

The London School of Economics and Political Science

Power Asymmetry between the European Union and Africa?
A case study of the EU's relations with Ghana and Senegal

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A thesis submitted to the Department of International Relations of the
London School of Economics for the degree of Doctor of Philosophy,
London, June 2009.

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Declaration

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Abstract

The EU's relationship with Africa is defined by power asymmetry, commonly characterised by a distribution of resources and capabilities across issue areas that almost always favour those at the top. Although asymmetry constrains weaker parties in identifying their preferences and the resources they can draw upon, in practise even in a situation of power asymmetry weaker actors can be successful in achieving their preferences. This thesis questions why some African countries have been able to exercise leverage and control vis-à-vis the EU despite power asymmetry. This question is answered through case studies of the EU's relations with Ghana and Senegal in three policy areas: aid, trade, and migration. The thesis adopts an empirical approach firstly to identify *both* parties' capacities and constraints in conducting relations, and secondly to establish the conditions under which African countries are able to fulfil their goals.

As a foreign policy actor the EU faces institutional and political constraints which lead to gaps between policy rhetoric and practise, and between expectations and actual capabilities. This affects the EU's position vis-à-vis third parties and creates a disjunction between the EU's structural power and its actual bargaining power. Structurally weaker countries are able to influence the EU, firstly, because of how the perceptions they hold of the EU's constraints and capacities shape their own strategies, and secondly, because of the presence of certain contextual factors which favour or constrain the exercise of leverage and control.

Senegal and Ghana are employed as case studies for the EU's relations with Africa. Although the socio-economic and political environment, the structural differences in power, and the EU's strategies are similar in both countries, Senegal has been more effective in promoting its interests than Ghana in relations with the EU. Senegal's perceptions of the EU's capabilities *and* constraints, the prevalence of 'ownership' and government 'control', and a strategic position have led to success in attaining its preferences and goals. Ghana's perceptions of apparent differences in structural power and mostly externally-driven policy processes have led it to adopt a more cooperative and consensual approach, weakening Ghana's ability to influence processes and outcomes vis-à-vis the EU. Leverage and control are therefore found in an actor's perception of its own power and that of others and in an environment where certain conditions favour weaker country influence, indicating that power is both relational and contextual.

Acknowledgements

First and foremost, I wish to express my immense gratitude to Dr. Karen E. Smith whose continual support, commitment and professionalism as my PhD supervisor went far beyond my expectations. Without her advise and suggestions, and especially the flexibility she gave me in completing this project, the PhD process would not have been as stimulating and motivating as it turned out to be. Dr. Smith's work ethic, enthusiasm and dedication is something I admire and aspire to in my own professional career.

I would also like to thank Dr. Gwendolyn Sasse for the interesting and very useful discussions on my research, especially during the earlier stages of the thesis. Dr. Chris Alden and Dr. Federica Bicchi also deserve thanks for taking to the time to closely scrutinise and comment on my work in those early stages.

I am grateful to the funding bodies which have provided me with financial support during this process. Without these contributions, writing this thesis, and especially conducting the fieldwork, would not have been possible. In particular, I acknowledge the Department of International Relations and the European Institute, at the LSE, for their important contributions while residing in London. I especially wish to thank the International Relations Department for their vital contributions to conducting fieldwork in Africa. Without this support, I would not have had this incredible opportunity to visit the continent, nor would I have obtained the rich empirical information necessary to complete this thesis. I also wish to acknowledge the Central Research Fund of the University of London for their support in completing fieldwork in Brussels.

The PhD experience has been a difficult one, and I certainly underestimated the amount of dedication, time, and passion needed to complete it. At the same time, the experience would never have been as enjoyable as it was without the friendship, support and encouragement received from my friends and colleagues at the LSE and beyond. Mariana Chaves and Ronan McCrea were incredibly supportive, both in terms of the PhD and on a personal level, especially during the last year of the PhD. Their friendship has been a fundamental source of strength and support, and I am forever grateful for this. A special thanks also goes to Emelyne Cheney, without whom my experience in Africa would never have been so enjoyable and easy. I am indebted not only to her assistance in conducting interviews, but also to her friendship and support. I thank Costi for providing continual

'entertainment' and very useful 'advise' during the late evenings spent in J14. I also thank Nadine, Katjana, Lior, Kyriakos, Sofia, Alison, Zsofi, Raya, Matthias, Max, Sotirios, Steve, Valentina and the rest of the J14/EI-crowd for always providing enjoyable company and support. Aside from the LSE, Joanna and Norman have also been great sources of support in venting about the troubles and trials of doing a PhD.

I thank Alioune Badara Camara for allowing me to ask countless questions and talk endlessly about Senegalese politics and EU-Africa relations. His insight has not only been helpful, but it allowed me to see things from a very different perspective. I could never have asked for or expected more patience and encouragement than I received from him in the finishing stages of the PhD. I would also like to thank Eugenie, Clement, and Francis for making my experience in Africa so enriching, enjoyable and personal.

I thank my family for their continuous and unending support before and during this experience. I am certain that without their constant encouragement, stimulation, and the occasional criticism, I would never have made it to this point. The seemingly endless hours spent in my room in the last months of the PhD would have been far more torturous were it not for my mom's TLC, my sister's distractions, and my dad's pressure. It is especially during this experience, and particularly during the last months of the PhD, that I realise more than ever their importance in my life.

Last, but by no means least, a very special thank you goes to Alessandro Picchianti. His companionship through the years, and his emotional and financial support during the PhD, have been the most important elements in allowing me to begin and complete this experience. His support and confidence in me have been second to none. No matter what the future holds for us, I am forever indebted to his generosity and grateful for having met such an amazing and special person.

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Abbreviations

ACAB	Arrangement Cadre aux Appuis Budgétaires
ACP	African, Caribbean, Pacific Group of States
AfDB	African Development Bank
AIDCO	EuropeAid Cooperation Office
AU	African Union
CEMAC	Communauté Economique et Monétaire d’Afrique Centrale
CET	Common External Tariff
CFA	Communauté Financière d’Afrique
CNNCI	Comite National des Négociations Commerciales Internationales
CSP	Country Strategy Paper
DAC	Development Assistance Committee
DfID	Department of International Development
DfTI	Department of Trade and Industry
DG	Directorate General
DG DEV	Directorate General for Development
DG JLS	Directorate General for Justice, Freedom, and Security
DG RELEX	Directorate General for External Relations
DPA	Development Partnership Agreement
EAC	East African Community
EBA	Everything But Arms
EC	European Community
ECOWAS	Economic Community of West African States
EDF	European Development Fund
EIDHR	European Initiative for Democracy and Human Rights
EP	European Parliament
EPA	Economic Partnership Agreement
ESA	East and Southern Africa
ETR	End of Term Review
EU	European Union
FDI	Foreign Direct Investment
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders
FTA	Free Trade Agreement
GAERC	General Affairs and External Relations Council
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
G-JAS	Ghana Joint Assistance Strategy
GoF	Government of France
GoG	Government of Ghana
GoS	Government of Senegal
GNI	Gross National Income
GPRS I	Ghana Poverty Reduction Strategy
GPRS II	Growth and Poverty Reduction Strategy
GSP	Generalised System of Preferences
HDI	Human Development Index
HIPC	Heavily Indebted Poor Countries
HLWG	High-Level Working Group
ICT	Information and Communication Technology

IFI	International Financial Institutions
IGAD	Inter-Governmental Authority on Development
IIC	Inter-Institutional Committee
IMF	International Monetary Fund
IOM	International Organisation for Migration
IQSG	Inter-service Quality Support Group
JAS	Joint Assistance Strategy
JHA	Justice and Home Affairs
LDC	Least Developed Country
MDBS	Multi-Donor Budget Support
MDG	Millennium Development Goals
MEF	Ministry of Economy and Finance
MFN	Most Favoured Nation
MIDA	Migration for Development in Africa
MoFEP	Ministry of Finance and Economic Planning
MTR	Mid-Term Review
NAO	National Authorising Officer
NDC	National Democratic Congress
NDPC	National Development Planning Committee
NEPAD	New Partnership for Africa's Development
NIP	National Indicative Programme
NPP	New Patriotic Party
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
OIC	Organization of Islamic Conference
PAPED	EPA Programme for Development
PCD	Policy Coherence for Development
PFM	Public Financial Management
PDS	Senegalese Democratic Party
PRSP	Poverty Reduction Strategy Paper
PS	Socialist Party
QMV	Qualified Majority Voting
RAL	Reste à Liquider
RIP	Regional Indicative Programme
RRM	Rapid Reaction Mechanism
SADC	Southern African Development Community
SAP	Structural Adjustment Programme
SCA	Stratégie de Croissance Accélérée
SPA	Strategic Partnership for Africa
SPS	Sanitary and Phytosanitary Measures
STABEX	System for the Stabilisation of Export Earnings
SYSMIN	System of Stabilisation of Export Earnings from Mining Products
TDCA	Trade and Development Cooperation Agreement
UEMOA	Union Economique et Monétaire Ouest Africaine
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
US	United States
WAEMU	West African Economic and Monetary Union
WTO	World Trade Organisation

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Introduction

Power asymmetry between the European Union and Africa?

The European Union's relationship with Africa is defined by power asymmetry, commonly characterised by a distribution of resources and capabilities across issue-areas that almost always favour the stronger actor. Although asymmetry constrains weaker actors in identifying their preferences and the resources they can draw upon, in practise even in a situation of power asymmetry weaker actors can be successful in achieving their preferences. This thesis questions why some African countries have been able to achieve their preferences vis-à-vis the EU despite power asymmetry. This is answered through case studies of the EU's relations with Ghana and Senegal in three policy areas: aid, trade, and migration. The thesis adopts an empirical approach to identifying *both* parties' capacities and constraints in conducting relations, and to establish the conditions under which African countries are able to fulfil their goals in relations with the EU.

1 The research agenda

Traditional analyses of relations between so-called weak and the strong countries, and in particular between developing and developed countries, contend that relations are centred around an unequal distribution of power, making for an asymmetric (or unequal) relationship. This relationship is commonly characterised by “a hierarchical distribution of resources and abilities simultaneously across many issue areas that almost always result in outcomes favorable to those at the top of the hierarchy” (Singh 2000: 451). Clearly, a situation of power asymmetry exists between the EU and Africa, not solely because of the obvious economic disparities that exist between the parties, but also due to gaps in institutional capacity. EU-Africa relations are supposed to undermine asymmetry as they are institutionalised, and are based, at least rhetorically, on the notion of ‘partnership’.¹ Despite this, the outcome of recent EU-Africa negotiations and actual implementation of the EU's policy towards Africa demonstrate that asymmetry persists. Elgström and Strömviik have argued, for example, that the EU's negotiations with the African, Caribbean,

¹ According to Farrell, “the partnership concept ... suggests free will, equal weight in terms of influence and ability to shape negotiations and outcomes, and the expectation of favourable results for each partner” (2005: 265).

and Pacific Group of States (ACP)² offer a good example of asymmetric power relations in which “the chance for the European Union to have its way ... is greatly enhanced” (2005: 121). This power asymmetry has been coupled with an increased marginalisation of Africa on the EU’s foreign policy agenda largely due to increasing EU interest elsewhere and more pressing domestic and foreign policy concerns.³ At the turn of the millennium, Cosgrove-Sacks aptly noted that, “there seems little doubt that the ACP and Africa in particular have slipped down the EU agenda ... Contentious issues are likely to be sidelined and the special sensitivities of the least developed countries are unlikely to command significant attention. In short, the marginalization of developing countries’ interests has become part of the *status quo*” (1999: 357). Indeed contextual developments, such as EU enlargements which consequentially shifted the EU’s focus towards other developing countries, and more important, the end of the Cold War, which further shifted the EU’s focus to more closely consider its Central and Eastern European neighbours, “served to undermine the relative power of the ACP countries” (Elgström 2005: 186). As Africa’s power diminished, the EU’s was seen as expanding. The end of the Cold War created expectations for the EU to become a more global actor, in that it had acquired more room to manoeuvre on the international stage. The EU began distributing aid to more parts of the world, there was an increase in cooperation and association agreements with non-ACP countries and other regional groups, and the EU’s foreign policy began taking shape and expanding (Smith 2004: 61-63).

Marginalisation and power asymmetry thus characterise relations between the EU and Africa. Indeed, taken as a whole, the ACP group and Africa in particular have been largely unsuccessful in having their demands met by the EU. In 2000, the negotiations on the Cotonou Agreement, the current framework governing EU-ACP relations, clearly showed the extent to which power asymmetry and marginalisation contributed to an outcome that was much more favourable towards the EU’s preferences than those of the ACP. Cotonou broke dramatically with past orientations of the EU’s policy towards the ACP and Africa, by eliminating preferential trade, basing aid allocations on countries’ merits and needs, introducing more stringent political and economic conditionalities, and

² Throughout the thesis, reference is often made to the ACP group as a whole, because it has been under the EU-ACP framework that relations with African countries have mainly operated. Therefore, many of the policies the EU implements in Africa are similar to those for the entire ACP group. This also implies that the African focus namely refers to sub-Saharan Africa, as relations with Northern African countries largely fall under a separate framework. Furthermore, references made to ‘Africa’ implies African countries, and does not mean that Africa is a unitary actor.

³ EU foreign policy is a set of actions and objectives which seek to pursue and promote the interests, values, and goals of the EU in its relations with other international actors. For other definitions, see especially Smith 2008: 2; Smith 2002: 7; Keukeleire and MacNaughtan 2008: 19.

expanding the scope of relations beyond the development and trade framework to include political and security issues. As Farrell notes:

The negotiations over the Cotonou Agreement showed just how asymmetrical this partnership really was ... The outcome appears to reflect less of the consensual tone one might expect from partnership ... The European Union was able to impose certain conditions upon its erstwhile partner that the latter was unable to refuse due to asymmetric bargaining strengths (2005: 271-272).

Elgström's (2005) interpretation of the ACP's role in the Cotonou negotiations also offers a telling account of just how the EU imposed its preferences on the countries, leaving little room for negotiation or compromise.

Although power asymmetry permeates relations between the weak and the strong, it does not necessarily determine that the outcome of these interactions will always favour the strong. Recent scholarship has begun to note changes to traditional approaches characterising relations between the strong and the weak as a zero-sum game. In fact, the role of the weak in the framework of international trade negotiations has seemingly strengthened, with an increasing number of developing countries refusing to submit to the 'take it or leave it' offers made by stronger developed countries (Drahos 2003; Habeeb 1988; Hess 2001; Page 2003; Odell 2006; Singh 2003; Solognac Lecomte 2003). Can the same be said for the EU's relations with Africa? In a context where EU interests clearly dominate the agenda, some anomalies exist. In fact, by shifting the focus of analysis to the individual country level, rather than on Africa or the ACP group as a whole, it is apparent that some countries have demonstrated not only a capacity to negotiate with the EU, but more importantly, on occasion have had success in having their demands met. This suggests that power relations between the EU and Africa are not as straightforward as they may seem given the situation of power asymmetry. Indeed, careful consideration of the context in which such relations take place is essential in establishing *both parties'* limitations and capacities vis-à-vis one another. Senegal and Ghana are taken as case studies for examining this larger relationship between the EU and Africa. Although power asymmetry and marginalisation characterise their relations with the EU, they have had varying degrees of success and failure in attempting to fulfil their preferences in negotiations and relations with the EU. Given that power asymmetry defines EU-Africa relations, how is it that some African countries have been able to make demands and have these met in their relations with the EU? Is this success country-driven or EU-driven? Why have some African countries been more successful than others in exercising leverage and maintaining control vis-à-vis the EU?

2 The argument and the analytical approach

The main argument of this thesis is that despite the fact that power asymmetry is an overarching characteristic of relations between the EU and African countries, relational and contextual factors can explain why some countries have been successful in reaching their goals and preferences vis-à-vis the EU. This is because the EU faces institutional and political constraints that lead to gaps between policy rhetoric and practise, and between expectations and actual capabilities. This affects the EU's position vis-à-vis third parties and creates a disjunction between the EU's structural power and its actual bargaining power. Structurally weaker countries are able to achieve their preferences and goals successfully vis-à-vis the EU, firstly, because of how perceptions of the EU's constraints and capacities shape their strategies vis-à-vis the EU, and secondly, because relational and contextual factors can create conditions in which weaker countries can be successful in reaching their goals and preferences vis-à-vis stronger actors. In other words, the ability of an actor to be successful can be constrained or facilitated according to certain factors that intervene in power asymmetry and shape countries' strategies, demands, and ability to exercise leverage and maintain control. Leverage refers to the ability of an actor to reach its preferences and interests vis-à-vis another actor by placing its interests and preferences on the political agenda; by getting the other actor to take its demands and concerns seriously (i.e. opinions, criticisms, and demands are seen as legitimate and valid); and modifying or shifting others' behaviour, choices, decisions, or preferences. Control, or ownership, refers to the freedom, or relative freedom, a weaker actor has to formulate and pursue strategies and policy preferences and implement policy outcomes without interference from outsiders, without necessarily pleasing external actors, or without having to compromise or accommodate the interests of others in order to reach its preferences and goals (see Chapter 1 for a more detailed discussion on leverage and control).

By relational factors it is meant that power is understood as operating between two or more actors in a specific context or issue-area. Acknowledging that power is relational is essential for understanding asymmetry. Thus the exercise of power is dependent on the relationship that exists between two or more actors. Furthermore, the issue-areas and context in which the parties operate matter greatly in determining how power asymmetry shapes both the process and the outcomes of these relations. As such, in establishing how and why a weaker actor has or has not been able to reach its preferences vis-à-vis a stronger actor these two all-important factors must be taken into account. Conceptualising power as contextual recognizes that resources or capabilities relevant in a particular context may

prove irrelevant or useless in another. Furthermore, the contextual nature of power denotes that certain historical, socio-economic, political, and cultural factors can also intervene in a power asymmetric environment. Power can thus be characterised as operating through an interactive, dynamic, and intersubjective *process* in which contextual factors intervene in shaping the extent to which actors can exercise leverage vis-à-vis another and maintain control (see Chapter 1). Therefore, an actor's preferences, interests and demands shape both the process and outcome of power relations, and the structural environment, or contextual factors constrain or facilitate the exercise of leverage and control. Both the agent and the structure affect and shape the process and outcome of power relations. Power asymmetry therefore is not a static situation, in which one actor is fatalistically bound to concede to the demands of the stronger actor. Instead, power is exercised through an interplay of actor preferences, demands and interests, and a dynamically-evolving context in which such relations occur.

If power is conceptualised as relational it can help explain why in situations of power asymmetry sometimes the weaker actor can continue to maintain control, make demands and even exercise leverage vis-à-vis a stronger actor. Because of the relational nature of power, the way in which the actors formulate preferences, strategies, and demands vis-à-vis one another is a crucial element to take account of in analysing successes and failures in a power asymmetric environment. In this sense, success is intrinsically linked to how an actor perceives its own power as opposed to that of others, as well as how it perceives the other actor's power as opposed to its own. Power is thus influenced and shaped by actors' perceptions of themselves, of others, and vis-à-vis one another. Thus although an actor may possess power in the traditional sense, if it is not perceived by the weaker actor to be able to convert this power into bargaining power, this necessarily hampers its ability 'get what it wants'. In analysing power relations between weak and strong parties, it is therefore crucial to identify *both* parties' capacities and constraints in conducting relations with one another, for it is the perception of these capacities and constraints which shape actors perceptions and their consequent strategies vis-à-vis one another. It is argued that in its relations with Africa, the EU is constrained on three levels: in terms of its capability to employ the resources and expertise necessary to effectively implement its policies in African countries; in terms of coherence and coordination between the different actors and institutions comprising the EU; and in terms of consistency and coherence between the various policies constituting the EU's foreign policy actions. These constraints are seen as affecting other actors' perception of the EU,

which in turn contribute to shaping the weaker actor's own strategy, approach, and demands (see Chapter 1).

Yet perceptions alone cannot entirely explain weaker actor leverage and control. Although perceptions shape the actors' approach and strategy vis-à-vis one another, they do not necessarily determine success in exercising leverage and maintaining control. Indeed, this is where the contextual and structural nature of power relations becomes fundamental in explaining weaker actor successes and failures in a situation of power asymmetry. For it is the contextual environment in which relations between weaker and stronger actors operate which determines firstly how the countries perceive one another and secondly how the preferences and strategies adopted translate into successfully reaching preferences in policy processes and outcomes. The thesis thus considers five main categories of contextual factors which are seen as creating the conditions under which weaker countries are either constrained or able to exercise leverage and control: these are namely historical, institutional, economic, strategic, and political/ideological factors (see Chapter 1).

The thesis focuses on three different fields or issue-areas in which the EU and Africa have been or are seeking cooperation, namely aid/development, trade, and migration. Aside from migration, the thematic areas are the main policy fields in which EU-Africa relations operate. Examining relations in the specific context of these three thematic areas can offer insight into how different issue-areas and contextual environments influence strategies and approaches, as well as recognising that power asymmetry can differ from one issue-area to the next, and is therefore not a determinant for policy processes and outcomes between weak and strong actors. The areas were chosen for the following reasons.

Aid and development cooperation through the funding of projects and programmes, is the most traditional and established form of cooperation between the EU and Africa. Aid relations between the EU and Africa have a long tradition, which although having evolved over time, have led to significant familiarity between the parties. Yet the aid framework is one in which differences in power between the EU and Africa are expected to be the most pronounced, in that the politics of aid are concretely based on an asymmetry of resources between donors and recipients. From a neorealist point of view therefore, this implies that recipient countries are generally reliant on the preferences of donors, as it is namely the donor exerting control over the resources the recipient aims to acquire.

As in aid, the EU's trade relations with Africa also point to a similar power asymmetry. The sheer size of the EU's market, its vast experience conducting trade negotiations, and its position as a primary donor in Africa, compared to the extreme trade

marginalisation of most African economies and the significant capacity constraints in terms of human resources and technical trade expertise illustrate this asymmetry. Furthermore, the EU does not have particular strategic economic interests in most of Africa and so countries' structural bargaining strength is expected to be significantly weaker than that of the EU. The evident structural asymmetries that exist between the EU and African countries in the aid and trade fields make these areas particularly relevant for further investigation for weaker actor leverage and control. Aid and trade therefore were chosen on the basis that these are, and have been since the beginning, the main pillars of EU-Africa relations. As such, they are the main areas in which the parties negotiate and interact with one another, and therefore merit due consideration in examining power relations.

Migration is a slightly different issue-area compared to aid and trade. The need to engage migrant-sending countries to cooperate in stemming migratory flows challenges the traditional asymmetric relationship between the weak and the strong. The necessity for cooperation on the EU side is expected to create a more balanced relationship in which both parties can make demands and concessions. The increased priority of migration issues on the EU agenda as well as the realisation that migration can only be effectively managed in joint cooperation, have possibly given some African governments a new scope for influence in putting forward their agendas and in making demands on the EU. As such, this field potentially offers important insight into the changing and evolving context in which relations between the EU and Africa take place, and how this may affect the actors' positions towards one another. Migration was chosen over other new policy fields in which cooperation is now unfolding, namely because of the increasing importance this issue-area is starting to acquire in EU-Africa relations, and especially in the EU's relations with West Africa. Indeed, as the migration phenomenon grows, it is likely that this area will continue to remain high on the EU-Africa political agenda.

3 Methodology

The thesis adopts an empirical approach to analysing power asymmetry between the EU and African countries. As such, the analysis relies mainly on detailed descriptions of how Senegal and Ghana's perceptions and contextual factors have shaped the countries' strategies since the coming into force of the Cotonou Agreement in 2000. The empirically-oriented investigation proceeds in four steps: First, the capacities and the constraints the EU has in formulating and implementing its policy preferences with Africa are considered, in order to establish its limitations and how these may affect the perception of the countries under investigation. Second, the EU's policy orientations, actions, and implementation

record are examined, to contextualise the relationship between the parties and establish the extent to which the EU has been coherent and consistent in its policies towards Senegal and Ghana. Third, the countries' policy preferences and the strategies they have adopted to reach those preferences are analysed. Finally, the reasons behind the countries' success or failure are assessed, by examining how perceptions and contextual factors contributed to the exercise of leverage and control.

The conclusions are largely context-bound and sweeping generalisations about power relations between the weak and the strong are necessarily limited. Nevertheless, this empirically-focused approach does have its strengths. Firstly, such an approach recognises that EU-Africa relations are complex and context-bound, and relying merely on assumptions that power asymmetry determines how the actors will interact with one another presents a rather simplistic view of this relationship. In challenging the notion that power asymmetry determines processes and outcomes, it is crucial to investigate these relations at the individual country level. Looking at Africa or the ACP as a whole overlooks the complexities of these relations and fails to provide insight into perceptions held of the EU, how and why certain policy preferences and negotiating strategies are adopted, and how these strategies translate into a capacity to exercise leverage and maintain control in relations with the EU. Secondly, the detailed descriptive approach taken in the country chapters allows for informed comparisons of the different strategies that the countries have employed in their relations with the EU. Although the findings are indeed country-specific, the framework developed in the thesis can be applied to similar situations in which developing countries might be able to exercise leverage and control vis-à-vis stronger external actors. This then, can be used to formulate wider generalisations about the way in which these countries are able to negotiate successfully despite evident power asymmetries between actors. In sum, the thesis uses detailed empirical analysis to demonstrate that the traditional conceptualisation about power asymmetry in EU-Africa relations is too one-dimensional. It shows that there is more to these relations than meets the eye. Although it by no means negates that power asymmetry exists, it aims to demonstrate that in taking into closer consideration the context in which relations between the EU and African countries operate, this asymmetry can be seen as decidedly less deterministic.

Gathering information for the empirical work involved extensive field research based largely on in-depth interviews with relevant EU and African policy-makers and technical experts. Between March and September 2008, 47 interviews were conducted

mainly in Brussels, Accra, and Dakar.⁴ These followed a semi-structured format, in that participants were provided with a set of questions, but with the discussion generally consisting in a flexible approach to allow respondents to talk about their views, experiences, and perceptions. Information gathered from the interviews was corroborated with primary and secondary materials. EU and individual country documents, publications, and reports as well as press releases and media coverage on negotiation positions, the process and results of negotiations, and the implementation of demands were thoroughly examined to substantiate claims made in the interviews.

3.1 Timeframe: post-Cotonou

The thesis will examine EU-Africa relations in a relatively short time period, namely since the signing of the Cotonou Agreement in 2000 and the decade following the implementation of the Agreement. As mentioned above, the negotiations surrounding the Cotonou Agreement, and the signing and implementation of the Agreement signalled a definite shift in the way in which relations between the two country blocs would be conducted. How did Cotonou change EU-Africa relations? And why does it merit a detailed study of how this affected the ability of African countries to reach their preferences vis-à-vis the EU?

Cotonou signalled a decisive shift in relations between the EU, Africa, and the ACP in general. On the one hand, relations between the country blocs became less unique, through the ending of preferential trade access, the onset of political and economic conditionalities, and the use of more subjective judgements on the merits of countries being able to receive financial assistance. Indeed, as Smith wrote, “What is [or was] happening, is not a shift away from the ACP, or at least African states, but a normalization of relations with them, in that those relations are becoming more like the EU’s relations with other regions: more political and encompassing a wider range of concerns” (2004: 70-71; see also Orbie 2004: 18-19). Africa, and the ACP, became one amongst the many regions or set of countries with which the EU conducted its external relations, and the instruments used to project the EU’s objectives and implement its policies came to resemble more closely those

⁴ 15 interviews were conducted with officials in the relevant directorate-generals in the European Commission, namely DG Development, DG Trade, and EuropeAid; 5 interviews were conducted with Commission officials from the EC Delegations in Accra and Dakar; in Dakar 9 interviews and in Accra 11 interviews were conducted with senior officials and technical experts/advisors from the Senegalese and Ghanaian governments with relevant experience negotiating with EU. 3 interviews were conducted with practitioners in international organisations based in Accra and Dakar; 2 interviews were conducted in London with officials working for the UK government; and 2 interviews were conducted in Berlin and Brussels with African diplomats with relevant experience with the EU both in European and African contexts. Follow-up information was also gathered through electronic and telephone correspondence with some participants.

used to deal with other geographical areas. In addition to this normalisation, the continent also became increasingly marginalised in terms of its importance on the EU's foreign policy agenda. Other regions and other foreign policy concerns aside from Africa and development became priorities for the EU. On the other hand, relations also became more politicised, with conditionality becoming a more prominent instrument with which the EU could essentially make more subjective judgements on countries' performance. Furthermore, political and security elements, such as the onset of official and regular 'political dialogue' between the parties and support for policies on and actions in areas ranging from migration, peace-keeping, drug trafficking, terrorism, and arms proliferation were also integrated into the EU-Africa framework. In sum, Cotonou significantly changed the relationship between the EU and Africa, and in so doing, created both new challenges and new opportunities between the two parties. It is on the contemporary context of this changing relationship where the thesis will place its focus.

While the early part of the decade following Cotonou clearly confirmed the marginalisation of Africa, as the continent slipped further down the list of EU priorities in terms of trade, development, and foreign policy in general, in recent years scholars and practitioners alike have come to note a definite resurgence of Africa on the EU agenda (Carbone 2008: 218; Michel 2007; Kotsopoulos 2007; Kotsopoulos and Sidiropoulos 2007). Indeed, this has been confirmed, at least in theory, by the coming into force of the EU-Africa Strategic Partnership in the latter part of 2007. In implementing the partnership, the EU recognised the regained strategic and economic importance of the continent, and confirmed its intention to remain a crucial actor in the developments that are now reshaping Africa's relations with external actors. It has thus become far too simplistic to dismiss these relations as marginalised or asymmetric provided the increased opportunities African countries are now anticipated to have.

Certainly, this very recent and brief timeframe on which the thesis focuses implies that many of the processes and issues under examination are currently ongoing and continually evolving, therefore some conclusions will be somewhat preliminary. However, nearly 10 years have passed since the signing of Cotonou, and given the changes in the relationship stemmed by this Agreement, in addition to the regained importance of Africa in international affairs, the time is ripe to re-examine EU-Africa relations within this new and evolving context, and to account for the way in which this changing context has either permitted or constrained African countries' opportunities for reaching their preferences vis-à-vis external actors.

3.2 Case studies: Why West Africa? Why Senegal and Ghana?

In analysing how and why some African countries have been successful in reaching their demands vis-à-vis a structurally stronger EU, the thesis places the focus exclusively on the West African region. There are three reasons for this choice. Firstly, because of the region's close proximity to Europe and the long-standing historical ties between the parties, there has been considerable involvement and interaction between the EU and West Africa, thus offering a rich basis upon which to conduct detailed empirical research. Secondly, the proximity and close ties have also led West Africa to become a particularly relevant region in which the EU is now negotiating and implementing many of its newer policies and actions on migration, peacekeeping, arms proliferation, and drug trafficking. This makes West Africa a particularly interesting region to investigate more closely, because of the increased significance that these policies and actions are gaining in the context of the EU's relations with the continent. Thirdly, West Africa is the poorest region in the world, which makes conclusions on West African countries' ability or inability to exercise leverage and control vis-à-vis one of the wealthiest regions in the world particularly interesting and important. In demonstrating that some countries, despite their extreme poverty and the significant structural constraints they face, are able to formulate strategies, project these onto structurally stronger external actors, and have on occasion been successful in getting their demands met, it can be shown that firstly, contextual and nuanced analyses are absolutely fundamental in understanding relations between weak and strong actors, and secondly, that the way in which the capacities and preferences of developing countries have been conceptualised in the past, are perhaps in need of rethinking.

Within the West African region, Senegal and Ghana have been chosen as the two case studies for examining the possibility of weaker country leverage and ownership in EU-Africa relations. The countries have been selected based on a most similar methodology, which implies that as 'weaker' countries they share many of the same characteristics yet they have differing degrees of success vis-à-vis the EU. The thesis aims to explain why two countries which on the surface seem quite similar in terms of their history with the EU, face similar structural constraints in negotiating with the EU, and are comparable with regards to their political and strategic position, have adopted such differing strategies towards the EU and have had differing degrees of success in having their preferences met.

Both Senegal and Ghana have a long history of relations with the EU and its Member States. Senegal gained independence from France in 1960, but retained close ties with Europe through its 'special relationship' with France, maintaining close political,

military, and cultural links, and through association to the European Economic Community (EEC) in 1957, and later to the EC/EU as a signatory to the Yaoundé (1963), Lomé (1975) and Cotonou (2000) agreements, governing EU-ACP relations. Ghana was the first country in Africa to gain independence from Britain in 1957. After Britain joined the EEC in 1973, Ghana became a signatory to the Lomé Convention, and has continued to cooperate with the EU through the framework of the Cotonou Agreement. Upon becoming part of the ACP group, both countries have received development assistance from the EU under the European Development Fund (EDF); until 2008, their exports had preferential access to the EU market; and since 2000 the countries have engaged in considerable political dialogue with the EU through the auspices of the EU-Africa Strategic Partnership, EU-ECOWAS (Economic Community of West African States, a regional organisation of which both countries are members) ministerial troika meetings, and through bilateral dialogue on issues such as migration, fisheries, and the environment. The long-standing history of cooperation between Senegal and Ghana and the EU have allowed for significant familiarity and experience between the parties.

Despite these established relations, structural power asymmetry between Senegal and Ghana and the EU is prevalent, and it is precisely for this reason that they make for interesting cases for studying weaker country leverage and ownership vis-à-vis the EU. Given their structural weaknesses, it is relatively unexpected that either of these countries might be able to exercise leverage and maintain control in relations with a structurally stronger EU. Both Senegal and Ghana are amongst the most aid-dependent countries in Africa, with poverty, income inequality, and significant developmental challenges featuring prominently as structural constraints to the countries' economic and financial position (see Table 3.1 in Chapter 3). In terms of world trade, both countries are heavily marginalised. They have small export markets, mainly concentrated in a limited number of agricultural and service sectors, while they are required to import heavily to meet basic needs due to limited industrialisation and low production capacity (see Chapter 5). Furthermore, as low income countries, they both face significant constraints in their institutional capacity to formulate strategies, administer relations with external actors, and negotiate at the international level. This compared to the EU's financial, economic, and institutional strengths clearly shows the significant power asymmetry typical of relations between the EU and many African countries.

Notwithstanding these evident constraints that characterise the countries as the 'weaker' party, they also have some notable assets that could strengthen their strategic positions vis-à-vis the EU. Indeed, political stability in a tumultuous region, a

commendable record of good governance, democracy, and adherence to human rights, and a willingness to implement structural economic reforms, have positioned Senegal and Ghana as relative success stories on the African continent. Furthermore, both countries have also been politically active at the regional and continental levels in promoting peace, development and integration, and are considered to have an important role in contemporary African diplomacy and politics. The countries' track record in political and economic reform, and their position of leadership at the continental level have also made them attractive aid recipients and partners in political cooperation for the EU, as their success can be used to point out developmental and political successes to an often sceptical public. Indeed, the countries have both been preferred aid recipients of EU aid, faring well amongst ACP countries in terms of the aid they have been allocated relative to their need and good performance records (see Table 3.5 in Chapter 3).

Although the countries are seemingly quite similar, interestingly, their strategies towards the EU have been rather divergent. The countries' hold very different perceptions of their own capacity to exercise leverage and maintain ownership vis-à-vis the EU and of the EU's capacity to transform its structural strengths into bargaining strengths. While Senegal has sometimes adopted a conflictual approach and exerted a strong sense of ownership in relations with the EU, Ghana has instead demonstrated a much more consensual stance, preferring compromise over confrontation. It is argued that these differing perceptions and approaches have led to differing levels of success in convincing the EU to consider more closely their preferences and in maintaining control over their policy agendas despite the constraints they face as weak countries. The reasons behind the varying degrees of success can only be explored by delving deeper into the context of each country's relations with the EU.

In choosing two West African countries as case studies to explore the wider context of EU-Africa relations, the conclusions will be specific to the country and regional context. At the same time, the two case studies can also be considered representative of those African, and indeed, developing countries that are increasingly demonstrating political will and capacity to negotiate at the bilateral and multilateral levels, despite marginalisation and capacity constraints. As such, the case studies can be considered a first step in identifying common trends between different African, ACP, and even developing countries in their relations with the EU, but also with other international actors.

4 Outline of the thesis

The thesis consists in seven substantive chapters. Chapter 1 provides the conceptual framework for the thesis. The chapter provides a brief overview of the literature on EU-Africa relations and identifies some of its shortcomings. It then summarises the different approaches to the concept of power in International Relations literature and how these have conceptualised weak and strong actor power relations. Based on these two fields of literature, the chapter proposes several theoretically-informed hypotheses on power asymmetry in EU-Africa relations. The thesis then proceeds with the empirical analysis of relations between the EU and Senegal and Ghana in the three thematic areas. Chapter 2 lays out the changes that have occurred in the EC's development policy and how these have impacted on EU-Africa relations. It focuses particularly on the European Commission as a donor and the EC as a development actor in Africa and looks at the constraints faced by the EC and how these affect its position in Africa. These constraints challenge the idea that structurally stronger actors necessarily hold all the cards when negotiating aid with structurally weaker countries. Chapter 3 analyses the extent to which Senegal and Ghana have or have not been able to reach their preferences within the framework of the EC's development cooperation policy, and more specifically questions whether the countries have or have not been able to maintain control over negotiations and implementation of financial assistance. Although power asymmetry between the donor and the recipient is clearly a reality, this does not necessarily determine that negotiated outcomes are in favour of the donor rather than the recipient, nor does it necessarily determine whether an aid relationship is successful or not. Chapter 4 explores the changes that have ensued in the EU's trade policy towards Africa and analyses how these changes have impacted on the EU's relations with the continent, and it establishes the EU's constraints and capacities in exercising power as a trade negotiator in Africa. Regardless of the EU's experience in trade negotiations and its economic size, the constraints faced by the EU create a disjunction between the EU's structural power and its actual bargaining power or ability to influence and negotiate a preferred outcome with weaker actors in trade negotiations. Chapter 5 examines how Senegal and Ghana have or have not been able to achieve their preferences in regional trade negotiations between the EU and West Africa. Due to favourable contextual conditions and the countries' perceptions of the EU as a trade negotiator, at the individual country level there has been some scope for influencing negotiating processes and outcomes. Chapter 6 explores how the EU's external migration policy has influenced its relations with African migrant-sending countries and examines the EU's capacities and

constraints in implementing an effective and coherent approach to cooperation in migration matters with Africa. The EU is constrained in fully engaging in migration dialogue and policy with Africa and this has affected the EU's position vis-à-vis Africa in a context in which interests in migration diverge. Chapter 7 discusses how the EU's migration policy has affected the scope of influence of migrant-sending countries, Senegal and Ghana, noting that the increased strategic importance migration has afforded to some African countries, as well as the necessity for joint cooperation, has created a more balanced relationship in which both parties can make demands and concessions. Finally, the conclusion reviews the main findings and places these in the larger context of power asymmetry in EU-Africa relations. It discusses the implications of the research on the wider international role of the EU in the world and identifies some future avenues of research to advance the field.

Chapter 1

Power and asymmetry in EU-Africa relations:

A conceptual framework

The concept of power has been, and continues to be, one of the most highly contested areas of debate in the field of International Relations (IR) and beyond (Barnett and Duvall 2005; Schmidt 2005). The debate has generated various definitions and understandings of how power operates in general and between actors. Although this thesis adopts an empirical approach to studying power asymmetry, it is nonetheless necessary to lay out a framework for the concept of power. The chapter firstly explores how power asymmetry has been conceptualised in the context of EU-Africa relations, indicating that an EU-centric approach to these relations has tended to place power exclusively in the hands of the EU, obscuring African opportunities to exercise leverage and maintain control. This is followed by an outline of five different theoretical approaches to understanding power. It summarises how each approach conceptualises power; the main scholars to whom these understandings can be attributed; and lastly whether these understandings contribute to a better understanding of power relations between weak and strong actors. The chapter then defines the concepts of power, leverage and control as they will be used throughout the thesis, while the last section provides several theoretically and empirically-derived hypotheses of how weaker actors might exercise leverage in relations where power asymmetry is a defining characteristic.

1 Power Asymmetry in EU-Africa relations: moving beyond the current debate

Theoretical and empirical analyses of EU-Africa relations have tended to place overarching power on the side of the EU. The EU, the Commission, and/or the Member States, are the focal points of these analyses, and are considered to have the ultimate decision-making power when it comes to relations with African countries. Indeed, relations between Africa and the EU have long been conceptualised as driven mainly by the EU's interests and preferences. Ravenhill (1985) contended that a mixture of psychological, political, bureaucratic and economic factors explained the EU's relations with Africa. The EU-Africa relationship operated along clientelistic lines, in which the EU and the Member States behaved as collective patrons towards the 'clients of the Community.' Holland (2002) found that integration theory could best explain the EU's actions abroad, in which

development policy was seen as a core activity in order to further the EU's integration efforts. Olsen (2002, 2005) instead argued that the EU's role in development could be understood through a combination of 'European' and elite bureaucratic interests, rather than altruistic considerations. He suggested that because general EU interest in the ACP, and Africa in particular, became marginal in the face of ever-expanding and competing foreign policy interests elsewhere, the policy serves the EU's self-interests to the extent that it establishes the EU as a significant international actor and enhances European integration efforts (Olsen 2002: 145). Farrell (2005) suggested that the EU's policy actions and its behaviour in the Cotonou and trade negotiations with Africa have been beset by realist tendencies. In this sense, the EU's policies towards Africa operate along interest-based lines rather than according to a normative framework in support of core values such as human rights, democracy, and the rule of law.

Others have focused on internal policy formulation and the EU's negotiating approach towards Africa and the ACP, and in so doing, indicate that it is essentially the EU which holds ultimate decision-making power in relations with weaker actors. Elgström (2000, 2005) considered how the internal decision-making processes of the EU are a vital factor in determining how the EU negotiates with the ACP countries in asymmetrical negotiations. Rather than looking at the EU's material bargaining power, Elgström emphasised the role of norms as explanatory factors for the EU's position towards the ACP. The EU is argued to be on the stronger side of an asymmetric bargaining game, because its norms and identity play a central role in determining its preferences and outcomes. Carbone (2007) focused on the role of the European Commission as a development actor, and formulated a set of conditions under which the Commission is able to exert a leadership role in EU development efforts towards Africa and other developing countries. He argued that this leadership role is conditional upon the presence of a strong institutional entrepreneur which pushes policies through, internal cohesiveness, and the use of a repertoire of tactics.

Others still have focused on the effectiveness and impact of the EU's actions in Africa, and how this affects the EU's foreign policy identity. Although these studies do not necessarily comment on the EU's power over African countries in terms of decision-making or its power to shape preferences and policy-orientations, they do illustrate the asymmetries that exist between the parties. Dickson and Arts (2004) demonstrate how what could once be considered a genuine commitment to creating a unique development policy towards the ACP, now finds itself in a state of atrophy, where policy efforts have become a mere symbolic gesture. Smith (2004) argues that the EU's increased focus away from the

ACP and towards other regions in the world can be explained by three factors: external demands (demands for compensation by other actors due to the creation of the internal EU market); member state interests (making a global impact as a unitary actor); European interests (a sense of EU responsibility to former colonies and Eastern Europe, security concerns, countering US hegemony, developing an international identity concerned with respect for human rights, democratic principles, market economy and regional integration efforts). Olsen (2004) demonstrates how the EU's efforts in Africa have shifted from development towards conflict and crises management. This shift in policy towards Africa serves two important purposes, the first being the pursuit of the EU's global interests, and the second being the strengthening of European integration efforts.

Certainly these studies have contributed to furthering understandings not only of the EU's relations with Africa, but also how its actions on the continent have shaped its international identity. Past literature on EU-Africa relations therefore forms a vital basis upon which this thesis aims to build. Yet what all contributions on EU-Africa relations have in common is that they essentially adopt an EU-centric approach to understanding, conceptualising, and analysing this relationship. In this sense, the EU is not only the focal actor in these studies, it is also the actor that initiates, formulates and implements policy actions, and its interests and preferences fundamentally shape the processes and outcomes of these relations. Africa is conceptualised as a mere beneficiary or to use the aid terminology, recipient, with little capacity for preference formulation or input. In focusing on the EU, power asymmetry between the EU and African countries has tended to be presented as a rather deterministic or even fatalistic condition of these relations, as the EU's preferences determine outcomes because it is the stronger actor. As previously noted in the Introduction, analysis on the African side of these relations has been lacking and this has resulted in a rather skewed picture of how relations between the partners have actually progressed. In adopting a more holistic approach to studying EU-Africa relations, this thesis contends that it is misleading to conceptualise developing countries merely as a set of actors positioned at the receiving end of the policy spectrum, with no capacity for input or articulation of preferences. It is crucial to take the literature on EU-Africa relations beyond the current framework focusing almost exclusively on the EU side of the spectrum. It is certainly important to consider the EU's strengths and weaknesses in relations with African countries, and to understand what drives the EU's policy preferences and actions towards these countries. At the same time, it is essential to examine just how African countries have perceived the EU's efforts, how they have articulated their own strategies towards the EU, and whether they have indeed been able to reach their preferences regardless of evident

power asymmetry. Indeed, although power asymmetry defines these relations it does not necessarily determine the process and outcome of these relations.

The lack of an African perspective evidences another gap in the literature conceptualising the EU as a foreign policy actor. Until recently, little effort had been made to integrate other actors' perceptions, views, understandings, and images of the EU, into the context of analysing the EU's effectiveness and impact as a foreign policy actor and how that contributes to shaping its international identity. Considering the ever-expanding foreign policy role of the EU, this analytical gap is in crucial need of being filled by empirical studies that more closely consider 'outsiders' views of the EU. Indeed, it is in the EU's relations with the wider world that the significance of its policy actions can be understood and that more complete assertions can be made about the EU's 'actorness'.¹ In this sense, it is not enough merely to consider the way in which the EU perceives its own power or the understandings it has about its expected or appropriate role in the world; the expectations that other actors' have of the EU, and how the EU is perceived to be meeting these expectations are equally crucial to understanding the full extent of the EU's power vis-à-vis others. Scholars of EU foreign policy studies are increasingly recognising the need to consider the way in which other actors perceive the EU (see Lucarelli 2007, 2007a; Elgström 2007), and some notable attempts to capture such perceptions of the EU have started to appear in recent scholarship (see Lucarelli 2009; Chaban and Holland 2008; Chaban *et al.* 2006; Holland *et al.* 2007; Elgström 2007; Ortega 2004; Tsuruoka 2004, 2008).

Although commendable in their efforts, these studies have focused exclusively on 'influential' or 'important' external actors, such as Russia, China, Brazil, South Africa, the World Bank, the World Trade Organisation (WTO), and the United Nations. In these attempts to capture outsiders' perceptions of the EU, there exists a manifest under-representation of 'weaker' countries. In fact, these studies have only captured how the perceptions of others affect the EU's international identity in a contextual environment in which power asymmetry is decidedly less manifest. It is nonetheless important to take into consideration the views of the EU by less-prominent, or weaker actors for two reasons. Firstly, as noted by Elgström (2007), an actor's perception of the EU can contribute and obstruct the EU's ability to exercise power and take on a leadership position in

¹ EU 'actorness' here refers to Bretherton and Vogler's idea that as a *sui generis* foreign policy actor, the EU has started exhibiting qualities of a foreign policy actor. According to them, actorness is "constructed through the interplay of many factors, both internal to the Union and in the external environment of ideas and events that permit or constrain EU action ... Actorness comprises three elements – opportunity, which denotes the external context; presence, which captures the ability of the EU, by virtue of its existence, to exert influence beyond its borders; and capability, which signifies the ability to exploit opportunity and capitalize on presence" (2006: 2).

international fora. While it may reasonably be expected that the views and the consequent actions of influential international actors such as Brazil, China, the WTO, etc. will impact the EU's power and leadership, given current understandings of the power asymmetry that exists between the EU and Africa, it is much more unexpected that economically and politically marginalised actors have the capacity to influence the EU's position in the world. If it can be demonstrated that the perceptions, strategies and actions of such actors have indeed been effective in challenging notions of the EU's power or leadership, this would imply that it is necessary to re-examine common notions of both the EU's international identity and of power asymmetry between the EU and weaker actors. A second reason why it is important to take into consideration African perceptions is because of the historical significance of the EU's relations with the continent. In looking at how African countries have perceived the EU and how they have shaped their own strategies vis-à-vis the EU, one can more closely consider the extent to which the EU is beginning or not to be seen as an international actor with an identity separate from Member States' bilateral long-standing relations with these countries. In other words, Africa offers a context in which it can be examined whether the EU as such, has or has not been able to establish itself as a power and a leader in its own right, or whether Member States' foreign policies continue to overshadow its multilateral efforts.

