1973-75.

21 May 1993: His Excellency Raymond Chasle, Ambassador of Mauritius, longest serving ACP Ambassador - in Brussels since the signing of the first Lomé Convention, and proponent of several ACP-EEC projects, in particular, Cultural Cooperation. Main discussions, ranging from the general to the particular: After four Lomé Conventions, what difference has EEC development cooperation policy made both from the EEC and the ACP perspectives? How do certain ACP-EEC policies take the local ACP population into consideration: cultural cooperation, for example, proposes the establishment of data banks and recording libraries for the collection of oral traditions when in fact oral tradition should be *told* from one generation to another? What was the experience of Mauritius as the first Commonwealth country to join the EEC Association? How did Lomé come to be the Convention signing city?

Several less formal, yet very useful, discussions were held with numerous other people in the UK including Dr. Marc Williams, School of African and Asian Studies, University

of Sussex; Dr. Christopher Stevens, Institute of Development Studies, University of Sussex; Dr. Anna Dickson, Department of Politics, University of Durham (telephone discussion); and in Brussels: Myriam Vander Stichele, editor of Lomé Briefing; Dimitrios Maghieros, Commission DG VIII, Section 5-Relation with the Institutions including EDF allocations; Antonios Petsikos, Commission DG VI-Agriculture; Alain Pena, ACP Secretariat. His Excellency James Matheson, former Ambassador of Guyana to the EEC, offered some very useful comments at the final stages of the thesis.