Although many studies on EU-Africa relations have pointed at the power asymmetry which exists between the two sides, as outlined above, these studies have tended to rely on a rather one-sided view of these relations. In order to understand this relationship better and to offer a more complete framework for analysing relations between the EU and Africa, we need to establish more nuanced understandings of power, and how these can affect the way in which the actors interact with one another. The following sections examine the concept of power in the IR literature and then propose a definition of power to be applied throughout the thesis.

2 The concept of power in the International Relations literature

2.1 Power as force/possession

Realist and neo-realist schools have understood power as a tangible possession. Morgenthau understood power to be "anything that establishes and maintains the control of man over man" (1960: 9). Thus, Morgenthau contended that the pursuit of power could be explained by basic human nature, which was based on the drive to dominate others. Thus,

man was considered to be “born to seek power” (Morgenthau 1946: 1988). The ultimate expression of power is found in the capability to use force, and therefore to force others into accepting one’s preference and choices. Thus in the pursuit of power, resorting to force is the only normal (or ‘natural’) way to go about securing one’s interests. Power was therefore conceptualised as necessarily a conflictual condition, in which opposition became the defining factor. Thus it is the use of force that ultimately determine who ‘wins’ and who ‘loses’ in a situation of conflict.

Like realism, neo-realism also assumes power as a central factor in relations between states, but instead of attributing the pursuit of power as an intrinsic feature of human nature, it is instead the anarchical nature of the international system that drives states to secure more power (e.g. military capabilities) in order to survive. In a situation of international anarchy states find themselves in a race for survival in which the acquisition of more power is essential. Power is reduced to a possession, or the measure of “the military, economic, and technological capabilities of states” (Gilpin 1981: 13). Neo-realists have thus equated power with capabilities and resources. This is clearly demonstrated not only in how power is defined, but even more so in their insistence that ‘measuring’ power and ‘order-ranking’ states by their level of power is useful. Waltz proposed such a ranking according to a state’s “size of population and territory, resource endowment, economic capability, military strength, political stability and competence” (1979: 113). Similarly, Cline (1975) and Knorr (1975) asserted that power is merely a matter of measuring states’ possessions. Cline took the idea of power as possession even further, providing a systematic “calculus of national power.” Through his formula, which combined numbers on “critical mass (population and territory), economic capability, military capability, strategic purpose, and the will to pursue national strategy,” Cline believed he could accurately measure and rank the power of a particular state (1975: 11).²

Neorealist understandings of power as possession have led power to be conceptualised in an abstract and general form, or what Guzzini has called a “lump concept of power” (2000: 55; see also Schmidt 2005: 529-530, 537), in that it greatly underestimates the full range of power. Importantly, by simply reducing power to tangible elements, realist and neo-realist understandings of power cannot adequately explain why actors who lack such possessions have at times demonstrated success in having their demands met. If indeed power consisted solely in the ability to use force or in its possession of resources, there would be little need to analyse relations between the weak and strong, in that outcomes favouring the strong would be a given (Habeeb 1988: 2-3, 11, 14; Zartman

² For other attempts to measure power see Stoll and Ward (1989).

and Rubin 2000: 10). As such, relations between states become a zero-sum game. When a stronger party proves unsuccessful in negotiating its preferences, the response of neorealist and realists has been to refuse the weaker party any potential contribution towards this success, but simply attributing the stronger actor's lack of will as the explanatory factor. Yet Baldwin argued that this led to a "paradox of unrealized power" (1979: 163), which realist and neo-realists schools have tried to explain through the failure of stronger states to use resources effectively, or what he calls a "malfunctioning conversion process,"³ or has failed to be explained due to lack of consideration of the "policy-contingency framework" that surrounds the actors concerned (see below). It is clear that realist and neorealist understandings of power as force and/or resource possession offer only limited insight into relations between weak and strong actors. Although resources, capabilities, and force may play a part in determining the success or failures in weak states' power relations with the strong, these cannot be considered the ultimate determining factors of power.

2.2 Power as relational and contextual

Highly influential works by Habeeb, Keohane and Nye, and Baldwin have conceptualised power in relational and contextual terms, and in so doing, have posed as a challenge to realist and neo-realist understandings. Habeeb (1988) stressed that realist/neo-realist and pluralist conceptions of power failed to interpret power as a process which can produce change in an actor's behaviour and lead to a negotiated outcome. He defined power as "the way in which actor A uses its resources in a process with actor B so as to bring about changes that cause preferred outcomes in its relationship with B" (Habeeb 1988: 15). Power in negotiation is therefore not as simplistic as mere possession, but equally so as a strategy to bring about change. Habeeb divided power into, what he termed, 'aggregate structural power', referring to an actor's capabilities and resources (*Ibid.*: 17-18); 'issue-specific structural power', referring to resources and capabilities within a specific context (*Ibid.*: 19-23), and finally 'behavioural power', referring to the tactical approach adopted by an actor in reaching a preferred outcome (*Ibid.*: 23-25). In dividing power into distinctive types, Habeeb allows for power to be understood not solely from the stronger parties perspective, but equally so from that of the weaker side. Therefore, conceptualising power relations between the weak and strong, involves acknowledging not

³ As Habeeb has illustrated: "some analysts have preferred to try to force asymmetrical negotiations to 'fit' into the classical framework. Thus some analysts regard Panama's successful negotiation for sovereignty over the Panama Canal as 'Jimmy Carter gave away the Panama Canal,' and explain America's defeat in Vietnam as lack of will to take advantage of the tremendous power disparity between the United States and North Vietnam" (1988: 3).

only that there exists a balance of power between the participant parties (Habeeb 2000: 83), but equally so, that power cannot be fully attributed to mere structural advantages possessed by one party over another (Zartman 2002: 6-7). Thus the outcome of any particular negotiation, whether asymmetrical or symmetrical, can only be understood as resulting from each side's power (Habeeb 1988: 1). Therefore an important factor in better conceptualising power in negotiation is to break it down into several elements, of which force, capabilities, and influence are merely three.

Neoliberal institutionalists' Keohane and Nye explicitly rejected the idea of an "overall power structure" (2001: 36-42), that is, the idea that "within a system, the structure (that is, the distribution of power among states in it) determines the nature of its international regime. And the most important power resources are military" (Keohane and Nye 2001: 37). In their efforts to break away from traditional thought, Keohane and Nye suggested that an overall structure model makes faulty predictions regarding patterns of behaviour. Instead they proposed that power be analysed according to "issue structure" (*Ibid.*: 43-45), positing that "power resources in one issue area lose some or all of their effectiveness when applied to others ... Issue structuralism does not predict congruence of power across issues. On the whole, then, analysis of politics will have to be conducted by issue area" (*Ibid.*: 44). Clearly, they advocate the importance of conducting contextual analysis when looking at power; it is only through such analysis that the relevance of a particular power resource in a specific context will become clear and the concept of power will be meaningful.

Furthermore, Keohane and Nye (2001) also made an important contribution to the concept of power as an analytical tool for understanding relations between weak and strong actors through their concept of complex interdependence. The authors argued that economic interdependence between states made realists' understandings of power as based on military force unconvincing, as the use of such power is useless in situations where economic issues are more important, such as free trade negotiations between allied states, for example (again, power is contextual). In a situation where states have become interdependent, power relationships are based on mutual asymmetrical dependencies. The level of this asymmetry, according to Keohane and Nye, is determined by "sensitivity" and "vulnerability", where the former refers to the extent to which changes in one actor's situation affect other actors, while the latter refers to the costs faced by an actor should it choose to terminate a relationship. When there is a high level of asymmetry in sensitivity and vulnerability between actors, then the relationship can be characterised as dependent, rather than interdependent (again, power is relational). Thus levels of relative dependencies

exist between actors and these can predict the distribution of potential power amongst them.

Baldwin too emphasised the importance of context, or what he calls the ‘policy-contingency framework,’ when analysing power. Baldwin criticised traditional power analyses’ exclusive focus on “property concepts” (1985: 22-23), or rather measures of objective elements such as economic resources and military force. Baldwin argued that “relational concepts” are much more relevant to fully understanding how power actually operates.⁴ Thus while it is important to understand actors’ capabilities, it is equally important to identify their “value system” (Baldwin 1985: 22). Indeed, for Baldwin, power “refers to a relationship between two or more people, not to a property of any one of them” (1985: 20). In conceiving of power as a relation between actors, Baldwin clearly rejected the idea of power as a possession. By making power a relational concept, he allowed for explanations of how power is exercised *between* parties, without coming to the simplistic conclusion that the stronger actor won because it simply possessed more resources or lost because it was unwilling to use those resources. Furthermore, if power is indeed relational, then it must also be contextual. As Baldwin wrote: “In order to make a meaningful statement about an (actual or potential) influence relationship, one must (explicitly or implicitly) specify who is influencing (or has the capacity to influence) whom (domain) with respect to what (scope)” (*Ibid.*: 20). Thus, like Keohane and Nye, Baldwin noted that what may be considered a useful resource for exercising power in one context may prove irrelevant in another. Similarly, this brought him to reject the overall power structure idea, in that “the notion of a single overall international power structure unrelated to any particular issue-area is based on a concept of power that is virtually meaningless.” (Baldwin 1979: 193). For Baldwin, power is meaningful because of “the multiple distributional patterns of a wide variety of resources related to a number of significant issue-areas” (*Ibid.*).

The authors’ interpretations of power add valuable insights, crucially underlining the importance of contextual analysis or issue-areas, and rejecting the idea of power as a possession. This thesis thus empirically engages with their interpretations of the concept of power, as the context in which relations between the EU and African countries take place is assumed to be an important factor in determining a weak actor’s leverage and control. At

⁴ Baldwin was highly influenced by Dahl’s definition of power, namely that “A has power over B to the extent that he can get B to do something that B would not otherwise do” (1957). Dahl’s definition saw power as a relational concept. As such, power was not found only in quantifiable possessions or military force, but rather in how it was expressed between actors. Although Dahl’s definition has been heavily criticised for being too intuitive, tautological, and broad, it nonetheless prompted a debate on the need for a re-interpretation of the concept (Bachrach and Baratz 1963: 163; Baldwin 1979: 165; Habeeb 1988: 14; Lukes 2005: 16-19, 27, 39; Lukes 1986: 3-4; Nagel 1975: 12).

an aggregate level, the EU is clearly the stronger actor, but reality demonstrates that Baldwin's 'paradox of unrealized power' operates in relations between the EU and Africa. Certainly, one cannot simply rely on the explanation that it is the EU's unwillingness to use its potential power towards African countries that has allowed certain countries to have their demands met. Indeed, contextual analyses which take account of both actors' positions vis-à-vis one another can demonstrate the opportunities in which a certain context or a particular issue-area can favour the weak.

Nevertheless, although these scholars shed new light on understandings of power, aside from Habeeb (2000), they do not undertake in depth empirical analysis of power relations between the weak and strong. While Baldwin stated that "so-called 'weak powers' influence so-called 'strong powers' because of the power analyst's failure to account for the possibility that a country may be weak in one situation but strong in another" (1979: 164), he did not endeavour to expand into in-depth analysis of how a weak actor might indeed reach success in exercising leverage. In fact, both Baldwin, and Keohane and Nye were more concerned with explaining how power resources differ from one context to the next, but not so much with how actors may behave in relation to one another and how differences in power asymmetry may affect behaviour and/or the ability to make demands (Zartman and Rubin 2000: 5). Holzscheiter, for example, argues that the authors in fact relied on realist/neorealist notions of power. She writes, "the extended realist notions of power introduced by Keohane, Nye and Baldwin are of limited help as soon as it comes to accounting for situations in which actors that lack material bargaining capabilities can be successful. They remain fundamentally state-centred and faithful to the primacy of realist states' interests: the maximisation of material profit and security" (Holzscheiter 2005: 729). This is not due to analytical failure by the scholars however, but rather due to the scope of their argument, which is purely theoretical. In other words, the re-conceptualisations of power by Baldwin and Keohane and Nye simply did not aim to address empirical questions, but rather aimed at partially breaking from traditional thought in order to present an improved understanding of power relations.

2.3 Power as a perception

Where Baldwin and Keohane and Nye essentially stop short, rational-choice negotiation theorists' Zartman and Rubin pick up the discussion. Although there have been noteworthy attempts to analyse weak actor success in asymmetric relations with the strong (see Zartman 1971; Aggarwal and Allan 1983; Habeeb 1988; Singh 2000), Zartman and

Rubin not only present numerous detailed empirical accounts of such successes, but on a theoretical level the scholars also aim at re-conceptualising the notion of power to better understand the position of the weak. Zartman and Rubin understand power to be a “perceived relation” capable of intervening in objective reality (2000: 13; see also Zartman 2008: 107). They define power as “the perceived capacity of one side to produce an intended effect on another through a move that may involve the use of resources” (Zartman and Rubin 2000: 14). Although perceptions may indeed be partially based on reality, such as resource possession, it is not the only determining factor constituting power. Indeed,

Perception mediates objective reality, although of course reality imposes certain limits on the implication of perception ... The perceived symmetry or asymmetry of a relationship is related to elements such as force and resources, as well as to reputation and prospects of a party to produce past and future movements on the part of its targets. As such, it becomes the basis of an action that constitutes power (*Ibid.*: 13).

Conceiving of power as a perception, rather than an absolute objective reality, maintains the relational and contextual aspects of power, yet also adds a further dimension to analysing relations between the weak and the strong. Power as a perception posits that the successful use of power is intrinsically linked to how it perceives both its own power as opposed to that of others, as well as how an actor perceives the other actor’s power as opposed to its own. As such, power as a perceived relation tends to offer particularly relevant insight into overcoming Baldwin’s ‘paradox of unrealized power’, or what Zartman and Rubin similarly refer to as the ‘structuralists’ paradox’ (*Ibid.*: 3-4, 14; Zartman 2008: 101).

At first glance Zartman and Rubin’s conceptualisation of power may seem to exhibit constructivist undertones. Indeed similarities can be drawn between their understanding of power as a perception, and Wendt’s explanation of a power relationship as based on “intersubjective understandings and expectations” (1992: 396), constituting an actor’s conception of self and other. Zartman and Rubin note that perceived power is able to convey how an actor’s behaviour is shaped through the, “perception of their own power, the other’s power, and the relative standing of self and other” (2000: 13-14). Wendt, on a similar note, writes:

A fundamental principle of constructivist social theory is that people act toward objects, including other actors, on the basis of the meanings that the objects have for them. States act differently toward enemies than they do toward friends because enemies are threatening and friends are not. Anarchy and the distribution of power are insufficient to tell us which is which. US military power has a different significance for Canada than for Cuba, despite their similar “structural” position, just as British missiles have a different significance for the US than do Soviet missiles. The distribution of power may always affect states’ calculations, but how it does so depends on the intersubjective understandings and expectations, on the “distribution of knowledge,” that constitute their conceptions of self and other (1992: 396).

A closer look at Zartman and Rubin's definition of power however, reveals that the scholars instead continue to follow a more rationalist line of thinking. This is particularly evident in their definition of power that highlights the action of one actor producing "intended effects" on another actor. Their understanding of power relies on initially identifying a set of fixed preferences (or demands) and then through causal analysis, deducing how and which of the intended preferences were either altered or conceded to. As will be shown in the following section, constructivist thought takes a slightly different approach to the analysis of power. While placing importance on the role of perception, and how this may influence preferences and behaviour, constructivists also stress the role of 'structural' elements comprised in the notion of power; of particular importance are considerations of 'unintended effects' and how formation of ideals, values, norms, and preferences may affect behaviour.

2.4 Power as agenda-setting

By moving away from grand theories of power as proposed by realists and neo-realists, the rationalist approach presented above has been able to more accurately capture situations in which weaker actors have shown leverage over the strong. Nonetheless, the literature thus far presented is essentially lacking in a conceptualisation of power as an implicit and informal exercise. The focus, in fact, has been placed largely on outcomes, and as such, power is understood to be exercised through an observable process of formal decision-making. The actor which makes the decisions therefore is ultimately more powerful. Power as decision-making is what Lukes has referred to as a "one-dimensional" view of power (2005: 16-19), in which "to exercise power is to prevail over the contrary preferences of others" (Lukes 1986: 9), while Bachrach and Baratz (1962) insisted it constitutes just one 'face' of power. In an influential attempt at expanding this limited conception of power, Bachrach and Baratz posited that power could also be understood in a more subtle manner. They contend that:

Power is also exercised when A devotes his energies to creating or reinforcing social and political values and institutional practises that limit the scope of the political process to public consideration of only those issues which are comparatively innocuous to A. To the extent that A succeeds in doing this, B is prevented, for all practical purposes, from bringing to the fore any issues that might in their resolution be seriously detrimental to A's set of preferences (Bachrach and Baratz 1962: 948).

The scholars argue that power is not just exercised by who actually wins in decision-making in a formal setting, but can also be attributed to those who set the agenda, or rather those that set the rules of the game, both in a formal and informal setting. According to

Bachrach and Baratz, “the dominant values and the political myths, rituals, and institutional practices which tend to favor the vested interests of one or more groups, relative to others” (1970: 11), is a crucial element in power relations. Analysts should not merely analyse the decision that has been made (e.g. the outcome), but equally important is an examination of “nondecision-making”, or rather:

A decision that results in suppression or thwarting of a latent or manifest challenge to the values or interests of the decision-maker ... A means by which demands for change in the existing allocation of benefits and privileges in the community can be suffocated before they are even voiced; or kept covert; or killed before they gain access to the relevant decision-making arena; or failing, all these things, maimed or destroyed in the decision-implementing stage of the policy process (Bachrach and Baratz 1940: 44).

The argument made by Bachrach and Baratz generated a new group of scholars to take-up the notion of power, and re-interpret its meaning in a more constructivist manner. Lukes’ contributions to the concept of power have been of key importance to expanding the concept even further. Lukes argues that Bachrach and Baratz’s understanding of power as a more covert process of both decision- and nondecision-making is actually power’s “second-dimension” (Lukes 2005: 21-25). Lukes remains unsatisfied however by this interpretation, proposing instead a “three-dimensional view” (2005: 25-29) of power, which, “incorporates power of the first two kinds, but also allows that power may operate to shape and modify desires and beliefs in a manner contrary to people’s interests” (Lukes 1986: 10). Thus power is exercised not only when one actor wins, or in success in preventing certain issues from being placed on the decision-making agenda, but power also consists in the capacity, to shape, or determine others preferences.

2.5 Constructivist notions of power

The important contribution that constructivist thought has made to the concept of power is found in their concern with preference-shaping and the ‘nonintentionality’. This constituted a true shift in thinking about power, often referred to as ‘structural power’ (Barnett and Duvall 2005; Guzzini 1993). Barnett and Duvall (2005), Morriss, (2002), Strange (1988) and Lukes (1986; 2005), have all argued that power should not always imply intentional outcomes. Lukes notes that, “what actors intentionally do always generates chains of unintended consequences and it is implausible to deny that some of these manifest their power” (2005: 76). Thus power is present even when one actor doesn’t have the direct intention to change the other’s preferences. B’s perception of A as a potentially powerful actor can in fact influence behaviour; Zartman and Rubin have alerted

us to the significance of perceptions before. Yet power does not necessarily require A's overt will and intention to directly control or influence the behaviour of B. If B concedes to A, could it not have been Bachrach and Baratz's idea of non-decision that caused B to concede? Or was it instead A's ability to manipulate B's preferences so that an actual conflict of interests never even arises? Or as Lukes has put it,

To put the matter sharply, A may exercise power over B by getting him to do what he does not want to do, but he also exercises power over him by influencing, shaping or determining his very wants. Indeed, is it not the supreme exercise of power to get another or others to have the desires you want them to have – that is, to secure their compliance by controlling their thoughts and desires? (2005: 76).

Therefore, power is not always the direct result of A's intended actions towards B, thus contesting the causality implied in understandings of power as a relational concept. As Guzzini notes in his thorough analysis of constructivist responses to Baldwin's and Keohane and Nye's rational choice approaches to power:

Power as the production of unintended effects is not captured because it falls outside the causal link between A's intention and B's changed behaviour ... By reducing the analysis of power to the establishment of a causal chain from A's intention to the outcome, a choice-theoretical approach cannot theoretically incorporate the idea of power as unintended effects *into the concept of power* (1993: 459).

Guzzini criticises the rational-choice approach even further, when he warns that its inability to incorporate unintended effects neglects more implicit elements of power. He contends that, "exclusion of nonintentionality privileges the manipulative actor's (or power holder's) view and leaves the analysis of power with a specific blind spot, namely, the tacit power of the strong" (*Ibid.*: 461). Incorporating an element of 'nonintentionality' into the concept of power allows for an account of how the formation of ideals, values, norms, and preferences may affect an actor's behaviour, thus recognising in addition to intended action, both potential and latent actions (Lukes 2005: 25-29).

Preference-shaping is therefore a fundamental part of the constructivist approach to power. The rationalist framework also conceded the need for an expansion of the power concept in preference-shaping terms, albeit in a much more overt and observable manner. Nye's notion of soft power is one such example. He argues that power exists both in a hard and soft form, the former comprising military and economic power resting on "coercion and inducement," (Nye 2004: 7) and the latter, defined as "getting others to want the outcomes that you want," based instead "on the ability to shape the preferences of others" (Nye: 5). While Nye's focus on preference-shaping offers a welcome shift from the realist and neorealist focus on more tangible (economic and military) resources associated with power, it nevertheless does not fully fit into constructivist thought. His discussion on soft power is agent-centred, that is, power is understood as an action exercised by an actor, as

opposed to focusing on unintended effects or how structural processes shape an actor's preferences and understandings of self. As Nye's definition of power is "the ability to influence the behavior of others to get the outcomes one wants" (*Ibid.*: 2), the focus remains on an understanding of 'power over' as opposed to a more constructivist understanding of 'power to.'⁵ Unlike 'power over,' which implies an element of control over behaviour (whether coercive or cooperative), 'power to' is instead concentrated on identifying the "locus of power" (Lukes 1986: 5). 'Power over' is an exercise, whereas 'power to' is a capacity (Haugaard 2002: 277; Lukes 1986: 1; Morriss 2002: 297-300).

Barnett and Duvall clarify further:

Concepts of power rooted in behavior and interaction point to actors' exercise of control over others; they are, then, "power over" concepts. Concepts of power tied to social relations of constitution, in contrast, consider how social relations define who the actors are and what capacities and practices they are socially empowered to undertake; these concepts are, then, focused on the social production of actors' "power to" (2005: 46).

Yet 'power to' concepts, and in particular Lukes's third dimension of power are also slightly problematic. Lukes's third dimension of power is heavily influenced by the Gramscian idea of hegemony, which sustains that the power of a ruling class in essence is not a product of coercion, but rather of manipulation, or the intellectual and moral ability of authority to gain compliance from the masses (Gramsci 1971). Although Lukes's extension of the concept of power considers "the socially structured and culturally patterned behaviour of groups and practices of institutions" (2005: 22), like the concept of hegemony, this view leans towards elitist tendencies. In a similar vein of realist/neo-realist understandings of power, Lukes's view places ultimate power exclusively in the hands of the dominant actor, and severely minimises if not wholly excludes the possibility of reciprocal behaviour from a weaker and or 'dominated' actor.

Such notions of power should not be discarded altogether however. Certainly, it is important to consider that structural limitations are in place when actors interact with one another. Structural power is in fact not necessarily inconsistent with other notions of power; it merely presents an alternative approach to the concept. What is particularly interesting in constructivist discussions on power is their emphasis on the need for broadening the concept to include *both* rationalist and constructivist interpretations. Lukes' three-dimensions of power illustrate such an attempt at a more comprehensive concept,⁶ so too

⁵ For a game theoretic discussion on 'power to' versus 'power over' see Dowding (1996: 1-18).

⁶ See also Gill and Law (1988), who distinguish between three dimensions of power: overt, covert, and structural.

does Barnett and Duvall's (2005) distribution of power into four categories.⁷ They essentially argue that power comes in multiple forms, yet not enough has been done to integrate these forms into a more complete framework. In advocating the building of bridges between different theoretical approaches, they discourage discarding one framework in favour of another, in that each offers valuable insight into the concept of power (Barnett and Duvall 2005: 43-45; 67-69).

3 Definitions and indicators

Power is much more complex than the capability to use force effectively or the possession of resources. As shown by the occasional negotiating successes of the weak vis-à-vis the strong, power is inherently a multifaceted concept. It is therefore vital to ask, in any empirical research considering relations between the weak and the strong, not just whether asymmetry exists, but also what kinds of asymmetries exist between the parties and to what extent these determine how power is employed vis-à-vis one another. Certainly if power is indeed bound to the context and relations in which it is exercised and to each actor's perception of objective reality and of one another, asymmetry becomes a much more intricate process requiring more in-depth analyses. Nevertheless, the structural constraints operating in relations between traditionally weak and strong actors should by no means be obscured either (e.g. structural power, or the Lukes's 'third dimension of power'). It is therefore vital to recognise that power may be exercised in a more implicit manner through nondecision and agenda-setting, and furthermore that the entire structure of international relations may indeed partially operate according to structural understandings of power based on both tangible and intangible structural factors. While this study offers a more empirical investigation on power relations, it nonetheless theoretically engages with the concepts of power cited above by emphasising the contextual, relational, and perceptive nature of power and how this shapes an actor's ability to exercise leverage and control.

3.1 Power

In this thesis, power is characterised as operating through an interactive, dynamic, and intersubjective *process* in which contextual factors help to determine the process and

⁷“The first type is power as relations of interaction or direct control by one actor over another—Compulsory Power; the second is the control actors exercise indirectly over others through diffuse relations of interaction—Institutional Power; the third is the constitution of subjects' capacities in direct structural relation to one another—Structural Power; and the fourth is the socially diffuse production of subjectivity in systems of meaning and signification—Productive Power” (Barnett and Duvall 2005: 43).

outcome of relations between weak and strong actors. It is interactive because power works as a relation between two or more actors, in which reciprocal rather than unilateral behaviour and learning occurs. This does not imply that relations between two or more actors necessarily exhibit power symmetry, but it does assert that each actor benefits from some sort of power, even if that merely entails the power to leave a relationship (Habeeb 1988: 16). Power is a dynamic, not a static, concept. The process in which it is employed constitutes “changes in the actor’s positions, values, attitudes, objectives and expectations” (*Ibid.*: 14), eventually leading to a particular outcome. Power cannot be understood as a given, but as a factor of the context in which relations take place. Lastly, power is intersubjective in that an actor’s perceptions of its own power and that of others determine how it shapes its interests and demands (Wendt 1992: 396; Zartman and Rubin 2000: 13-14). This takes account of how an actor’s preferences are formed within the relationship, as well as determined through the larger structural environment (Hopf 1998: 175). Thus an actor’s preferences, interests and demands shape both the process and outcome of power relations, while the contextual environment may constrain or facilitate power. Both the agent and the structure affect and shape the process and outcome of relations.

Power, when it is employed, can be equated with leverage through pressure and persuasion (Zartman 2008: 101), but also through coercion and non-compliance. The other dimensions of power which is also important to consider in relations between weak and strong actors, is the power to maintain autonomy or exert control or ownership. These terms are further discussed below.

3.2 Leverage and influence

As has been demonstrated above, understanding power in material terms limits explanations for situations in which weakness can actually be turned into strength when there is asymmetry in structural power between actors. It is therefore more practical to consider not just an actor’s power *in se*, but rather how effectively power can be turned into instances of leverage and influence. Leverage refers to the ability of an actor to reach its preferences and interests vis-à-vis another actor by placing its interests and preferences on the political agenda; by getting the other actor to take its demands and concerns seriously (i.e. opinions, criticisms, and demands are seen as legitimate and valid); and modifying or shifting others’ behaviour, choices, decisions, or preferences. The exercise of leverage can be seen as successful when items of interest are placed on the EU’s agenda or incorporated in the EU’s strategy towards the country, where it did not previously do so and when the

EU begins to seriously consider the other actor's preferences because it cannot afford to ignore these (e.g. the country is considered a 'voice to be reckoned with'). An actor can be seen as successful in exercising leverage when it can use its power, whether real and/or perceived, to reach its preferred outcome. This can be considered synonymous with influence, which refers to the ability to induce changes in behaviour or preferences without necessarily possessing the relevant authority to do so and without the use of force or coercion (Berenskoetter 2007: 5).⁸ In the context of negotiations, leverage and influence are often equated with terms such as bargaining power, bargaining strength, or negotiating capital,⁹ and indeed these terms can be used interchangeably to express a situation in which one party has the capacity to produce a shift or change in another actor's position or preferences, is successful in shaping the agenda, or influences behaviour.

Leverage and influence are exercised through the use of tactics and instruments such as persuasion, pressure, coercion, and behaviour which affect actors' perceptions of one another, and which in turn, shape and define (and re-shape and re-define) actors' strategies, positions, and preferences vis-à-vis one another. In the absence of structural resources with which to coerce, persuasion can be used as a means to induce a voluntary change or shift through social interaction or through offering incentives and/or side payments for compliance. Thus persuasion is both "a process of convincing someone through argument and principled debate" (Checkel 2002: 1), and an offer of structural resources or support in exchange for a change in position or preferences. Pressure and coercion instead involve the use of conditionalities, restrictive measures and even punitive action in order to ensure an induced change or shift in position. In this case, leverage is exercised because one party has the means and ability to impose and/or force another actor to consider and accept its preferences because of the high costs associated with not doing so. Thus, when a situation arises in which a party is unwilling to comply, the use of a threat by an opponent will increase the cost of non-compliance, potentially leading to failed agreement. In sum, both persuasion and coercion are meant to alter the gains or losses the other party is able to conjure from a negotiated outcome (Hopmann 1998).

⁸ For example, Mokken and Stokman define influence as "the capacity of actors to determine (partly) the actions or choices of other actors within the set of action or choice alternatives available to those actors," (1976: 37; see also Morriss 2002). Power, on the other hand, is defined as "the capacity of actors to fix or change (completely or partially) a set of action alternatives or choice alternatives for other actors" (*Ibid.*), thus encompassing notions of power both as a possession and as agenda-setting.

⁹ For example, Meunier defines bargaining power as "the ability of a negotiating actor to obtain the best possible deal in the negotiation, that is, to obtain the most from its opponent while conceding the least, other things being equal" (2000: 104). Whitfield and Fraser define negotiating capital as "the leverage that a negotiator is able to derive from [certain] structural conditions" (2008a: 39).

Leverage can also be exercised through certain types of behaviour. In the case of interactions between weak and strong actors, an actor's decision to act compliantly or non-compliantly affects its negotiating position and the perceptions held of that actor. This in turn, will affect the leverage it can exercise in attempting to reach its preferences vis-à-vis the other actor. Compliance is found in the willingness to concede to the preferences and demands made by another actor. Thus compliance necessarily entails that the other actor has been more successful in exercising leverage, because it has convincingly ensured either a change in position or secured the status quo from the other party. This is not to say that compliance is necessarily undesired, it merely indicates that compliance is an indicator of bargaining strength of one actor over another.¹⁰ Leverage, however, can be exercised through non-compliant behaviour, when this produces a change or shift in the other actor's position or even creates stalemate in negotiations between weak and strong parties. Non-compliance entails expressing dissatisfaction with the terms and conditions of the relationship; resisting intimidation or coercion by a structurally stronger actor, and its potential capability to employ threats or punishments; refusal to comply with the other actor's demands which could potentially lead to the disintegration of the relationship. Non-compliance may also be manifested through public voice or criticism, terminating a relationship or refusing to negotiate as a form of protest, or seeking alternative partnerships or agreements.

3.3 Control and ownership

A second dimension of power is found in an actor's ability to maintain control, autonomy, or exert ownership over policy processes and outcomes. An actor can be considered to have control if it is able to maintain independence in determining its own policies and strategies in relations with other actors. This means that an actor is free, or at least relatively free, and perceives itself as such, to formulate and pursue strategies and policy preferences and implement policy outcomes without interference from outsiders, without necessarily pleasing external actors, or without having to compromise or accommodate the interests of others in order to reach its preferences and goals. In this sense, power does not mean the ability to influence others to accept your preferences, or the ability to produce a shift or change, but rather it refers to the ability to circumvent outside influence in the formulation of strategies and preferences, and the implementation of

¹⁰ Consider for example, that according to Whitfield, recipient countries which adopt a strategy of compliance in aid negotiations with donors, "start by recognizing the chronic subordination of the recipient state, and by doing so, they undermine the country's own negotiating strength, perpetuating weakness" (2008: 21).

outcomes, in the first place. Furthermore, in the context of relations between weak and strong actors, power as control or autonomy is often synonymous with ownership, and in fact, also in this thesis, these terms are used interchangeably.¹¹

Control involves the ability to identify an actor's own priorities and interests in relations with external actors, establishing and relying on a country's own systems and frameworks for cooperation with external actors, a willingness to negotiate and cooperate according to the weaker country's terms and preferences and to forego cooperation should this not be the case, and lastly, the ability and willingness to initiate and implement policy processes formulated with the country's own interests and preferences in mind. In establishing the extent to which weaker countries have or have not been able to maintain control or ownership in evident situations of structural power asymmetry, it is thus necessary to distinguish between the objectives and goals of the actors concerned in order to be able recognise when a weak country can control policy processes and outcomes. Furthermore, in assessing whether weaker actors have or have not been able to maintain control in relations with stronger actors, it must be established whether processes and outcomes have been decided by the weaker actor without considering the stronger actor's preferences; whether processes and outcomes are the result of a compromise or consensus between the actors; or if processes and outcomes are imposed by outsiders and accepted reluctantly by weaker actors despite differing preferences, but as a necessary price to pay to reach a certain outcome (see Whitfield and Fraser 2008: 4).

This section has provided a more nuanced definition of power and explained how this is linked to the exercise of leverage and the maintenance of control vis-à-vis stronger actors. So how then, does this more nuanced understanding of power and the exercise of it actually apply to relations between stronger and weaker actors? In other words, what are some of the possible explanations for weaker actor leverage and ownership? The following section provides some theoretically and empirically driven hypotheses of how these notions might play out in the EU's relations with African countries.

4 Hypotheses

Based upon the conceptualisation of power as operating through an interactive, dynamic, and intersubjective *process* in which contextual factors create conditions under which actors can exercise leverage and control, and given the gaps in the literature on EU-Africa

¹¹ For example, in their analysis of the strategies African government's have adopted in aid negotiations, Whitfield and Fraser define ownership as, "the degree of control recipient governments are able to exercise over policy design and implementation" (2008: 4).

relations and conceptualising EU 'actorness' in foreign policy, it is now possible to formulate some theoretically and empirically-informed hypotheses regarding the conditions under which weaker actors, in this case African countries, are able to exercise leverage vis-à-vis stronger actors, in this case the EU.

4.1 Perceptions

Following the conceptualisation of power as a perceived relation, and based upon the need to consider more closely outsiders perceptions of the EU as a foreign policy actor, it is assumed that the way in which an actor perceives its own power as opposed to that of others, as well as how it perceives the other actor's power as opposed to its own, will affect the exercise of leverage, and to a lesser extent, control (Tables 1.1. and 1.2 at the end of this chapter summarise the assumptions and hypotheses regarding perceptions). Whose perceptions are important in shaping strategies? This thesis will mainly concentrate on the perceptions that African policy-makers and negotiators hold of the EU and of their own capabilities, as well as the perceptions held by high-level political actors, such as Heads of State and relevant Ministers. While the perceptions of this first set of actors will be determined by in-depth interviews, as described in the introduction, the perceptions of the second set of actors is determined mostly by the type of responses and discourse they have expressed regarding relations with the EU. While it is recognised that this may not accurately reflect these actors' true perception of the EU, their public statements and views can be seen as representing the countries' overall approaches and strategies in dealing with the EU.

Perceptions affect leverage to the extent that they significantly influence the strategies and policy preferences that actors will adopt vis-à-vis one another. To a lesser extent, they also affect control in terms of whether a weaker actor sees the stronger actor's influence as necessarily contributing in a positive or negative manner to the formulation of strategies and policies, and in terms of whether the actor is willing or not to forego cooperation with the stronger party. Therefore, although the EU may possess power, if it is seen as unable to convert this power into bargaining strength or influence, this affects the other actor's perception of the EU's ability to reach its preferences in relations with other actors. Conversely, it is also important to consider how the weaker actor perceives of its own power vis-à-vis the EU. If the weaker actor perceives its own capabilities and abilities as a source of bargaining strength or if it is ideologically inclined to maintain ownership,

for example, it is likely to affect the intensity or the confidence with which it will pursue its strategies and demands. Perceptions are shaped in three ways:

Firstly, they are shaped by objective reality, or the possession of structural resources an actor has. Indeed, as Zartman and Rubin (2000) have noted, perceived power is partially based on the realities of what each actor concretely possesses. In relations with Africa, this would imply that perceptions of the EU's power are shaped by its financial and economic strength in development and trade. At the very basic level, economic and financial differences between the EU and Africa define the structural power asymmetry between the parties, in that the EU is wealthier than African countries, and therefore the power of the purse means the EU is the ultimate decision-maker with regards to how much aid it is willing to allocate or how many trade preferences it is willing to concede. Furthermore, perceptions of the EU's economic and even political strengths influence the weaker actor's behaviour and strategies, because it raises expectations of what the stronger actor is capable of and how it should behave (Hill 1993; Tsuruoka 2008, 2004). Differences in wealth therefore shape the basic structural environment and affect weak countries' perceptions of the EU's potential to use power or influence. In this sense, African countries are likely to perceive the EU as a more powerful actor and one with which cooperation is necessary given their marginal and weak position.

Secondly, perceptions are shaped by external actions and the effectiveness and impact of these actions. Therefore, what the EU actually does in Africa, the way it does it, and how much impact this actually has is important in shaping other actors' perceptions of the EU's capability to translate its rhetoric into action or its structural resources into bargaining power. If the EU is perceived to be inconsistent or even incapable of negotiating or implementing policies according to its claims this is likely to affect actors' perceptions of the EU's ability to exercise power. In this sense, while the EU may raise external actors' expectations in terms of what it is structurally capable of, the inability to meet those expectations due to constraints or even unwillingness can considerably affect perceptions (Hill 1993; Tsuruoka 2008, 2004). In analysing power relations between weak and strong parties, it is therefore crucial to identify *both* parties' capacities and constraints in conducting relations with one another, for it is the perception of these capacities and constraints which shapes their consequent strategies vis-à-vis one another.

There are four ways in which the EU's actions are posited to affect countries' perceptions of it. First, in terms of the employment of the resources and expertise necessary to implement its policies in other countries: if the EU is unable to convert its rhetoric into practise because it lacks, or is unwilling to employ, the resources necessary, this is likely to

weaken its effectiveness abroad and will consequently lower countries' expectations and affect their perceptions of the EU negatively. This may lead to less willingness to cooperate (non-compliance) and/or more conflictual strategies for reaching preferences. Conversely, if the EU is seen as capable, experienced, and 'putting its money where its mouth is', thus meeting and perhaps increasing countries' expectations, this will positively affect their perceptions. This may lead to more likelihood to cooperate (compliance) with the EU and/or a more consensual strategy for reaching preferences.

Second, in terms of its image as a united or divided actor or in terms of coherence between the Commission and the Council/Member States in employing policies abroad: when there is inconsistency or incoherency in the position or actions of the Member States/Council and those of the Commission, it negatively affects the EU's position as a single unitary actor. When the EU is perceived as divided, other actors may attempt to seek out either interlocutors or actors within the EU that are more sympathetic to their position thus facilitating leverage. Yet Elgström (2005) and Forwood (2001) have argued that in its relations with weaker actors (especially the ACP), the EU tends to present itself as a strong and unitary actor, which makes challenging the EU's position difficult for such actors (Elgström 2005: 184, 187). In addition to the above proposition, it is also posited therefore that if the EU is perceived as united in its position, or as 'speaking with one voice', it positively affects other actors' perceptions of the EU's ability to act consistently, coherently, and united. This strengthens the EU's position and will make other actor's less likely to successfully exercise leverage or control. Thus, "EU unity contributes to the perceived power of the Union" (Elgström 2007: 950).

Third, divergence or incoherence between various EU policies, and coordination amongst the different areas of competence also affects other actors' perceptions of the EU's capacity to engage with them. Thus, "if one negotiating party does not accept the proclaimed self-image of its opponent, or sees it as inconsistent with the actual behaviour of that actor, it will doubt the sincerity and credibility of the actor and hesitate to agree to its proposal" (Elgström 2008: 12). If the EU is perceived as being inconsistent and/or incoherent in translating policy rhetoric into meaningful and impactful actions, than countries will be more likely to lower their expectations of the EU, and in turn adopt strategies that more closely assert their own preferences, which might be conflictual with the EU's policy preferences, or they may just be less willing to cooperate with the EU. If a country views the EU as necessarily powerful or influential, it is more likely to devise a strategy that might be consensual with the EU's strategy or policy preferences.

Fourth, and related to the above point, the EU's actions in Africa are often said to serve a wider purpose of establishing the EU as a relevant foreign policy actor. In this sense, the EU uses its policies and actions in Africa not merely as instruments for securing cooperation in development, trade and migration (see Chapter 2, 4, and 6), but also, in order reach wider political and strategic objectives such as establishing itself as a relevant power in the world and confirming and strengthening its 'actorness' (Crawford 2007; Olsen 2002, 2004, 2005; Keukeleire and MacNaughtan 2008: 12; Arts and Dickson 2004; Holland 2002). The fact that the EU often uses its policies and actions in Africa to achieve broader goals such as legitimising its role as a foreign policy actor, affects the way in which it conducts its relations with others, because if a certain policy, negotiation, or country, is seen as particularly beneficial to strengthening the EU's role, the costs of failure to find agreement or to establish good relations can be high for the EU. In this sense, it is posited that perceptions of the EU's willingness, urgency, and/or need to find agreement with the weaker party, the extent to which it is dependent on a negotiated solution, and/or has interests in establishing good relations with a weaker actor, can be used as a source of bargaining strength for the weaker party, provided they are aware of these constraints.¹² The EU's use of its relations, actions, and policies vis-à-vis weaker countries to achieve wider political and strategic objectives can raise the costs of failure, non-compliance, or non-implementation for the EU. In this sense, the EU is, to some extent, constrained by its wider policy interests and goals to project itself and to be seen as a relevant and powerful political actor. If the EU is perceived as not constrained by its interests, or if the weaker actor is unaware of these constraints, it will be less likely to formulate a non-compliant strategy and exercise leverage vis-à-vis the EU. If the EU is perceived as constrained by its interests, the weaker actor will be more likely to devise a strategy in which it can expose these constraints and exercise leverage in finding agreement or influencing the agenda.

Finally, perceptions are shaped by the larger international and domestic context in which relations take place. This point is particularly crucial, because it brings the discussion back to the importance of accounting for the contextual nature of power. In this sense, historical, socio-economic, political and cultural factors contribute to the way in which actors perceive one another and consequently the power they are able to exert vis-à-

¹² For example, in bilateral negotiations on aid conditionality between Indonesia and the US, structurally much weaker Indonesia was able to exercise leverage vis-à-vis a structurally stronger US partially because of its awareness of what consequences failed agreement would have for securing the US's position as a hegemon. According to Kivimaki, "because of its dependence on abstract strategic concerns and on the legitimacy of its position, the United States had to abandon many of its self-interests" (2000: 75). The US's need to find a compromised solution to aid negotiations, provided Indonesia with bargaining strength when it threatened to shift relations towards the Communist camp, unless a negotiated agreement to the conditionality surrounding much-needed US's aid allocations could be found (see also Kivimaki 2003).

vis one another. Importantly, these factors are not necessarily under the direct control or influence of the actors, but instead are elements of the larger contextual environment in which relations between the EU and Africa operate. Contextual factors help to determine firstly how the countries perceive the EU and secondly how they perceive their own capabilities to exercise leverage and maintaining control vis-à-vis the EU, and how these will in turn translate in to the confidence and willingness to pursue strategies and demands vis-à-vis a stronger actor. Importantly, a weak actor's ability to exercise leverage or maintain control vis-à-vis the EU, is determined by the extent to which its perceptions of the EU's and of its own power and the context in which these relations operate, provide the country with the confidence to translate its strategies into an asset it can deploy in meeting its preferences and demands.

Although this thesis examines relations between the EU and African countries in a relatively short time period, namely since the Cotonou Agreement of 2000, the historical legacy between the EU and these countries affects not only the way in which the parties are likely to perceive one another, but furthermore, also contributes to the formulation of strategies, approaches and preferences in negotiating with one another. The way in which African countries choose to negotiate and formulate their strategies vis-à-vis the EU is influenced by their historical experience in dealing with the EU as a development actor, as a trading partner and more recently as a foreign policy actor. In addition to the countries' historical experiences in dealing with the EU, the historical legacy of the countries' relationship to EU Member States, by way of their colonial past as well as the presence of Member States as bilateral development and foreign policy actors in the countries also contributes to shaping perceptions of the EU. Before advancing the discussion, some words must first be said about these historical factors in the specific case of Senegal and Ghana's relations with the EU. Although the historical relations between the countries and the EU or the Member States are not explored in detail in the following chapters, it is nevertheless important to outline how history might contribute to shaping the actors perceptions of the EU.

Senegal is historically closely tied to France, with links between the two countries dating back more than three centuries. Senegal was France's oldest colony in sub-Saharan Africa, and the two countries have up until very recently maintained the close ties developed during the colonial period since political independence in 1960. This has led to a "special relationship" in which France has been intimately involved in Senegalese affairs, while Senegal used its status as a strategic francophone country to solidify its important status in the region and in francophone Africa (Chafer 2007). In recent years however,

unsatisfied with the level of developmental and economic progress that its relationship with France has brought the country, Senegal has begun to diversify its relations away from its traditional partner towards other international partners such as the US and the UK, but also Arab states, China, and India. On the one hand, therefore, Senegal has based its expectations and interactions with the EU on its previous experiences in dealing with France. On the other hand however, Senegal's increasing interest in expanding its relations with alternative actors also has important implications for the extent to which it is willing to assert ownership and control in relations with external partners.

In Ghana, the historical ties to its former colonial power, the UK, are not nearly as strong as Senegal's ties to France. In fact, it has been mostly other actors such as the World Bank and the IMF that have influenced and shaped Ghana's understanding and perceptions of other foreign policy actors. Upon independence, Ghana began to face almost immediate economic decline, which eventually led it to pursue reform arrangements with international financial institutions (IFIs). Although the IMF was politically unpopular in the 1960s and 1970s, in the 1980s the government of Jerry Rawlings actively pursued its relations with the IMF and the World Bank through the Economic Recovery Programme. As argued by Whitfield and Jones (2008), it is mainly Ghana's intimate relations with these financial institutions, and not so much its former colonial master, that have shaped the government's understandings and expectations in conducting relations with foreign actors. Indeed, "the IMF and World Bank became the most important architects of Ghana's economic strategy and policies" (Whitfield and Jones 2008: 190). In this regard, other external actors, and especially, other donors such as the EU, the UK, and other Member States are merely considered one amongst the many international actors present in Ghana. Ghana's intimate relations with financial institutions and its relatively 'normal' relations with other bilateral and multilateral actors have created a different historical setting in Ghana than in Senegal, which as will be demonstrated in the following chapters has influenced the strategies it adopts towards the EU, which have been mostly in line with the overall approach the country adopts towards external actors in general.

Table 1.1: Summary of assumptions on perceptions

Assumption 1

The way in which an actor perceives its own power as opposed to that of others, as well as how it perceives the other actor's power as opposed to its own, will affect the exercise of leverage and control.

Assumption 2

Perceptions are shaped by:

1. objective reality, or the possession of structural resources an actor has;
2. external actions and the effectiveness and impact of these actions;
3. the larger international and domestic context in which relations take place.

Table 1.2: Summary of hypotheses on perceptions

Hypothesis 1

Based on perceptions of structural power, weaker actors are likely to perceive the EU as a more powerful actor and one with which cooperation is necessary given their marginal and weak position.

Hypotheses 2a

If the EU is unable to convert its rhetoric into practise because it lacks, or is unwilling to employ, the resources necessary, this is likely to weaken its effectiveness abroad and will consequently lower countries' expectations and affect their perceptions of the EU negatively. This may lead to less willingness to cooperate (non-compliance) and/or more conflictual strategies for reaching preferences.

If the EU is seen as capable, experienced, and 'putting its money where its mouth is', thus meeting and increasing countries' expectations, this will positively affect their perceptions. This may lead to more likelihood to cooperate (compliance) with the EU and/or adopt a more consensual strategy for reaching preferences.

Hypotheses 2b

If the EU is inconsistent or incoherent in the position or actions (between the Member States/Council and the Commission), it negatively affects other actors perceptions of the EU as a single unitary actor and its capacity to act accordingly. Divisions within the EU may allow weaker actors to seek out interlocutors or actors with which to exercise leverage or control.

Hypotheses 2b continued

If the EU is united in its position, or ‘speaks with one voice’, it positively affects other actors’ perceptions of the EU as a single unitary actor and its capacity to act accordingly. Unity amongst the EU will make weaker actors less likely and able to exercise leverage and control.

Hypotheses 2c

Divergence or incoherence between EU policies, and lack of coordination amongst the different areas of competence, is likely to negatively affect weaker actors’ perceptions of the EU’s capacity to engage with them. This may lead to less willingness to cooperate (non-compliance) and/or more conflictual strategies for reaching preferences.

If a weaker actor views the EU as powerful, capable, or influential, it is more likely to cooperate (compliance) with the EU and/or adopt a more consensual strategy for reaching preferences.

Hypotheses 2d

The EU’s use of its relations, actions, and policies vis-à-vis weaker countries to achieve wider political and strategic objectives can raise the costs of failure, non-compliance, or non-implementation. If the EU is perceived as not constrained by its wider interests, or if the weaker actor is unaware of these constraints, it will be less likely to formulate a non-compliant strategy and exercise leverage and control.

If the EU is perceived as constrained by its wider interests, the weaker actor will be more likely to devise a strategy in which it can expose these constraints and exercise leverage and control in finding agreement or influencing the agenda.

4.2 Contextual factors constraining and favouring leverage and control

Perceptions alone cannot entirely explain weaker actor leverage, however. Perceptions are important, but they cannot on their own determine success or failure in exercising leverage and control. Indeed, this is where the contextual factors in power become fundamental to consider in explaining weaker actor leverage and control in a situation of power asymmetry. For it is the contextual environment of relations between weaker and stronger actors which creates the conditions under which preferences and strategies adopted can translate into successful outcomes vis-à-vis stronger actors. In this regard, in analysing leverage in relations between weaker and stronger actors, it is important to take account of “the ever-changing global and national economic, political, ideological, and institutional context within which donor and recipient define their preferences and select their strategies” (Whitfield and Fraser 2008: 39). On the one hand,

although the structural differences between actors cannot “determine the outcome of any negotiation in a mechanistic sense”, they create both constraints and opportunities for the actors “in deciding what they think can be achieved ... and which resources to draw on to make their case in a way that compels the other to consider their preferences seriously” (Whitfield and Fraser: 39). On the other hand, the context in which the weak and strong conduct relations has a determining effect on the process and outcomes of their interactions. To this extent, preferences are shaped and strategies are chosen “in the context of given structural conditions and how it [the actor] decides those conditions can be deployed in negotiations to meet its objectives” (*Ibid.*: 39). Based upon previous literature on negotiations between the weak and the strong, and on contextual and structural understandings of power, four main categories of factors affecting the conditions under which weaker countries are either constrained or able to effectively reach their preferences and shape outcomes in relations with stronger actors can be identified: institutional, economic, strategic, and political/ideological (Tables 1.3. and 1.4 at the end of this chapter summarise the factors constraining and favouring leverage). The way in which these factors are expected to facilitate or constrain weaker actor leverage and control is here further explored.

4.2.1 *Institutional factors*

The actual institutional capacity of African countries to negotiate with the EU is an important element in determining the extent of their success in exercising leverage and control. Institutional factors are particularly relevant, because in addition to the economic disparities that create power asymmetry between African countries and the EU, a country’s institutional capabilities to develop strategies, to negotiate with external actors, and to actually implement policies contributes significantly to structural weaknesses or strengths which constrain or favour an actor’s ability to exercise leverage and control. Institutional factors which constrain leverage and control include: a lack of or limitations in the capacity to formulate and implement strategies (strategies are formulated exclusively by external actors or mainly in accordance with the preferences of external actors; government input and the incorporation of their own preferences is limited); a lack of or limitations in expertise (officials have not received the training necessary to carry out their tasks; are unaware or misunderstand how the external actor functions; have little or no experience in a particular policy field), a lack of or limitations in human and technical resources, (officials are overburdened and overwhelmed by complex and excessive administrative

procedures; lack the necessary assistance to carry out their tasks; have inadequate access to equipment or research to formulate and implement strategies); a lack of or limitations in negotiating experience or the presence of weak institutional memory (little, no, or unsuccessful negotiating experience in a particular policy field; little or no training in negotiation skills; a high turnover rate of officials); and weak government administrative and management systems and frameworks (the implementation of external actors' policies bypasses government administrative and management structures). Therefore, although African governments may have the political will to determine their own policies and preferences, they may be significantly constrained by several institutional factors that weaken their position vis-à-vis stronger actors.¹³

At the same time, there are other institutional factors which favour a country's ability to exercise leverage and control in relations with external actors. Factors which can strengthen the ability to exercise leverage and control include: a capacity for strategy formulation based on prior negotiating experience or based on the presence of strong technical expertise (officials have participated, often successfully, in similar negotiations; have received the necessary training in negotiation skills); the presence of capable human and technical resources (officials are provided with the necessary assistance in fulfilling their tasks and goals; have received necessary and proper training; are not overburdened by the amount and complexity of administrative procedures required to manage external actors); and strong country management systems and frameworks exist (country systems and frameworks are initiated and implemented by the government; the government insists on the use of country-owned frameworks; external actors rely on country frameworks and do not bypass the government in negotiating and implementing their strategies and policies). Therefore, although weaker countries might be severely constrained in implementing their policy preferences, they nevertheless may demonstrate a willingness and capacity to at least formulate strategies and maintain ownership over their policy preferences.

¹³ For example, in aid negotiations, Bräutigam and Botchwey (1999; see also Moss *et al.* 2006) have demonstrated that although for a few select countries high levels of aid have actually assisted in establishing a strong local capacity to manage aid and donors, for most countries aid dependence tends to impose high transaction costs on the government, leading to donors by-passing the government in the execution of projects and programmes, weakening capacity and ownership on the part of the government, creating revenue instability and fragmented budgets, lowering the incentive to rely on alternative resources for financing development, and undermining transparency, accountability and democratic decision-making. Chisala (2006) has also identified the main institutional features of aid dependency as constituting an excessive number of projects and programmes relative to the country's capacity to absorb incoming aid, thus weighing down institutions which are already weakened by a lack of financing or trained expertise.

4.2.2 *Economic factors*

The economic conditions facing African countries also impact on the extent to which they can exercise leverage and control. At the very basic level, economic conditions largely define power asymmetry, in that the stronger actor is usually wealthier than the weaker actor, and therefore it decides, for example, how much financial assistance it is willing to allocate in aid negotiations, how much market access it is willing to grant in trade negotiations, or how much labour access or financial assistance it will allow in migration negotiations. Differences in wealth shape the basic structural environment in which the parties formulate their preferences and strategies, yet these do not necessarily determine outcomes. Indeed, other economic factors also condition the exercise of leverage and control in EU-Africa relations.

A country's financial and trade dependence on the EU plays an important part in determining the extent to which it can exercise leverage and control. A country which does not depend entirely on EU aid to finance its developmental objectives or is not entirely dependent on preferential access to the EU market, and can draw upon other sources of financing such as foreign or domestic investments, migrant remittances, resource capital, etc. or alternative trading partners, and therefore has more room for manoeuvre.¹⁴ Instead, a highly aid- and trade-dependent country is more constrained by its continual need to finance and meet its development goals through EU aid and trade, and is therefore less likely to refuse aid and trade preferences altogether or even to put forward its own preferences, in order not to risk foregoing aid and trade offers.¹⁵ At the same time, financial or economic dependence does not necessarily imply that weaker governments have no room for manoeuvre vis-à-vis stronger external actors. For one, recipient countries which receive aid from many donors, may be able to play external actors against each other and are therefore more likely to be able to secure their own preferences. At the same time, where donor coordination efforts are extensive and effective, this may also imply that "in so far as donors take common policy positions or push funds through one common pool, this can reduce recipient-government bargaining power" (Whitfield and Fraser: 40).

¹⁴ For example, in Botswana revenue from diamond mining and sound macroeconomic policies which generated sustained economic growth have allowed the government to become less dependent on foreign aid and gave it additional leverage in aid negotiations, by being able to refuse aid which did not meet the government's own terms (Maipose 2008; Land 2002).

¹⁵ Indeed, the main findings to come out of a comprehensive comparative case studies of African strategies used in aid negotiations suggests that the key factor distinguishing more or less successful negotiating strategies (success being the extent of government control over negotiation outcomes) is a government's confidence that its strategies will not lead to the loss of aid (Whitfield 2008).

Another important economic factor to consider is the presence or the pursuit of alternative trading partners. In increasing trade and economic links with non-traditional aid and trade partners such as China, for example, governments may be provided not only with an alternative source of funding, but also with an element of leverage in negotiating the terms and conditions of aid and trade agreements with established donors such as the EU (Alden 2007; Whitfield and Fraser: 40; Whitfield 2008: 347-348; Whitfield 2008a: 364-365). Therefore, the ability or willingness of a country to forego cooperation, or risk the consequences of non- or limited cooperation is an important element in determining the success of leverage and control. In this sense, it is posited that the presence of alternatives (resources, trading partners, or cooperation frameworks) can give the country the confidence either to bypass relations with the EU, or to project stronger control by putting forward its preferences on its own terms.

4.2.3 *Strategic factors*

Strategic factors too create increased opportunities for African countries to exercise leverage and control vis-à-vis the EU.¹⁶ The strategic importance of a given country is determined firstly by its economic position, in terms of economic or commercial interests it provides for the EU (including the presence of highly-demanded or lucrative natural resources; investment opportunities; an influential player in international trade fora; openness to and facilitation to international trade; good infrastructure). Secondly, it is determined by its geographic position vis-à-vis the EU, in terms of its importance for example, as a migrant-sending country (the physical access its location provides for migrants coming to the EU), or in terms of trading opportunities (a country's vicinity to the EU and the access it provides to other countries or regions). Lastly, strategic importance is found in a country's ability to define itself and convince the EU of its status as a 'success story', by, for instance, undertaking macroeconomic reforms, generating economic growth, promoting democracy, human rights and the rule of law, or acting as a regional leader in the promotion of regional integration, conflict resolution, or crisis management.¹⁷ For

¹⁶ For example, the strategic importance of a country like Ethiopia, positioned as a Western ally in the Horn of Africa, has given the government additional negotiating room especially vis-à-vis a donor such as the U.S., which has particular interests in maintaining stability in a fragile region (Furtado and James Smith 2008; *The Economist* 2007).

¹⁷ For example, according to Rocha Menocal and Mulley (2006) good economic management and sound macroeconomic policies, as well as a willingness to undertake reforms tend to favour the creation and maintenance of good donor-recipient relations. During aid negotiations therefore, recipients may refer to a sound economic performance track-record in order to convince donors to meet their preferences. Indeed, for many donors, strong macroeconomic policies and the undertaking of reforms are often a condition for aid allocations and disbursements, and where a recipient does indeed demonstrate success or at least a willingness

example, in the aid field, strategic considerations may lead to some countries becoming ‘aid darlings’, namely countries with a high proliferation of donors and high aid allocations because of favourable conditions or efforts undertaken by the government in the eyes of the donors (Whitfield and Fraser: 41; Whitfield 2008: 341; Harrison *et al.* 2008; Rocha Menocal and Mulley 2006). In other words, a country’s strategic importance as a ‘success story’ is determined by the extent to which its politics and policy actions ‘fit’ with the EU’s stated norms and preferences for conducting relations with such countries. Indicators for a country constructing itself as a ‘success story’ include the presence of many donors or external actors; reference by external actors to the country’s success in order to showcase successful examples of their interventions; and the extent to which its actions are seen as effective and relevant by other regional and international actors.

An important caveat needs to be pointed out here. Countries are considered ‘success stories’ for ‘policy’ and ‘political’ reasons, and this affects the extent to which they are able to exercise leverage and control vis-à-vis external actors. A country which is considered a success story for ‘policy reasons’, because of, for example, its willingness and success in enacting donor-imposed reforms or a good record of democracy and rule of law, is less likely to successfully exercise leverage as opposed to a country which is considered a success story for ‘political reasons’, based on, for example, its influential or critical position and role on the international, continental, and regional scene (Whitfield 2008: 341; Whitfield and Fraser 2008a: 41). Thus while ‘aid darlings’ may receive high aid allocations and have numerous donors contributing to their development goals, at the same time, because of extreme donor interventions, they may have developed a significant stake in the success of the country’s development framework and will therefore likely be reluctant to allow for exclusive government control.¹⁸ In this sense, compliant behaviour on the part of the weaker actor, may allow for cordial relations between actors, but it does not necessarily confer it with increased leverage or control. Instead, the politically-strategic importance of some countries (through, for example, the successful mediation of regional conflicts; being seen by others as promoting regional integration; having an important voice on regional and international scenes), with regards to the EU’s interests in establishing itself as a relevant

to meet conditions in these areas, donors have been more inclined to provide higher and more predictable aid allocations, disbursements and performance assessments.

¹⁸ The case of Tanzania versus Rwanda, for example, demonstrates that while an aid darling like Tanzania has often played the ‘darling’ or ‘good reformer’ card in negotiations with donors and has indeed obtained high aid allocations, at the same time the considerable resources donors have invested in the country have given them a strong stake in the country’s development agenda consequentially diminishing government control over development policies (Harrison *et al.* 2008). In Rwanda, on the other hand, the government’s awareness that for geo-strategic or political reasons donors are unable to withdraw aid, has led it to circumvent aid conditionalities and excessive donor interventions (Hayman 2008).

and important development and foreign policy actor on the international stage, can assist the exercise of leverage and control (Crawford 2007; Olsen 2002, 2005).

This last point merits further expansion. The use of these policies to achieve wider political and strategic objectives can create opportunities for weaker country leverage. Where capacity permits, countries with a political environment where the EU's policies can be used as a tool for promoting its foreign policy objectives, through, for example, conflict or crisis management, or countries which are politically influential at the regional or continental level, are expected to be in a more favourable position to exercise leverage and control vis-à-vis the EU. This is because their strategic position can give them increased bargaining strength, because the EU will be more likely to cooperate with such countries given their potential for contributing to securing wider strategic objectives. A weak actor can transform its weakness into strength by playing on these wider strategic needs and interests.

4.2.4 *Political and ideological factors*

Finally, international and domestic political factors also shape the environment in which African countries are enabled or constrained in exercising leverage and control. Whitfield and Fraser have suggested that on the one hand, a high degree of domestic political legitimacy and a strong electoral mandate tend to favour recipient country leverage in that it confers upon the government a strong negotiating mandate and the confidence to project this mandate in relations with foreign actors (2008a: 41). Furthermore, a high degree of unity within the government can also assist the countries' position vis-à-vis external actors, as this will make it more difficult for external actors to seek possible interlocutors within the government which support their preferences and persuade key officials within the government to shift or support a certain position (*Ibid.*: 42). On the other hand, other political factors at the domestic level, such as interventions and pressure by powerful interest groups, a weak electoral mandate, or instability amongst coalition groups can either constrain the government in the eyes of external actors and therefore provide them with a stronger position to impose their own preferences, or can create leverage for the government when the external actors prefer the government over the political opposition (*Ibid.*: 41).

Further to this, aside from dependence at the economic level, the degree of dependence on external actors at the political level is also an important element in shaping countries' ability, and willingness to exercise leverage and control. Chisala has argued that

in addition to the effects of institutional aid dependence on recipient countries, political aid dependence can lead to 'dependency behaviour', such as a lack of initiative on the part of the government in formulating and defending its strategies and policies in relations to external actors, as well as the presence and intrusion of external actors in preference formulation of the government, and more generally, a reactive, rather than proactive government (2006: 27; see also Moss *et al.* 2006). Political dependence therefore tends to stifle the adoption of a leadership role in negotiations by distorting incentives to take on such a position due to supplements and allowances coming from external actors.

Lastly, resonance between governments' and the EU's political or ideological orientations can assist in creating an environment which favours good relations and facilitates dialogue, but this does not necessarily confer leverage or control on the weaker actor. Although Elgström (2005; 1992; 1990) has highlighted the importance of cultural similarities and differences between the parties, and shared norms about what policies should and should not accomplish, in facilitating relations between weaker and stronger actors, leverage and control can be successfully exercised if the country's domestic political environment so permits.

Table 1.3: Factors constraining and favouring weaker actor leverage and control

Factors *constraining* leverage and control

Factors *favouring* leverage and control

Institutional

- Lack of or limited capacity
- Lack of or limited expertise
- Lack of or limited human and technical resources
- Lack of or limited negotiating experience/weak institutional memory
- Weak government administrative and management systems and frameworks

Institutional

- Capacity for strategy formulation
- Technical expertise
- Presence of capable human and technical resources
- Prior negotiating experience/strong institutional memory
- Strong country management systems and frameworks

Economic

- High financial/trade dependence on EU
- Lack of (and/or lack of confidence in) alternative sources of finance or trade
- High number of coordinated donors/external actors

Economic

- Low financial/trade dependence on EU
- Presence of (and confidence in) alternative sources of finance or trade
- High number of uncoordinated donors/external actors

Strategic

- Lack of or limited economic and commercial interest for EU
- Geographic location vis-à-vis EU
- Lack of or limited political and ideological interest for EU
- Lack of awareness of stronger party's strategic constraints

Strategic

- Economic and commercial interest for EU
- Geographic location vis-à-vis EU
- Political and ideological interest for EU
- Awareness of stronger party's strategic constraints

Political/Ideological

- Pressure and intervention by interest groups
- Weak electoral mandate
- Government disunity and instability
- Political aid dependence on external actor(s)/dependency behaviour
- Weak government initiative/political will

Political/Ideological

- Domestic political legitimacy
- Strong electoral mandate
- Government unity and stability
- Strong government initiative/political will

5 Conclusion

Although structural power asymmetry characterises relations between weak and strong actors, it is here suggested that certain constraints and conditions faced by both the strong and weak intervene significantly in shaping the environment in which the parties conduct their relations and negotiate with one another, and more importantly, can account for occurrences in which a negotiated outcome is not necessarily always in favour of the structurally stronger party. Because relations are influenced by both contextual and relational factors, the analysis of relations between the EU, on the one hand, and African countries, on the other, is based on the premise that the process and outcome of interactions between the two sides is a result of an encounter between the preferences of both the weak and the strong actor. In addition, “the ability of each actor to successfully achieve their preferred outcomes is heavily constrained by the conditions under which each faces the other (the negotiating capital they can draw on) and the negotiating strategies they adopt to pursue their preferences” (Whitfield and Fraser 2008a: 38). Importantly therefore, the constraints and strengths faced by both actors should be explored in order to better understand why or why not some countries have been successful in reaching their preferences regardless of the evident power asymmetry that constitutes this relationship. By looking at power from a contextual, relational, perceptive and structural point of view, this study aims to shed new light on relations between weak and strong actors. As an empirical work, it offers a more in depth look at how African countries have attempted to promote their interests and preferences by exercising leverage and control in relations with the EU, regardless of power asymmetry.

Chapter 2

Aid and development cooperation: EU constraints and African opportunities

The purpose of this chapter is to lay out the changes that have occurred in the EC's development policy and how these have impacted on EU-Africa relations. It focuses on the European Commission as a donor and the European Community (EC) as a development policy actor. Although the aid relationship between the EC and African countries is fundamentally based on asymmetry in power, typical of donor-recipient relations, it is too simplistic to assume that the stronger actor, in this case the Commission, necessarily holds all the cards in the negotiation and implementation of aid with weaker countries. Although recipient countries face several constraints in effectively projecting their preferences onto donors, it is also important to consider the constraints faced by the donor. This chapter explores some of the major developments and policy orientations shaping EC development policy since administrative and political reforms undertaken in 2000. Secondly, it provides a brief overview of the EC aid cycle and examines the opportunities available to African countries for participating in aid negotiations, showing the evolution of negotiating roles and the increased possibilities countries have to determine their preferences. The third section looks at the constraints faced by the Commission as the institution implementing the EC's aid policy and how these affect the EC's position as a development actor in Africa.

In comparison to the other two areas of EU-Africa relations explored in this thesis (trade and migration) aid, or the funding of development projects and programmes, is the most traditional and established form of cooperation between the two parties. EC assistance to Africa dates back to the start of European integration. The 1957 Treaty of Rome designated a system of association between former African colonies and the six founding Member States of the then-EEC, and included the provision of development assistance for the associated countries through the European Development Fund (EDF).¹ Eventually this developed into the Lomé Conventions in 1975, where association between the EC and the ACP came to be based on two instruments for cooperation, trade and aid. The trade element

¹ The founding of a European development policy was largely driven by French (and in part by Belgian and Italian) insistence, as it was eager to share the costs of maintaining current and former colonies, while continuing to uphold preferential trade (Claeys 2004: 113).

provided a system of generalised preferences towards the ACP,² while the EDF provided the ACP with financial assistance for development. Aid relations between the EU and the Africa have thus existed for a long time, and have resulted in significant familiarity between the parties.

More importantly, the aid framework is one in which differences in power between the parties are most pronounced. This is because “development policy is one of the few policy domains where the Union can draw on the power of the purse” (Orbie and Versluys 2008: 75). The Commission and the Member States together provide a little over half of all Official Development Assistance (ODA) in the world, with 50% of this destined for sub-Saharan Africa (EU Donor Atlas 2008). The EC as single donor provides about 10% of all ODA in the world and surpassed the World Bank in 2004 to become the primary multilateral donor in Africa (OECD 2008). Importantly, “the fact that the EC has at its disposal a substantial budget for development policy – larger than that of any individual EU Member State – is exceptional” (Orbie and Versluys 2008: 75). Unlike newer thematic cooperation instruments and policy spheres (political dialogue, security, environment, and migration), in which cooperation is seen as essential (by the EU) for achieving policy objectives and goals, the politics of aid are concretely based on a power asymmetry. From a realist/neorealist point of view, this implies that recipient countries are generally reliant on the preferences of donors, as it exerts control over the resources the recipient aims to acquire. It is assumed that the recipient has little room for manoeuvre, with the balance of power clearly in favour of the donor (Elgström 1990: 147). Yet differences in resources do not necessarily determine an actor’s success in exercising leverage or asserting ownership, because the relational and contextual nature of power can create conditions under which weaker actors can reach an outcome in their favour. The following sections examine how the aid relationship between the EC and Africa is characterised by power asymmetry, but will also argue that this by no means implies that the EC has necessarily had the upper hand in determining the process and outcomes of aid relations.

² It granted preferential access to ACP exports entering the EC, offered financial support to compensate for losses in export earnings, and provided guaranteed and fixed prices at which countries could purchase EU goods.

1 Major developments and orientations in EU development policy

The EC has become a significant aid donor and development actor in its own right, as its development policy has increased in importance and relevance (Dearden 2008a: 2; Orbie and Versluys 2008: 68). The Commission plays an important role in implementing the EC's development policy and acts as the main coordinating body amongst Member States. It manages several development programmes, with cooperation with the ACP, financed through the EDF, constituting the cornerstone of the EC's development policy.³ Since the late 1990s, the EC's development policy has undergone some important changes. The evolution of the policy is further explored here to provide a framework for the current state of the policy and its implications for the EC as a donor, and secondly, its implications for relations with African countries, as recipients.

By the end of 1990s the EC's development policy was renowned for long delays in aid disbursements, complicated procedures, and a generally inefficient management of the aid project cycle. Overall, the policy lacked a clear vision and rationalisation for the EC's interventions. Furthermore, an increasing build-up of dormant or unutilised funds, known as the 'reste à liquider' (RAL)⁴ severely plagued the EC's aid distribution record.⁵ Internal administration of the policy was fragmented, overstretched, and "excessively bureaucratic, with a concentration upon administrative procedures and disbursement rather than evaluation of the results" (Dearden 2008: 188). Lastly, aid programmes were considered ill-suited for the local conditions of recipients, with programming and the preparation of project proposals carried out entirely by the Commission and its consultants rather than with the participation of national stakeholders and local administrations (Dearden 2008a: 4). Recipient governments had little room to influence the EC's contributions to their development goals and objectives.

In light of international criticism, and internal acknowledgement of flaws, in 2000, the Commission committed to a major overhaul of its external assistance programme (CEC 2000a).⁶ The reforms aimed at significant improvements in both the quality and timely

³ Aside from the EDF, the EU budget also provides assistance for the ACP through thematic budget lines in wide-ranging areas such as the environment, NGO co-financing, migration, the European Initiative for Democracy and Human Rights (EIDHR), food security and disaster prevention.

⁴ The RAL is used as an indicator for speed between financial commitments and payments.

⁵ For example, under the 8th EDF, 77% of aid commitments failed to be disbursed within the timeframe of the fund. Unspent balances were carried over into the subsequent 9th EDF, increasing it by 50%, from €13.8 to €27.3 billion.

⁶ In 1998 an OECD/DAC peer review of the EC's aid policy outlined some of the major inefficiencies plaguing development cooperation (OECD 1998). In addition, in the *Communication on the Reform of the Management of External Assistance*, the Commission acknowledged: "Management performance has deteriorated over time to the point of undermining the credibility of its external policies and the international image of the European Union. EC external assistance programmes have a reputation for slow and

delivery of aid, while ensuring robust financial management and increased impact of assistance. This included a radical overhaul of programming and management of aid projects by setting out clearer budgets, strategies and timeframes for implementation; reforming financial and administrative control mechanisms through the creation of the EuropeAid Cooperation Office (also known as AIDCO), responsible solely for implementation, (making DG Development and DG RELEX responsible for policy formulation and programming of aid); and ensuring a stronger impact on the ground through ‘deconcentration’, as termed by the Commission, which devolved the responsibility for aid management to delegations located in recipient countries. That same year, a ‘landmark’ *Statement on the European Community’s Development Policy* was released, placing poverty reduction as the central objective of the EC’s policy and highlighting areas in which it was considered to have a comparative advantage.⁷ The Statement also insisted on the EU’s commitment to coherence, coordination, and complementarity amongst policies (especially trade, agriculture, fisheries, and security), between the EC’s development programme and those of the Member States, with international financial institutions (IFIs), such as the IMF and the World Bank, and lastly, with the domestic policies of recipients (Dearden 2008a: 5). It furthermore committed the EC to allocating aid on the basis of country needs and performance, increasing country ownership over development strategies, and involving government and civil society in the programming, allocation, implementation and evaluation of aid (Grim *et al.* 2005: 2). Where the recipient country had sufficient administrative capacity, co-management between the delegation and the government was solicited; where this was not the case, the option of co-financing with other donors, especially EU Member States, was preferred (Dearden 2008a: 6). Importantly, the reforms sought to place increased responsibility and participation on recipients while increasing coordination with Member States’ own development policies. In sum, the EC’s development policy had gained a new strategic direction and strengthened the objectives and means to achieve this (Grim *et al.* 2005: 2).

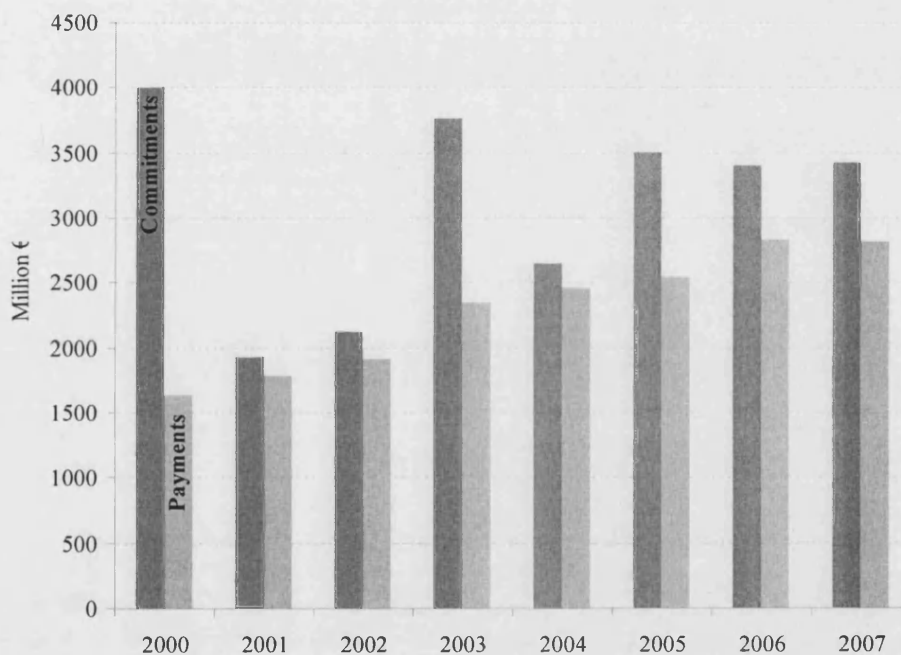
In 2004, a qualitative assessment noted some considerable improvements in the EC’s aid policy (CEC 2005f). EDF disbursement rates had increased by 37% since 2001 and the RAL stabilised for the first time at €20 billion. Furthermore, devolution to 61 delegations was considered completed, with 70% of funds managed at the local level and with additional staff transferred and acquired (Dearden 2008a: 9-10). At the same time, a

unresponsive delivery, poor quality and excessively centralised and rigid procedures. The balance of external aid spending is also heavily influenced by the political priorities of the European Parliament, Member States and events in the world that are beyond the Commission’s control” (CEC 2005c: 5).

⁷ The areas are: the link between trade and development, regional integration, macroeconomic support, transport, rural development, health and education, and institutional capacity building (CEC 2000).

number of outstanding political and administrative issues remained. Most notably, between 2001 and 2004 aid projects in the ACP countries had deteriorated in ‘sustainability’, ‘effectiveness’, and ‘impact’ (CEC 2006d: 73). Furthermore, improvements in disbursement rates were not consistent. While in 2001, 2002, and 2004 the Commission disbursed more than 90% of committed aid, in 2003, 2005, and 2006 significant gaps remained with only 60-80% disbursed (see Figure 2.1). Although the Commission over-committed much less than prior to the reforms, the EDF continued to suffer from delays and discrepancies between aid commitments and payments.

Figure 2.1: EDF aid commitments and payments to the ACP, (2000-2007)



Sources: CEC 2007f: 8; CEC 2008: 76

Administrative procedures remained lengthy and complex, impeding implementation, and management continued to be excessively focused on improving disbursement rates rather than on the impact of aid (Dearden 2008a: 8-9). In addition, the EC’s programmes were not being successfully coordinated with Member States’ and other donors’, while the comparative advantage in certain sectors and the Commission’s position as a focal point for collective action had not been exploited (Santiso 2002: 404; Dearden 2008a: 9; ECDPM 2005: 8-9). The creation of EuropeAid and the division between the operational and the policy sides of the aid process were also cause for concern as respective roles between EuropeAid and DG Development (DEV) and the DG for external relations (RELEX) were

considered vague (Dearden 2008a: 7; Santiso 2002: 414; Hewitt and Whiteman 2004: 146). Lastly, despite the increased role solicited for recipient governments in identifying their priorities for development, the EC had failed to “develop deeper and more enduring partnerships with the beneficiaries of its aid programmes” (Dearden 2008: 189).

By the end of 2004, the international development environment was moving towards a new consensus in development thinking and practise. The adoption of the Millennium Development Goals (MDGs) in 2000 just months after the launch of the new EC development policy, established a specific set of developmental goals to which the donor community and developing countries reoriented their efforts. At the UN Conference in Monterrey, Mexico in 2002, the international donor community committed to increasing ODA to 0.7% of Gross National Income (GNI). Furthermore, the Rome High-Level Forum on Aid Harmonization in 2003 and the Paris High-Level Forum on Aid Effectiveness in 2005 (whose outcome was the Paris Declaration), committed donors and recipients to aid harmonisation, alignment and management. In view of the continuing problems faced by the EC’s development policy, the changes in the international development environment, and a new incoming Commission, by 2005 the EC’s development policy was outdated, and a restatement of the policy was necessary (Dearden 2008a: 11; Dearden 2008: 189; Grimm *et al.* 2005: 2; ECDPM 2005: 7-8).

In 2005, the Commission, the Member States, and the European Parliament (EP) agreed to *The European Consensus on Development*. It set out a framework for common principles amongst the EC and the Member States, solicited the implementation of development policies according to a complementary approach, and recognised the comparative advantage of the Commission as a coordinating body for EU’s development efforts.⁸ In line with the Paris Declaration, the Consensus acknowledged that aid effectiveness could only be achieved through increased country ownership of the development process and the alignment of the EC’s strategies with those of recipients. In assigning a coordinating role to the Commission, it also reiterated the commitment to aid harmonisation by undertaking joint programming exercises, shared analysis, joint missions and co-financing with other donors. Lastly, it highlighted the EU’s intention to move away from project-based aid to budget support, to facilitate the alignment of countries’ policies with the EC’s, increase country ownership over the development process, and decrease transaction costs for both the EC and the recipient country (CEU 2005a).

⁸ The Commission was said to have a “global presence,” could ensure “policy coherence for development,” promote “development best practices,” had a crucial role in facilitating “coordination and harmonisation,” its aid programmes are notable in “size and critical mass,” it possesses particular experience in promoting “democracy, human rights, good governance and respect for international law,” and lastly, can put “into effect the principle of participation of civil society” (CEU 2005a: 17-18).

As a follow-up to the Consensus, in 2007, the Council adopted the *EU Code of Conduct on Complementarity and Division of Labour in Development Policy*, significantly stepping up EU efforts towards increased aid coordination between Member States and the Commission (CEC 2007g). The Code limits the number of donors active in a country and in a certain sector, ensures that development cooperation is evenly distributed across countries (i.e. aid darling versus aid orphans), and allows donors with a comparative advantage to act as the lead donor in a particular sector. Importantly, the Code promotes primary leadership and ownership of donor coordination by the recipient country, especially where capacities permit. Implementation of the Code is seen as depending on cooperation between delegations and Member State agencies, and between the delegations and relevant actors in the recipient government (Dearden 2008a: 14).

In sum, the EC's development policy has undergone some important changes since its inception, with the reforms in 2000 sparking a new era for the policy. The evolving nature of the policy has afforded a greater role to the Commission as a coordinating body amongst the Member States and as a development actor in its own right, as well as increasing the opportunities for recipients to determine how aid contributes to their development goals. These changes indicate that at the level of policy orientation, the EU's relations with developing countries have aimed to move away from a traditional donor-recipient relationship in which recipients are positioned at the receiving end, with no capacity for input or articulation of preferences. Yet, while these efforts are certainly commendable, most observers remain critical on whether recipients have truly been afforded a more participatory role in determining their own preferences in relations to donors. The next section considers this in more detail.

2 The EC aid cycle and opportunities for recipient participation

The Cotonou Agreement, provides for development assistance to the ACP until 2020, with the EDF as the main instrument for this aid. The EDF is external to the EU budget and is intergovernmental, in that it is decided upon entirely by its own committee, consisting of Member State representatives. The amount of the fund is decided by the Council of Ministers approximately every five years and later ratified by national parliaments, and is financed by voluntary *ad hoc* contributions from Member States. The EDF committee approves general country strategies and large aid projects based on qualified majority voting, with the voting weights determined by the level of Member States' contributions to the Fund. Although Member States provide the funding and decide the total aid package of the fund, the Commission is responsible for managing and distributing the aid.

Coinciding with the 2000 reforms, Cotonou afforded some important changes to the aid relationship between the EC and the ACP. The number of aid allocation instruments available were reduced to two separate envelopes, where Envelope A allocated aid for long-term development goals, and Envelope B for emergencies and unforeseen circumstances.⁹ Cotonou also marked the end of automatic aid entitlements. Aid allocation decisions would be based on criteria concerning not just a country's need for aid, but also its performance in implementing and administering aid according to a country strategy.¹⁰ Furthermore, the EDF was transformed into a multi-annual 'rolling programme,' in which aid disbursements would be based on regular performance reviews which could lead to adjustments in allocations according to results achieved. A 'sunset clause' was also introduced, requiring funds committed in a given year to be spent within a three-year timeframe, while unspent funds would be de-committed and either returned to a general reserve or simply repatriated to the Member States.¹¹ These changes significantly impacted on EC-ACP aid relations (Carbone 2008), but more importantly, changes provided by Cotonou, the 2000 reforms, and follow-up initiatives such as the EU Development Consensus and the Code of Conduct, have also aimed to strengthen the scope for recipient country participation and involvement in determining outcomes in the aid cycle, particularly in the programming and evaluation phases.

The EDF aid cycle is organised into six stages: programming, identification of projects, appraisal, financial allocation, implementation, and evaluation. It is in the programming phase, when aid allocations and strategies are negotiated, and the evaluation phase, when allocations and strategies are revised according to performance evaluations, where recipients are most likely able to influence development strategies and policies (Whitfield and Fraser 2008a: 39-40). Since the 2000 reforms, recipients are required to draw-up individual Country Strategy Papers (CSP), specifying their political and socio-economic situation, development priorities and projects, and the envisioned value-added of

⁹ The Lomé Conventions allocated programmable aid towards long-term development projects and non-programmable aid on an issue-specific basis, such as SYSMIN (support for mineral dependent countries faced with unforeseen circumstances and export losses), STABEX (support for agriculture dependent countries faced with unforeseen circumstances and export losses), SAPs (Structural Adjustment Programmes), emergency aid, and refugee and returnee aid.

¹⁰ Needs assessments are based on: "per capita income; population size; social indicators; level of indebtedness; concentration of dependence on export earnings; export earnings losses and dependence on export earnings." Performance based allocations, to be assessed in "an objective and transparent manner," consider: "progress in implementing institutional reforms, the use of resources, effective implementation of current operations, poverty alleviation or reduction, sustainable development measures and macroeconomic and sectoral policy performance" (Annex IV, *Cotonou Agreement*).

¹¹ Under the Lomé Conventions, once aid had been committed it could not be de-committed and remained available until the funds had been fully utilised. In the most problematic of cases, the full utilisation of funds took up to 17 years: the last of the unspent funds from the 6th EDF, implemented in 1985, were paid as late as 2002 (Grimm 2004: 2).

EC contributions to development goals and priorities. The CSP is accompanied by a National Indicative Programme (NIP), setting out a plan of action and timetable for implementation. In preparing these, recipient governments are expected to collaborate closely with the EC delegation, various non-state actors, EU Member States and other active donors. CSP/NIPs, and individual aid projects and programmes, are then carefully scrutinised by the inter-service Quality Support Group (iQSG), which ensures quality control and promotes the adoption of best practices (Dearden 2008a: 6).¹² As a last stage in the programming phase, the CSP/NIP is approved by the entire Commission. The programming process is intended to provide recipients with an element of ‘ownership’ of the development process. Emphasis is placed on the developmental needs established by the country, and on the strategies deemed appropriate for development. The CSP should therefore be aligned with the country’s national development strategies, which mainly implies alignment with countries’ Poverty Reduction Strategy Papers (PRSP).¹³

In the evaluation phase too, countries are expected to participate. Aid programmes and country strategies are subject to annual, mid-term, and end-of-term reviews, which may lead to adjustments in aid allocations according to a “result-orientated framework” (CEC 2002: 13). An assessment review can modify a country’s strategy or aid allocation according to financial, sectoral and macroeconomic criteria, special circumstances, and a judgement on a country’s capacity to implement the aid. Thus the reviews evaluate a country’s progress not only in meeting development goals, but more importantly, serve as a means to verify countries’ performance and adjust, reward, or penalise accordingly.¹⁴ Reviews are ideally a joint exercise, and as such the country’s National Authorising Officer (NAO) and the EC Head of Delegation are involved in reviewing needs and performance and altering the CSP/NIP as needed.

The onset of increased budget support contributions as opposed to project aid is also expected to give recipients increased opportunities for influence. As the project-based approach became increasingly criticised for failing to align aid contributions with recipients’ national development strategies and reform programmes, budget support

¹² Although the iQSG is located in DG Dev, it reports to Relex and Member State representatives in the EDF Committee.

¹³ The PRSP process began through Highly Indebted Poor Country (HIPC) initiative, led by the International Monetary Fund (IMF). It aimed at reducing the debt burden of aid recipient countries provided that these governments drew up medium term national development strategies. PRSPs are prepared by governments, involving domestic stakeholders and external development partners, and describe the macroeconomic, structural and social policies and programmes that will promote growth and reduce poverty, as well as financing needs and the sources financing.

¹⁴ In 2004 the Commission undertook the first set of systematic reviews know as the mid-term review (MTR), adjusting aid allocation for 45 countries (see CEC 2005e).

gradually became a more popular aid instrument (Schmidt 2006: 2).¹⁵ EC budget support consists of a direct transfer of funds into the recipient government's treasury. To receive budget support countries must first demonstrate that they have met basic eligibility criteria, which consists in a well-defined national or sector policy and strategy, in most cases this is encompassed in a country's PRSP; a stable macro-economic framework, usually pre-approved and supported by a major international financial institution such as the IMF; and a credible commitment to reform and improve domestic public financial management (PFM) systems.¹⁶ The implementation, harmonisation, and alignment of budget support is negotiated in groups of donors contributing to such support, and in negotiations between donors and the recipient government. It is intended not only to provide the recipient government with more discretion as to how and where aid is spent, but to increase the importance of dialogue between the government and the donors.¹⁷

This increased focus, at least rhetorically, on country participation and ownership, and the move toward more results-oriented aid, have changed the negotiating roles between the Commission and aid recipients. Countries' negotiating roles have become much more solicited and relevant in utilising the programming phase to determine the type of aid they are allocated and where and how aid is spent. They can also ensure that aid will actually be disbursed by using the review phase as an opportunity to bargain for a better aid package, provided they are successful in convincing the Commission of their good performance and aid implementation capacities. At the same time, the new aid procedures have also afforded the Commission with "far more discretionary power in allocating resources to individual ACP country programmes" (TRADES 2000: 29), in that the loss of automatic aid entitlements allows it to allocate and disburse funds according to subjective judgements and reviews of country needs *and* performance.¹⁸ Yet while the Commission's decisions should ideally be based on a mutual acknowledgement of the assessment given, in fact it retains ultimate decision-making power when it comes to financial allocations. Furthermore,

¹⁵ Since 2005, EC budget support allocations to the ACP have increased nearly two-fold. The 10th EDF allocated 44% of programmable aid (€13.5 billion) in the form of budget support, compared with 25% under the 9th EDF.

¹⁶ Budget support contributions are disbursed according to fixed and variable 'tranches', with the former consisting in an all-or-nothing payment based upon the country upholding the basic eligibility conditions for receiving such support, and the latter disbursed depending upon the achievement of targets for performance indicators agreed with the recipient government (CEC 2005h: 4).

¹⁷ Interview EC, Brussels: April 2008 (EC13); Interview EC Delegation, Accra: September 2008 (EC 19).

¹⁸ At the onset of the MTR, the ACP expressed reservations about the decision-making process of the reviews, warning that "the EU should not be both the judge and jury and the application of performance criteria in a discretionary manner should be avoided" (ACP Secretariat 2004a: 5). Concerns arose with regards to Commission objectivity in the review process, not only due to a lack of clear-cut criteria for judging countries' performance, but also due to failure to address shortcomings in the Commission's own role in aid allocation and implementation. Secondly, concerns arose regarding transparency, ACP ownership, and participation in the review process; for some countries participation was limited at best, for others, the NAO and civil society did not participate in the review (Mackie 2006: 3; Africa Peace Forum *et al.* 2005: 13-15).

although reviews should be conducted with the participation of both the Commission and the relevant country authorities, it can be reasonably expected that when the Commission sees fit to reduce funds, it will do so without the consent of these authorities.

Has this new approach offered increased opportunities for aid recipients to negotiate their preferences vis-à-vis the Commission? How have recipients utilised these opportunities to meet their preferences? Or has traditional power asymmetry between donors and recipients continued to dictate aid relations in favour of the more powerful actor? To understand the opportunities available to aid recipients to influence the aid process, it is first necessary to investigate the conditions that either constrain or encourage aid recipients in exercising leverage and control vis-à-vis the donor. One of these conditions may be found in the Commission's own constraints as a donor, as explored in the next section.

3 Constraints on the EC as a donor

While asymmetry in power is certainly the overriding characteristic of EU-Africa aid relations, careful consideration of the context in which such relations take place is essential in establishing *both* parties' limitations, capacities, and opportunities for negotiating and administering aid according to their preferences. On the one hand, the EC holds a strong position in its aid relations. Indeed, as previously noted, it possesses significant financial strength as a donor, and these contributions are considered by recipients as important and at times crucial in furthering development prospects.¹⁹ In analysing the Cotonou negotiations, Elgström argued that the EU often presents a "take it or leave it" approach in negotiations with weaker parties, making it a "tough actor to deal with" and creating considerable difficulties in challenging the EU's position (2005: 184, 187; Forwood 2001). However, although the EC certainly has the 'power of the purse' and may even present a strong and united front when faced with weaker negotiating partners, its aid administration continues to face several significant problems. These problems are firstly found in the Commission's relationship with the Member States, secondly in the administrative and political concerns remaining after the 2000 reforms, and thirdly in the lack of policy coherence between development and other external policies. These constrain the Commission's position as a donor and the EC as a development actor, which in turn affect the recipients' perception of the EC and shapes their strategies in dealing with the Commission.

¹⁹ Interviews Senegalese government, Dakar: May 2008 (S1; S2); June 2008 (S3; S4; S6; S7); Interviews Ghanaian government, Accra: 17 September 2008 (G3; G4; G5; G8).

3.1 The Commission's relationship with the Member States

Despite development policy being a shared competence between the EC and the Member States, the Commission's mandate vis-à-vis the ACP is strong (Elgstrom 2005: 187). Indeed, once funds and strategies are approved by the intergovernmental EDF committee, the Commission has the sole responsibility to negotiate and administer the Fund. This implies that the Commission has substantial responsibility to, firstly, deliver an effective aid policy, and secondly, in comparison to the other two policy areas examined in this thesis, migration and trade, to negotiate directly with the ACP and therefore act and be seen as a development actor in its own right (Dearden 2008a: 2; Orbie and Versluys 2008: 68). However, the Commission remains both indirectly and directly constrained by its relationship with the Member States in the realm of development cooperation with Africa. Indirectly, the Commission is constrained by its relationship with Member States, not because of a narrow mandate bestowed upon it, but because Member States remain "not fully convinced of the capability of the European Commission to deliver aid 'better and faster', in spite of its remarkable achievements in the restructuring of the EU external assistance programme" (Carbone 2008: 219). The EC is also constrained directly by its relationship with the Member States because it is confined to using their resources under the EDF, which have not increased significantly since the reforms.

The Commission's relationship with the Member States indirectly constrains its room for manoeuvre in its aid relations with Africa due to the intense pressure to deliver from the Member States, and to a lesser extent from the Court of Auditors. Past failures placed considerable pressure on the Commission to deliver an effective and efficient policy. Thus, "in its relations with the ACP countries, the European Commission has its hands tied not by a mandate of the Member States, but by its past management failures" (Carbone 2008: 227; see also Frederiksen and Baser 2004: 4).²⁰ With the transformation of the EDF into a rolling fund, the Commission now faces pressure to assure that funds are committed and disbursed quickly and according to a predicted timeframe, or risk their repatriation. Furthermore, although calls by some Member States, such as the United Kingdom, to renationalise or repatriate EC development policy entirely have largely ceased, many Member States remain critical of increasing contributions to the fund until significant

²⁰ Frederiksen and Baser identify two sources of political pressure exerted on the Commission to improve on past management failures: externally, the EC finds itself under pressure from the Member States, the European Parliament, and the Court of Auditors. Internally, Relex commissioners have been keen to advance on the reform process which they initiated and to demonstrate that improvements in aid management have indeed taken hold (2004: 4).

improvements are substantiated (see below).²¹ The Commission also faces pressure from the Court of Auditors, which has continually criticised the speed of EDF disbursements and the tendency to formulate unrealistic disbursements and implementation forecasts (Mackie *et al.* 2004: 118). Paradoxically, the increased pressure constrains the Commission's capacity to deliver an effective and flexible aid policy. Indeed, as Santiso has commented in his critical account of the reforms, "the Commission has come under increased pressure to improve accountability and enhance transparency in the management of foreign aid. However, as distrust breeds bureaucracy, demands for increased transparency and accountability have tended to reduce flexibility and effectiveness, illustrating the trade-offs that exist between accountability and efficiency" (2002: 411; see also Frederiksen and Baser 2004: 5).

This increased pressure to deliver has an adverse effect on the Commission's position in negotiating aid packages with African countries. In reviewing the EC negotiations with Botswana and Malawi under the 10th EDF, Carbone found that "the excessive preoccupation of the European Commission with improving the quality of EU aid has fatally resulted in reduced ownership of development by African countries" (2008: 218). In addition, although EDF consultations with African governments experienced initial delays in 2006, the Commission later pushed governments to speedily sign programming documents by the end of 2007, to begin implementing the Fund by 2008. This notably reduced the opportunities for African governments to participate (ECDPM 2006).²² Lastly, the pressure to deliver, which led to the EDF becoming a 'rolling programme' subject to progress reviews, has placed an increasing burden on African governments, and most notably the NAOs, in that this requires governments to put the funds to use in the times specified, or risk losing the aid.

Pressure has also had the adverse effect of creating stringent rules and regulations on the delivery of aid. This has led to persisting complexity of the EC's aid management systems and continued untimely aid disbursements. In interviews with EC officials responsible for the approval and implementation of projects and programmes, this excessive complexity was continually noted, with many respondents charging the increased pressure in recent years to deliver quality aid as a major obstacle to efficient aid delivery.²³

²¹ Indeed, a 2004 UK House of Lords report on the added value of Commission's aid programmes concluded that, "the benefits of EU aid outweigh the possible advantages of 'repatriating' it to national aid budgets ... Today, in view of the improving quality of the EU programme, the much larger United Kingdom bilateral aid budget ... the existence of a substantial EU aid programme is in Britain's interest." The same report also warned, however, that, "Until EU Development Aid's quality and speed of delivery further improves, the Government and other Member States should be wary of any large increases."

²² Interviews EC, Brussels: April 2008 (EC6; EC7); Interview Namibian diplomat, Berlin: March 2008 (N1).

²³ Interviews EC, Brussels: April 2008 (EC6; EC7; EC8; EC12; EC13; EC15)

Indeed, since 2005, the Commission's efforts to improve the quality of aid requires funding proposals to pass through a review mechanism, the iQSG, making project approval and implementation even more rigorous and lengthy. EuropeAid officials note that they often approach funding approval requests with caution, to minimise the risk of a project or programme eventually failing to meet the predicted implementation times or exceeding the initial funding allocation. It is not unusual for a proposal to be sent back to the delegation and the recipient government several times before it is approved in Brussels.²⁴ Despite shifting to a more participative and results-oriented approach for aid negotiations and management, the EC's policy practises continue to exhibit an excessive emphasis upon disbursement rates and preventing mismanagement, rather than improving the actual impact of aid (Dearden 2008a: 9; ECPDM 2006; Frederiksen and Baser 2004: 5).

The Commission is also directly constrained by its relationship with the Member States, because it is they who provide the resources for the EDF. This not only sets the Commission apart from bilateral donors, but it is also problematic for the strength of its negotiating position vis-à-vis recipient countries. Member States have been cautious to increase their contributions due to past failures and mismanagement, and continue to prefer their own bilateral programmes over the EC's. This is shown, firstly, by the refusal of some Member States, namely the United Kingdom, Spain and Ireland, to incorporate the EDF into the Community budget, which would make Member States' contributions mandatory and open the Fund to EP scrutiny. Despite strong support for this by the EP, the Commission, the Nordic and Benelux countries, Poland and Hungary, and most recently France (Mackie *et al.* 2004: 17), budgetisation of the EDF has been subject to heavy debate each time the EC's budget is due to be decided.²⁵ Furthermore, Member States have failed to meet the Commission's expectations for increased funding under both the 9th and 10th EDF cycles, despite their commitments at the international level to increase aid contributions, with total EDF funding reduced over the last two EDF cycles, "due (in part) to disagreements among EU Member States on the amount of their contribution" (ECDPM 2006: 1). Although the Commission monitors Member State progress in maintaining commitments made at Monterrey in 2002, Barcelona in 2005, and Gleneagles in 2006, most Member States continue to prefer their own bilateral development programmes over the EDF.

²⁴ *Ibid.* (EC2; EC7; EC8).

²⁵ Arguments against budgetisation include a fear of increasing contributions to the Fund; a diversion of funding away from the ACP towards other geographical areas or foreign policy objectives; distortion of the privileged relationship with the ACP (Mackie *et al.* 2004: 18; *European Voice* 2008; ACP-EU JPA 2005).

Thus reliance on Member State funding constrains the Commission because it is unable to maintain its initial offers for funding, reducing its credibility in negotiations with the ACP group as a whole and with individual countries. During the negotiations on the 9th EDF the Commission initially indicated a likely total sum of €14.3 billion to the ACP, but Member States decreased this to €13.8 billion. This was largely to the dismay of the ACP who had anticipated an increase as promised during the Cotonou negotiations (Carbone 2008: 220; Elgström 2005: 197). Similarly, during the 10th EDF negotiations, Member States committed €2 million less than what was promised during the 2005 revision of the Cotonou Agreement (CEU-ACP 2006).

Despite findings by Elgström (2005) and Forwood (2001) that the EU presents itself as a strong and unitary actor when faced with weaker negotiating partners, in reality, African aid officials and negotiators are well aware of the extent to which the EDF is a product of intense internal negotiations.²⁶ Although all interviewees were keen to note the value of EC funding in attaining development goals, the Commission's reliance on voluntary Member State contributions and its excessive bureaucratic procedures were seen as placing it in a subordinate position vis-à-vis other major international donors.²⁷ Accordingly, although the EC's contributions are seen as necessary by most countries, government officials prefer donors that offer more predictable aid flows, give larger contributions, and whose practises are less complex. Thus, perceptions of the EC as less capable than other international donors have affected its position as a development actor. This highlights how Hypotheses 2 on perceptions posited in the previous chapter play out in the EU's aid relations with African countries. Indeed, if the EU is perceived as being incapable, inconsistent, and/or incoherent in translating policy rhetoric into meaningful and impactful actions, then countries will be more likely to lower their expectations of the EU, and perhaps circumvent cooperation when faced with alternative and better options.

The Commission's position as a development actor was significantly strengthened when it was mandated a central coordinating role of the EU's development policies, including the Member States'. Both Orbie and Verslyus (2008) and Carbone (2007) argue that since being delegated this task the Commission has adopted a leadership role in coordination efforts, with signs of an 'integrationist shift' in the EU's development policy emerging. A lack of coordination with Member State policies significantly impacted the value-added of the EC's interventions, with Member States and the Commission pursuing

²⁶ Interview Namibian diplomat, Berlin: March 2008 (N1); Interview Senegalese government, Dakar: May 2008 (S1); Interview Ghanaian government, Accra: September 2008 (G3).

²⁷ Interviews Senegalese government, Dakar: May 2008 (S1); June 2008 (S3; S4; S7); Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

different or competing objectives or unnecessarily duplicating efforts, while overburdening recipient governments with excessive administration (Orbie and Versluys 2008: 73). Both the *Consensus on Development* and the *Code of Conduct* made significant strides in ensuring increased coherence and complementarity amongst the different EU development policies. This is one area of the EU's development policy where the Commission is starting to face fewer constraints and has instead gained increased capacity to pursue its role and objectives (see especially Carbone 2007). Interviews with African officials confirm that the Commission is increasingly perceived as a leader in coordination efforts amongst international donors, which in intensifying interactions between the Commission, other donors, and the recipient government, has also increased the importance of the EC in general amongst other donors.²⁸ The Commission's capability to act as an effective coordinator has thus been important in shaping and indeed even shifting African perceptions of the EC as a development actor. At the same time, the emphasis on increased coordination and complementarity with the Member States may also have resulted in "a reduced space for negotiations with recipient countries" (Carbone 2008: 227), in that countries are less able to have donors compete against one another in terms of offering the best proposal which most closely fits with the recipient's preferences (Whitfield and Fraser 2008: 40; Woll 2008). The increasingly important role of the Commission in more closely integrating EC and Member State development policies and practises is thus an important element to take into consideration in analysing how the constraints and capacities faced by the EC affect its relations with recipient countries.

3.2 Remaining administrative/institutional concerns

Remaining administrative/institutional concerns within the Commission have also affected the EC's position as a donor. These are found in the role of the delegations in administering the EC's aid policy and providing opportunities for recipient participation and in the policy split in Brussels between development policy formulation and implementation. Hypothesis 2a posited in Chapter 1 is thus highlighted here: if the EU is seen as incapable of employing resources and expertise effectively in other countries, or is unable to convert its rhetoric into practise because it lacks or is unwilling to employ necessary resources, this is likely to weaken its effectiveness abroad and will consequently affect other countries' expectations and perceptions of the EU negatively. The way in

²⁸ Interviews with African officials also confirm that they perceive the EC as having taken the lead in coordination efforts amongst international donors (Interviews Senegalese government, Dakar: June 2008 (S3); Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8)).

which this plays out in the specific context of the EU's relations with Africa will become clearer in the following chapter.

The role of the delegations in creating an effective EC aid policy towards Africa is fundamental. Indeed:

Continued attention to implement, adjust and consolidate the different reform components will be key in the struggle to increase the quality and effectiveness of external assistance. Implementation and consolidation of the extensive devolution of management responsibilities from EC headquarters in Brussels to the EC delegations abroad will probably be the most critical component in this endeavour (Frederiksen and Baser 2004: 1).

More than strengthening the EC's donor performance-record, devolution is also a means to provide increased ownership of aid programming to recipient governments by providing "influence, decision-making power and some control over finances" (*Ibid.*: 2). Prior to the 2000 reforms, the EC's delegations had poorly defined responsibilities, limited decision-making power, persistent staff shortages and limited training opportunities (*Ibid.*: 1; Dearden 2008a: 4-5). The reforms sought to address this by delegating more decision-making power to the delegations. They were charged with presenting, explaining and implementing the policy, analysing and reporting on the developments of the recipient countries, and conducting negotiations in accordance with their given mandate. They are expected to manage all phases of the project cycle, previously under the responsibility of EuropeAid, and participate closely in the drafting of programming documents, such as the CSP. Importantly, delegations should play a key role in the implementation of the EC's aid programmes, by leading the programming process in consultation with national governments, managing the aid implementation, launching and managing local calls for proposals, and coordinating with other international donors, civil society, and NGOs. Furthermore, the role of the delegations is expected to become even more crucial with the increase in budget support, as "a greater understanding of the local context becomes of prime importance and therefore the role of the Delegations is central to ensuring the realisation of effective aid programmes" (Dearden 2008: 190).

Although the role of the delegations is a crucial one in both creating a more effective policy and providing African countries with an increased role in negotiations, devolution has not been entirely successful and this has constrained the EC's aid relations with Africa. As Dearden has pointed out, two fundamental problems remain regarding the devolution process, firstly "adequate resourcing of the Delegations to undertake their new analytical and policy-driving role," and secondly, "the relationship of the Delegations to Brussels," (2008a: 19). For one, administrative funding to run and manage aid relations with Africa and the ACP has not increased significantly (Carbone 2008: 227), and this

constrains the Commission's capacity to cope with increased responsibilities. Although staff numbers have increased, delegations continue to lack the staff necessary to undertake their new activities, while current staff often lack the expertise, skills and training necessary for these new roles. Furthermore, staff is either contractual or rotates every two to three years, impeding the building of effective and trust-based relationships with the recipient government and contributing to the loss of 'organisational memory' (Frederiksen and Baser: 4-8; ACP Secretariat 2004).²⁹ There is also a wide consensus amongst recipient governments that despite devolution, major decisions continue to pass through Brussels first, with misinformation between the delegations and headquarters a continuous problem. Accordingly, this affects project implementation, stalls the timely aid disbursements, and limits recipient ownership (*Ibid.*).³⁰ Therefore, deficiencies in financial and human resourcing capacities and opportunities hamper the relationship between the recipient government and the Commission, while the inability or the unwillingness for Commission headquarters to support the role of the delegations undermines the attainment of policy goals and further affects the relationship with recipients.

Another administrative/institutional constraint is found in the lack of clarity about respective roles and responsibilities between DG RELEX, DEV and EuropeAid. The split between aid programming and implementation is a significant problem in the Commission's position as an effective international donor. One of the main administrative changes to come out of the reform process was the creation of EuropeAid, separating the operational side of the EC's aid policy from the formulation and programming side, as it became the central agency responsible for the implementation of aid policies for all of the EC's partner countries, and not just the ACP. Although this was meant to increase geographic coherence, observers note that the split has "damaged internal morale and further eroded Development's position in the EC hierarchy" (Hewitt and Whiteman 2004: 146). Indeed, former DG DEV Commissioner Poul Nielson was quoted as saying that it had been "a real error in terms of management and policy responsibility that we have a tension between the upstream policy part and the 'do it' part" (House of Commons 2002). Others see this split as "possibly disrupting the project-cycle management" (Orbie and Versluys: 70; see also DAC 2002: 73; Santiso 2002: 414; House of Commons 2002; Hewitt and Whiteman 2004; Dearden 2008a: 23), while the process is also said to have "dismayed its clients – especially those of longest standing, the ACP" (Hewitt and Whiteman: 146;

²⁹ Interviews EC: Brussels, April 2008 (EC6; EC15); Interviews Senegalese government, Dakar: May 2008 (S1), June 2008 (S3; S4; S6); Interviews EC Delegation, Dakar: June 2008 (EC17), Accra/London: October 2008 (EC 20); Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

³⁰ Interviews EC officials, Brussels: April 2008 (EC6; EC15); Interviews Senegalese government, Dakar: May 2008 (S1), June 2008 (S3; S4); Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5).

Hoebink 2005). On the one hand, EuropeAid officials generally insisted that the working relationship with DG DEV was efficient and cordial, with coordination mechanisms now in place to ensure continuity between policy and implementation phases.³¹ On the other hand, DG DEV interviewees and African officials demonstrated a different impression of this split, indicating that one of the major bottlenecks for a more effective policy was found in the division between strategy formulation phases and the actual implementation of projects and programmes.³² According to one high-level EC official, the split had created significant rupture and disappointment amongst long-time EC staff, rivalries and tensions at the level of management (but not at the technical level), difficult reconciliation on clashing views, and generally insufficient cooperation mechanisms.³³ African officials were also of the opinion that although the creation of EuropeAid was meant to improve the implementation of aid, the division of labour in Brussels had had little impact on the effectiveness of the policy on the ground (see also Hoebink 2005).³⁴

3.3 Policy (in)coherence between development and other external policies

The separation of programming between ACP and non-ACP countries, and development policy and external relations, poses another constraint on the Commission's position as an international donor. Co-existence between development and foreign policy goals has become a central element in the EC's development policy since Cotonou, by integrating security and political elements into the EC-ACP framework and proposing a radical overhaul of the EU-ACP trade regime. Furthermore, development instruments such as financial assistance have come to constitute an important part of the EU's foreign policy.³⁵ Development aid has become an important instrument through which the EU can attempt to achieve its foreign policy objectives: it functions as an instrument for reaching poverty-reduction (developmental) objectives, while simultaneously providing a tool with which to promote political objectives, through conditionality or orienting aid towards non-traditional development areas such as migration or trade.³⁶ However, increased coherence and the shift towards a co-existence between development and foreign policies have been

³¹ Interviews EC, Brussels: April 2008 (EC2; EC13).

³² *Ibid.* (EC10; EC11).

³³ *Ibid.* (EC10).

³⁴ Interview Namibian diplomat: Berlin, March 2008 (N1); Interviews Senegalese government, Dakar: May 2008 (S1), June 2008 (S3); Interview Ghanaian government, Accra: September 2008 (G3).

³⁵ Indeed, as note in a OECD DAC report on the EC's development policy: "increasingly the EU views development action as an instrument of foreign policy" (DAC 2007: 12).

³⁶ The integration of development with other foreign policy areas was confirmed in the 2005 *Policy Coherence for Development* (PCD), which recognised that aid alone was insufficient in reducing poverty and that many of the EU's other policies had a decisive impact on the developing world. It stressed the need for improvement in coherence between development and the EU's non-aid policies.

much more difficult to attain in practise, as shown by the division between DG DEV and RELEX. In an effort to ensure greater coherence amongst the EU's external policies, the 2000 reforms reshuffled responsibilities amongst the different DGs. ACP trade-related issues were made the competence of DG Trade, while RELEX became responsible for all non-ACP countries, managing the delegations, heading the implementation of EC aid through EuropeAid, managing thematic budget lines and ensuring coherence amongst the EU's external relations in general. This left DG DEV with the sole responsibility of formulating development policy in general, and managing relations (but not implementation of aid) with the ACP. According to Dearden, this split points at "the unresolved issue of the relationship between a 'poverty-reduction'-orientated development policy and the wider concerns of EU external relations" (2008a: 23). Indeed, while DG DEV has focused mainly on making poverty reduction the central objective of its policy, DG RELEX's budget lines have been "more directly placed within the wider political and foreign policy objectives of the EU" (Riddell 2007: 68; see also Carbone 2007: 48). Although the importance of policy coherence in shaping the EU's relations with African countries will become especially evident in the chapters considering trade and migration policies, even at the level of aid this division at the practical level between DG DEV and RELEX has an important impact on the EC's position as a donor, because it impacts on how coherently it promotes or pursues its policies, which in turn shapes other actors' perceptions of and strategies for negotiating with the EU, as outlined in Hypothesis 2c (see Chapter 1).

A last constraint is found in the EU's use of development policy to reach its foreign policy goals. Development policy is increasingly "considered a field of action which allows the EU to reinforce both its internal and external legitimacy" (Orbie and Versluys: 86).³⁷ It is now widely argued that development has come to serve as a means for enhancing the EU's image internationally and legitimise its position as a relevant foreign policy actor or to further the image of the EU as a concerned, active, and relevant international actor (see Olsen 2002, 2004, 2005; Crawford 2007). The increasing use of the policy as a means to achieve foreign policy goals affects the EU's relations with Africa because policy (in)coherence can influence others' perceptions of the EU as a capable and legitimate international actor and because this can constrain the EU to conducting its relations or implementing its policies according to meeting these wider objectives rather than achieving the goals of the individual policies. Indeed, as noted in the introduction and according to

³⁷ Indeed, Commission Communications and Council Conclusions on the policy have increasingly highlighted the need for increased visibility of the EU as a both a development and foreign policy actor.

Zartman and Rubin's definition of power as a perceived relationship (see Chapter 1), although perceptions of power are based on objective realities, they are also shaped by the EU's actions, and the effectiveness and impact of these in a particular context. Therefore, if the EU is perceived to be using its development policy to promote foreign policy objectives rather than development objectives, this is likely to have an impact on outsiders' perceptions of the EU as a truly concerned or altruistic development actor. Inconsistencies between rhetoric and practise can lead to a lowering of expectations on the part of others, and even diminish their willingness to cooperate. Furthermore, if the EU is perceived as constrained to its wider interests, recipient countries might be more likely to devise strategies for dealing with the EU as a donor in which it can expose these constraints and exercise leverage and/or control.

4 Conclusion

In conclusion, it is worth considering Hoebink's view of the EU's position as a development actor in the world:

The European Union has, in spite of its limited capacities, become more of a global player than ever, but can it live up to this role? The Commission does not seem to have either the organisational or intellectual capacity to play an important global role in the field of development cooperation. This is partly due to staff deficiencies, both in numbers and expertise, and to the limitations that EU member states impose on the Commission. It is also partly caused by the complex decision-making process in Brussels, particularly the disconnection between policy making and policy implementation (2005: 1).

In sum, there exist certain constraints that the EC faces as a development actor which need to be accounted for when examining its relations with weaker actors. This is so because firstly, even as the structurally stronger actor, constraints can undermine or weaken the EU's potential to utilise its resources to meet its preferences, and secondly, because weaker actors' perceptions of the EU's capabilities are not necessarily congruent with the power that it possesses in terms of financial weight and resources. The EU's potential to be an influential leader or simply an effective development actor is sometimes undermined by the way in which its policies, goals, and instruments are operationalised. Indeed, "incoherence across issue areas ... lack of perceived legitimacy and, to a lesser extent, an excessive focus on internal co-ordination" (Elgström 2007: 949), can lead to the pursuit of policy objectives which is at times less effective and influential than the EU's power may have it seem capable of. It is important to take into consideration the constraints that the Commission faces because of the way it affects its position vis-à-vis other actors, but more importantly, how it affects others' perceptions of the EU as a relevant development actor. Indeed, as

posited in the previous chapter, if the EU is viewed by outsiders as incapable of effectively transforming its rhetoric into action, these perceptions might affect both the EU's position to negotiate with outsiders, as well as affect outsiders' strategies in dealing with the EU.

Although power asymmetry characterises donor-recipient relations, it has been suggested that certain constraints and conditions faced by both the donor and the recipient intervene in shaping the environment in which aid recipients conduct their relations and negotiate with donors, and more importantly, can account for occurrences in which the process or outcome is not exclusively determined by the stronger party. Because aid relationships are shaped by both contextual and relational factors between donors and recipients,

the outcome of aid negotiations are the product of the encounter between recipient and donor preferences, and the ability of each actor to successfully achieve their preferred outcomes is heavily constrained by the conditions under which each faces the other (the negotiating capital they can draw on) and the negotiating strategies they adopt to pursue their preferences (Whitfield and Fraser 2008a: 38).

Importantly therefore, the constraints and strengths faced by both actors should be explored in order to better understand why or why not some recipients have been successful in negotiating their aid preferences.

The aid relationship between the Commission, as the donor, and African countries as recipients, is based on asymmetric distribution of power between the two parties. Yet power asymmetry with regards to differences in structural resources available to each party does not necessarily dictate an outcome in favour of the structurally stronger party. Indeed, the aid relationship between the EC and the Africa is far more complex than this, with recent institutional and administrative reforms, increased opportunities for recipient country ownership and participation in the determining the aid cycle, and continuing administrative and political constraints faced by the Commission, significantly challenging the idea that structurally stronger actors necessarily hold all the cards.

While the focus here was largely on the EU side of the aid relationship, an assessment of recipient countries' position vis-à-vis the EU is also necessary in order to draw relevant conclusions as to why certain countries are able to exercise leverage and control despite power asymmetry. The next chapter will explore how and to what degree the conditions for weaker actor leverage and ownership as outlined in the hypotheses presented in the previous chapter (see Tables 1.2 and 1.3), have influenced the negotiating position of Senegal and Ghana in their aid relations with the EU. Despite a similar overall aid framework, the countries have adopted differing strategies in negotiating their aid preferences vis-à-vis the EC, with Senegal proving largely successful in maintaining

ownership and having its preferences met particularly during the initial programming phase, while Ghana, although not necessarily unsuccessful, preferring a less proactive approach to promoting its preferences and allowing donors to take more of a leading role in determining the outcome of aid negotiations.

Chapter 3

Exercising leverage and control in aid and development cooperation: Senegal and Ghana's aid relations with the EC¹

This chapter explores the extent to which Senegal and Ghana have or have not been able to challenge the traditional donor-recipient relationship by exercising leverage and control vis-à-vis the EC in aid relations. Although power asymmetry characterises donor-recipient aid relations, it does not determine that the process or outcome of these relations always favours the stronger actor. Elgström has claimed that:

By all standards, the bargaining strength of the ACP countries is very small. Their relative bargaining power is extremely weak regardless of whether we look at their aggregate or their issue-specific power. Their need for aid resources is desperate, and their alternatives are few in a world where total aid flows are stagnating. Their dependence on the EU is far-reaching (2005: 178).

At the same time, contextual and relational factors intervene in this power asymmetry and can create conditions under which weaker actors can reach their preferences. Based on the case studies of Ghana's and Senegal's relationship with the Commission as a donor, this chapter illustrates how the countries' perceptions of the EU have influenced their strategies towards the EU, and the extent to which institutional, economic, ideological and political factors have created conditions for exercising leverage and ownership.

Senegal and Ghana are amongst the most aid-dependent countries in West Africa. Foreign aid is a major source of finance for imports, public investment and social services (Kaplan 2006: 83). Numerous bilateral and multilateral donors are active in both countries and have traditionally played an important role in the formation of national development policies and agendas. In fact, both countries have been able to attain more and better aid as a result of their favourable position vis-à-vis donors. Indeed, it can be said that the countries enjoy a rather 'successful relationship' with the EC, and most international donors, meaning that they are not seen as 'problematic' aid recipients, as they largely fit donor requirements for aid, such as political stability in a tumultuous region, a commendable record of good governance and democracy, a willingness to implement structural economic reforms, combined with low-income status and high levels of poverty. These factors have made Ghana and Senegal attractive aid recipients, because donors "can

¹ The author thanks Dr. Robert Leurs, from the University of Birmingham, and Ms Erin Coyle, from the Overseas Development Institute (ODI), for their assistance in providing documentation for the purposes of completing this chapter.

point out developmental success to an often sceptical audience at home” (Schmitt 2008: 1). At the same time, Ghana and Senegal face similar constraints in terms of institutional capacity and this poses as a major constraint in their ability to exercise leverage and control in their aid relations with donors. Despite these similarities and despite these weaknesses, the countries have adopted diverging approaches in their relations with the EC, which have led to differing degrees of leverage and control being exercised.

The first section of this chapter presents some basic aid facts and statistics on Ghana and Senegal, to facilitate comparison in later sections of the chapter. The second section presents the case study of Senegal’s aid relations with the EC. The Senegalese government is effective in aligning EC development strategies with its national development framework and has been able to attain increases in the type of aid it prefers. In this sense, Senegal has demonstrated considerable ownership in the negotiation phases of the aid relationship. Yet constraints faced by the EC combined with the constraints faced by the government have made it more difficult for the government to exercise leverage. The third section presents the case of Ghana. It demonstrates that although it too has attained the aid it prefers, the government has failed to exert ownership. Instead it has adopted a consensual position, where the programming of aid, project administration, budget support initiatives, and donor coordination efforts have been initiated and driven by donors such as the EC rather than by the government.

The case studies highlight some important findings about how the EC’s development policy and the EC as a donor is perceived in recipient countries, as well as how these perceptions have contributed to shaping the countries’ strategies vis-à-vis the EC. The findings confirm that the EC is constrained in several ways in the effective delivery of aid and in engaging with recipient governments. Furthermore, the case studies demonstrate that an evident power asymmetry between donors and recipients does constrain the recipient’s room for manoeuvre, in that capacity constraints and aid dependency, combined with limitations faced by the donor, hamper the exercise of leverage. Thus the structural realities and differences between the donor and the recipient have an important impact on determining the process and outcome of aid negotiations. Yet the findings also confirm that despite these structural realities, contextual elements also intervene in determining such processes and outcomes, allowing recipient countries to maintain control in their aid relations with donors and to negotiate congruent with their national interests and preferences, and not merely those of the donor.

1 Comparative aid facts and statistics on Senegal and Ghana

Senegal and Ghana demonstrate a considerable need for aid, in terms of their poverty levels and the developmental challenges they face. Senegal is one of the poorest countries in the world, accepting Least Developed Country (LDC) status in 2001. Although the economy has grown steadily over the past decade due to economic reforms, wealth was not equitably distributed and caused inequality to increase rapidly (CEC-GoS 2003: 13). Ghana has proven to be quite a success story within the region of West Africa, in that it has twice the per capita output of most other countries in the region and poverty trends have been favourable over the last 15 years, yet extreme poverty remains a problem (see Table 3.1). Although Ghana is not an LDC, “its population and Government suffer the same or similar hardships and constraints as do countries officially designated as LDCs” (WFP 2001: 13).

Table 3.1: Senegal and Ghana poverty and development levels

	Poverty ranking in terms of GDP per capita (2007; out of 178 countries)	Population living in extreme poverty (2008; less than \$1.25 a day)	Population living below the poverty line (2001, 2007)	Human Development Index Ranking (2008; out of 179 countries)	Human Development Level (2008)
Senegal	108	33.5%	33 – 54%	153	Medium
Ghana	95	30%	28.5%	142	Medium

Sources: UNDP 2008; CIA *World Factbook* 2001, 2007.

On the political front, Senegal is considered a symbol of peace, democracy, ethnic and religious tolerance in a region characterised by instability. In 2000 it further consolidated its strong democratic record, when elections led to a peaceful change of power. Ghana is a model for democracy and good governance in Africa and has been consistently praised by the EC and other donors for its,

Overall good record with regards to ... rule of democratic principles, respect for human rights and fundamental freedom; the country’s constructive and stabilising role in the context of regional conflicts and crisis; and encouraging progress in poverty reduction, based on a comprehensive poverty reduction strategy and prudent economic policies. (CEC-GoG 2004: 14).

Given the combination of Senegal and Ghana’s poverty levels, with their relative political stability, a solid democratic record, and willingness to undergo difficult macroeconomic reforms, both countries are considered attractive aid recipients (see CEC-GoS 2004: 15-16).

Both Senegal and Ghana are aid dependent (see Table 3.2). In Senegal, foreign aid is the principal source of financing development, encompassing half of all public investment and a quarter of the government's budget (MEF 2008a: 6). Since the 1980s, aid flows to Ghana increased considerably, making it one of the highest recipients of aid per capita in sub-Saharan Africa (Quartey 2005: 1080).

Table 3.2: Senegal and Ghana aid dependency

	Net ODA (\$ millions)		Aid per capita (\$)		Aid dependence (ODA as % of GDP)		Aid as % capital formation		Foreign Direct Investment (as % of GDP)	
	2000	2005	2000	2005	2000	2005	2000	2005	2000	2005
Senegal	423	689	41	59	9.9	8.5	46.2	35.8	19.0	13.5
Ghana	600	1120	30	51	12.4	10.6	50.5	36.0	30.0	19.4

Sources: World Bank 2007; UNCTAD 2006

Furthermore, both countries also have a large number of donors actively contributing to their developmental efforts. The number of donors is particularly high in Senegal, while the number of ODA donors in Ghana set to expand even more in the near future.² The EU (the Member States and the EC) is the primary donor, while the Commission on its own ranks amongst the top 10 donors in both countries (see Table 3.3).

Table 3.3: Overview of donors in Senegal and Ghana

	Major bilateral and multilateral donors (2005-2010)	Number of donors (2007)	EU donor ranking (2007)	Commission donor ranking (2006, net ODA disbursements)	Overall Commission donor ranking (2006-2010, expected net ODA disbursements)
Senegal	World Bank; France; EC AfDB; US; Japan; Canada; Germany	60	1 st (50-60% of ODA)	7 th	3 rd
Ghana	World Bank; US; UK; AfDB; EC; Netherlands; Denmark; Germany	30	1 st (35-40% of ODA)	8 th	2 nd

Sources: CEC-GoG 2007; CEC-GoS 2007; EU Donor Atlas 2008

EDF aid commitments to both countries have risen steadily, including per capita commitments (CEC-GoG 2007; CEC-GoS 2007; see Table 3.4 and Figure 3.1). Amongst the ACP, the countries have received slightly above average aid commitments from the Commission, indicating their status as preferred aid recipients (CEC 2007f; see Table 3.5).

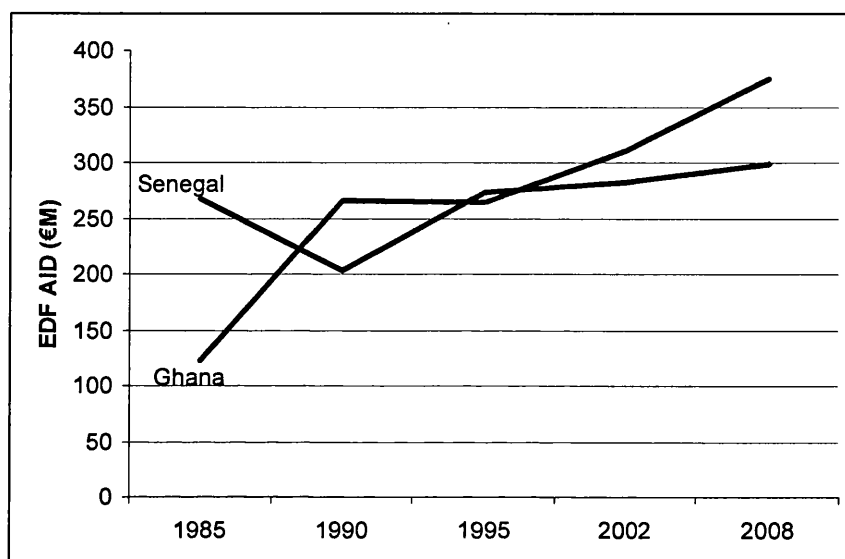
² With the discovery of oil off the Ghanaian coast in 2007 Norway resumed its development cooperation, and the Czech Republic is also considering becoming a donor (Schmitt 2008).

Table 3.4: EDF aid commitments and disbursements to Senegal and Ghana

	6 th EDF (1985-1990)		7 th EDF (1990-1995)		8 th EDF (1995-2001)		9 th EDF (2002-2007)		10 th EDF (2008-2013)	
	Committed	Disbursed	Committed	Disbursed	Committed	Disbursed	Committed	Disbursed ³	Committed	Disbursed ⁴
Senegal	267.29	266.2	202.67	193.66	273.83	206.26	282	80.87	298.8	N/A
Ghana	121.65	121.45	266.22	257.27	264.74	193.53	311	116.77	374.6	N/A

Sources: CEC 2007f; CEC-GoG 2007; CEC-GoS 2007

Figure 3.1: EDF aid commitments to Senegal and Ghana, (1985-2008)



Sources: CEC-GoG 2007; CEC-GoS 2007

Table 3.5: Top 15 ACP EDF recipients

Country	Total 9 th EDF Allocation
Ethiopia	538.00
Mali	375.00
Uganda	363.00
Tanzania	355.00
Burkina Faso	351.00
Zambia	351.00
Niger	346.00
Malawi	345.00
Mozambique	329.00
Madagascar	327.00
Ghana	311.00
Senegal	282.00
Benin	275.00
Chad	273.00
Nigeria	266.00

Source: CEC 2007f

The next sections will use these statistics and trends in Senegal's and Ghana's aid relations with the EC in analysing their efforts at exercising leverage and/or control.

³ Payments are ongoing until 2010.

⁴ Payments have not yet commenced.

2 Senegal

EC aid, and the Commission as a donor, are seen to play a critical role in Senegal's developmental efforts. The EC is considered amongst the country's priority donors with which relations are essential. The EC is seen as the only donor that disburses aid in large sums, which allows for the implementation of grand projects and programmes that have a significant impact on the country's development.⁵ The EC's critical role and the importance of its contributions as perceived by the Senegalese government, provide it with some weight in Senegalese development efforts. In this sense, Senegal's perception of the EC as a development actor is partially shaped by the objective reality that it is the structurally more powerful actor (see Hypothesis 1). This constrains the extent to which the government can fully exercise leverage when or if EC preferences do not conform with its own. Thus, the government does not feel it has the capacity to refuse EC aid or circumvent cooperation altogether.⁶ At the same time, the government's perceptions of the EC are also shaped by the EC's actions in Senegal and by the contextual environment in which aid relations operate. Indeed, it is these factors that have created the conditions under which the government has been able to maintain *some* control over its aid framework. This is further explored below.

2.1 The EC – Senegal aid framework

Senegal's national development framework is set out in the country's Poverty Reduction Strategy Paper (PRSP), the primary instrument for development cooperation with donors (AFRODAD 2007a: 12).⁷ The most recent version of this is the PRSP II (2006 – 2010), which has set as a main objective the raising of economic growth to 7% per year so as to halve poverty by 2015, and place Senegal in line with the targets set out in the New Partnership for Africa's Development (NEPAD) and the Millennium Development Goals (MDGs). Despite this, since 2003, Senegal has experienced average growth rates of around 5%, insufficient for halving poverty and graduating out of LDC status by 2015. In view of this, in 2007 the government took the initiative to align an Accelerated Growth Strategy (Stratégie de Croissance Accélérée - SCA) with the PRSP II, to jumpstart the economy and

⁵ Interviews Senegalese government, Dakar: May 2008 (S1; S2); June 2008 (S3; S4; S6; S7).

⁶ *Ibid.* (S7; S9).

⁷ The first PRSP was implemented from 2003 to 2005, and focused on wealth creation, capacity building and development of social services, improvements in the living conditions of the poor, and implementation of the strategy and monitoring of outcomes.

reduce poverty by using exports to drive wealth and job creation between 2007 to 2011.⁸ The PRSP and the SCA are the main instruments with which donors are expected to align their interventions and reinforce national ownership of the government's development strategies. Accordingly, the government is keen to have donors support its national development framework and the government's priorities (MEF 2008, 2008a; AFRODAD 2007a: 13).⁹

The EC's development strategies for Senegal are aligned with the government's own strategies. Thus for example, in the 9th EDF, the EC aimed to support the government's efforts towards poverty reduction through project aid and budget support dedicated to three focal sectors: good governance, regional integration infrastructure (road transport) and sanitation infrastructure (CEC-GoS 2002: 18-22). For the 10th EDF, the EC aimed to align its strategy entirely with the PRSP II, focusing on reducing the incidence of poverty through strong economic growth, facilitating access to basic social services, protecting the most vulnerable, and promoting good governance and the rule of law through a mixture of project aid and budget support (CEC-GoS 2007: 31-35).

To acquire more ownership over where and how aid was spent, the government was keen to induce donors to increase budget support as opposed to project aid (AFRODAD 2007a: 19; Leurs 2002: 33; OECD 2005: 115).¹⁰ This was largely in-line with the EC's preferences as well, with the EC noting that "the option to reinforce budgetary support in the 10th EDF notably responds to European Commission's desire to give States more responsibility in implementing aid and to support the macro-economic reform policies and management of public finances implemented by the Senegalese government" (CEC-GoS 2007: 23). Furthermore, in focusing more intensely on budget support, both the government and the EC aimed to make aid flows more predictable and reduce the high incidence of aid volatility, while at the same time relieving the EC of some of the high transaction costs associated with administering project aid (see below; Schmidt 2006).

While the EC had provided some budget support prior to the 9th EDF, until 2003 this was suspended, "due to irreconcilable difficulties with the public financial management system and its lack of transparency" (Entwistle *et al.* 2005: 123; Schmidt 2006: 44).

⁸ The SCA focuses on the promotion of investments through improving the Senegalese business environment and on the promotion of developing 5 crucial economic sectors: agriculture and agro-industry, fishing, tourism, textile, and information and communication technologies (ICT).

⁹ Interviews Senegalese government, Dakar: May 2008 (S2); June 2008 (S3; S4).

¹⁰ *Ibid.* (S1; S2; S3; S4; S6); Interviews EC, Brussels: April 2008 (EC13; EC14). Budget support only constitutes a small proportion of total incoming aid; in 2008 it represented only 15% of total donor commitments and 5% of disbursements (AfDB-OECD 2008: 543). As of 2008, only a few donors contributed to budget support, namely France, the World Bank, the EC, the Netherlands, and the AfDB, and most recently, Germany (MEF 2008a: 5).

Regular EC budget support for Senegal began in 2003 with the implementation of the 9th EDF, encompassing 26% of the total aid package. Despite a willingness to move away from project aid, disbursement of the last tranche of budget support suffered major delays in December 2007, when it was judged that the country had not met all the necessary conditions (MEF 2008a: 28; CEC-GoS 2007: 22-23). Regardless of the problems surrounding EC budget support in the past, in 2004 mid-term review (MTR) the EC increased budget support to €53M, and under the 10th EDF this increased considerably to over 50% of total programmable aid allocations. The significant increase in budget support directly corresponded to the government's preference for increasing this type of aid.¹¹

At the same time, significant problems and obstacles remain between the Senegalese government and donors, namely a very high aid volatility and limited coordination and harmonisation amongst donors. Firstly, while the increase in EC budget support is a success for the government in securing the type of aid it prefers, the delays in disbursing budget support also point to fundamental problems which persist in the EC – Senegal aid framework. High aid volatility in Senegal is evident amongst all donors, making “one of the major characteristics of external assistance in Senegal, the low disbursement ratio from several development partners” (Entwistle *et al.* 2005: 123). Only about 10 – 30% of incoming aid is actually disbursed and/or implemented (MEF 2008a: 7; Leurs 2005: 381-382). Several studies and interviews indicate that amongst the different donors present in Senegal, the EC is considered the worst performer in terms of timely and predictable disbursements (SPA 2006; OECD 2005: 117).¹² For example, under the 9th EDF, aid projects were slow to get started, with implementation suffering from severe delays. At the end of 2005, of all the aid the EC committed to Senegal since the beginning of the 9th EDF cycle (€240M), only 7% had been disbursed. It was only with the signing of the budget support programme in December 2005 and the approval of a major road works project, that funds eventually began flowing more regularly in 2006 and 2007, thus raising the disbursement rate to 27% at the end of 2007 (CEC – GoS 2007: 21).

Secondly, although Senegal is highly committed to the implementation of the 2005 Paris Declaration, both the government and donors consider coordination and harmonisation of donor practises and procedures as fundamentally in need of improvement (MEF 2008; OECD 2005).¹³ With such a large number of donors active in Senegal, the government faces a particular challenge in implementing and absorbing incoming aid, and

¹¹ Interview Senegalese government, Dakar: June 2008 (S4).

¹² Interviews Senegalese government, Dakar: May 2008 (S1); June 2008 (S3; S7); Interviews EC, Brussels: April 2008 (EC6; EC13; EC14).

¹³ Interviews Senegalese government, Dakar: May 2008 (S2); June 2008 (S3).

administering relations with the different donors. Although, some significant progress in donor coordination has been made (AFRODAD 2007a: 18),¹⁴ most of these processes remain merely informal, with limited opportunities for the government to participate, leaving donors to coordinate in a setting removed from the government (*Ibid.*: 19).¹⁵ Lastly, delegated and silent partnerships, in which two or more donors represent one another in policy dialogue ('silent'), or in which one donor manages funds for a particular project or programme of another donor ('delegated'), are currently not active in Senegal. Only about 19% of all the donor missions in the country are 'joint missions' (OECD 2008c: 13). Indeed, according to one government official, although in theory donor coordination and a division of labour are in place, in practise this has not taken hold, with the government finding it increasingly difficult to manage all of its many donors.¹⁶

Aid relations between the EC and Senegal are a mixture of both notable successes and evident difficulties. On the one hand, the EC's strategies are aligned with those of the government and aid allocations have moved away from project aid towards budget support, according to both the government's and the EC's preferences. On the other hand, the high volatility of EC aid, a failure to absorb incoming aid, and limited donor coordination efforts have made relations with donors difficult for Senegal especially in the implementation phase. The next section will demonstrate that although it can not be ascertained that Senegal has exercised leverage vis-à-vis the EC, through the pro-active role adopted by the government vis-à-vis the EC especially in the programming phase of aid negotiations it has been able to maintain some control. However, government pro-activeness in the programming phase has not been extended into the implementation phase or in increasing aid effectiveness, indicating a lack of leverage and control in the latter phases of the aid cycle.

¹⁴ From the mid-1980s, donors and the government have met in formal Consultative Group (CG) meetings coordination (Olaniyan 1996: 136). Since 2003, these meetings have been held on an annual basis. Furthermore, thematic donor groups now operate according to the main pillars of the government's poverty reduction strategy. These are mainly informal discussion groups and constitute mechanisms of support for the government in the elaboration and the implementation of policies and development strategies. They also constitute a forum for exchange of experience and coordination between donors (UNDP 2003: 7). At present there are 13 thematic groups, each headed by one or more lead donors according to their area of expertise (AFRODAD 2007a: 19)

¹⁵ Other problems in coordination include the insufficient coverage of some sectors and themes due to a lack of interest or insufficient resources, a scattering of donor interventions in too many sectors thus decreasing their overall impact, and insufficient information sharing amongst donors (MEF 2008b; UN 2005).

¹⁶ Interview Senegalese government, Dakar: June 2008 (S3).

2.2 Leverage and control in EC-Senegal aid relations?

The Senegalese government has established ownership particularly over the programming process of EC aid interventions and aligning this aid to support the government's development goals. Indeed, Commission officials recognise that their Senegalese counterparts demonstrate a good capacity to promote their preferences regarding where and how aid is spent. EC interviewees referred to Senegalese officials as generally "very good and advanced negotiators who clearly know what they want" and as "proud in their achievements and very keen to take on a leadership position" in negotiating aid.¹⁷ Accordingly, Commission negotiators who have encountered government officials in aid negotiations note that although negotiations are sometimes tough (especially prior to the onset of budget support, see below), Senegalese counterparts are well-prepared in the promotion of their own preferences as regards the allocation of aid and have demonstrated a good capacity to forward their own preferences onto the EU in the aid programming phase.¹⁸

In what ways has the government demonstrated control? The government has negotiated with donors, the EC included, on its own terms and according to its own government structures. With regards to the EC, one Senegalese interviewee mentioned that although the EC often holds the "misconceived expectation" that dialogue must be conducted with high-profile figures within the government, rather than liaising with technical staff with relevant expertise,¹⁹ Senegalese officials have insisted that dialogue be conducted at the technical level, and that the locus of initiative and leadership in formulating national development strategies remain with experts in the Ministry of Economy and Finance (MEF).²⁰ Furthermore, according to Senegalese officials, although the EC decides the geographical and/or thematic area in which to concentrate its aid interventions, as with other donor strategies, this is first approved by the government. Technical experts in the MEF claimed that if projects or donor frameworks did not fit with Senegalese strategies they would be sent back to the donor and accepted only when deemed adequate.²¹ While this is not to say that the government has the capacity to refuse aid should donor preferences not match those of the government, it does show that the government has a strong willingness to negotiate with donors until its preferences are met

¹⁷ Interviews EC, Brussels: April 2008 (EC6; EC14); Interview EC Delegation, Dakar: June 2008 (EC16).

¹⁸ *Ibid.* (EC6; EC14; EC17); Interview Senegalese government, Dakar: June 2008 (S3).

¹⁹ Interview Senegalese government, Dakar: June 2008 (S3).

²⁰ *Ibid.* (S3; S4).

²¹ *Ibid.*

and to cooperate with donors only under the premises of its national development framework.

Senegal's assertion of ownership has, according to the government, the EC, and other donors, translated into most donors, including the EC, "supporting the government's policy agenda" (OECD 2005: 115). Government ownership over the development process, and more specifically, over the government's aid policies was also confirmed in a recent survey on Senegal's progress in implementing the 2005 Paris Declaration: donors agreed that "the government maintains the primary role in the elaboration and implementation of national strategies ... The national objectives and development and aid policies enclosed in the PRSP translate into a veritable political willingness concerning strong engagement on the part of the government" (MEF 2008a: 38; see also MEF 2008: 116). Thus, "Senegal's framework for selecting aid projects ... is apparently rational, coherent, fairly straightforward, and not insignificantly, government-driven" (Clark *et al.* 1997: 152). Although the government recognises its genuine need for assistance, it has taken a leadership position in aligning donor interventions with the government's framework and has exerted considerable control over aid programming.

The government has also demonstrated ownership by instigating increased donor confidence in national systems through reforms, and initiating the formulation and signing of a fundamental framework agreement between the government and donors (MEF 2008a: 26).²² In 2003, the government initiated major reforms of the management system of public finances and of procedures for public works contracts. Although these reforms were based on recommendations of international financial institutions such as the World Bank, importantly, these were *initiated* by the government with the intent of *firstly* creating the conditions for a stronger adherence to and involvement of its citizens in public policies, and *secondly*, to construct an environment in which investors and donors could better conduct their interventions by substituting project aid with budget support.²³ The implementation of these reforms demonstrated and reinforced the government's commitment to enhancing coordination and harmonisation amongst different donors (OECD 2005: 116), in addition to creating more transparent and efficient institutional mechanisms for transferring funds from donors to the government (AFRODAD: 24). Indeed, "improving the effectiveness of the government's financial administration is seen as crucial, as success in this area would have

²² Interviews Senegalese government, Dakar: May 2008 (S2); June 2008 (S4; S7).

²³ "L'enjeu primordial pour le Gouvernement, consiste à créer les conditions d'une plus forte adhésion et d'une plus forte implication des populations et des citoyens aux politiques publiques. L'autre enjeu majeur sera de bâtir un cadre qui permettra aux partenaires de la communauté financière internationale, de mieux concevoir et conduire leurs interventions dans le pays en substituant les aides-projets actuelles par l'aide budgétaire dont la mobilisation sera simplifiée," (MEF 2007).

the advantage of increasing the credibility of the state and would thus facilitate aid to general budgets” (AFRODAD: 20; see also MEF 2008: 117).

While on the one hand, commitment to reforms indicates the government’s intention to assert ‘ownership’ according to the understanding of the concept as expressed in the Paris Declaration, on the other hand it is important to highlight that government control is evident in the role the government has adopted vis-à-vis donors in increasing budget support. In January 2008, the government signed the “Framework Arrangement between the Senegalese Government and the Donor Partners Concerning Budget Support” (ACAB) with five major development partners.²⁴ Both the government and the EC (and other relevant donors) expressed strong confidence in the ACAB initiative, and viewed this as major breakthrough in increasing donor confidence.²⁵ Indeed, the EC has admitted that its decision to augment budget support allocations in the 10th EDF was strongly linked to its recognition of the government’s own initiative in implementing the ACAB (CEC-Senegal 2007: 23; MEF 2008: 117).²⁶ Importantly, the fact that the ACAB was initiated by the government after the implementation of budget support in 2003, demonstrates how Senegal took a leadership position in promoting its preferences for increasing budget support allocations. This is evident when comparing Senegal’s position to Ghana (see below), where donors rather than the government initiated a framework agreement for budget support in 2003, requiring the government to undertake reforms as a condition for receiving budget support. In Senegal, donors contributed to budget support before such a framework was in place, and the government took the initiative to establish its own system to coordinate these contributions and to encourage donors to continue this type of aid, thus demonstrating control.

Senegal’s assertion of control was also evident in its behaviour towards the EC during the aid programming phases. Here, control, alongside the EC’s willingness to engage with the government’s request, were essential in increasing budget support allocations.²⁷ Prior to the onset of budget support, Senegalese aid negotiators were seen by Commission officials as being “difficult” and often “unwilling to compromise.”²⁸ For example, during the negotiations of the 10th EDF, the Commission was initially hesitant to increase budget support, given the government’s past failures in implementation and meeting conditions. Negotiations were said to continuously reach stalemates, as no

²⁴ France, World Bank, EC, Netherlands, AfDB, and Germany.

²⁵ Interviews Senegalese government, Dakar: May 2008 (S1; S2); June 2008 (S4; S7); Interviews EC, Brussels: April 2008 (EC6; EC13; EC14).

²⁶ Interviews EC, Brussels: April 2008 (EC13; EC14).

²⁷ Interview Senegalese government, Dakar: June 2008 (S4).

²⁸ Interviews EC, Brussels: April 2008 (EC6; EC13).

concessions were being given on the EC side, while the Senegalese side remained reluctant to accept more project aid over budget support. In 2006, a new head of delegation was posted to Senegal, who was said to be extremely keen on budget support. It was only with the converging of interests at a crucial time in the negotiations, that agreement was eventually facilitated, and Senegal was able to secure significant budget support allocations as preferred.²⁹ On the one hand therefore, the government was not able to exercise any significant leverage vis-à-vis Commission negotiators, as agreement was reached not because of Senegalese influence, but due to an eventual converging of interests between the parties. On the other hand, through its continual resistance to accepting less budget support than was anticipated and despite initial EC reluctance to submit to their demands for increased budget support, the government maintained control by negotiating and cooperating according to the government's terms and preferences. Although dialogue between the EC and Senegal has been fairly difficult in the past (CEC-GoS 2007: 22), it is only with the prospect of budget support that the Senegalese government has demonstrated increased willingness to engage with EC.³⁰

Yet, while the government has exhibited control and pro-activeness in the aid programming phase, this has clearly been lacking in the implementation phase and in donor coordination efforts (MEF 2008a: 32-34; AFRODAD 2007a: 18).³¹ As Leurs notes, "the current problem is no longer one of inadequate national ownership of the development agenda but, rather, a problem of inadequate ownership in terms of the management of different projects and programmes" (2002: 17).³² Despite the government control during the programming phase, it has not improved aid management systems and has been too overwhelmed by the number of donor interventions to adopt an effective leadership role in coordination efforts (MEF 2008a: 32; Leurs 2005: 382; AFRODAD 2007a: 19-20; OECD 2005: 116, 118; Enwistle *et al.* 2005: 123). Government officials note that coordination efforts have mainly been driven by the EC, and that particularly at the level of policy initiatives, the EC has led efforts to develop frameworks for increasing dialogue amongst donors and between the donor community and the government.³³ Indeed, the government recognises that "efforts for enhanced division of labour are on-going thanks to donors' initiatives" (MEF 2008b). For example, informal thematic donor groups for coordination

²⁹ Interview EC, Brussels: April 2008 (EC13); Interviews Senegalese government, Dakar: June 2008 (S3; S4).

³⁰ *Ibid.* (EC6; EC13; EC14). With the promise of increased budget support, high-level government officials are participating more actively in the negotiations (MEF 2008a: 24, 32, 33).

³¹ *Ibid.* (EC 13); Interview Senegalese government, Dakar: June 2008 (S3).

³² *Ibid.* (EC3; EC13); *Ibid.* (S1; S3; S4; S7).

³³ *Ibid.* (S3).

were initiated by donors with minimal input and involvement on the part of the government (AFRODAD: 19).

Why has Senegal been able to maintain control during the aid programming phase, but has failed to replicate this in the latter phases of the aid cycle? Why has the government been able to adopt a leadership position in negotiations, but fails to do so in donor coordination? Given power asymmetry between donors and recipients, Senegal's failures may be rather unsurprising. At the same time, it is unexpected that a poor and aid-dependent country like Senegal has indeed managed to retain control in aid negotiations with the Commission. The next section will explore the reasons behind Senegal's successes and failures in exercising leverage and control in aid relations with the EC.

2.3 Explaining the EC-Senegal aid relationship

2.3.1 *Perceptions of the EC as a donor*

As posited in Chapters 1 and 2, the perceptions that other actors hold of the EC affect their relations with it. Perceptions of the EC as a capable or incapable, coherent or incoherent, or united or divided donor shape a recipient government's strategy vis-à-vis the EC and contribute to its success or failure in exercising leverage and control. So how is the EC as a donor perceived in Senegal, and how has this affected aid relations?

In Senegal, the EC is seen as facing three types of constraints which have adversely affected EC-Senegal aid relations. Firstly, Senegalese officials have continuously characterised the EC aid process as complex, long, and bureaucratic. The size of the EC's aid projects and programmes, combined with difficult planning, implementation, and results monitoring processes requires significant effort from the Senegalese side to follow one of its many donors. This creates a significant constraint on the government, which has limited technical capacity in management and administration (see below).³⁴ EC interviewees also noted that one of the major bottlenecks in aid relations with Senegal, and indeed with the ACP in general, is the intense pressure the Commission faces to deliver quality aid.³⁵ This pressure has led to complex and long procedures for approving aid projects and disbursement decisions (see Chapter 2), which in turn affects the EC's relationship with recipient countries.

³⁴ For example, while the administration of EDF requires staff of about 15 people, the administration of other donors only requires two to three people (Interviews Senegalese government, Dakar: May 2008 (S1); June 2008 (S3; S4; S6)).

³⁵ Interviews EC, Brussels: April 2008 (EC6; EC13).

Secondly, there is a wide consensus amongst Senegalese authorities that the process of decentralisation between the EC headquarters in Brussels and the delegation is not yet effective (Leurs 2005: 383; 385).³⁶ While the government prefers working closely with the delegation, many decisions continue to pass through Brussels first, increasing project implementation times and stalling disbursements.³⁷ Implementation times for a particular project or delays experienced on the ground are often not communicated clearly between the delegation and Brussels, resulting in Brussels being generally misinformed or unaware of what is happening on the ground. At the same time, the delegation lacks adequate authority necessary to adjust projects according to local conditions.³⁸ This affects Senegalese officials responsible for relations with the EC, in that they are often left uninformed about the status of project approvals and disbursement decisions, largely because the delegation itself is also uninformed. Thus, procedures and terms of approval for aid projects in Brussels are not communicated clearly and in a timely manner to both the Senegalese side and to a lesser extent, the delegation.³⁹ In this regard, Senegalese interviewees often compared the EC to other multilateral and bilateral donors, noting that where decentralisation had been fully implemented it had resulted in significantly improved quality aid programmes and dialogue (MEF 2008a: 31).⁴⁰ Indeed, as was noted in a recent evaluation of aid processes in Senegal, donors “whose work is organised in a decentralised manner and which are awarded larger amounts of power seem to be able to fulfil their commitments with greater ease” (MEF 2008: 117; see also Leurs 2005: 385). Thus the failure of complete decentralisation on the part of the EC has had negative consequences on the perceptions of the recipient government.

Lastly, some interviewees noted that effective aid relations often come down to a number of well-informed and capable individuals in the delegations who are willing to build up relationships with their counterparts in the Senegalese ministries.⁴¹ One interviewee for example, noted that under the 9th EDF there were significant staffing issues in the delegation which contributed to the difficult dialogue. Indeed, as noted, it was only with a major change in the staffing situation during the 10th EDF negotiations that dialogue improved.⁴² Furthermore, as noted in a previous study on aid delays in Senegal, although “the hiring of additional staff and more local/longer term staff, especially in Embassy based

³⁶ Interviews Senegalese government, Dakar: May 2008 (S1); June 2008 (S3; S4; S6).

³⁷ *Ibid.* (S1; S3; S4).

³⁸ Interview EC, Brussels: April 2008 (EC6); Interview EC Delegation, Dakar: June 2008 (EC17); Interviews Senegalese government, Dakar: May 2008 (S1); June 2008 (S3; S4).

³⁹ *Ibid.* (EC6); *Ibid.* (S1; S3; S4).

⁴⁰ *Ibid.* S1; S3; S4; S6; S7).

⁴¹ *Ibid.* (S1; S3; S4).

⁴² *Ibid.* (S3)

aid sections” is seen by the government as reducing disbursement delays (Leurs 2005: 385), the EC has not been particularly successful in this regard. One Senegalese official with over 20 years experience working with the EC, noted that delegation staff were not recruited on the basis of their expertise in the country or an understanding of EC aid procedures, and that by the time these necessary skills had been acquired, they were re-posted due to a high turnover rate (see also CONCORD 2007: 9). Accordingly, this hampers the building of effective, long-term working relationships and dialogue (MEF 2008a: 37).⁴³

As a result of this complexity, Senegalese counterparts have at times expressed disinterest in collaborating with the EC. Some government officials see EC constraints as undermining the EC’s position vis-à-vis other donors, which are considered more accessible and preferable in order to meet short-term development goals because aid is disbursed quickly.⁴⁴ This point is particularly important, because it highlights just how the EC’s excessive bureaucratic procedures and regulations have hindered successful relations with some recipient countries, and has placed it in a less favourable position compared to other donors. Therefore, although the EC is considered an important donor in Senegal, a perception largely shaped by the objective reality of the EC’s financial weight, if it is unable to convert its resources into a capacity to engage with the government it consequently affects the government’s expectations and perceptions of the EC negatively and jeopardises its position as an important development actor in comparison to other relevant donors (Hypothesis 2a). Perceptions shaped by the EC’s actions in other countries, are therefore an important element in shaping the government’s strategy towards the EC.

The extent to which these perceptions translate into exercising leverage and/or control however, is dependent on certain contextual factors in EC-Senegal aid relations. It is argued below that Senegal’s ability to maintain control in these relations derives from: a strong institutional capacity for strategy formulation; a strong socio-economic framework and government initiative in adopting a donor-supported reform agenda; an increasingly important geo-strategic position; and a strong ideological conviction in maintaining ownership over national strategies and defending these in aid relations with donors. In this respect, despite the power asymmetry that exists between Senegal and the EC, contextual elements intervene in determining outcomes which are congruent with the interests of the developing country. At the same time, the structural realities of this aid relationship, such as the government’s limited capacity to administer aid and its numerous donors, combined with limitations faced by the EC as a donor have resulted in a rather problematic

⁴³ *Ibid.* (S1).

⁴⁴ *Ibid.* (S1; S3; S4; S7).

implementation of aid and a lack of government leadership in coordinating aid. These constraints can also explain the lack of leverage and control in the later stages of the aid cycle. Senegal's position vis-à-vis the EC, and its ability to maintain control is therefore assisted by intervening contextual factors, but at the same time constrained by the institutional consequences of aid dependence, in that weak administrative capacity in combination with high donor transaction costs constrain the government's room for manoeuvre and its ability to exert control and exercise leverage beyond the aid programming phase.

Based on the factors listed in Table 1.3 in Chapter 1, the following sub-sections will explore the factors that have constrained and facilitated leverage and control for Senegal.

2.3.2 Institutional factors

Institutional factors have strongly contributed to both the successes and failures of the Senegalese government in exercising leverage and control vis-à-vis the EC. To a large degree, the problems in the EC-Senegal aid relationship, as outlined above, can be attributed to evident institutional shortcomings faced by the Senegalese government. In this regard, Senegal's aid absorption capacity is notably very low, with excessive administrative procedures within the government and the multiplicity of donor procedures constraining the government's capacity to administer and implement aid and coordinate different donors (OECD 2005: 118; Leurs 2005: 382; AFRODAD 2007a: 7, 15). Government procedures are characterised by their complexity and multiplicity and hamper the implementation of aid and lead to a low absorption of funds (AFRODAD 2007a: 7, 15; Leurs 2005: 384). Capacity constraints are even more evident in a country like Senegal, because of the number of different donors, projects, and programmes that the government must administer and coordinate. Indeed, as one Senegalese interviewee said:

Senegal is very strong when it comes to telling donors exactly what we think and how we want things done. Ownership in aid programming is not a problem ... The main issue for Senegal is implementation. The Ministries, including the MEF, have weak administrative and technical capacities. This is where we need reinforcements. We want more ownership in steering aid flows.⁴⁵

Indeed, the high proliferation of donors has placed an excessive administrative burden on the government, with different donors requiring different procedures and promoting different priorities. Therefore, "an effective partnership between the Government and the external partner community is still undermined by multiple and diverging procedures each development agency requires, forcing the Government to prepare multiple reports

⁴⁵ *Ibid.* (S3).

depending upon the funding source and to build capacity around different procedures” (Enwistle *et al.* 2005: 123). Accordingly:

This problem constitutes one of the decisive factors of the weakness of the capacity of financial resources in the Senegalese administration. In effect, the multiplicity of the donors’ procedures ... results in protracted projects’ operation time which, in its turn, engenders additional costs and lessens the impact of development programs. (AFRODAD: 19).

Although these institutional constraints have limited the opportunities for Senegal to exercise leverage and control beyond the aid negotiation phase, it is nevertheless important to outline that there exists a “relatively significant capacity for strategy formulation within the Government” (Entwistle *et al.*: 127), which it is able to communicate effectively when the government is solicited for participation and input. Indeed, it is namely this phase which “present(s) the best hopes for recipient government to control national development strategy and policies”, and although government participation is expected during implementation, evaluation and revision, these phases “tend to reflect weak negotiating capital and allow ‘control’ only within constraints” (Fraser and Whitfield 2008: 7). It is precisely in the latter stages of the aid framework where Senegal experiences the most significant constraints in exercising leverage and control, because opportunities for participation are limited, decisions are at the donor’s discretion, and government capacity is inadequate. Yet where the country’s participation is solicited or even crucial, and where the government has a strong capacity for formulating and presenting strategies, it has made full use of these opportunities by strongly expressing its views and preferences, and by maintaining its position even in the face of donor disagreement.

2.3.3 *Economic factors*

Economic factors have strengthened Senegal’s negotiating position vis-à-vis the EC, and have allowed the government to maintain control during the programming phase. The government’s increased access to alternative sources of funding for example, has provided the government with the confidence to maintain its position throughout aid negotiations. In March 2000, a landslide presidential electoral victory by Abdoulaye Wade of the Senegalese Democratic Party (PDS) ended the near 40-year rule by the Socialist Party (PS). Wade’s victory was later followed by another major win in the legislative elections in April 2001 in which Wade’s *Sopi* coalition gained an overwhelming majority in the parliament. The new government has been aggressively pursuing relations with non-traditional donors such as China, India, Dubai, and Iran, which Wade sees as offering a more flexible and less bureaucratic alternative source of funding (Reuters 2007; Wade

2008). In 2005, Wade re-established diplomatic ties with China, leading to immediate contributions to economic and trade projects and cooperation especially in fisheries, agriculture and infrastructure construction, the areas the government is most interested in developing and promoting. Furthermore, Senegal began awarding aid and investment contracts to Middle Eastern, Asian and African donors and firms, often at the expense of its traditional donors and trade partners (*African Business* 2007). In addition, Senegal has also been constructing closer ties with the countries of the Organisation of Islamic Conference (OIC), namely Saudi Arabia, Kuwait and United Arab Emirates, which in recent years have contributed significantly to Senegal's development efforts (*Daily Nation* 2007). Although it cannot be argued that non-traditional donors and alternative sources of funding have taken the place of traditional donors, at the same time the government views these alternative resources as having created a more competitive environment in which traditional donors must compete against new development partners for financing projects and securing major development projects.⁴⁶ Thus, although a country may be dependent on a stronger actor, thus evidencing the power asymmetry that characterises their relations, the availability and willingness to access alternative sources provides weaker countries with increased confidence and room for bargaining vis-à-vis a visibly stronger actor.

2.3.4 *Strategic factors*

Senegal's ability to maintain control has also been strengthened by the country's increasingly important strategic position. This factor is especially relevant, because Senegal's strategic position is largely politically oriented, rather than policy oriented, and as such, this has enhanced its position vis-à-vis donors. Indeed, as posited in Chapter 1, it is a country's ability to construct itself as a strategic actor for political reasons in the eyes of donors, rather than for policy reasons, such as a good reform record, which allows for a stronger position to exercise leverage and/or control. Indeed this difference will become clearer when considering the Ghana case study.

After the election, Wade expressed strong interest in raising Senegal's regional and international profile, by diversifying Senegal's foreign relations away from its traditional Francophone focus (Galvan 2001; Chafer 2003: 163; Schraeder 2001: 56). Indeed, although Senegal's "historical background as the major centre for French imperialism in West Africa" (Edi 2007: 167) played a significant role in establishing the country as a leader in Francophone Africa, Senegal's foreign policy has taken on a new direction since the

⁴⁶ *Ibid.* (S3; S4; S7).

election, and Wade's international efforts undoubtedly boosted the country's international profile (Edi 2007: 167; Schraeder: 55; Fall 2004). As a pan-Africanist, Wade worked to change the image of Africa and increase the power of African heads of state beyond their national borders, with the promotion of democracy and development as top priorities on Senegal's international agenda (Lefèbvre 2003: 61). He was one of the founders of NEPAD and his government's efforts were crucial to brokering a cease-fire in the Ivory Coast when ECOWAS forces failed to do so, and later in negotiating a solution to the crisis. Furthermore, Senegal's diplomatic capacities were significantly enhanced by its military commitments to the region, especially in neighbouring Guinea Bissau and the Gambia (Edi: 166-167). Indeed, Senegal's role at the regional level has also been echoed in the other two areas explored in this thesis, trade and migration, where the government has successfully uploaded its preferences onto the ECOWAS negotiation platform regarding trade and has taken the lead on joint cooperation on migration between the EU and the West African region (see Chapters 5 and 7).

According to EC interviewees, Senegal's important position both in the region and on the continent has strengthened its position vis-à-vis its major donors. Aside from its democratic record and peace and stability within Senegal, it has also developed a wider diplomatic role in terms of regional political leadership, especially conflict and crisis management and mediation.⁴⁷ This point is particularly relevant for Senegal's relations with the EC, because, as noted in Chapters 1 and 2, in the EU's increasing use of development policy as a means to achieve wider foreign policy goals, countries where the EU's security and economic interests are high have increased in importance on the EC's development agenda, in terms of funding and the EU's presence (see also Olsen 2004). Indeed, according to one EC interviewee, "In aid negotiations, it cannot accept to be treated any worse off than other countries in the region, and it really works hard to stay as a top aid recipient. Senegal seems to be really aware of its strategic position in West Africa, and what that means in relations with donor interests, and it uses this in negotiations with the EU."⁴⁸ The fact that Senegal has been particularly instrumental on the political and security (and economic) fronts in West Africa, has bestowed the image of an influential regional and continental political leader on the country. This in turn, has strengthened its negotiating position vis-à-vis the EC which has an interest in these areas and has allowed the

⁴⁷ Interviews EC, Brussels: April 2008 (EC12; EC14); Interview EC Delegation, Dakar: June 2008 (EC17).

⁴⁸ Interviews EC, Brussels: April 2008 (EC6). During the negotiations of the 10th EDF, the government tried to convince the EC to increase budget support by conducting and referring to studies on and missions in other countries in the region (namely Mali and Burkina Faso), which despite a weaker socio-economic environment had moved towards this support much earlier. These strategies were considered crucial tools to convince the EC meet the government's preferences (Interview Senegalese government, Dakar: June 2008 (S3)).

government to adopt a stronger position to maintain control over its development agenda when negotiating aid.

2.3.5 Political/Ideological factors

Lastly, Senegal's political environment has also contributed to the ability to maintain control over its development framework and in aid negotiations with the EC. Specifically, a highly centralised presidential system of government and the strong mandate for reform at the time of aid negotiations with the EC contributed to its ability to maintain control. With a large parliamentary majority, the government was in a strong position to initiate and continue donor-supported economic reforms and the implementation of large infrastructure projects introduced by the previous administration (EIU 2008). In addition, splits and political rivalries within the opposition party helped to maintain the strength of Wade's position and his coalition. In general, Wade's first term was characterised by his widespread domestic popularity, with support confirmed by another landslide victory in the 2007 presidential elections. Not only has Senegal's democratic track record, strong regional leadership, and a strong reform-oriented agenda increased support from Western donors such as the EC, the strong political legitimacy of the government at the time of the negotiations and Wade's central position contributed to the strong conviction by the government to adhere to national strategies in aid negotiations. Indeed, interviews with government officials showed that although the government is aware that it is constrained by economic deficiencies and that donor support is crucial in meeting the government's objectives, strong political leadership and widespread public support for government policies were fundamental in the government's pursuit of these objectives during negotiations with the EC for the 10th EDF.⁴⁹

After the 2007 elections, Wade came under tough domestic scrutiny and criticism for not having realized many of his campaign promises, fuelled by a food crisis in mid-2008 and speculation that Wade planned to have his son succeed him in 2012. Discontent with Wade was subsequently confirmed in local elections in March 2009, in which the opposition won most major cities including the capital, Dakar. Furthermore, fragmentation and friction within the ruling coalition also increased, with the coalition's composition subject to frequent change. Although political rivalries and Wade's waning popularity may have some consequences on the legitimacy of the government's negotiating mandate, at the same time, an environment of consensus on overall policy goals and a capacity to

⁴⁹ Interviews Senegalese government, Dakar: May 2008 (S1; S2) June 2008 (S3; S4; S7).

“formulate long-term strategies relatively well” (BTI 2007a: 15, 17) strengthens the government’s ability to put forward its preferences vis-à-vis the EC in aid negotiations. Indeed, “democratic principles as well as (market oriented) economic and foreign policies are based largely on a consensus among the Senegalese elite” (BTI 2007a: 17). Therefore Senegal’s ability to exert control during the programming phase can be attributed to a political environment of consensus on overall policy goals, that has led to the formulation of government-owned strategies which it then defends and pursues in relations with donors.

The government’s fundamental conviction in exerting and maintaining ownership over its national strategies has driven the government to negotiate aid programmes according to priorities that fit with its own strategies and goals. Senegal’s adherence to the concept of ownership over national strategies prevails also in the trade and migration fields, and has afforded the country with a significant level of control in negotiations with the EU. A strong conviction of country ownership over the national development strategy was expressed clearly in the various interviews conducted with Senegalese aid officials. All interviewees concurred that the country’s strongest advantage vis-à-vis donors was in fact the capacity to exert the country’s preferences especially in the programming phase, precisely because of the strong conviction that the government’s development strategies, in other words, the PRSP and complimentary programmes such as the SCA, are very much country-owned.⁵⁰ Indeed, the PRSP is seen as a result of a wide participatory process, formulated mainly on Senegalese initiative, and although donor partners did participate, they did not play the main role in the formulation of the strategy (Entwistle *et al.* 2005: 124-135; MEF 2008a: 38). Furthermore, the strategy is seen as having been formulated with Senegalese interests in mind, rather than with the view of pleasing the donor community. Indeed, although the EC alongside other donors did not approve of the PRSP’s strong focus on agriculture, for example, the government nevertheless maintained its position, clearly highlighting the extent to which Senegalese interests prevail in the strategy.⁵¹ In this regard, government officials view the national development strategy as something to be promoted and defended in their relations with donors, and have strongly projected these interests in aid negotiations with the EC. Therefore, as posited in Chapter 1, a high degree of domestic political legitimacy of the government and a strong electoral mandate favour recipient country control in that it confers upon the government a strong

⁵⁰ *Ibid.* (S1; S2; S3; S4; S7).

⁵¹ Indeed, Entwistle *et al.* note that, “the EU and other external partners maintain that the emphasis on supporting agriculture as a principal source of wealth creation is not realistic given its low contribution to overall GDP. However, the Government maintained its position, which is the result of the participatory process and Civil Society Organisations (CSOs) have organized meetings to defend this position. The wealth creation pillar of the PSRP remains essentially unaltered in this respect” (2005: 135).

negotiating mandate and a strong conviction that preferences should be defended vis-à-vis donors (see also Whitfield and Fraser 2008: 41).

The Senegalese case study has illustrated that on the one hand, aid recipients can be successful in maintaining control in relations with donors. Senegal has taken a driver's seat during the aid programming negotiations with the EC, indicating that "leadership by the government – or by a few champions within the government – in the developing country has a significant impact" on determining outcomes in favour of a government's preferences (Eurodad-GMF 2008: 25). On the other hand, it also shows the extent to which aid dependence has negatively affected Senegal's institutional capabilities to exercise leverage beyond aid allocation negotiations. While in theory, a high proliferation of donors should mean more money and greater choice in financing development, in reality, Senegal's institutions are so overwhelmed by the complexities of development financing and the number of donors present in the country, that this impedes leverage and control significantly beyond the agenda-setting and policy formulation stages of the aid framework. In sum, from the Senegalese case study, it can be concluded that although institutional, economic, ideological, strategic, and political/ideological factors do allow for control in an aid relationship in which power asymmetry characterises the structural environment, genuine weaknesses faced by both the recipient and donor have confined this to the early stages of aid negotiations and led to problematic aid implementation and government leadership in later stages.

3 Ghana

Although the EC is not Ghana's most important donor, as in Senegal, its assistance is seen as essential in furthering the development prospects of the country.⁵² The fact that the government considers the EC's contributions as essential, combined with Ghana's aid dependency in general, illustrates a similar power asymmetry between Ghana and the EC as in Senegal. Indeed, as a rather important donor in Ghana, the EC can potentially use its financial weight to push its interests and preferences onto the government. This also indicates that Ghana's perceptions of the EC are in part shaped by the objective reality of the EC's wealth. As one Ghanaian interviewee put it, "The EC is the donor, period. That says enough about the kind of strength they have in a country like Ghana."⁵³ However, as shown in the Senegal case study, a country's strategy for dealing with a donor is also shaped by its perceptions of the donors actions in the recipient country. Furthermore

⁵² Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

⁵³ *Ibid.* (G3).

contextual factors intervene to allow the recipient to exercise leverage and/or control in determining its own development framework or in negotiating according to its terms and preferences, as well as constraining both countries and donors in, for example, the timely delivery of aid commitments.

For the most part Ghana has a mixed record in pushing its preferences and shaping the aid framework vis-à-vis the EC. The government has a solid national development framework with which the EC has mostly aligned its strategy; the government has been keen on increasing budget support contributions, an area in which EC policies and practises, like in Senegal, have converged with the preferences of the government; and donor coordination efforts are advanced and effective. Furthermore, both Ghanaian and EC aid officials hold the overall perception that dialogue has been positive and constructive, and indeed communication with the government is considered exemplary and well-organised.⁵⁴ At the same time, the government has not adopted a leadership position in its relations with the EC, and indeed the programming phase, project aid administration, budget support initiatives, and donor coordination efforts have been driven and/or initiated largely by donors such as the EC rather than the government, forgoing government leverage and control of aid relations.

3.1 The EC – Ghana aid framework

Ghana's development framework is the country's version of the PRSP, the Growth and Poverty Reduction Strategy (GPRS II) for 2006 to 2009.⁵⁵ The GPRS II focused on developing essential areas required to foster and sustain economic growth and propel Ghana into achieving middle income status by 2015 (NDPC 2005; AFRODAD 2007: 16). Furthermore, "the GPRS was enshrined as Ghana's core framework for development planning" (Woll 2008: 75), with which donors were expected to align their development strategies.

For the most part, the EC's aid strategies in Ghana have largely been aligned with the government's national development priorities. The EC has in fact adapted its own aid preferences to those laid out in the GPRS (CEC-GoG: 25).⁵⁶ Based on the government's development strategy outlined in the GPRS I, under the 9th EDF the EC sought to

⁵⁴ Interviews EC, Brussels: April 2008 (EC2; EC12; EC15); Interview EC delegation, Accra: September 2008 (EC19).

⁵⁵ In 2003 Ghana finalised the Ghana Poverty Reduction Strategy (GPRS I) to cover the period of 2003 to 2005, which was endorsed by Ghana's main development partners in 2004, and allowed Ghana to become the 14th country to complete HIPC debt relief.

⁵⁶ Interviews Ghanaian government, Accra: September 2008 (G3; G8); Interview EC delegation, Accra: September 2008 (EC19).

contribute to poverty reduction through the promotion of economic growth, by contributing to rural development, road transport, and macro-economic support. Under the 10th EDF, the EC sought to fully align its country strategy with the GPRS II with a mixed funding strategy of project aid and budget support.

To acquire more ownership of where and how foreign aid is spent, both the government and donors have been keen to increase budget support (MoFEP 2008; Quartey 2005: 1085-1089).⁵⁷ Under the 9th EDF, the EC allocated €60M to budget support, or approximately 26% of the aid package. As in Senegal, under the 9th EDF, EC budget support in Ghana experienced delays and some disbursements were withheld.⁵⁸ Despite this, the EC increased its budget support in the mid- and end-of-term reviews in 2004 and 2007,⁵⁹ as well as under the subsequent 10th EDF, where Ghana secured €175M in budget support, or 50% of committed aid. Both sides acknowledge that the move towards budget support has increased transparency and effectiveness, and importantly, lessened the management burden on both the donor and the recipient (Schmitt 2008: 2).⁶⁰

Aside from increasing budget support contributions, the Ghanaian government is also keen to enhance coordination and harmonisation of donor practises. The high concentration of donors in Ghana has made coordination efforts important in effectively implementing aid and easing the burden on the government and donors alike. Donor coordination in Ghana is considered extensive and advanced (AFRODAD 2007: 5; Schmitt 2008; Eurodad-GMF 2008: 17-19).⁶¹ The EC's strategies too, are seen as highly complimentary to that of other donors, as a result of various coordination mechanisms which are in place and which have been strengthened since the Paris Declaration (CEC-GoG 2007: 27).⁶² Furthermore, as noted by EC delegation officials, joint missions with EU

⁵⁷ Since 2003, eleven donors have actively increased their budget support contributions. In 2008, budget support amounted to 5% of total government revenue and a quarter of total ODA (Schmitt 2008: 2).

⁵⁸ In 2005, failure by the government to provide evidence of its performance caused delays in assessing the government's progress needed for disbursement. This led to many donors, including the EC, delaying their disbursements until a positive assessment had been completed. In 2006, an EC performance assessment concluded that some triggers for disbursement of the performance tranche had not been met, leading to 40% of the performance tranche being withheld (SPA 2007: 48-49; CEC-GoG 2007: 29; Interview EC Delegation, Accra: September 2008 (EC19); Interviews EC, Brussels: April 2008 (EC2; EC15)).

⁵⁹ Budget support amounted to €90M or 32% during the mid-term review and €102M or 34% in the end-of-term review.

⁶⁰ Interviews Ghanaian government, Accra: September 2008 (G3; G8); Interviews EC Delegation, Accra: September 2008 (EC18; EC19).

⁶¹ Since the 1990s, donors have met in Consultative Group meetings led by the World Bank (Harrigan and Younger 2000: 198; Whitfield and Jones 2007: 8-9). Since 2005, these have developed into high-level Annual Partnership meetings that now require government participation.

⁶² Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8); Interviews EC Delegation, Accra: September 2008 (EC19).

Member States and new initiatives such as the ‘silent’ or ‘delegated’ partnership have helped to induce a constructive working relationship amongst donors.⁶³

The main problem in EC-Ghana aid relations however, is the predictability of EC aid disbursements. Although aid volatility is not as significant as in Senegal, Ghanaian aid officials have nevertheless identified this as one of the most significant problems in their relations with the EC.⁶⁴ As in Senegal, under the 9th EDF the disbursements of aid for major projects were slow to start, with the implementation of funds suffering from delays in major financing decisions. Indeed, by 2005 only 20% of the EC’s committed aid had been disbursed. While this is significantly lower than Senegal’s aid volatility, and is also an average rate for disbursements for the entire ACP group, Ghana experienced elevated delays despite its generally favourable position as an aid recipient, and particularly despite the fact that actual implementation of aid is considered “generally satisfactory” (CEC-GoG 2007: 26.). It was only when the EC’s aid relations with Ghana were devolved to the delegation, that payments improved and reached record highs at the end of 2005. Since then, disbursement trends in Ghana have been more favourable (*Ibid.*).

In many respects, the EC-Ghana aid relationship is similar to that of Senegal: Ghana receives high aid allocations, EC development strategies for the country have been aligned with those of the government, and budget support allocations as preferred by the government, have increased considerably. Furthermore, in Ghana donor programmes and strategies are well-coordinated and complimentary, and aid volatility is improving. Yet as the next section demonstrates, much of Ghana’s aid framework has not been initiated by the government itself, but rather by donors such as the EC. Indeed, while the government has assumed a participatory role in aligning EC strategies with the national development framework, increasing budget support allocations and donor coordination, the EC has exhibited a more pro-active approach alongside other major donors.

3.2 Leverage and control in EC-Ghana aid relations?

The government’s approach to its relations with the EC has been mostly compromising. Although the EC’s strategy for Ghana has largely been aligned with the GPRS II, interviews conducted in Accra and Brussels revealed that it was mainly donors pushing the government with regards to its development strategies. While dialogue with the

⁶³ In 2007, 45% of all donor missions were jointly operated, reducing the work burden for the government and donors (OECD 2008a: 15). The EC is now represented by France in the agriculture and energy sectors, in that France is seen as holding the comparative advantage in these fields, while the EC represents France in transport and environmental protection sectors. Similar such arrangements are now in place between the EC, the UK, and the Netherlands (Eurodad-GMF 2008: 18; AFRODAD 2007: 25).

⁶⁴ Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

government is constructive and cordial, the government is perceived to be lacking in ownership and initiative in both formulating and putting forwarding its national development goals and objectives.⁶⁵ This confirms similar findings by Whitfield and Jones (2007, 2008, 2008a) who have noted that while in theory the ministries should develop the national development strategies that form the basis of negotiating with donors, in reality, donors are very much involved in shaping and creating such programmes and strategies in the first place. Donors have a tendency to “skew strategies towards their individual projects or priorities, which do not always coincide with government priorities” (Whitfield and Jones 2007: 13-14).

Thus donors, including the EC, tend to come to the government with ready-made projects and programmes, with the government’s role in shaping these being reactive. Based on comments made by the government on various EC-formulated documents,⁶⁶ and general impressions on government pro-activeness from EC interviewees, the Ghanaian government has not made use of opportunities to shape its aid framework.⁶⁷ Ghanaian interviewees agreed that, despite limited room for manoeuvre provided by the EC and limited capacity by the government to be more pro-active (see below), in general it has been reluctant to diverge from the EC’s strategies or decisions, preferring to opt for a more cooperative approach. It was felt that any other approach would not be conducive to the positive dialogue crucial to securing EC aid and improving its implementation. In its relationship with the EC, the government has focused much more intently on maintaining cordial donor-recipient relations, even if that implies taking on a responsive or reactionary role. In this regard, “the clear incentive for staff . . . is to keep the relationship friendly and to maximize the flow of resources” (Fraser and Whitfield 2007: 14), rather than to exercise control over aid strategies by either rejecting these or requiring changes should these not fit government preferences.

Although the government is keen on increasing budget support, in this area too it has not been driving the strategy. The increased EC budget support allocations can be attributed to, on the one hand, the government’s willingness to enact reforms to inspire donor confidence in national financial systems.⁶⁸ Reforms have enhanced Ghana’s public

⁶⁵ Interview EC, Brussels: April 2008 (EC15); Interviews EC delegation, Accra: September 2008 (EC19; EC20).

⁶⁶ For example, the government’s reactions to the 2004 EC’s mid-term review document merely consisted in highlighting spelling and grammatical errors, while completely agreeing with the EC’s review of the country’s progress and decisions to re-distribute aid allocations (CEC-GoG 2004).

⁶⁷ Interviews EC, Brussels: April 2008 (EC12; EC15); Interviews EC delegation, Accra: September 2008 (EC19; EC20).

⁶⁸ Since the mid-1990s, the government has enacted several confidence-building measures, enhancing the effectiveness and transparency of the government’s management capacity of aid (AFRODAD 2007: 13, 21), including a public financial management reform programme a comprehensive budgeting system, a more

and financial management system, and translated into increased aid commitments from donors (AFRODAD 2007: 13; CEC-GoG 2007: 12). Furthermore, as in Senegal, these reforms have been coupled with framework agreements and initiatives to facilitate dialogue amongst donors and the government on budget support. In 2003, the government together with the eleven major donors, including the EC, signed the Multi-Donor Budget Support (MDBS), which stimulated budget support in Ghana (AFRODAD 2007: 19-22). Indeed, “MDBS as well as other initiatives to increase transparency and accountability in the aid management structure has resulted in increased DP (Development Partners) confidence and translated into increased aid” (*Ibid.*: 21).

On the other hand, the government has assumed a rather passive position in driving this agenda. As one Ghana expert observed:

In spite of all the obvious progress, one guiding principle of the Paris Declaration – that of ‘ownership’ by the national government – plays only a minor role in Ghana. There can be no doubt that Ghana is pursuing a reform agenda to develop the country, and it has succeeded in many respects. Yet, the resolutions reached in Paris have not given this government any additional momentum (Schmitt: 2).

For example, although the MDBS is the main instrument guiding budget support, it was initiated by a small number of donors. The government in turn “responded positively to this initiative as it provided some answers to challenges encountered in other forms of development assistance” (MoFEP 2008: 1). Furthermore, the MDBS itself required the government to undertake reforms of its institutions to make aid delivery more effective and transparent, indicating that many of the confidence-building reforms were donor-initiated. Thus while in Senegal, the ACAB, a similar framework, was largely initiated by the government, in Ghana this framework was formulated by the donors to permit the move to budget support and alleviate some of the transaction costs associated with project aid.

Lastly, initiatives to strengthen donor coordination efforts have also been led by the donor community. Although according to the World Bank (2006) the government has taken overall responsibility for coordinating development assistance, the instruments facilitating coordination were implemented by donors. According to the government, coordination and harmonisation amongst donors is one area in which the EC has taken the lead by “moving beyond the rhetoric.”⁶⁹ The EC is seen as having driven coordination efforts by systematically consulting other Member States, instigating coordination meetings, initiating

transparent system for the acquisition of goods and services. Furthermore, the Auditor General’s role in examining the accounts of the various ministries has been strengthened, leading to increased ministerial accountability. Lastly, the Ministry of Finance and Economic Planning (MoFEP) has become the central coordinating agency for aid, significantly reducing aid transaction costs (Woll 2008: 80).

⁶⁹ Interviews Ghanaian government, Accra: 17 September 2008 (G3; G4; G5; G8).

framework agreements such as the Ghana Joint Assistance Strategy (G-JAS),⁷⁰ and outlining which donors hold the comparative advantage in a particular sector. The government acknowledges that the EC has taken the initiative to organise donors more coherently and harmonise practices.⁷¹ For example, the G-JAS was “an entirely donor-led process” (Eurodad-GMF 2008: 18), headed mainly by the EC, World Bank, the UK, Germany, and Canada (Schmitt 2008: 3). Notably, the EC delegation was considered to be a crucial initiator and leading partner in this effort (CEC-Ghana 2007: 33), while the central coordinating ministry, MoFEP, “only observed such donors efforts from afar” (Schmitt: 3). Some observers note that “the Ghanaian government was hardly involved in developing the G-JAS, seeing it as the donor’s business to organize themselves” but at the same time producing a much less ambitious document than in a country like Tanzania, for example, where the government participated actively in the formulation of their framework (Eurodad-GMF: 25).

Although “efforts to improve aid management and donor harmonization in Ghana by both GoG (Government of Ghana) and development partners are advanced and commendable ... the attempts at improving aid effectiveness in Ghana appear to be largely donor-driven with minimal evidence of active government leadership in the process” (AFRODAD: 5). Although in 2008 the government announced its intention to take a more active role regarding donor coordination, in general “Ghana has not had the right coalescence of factors to drive this agenda” and indeed has not displayed a leadership position in improving the division of labour amongst donors (Eurodad-GMF: 19). Furthermore, in allowing donors to lead coordination, Ghana has forgone “a scenario where donors’ agendas compete with each other ... [and where] Ghana has the advantage of playing the highest bidder willing to support government reform programmes that are genuinely owned by the government” (Woll 2008: 85). Instead, it has opted for a compromising approach, in which the primary focus is on securing aid rather than controlling the aid framework. Indeed, this largely confirms findings by both Carbone (2008: 227) and Whitfield and Fraser (2008: 40) that the Commission’s increasingly important role in leading donor coordination has resulted in a reduced space for negotiation for recipient governments.

Given the power asymmetry that exists between donor and recipients, it may come as no surprise that Ghana has not exercised leverage and control in aid relations with the EC. Yet, as the Senegalese case shows, although power asymmetry imposes structural

⁷⁰ The G-JAS, signed in March 2007, aims to fully align donor support with Ghana’s development priorities.

⁷¹ Interviews Ghanaian government, Accra: 17 September 2008 (G3; G4; G5; G8).

constraints on the exercise of leverage and control, it does not determine that the process and outcomes of aid negotiations should necessarily be driven exclusively by the stronger actor. Although the donor can indeed impose conditionalities on the recipient, withhold aid should it consider performance unsatisfactory, and possesses the ultimate decision-making power, the Senegalese case demonstrated that certain contextual factors permit aid recipients to retain some control particularly in the aid programming despite this being largely in favour of the donor. The following section will explore the reasons behind Ghana's inability to maintain the same level of control as witnessed in the Senegalese case. In so doing, it will become evident that although many of the structural conditions of power asymmetry are similar in both cases, Ghana has adopted a consensual strategy in its aid relations with the EC largely due to embedded aid dependence.

3.3 Explaining the EC-Ghana aid relationship

Despite important successes in the EC-Ghana aid relationship, and a generally positive donor-recipient relations, Ghana has not maintained control or exercised leverage in its aid relations with the EC. This lack of leverage has a threefold explanation: policy and institutional factors within the EC are perceived to constrain the government's room for manoeuvre; institutional capacity constraints faced by the government limit opportunities for asserting leverage and control; and contextual factors point to an embedded aid dependency which has led to aid-dependent behaviour on the part of the government. The government is focused on pleasing its donors rather than exerting ownership and control, leading to an overall passive or reactionary approach in which donors have taken more of a leadership role in directing aid relations.

3.3.1 *Perceptions of the EC as a donor*

Firstly, Ghana's leverage and control in aid relations with the EC has been limited largely because of the way the EC is perceived to limit government control. The EC's own aid procedures, institutional obligations, and policies are seen as constraining the government's possibilities to assume a leadership role. Several government officials have noted that although the GPRS is solidly in place and reflects the government's development goals, donors continue to push their own development agendas.⁷² This is especially true for project aid, where the terms of the agreement usually do not leave much room for negotiating country preferences. Whitfield and Jones note that:

⁷² *Ibid.* (G3; G4; G5).

Donors still come with their ready made project proposal, although they do some consultations in the relevant ministry, and the government has to negotiate changes ... but senior civil servants and Ministers show a varying degree of will to do so and seem willing to accept something closed rather than reject aid altogether ... Government officials and civil servants negotiate as far as they think they can on a particular loan or grant, but accept the aid package in the end, even if the policy and programmes attached to them do not adhere to a ministry's priorities or are seen by government negotiators as not particularly useful (2008a: 4, 23).

Ghana does not perceive itself to be able to maintain control during the programming phase, an area where Senegal instead, has managed to ascertain ownership by approving and allocating donor proposals according to the government's priorities (see above). Whitfield and Jones' observation, and interviews conducted, show that the government is reluctant to decline aid proposals even if these do not entirely fit its preferences, highlighting the extent to which the government remains constrained by aid dependence.⁷³ Furthermore, this indicates that traditional donor-recipient power relations, where donors use their financial leverage to drive national development strategies, and recipients have limited room for manoeuvre in terms of their preferences due aid dependence have remained largely in place in Ghana.

Yet Whitfield and Jones also state that "donors have a reputation for more or less flexibility on project design" noting that, for example, the US has often adopted a 'take it or leave it approach' when presenting proposals to the government, while the UK has tended to be more flexible when negotiating with Ghanaian officials (*Ibid.*: 23). Therefore, the combination of donor flexibility and the willingness and/or capacity on the part of the government to negotiate its preferences challenges the expected outcome in a situation of traditional power asymmetry between donors and recipients. Ghanaian officials claim that the possibility of negotiating its preferences in the EC aid framework especially during the aid programming phase, the formulation of the CSP/NIP, and reviews, is limited, with the EC considered "not very flexible" compared to other donors.⁷⁴ Opportunities for the government to put forward its own positions are limited to consultations and commenting on an already pre-formulated strategy. Although the programming process is considered somewhat participatory, in that the government is consulted, the government sees itself as confined to a rather reactionary role due to the fact that EC procedures surrounding project aid do not allow the government to initiate.⁷⁵

Secondly, Ghanaian aid officials consider the EDF an aid instrument that severely restricts country control over aid programmes and projects, because funds are allocated and

⁷³ *Ibid.* (G3; G8).

⁷⁴ *Ibid.* (G3; G4; G5; G8).

⁷⁵ *Ibid.* (G3; G4; G5; G8).

disbursed according to EC procedures and regulations, making the use of country systems minimal. Although Ghanaian public financial management has improved and the country's procurement system is considered to be "above average" (OECD 2008a: 4-5; Eurodad-GMF: 13), EC funding largely bypasses these in favour for the EC's own aid disbursement and implementation procedures.⁷⁶ In relation to this, government officials found it frustrating that ownership was often undermined because the EC bypasses the local or domestic level when contracting experts and/or companies to undertake EC-funded projects, while other multilateral donors, such as the UN and World Bank, firstly consult the local and national level when contracting experts. Although the allocation of contracts should ideally be at the discretion of the National Authorising Officer (NAO), it was noted that the EC exerts strong pressure in terms of its preference for tenders. Furthermore, officials argued that the allocation of contracts follows subjective criteria and is conducted on a project-by-project basis rather than according to standard criteria. In the EC's relations with Ghana therefore, "donor-employed or donor-contracted staff have often become instrumental in preparing and implementing programmes on behalf of the recipient state itself" (Fraser and Whitfield 2007: 15), thus failing to build-up local expertise in implementing the EC's aid, as well as forgoing government control over the execution of projects and programmes. Government officials considered this an imposition on ownership and a major weakness in their relationship with the EC as a development partner.⁷⁷

Thirdly, although aid volatility has improved, the EC's procedures are seen as contributing significantly to the remaining delays. According to officials, the EC operates according to complicated and stringent procedures, making the utilisation of funds difficult and complex (see also Eurodad-GMF: 23). Other donors were considered to have less complicated procedures and more predictable aid flows.⁷⁸ Some observers even placed the EC at the bottom of the donor list in terms of aid predictability and bureaucratic aid management procedures. Indeed, the disbursement of funds and the complexities of financing agreements are considered to be another major weakness of the EC in Ghana.⁷⁹

Furthermore, incomplete decentralisation to the delegation is seen as contributing to aid delays. On the one hand, government officials described the relationship with the delegation as cordial and constructive and were keen to note that the delegation respected the role of the NAO and the government's position.⁸⁰ On the other hand, the extent to

⁷⁶ The EC's use of Ghanaian public finance and procurement systems has actually dropped from 41% to 32% of all aid disbursed between 2005 and 2007 (OECD 2008; Eurodad-GMF: 13).

⁷⁷ Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5).

⁷⁸ *Ibid.* (G3; G4; G5; G8).

⁷⁹ *Ibid.* (G3).

⁸⁰ *Ibid.* (G3).

which the government could successfully project its own position onto the EC, and the delegation in particular, was seen as depending on the relationship between the delegation and EC headquarters in Brussels. In this regard, Ghanaian officials found that despite Commission reforms, and despite a very differing opinion from EC interviewees,⁸¹ devolution had not reached the level necessary to give sufficient autonomy to the delegation to make the aid process run smoothly, and give the government the necessary room to manoeuvre when negotiating with the delegation.⁸² This is especially so in comparison to other major donors in Ghana, such as the US, where decentralisation has provided officials with “considerable decision-making authority” and therefore improved relations with the government (Eurodad-GMF: 23). Although improvements have been noted, in that the delegation is now able to approve higher amounts of funding without having to consult Brussels, improvements are considered minimal. Indeed, the continuous need to consult Brussels contributed to the delays prominent in EC aid processes as well as created a significant disconnect between headquarters, the delegation, and the government.⁸³

In relation to this, government officials were also keen to mention that, just as in Senegal, the type of relationship constructed with the EC is highly dependent on the staffing situation in the delegation. Indeed, it was noted that although the high EC turn-over rate does create an obstacle to effective cooperation, at the same time it also allowed for “increased flexibility” or “a breath of fresh air” when new and dedicated incoming staff arrive at the delegation. Furthermore, it was noted that the importance of staffing in ‘making or breaking’ the relationship was more pronounced in relations with the EC than with other donors, indicating that this is an important element in providing the government with increased opportunities for reaching its preferences.⁸⁴

As in the Senegalese case therefore, Ghana tends to hold a rather negative perception of the EC’s capabilities as an effective donor. Although the EC’s financial strength makes it an important donor, its ineffectiveness instead confers the image of a donor that is often conflicted and constrained by its own administrative shortcomings. Yet unlike Senegal, the negative perceptions that Ghana has of the EC have not necessarily translated into a strategy in which the government can exercise leverage or control vis-à-vis the EC. It is argued below, that this is largely due to the fact that unlike Senegal, which has

⁸¹ EC interviewees in Brussels and Accra concurred that although the delegation cannot make disbursement decisions, the delegation was largely autonomous in their decision-making (Interview EC, Brussels: April 2008 (EC2); Interview EC delegation, Accra: September 2008 (EC19)).

⁸² Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

⁸³ *Ibid.* (G3; G4; G5).

⁸⁴ *Ibid.* (G3; G4; G5).

a strong conviction of government ownership, Ghana perceives its own power and capacity to exercise leverage and control vis-à-vis the EC as severely limited and constrained. This can be explained by the different contextual factors, as per Table 1.3 in Chapter 1, operating in the Ghana-EC aid relationship

3.3.2 *Institutional factors*

As in Senegal, Ghana's inability to exercise leverage and control vis-à-vis the EC can be partially explained by institutional capacity constraints. EC interviewees note that the role of the NAO is weak in Ghana, mainly due to understaffing and a lack of technical expertise.⁸⁵ Ghanaian officials too acknowledge that due to the complexities typical of interactions with the EC, the government finds it difficult to assert ownership. Indeed, the transaction costs in dealing with the EC portfolio are considered much higher than those for any other donor, while MoFEP, and the EU desk in particular, are restrained in resources and technical expertise.⁸⁶ One Ghanaian official noted that the delegation was in a much stronger position to negotiate with the government because they had more technical capacity and information at their disposal. Furthermore, both the EC and government officials consider that the government's limited role can also be explained by coordination problems experienced within the government itself. In this regard, designating MoFEP as the central coordinating agent for development aid has increased competition amongst the different line ministries, which previously coordinated and negotiated directly with donors, but must now go through MoFEP to receive funding (Woll 2008: 80). The move has also required increased internal communication mechanisms to be put in place between MoFEP and the different line ministries. At present however, communication amongst the different ministries is considered insufficient for pursuing the government's aid preferences and administering the implementation of aid.⁸⁷

Thus, Ghana's lack of leverage and control can be partially explained by the EC's position as a donor and the constraints it places on the government, and by the limited institutional capacity of the Ghanaian government. Yet in the Senegalese context, aid officials perceived the EC's position and weaknesses similarly to their Ghanaian counterparts, and institutional capacity constraints were also present, if not more pronounced. Therefore other explanations need to be considered in accounting for the lack of leverage and control in Ghana's aid relations with the EC.

⁸⁵ Interview EC, Brussels: April 2008 (EC2).

⁸⁶ Interviews Ghanaian government, Accra: September 2008 (G3; G4; G5; G8).

⁸⁷ *Ibid.* (G3; G8); Interview EC delegation, Accra: September 2008 (EC19).

Ghana's aid dependence, and the extent to which this has driven the government's behaviour towards donors, is a crucial factor in the country's negotiating strategy towards donors. Indeed, in its aid relationship with the EC, Ghana exhibits some of the characteristics often found in aid-dependent countries, which in Ghana are present not only at institutional level, but are embedded politically, significantly affecting the government's way of dealing with its donors. As Whitfield and Jones indicate, "Ghana is aid dependent, but ... aid dependence is about much more than the size of aid flows. Aid dependence is a way of working within the aid receiving government, of relating to donors, of negotiating aid" (2007: 1).⁸⁸ Aid-dependent behaviour has led to a situation in which Ghana has focused on pleasing its donors rather than exerting ownership and control over its national strategies, and has led to an overall passive or reactionary approach in which donors have taken more of a leadership role in directing aid relations (Whitfield 2005, 2006; Whitfield and Jones 2007, 2008; Woll). To a large extent, the intense presence of and long-standing relations with donors have led to a "general negotiating strategy which starts by recognising its [the government's] own subordination. By doing so, it fundamentally undermines its negotiating strength and perpetuates its weakness" (Whitfield 2008: 350). In Ghana, "the government ... speaks the donor discourse and wants to be seen as a 'good partner', using that as a source of negotiating capital" (Whitfield 2008: 347), but this has not conferred it with leverage or control. Yet, as will be demonstrated, the economic, strategic, ideological, political factors which have allowed Senegal to maintain control in the aid programming phase of aid relations with the EC, in Ghana have failed to favour government control over its relations with the EC.

3.3.3 *Economic factors*

In the absence of alternative financing resources and faced with economic decline and a growing debt burden in the 1980s and 1990s, the Ghanaian government led by Jerry Rawlings and the National Democratic Congress (NDC), came to rely increasingly on assistance from donors to finance its development activities, while undertaking a macroeconomic reform process driven by the advice and conditions from IFIs and major donors (BTI 2007: 18; Whitfield and Jones 2008). The far-reaching economic reforms by the government have made Ghana one of the most successful reformers in Africa (Tsikata 2001). Yet the intense involvement of donors and IFIs in these reforms also set the scene

⁸⁸ Importantly however, "an embedded aid system does not mean that donors ultimately control governments, that they can always get their policy preferences implemented, nor that they are the most powerful actors involved in governance processes. It simply means that they are important and seemingly permanent players within the state, within policymaking, and within the political landscape" (Whitfield: 444).

for a situation “where donors have a large influence on policy and participate intimately in policymaking and implementation processes” (Whitfield 2008: 346). In 2001, the New Patriotic Party (NPP) led by John Kufuor won elections, ending the near 20-year NDC rule. The NPP promoted a strong development vision, focused on strengthening private and manufacturing sectors. Yet the new government was also faced with a severe economic crisis caused by rising oil prices and a sharp decline in the price of commodity exports. Furthermore, it inherited what has been termed an embedded aid system, in which,

donors are embedded within the state. This position results not only from their financial contributions to the budgeting process. Donors have also routinised and semi-institutionalised the ways in which they interact with state institutions, and in which they participate in the design, implementation and monitoring of government programmes and policies (Whitfield 2006: 144; see also Whitfield and Jones 2008: 195-197).

The combination of this intense influence by external actors, a looming economic crisis, and the lack of alternative economic resources available to the government, consequently limited the government’s room for manoeuvre vis-à-vis donors and control over national development strategies. Although the government’s development policies are seen as government-owned, these were namely derived to please donors, rather than with the developmental needs of the country in mind (AFRODAD 2007: 28; see also Killick and Abugre 2001: 20; Whitfield 2005, 2006; Woll 2008). Beyond the formulation of its development framework, similar behaviour on the part of the government is found in relation to the government’s reform agenda which was not only initiated by donors but which was also largely oriented towards fulfilling donor requirements for increased accountability and transparency (AFRODAD). It is thus evident that “Ghana needs the support of ... development partners more than they need Ghana. The dire economic straits of the country underpin the need for strengthening of relations with the wider international community ... the government has therefore gone to great lengths to deepen relations [with donors]” (Boafo-Arthur 2007: 244).

A recent change in Ghana’s economic position may, however, affect the government’s leverage and control vis-à-vis donors in the future. Indeed, as Whitfield appropriately notes:

With an upsurge in economic growth and access to new sources of finance from China and the international capital market ... the government has more room to pursue its development vision, set its own policy agenda and implement it with new resources, with or without the support of traditional donors ... The issuing of commercial debt, the discovery of oil, and increasing loans, grants, and trade with China may also be giving this Ghanaian government the self-confidence that previous governments have lacked. (2008: 347-348).

Indeed, “all these factors imply that Ghana, the donor darling, is becoming less dependent on classic donors” (Schmitt: 3). Although at present it is somewhat premature to consider a significant change in the governments’ negotiating strategies, at the same time, this point is important to consider because it further highlights the extent to which economic factors interfere in power asymmetry between recipients and donors and confer increased leverage and/or control upon the weaker actor. Furthermore, this further shows that when a country is highly dependent on foreign aid, and lacks alternative resources, it is much less likely to pursue a strategy that may go against the preferences of the stronger actor.

3.3.4 *Strategic factors*

The *EU Strategy for Africa* acknowledges that Ghana is part of a group of “stable countries (that) play an essential role in stabilising their regions and setting an example of what can be achieved in a favourable political climate ... In west Africa, Ghana is the prime example of a well-governed and stable country which has been able to convert economic growth into tangible development achievements” (CEC 2005b: 10). This image of Ghana as a ‘success story’ has led to the country becoming an ‘aid darling’, and has assisted Ghana in maintaining favourable relations with donors. One EC official claimed that the need to identify a ‘success story’ in the EC’s development efforts in Africa, has afforded Ghana certain privileges as an aid recipient, in that the EC has the tendency to “go with closed eyes and even overlook certain under-achievements” when, for example, development goals or conditions are not fully met.⁸⁹ At the same time however, unlike Senegal, Ghana’s status as a ‘success story’ is policy-oriented rather than politically-oriented, in that its success is based on its willingness and ability to implement reforms, adhering to donor-imposed conditionalities, and its economic and democratic stability. Although this allows Ghana to receive high aid allocations and maintain cordial relations with donors, it has not led to leverage or control.

Ghana has “proven to be a cooperative, constructive, reliable and dynamic partners in the international arena, especially in the sub-region” (BTI 2007: 22), where the foreign policy of Kufuor and the NPP consisted in building cordial relations with the region through a policy of ‘good neighbourliness,’ or pursuing international donors and IFIs through economic diplomacy to raise awareness of Ghana’s economic and developmental

⁸⁹ *Ibid.* (EC12); Tsikata (2001) has also pointed out that during the 1980s, the IMF and World Bank were also flexible in their application of conditionality towards Ghana, largely because reforms seemed to be working and the government gave a sense of commitment to the reform process.

problems (Boafo-Arthur 2007).⁹⁰ Although the NPP government “successfully chartered a vibrant sub-regional policy that has enhanced the country’s reputation both as a peaceful country and a peace-maker” (*Ibid.*: 242), Ghana’s international efforts have had a manifest economic bias with a view to attaining national development objectives and have been directed towards maintaining stability in the region with a view to maintaining internal stability within Ghana (*Ibid.*: 225), rather than establishing it as a regional and continental leader capable of influencing wider policy processes and outcomes. Furthermore, unlike Wade’s dynamic and sometimes controversial position as a continental leader, former President Kufuor, “among his African colleagues, is not considered competent in matters concerning international affairs and conflicts” (BTI: 22). Even in the trade and migration fields, Ghana’s position as a regional leader has been modest compared to Senegal, where the country’s influence at the ECOWAS level has been overshadowed by the influence of the UEMOA (Union économique et monétaire ouest-africaine), and where it has not actively participated in any regional schemes on migration (see Chapters 5 and 7). Indeed, according to Edi, while Ghana’s strategic position within the region rests mainly on its political maturity and its democratic and economic stability, Senegal’s derives mainly from “its diplomatic offensives in West African affairs,” and its military commitments, in addition to its relative political stability (2007: 166-167). Therefore, “despite Ghana’s important role within West Africa as a relative haven of democracy and political stability, and as a potential model for its neighbours,” and its successes in implementing economic reforms, Ghana’s potential for using this strategic position to exercise leverage on the EC is actually quite limited, because the “security and economic interests [in Ghana] for the EU are low” (Crawford 2007: 186). This thus further confirms that although a country’s ability to construct itself as a success story may lead to high aid allocations, it does not necessarily lead to leverage or control. Instead, it is a country’s ability to construct itself as a strategic actor for political reasons in the eyes of donors, rather than for policy reasons based on its good reform record that allows for a stronger position to exercise leverage and control.

3.3.5 *Political factors*

Lastly, Ghana’s political environment has contributed to the government’s inability to exercise leverage and control, in that the entrenchment of aid dependency in domestic politics has shaped the government’s preferences and consequently its consensual

⁹⁰ During his rule from 2000 to 2008, Kufuor assisted in the peace effort in neighbouring Liberia and Ivory Coast, and submitted Ghana to the first peer review by NEPAD. Ghana has been active at regional level through its participation in the ECOWAS, and at the continental level, through its involvement in the African Union (AU).

negotiating strategy. Ghana's political environment is characterised by highly competitive party politics and "a distinct tradition of political parties that are attached to certain ideologies not evident in many other African countries" (BTI 2007: 9). Intense electoral competition has led to pressure on the government to deliver visible goods and services in the short term to meet high expectations of its constituencies (Whitfield and Jones 2008: 195; see also Hutchful 2002). This pressure to deliver and the focus on staying in power has discouraged government officials from pursuing policies or programmes that do not fit donor priorities to secure donor funding. The government came to negotiate "on donor-initiated programmes, policies, and projects, under the strategy of maximising aid inflows" (Whitfield and Jones: 188). Furthermore, the government also developed a 'let the donors do it' approach particularly towards increasing budget support and donor coordination, which have been mainly initiated, led and run by donors, with the government acting as a participant rather than a leader.

Ghana's consensual negotiating strategy highlights the extent to which aid dependence tends to be both institutionally and politically entrenched in its relationship with major donors. In the Senegalese case aid dependence is institutional, in that it constrains the effective administration and implementation of aid. But dependence has not led to decreased government control over development strategies or in exhibiting sometimes difficult and averse behaviour in aid negotiations in order to gain increased concessions. In the Ghanaian case, although the institutional elements of aid dependence are also present, political elements such as the tendency to manage aid relations according to donor preferences (pleasing the donor) and allowing donors to take overall responsibility for the aid framework with minimal government leadership (let the donors do it) have led to a strategy which favours cordial relations with donors in order to receive maximum aid allocations, rather than opting for government control at the possible expense of forgoing aid. In its aid relations with the EC therefore, the Ghanaian government was not able to exercise leverage nor maintain control.

4 Comparisons and Conclusions

Based on the two case studies of Senegal and Ghana, three overall conclusions can be drawn about the extent to which recipient countries are able to exercise leverage and control in aid relations with the EC. Firstly, many of the constraints faced by the EC in turning its rhetoric on development into coherent and effective actions do indeed affect its position vis-à-vis recipients and the outcomes and processes of its aid relations. In this regard, the case studies demonstrated that although power asymmetry characterises aid

relations, it is nevertheless crucial to establish that *both* parties face limitations and constraints. Constraints faced by the donor can partially explain why donor-recipient relations are more complex than just merely favouring the structurally stronger actor. They show that power asymmetry is largely relational, in that strengths and weaknesses faced by donors have a significant impact on the recipients' negotiating strategy and consequently their ability to achieve their preferences vis-à-vis a stronger actor.

The case studies clearly illustrated that the Commission's procedures in managing aid in cooperation with recipient countries continue to be difficult, bureaucratic, and not necessarily conducive for government ownership over the implementation of EC aid. In both cases, government officials tended to view the EC as one of the worst performers in terms of the complexities of its administrative procedures and the predictability of its aid disbursements. This not only constrains the government's position toward the EC, but it also significantly affected the overall effectiveness of the EC's aid contributions, as these were often delayed or unimplemented. These findings therefore give further weight to the notion that regardless of the major reforms undertaken in the Commission's development policy, its capacity to deliver an effective and flexible policy remains severely constrained, and these constraints in turn impact the EC's position as a development actor not only vis-à-vis other relevant donors, but also vis-à-vis the recipient country.

In addition, decentralisation from Brussels to the delegations has not been perceived to have sufficiently taken hold in either country. The limited decision-making power afforded to the staff on the ground is considered to be a major bottleneck in establishing successful and effective communication between the EC and the government. Indeed, as will be shown in the following chapters, the relationship with the delegation and especially the expertise of delegation staff is a recurring element shaping the recipient government's approaches and strategies vis-à-vis the EC. The case studies also highlight that "personalities" or individuals matter in terms of assisting countries' in meeting their demands or in making or breaking a successful aid relationship, and that this is seemingly very pronounced in the EC's relations with recipient countries. A change in the delegation staffing situation assisted Senegal in attaining its preferences for increasing budget support, while in Ghana, staffing changes were seen as facilitating communication and dialogue, consequentially resulting in improved aid disbursements. At the same time, the "power of individual personalities" or rather "the dependence on committed individuals also makes (aid) processes quite vulnerable, particularly in countries where there is a high staff turnover rate" (Eurodad-GMF 2008: 24). In general, the roles of the delegation vis-à-vis Brussels and delegation staff vis-à-vis the recipient government can be considered a crucial

element in providing a recipient government with negotiating room. In sum, the case studies have shown, that as posited in Hypothesis 2a, if the EU is perceived to be inconsistent or even incapable of negotiating or implementing policies, this negatively affects actors' perceptions of the EU's ability to exercise power. In this sense, while the EU may raise external actors' expectations in terms of what it is structurally capable of, the inability to meet those expectations due to constraints or incapability or even unwillingness can considerably affect perceptions.

A second finding to come out of the chapter is that although in highly aid-dependent countries such as Senegal and Ghana, power asymmetry between the donor and the recipient is a reality, recipient governments have shown various degrees of leverage and control in their relations with the EC. Both Senegal and Ghana recognise the EC as having ultimate decision-making power when it comes to how much and what kind of aid to allocate, and when and how to disburse it. Despite this evident asymmetry however, recipient countries do have some room for manoeuvre in negotiating their preferences vis-à-vis a donor such as the EC. While neither country demonstrated to have exercised leverage, the cases however confirm that asserting government control is possible despite power asymmetry.

As per the definition of leverage in Chapter 1, which refers to an actor placing its interests on the agenda and modifying or shifting the behaviour, decision, or preferences of others, in neither of the cases can the countries be considered to have successfully exercised leverage in its aid relations with the EC. As a matter of fact, the case studies instead demonstrated that to a large extent, preferences between EC and the recipient country often converged, as the case of budget support clearly outlines. In fact, donor and recipient preferences have seemingly been dictated by the trends of the larger international aid environment, currently embodied in the Paris Declaration (advocating donor coordination and harmonisation of practises, aid effectiveness through increased predictability of aid flows, and increased government ownership through participation and dialogue). The Commission thus wants to be seen as a good donor capable of delivering timely and effective aid, while the recipients want to receive more predictable and effective aid while minimising the conditionalities attached to it (see Whitfield 2008). This implies then, that in the case of Senegal and Ghana, outcomes of the aid relationship may be mutually agreed, and be mutually agreeable, and this is not necessarily as a result of the exercise of leverage by either the donor or the recipient, but rather as a result of broader international trends in aid which both the Commission and the countries have tended to adhere to. But if their preferences converge, thus averting the exercise of leverage, can the same be said for

control? Different from leverage, control does not imply that one actor can influence another to accept its preferences, but rather it refers to the ability of an actor to conduct relations with other actors according to its own terms and own initiatives rather than those imposed or influenced by others. While the exercise of leverage was not present in aid relations between the EC and Senegal and Ghana, there is some evidence of government control.

The Senegalese case demonstrated that government initiative in adopting a donor-supported reform agenda, an important strategic position congruent with EU interests, a strong shared sense of the government's negotiating strengths and capabilities, and the intention to maintain ownership over national strategies provided Senegal with the confidence to assert control over its development priorities, while resisting initial EC reluctance to increase its budget support allocations. Although, as in Senegal, the EC's strategies in Ghana are aligned with the government's development framework, the fact that this framework is not entirely country-owned and the limited room for country ownership afforded in the negotiation and administration of EC project aid, as perceived by Ghanaian aid officials, differentiates Ghana from Senegal. As Ghana's main preference has been to prioritise the maximisation of aid flows over government control, the government has taken on a more consensual approach, confining its role to consultation once the EC's country strategy is already in place.

The case studies also gave significant insight into just how contextual elements have actually favoured or prevented government control in aid relations. In this regard, many of the propositions posited in Chapter 1 on the conditions for leverage and control have indeed been shown in the case studies. Firstly, at the economic level, the lack of availability of alternative resources to finance development activities severely constrains governments' room for manoeuvre, and more importantly impacts the type of relations governments construct with donors. Secondly, a government's ability to initiate successfully a macroeconomic reform agenda and refer to its efforts in aid negotiations with donors can also assist in its pursuing its preferences vis-à-vis the donor. At the strategic level, the differences between Ghana's and Senegal's influential positions at the regional level, and the extent to which their regional efforts are congruent with the EU's interests have also impacted their position in negotiations with the EC. Indeed, despite its poverty, Senegal's regional diplomatic efforts have a notable impact on its relations with the EU in all three policy fields examined in this thesis, indicating that a country's regional presence and the strategic position in which this places the country is an important factor in exercising leverage vis-à-vis the EU. Lastly, at the political level, the presence of a

competitive party system in Ghana has required the government to pursue cordial relations with donors, in order to maximise aid flows. This has contributed to the creation of a politically-embedded aid system, in which government control has been bypassed. In Senegal, an overall consensus on government strategies amongst Senegalese elite combined with a strong electoral mandate has instead provided the government with a strong negotiating mandate and a strong conviction that policies should be duly defended and promoted vis-à-vis donors.

Finally, aid dependence, and specifically its level of entrenchment at the institutional and/or political levels in recipient countries impacts a country's ability to exercise leverage and control. In Senegal, institutional aid dependence made for weak capacity in administering aid and managing its many donors. In Ghana, aid dependence is more entrenched at the political level, impacting the government's position and negotiating strategy vis-à-vis the EC. The Ghanaian government is more constrained by its willingness to please the donor or by the tendency to let donors drive aid processes and outcomes, largely because aid dependence had led to "relationships becoming so routine that negotiators know what different donors want to see in national plans and sector strategies and pre-empt donor preferences in order to be seen as willing reformers and to gain maximum finance and favour" (Fraser and Whitfield 2007: 14). Indeed, the case of Ghana demonstrates how embedded aid dependence can, "undermine the government's negotiating strength, in the sense that it undermines the government's willingness to develop and pursue its own policy agenda and to mobilize domestic public support around it" (Whitfield 2008: 355).

In sum, Ghana and Senegal are structurally weaker than the EC, and certainly, the EC maintains ultimate decision-making power in its aid relations with the countries. However, within this structural environment, firstly, both the donor *and* the recipient are often constrained in their room to manoeuvre vis-à-vis one another, and secondly, contextual factors intervene so as to allow some government control over its aid relations with the EC. The next two chapters will explore the extent to which this power asymmetry operates in the EU's trade relations with African countries.

Chapter 4

Economic Partnership Agreement (EPA) negotiations and constraints on the EU as a trade negotiator

The purpose of this chapter is threefold: firstly, to explore the dramatic changes in the EU's trade policy towards Africa; secondly, to analyse how these changes have impacted on the EU's relations with Africa; and thirdly, to establish the EU's constraints and capacities in exercising power as a trade negotiator with Africa. The EU-ACP negotiations, from 2002 to 2009, aimed at establishing regional Economic Partnership Agreements (EPAs) have been difficult and consistently plagued by stalemate. While the EU maintains that the ACP will reap enormous benefits from the EPAs, scholarship, opinion from civil society, and many of the ACP themselves point towards potentially detrimental effects of the EPAs on development. The EPAs significantly challenge the dynamic of the long-standing EU-ACP relationship by dramatically altering non-reciprocal trade preferences and dividing the ACP into smaller regional groupings. Many African countries contend that the EU's negotiation platform has been beset by inconsistency between rhetoric, which emphasises cooperation, flexibility, and developmental concerns, and the actual negotiating approach, which focuses on securing trade gains and the EU's position in international trade. The EU, on the other hand, contends that the EPAs are positive trade tools for development encouraging economic reform, regional integration and free trade, and will integrate the ACP into the global economy, while maintaining and renewing the unique ties between the EU and ACP. Due to the contentious environment of the negotiations, and the divergence in views between the negotiating parties, EPA negotiations constitute a significant and valuable area for investigating the possibility of weaker actors exercising leverage and control vis-à-vis a stronger actor.

This chapter illustrates that similar to the case of aid, in the EU's trade relations with Africa a significant power asymmetry exists. This is because of the sheer size of the EU's market, its vast experience in conducting trade negotiations at the international level, compared to the extreme marginalisation of most African economies at the global level and the significant capacity constraints faced in terms of human resources and technical expertise in the field of international trade. Unlike newer policy areas in EU-Africa relations (see Chapters 6 and 7 on migration), where the EU may have fundamental interests in seeking out cooperation with certain countries for strategic purposes, in trade,

the EU does not have particular strategic interests in most African countries. Thus, their structural bargaining strength is significantly weaker than that of the EU, the primary market for African exports (see Orbie and Faber 2007). The EU, therefore, seemingly “holds almost all the cards: market power (access to the common market); financial power (development assistance); and negotiating muscle” (Draper 2007: 20). However, also similar to the aid case, the EU faces constraints in projecting its preferences fully onto African countries because political and institutional factors limit its potential to convert its economic power and experience into preferred outcomes. This by no means suggests that the EU is incapable of conducting trade negotiations, on the contrary, “the European Union is in fact capable of some degree of strategic action ... When push comes to shove, the EU is more often than not capable of prioritising its interests and hammering out a relatively coherent policy line” (Pilegaard 2003: 11). At the same time, there are limits to the EU’s power that have important implications for the way in which the actors negotiate and formulate their own demands.

The chapter provides a brief description of how EPAs have created a significant shift in EU-ACP trade relations, and the consequences of this on the ACP group. The second section will argue that this shift can be largely explained by the instrumentality that this provides the EU for obtaining economic and strategic interests as a trade power and legitimising its ‘actorness’. A third section examines the type of power relationship that exists between the parties in the context of trade negotiations, and argues that regardless of the EU’s structural power, as a trade negotiator it faces institutional and political constraints including policy incoherence, limited coordination, and divergences between the Commission and the Member States/Council, and within the Commission, between the different directorate generals (DGs) responsible for external policies. It is argued that these constraints have impacted the EU’s negotiating position vis-à-vis African countries, because of how this influences their perceptions of the EU which in turn shape their own negotiating strategies.

1 A Shift in EU-ACP Trade Relations

For nearly three decades, the Lomé Conventions granted the ACP non-reciprocal trade preferences, providing duty-free access to the EU's market for most exports. This was sustained through a World Trade Organisation (WTO) waiver, allowing EU-ACP trade relations to override adherence to the Most-Favoured-Nation (MFN) rule (the principle of non-discrimination in trade preferences amongst WTO members). With the waiver expiring at the end of 2007, in 1996 the EU introduced the concept of the EPAs as an alternative trading scheme.¹ These would establish a new framework in which trade relations could be fully compatible with WTO requirements, while simultaneously promoting “sustainable development of the ACP States, [facilitating] their smooth and gradual integration in the world market, and [contributing to the] eradication of poverty” (ACP Secretariat 2002: 1, 5). The EPAs would gradually remove significant trade barriers between the EU and the ACP, by liberalising “substantially all trade”² in a ‘development-friendly’ manner.³ The EPA negotiations required the EU and the ACP to negotiate regional Free Trade Agreements (FTAs), with provisions in three key areas:

- Trade in goods, where discussions centred around which products would be subject to tariff elimination, the transition period for reciprocal market access and tariff elimination, and safeguards and special arrangements for sensitive products;
- Trade in services⁴ and trade-related areas, removing barriers to trade in competition policy, investment, intellectual property rights, sanitary and phytosanitary measures

¹ As stipulated in the Commission's 1996 *Green paper on relations between the European Union and the ACP countries on the eve of the 21st century*.

² As stipulated in Article XXIV, Clause 8, of the General Agreement on Tariffs and Trade (GATT).

³ Countries opting out of the EPA scheme could continue trading with the EU either under the Generalised System of Preferences (GSP), which is WTO-compatible because it provides *all* developing countries with non-reciprocal, non-discriminatory and autonomous trade preferences by allowing their exports to enter the EU at lower tariffs, but does not cover all exported products and erodes preferential trade as competition is amongst all developing countries; or the Everything But Arms (EBA) initiative, granting non-reciprocal duty and quota free access to all products aside from arms to Least Developed Countries (LDCs), also WTO-compatible, because it allows for special treatment of such countries.

⁴ ‘Services’ covers sectors such as health, construction, tourism, hotels and restaurants, maritime transport, legal services, accounting, architectural services, engineering, information and communications technology, audiovisual services, wholesale and retailing, environmental services, insurance and entertainment. The General Agreement on Trade in Services (GATS), a WTO treaty entering into force in 1995, aimed to liberalise trade in services amongst WTO members in four areas: Mode 1 - Cross border trade, or the delivery of a service from the territory of one country into the territory of another country; Mode 2 - Consumption abroad, or the supply of a service of one country to the service consumer of another country; Mode 3 - Commercial presence, or services provided by a service supplier of one country in the territory of another country, and Mode 4 - Presence of natural persons, or services provided by a service supplier of one country through the presence of natural persons in the territory of another country.

(SPS), standardisation and certification, public procurement, labour standards, data protection, and environment;

- The development ‘dimension’, providing mechanisms to meet both the adjustment costs and address the supply-side constraints facing the countries in implementing the agreements.

In 2002, the EU and the ACP began negotiations on EPAs. In the first phase, which lasted for little over a year, the negotiating parties were the ACP group as a whole and the Commission, and sought to identify the main objectives and structure of the subsequent regional negotiations. The second phase of negotiations, from 2003 to 2007, consisted in negotiations between the Commission and six regional configurations: Central Africa, East and Southern Africa, Southern Africa, West Africa, the Caribbean, and the Pacific Islands (see Table 4.1). In 2008, the negotiating parties embarked on a third (and initially unforeseen) phase, as agreement failed in the most contentious of issue areas, namely trade in services, trade-related areas, and the development dimension, which left the negotiations for the most part unsettled by their expected termination date of December 2007.

1.1 Regionalisation of the ACP

The first phase of negotiations was characterised by general failure of ACP negotiating efforts. While in principal the ACP group clearly expressed the intent to maintain the “overriding principle of unity and solidarity in their approach to the EPA negotiations”, acknowledging that “it will be easier for the ACP to secure a better deal from the EU if they negotiate collectively than if they negotiate at an individual, regional or sub-regional level” (ACP Secretariat 2002a: 5), in effect, ambitions to maintain unity were unsuccessful. After only seven months of negotiations, the parties reached a decisive stalemate over the framework and principles of EPAs: the ACP wanted a binding agreement on guidelines for the second phase of negotiations at the regional level, but the Commission maintained that the first phase served merely as a forum for clarification of issues thus making a binding agreement unnecessary. As a result of a high-level political compromise between the Commission and the ACP, the first phase concluded in October 2003 with a Joint Declaration and Joint Report serving “as a point of reference, and to provide guidance, for the negotiations to be conducted at the regional level.” However:

On the whole, the first phase of all-ACP negotiations can be seen as a failure for the ACP and somewhat of a victory for the EU. Indeed, the ACP Group claimed to keep its cohesion, and defend common interests throughout these negotiations. Yet, they

reached no substantive agreement with the EU after one year of “negotiations”, that were in fact closer to discussions of clarification. (Bilal and Grynberg 2007: 18).

While the EU successfully advanced its interests, the ACP failed to secure its position as a unitary group. According to ACP officials, EU pressure to negotiate along regional lines damaged the group’s ability to negotiate with single unitary strength.⁵ In fact, while the ACP opposed commencing the second phase of negotiations without first finding satisfactory agreement at the all-ACP level, the Commission pressured regional groups to commence negotiations even before the first phase was completed (Bilal and Grynberg: 5). Decisions by the Economic Community of West African States (ECOWAS) and the Communauté Economique et Monétaire d’Afrique Centrale (CEMAC) in April 2003 to launch the second phase of negotiations without agreement in the first phase, undermined ACP unity and gave clout to the Commission’s position to commence regional-level negotiations (Third World Network 2003). In effectively dividing the ACP into regional groupings, EPA negotiations significantly altered the composition of the country bloc, and signalled “a clear change of paradigm in the ACP-EU partnership,” and perhaps more dramatically, “mark[ed] the end of the specificity of the group of ACP countries in their relations with the EU” (Bilal and Grynberg: 5; see also Hurt 2003 and Farrell 2005: 269).

While the division of the ACP has weakened the group’s status as a ‘special’ and ‘privileged’ partner, the regional integration efforts that EPAs are expected to build upon, reinforce and consolidate, have posed their own set of problems and difficulties for the ACP. Firstly, conflicting and mixed loyalties and obligations within some of the regional groupings, particularly in Africa, where membership of previously existing regional integration projects often overlaps, has required some countries to choose one grouping over another, and has “likely exacerbate[d] a situation that is already inchoate and fragmented” (Farrell 2005: 269). For example, in the West African configuration two regional bodies are responsible for negotiating the EPA with the EU, namely the ECOWAS, a regional grouping of 15 Anglophone, Francophone and Lusophone countries, and the Union Economique et Monétaire Ouest Africaine (UEMOA), a customs and monetary union between 8 mainly Francophone countries. While the ECOWAS Secretariat actually services the EPA negotiations, the UEMOA also participates. Yet as illustrated in the next chapter, although both regional groupings are West African, significant tensions between the two groups has often stifled progress in finding a common position. Although the actual compositions of the regional groups were decided by the ACP, and were largely

⁵ Interviews Namibian diplomats, Berlin: March 2008 (N1); Brussels: April 2008 (N2); Interview Ghanaian government official, Brussels: April 2008 (G1).

based on already ongoing regional integration processes, according to some African officials the Commission pressured countries to choose certain configurations over others.⁶

A second consequence of regionalisation is that of a potentially artificial and forced regionalisation process driven by the preferences and interests of an external actor rather than by those of the region (Bilal and Grynberg 2007: 15; Bilal 2004). Bilal and Grynberg contend that unless EPAs allow the ACP to retain significant room for determining the composition, pace, and format of regional integration, there exists a “danger that considerations about the relationship with the EU take precedence over regional concerns” (2007: 15). Indeed, the conclusions of the second round of negotiations at the regional level have clearly highlighted the difficulties facing regional integration efforts with the EU acting as the external guarantor. At the end of 2007, except for the Caribbean, no region signed a full EPA. In fact, most African non-LDCs (except for Nigeria, the Republic of the Congo, Gabon and South Africa) and two Pacific non-LDCs initialled interim goods-only agreements by the 2007 deadline, thus guaranteeing the continuation of trade preferences beyond 2008, while the negotiations were forced to continue throughout 2008 and 2009 on unsettled issues.⁷ In West Africa, for example, only Ghana and Ivory Coast initialled an interim EPA, while only Ivory Coast actually signed in 2008. In Southern Africa, all countries except for South Africa initialled, while South Africa, Angola, and Namibia are refusing to sign, leading to a situation in which integration efforts could be undermined unless all countries eventually sign a full regional EPAs. Although attempts at regional integration are by no means new to Africa, these processes have been difficult to consolidate in the past, and have often been considered more artificial rather than truly substantive (Bilal 2004: 6-7; Ravenhill 2004: 134). Weak integration projects have limited Africa’s and the ACPs capacity to negotiate effectively with the EU not merely because of apparent institutional capacity constraints but also due to diverging goals, objectives and interests between the countries. Indeed:

political will [amongst the countries] may be insufficient [for collective agreement]. Conflicting interests may generate tensions within the region. Even in the presence of explicit commitment to negotiate as a group, weak institutional capacity may prevent many groupings from effectively defending the interests of their members during the negotiations with the EU (Bilal 2004: 14)

and this can potentially harm the implementation and functioning of the EPAs.⁸

⁶ Interviews Namibian diplomats, Berlin: March 2008 (N1); Brussels: April 2008 (N2).

⁷ The timeline of the negotiations became a particularly heated issue of contention between the ACP and the Commission. The Commission refused to request another WTO-waiver, but in October 2007 it proposed interim goods-only agreements. Non-LDC countries that did not sign an interim agreement as of January 1, 2008 are trading under the EU’s GSP regime.

⁸ Interview Ghanaian government, Brussels: 01 April 2008 (G1).

Table 4.1: EPA regional groupings,⁹ (June 2009)

Caribbean+	Central Africa	Eastern Africa*	Eastern & Southern Africa	Pacific Islands	Southern Africa	West Africa
Antigua & Barbuda	Cameroon**	Burundi	Comoros*	Cook Islands	Angola	Benin
The Bahamas	Central African Rep.	Kenya	DR Congo	Fiji Islands*	Botswana**	Burkina Faso
Belize	Chad	Rwanda	Djibouti	Kiribati	Lesotho**	Cape Verde
Dominica	Congo	Uganda	Eritrea	Marshall Islands	Mozambique*	Gambia
Dominican Republic	Gabon	Tanzania	Ethiopia	Micronesia	Namibia*	Ghana*
Grenada	São Tome & Príncipe		Malawi	Nauru	S. Africa ¹¹	Guinea
Guyana			Mauritius*	Niue	Swaziland**	Guinea Bissau
Haiti	<u>Observer</u>		Madagascar*	Palau		Ivory Coast**
Jamaica	Equatorial Guinea ¹⁰		Seychelles*	P. N. Guinea*		Liberia
Montserrat			Sudan	Samoa		Mali
Saint Lucia			Zambia*	Solomon Islands		Mauritania
St. Kitts & Nevis			Zimbabwe*	Tonga		Niger
St. Vincent & Grenadines				Tuvalu		Nigeria
Suriname				Vanuatu		Senegal
Trinidad & Tobago				<u>Observer</u>		Sierra Leone
				Timor-Leste		Togo

+ Indicates region/country that signed a comprehensive EPA
* Indicates region/country that has initialled an interim EPA
** Indicates region/country that signed an interim EPA

1.2 Why the shift? Underlying motives

The major overhaul of EU-ACP trade relations has been justified by the EU by the need for WTO-compatibility. The Lomé trade framework clearly discriminated against other developing countries facing higher trade barriers than the ACP and these practices were thus challenged by other WTO members, forcing the EU to give heavy concessions to obtain and maintain the waiver.¹² The Lomé framework significantly jeopardised the EU's negotiating position vis-à-vis emerging economic powers in the developing world, such as China, India, and Brazil, and compromised EU interests in securing a competitive position in these growing and upcoming markets (CEC 1995: 6; Babarinde and Faber 2007: 28-29; Orbie and Faber 2007). It has been argued that while the issue of WTO compatibility does indeed form the discursive element surrounding the need for EPAs,¹³ in reality, the EU chose to alter its trade relations with the ACP due to wider economic and geo-political concerns. Farrell suggests that the EU's promotion of WTO-compatibility highlights the

⁹ Cuba and Somalia did not negotiate.

¹⁰ In late-2008, Equatorial Guinea withdrew from the negotiations and took observer status.

¹¹ The EU and South Africa's current trade relations are conducted under the terms of the bilateral Trade and Development Cooperation Agreement (TDCA), however in February 2007 the EU allowed South Africa to be included in the Southern African EPA configuration subject to certain conditions.

¹² The EU's request of a temporary waiver in 2000 faced contestation from Latin American banana-exporting countries, Asian tuna-exporting countries (Thailand in particular), and the US (Dickson 2004: 51-56).

¹³ Interviews EC, Brussels: April 2008 (EC1; EC3; EC4; EC5; EC9); Interviews EC delegation, Dakar: June 2008 (EC16); Accra: September 2008 (EC18).

EU's "trenchant pursuit of what are really neo-liberal goals and the extension of economic liberalisation in the interests of the EU" (2005: 279; see also Orbie and Faber 2007), which indicates that relations with Africa (and the ACP) are largely conducted according to the EU's interests rather than broader normative concerns. As such, the ending of the Lomé trade framework, and the introduction of EPAs can be attributed to an instrumental choice to secure the EU's own interests. Young and Peterson insist, for instance, that the rising influence of developing countries has significantly altered the balance of power of the multilateral trading system, in which the EU had to change its position in the face of growing pressure from influential developing countries in order to continue defending its interests (2006: 803; see also Aggarwal and Fogarty 2004: 14). Furthermore, although the EU did indeed come under pressure from the WTO either to reform its policy or to submit to further concessions, preferential treatment towards the ACP had generally fallen out of line with the EU's priorities. Ravenhill contends that the "EU's lack of interest in expending further political capital to secure a continuing WTO waiver for its trade relations with the ACP was symptomatic of the low priority that the relationship held for Brussels" (2004: 129). Dickson echoes this criticism when she pointedly notes that, "as the world's largest trading bloc, it seems unlikely that the EU did not have the capacity to alter or adjust the interpretation of WTO rules to benefit more developing countries. It seems that political will was lacking" (Dickson 2004: 51- 57; see also Meunier and Nicolaidis 2006: 920; Young and Peterson: 807).

Instrumentalist motives can also account for the EU's preference for regionalising the ACP under the new trade framework. Elsig (2007) argues that economic objectives alone (e.g. trade gains, influence in key upcoming markets, competitive advantage, etc.) do not sufficiently explain why the EU chooses to promote a regionalisation in relations with third parties. He insists that promoting a regionalist framework not only assists the EU in attaining both an influential economic stronghold in key regions, but also allows it to construct significant spheres of political influence. Therefore, "the mission to export the European model is clearly embedded in the EU's strategy of working towards a multipolar world" (Elsig 2007: 25). In promoting regional integration, the EU actively reinforces and reproduces its own success story, and puts forward its "belief in the utility of regions as a unit of organizing the global economy" (Aggarwal and Fogarty: 14; see also Young and Peterson: 805).¹⁴ In conducting negotiations and promoting trade agreements on a regional

¹⁴ Interview EC, Brussels: April 2008 (EC1).

basis, the EU endorses its own model of regional integration.¹⁵ Whether intentional or not, “through such exchanges the EU defines, reinvents and legitimizes itself” (Elsig 2007: 26), therefore serving as, “a means of enhancing the EU’s normative power and a reflection of this power, since it is in this context that EU exceptionalism, its unique character as an integrative polity among nations, truly matters” (Meunier and Nicolaidis 2006: 914).

The changes in the EU’s trading scheme vis-à-vis the ACP point to a triumph for more globalist orientations in the EU’s trade policy, and in its relations with the developing world (Orbie 2007: 32-34), as the ACP’s privileged status on the EU’s trade agenda is now significantly altered and as any possible unitary negotiating position of the group has been weakened. In fragmenting the ACP group, the ending of non-reciprocal trade preferences challenges the entire dynamic of the EU-ACP relationship, generating a need to understand what options remain for ACP countries and regions to coordinate their negotiating efforts and how the countries and regional groupings have managed to achieve their preferences and goals in the area of trade.

2 Constraints on the EU as a trade negotiator

The evident structural power asymmetry between the negotiating parties does not necessarily imply that the EU is always capable of employing its structural power to attain its preferences when negotiating trade agreements with weaker countries or regions. This section establishes both the capacities and constraints faced by the EU as a trade power, and argues that institutional and political weaknesses can act as a constraint in converting its structural power into actual bargaining strength. In international trade, the EU holds immense structural power: as Meunier and Nicolaidis note, “the sheer size of the single European market and its more than forty-year experience of negotiating international trade agreements have made the EU the most powerful trading bloc in the world” (2006: 907). Structurally therefore, the EU’s power cannot be underestimated, and furthermore shows the manifest asymmetry in structural power between the EU and the ACP. While the EU’s share of world trade is estimated to be 30%, Africa’s is less than 3%. Despite preferential access to the EU market, the ACP’s share of exports to the EU fell by more than a half, from 8% in 1975 to 2.8 % in 2000 (Orbie and Faber 2007). The EU’s economic strength also provides it with significant weight in bilateral and multilateral trade relations. Because trade policy was a Community competence from the very beginning of the EC, the EU’s extensive experience in trade policy and negotiations has also provided it with a significant

¹⁵ Even if, as Farrell argues, this model is “far removed from the model of integration that has evolved within the EU itself” (2005: 266).

capacity to convert its structural power into bargaining power in relations with other actors (Bretherton and Vogler 2006: 88; Meunier and Nicolaidis 2006: 908-909). In addition, trade as a Community competence means that an official mandate is given to the Commission to negotiate on behalf of the Member States. Therefore, in negotiations the EU can present itself as a unitary actor with significant economic weight and extensive negotiating experience.

Furthermore, the EU's trade policy has become an important instrument through which it attempts to achieve its foreign policy objectives. Indeed, various Community policies such as trade (and development, enlargement, aid, etc.) have acquired a "growing foreign policy relevance" (Keukeleire and MacNaughtan 2008: 12). Trade (and trade negotiations) therefore serve a twofold purpose: they function as instruments for reaching economic objectives (through economic means), while simultaneously offering a tool with which to promote political objectives. The EU is therefore both a 'power *in* trade' and a 'power *through* trade', with the former referring to the EU's sheer economic size and strength, and the latter to the EU's increasing use of "access to its huge market as a bargaining chip to obtain changes in the domestic policies of its trading partners" (Meunier and Nicolaidis 2006: 910). While, "the first goal of EU trade power is self-evident: the EU is using its power to secure concessions from others about market access" as a foreign policy instrument, the EU can also use trade "to achieve non-trade objectives, from the export-specific rules flanking market integration (social, environment, safety standards) to more political or strategic linkages" (*Ibid.*: 910). The Commission's insistence on including agreements on services and other trade related-areas in regional EPAs (despite failed agreement on these issue areas at the WTO level), offers a clear indication of the EU's keenness to shape both global economic policies and international trade innovations.¹⁶ The regionalisation of the ACP further demonstrates the EU's intent on shaping regional economic *and* political processes, not only because it deems this beneficial for economic and developmental progress, but arguably also because this is seen as further legitimising the EU's own integrationist achievements and objectives on a global scale (Keukeleire and MacNaughtan 2008: 13). Therefore, the exercise of power towards third parties *through* an instrument such as trade is not merely a tool for securing economic interests, but also a tool for promoting and securing wider strategic interests abroad.

At the same time, it is important to consider the extent to which the EU may be limited or constrained as a foreign policy actor. Although the EU certainly possesses both structural and bargaining power, the institutional and political constraints it faces in trade

¹⁶ Interview EC, Brussels: April 2008 (EC9).

policy, and especially in employing trade as a foreign policy instrument, have limited the extent to which its structural power can truly be converted into bargaining power. Elgström (2007) has argued that the EU's potential to be an influential leader can be undermined by the way in which policy actions are operationalised. Thus, "incoherence across issue areas ... lack of perceived legitimacy and, to a lesser extent, an excessive focus on internal co-ordination" (Elgström 2007: 949), leads to a foreign policy which is at times less muscular and influential than the EU's power in trade, or structural power, would have it seem capable of. Because "political and institutional factors determine how such structural foundations materialize into actual power" (Meunier and Nicolaidis: 907), the EU faces limits in translating its structural power into actual influence. Meunier and Nicolaidis argue that these limitations make for a 'conflicted' power *through* trade, both internally, as different Member States hold different preferences as how best to exert this power, and between the EU's guiding principles, values and interests, which are often inconsistent with one another, leading to incompatible and diverging policy initiatives and practices. The institutional and political constraints faced by the EU as a foreign policy actor therefore create a disjunction between the EU's structural power and its actual bargaining power. Therefore, as posited in Chapter 1, constraints faced by the EU, and incongruence between the EU's overall power and its capacity to convert this into influencing outcomes or shaping processes according to its preferences also impacts its relations with outsiders and consequently their perceptions of the EU as a trade and foreign policy actor.

In analysing foreign policy practises (and the impact of these) of an actor such as the EU, it is problematic and even misleading to assume that the EU is able to act as a unitary actor in all instances. Similar to what has already been seen in the area of the EU's aid policy towards Africa, the constraints the EU faces in trade are found firstly in the Commission's relationship with the Member States, where tensions between the intergovernmental and the supranational levels lead to occasional disjuncture between the different institutions and actors involved in EU trade negotiations. Although the Member States have indeed delegated to the Commission the task of negotiating trade agreements on their behalf, differing Member State interests, opinion and scrutiny of the Commission's task can constrain the Commission's freedom of movement with regards to other actors. A second constraint is found at the level of policy coherence amongst the different EU policies with an external or foreign policy dimension. Incoherence can be largely attributed to divergence in views that exist at the internal level of the Commission between the different DGs that hold different competences in relation to the EU's external relations. In the case of the EPAs, this concerns namely DG Trade, as the chief negotiator of the

agreements, DG DEV, responsible for development cooperation and aid policies towards the ACP, and to a lesser extent, other DGs that hold competence in specific areas of concern (e.g. DG Agriculture and DG Enterprises and Industry). While the different DGs are expected to collaborate and coordinate their positions to ensure coherence in the EU's policies and external relations, the EPA negotiations have shown a rather problematic divide and incoherence particularly between the trade and development aspects of the negotiations.

2.1 The Commission's relationship with the Member States/Council

Certainly the Commission has a strong mandate to conduct trade negotiations with external actors. It has the exclusive right to initiate policy proposals and to suggest negotiations, while the Council approves the Commission's proposals by Qualified Majority Voting (QMV). Throughout the negotiations, the Commission regularly reports on its progress to the Article 133 Committee consisting of Member State trade officials, whose main task is to ascertain that the Commission indeed remains within the Council's negotiating mandate and to consider Commission proposals, which are then forwarded for approval to the General Affairs and External Relations Council (GAERC). The extent to which the Commission can negotiate its own preferences therefore, is largely determined by the extent to which the Council restricts or allows the Commission to interpret and utilise its mandate. "In principle, as long as they remain within the limits set by the mandate, Commission negotiators are free to conduct bargaining with third countries as they wish. In practice, the negotiators' latitude and flexibility vary case by case, depending on the member states' willingness to give up control over the issue being negotiated" (Meunier and Nicolaidis 2005: 257). At times, this system of delegation can create tension and conflict between the preferences of the Council and those of the Commission. Indeed, "in the Common Commercial Policy, as in other areas, there has always been a degree of tension, not to say distrust, between the Member States and the Commission" (Bretherton and Vogler 2006: 68).

To the extent that there is significant contestation between the Commission and the Council, and even amongst individual Member States, the EU risks weakening its position of strength as a single unitary actor. This can have significant impact on the other negotiating party's perception of the Commission's bargaining strength, which in turn partially contributes to its strategy in negotiating with the EU (see Hypothesis 2b in Chapter 1). This is so because power is relational, which means that power asymmetry and the way it affects negotiating processes and outcomes can only be understood by

considering both the way in which an actor perceives its own power as opposed to that of others, and how it perceives the other actor's power as opposed to its own. As assumed in Chapter 1, the extent to which the Commission's negotiating position appears to be representative of a consensus amongst the Member States and between the Commission and the Council, is important in shaping other actors' perceptions of the EU's power to convert its economic strength into bargaining strength. This assertion is echoed by Elgström, whose empirical findings confirm that "EU unity contributes to the perceived power of the Union" (2007: 950). Elgström further suggests that when the EU is perceived as a unitary actor with a unitary position, it limits the possibility of other actors to seek out either interlocutors or actors more sympathetic to their position within the EU, to influence and shift positions ('divide and rule'); if the EU is perceived as united in its position, or 'speaking with one voice', the Commission is in a stronger position to consolidate the views of the Council or Member States with those of its negotiating opponent (i.e. a win-set in a two-level game). Meunier (2000; 2005), on the other hand, has argued that internal conflict, particularly between the Commission and the Member States can actually serve as a source of bargaining power for EU trade negotiators. This is so because, "when the negotiating opponent knows that the EU cannot deviate from its offer, the Community can use its institutional constraints as an excuse for not coming up with enough concessions" (Meunier 2000: 117). While this should certainly be considered a negotiating tactic or strategy the EU can employ in trade negotiations, the extent to which this necessarily confers bargaining power on the EU is debatable. Indeed, Meunier's understanding of the EU's bargaining power does not take into account that power is relational, nor does it account for a situation in which power asymmetry between the EU and others is manifest.¹⁷ Therefore, Meunier does not consider how the negotiating opponent's perception of the EU's power and its ability to convert this power into bargaining strength can actually shape and influence the opponent's own actions and strategies.

The EPA negotiations illustrate how divisions within the EU affected the ACP's perception of the EU and consequently weakened the EU's bargaining strength. The Commission did employ the strategy of referring to its institutional constraints as a negotiating agent in order not to concede to the demands of many of the ACP regions in relation to the 'development dimension' aspect of the EPAs. Throughout the negotiations, the Commission argued that the EPAs could act as trade tools for development through trade liberalisation, a solid policy framework for investment, increased competitiveness and

¹⁷ Meunier analyses transatlantic trade negotiations in four areas of trade. The EU and the US negotiate in an environment where structural power asymmetry is much less evident than in negotiations between the EU and developing countries.

market access. But “while most of the ACP would agree with the EU on the development opportunities entailed in an EPA, they tend to consider trade liberalisation and regional integration as necessary, yet far from sufficient, conditions to foster development and alleviate poverty” (Bilal and Grynberg 2007: 20). Thus for the ACP, for EPAs to be development-friendly instruments of trade, the EU would have to take account of the developmental realities, needs, and strategies of the ACP (Meyn 2008: 517-518). This meant that mechanisms needed to be established to meet both the adjustment costs and address the supply-side constraints facing the countries in implementing the agreements and liberalising trade. In 2006, ACP ministers requested that an EPA-Adjustment Facility be established, binding the EU to increasing funds to help the ACP adjust to the EPAs (see Table 4.2). The Commission however argued that unless this provision was formally integrated into its negotiating mandate by the Council, it was unable to link further assistance to the EPAs because this would go beyond the Commission’s mandate.¹⁸ It further argued that such assistance was already provided for by the EDF, with the ACP insisting that this displaced aid away from developmental focal areas and that they would prefer to bypass the burdensome aid allocation and distribution methods typical of the EDF.

Table 4.2: Overall EU and ACP positions on the EPAs

	EU	ACP
Trade in Goods	Trade liberalisation constitutes 90% of all trade, with some room for asymmetry, with full market access for ACP imports into the EU and ACP tariff elimination on 80-90% of EU imports. A 10 to 15 year transitional timeframe for reciprocal market access with exceptions for highly sensitive products.	Trade liberalisation should range between 60 to 80% of all trade, with a large degree of asymmetry, with full market access for ACP exports and ACP tariff elimination on circa 60% of EU imports. A long transitional timeframe up to 25 years which takes account of the needs and constraints of each individual country in the EPA configuration.
	Some protection for highly sensitive products.	Guaranteed protection for highly sensitive products.
Trade in Services and Trade-related issues	EPAs should have a binding commitment on trade in services and other trade-related areas as they are fundamental to the development efforts of the ACP.	EPAs should take account of trade in services and other trade-related areas, but agreement on these should not be binding while these issues are still undergoing negotiation at the WTO level.

¹⁸ The Commission has used this strategy on several occasions during the EPA negotiations. For example, the Pacific region’s demands to integrate labour market access (Mode 4) provisions into the services chapter of the Agreements, have continuously been rejected on the grounds that these go beyond the Commission’s mandate in trade negotiations, and should therefore be discussed at the individual Member State level (Van Criekinging 2009: 186).

Development Dimension	EPAs will generate development through trade liberalisation, market access, and increased investment opportunities.	EPAs must provide for short-term compensation and assistance to address adjustment costs, supply-side constraints, and institutional weaknesses.
	The 10 th EDF takes account of EPA-related needs through NIPs, RIPs, and various Facilities. Aid for Trade commitments offer trade-related assistance towards EPA-adjustments.	The EU needs to make a binding commitment towards assistance. An EPA Adjustment Facility should be established to address specific needs in adjusting to an EPA.

As the negotiations progressed, some EU Member States criticised the Commission's reluctance to discuss a more comprehensive development dimension, with the UK being the most active.¹⁹ In March 2005, the UK Departments of Trade and Industry (DfTI) and International Development (DfID) released a highly critical paper in which the government communicated its position on EPA negotiations. According to a leaked letter by a Commission official, the position paper was considered to be "a major and unwelcome shift' in the UK's approach" (*The Guardian* 2006). Furthermore,

The UK's statement was significant in that it opened up for a much broader criticism of the negotiations. Henceforth, an increasing number of member states would begin to openly question the negotiating stance of the Union, including most notably the latter's insistence on reciprocity (i.e. that the ACP countries have to open their markets for EU exports too). For the Commission's negotiating team, this 'interference' in the conduct of the negotiations has obviously been a source of concern. By suggesting that the EPAs can and should be 'development instruments' rather than mere trade agreements, the dissenting European voices were implicitly undercutting the DG Trade strategy, which had been to present the EPA-as-trade-agreements as the only viable, legal, and logical outcome of the negotiation process (Pilegaard 2009: 272).

Discontent with the Commission's role took a more active turn under the UK's EU Council Presidency in the second half of 2005. During the presidency, the UK established an EPA Expert Group, chaired by the Commission and consisting of representatives from the Member States, DG Trade, and DG DEV, to promote informal dialogue and consultations between the Member States on the EPAs.²⁰ Importantly, the UK also began acting as a kind of interlocutor between the Commission and the ACP, which according to interviewees had begun seeking Member State support for their position on the development dimension.²¹ In turn, the UK offered the ACP its support for their concerns which in turn assisted the UK

¹⁹ This is particularly worthy of note, because the Trade Commissioner at the time of the negotiations was British, making for an interesting clash between the UK government and its Commissioner.

²⁰ During the UK presidency, the Commission released a *Communication on Trade and Development Aspects of the EPA Negotiations*, which detailed the state-of-play of the negotiations and the efforts to integrate a development dimension. At the December 2005 European Council summit, Member States pledged to increase assistance for trade capacity-building efforts of the ACP. The increased Aid for Trade commitments are equally co-financed by the EC and Member States' bilateral assistance. This commitment was further reiterated in the October 2007 draft *EU Strategy on Aid for Trade*, which specified that of the €2 billion increase, 50% would be destined towards the ACP.

²¹ Interviews UK government, London: May 2008 (UK1); June 2008 (UK2).

“with tools to influence policy on the Union side,”²² on making the EPAs more development-friendly.

The extent of both the UK’s influence and its actual divergence from the Commission is debatable; indeed EC officials maintain that while the UK’s position was indeed very vocal publicly, it never significantly challenged the Commission’s negotiating mandate and for the most part, the UK’s position was largely in line with that of the Commission.²³ Furthermore, there is some disagreement amongst UK government officials as to how much the government can really influence the EU’s trade policy.²⁴ Nevertheless, the discrepancies in positions between the UK, to a lesser extent other Member States²⁵ (and the European Parliament)²⁶, and the Commission are important in that they created the image of a divided actor for some of the ACP countries, and consequently contributed to shaping their negotiating strategies. Indeed, interviews with African trade officials confirm that although the EU is certainly in a stronger position to negotiate, it is also seen as constrained in ‘imposing’ its preferences because of the controversial image of the EPAs created in part by public Member State divergence on the content of the negotiations. Although officials were aware of their weak negotiating strength, because they knew of the controversies surrounding the Commission’s approach to the negotiations and the tensions within the EU itself, one negotiating strategy at their disposal was to refer to the EU’s weaknesses, however limited, or to refuse signing agreements which did not meet their preferences.²⁷ As demonstrated in the following chapter, the case of Senegal offers a concrete example of how one country used this image of the EU to go against the position of the Commission, propose new demands, and actually influence the negotiations despite the fact that it was neither directly negotiating the agreements, nor had any structural power

²² *Ibid.* (UK2).

²³ Interviews EC, Brussels: April 2008 (EC1; EC3; EC9).

²⁴ Interviews UK government, London: May 2008 (UK1); June 2008 (UK2).

²⁵ While the Commission saw binding commitments in these areas as fundamental to the development efforts of the ACP, the ACP were reluctant to accept this, because these issues had already been forced out of recent WTO negotiations due to strong opposition from developing countries. Because the Commission used WTO compatibility as the justification for EPAs, insistence on including an extensive set of trade-related issues beyond WTO requirements was met with resistance. The issue of integrating trade in services and other trade-related areas into the EPAs was also met with opposition from some Member States. In 2005, Poland expressed concern about the Commission’s insistence on integrating non-essential elements into the EPAs. Denmark, Ireland, the Netherlands, and the UK also expressed concern. In December 2007, as the WTO-waiver was set to expire, these countries issued a statement urging the Commission to demonstrate increased flexibility in reaching agreements with the ACP.

²⁶ The European Parliament (EP) also took a critical position on the Commission’s negotiating tactics. In 2006, the EP Committee on Development called for increased efforts on making the EPAs development-friendly. While the EP is not formally consulted on trade negotiations, in practice, the Commission reports to the EP, and can consider the its position. While the actual impact of the EP is difficult to assess, it is mentioned here because its divergent position vis-à-vis the Commission is nevertheless important in creating an image of the EU as not entirely united in its position.

²⁷ Interviews Senegalese government, Dakar: June 2008 (S6; S8; S9); Interview Namibian diplomat, Brussels: April 2008 (N2).

as one of the poorest countries in the world. This confirms Hypothesis 2b posited in Chapter 1, that because perceptions are in part shaped by external actions and the effectiveness and impact of these, if the EU is perceived as inconsistent in its position or actions between the Member States/Council and the Commission, it affects other actors' perceptions of the EU, and may even allow other actors to seek interlocutors or actors more sympathetic to their position and with which they can exercise leverage.

2.2 Policy (in)coherence in trade negotiations

In Chapter 2, it was argued that the institutional set-up within the Commission regarding policy formulation, implementation, and coherence affected its effectiveness as a development actor and the extent to which the EC could translate its structural strength as a donor into actual concrete action and influence. Similar to aid policy, incoherence in trade negotiations can affect the EU's effectiveness as a trade negotiator especially in cases where the negotiating opponent's preferences and interests extend significantly beyond trade, as is the case in the EPA negotiations. Although within the Commission different DGs are delegated different tasks with regards to trade negotiations with third parties, the preferences and the extent of each DG's role will partially determine the degree to which the Commission can operate as a unitary negotiator and promote a coherent approach to the negotiations.

In 2000, ACP trade-related issues were moved from DG DEV to DG Trade, with DEV retaining the responsibility for development policy and managing relations with the ACP. In the EPA negotiations, DG Trade was thus given the main negotiating task. This signalled the first time that the ACP would negotiate with EU officials other than DG DEV as per the long-standing development aid framework. While DG Trade's position and progress were to be tightly coordinated with DG DEV, and to a lesser degree with DG Agriculture and DG Enterprises and Industry, DG Trade adopted a leadership position not only in conducting the negotiations, but also vis-à-vis other relevant DGs (Hudson 2006: 63-64). For the most part, though, this coordination remained purely rhetorical. While DG Trade assumed a leadership position in the negotiations, DG DEV limited itself to restricted policy input.²⁸ Some ACP interviewees noted that as the negotiations proceeded, increasing discrepancies between the positions of DG Trade and DG DEV became evident, especially on the form and shape of the development dimension.²⁹ DG DEV's annual reports

²⁸ Interviews EC, Brussels: April 2008 (EC4; EC5).

²⁹ Interviews Namibian diplomats, Berlin: March 2008 (N1); Brussels: April 2008 (N2); Interview Senegalese government, Dakar: June 2008 (S6).

expressed similar concerns with regards to the possible undermining of coordination and coherence efforts between the different DGs. The 2005 report noted that “ensuring the coherence of Community policies with an impact on developing countries is a major source of risk. This risk is most relevant with respect to trade, notably in EPA negotiations, which is a critical dimension for development policy, but the capacity in this area is concentrated in DG Trade” (CEC 2005: 19). While the 2006 report noted some progress in coherence between development and trade coordination efforts, it nonetheless reiterated that despite the increased competences in trade assigned to DG DEV, the risk of coordination failure with DG Trade persisted (CEC 2006: 5, 18). Interestingly, similar reports by DG Trade, while recognising the need for the integration of a development dimension in EPAs, made no mention of increased coordination efforts with DG DEV.

Although development was the most significant policy area in which coordination and coherence was necessary during the negotiations, other relevant policy areas were also not integrated into the discussions on the EPAs. Olsen (2009) has demonstrated that in the context of the EPA negotiations no link was ever established between prominent EU security debates and trade, illustrating how the EU’s external policies are ‘compartmentalized’ into separate ‘policy sub-sectors’, and explaining why external policies towards the ACP tend to lack coherency (see also Pilegaard 2006, 2009). Other relevant policy areas which affect the ACP and which overlap with trade were also excluded from the discussions. For example, although migration has a complementary relationship with both development and trade, EU trade negotiators have been reluctant to integrate far-reaching labour provisions into the agreements, firstly because this is said to go beyond their negotiating mandate, and secondly because the EU considers migration first and foremost a security issue and has therefore kept the policy exclusive to that domain (Van Criekinge 2009).

The leadership position of DG Trade in the negotiations is particularly relevant for understanding the incoherence of the Commission’s position as regards other relevant issues such as development, because the preferences and interests of the different DGs essentially depend on the policy area in which they operate (Frennhoff Larsén 2007: 440-63). Accordingly, if DG Trade’s interests essentially lie in promoting trade liberalization and ensuring WTO compatibility in FTAs with other countries and regions, then it would seem reasonable to assume that policy domains such as development are difficult to integrate into the framework for EU trade negotiations. This is particularly so because the position of DG Trade within the Commission is significantly stronger than that of DG DEV. Indeed, the fact that the EPA negotiations required DG Trade to begin negotiating

with actors that were traditionally the exclusive competence of DG DEV, has weakened the position of DG DEV and development policy in general, while strengthening that of DG Trade (see also Olsen 2009; Pilegaard 2006). The failure to integrate provisions for other overlapping policies into the negotiations demonstrates a particular limitation in mandating DG Trade to lead negotiations on agreements that have important implications for the development prospects of the ACP. Pilegaard notes that “the fact that the EPA negotiations were structured and conducted by DG Trade had a significant effect on the negotiation process and the relatively aggressive stance of the Union. In the meantime, the development arm of the EU played ‘second fiddle’ providing too little input, too late” (2009: 264).

Due to the dominant position of DG Trade, the Commission’s approach to the EPAs came to be seen as incompatible with the softer rhetoric advocating development-friendly EPAs (Bilal and Grynberg 2007: 3). Incoherence between different policy areas also affected the perception that the ACP had of the EU in its approach to the negotiations:

The ACP countries have found negotiating with the Commission rather confusing; they have assumed that their DG Trade counterparts are speaking on behalf of the whole Commission (on behalf of the EU), and have been puzzled to discover that DG Trade is unable to deal with issues such as development assistance. This is particularly problematic because the ACP countries’ decisions about whether to enter into EPAs will necessarily hinge on whether or not sufficient assistance is provided to support their preparations for, and adjustment to trade liberalisation (Hudson 2006: 64).

Perhaps more importantly, it also shaped their perception of the EU as a capable and concerned development actor. Elgström has argued that “the normative and persuasive power of the EU diminishes if the developing countries don’t believe in the good intentions proclaimed by the EU and instead focus on incoherence between verbal rhetoric and perceived behaviour” (2008: 12). Furthermore, in Elgström’s analysis of other actors’ perceptions of the EU’s power and its potential to act as a leader in international trade negotiations, he finds that an actor’s perception of the EU can obstruct the EU’s position of power and leadership. Importantly, he finds that other actors perceive the EU to be inconsistent in its approach to third parties and lacking sufficient legitimacy as a leader in trade negotiations, which is ultimately perceived as caused by excessive internal coordination leading to slow decision-making and inflexible positions (Elgström 2007: 958-962). Such perceptions of the EU by other actors are evidenced also in the aid/development and migration fields. As was assumed in Chapter 1, the way in which the EU is perceived by these actors is important because it shapes their strategies and decision-making with regards to the EU and can also partially explain why negotiating processes and

outcomes are not necessarily always in the EU's favour. As Elgström notes, "if one negotiating party does not accept the proclaimed self-image of its opponent, or sees it as inconsistent with the actual behaviour of that actor, it will doubt the sincerity and credibility of the actor and hesitate to agree to its proposal" (2008: 12; see also Chapter 1).

As another EPA observer has noted:

Most ACP feel dissatisfied with the results reached so far and mistrust the EC's intentions in the ongoing negotiations towards a comprehensive EPA. Should the comprehensive EPAs not provide an outcome that is regarded as an achievement by both sides, the ACP will implement them only if the sanctions of non-implementation exceed the costs of implementation (Meyn 2008: 516).

Indeed, as posited in Hypothesis 2c, countries might then be more likely to lower their expectations of the EU, and in turn adopt strategies that might more closely assert their own preferences, or they may just be less willing to cooperate with the EU.

Indeed, the inconsistency between the EU's trade policy and other relevant and overlapping external policies, and the dominance of DG Trade in leading the negotiations, significantly affected the ACP position towards the negotiations and in turn led to a perhaps unexpected outcome. Even though the countries came under pressure to conclude the EPAs or face the risk of losing vital trading preferences, when the 2007 deadline came, all ACP regions, except for the Caribbean, refused to sign full EPAs, largely because the most controversial and difficult issues had not been satisfactorily settled. In particular, the ACP expressed discontent with the Commission's reluctance to meet their request for integration of the development dimension, and unsatisfactory agreement on trade in services and trade-related areas (ACP Council of Ministers 2007). The EU's offer of an interim agreement is particularly relevant for understanding both how actors' perceptions of one another can affect the leverage that each side exerts vis-à-vis one another. The mere fact that the Commission placed the offer on the negotiating table is an important indication of its limits as the so-called more powerful actor. While the Commission claimed that its offer should be interpreted in light of its concern for the ACP which risk losing trade preferences altogether, it can also be seen as the Commission's final effort to save its reputation as an effective international trade negotiator, in the face of increasing criticisms and concerns over its conduct during the difficult negotiations. Thus, "while the Commission sees its interim offer as 'significant progress', others have interpreted the move as a face-saving exercise, creating empty shell agreements that allow the EU to avoid re-imposing tariffs on those countries willing to conclude an agreement but unable to sign a comprehensive EPA by year-end" (Kabuleeta and Hanson 2008: 1).

This last-ditch effort by the Commission to save the negotiations from failure provides a concrete indication of its limits in accomplishing its preferred outcome vis-à-vis a much weaker actor. The extent to which the ACP can exert any sort of leverage or ownership vis-à-vis their Commission counterparts lies in the acknowledgement that “there are significant political constraints in the EU” (Rampa 2007: 3). Failed agreement would not only have been disastrous for many of the ACP, but could also have significantly damaged the international image the EU is trying to promote and construct both abroad and at home.³⁰ While the all-out failure of negotiations could have potentially injured the conception of the EU’s power as an international trade negotiator, it certainly illustrated the limitations of the EU’s potential to use its structural power to negotiate a preferred outcome. Regardless of the EU’s experience in negotiating international trade deals, failure to conclude the far-reaching EPAs by the date it had initially envisioned, and the ACP’s refusal to sign without the further negotiation of sensitive issues, shows the limitations that the EU continues to face as a trade negotiator. Indeed, as posited in Hypothesis 2d, when the costs of failed agreement are high for the EU, or if the EU is perceived as constrained by its wider interests, the weaker actor will be more likely to devise a strategy in which it can expose these constraints and exercise leverage in finding agreement or influencing the agenda. In 2008, a third phase of the negotiations commenced, in which initialled agreements were signed and then underwent a ratification process by the EP and national parliaments, and in which contentious areas such as trade in services and trade-related issues and development are being negotiated and integrated into comprehensive regional EPAs. In most cases a deadline for concluding these was set for the end of 2008 (except for the ESA and EAC configurations, where no timeframe was set), however in all regions negotiations continued well into 2009. According to ACP officials, this third phase has been characterised by a less tense negotiating environment, with the EU acknowledging a need for increased flexibility and willingness to find agreement on sensitive issues (ACP-EU JPA 2009). The ongoing status of the negotiations and the continual slipping deadlines is a further indication of the EU’s constraints in exercising leverage in trade negotiations; as negotiations continue until satisfactory agreement is found.³¹

³⁰ Kabuleeta and Hanson (2007) suggest that the Caribbean’s choice to sign a full EPA saved the EU from public humiliation.

³¹ Interviews Senegalese government, Dakar: June 2008 (S8; S9); Interview Namibian diplomat, Brussels: April 2008 (N2).

3 Conclusion

Based on the EU's economic strength and its experience in trade negotiations, it could be reasonably assumed that in trade negotiations with weaker actors such as the ACP, the EU holds all the cards in terms of bargaining strength. Yet because power is not merely *possessed*, but rather operates through an interactive, dynamic, and intersubjective process in which contextual factors determine an actor's power, establishing the strengths and constraints faced by the EU in its trade relations with weaker actors is crucial in creating a more complete depiction of its actual capabilities to follow up its policy rhetoric with coherent and meaningful actions. Together with the findings of the EU's strengths and weaknesses as a development actor in Chapter 2, the limitations of the EU as a trade negotiator demonstrate the importance of considering the constraints faced by both parties in a power asymmetric relationship. Although power asymmetry characterises both aid and trade relations between the EU and Africa, in both issue-areas or policy fields the EU is constrained in the extent to which it can fully convert the power it possesses in the realist/neorealist sense into power *over* other actors, as described by rationalists such as Baldwin, Habeeb, Keohane and Nye, and Zartman and Rubin, or power *to* shape outcomes, agendas, and preferences, as described by constructivists such as Bachrach and Baratz and Lukes (see Chapter 1). The gap between the EU's power as a possession and its power over or power to has important implications on both the EU's 'actorness' in trade and external policies, but also on its relations with outsiders. How the EU acts vis-à-vis African countries can impact their perception of the EU and influences the formulation of their strategies for dealing with the EU. Furthermore, because power is context-bound, the way in which these perceptions shape the exercise of leverage and control vis-à-vis the EU will depend on the extent to which contextual conditions favouring leverage and ownership are present (see Table 1.3 in Chapter 1).

This chapter has considered the changing relationship between the EU and Africa/ACP in the area of trade, and in doing so, has focused particularly on the recent negotiations between the two parties aimed at establishing Economic Partnership Agreements. The negotiations and the scope of the actual agreements have been one of the most contentious issues to arise between the EU and the ACP, and have created a paradigmatic shift in relations between the historical 'partners'. Furthermore, the EPAs have divided the ACP into regional groupings, significantly altering the negotiating position of the ACP as a group, and having created problematic loyalties and negotiating positions within the regional configurations themselves. It was argued that this dramatic

shift in EU-ACP relations can largely be explained by the EU's interests to secure an influential trading position both in the multilateral and regional trade arena; a decreasing interest and lack of political will in the EU in general in defending ACP interests at the multilateral level in the face of emerging interests in other policy areas and geographical regions; a general will of the EU to promote and consolidate regional integration processes as part of an effort (whether intentional or not) of exporting the EU's own regional model abroad; and a general conviction that this is a "logical mode of organizing the world economy and promoting economic development within regions" (Aggarwal and Fogarty 2004: 14). However, regardless of its apparent structural strength, the institutional and political constraints faced by the EU both as a trade negotiator and as a foreign policy actor create a disjunction between the EU's structural power and its ability to influence and negotiate a preferred outcome. Divergences between the intergovernmental and supranational levels (i.e. the Commission and the Member States/Council), internal divergences at the Commission level (i.e. DG Trade and other relevant DGs), and policy incoherence between trade and overlapping external policies such as development, affect the ACP's perception of the EU as a consistent, legitimate and capable international negotiator. Therefore other actors' perceptions of the EU's power are not necessarily congruent with the actual economic or 'structural' power that the EU possesses and this affects the formulation of their strategies and their decisions in negotiations with the EU. The next chapter explores this in more detail through a case study of Senegal and Ghana's strategies, decisions, and ability to influence decision-making in regional trade negotiations.

Chapter 5

Exercising leverage and control in trade relations: Senegal and Ghana in West African – EU trade negotiations

This chapter explores how Senegal and Ghana have or have not been able to achieve their preferences in regional trade negotiations between the EU and the West African sub-region. Although the countries do not possess significant economic strength and face considerable institutional capacity constraints in negotiating trade agreements, their perceptions of the EU as a trade power and certain contextual factors have permitted the exercise of leverage and to a lesser extent control, vis-à-vis the structurally stronger actor. Certainly power asymmetry is a defining characteristic of trade relations and negotiations between developed and developing countries or in this case, regions. Although Bilal and Walker note, “the conclusion of interim agreements which contain provisions that many ACP negotiators disapprove of shows the power-bias in favour of the European Commission and the limitations of ACP countries and regions acting individually” (2008: 3), this chapter demonstrates that at the individual country level there has still been some scope to influence the negotiating processes and outcomes.

The chapter shows that despite Senegal’s development challenges, its marginal position in world trade, and the fact that it did not directly negotiate EPAs with the EU, it was able to influence the regional negotiating mandate by placing development issues at the centre of the region’s demands vis-à-vis the EU. Furthermore, by mobilising considerable opposition against the agreements, it affected the EU’s negotiating position vis-à-vis the region. This can be attributed to Senegal’s pro-activeness and influence in the region, especially at the level of the UEMOA, its domestic political and economic context, and the perception it holds of the EU as a trade negotiator. Ghana has been unable to shift the negotiating agenda closer to its preferences. This is due to the fact that it holds an entirely different perception of the EU, has a limited ability to influence the ECOWAS agenda due to regional divisions, and a differing domestic political and economic context.

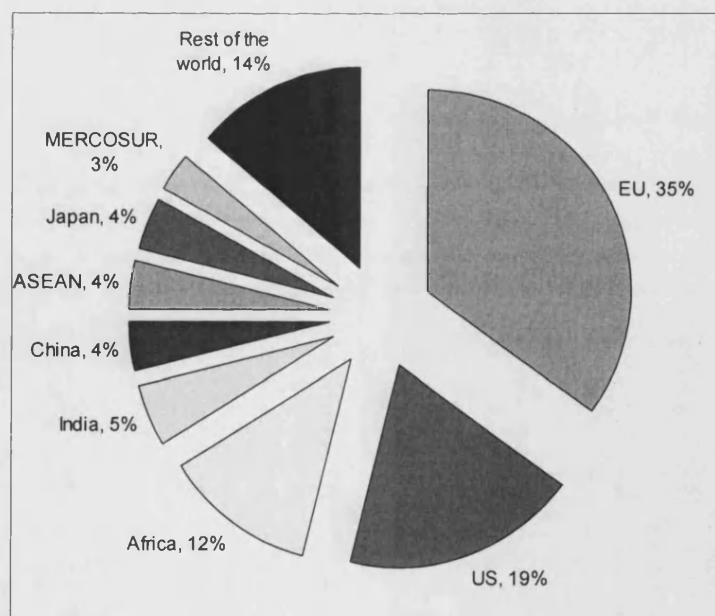
The chapter confirms that these differing approaches to relations with the EU largely form the basis of the countries’ strategies in all three of the policy fields examined in this thesis. It also demonstrates that although the EU is structurally stronger and a more experienced trade negotiator than most African countries and regions, the constraints it faces in the trade field influence and shape other actors’ perceptions of the EU’s power.

These perceptions in turn influence the strategies and approaches actors adopt vis-à-vis the EU. Finally, it expands the findings on the ability of some African countries to negotiate their preferences and why this may pose a challenge to the traditional view of relations between the EU and Africa as necessarily always favouring the structurally stronger actor.

1 The West African regional configuration and EPA negotiations

Before examining the position and strategies of Senegal and Ghana, the characteristics of the West African configuration and its position in the EPA negotiations must be identified. Out of the six regional configurations negotiating an EPA, West Africa is the most important region both in terms of exports to and imports from the EU, constituting nearly 40% of all EU-ACP trade. The EU is the region's main trade partner, accounting for 35% of trade (CEC 2005). The EPA negotiations are therefore of key importance for the economic and developmental future of the region and the individual countries participating in the negotiations (CTA 2009: 1, 12). Yet it is also the region where the EU has particular interests in negotiating a comprehensive EPA because of the region's proximity to the EU, and the trading potential this offers.¹

Figure 5.1: ECOWAS trade partners, (2005)



Source: CEC 2005

¹ Interview EC delegation, Dakar: June 2008 (EC16); Interviews Senegalese government, Dakar: June 2008 (S6; S9).

Two important characteristics in the West African configuration have played an important part in shaping the region's and individual countries' positions on EPAs. First, it is the only region where two regional organisations are jointly negotiating the EPAs: namely, the ECOWAS, grouping together 15 anglophone, francophone and lusophone countries,² and which aims to establish an economic and monetary union, a regional market, and free movement of goods and people; and the Union Economique et Monétaire Ouest Africaine (UEMOA), which co-exists within the ECOWAS as a customs and monetary union between 8 mainly francophone countries,³ sharing a common currency (CFA) which is pegged to the euro.⁴ The joint negotiation arrangement poses a significant challenge. The UEMOA is considered a model for economic and monetary integration in Africa (CEC 2008b). Through substantial assistance from France and the EU, the UEMOA Commission has developed significant technical and administrative capacities and expertise, and is considered the “driving impulsion in strengthening and further deepening economic integration between its member states” (CEC 2008b). The integration efforts of the ECOWAS are limited, faced with a multiplicity of challenges in terms of political commitment from an economically, politically, and socially diverse group of countries, the coexistence of separate ECOWAS and UEMOA integration schemes, and significant rivalries between the two organisations (Asante 2004: 60-61; Adebajo 2004: 45; Diaw and Tran 2008: 5; Aryeetey 2001: 25-27). Yet, in jointly negotiating the EPAs with the EU, the region has had to accelerate regional integration and establish common positions on trade issues, such as harmonising a common external tariff (CET),⁵ identifying a common list of sensitive products to exclude from liberalisation, consolidating liberalisation schedules, identifying key service sectors vital for economic development, and identifying supply-side constraints and adjustment costs of a regional EPA.

Second, “the economic and demographic disparities within west Africa have a direct influence on the importance of the countries in trade with Europe” (CTA 2009: 14) and have implications on countries' positions on the EPAs. The West African configuration has the highest concentration of LDCs (12 out of 16) of all of the regional EPA configurations. Thus most countries in the region can continue trading with the EU under the EBA and are

² Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea Bissau, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo.

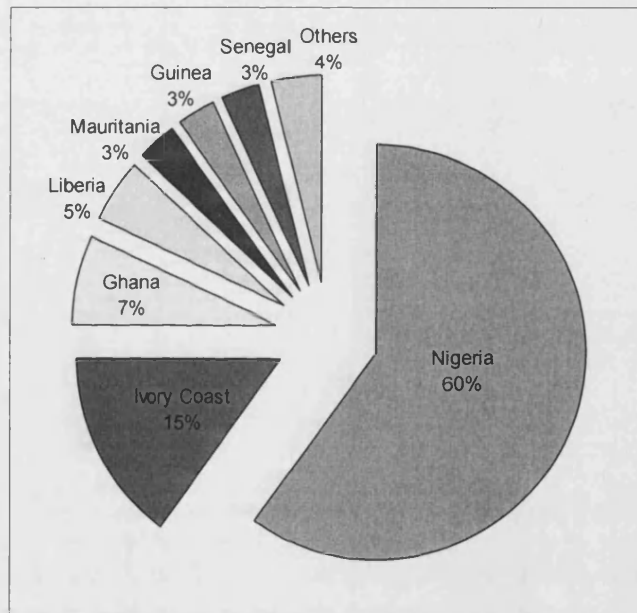
³ Benin, Burkina Faso, Guinea Bissau, Ivory Coast, Mali, Niger, Senegal, Togo.

⁴ Non-UEMOA members have their own currencies and are preparing a second monetary zone (West African Monetary Zone – WAMZ) that is expected to merge with the UEMOA's.

⁵ In 2001, ECOWAS Heads of State decided to harmonise their import tariffs with the UEMOA CET adopted in 1998. In line with WTO requirements, the UEMOA CET places customs duties into four major categories or bands: essential goods (0%); staple goods, including basic raw materials, capital goods and specific inputs (5%); intermediate goods and inputs (10%); and final consumer goods (20%).

not constrained to negotiate an EPA to secure trade preferences. Furthermore, because the levels of development between the countries vary, finding a common regional position has been more difficult because of diverging interests. Non-LDC countries, Ghana, Ivory Coast, and Nigeria constitute more than 80% of West African exports to the EU,⁶ while Nigeria alone accounts for 60% of all exports, of which fossil-fuel products are primary (CEC 2007a; see Figure 5.2). While Nigeria's concentration in the energy sector makes its economy considerably less dependent on the EU, exports from Ghana and Ivory Coast are concentrated mainly in the agricultural sector, meaning they have a greater interest in signing an EPA to maintain access to the EU market.

Figure 5.2: ECOWAS exports, (2005-2007)



Source: CTI 2009: 17

Negotiations on the EPA commenced in October 2003, and took place on three levels: between the chief negotiators, consisting in the presidents of the ECOWAS and UEMOA and the EU's Trade Commissioner; between senior civil servants, led by ECOWAS and UEMOA Trade Commissioners and DG Trade; and between trade experts, namely the directors of trade in the ECOWAS and UEMOA and officials from DG Trade, DG DEV, and other relevant DGs (CTA 2009: 3). In February 2007, chief negotiators identified three requirements to be met for the region to conclude a full EPA by December 2007: the establishment of EU-financed EPA support programme; the drawing up of timetables for market access; and the drafting of the text of the agreement. At the deadline, negotiations failed on the content and scope of the EPA, because of delays and divisions at

⁶ Cape Verde is currently undergoing a transitional phase from LDC to non-LDC status. It will be able to export to the EU under the EBA for a transition period of at least three years.

the regional level in the preparation of a common negotiating position, and major disagreement with the EU on multiple aspects (CTA: 2). The European Commission rejected the region's request for an extension of the WTO waiver, and instead offered the possibility of a goods-only interim EPA, which was rejected by the region. The EU then moved to negotiate at the bilateral level with the non-LDCs, leading to Ghana and Ivory Coast initialising an interim agreement, and Nigeria applying for the EU's GSP scheme.⁷ According to many observers, the result of the West African negotiating process "has highlighted the fragility of the political process of regional integration, the difficulty of proposing compromises against a background of diverging interests among countries, and has exacerbated the different approaches taken by ECOWAS and UEMOA" (CTA: 2; see also Bilal and Braun-Munzinger 2008; Ukaoha 2009). In January 2008 ECOWAS Heads of States confirmed their intent to continue EPA negotiations and reach a full regional agreement by June 2009. In this third phase, the region has accelerated its integration efforts considerably, though challenges remain before the new deadline.⁸ In fact, at the time of writing, the June 2009 deadline had once again slipped, and had been moved to October 2009 (*The Guardian* 2009; CEC 2009).

Senegal and Ghana are both part of the West African regional grouping. Because both countries are not directly negotiating EPAs, analysing how the countries have been effective in achieving their preferences vis-à-vis the EU in negotiations, is a slightly more difficult task because direct or formal influence in negotiations is not possible. However, analysing their influence is nonetheless relevant in understanding the overall capability of African countries to exercise leverage and control. In fact, the countries make interesting case studies for three main reasons. First, their rather diverging positions on the EPAs, at least in terms of their criticism on the negotiations, is important in understanding how perceptions of the EU influence their positions and strategies towards the negotiations, and how these in turn shape negotiating processes and outcomes. Secondly, the countries' differing positions and experience in regional organisations and integration efforts are an

⁷ The Commission rejected Nigeria's request, because it had failed to ratify one of the 27 necessary agreements for GSP plus, namely the UN Convention on the Prevention and Punishment of the Crime of Genocide (CEC 2008).

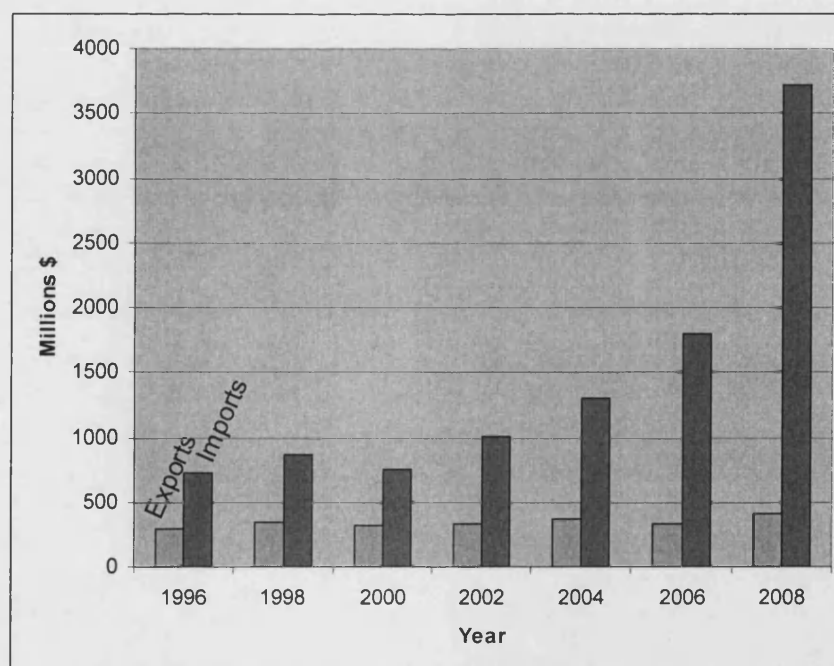
⁸ It presented a draft market access offer to the EU for liberalisation; it began elaborating a regional list of sensitive products; and negotiated a resolution to adoption of the CET likely to be finalised only by October 2009. The definition of a regional list of sensitive products was delayed due to delays from some countries in developing individual national lists and the need to identify a methodology to aggregate national lists into a regional one. As regards the CET, although all ECOWAS members are required to harmonise their import tariffs with that of the UEMOA's, Nigeria resisted adopting the regional until the creation of a fifth band (at 35%) was eventually agreed by Heads of State. Negotiations are said to be nearing completion on trade defence instruments, sanitary and phytosanitary rules, technical barriers to trade, and trade facilitation. At the time of writing, remaining issues to be negotiated include trade in services, trade-related issues, market access offer, the Most Favoured Nation (MFN) clause and the development dimension (ECDPM 2009; CTA 2009).

important element in further understanding country leverage in trade negotiations with the EU. Lastly, Senegal is an LDC, while Ghana is not; their economic and developmental situations thus significantly influence their positions on the EPAs. Questions therefore arise as to what extent the countries' effectively managed to shape the regional negotiating position, to what extent they influenced the outcome of the negotiations, and how effectively they promoted their interests during the last phase of the negotiations.

2 Senegal

Since the 1990s, Senegal's share in world trade has declined due to diminishing competitiveness and overall low international demand for its exports. The country has a very small export market, concentrated in a limited number of agricultural sectors. As its main trading partner, the EU (mainly France, Italy, and Spain) accounts for around 30% of Senegal's exports (fish, peanuts, petroleum products, phosphates, and cotton) and 50% of imports (food and beverages, machinery, and fuels) (World Bank 2008a: 2; see also Figure 5.3 and Table 5.1). Senegal's economy also depends significantly on the export of services (28% of exports), concentrated mainly in tourism (World Bank 2008a: 2; Broadman *et al.* 2007: 82-83).

Figure 5.3: Evolution of Senegalese exports to and imports from the EU, (1996-2008)



Source: IMF Department of Trade Statistics (DOTS)

Table. 5.1: Senegal Import and Export Partners, (2007)

Top 10 import partners		Top 10 export partners	
France	25%	Mali	25%
UK	6%	France	9%
China	4%	Gambia	7%
Thailand	4%	India	7%
Spain	4%	Spain	6%
Netherlands	3%	Italy	6%
Nigeria	3%	Switzerland	4%
United States	3%	Guinea	3%
Italy	3%	Guinea-Bissau	3%
India	3%	Mauritania	3%

Source: Centradex 2007

Although characterised by a generally poor business climate, in recent years Senegal has undertaken significant regulatory reforms, and in 2009 it was considered sub-Saharan Africa's top reformer, ranking fifth worldwide (World Bank 2009). Largely due to past shortcomings in its business environment and structural hindrances to developing the country's trade potential, foreign direct investment (FDI) has also been very low (IMF 2008). The main challenges to developing Senegal's trade potential lie in the development of its infrastructure, which currently hinders the expansion of its trade activities; widening the scope of its exports beyond a narrow range of primary commodities; strengthening its capacity to regulate and comply with imposed technical standards; and developing the private sector so it can compete with other major agro-industrial exporting countries. According to the OECD, Senegal faces three major challenges to developing its trade potential: strengthening the government's capacity to formulate strategies that fit the needs of the private sector; creating an investment-friendly climate to boost the private sector; and expanding the private sector's production capacities and marketing skills (OECD 2007; see also IMF 2008).

An EPA would not significantly improve Senegal's access to the EU market, but it would improve market access for the EU. At the same time, because a large share of Senegal's imports come from the EU and import tariffs constitute a significant proportion of total revenue for the country (nearly 15%), the elimination of customs duties on most EU products would lead to a significant decline in government revenue and pose as a challenge to fiscal management (UNECA 2004; Zouhon-Bi and Nielsen 2007: 10; Berisha-Krasniqi *et al.* 2008: 9, 34; IMF 2008: 40-49). Thus while an EPA would allow the EU to increase its exports up to 10.5%, this would be accompanied by a 10% loss in total government revenue due to the loss in import tariffs (Zouhon-Bi and Nielsen 2007: 12). At the same time, following the EU's rhetoric on the development potential of the EPAs, the agreements are expected to promote predictability and security for trade and investment and facilitate

an environment conducive for business. Therefore, although the government may not gain significant trade preferences and will lose fiscal trade revenues, the EPAs are supposed to provide development-friendly trade tools upon which Senegal is expected to expand its trade potential.

The government's major concern regarding the EPAs resides exclusively in making the agreements conducive to the country's economic development.⁹ This is not surprising, given Senegal's position in world trade alongside the several structural and capacity constraints it faces in preparing for liberalisation and developing trade potential. The government views the EPA as a positive trade *and* development tool, only if a financial support instrument is put in place to improve its and the region's competitive advantage. The government has therefore focused on the links between the progressive opening of its market and the implementation of such a financing instrument needed to bring its economy up to the level required for liberalisation and integration into the global market (Nguessan 2005: 55-56). It has consistently declared that it will not sign the agreements unless a development dimension is fully and successfully integrated into the agreements. Senegal's position towards the EPA was summarised accurately by Oumar Wade, an EPA advisor to the Senegalese Ministry of Trade when he said that African governments "try to use the EPA as an instrument for strengthening their economic and financial capacities, and a tool to gain access to the world economy. They do not have a pronounced interest in gaining market access, because the access they enjoyed under the Lomé regime has led to a decline in exports. Hence what they need is not market opening, but a strengthening of supply-side capacities" (2007: 26).

The government's second fundamental position towards the EPAs regards its potential for sustaining regional integration. Senegal is a member of the UEMOA and the ECOWAS, but has benefited mostly from its membership of the former. Since 1995, Senegal's exports to other UEMOA countries contributed to more than 75% of overall growth in total exports (Diaw and Tran 2008: 15). Furthermore, Senegal has proven its commitment to closer integration in the UEMOA by being amongst the first countries to adopt convergence criteria, harmonise taxes, adopt the CET, and contribute significantly to structural funds towards development of the region. Despite Senegal's opposition to the EPAs prior to the 2007 deadline, the government nonetheless continued its participation in the ongoing negotiations process throughout 2008 and 2009, and has demonstrated a willingness to move the negotiations forward so as not to undermine the regional

⁹ Interviews Senegalese government, Dakar: June 2008 (S6; S8; S9); Interview EC delegation, Dakar: June 2008 (EC16).

integration process.¹⁰ The government has declared it is fully prepared to work together with the other ECOWAS countries, especially Ghana and Ivory Coast, in reaching agreement on a full regional EPA, provided the EU agrees to the development dimension. It is seen as absolutely essential that regional capacity should be strengthened, and that the region make an intense effort to accelerate integration and reach a solid common position.¹¹

Considering that the government's interests in the EPAs lie almost entirely in the development potential of the agreements and strengthening regional capacity and integration, what has been Senegal's strategy for promoting these interests vis-à-vis the EU, and how successful has the government been in its efforts? The next section explores this in more detail.

2.1 Senegalese strategy on the EPA negotiations

There have been two ways in which the government was able to achieve its preferences vis-à-vis the EU. Firstly, Senegal was one of the most vocal and active critics of the EPAs, stirring considerable controversy surrounding the Commission's negotiating strategies. Secondly, although Senegal opposed the EPAs, it also campaigned actively for integrating a development component into the agreements. It has largely been upon Senegalese insistence that the region placed the development dimension at the centre of its negotiating position vis-à-vis the Commission, with negotiations on this making considerable progress since the onset of the Senegalese campaign. Senegal's contribution to the 'anti-EPA campaign' affected the EU's position towards the region, in that after the interim agreements were initialled with Ghana and Ivory Coast, both the EU and the region have given increased concessions to meet each others' preferences and secure a mutually agreed-upon outcome of the negotiations.

Due to the perceived lack of efforts on the side of EU negotiators to integrate a development dimension, Senegal became one of the strongest opponents of the EPAs during the second phase of the negotiations. While many ACP countries were largely unsatisfied with the Commission's approach, Senegal, alongside a handful of other African countries (mainly Nigeria and South Africa), took a lead in the campaign against the EPAs and openly declared their refusal to sign. In May 2007, the Senegalese Minister of Trade, the government's EPA advisor, and a civil society delegation confirmed that the government had no intention of signing agreements which did "not take into due

¹⁰ Interview EC delegation, Dakar: June 2008 (EC16).

¹¹ Interviews Senegalese government, Dakar: June 2008 (S8; S9).

consideration development aspects” (*Le Bulletin d’Infos* 2007). In November 2007, *Le Monde* published an article by Senegalese President Abdoulaye Wade, in which he criticised the EU for failing to adequately integrate a development dimension into the agreements and indicating the likely rejection of the agreements by West African governments (Wade 2007). The extent of Senegal’s opposition and discontent was again voiced during a press conference at the December 2007 EU-Africa Summit in Lisbon, where Wade claimed that it was clear that Africa had rejected the EPAs. He further solicited that it was necessary to find alternatives to the EPAs, but that the current state of the negotiations was unacceptable to African governments (API 2007).¹² In January 2008, Wade launched yet another initiative against the EPAs, by mobilising the African diaspora in Europe to protest in Brussels, led by a delegation headed by the first vice-president of the Senegalese National Assembly, and by organising protests in Dakar that same month (*EU Observer* 2008). In so doing, Wade “cemented his position as the African leader most vocally opposed to the EU’s proposed Economic Partnership Agreements” (IPS 2008a) and Senegal became “one of the strongest voices in Sub-Saharan African against EPAs” (IMF 2008: 40).

The government claims it was not against the EPAs as such, but that it was unsatisfied with the form and the content of the negotiations (APS 2009).¹³ Senegal therefore adopted a strong stance on the integration of a development dimension into the Agreements. Already in 2006, the government began pushing for a more development-friendly approach to the EPAs, insisting that “development needs and concerns have not been taken on board by the EU” and that because of this, the EPAs should be challenged (Fair Trade 2006). The government began soliciting for impact studies to be conducted to assess each country’s needs and concerns,¹⁴ insisting that the adjustment costs faced by ACP countries be taken into due consideration. Furthermore, the government strongly advocated that the deadline for completing the negotiations be postponed until regions were sufficiently integrated and prepared to discuss regional-level trade agreements. Lastly, it insisted that the priority of the EPAs were the development and not the trade dimension, which entailed earmarking additional resources towards improving capacities in production, stimulating ACP economies, and eliminating poverty (Fair Trade 2006).¹⁵ This position was also forwarded by Senegal’s president in his *Le Monde* piece, where he urged

¹² Wade stated: “It is clear that Africa rejects the EPAs ... We are not talking any more about EPAs ... We’re going to meet to see what we can put in place of the EPAs. It was said several times during the plenary session and it was said again this morning: African states reject the EPAs” (*EU Observer* 2007).

¹³ Interviews Senegalese government, Dakar: June 2008 (S6; S8).

¹⁴ Prior to this, Senegal rejected two studies, as they did not meet the government’s requirements due to the poor standards.

¹⁵ Interviews Senegalese government, Dakar: June 2008 (S6; S8; S9);

the EU to consider the alternative option of negotiating what he termed Development Partnership Agreements (DPAs), which would allow for “mutually enriching and equitable development” between Europe and Africa (Wade 2007). Wade’s vision for Senegal was:

to establish the DPA as a long-term development and cooperation scheme, rather than a purely commercial one ... Development will create the production required for international trade, and the potential isn’t big enough at the moment to get involved in these agreements. The tendency is to renegotiate agreements to be based more on reciprocal advantages, development and cooperation (OBG 2008: 8).

The DPA idea cemented Senegal as “a driving force behind plans to offer a regional alternative to the controversial EPAs” (OBG: 7). In this sense, both Senegalese and Commission officials noted that Senegal’s strategy had become one of “asking the impossible, just to get a little.”¹⁶

In criticising and opposing the EPAs and in pushing for consideration of a development dimension, Senegal was able to exert leverage in two ways. First, Senegal managed to contribute to the Commission’s shift in its approach to the negotiations with the region. Second, it managed to make development aspects a priority issue on the region’s negotiating agenda from 2008 onwards. According to Senegalese and some Commission officials, it was mainly on account of Senegalese opposition to the EPAs that the regional level negotiations broke down in late 2007.¹⁷ As the negotiating deadline neared, Senegal became increasingly active in soliciting other countries in the region to refuse the EPAs and request an extension of the WTO waiver instead. While it was unsuccessful in convincing negotiators to extend the waiver, Senegal was instrumental in rejecting the Commission’s attempt to negotiate an EPA solely with the UEMOA once it was clear that an ECOWAS EPA would not be concluded by 2007.¹⁸ This led the Commission to move to bilateral negotiations with the only non-LDCs in the region, and the rest of the region to refuse interim agreements. Following this, Senegal became increasingly active in criticising the Commission’s decision to negotiate bilaterally, and in pushing the region to speak with one voice regarding their concerns (*Daily Express* 2008).¹⁹ As noted by some Commission interviewees, the situation between West Africa and the EU had become so tense and controversial due to Senegalese criticism, that a shift in both the EU’s and the region’s approach was necessary to continue the negotiations into 2008 and 2009.²⁰ This shift

¹⁶ *Ibid.* (S6); Interview EC, Brussels: April 2008 (EC1); Interview EC delegation, Dakar: June 2008 (EC16).

¹⁷ *Ibid.* (S8; S9); *Ibid.* (EC16).

¹⁸ *Ibid.* (S9); *Ibid.* (EC9).

¹⁹ The Senegalese government acknowledged that when the deadline came around, each ECOWAS country was constrained to defend its own interests and that the regional structure was not prepared to meet the queries of these countries once the EC negotiators chose to shift negotiations from the regional to the individual country level (Interviews Senegalese government officials, Dakar: June 2008 (S8; S9)).

²⁰ Interview EC, Brussels: April 2008 (EC1); Interview EC delegation, Dakar: June 2008 (EC16).

occurred in the form of the region adopting a renewed road map for regional integration, and significantly accelerating its efforts to overcome fundamental points of divergence, while the Commission took into closer consideration calls for integrating an adequate development dimension into the agreements. According to Senegalese and Ghanaian officials, the negotiations continuing beyond 2007 have been less tense, with the EU acknowledging a need for increased flexibility and willingness to find agreement on issues concerning the region (ACP-EU JPA 2009).²¹ Although this by no means implies that the shift in the Commission's position can be attributed exclusively to Senegalese criticism and activism, it is nevertheless important to recognise that Senegal's strategy was influential in producing increased flexibility on the part of the negotiators, as it became increasingly evident that movement was not possible unless the EPAs were seen as mutually beneficial for both the EU and the region. Indeed, as one Commission official noted, the loud criticisms hailing from Senegal and its important voice in regional and continental affairs made it a "voice to be reckoned with" and one that the EU could not easily ignore given the contentious environment surrounding the negotiations.²² As such, Senegal's behaviour vis-à-vis the EU can be considered as largely 'non-compliant', as outlined in Chapter 1.

Secondly, Senegal managed to make development aspects a priority issue on the region's negotiating agenda from 2008 onwards. Indeed, in April 2008, the region produced a draft 'EPA for Development' (termed PAPED) programme, largely based on Senegal's proposal for DPAs, setting out an estimation of needs and costs for regional integration, a calendar for EPA implementation, and funding priorities for adjustment costs, competitiveness, capacity production, inter-regional trade development and infrastructure. The programme was presented to and accepted by the Commission in October 2008 subject to assessment studies. Senegalese and Ghanaian interviews alike claim that the establishment of the programme and the Commission's positive response constitute a major step forward regarding demands for the integration of a development dimension.²³ Furthermore, some Commission officials have noted that the West African configuration has emerged as the region that has taken ownership of its development programme, by taking the initiative to find concrete and realistic solutions on how to integrate this into the EPAs.²⁴ Aside from a number of unresolved issues which remain to be negotiated between the region and the Commission, the finalisation and adoption of the PAPED, in conjunction

²¹ Interviews Senegalese government, Dakar: June 2008 (S8; S9); Interviews Ghanaian government, Accra: September 2008 (G2; G7; G10).

²² Interview EC delegation, Dakar: June 2008 (EC16).

²³ Interviews Senegalese government, Dakar: June 2008 (S8; S9); Interviews Ghanaian government, Accra: September 2008 (G2; G10).

²⁴ Interview EC delegation, Dakar: June 2008 (EC16); Accra: September 2008 (EC18).

with the EU's and the region's Aid for Trade strategy, and additional EU and regional funding, is considered to be a crucial determinant for concluding negotiations successfully. Although failure to find agreement resulted in the region pushing back the June 2009 deadline to October 2009 (a decision in which Senegal is also said to have been instrumental),²⁵ it is expected that the reality of such a development-oriented funding mechanism will eventually lead to the signing of a regional EPA (*The Guardian* 2009). Although actual agreement has yet to be reached, Senegal can be considered successful in achieving its preferences for the EU to accept the country's (and the region's) concerns, after the more contentious phase of the negotiations was concluded. Importantly, Senegal was able to politicise the debate on the EPAs by mobilising significant opposition to the agreements and questioning whether the agreements were truly development-friendly. In so doing, it managed to place its concerns on the negotiating agenda and encourage the Commission to consider its concerns more closely. The reasons behind Senegal's success are explored in the next section.

2.2 Explaining Senegalese influence in the EPA negotiations

Senegalese strategy and the exercise of leverage in EPA negotiations derived from Senegal's perceptions of the EU as a divided and an incoherent actor in the negotiations, which in turn influenced the country's critical approach to the negotiations, and from certain contextual factors present at the country level, such as, a favourable and well-organised institutional context for strategy formulation; the political utility of the critical approach taken at the highest level of government; the economic position of Senegal as an LDC and the increasing presence of alternative trading partners; and lastly its strategic and influential position in the region. In this respect, despite the evident power asymmetry that permeates Senegalese-EU trade relations, relational and contextual factors have intervened to allow for significant influence of a structurally much weaker Senegal on a structurally stronger EU.

²⁵ Correspondence Senegalese government, June 2009 (S9).

2.2.1 Senegal's perceptions of the EU: United or divided? Consistent or inconsistent?

Senegal's criticisms of the EU's approach to the negotiations and its efforts to give increased space for negotiations on the development aspects of the EPAs can be partially attributed to its perception of the EU as divided and incoherent. Senegalese interviewees confirmed that although the Commission was certainly a capable trade negotiator, and divisions within the negotiation structure were not noted, at the same time, Senegal had also developed a distinct awareness of the contentiousness of the Commission's positions within the EU, namely amongst Member States. Senegalese officials saw such divisions as a "strategic opportunity" to voice concerns, noting that informal links and contacts with EU actors not directly negotiating the EPAs helped get its position across.²⁶ A meeting between Development Commissioner Louis Michel and President Wade in 2006 was cited as an important opportunity for Wade to communicate Senegal's position. An informal meeting between Senegal's Minister of Trade, Mamadou Diop, and UK Minister of Trade and Development, Gareth Thomas, at the April 2008 UNCTAD Conference on Trade and Development in Accra, was also cited as an episode in which a Member State had come forward to show its concern and support for the Senegalese position, providing an informal door through which some influence on the negotiations could be exercised. Lastly, some Member States also provided additional funding for capacity building and impact studies on the EPAs. These occurrences too were seen as assisting Senegal in putting forward its position. Interestingly, one Senegalese official considered that although having certain Member States (most notably the UK and the Netherlands) 'on their side' was considered to have facilitated the exercise of leverage, such Member States were seen as "strategic actors which use tools such as offering support or consideration for the country's position and demands" as a tactic to gain broader political support domestically and abroad.²⁷ Thus Member State divergences from the Commission's position were therefore not necessarily seen as divisions within the EU, but as a negotiating strategy or strategic manoeuvring by the Member States.

Another perception shared widely was that of incoherence between the EU's trade policy and other overlapping policies, namely development. This was especially noted in terms of the perceived inconsistency between the rhetoric espoused at the beginning of the negotiations, soliciting a development-friendly approach to trade negotiations, and the actual negotiating approach, which was perceived to have failed to take account of

²⁶ Interviews Senegalese government, Dakar: June 2008 (S8; S9).

²⁷ *Ibid.* (S9).

development aspects.²⁸ Interestingly, all interviewees referred to a talk delivered by then-trade Commissioner Pascal Lamy at the launch of regional trade negotiations in 2003, in which the development aspect of the EPAs was stressed, but which officials feel the negotiations side-lined. Another issue was the inability of Commission negotiators to fully understand the constraints and problems facing the region, due to their lack of experience on the ground or expertise in the region. It was noted that negotiators took a very theoretical approach to the negotiations without considering the regional realities.²⁹ All Senegalese interviewees confirmed that it was namely the perception of the EU as inconsistent in terms of rhetoric and actual practise and its incapability to consider regional realities that prompted the government to campaign against the EPAs and to resist signing the agreements.

Inconsistency in the EU's approach towards third countries in trade negotiations therefore shapes actors' perceptions, influencing their strategy towards the EU, and consequentially contributing to negotiating processes and outcomes. Importantly, the diverging positions amongst the Commission and Member States and the Commission's inconsistent approach to the negotiations, as perceived by Senegalese officials was considered a 'weakness'.³⁰ In other words, throughout the negotiations, Senegal developed an awareness of some of the constraints the Commission faces as a trade negotiator. This image was furthered by the understanding on the part of Senegalese officials that the Commission too has to negotiate a successful outcome, not only to secure trade interests, but also because of the pressure it faces from Member States. In this sense, one interviewee noted that the Commission "cannot afford to not negotiate with West Africa."³¹ Indeed, as Draper has rightly noted, "whilst it is true that the EU is clearly the dominant partner, it, too, needs a successful outcome to these negotiations and will have to be willing to compromise in order to get it" (2007: 21). The realisation on the part of Senegal of the Commission's constraints prompted the government to adopt a critical position towards the negotiations and to orient the EU towards considering its concerns and preferences.

Aside from Senegal's perceptions of the EU, contextual factors considerably contributed to Senegal's success in exercising leverage. Indeed, as will become apparent, many of the factors favouring leverage, as outlined in Table 1.3 in Chapter 1, are clearly present in the Senegalese case. It is argued that these contributed to making the Senegalese strategy for leverage effective vis-à-vis the EU.

²⁸ *Ibid.* (S6; S8; S9).

²⁹ *Ibid.* (S8).

³⁰ *Ibid.* (S6; S9).

³¹ *Ibid.* (S9).

2.2.2 Institutional factors

As in the case of aid negotiations, although the government faces several major constraints in implementing trade policy and coordinating positions amongst relevant ministries (see Diène 2002: 4; WTO 2003), Senegal has a strong institutional capacity for strategy formulation, which it is able to exploit in negotiations because of its strong conviction of ownership over its trade policy.³² This is seen as having assisted the government in placing issues such as the development dimension at the centre of the regional debate and negotiations with the EU.³³ According to one Senegalese negotiator this capacity and this conviction of ownership are due to the fact that the government's position derives from a participative approach and consultations with relevant stakeholders, and because of the technical expertise and experience available due to Senegal's past experience with UEMOA trade negotiations.³⁴

On the one hand, Senegal's institutional capacity to effectively deal with trade negotiations is limited, because "like other LDCs, Senegal has a large number of trade-related needs and its problems are exacerbated by the difficulty of implementing (trade) agreements, the lack of human and institutional capacity and supply constraints" (WTO 2003a: 28). In 2001, with a view to implementing future WTO agreements, following up on the EPA negotiations, and preparing national positions to submit to the UEMOA/ECOWAS Commissions, the government established the National Committee for International Trade Negotiations (Comite National des Négociations Commerciales Internationales - CNNCI).³⁵ Although this structure is considered a significant point of strength in defending the country's interest in relevant trade fora because it has improved national trade negotiations skills and assisted in tackling the issues related to international trade and trade negotiations (Diène 2002: 1-3), its effectiveness is also severely constrained by a lack of equipment, logistical resources, and an adequate budget for undertaking impact studies (WTO 2003: 18).

On the other hand, the CNNCI is said to have been particularly instrumental in facilitating multi-stakeholder dialogue and consensus building, consultations and

³² *Ibid.* (S8; S9); Interview EC delegation official, Dakar: June 2008 (EC16).

³³ *Ibid.* (S8; S9); *Ibid.* (EC16).

³⁴ Interview Senegalese government, Dakar: June 2008 (S8).

³⁵ The CNNCI serves as a permanent framework for consultation and coordination between the government, the private sector and consumer organisations, on all matters concerning the implementation of bilateral, regional and multilateral trade agreements. The Committee assists in the preparation and adoption of national positions for negotiations that aim to reflect national priorities, and analyses the negotiations and policy issues (like the impact of the trade agreements on Senegalese economy) to propose remedial national (and regional) trade policy measures and strategies (WTO 2003a: 17-18).

information dissemination, and coordinating negotiation themes between different forums. It provided a forum for stakeholders to consider and provide inputs to the government for formulation of trade policies and identification of negotiation priorities. There has also been active involvement of the private sector, facilitating the development of public-private partnerships and collaboration on trade issues (Diène: 2-4).³⁶ Non-governmental stakeholders and civil society organisations were thus involved and made a significant contribution to the formulation of national strategies. For example, the CNNCI facilitated the creation of a coalition between farmer organisations, trade unions, and government officials to participate in the protests against the EPAs in late 2007 and early 2008. One EC official claimed that the active civil society involvement in the campaign, and the collaboration between relevant stakeholders regarding opposition to the EPAs, made a significant contribution to shaping the government's position on the EPAs (see also APS 2007; IPS 2007).³⁷ According to the government, the fact that its position was based on a national consensus assisted in pushing its position onto the EU and the region, while creating a sense of ownership over the government's strategy. Indeed, as in aid negotiations, government officials viewed the country's approach to the negotiations as something to be promoted and defended, by strongly projecting its interests and concerns onto the regional and EU levels. Therefore, the government's consideration of other views, and the consolidation and overlapping of the government's views with those of other national (and regional) stakeholders, influenced the government's conviction of ownership over its strategy, and facilitated the intensity with which it was willing to pursue a critical approach towards the EU. As in the aid field, a conviction of ownership in the institutional setting prevails.

Furthermore, Senegal's efforts to influence the EPA negotiations have also been successful because of its institutional architecture for managing regional integration and uploading its preferences to the regional level. According to Senghor, the organisational ranking within the government of regional integration units and departments in West African countries "is indicative of the status accorded the roles, functions and outputs, and with which goes resources" (2007: 151). Senegal was the first West African country to create a Ministry for African Integration in 1991, which was later incorporated into the Ministry for Foreign Affairs in 2001, and has since played an increasingly active role in promoting national positions at the ECOWAS level, despite limited staffing and funding. The regional integration department ensures the participation of Senegal in the ECOWAS,

³⁶ Interview Senegalese government, Dakar: June 2008 (S9).

³⁷ Interview EC delegation, Dakar: June 2008 (EC16).

disseminates ECOWAS decisions, coordinates positions, and participates in the government's formulation of positions on the ECOWAS, although its role in the latter is rather limited (Senghor 2007: 151, 155, 165-166). Importantly however, policy formulation for regional integration has been much more strongly exhibited through the unit responsible for UEMOA affairs, located within the Ministry of Trade and Finance, which since its inception in 1994, has "enjoyed visibility and more access to resources" (Senghor 2007: 165). The unit has played an important role in ensuring the implementation of UEMOA integration measures, but more importantly, it has helped to consolidate Senegal's position as a leader within the regional organisation. This has favoured the country's strength in inserting its preferences in the regional negotiating position with regards to the EPAs (see below).³⁸

Lastly, the technical expertise the government has available in terms of trade strategy formulation has also contributed to Senegal's success. The experience Senegal has gained in trade negotiations with the UEMOA in such areas as regional trade liberalisation, the establishment of a monetary union, and the CET has significantly assisted the formulation of a strategy towards the EPAs. The previous experience of Senegalese trade negotiators coupled with the general perception and understanding that Senegalese officials tend to be 'good negotiators' overall, have assisted the government in promoting its position. Indeed, similar to perceptions held of Senegalese negotiators in the aid field, EU trade negotiators characterised their encounters with Senegalese trade officials as often difficult, but certainly "intractable, well-prepared, and focused on getting their position across,"³⁹ or possessing "a good expertise and a good capacity for strategy formulation that has allowed them to rise to the challenge."⁴⁰ Indeed, according to one Commission official, Senegal's ability to resist and its continuous insistence on integrating a financial instrument to offset the negative consequences of the EPAs is the country's biggest strength.⁴¹ The experience of Senegalese officials in other regional trade fora and the perceptions that its negotiating opponent, in this case the Commission, hold of their capacity to negotiate on behalf of the country's national interests and preferences have contributed to Senegal being able to exercise considerable leverage in the EPA negotiations.

³⁸ Interview Senegalese government, Dakar: June 2008 (S8).

³⁹ Interview EC, Brussels: April 2008 (EC1; EC9).

⁴⁰ Interview EC delegation, Dakar: June 2008 (EC16).

⁴¹ *Ibid.* (EC16).

2.2.3 *Economic factors*

Senegal's economic position has also contributed to its ability to influence the negotiation process, especially regarding its refusal to initial the interim agreements. Some Commission interviewees claim the main reason why Senegal was able to lead the campaign against the EPAs was because the country did not stand to lose preferential access to EU markets by not signing an EPA. Indeed, Senegal, as an LDC, is eligible for the EU's EBA initiative.⁴² Certainly, this factor partially explains Senegal's position towards the EPAs and towards the EU as a trade negotiator in general. Therefore, as outlined in Chapter 1, a country's ability to exercise leverage is linked to whether it has an alternative to fall back on in case of dissatisfaction with its opponent's negotiating position.

At the same time, the extent to which this factor confers leverage on a country should not be overstated for three reasons. Firstly, while being an LDC afforded the government breathing space in deciding whether to eventually sign a full regional EPA, it is not the main reason why such strong opposition was made against the agreements. Senegalese trade experts claim that the country's LDC status is precarious, and that it is likely that it may soon graduate out of LDC status.⁴³ The government is aware that its trade preferences need to be secured regardless of its LDC status, and trading under the EBA is not considered a sustainable option for the country's economic development. Secondly, because of its UEMOA membership, the country is directly concerned by commitments to liberalisation and tariff elimination taken by non-LDC Ivory Coast, one of Senegal's main regional trade partners. The failure to sign an EPA, and reliance on the EBA for market access, is seen by the government as being highly problematic for the purposes of strengthening regional integration (GoS 2007: 5). Lastly, similar activism and opposition to the EU and the agreements such as the one expressed in Senegal was not found in the other LDCs in the region, and even amongst other ACP LDCs. Indeed, Senegal was amongst the most publicly active amongst ACP LDCs in voicing its discontent with the EU's conduct in the negotiations and the content of the agreements. This indicates that although the country's LDC status may indeed have given it more room for manoeuvre, this factor cannot entirely explain a country's strategy and exercise of leverage.

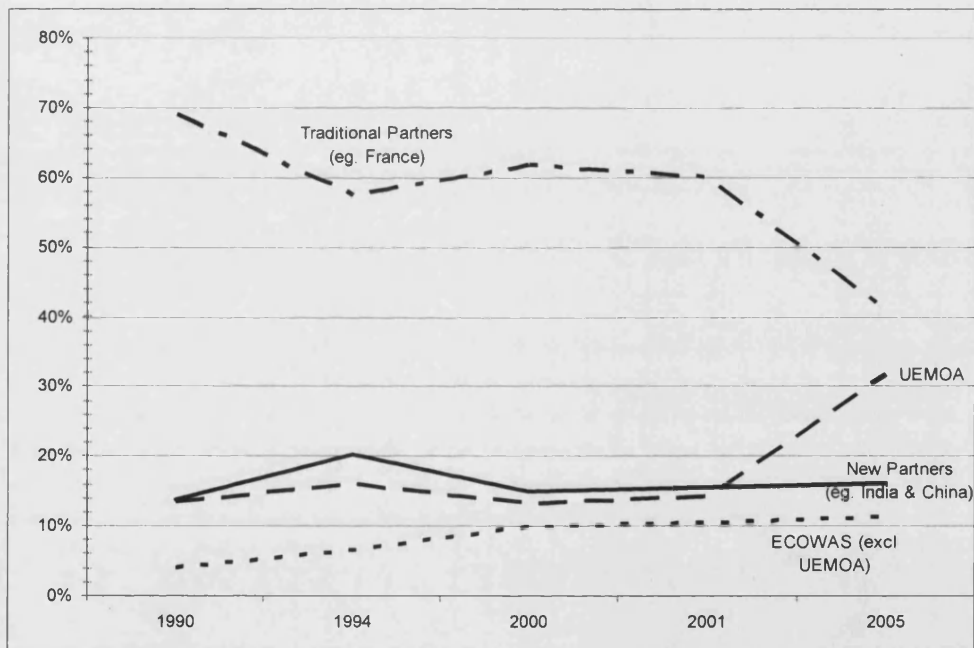
A second economic factor to consider is how Senegal's position in international trade affects its position towards the EPAs and the exercise of leverage. Senegal has begun

⁴² Interview EC, Brussels: April 2008 (EC9); Interview EC delegation, Dakar: June 2008 (EC16).

⁴³ Interview Senegalese government, Dakar: June 2008 (S9).

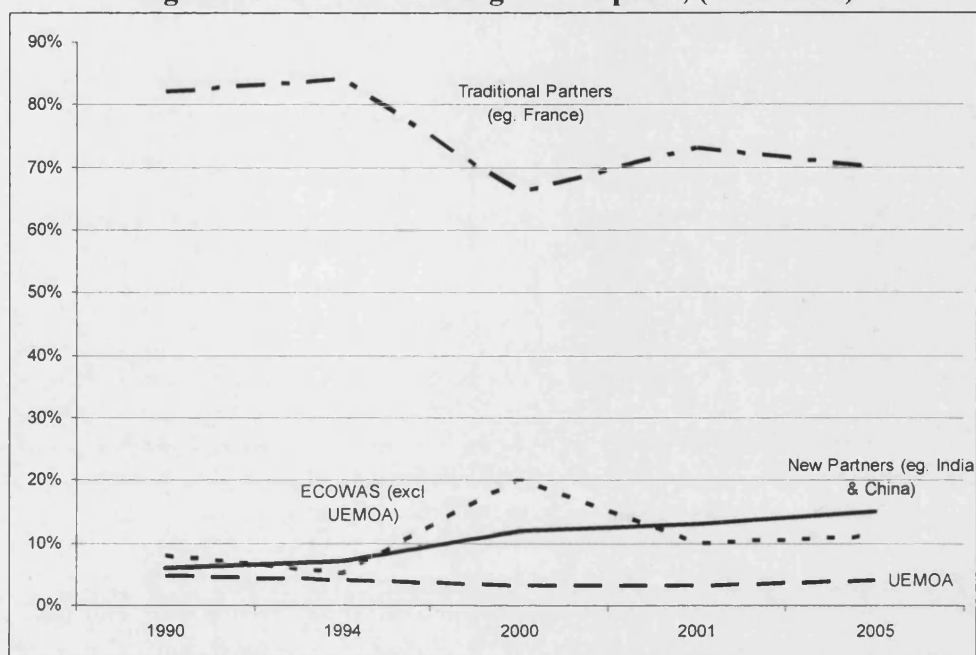
orientating its trade flows away from its more traditional European partners, towards South-East Asia, namely China and India (Diaw and Tran 2008; Broadman 2007; see Figures 5.4 and 5.5). The government is also awarding trade and investment deals to Middle Eastern, Asian, and African firms, often at the expense of its European partners. The onset of increased trade with alternative partners has been welcomed in Senegal, with Wade quoted as saying that Europe was “lagging behind Asian economic powers China and India in the race to snap up trade and investment deals in resource-rich Africa” (Reuters 2007; see also Wade 2008). Furthermore, Senegal is trading more within the West African region. Its exports towards UEMOA countries have increased dramatically, growing from 13% in 1990 to more than 30% in 2005 (Diaw and Tran 2008: 7; see Figure 5.4).

Figure 5.4: Trends in Senegalese exports, (1990-2005)



Source: Diaw and Tran 2005: 7

Figure 5.5: Trends in Senegalese imports, (1990-2005)



Source: Diaw and Tran 2005: 7

This reorientation towards the region and non-traditional economies has occurred at the expense of traditional partners, notably France. Indeed, “trade between developing countries have expanded mainly at the expense of the former industrialised partners ... Senegal has taken advantage of a favourable international trade pattern where there is significant scope for improving trade among developing countries themselves” (Diaw and Tran 2008: 15). Although Senegal cannot entirely bypass trade relations with the EU, as it remains a key trading partner, the country’s expanding trade interest has allowed it to gradually become less dependent on traditional partners, while increasingly focusing on South-South trade and investment. Indeed, the Senegalese case highlights that:

ACP attitudes towards the EU that are changing. The main reason is that the EU has become a less and less attractive market for ACP products. This is due not only to the progressive erosion of preferences ... but also to increasingly stringent food safety standards. Both factors contribute to decreased export revenues for traditional ACP exports such as fish, meat, fruits, vegetables, spices, oil and horticultural products. ACP diversification to markets that demand less onerous conditions is the logical outcome” (Meyn 2008: 526-527).

According to the government, the ability to access alternative trade partners has also provided increased room to manoeuvre with regards to the EPAs, because it does not have to sign the agreements to secure its trade preferences. Furthermore, the government has developed a distinct awareness that the EU cannot afford not to negotiate with the region, and that complete failure of the negotiations is not an option.⁴⁴ This is so because the EU is seen as increasingly concerned about other economic players, such as China and India,

⁴⁴ *Ibid.*

which could eventually surpass the EU's dominant economic position.⁴⁵ Indeed as Kohnert notes:

The political and economic domination of African states by the EU and Africa's former colonial powers perpetuates asymmetrical power relations in the new Economic Partnership Agreements (EPAs). Most African governments welcome the mounting Chinese influence as a counterbalance to the imposition of Western conditions on aid and the unfair trade policies of major Western global players. Western donors regard the takeoff of Africa's economic relations with China with growing suspicion (2008: 22).⁴⁶

Just as in aid negotiations therefore, a country's ability to access alternative resources or its expanding relations with non-traditional trading partners, plays a role in its ability to resist the preferences of a structurally stronger trade partner such as the EU, and secondly, in the shaping of critical positions towards this partner, largely because the risk of forgoing trade preferences is less so than in countries which are perceived as more dependent on the EU.

2.2.4 *Political factors*

Another contextual factor that has allowed for Senegalese leverage is found in its domestic political environment. According to Commission officials, much of the government's activism in the campaign against the EPAs, and its efforts in organising opposition movements in Europe and Senegal were actually politically motivated. In this sense, protest movements were considered 'orchestrated' in order for the government, and especially Wade, to divert domestic attention away from mounting criticism of the government (see Chapter 3) and other pressing issues such as the country's looming energy and food crises.⁴⁷ Indeed, just two days after the EPA protests in Dakar, a general trade union strike was also scheduled to take place. The EPA demonstrations led trade unions to postpone the strike and gave the government additional time to negotiate with the unions. In December 2007, Development Commissioner Louis Michel also dismissed Senegal's opposition against the EPAs as a "political debate," claiming that Wade was instigating an "imaginary conspiracy" (see Gueye 2007). Other EU observers instead argued that the Senegalese position was politically and ideologically oriented, and "rooted in the idea of

⁴⁵ Such concern was confirmed by several EC interviewees: Brussels, April 2008 (EC1; EC3; EC4; EC9). One interviewee said "the fact that China has become very aggressively active in Africa, and the increasing interest of India, Brazil and Japan in the continent's mineral wealth, has complicated the negotiation process because Europe is no longer the main player on the continent" (Accra: September 2008 (EC18)).

⁴⁶ In an article in the *Financial Times*, Wade wrote: "When it comes to China and Africa, the European Union and the US want to have their cake and eat it ... China, which has fought its own battles to modernise, has a much greater sense of the personal urgency of development in Africa than many Western nations ... Not just Africa but the West itself has much to learn from China. It is time for the West to practise what it preaches about the value of market incentives" (Wade 2008).

⁴⁷ Interview EC delegation, Dakar: June 2008 (EC16).

African socialism,” which Wade, as a staunch pan-Africanist was trying to espouse to gain greater political credibility.⁴⁸ Although the motives behind the government’s critical position on the EPAs are not essential in understanding leverage, it is important to note that the country’s political environment and the ideological orientations of its president at a critical time in the negotiations are seen by the EU, as contributing to its activism against the EPAs. What is particularly important to highlight, is that in taking an overt political position on the EPAs, Senegal was particularly effective in mobilising an opposition movement and gaining media attention on the EPAs, thus strongly contributing to the controversy and criticism surrounding the EPAs. According to one Commission official, as one of the only tools that individual ACP countries have available to influence the negotiations, this was done with the “intent of exercising leverage on the Commission.”⁴⁹

2.2.5 *Strategic factors*

Finally, Senegal’s ability to influence the negotiations can be explained by its strategic and influential position in the region. Indeed, Senegal has demonstrated a “long-standing commitment and a leadership role in integration schemes in the continent” (Senghor 2007: 165), is a fundamental player in the UEMOA, and has adopted a critical role in fostering integration in francophone West Africa (Schraeder and Gaye 1999: 134-135). Not only is there a strong conviction on the Senegalese side that the country is a critical player in the region, but similarly there is recognition that it also has a strong capacity to orient other member states towards its position.⁵⁰ This leadership role is exhibited mainly at the level of the UEMOA, where Senegal has used its position within the organisation to influence the regional negotiating platform, which in turn were forwarded onto the EU. For example, Senegal was the primary country to push for the creation of a regional ministerial committee (Le Comité ministériel de suivi de l’APE) to follow the negotiation process. Based on the Senegalese CNNCI, the committee eventually became a joint UEMOA/ECOWAS committee. Both Senegalese and Ghanaian (see below) interviewees note that despite UEMOA/ECOWAS Commissions lacking capacity in negotiating with a structurally much stronger and more experienced European Commission, the regional committee has nonetheless been instrumental in assisting regional integration, consolidating a negotiating position, and providing a space for member countries to

⁴⁸ Interview EC, Brussels: April 2008 (EC9).

⁴⁹ *Ibid.* (EC9); Interview EC delegation, Dakar: June 2008 (EC16).

⁵⁰ Interviews Senegalese government, Dakar: June 2008 (S8; S9); Interview EC delegation, Dakar: June 2008 (EC16).

influence and participate in the negotiation process, capacity permitting.⁵¹ According to all West African trade officials interviewed, the presence of the UEMOA, the previous experience in regional integration efforts in the francophone countries, and the leadership of Senegal within the organisation, have been fundamental in determining the region's negotiation positions, the process, and the outcomes. While interviewees disagree on whether these factors have been a positive or negative influence for the region (see below), all concurred that this influence shaped the negotiations.⁵²

In addition to Senegal's influential position in the UEMOA, another strategic factor which has assisted Senegal is the country's reputation for being a 'diplomatic' country, which in adopting 'political positions' on regional integration issues has determinedly shifted the debate on the EPAs to considering development aspects much more closely than the Commission initially envisioned. According to one Senegalese government official, Senegal's diplomatic reputation and ties with Europe, the region, and the African continent helped the government to seek out and access interlocutors or actors sympathetic to its position, which as noted above, was an important technique used in the government's strategy for promoting its position at the European level.⁵³ Thus while a country like Nigeria is seen by the region and the EU as using its economic weight to influence the region and to get positions across (see below), Senegal instead uses its political weight to exert influence.⁵⁴

All this is not to say that Senegal is not aware of its own weaknesses and constraints or those of the region.⁵⁵ Nevertheless, the case study has demonstrated that a country's perception of the EU in addition to certain contextual factors have contributed to a successful strategy in shaping the regional negotiating agenda in the EPA negotiations and in convincing the EU to more closely consider the country's preferences and interests. The Senegalese case shows that despite the constraints that developing countries face in negotiating trade agreements with a structurally stronger and more experienced EU, the perception a country holds of the EU and certain contextual factors have all contributed to a weaker country successfully achieving its preferences vis-à-vis the EU. In line with the

⁵¹ Interview Senegalese government, Dakar: June 2008 (S8); Interviews Ghanaian government, Brussels: April 2008 (G1); Accra: September 2008 (G2; G7).

⁵² *Ibid.* (S8; S9); *Ibid.* (G2; G7; G10).

⁵³ *Ibid.* (S9).

⁵⁴ Interviews Senegalese government, Dakar: June 2008 (S6; S9); Interviews Ghanaian government, Brussels: April 2008 (G1); Accra, September 2008 (G10); Interview EC delegation, Dakar: June 2008 (EC16).

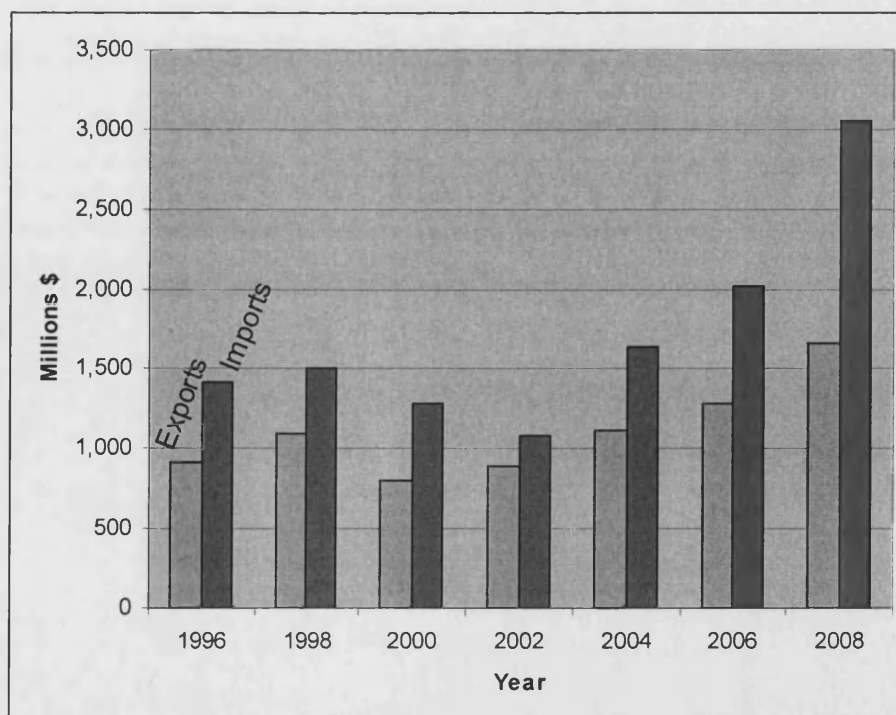
⁵⁵ For example, all interviewees concurred that regional integration efforts needed to be stepped up, and that communication between member states especially at the level of the ECOWAS was often difficult. Furthermore, different capacity constraints in each of the countries are seen to have slowed the integration process. One Senegalese interviewee also considered the fact that the region is negotiating with one of its biggest and most important donors as a weakness in the region's capacity to negotiate with the EU as an equal partner (Interview Senegalese government, Dakar: June 2008 (S9)).

factors outlined in Chapter 1, these contextual factors are: an institutional context allowing for strategy formulation and ownership of government strategies; an economic context in which alternative resources give more room for manoeuvre vis-à-vis the EU; a political context in characterised by strong high-level leadership and political utility of adopting certain ideological positions; and Senegal’s strategic position in the region.

3 Ghana

Since the mid-2000s, Ghana’s share in world trade has increased slightly while overall economic growth has also witnessed a positive trend (World Bank 2008; AfDB-OECD 2008a: 334). Agriculture is a crucial sector and accounts for 35% of GDP and employs nearly 60% of its work force. Ghana also has a growing service sector, concentrated mainly in tourism, infrastructure, financial and social services, contributing to 43% of GDP, and with trade in services outpacing trade in goods, accounting for 25% of total exports in 2006. The EU is Ghana’s main trade partner, accounting for nearly half of exports (mainly gold, cocoa, timber, and tuna) and around 30% of imports (mainly machinery, petroleum, foodstuffs) (see Figure 5.6 and Table 5.2).

Figure 5.6: Evolution of Ghanaian exports to and imports from the EU, (1996-2008)



Source: IMF DOTS 2009

Table 5.2: Ghana's import and export partners, (2007)

Top 10 import partners		Top 10 export partners	
Nigeria	10%	South Africa	26%
China	10%	Burkina Faso	13%
UK	9%	Netherlands	11%
United States	7%	Switzerland	7%
Belgium	6%	France	5%
Germany	5%	Belgium	4%
India	4%	UK	4%
South Africa	4%	United States	3%
France	4%	Germany	3%
Netherlands	4%	Malaysia	3%

Source: Centradex 2007

Compared to other sub-Saharan African countries, Ghana has a relatively good business environment. In 2007, it ranked amongst the world's top reformers in improving its business climate, while in 2008, it ranked sixth amongst all sub-Saharan African countries in overall business climate. Improvements have led to increased investment (World Bank 2008; 2009; AfDB-OECD 2008a: 335), yet significant challenges continue to face the country in realising its economic and development potential. Its continuous dependence on the export of a few primary commodities and a lack of diversification in exports, make it highly susceptible to external trade shocks (AfDB-OECD 2008a: 338). Other structural constraints such as limited supply capacity and small-scale production in the agriculture and industry sectors, limited trade support services such as infrastructure, ICT, and a severe energy crisis have also restricted the country's trade potential and translating of economic growth into development (Patel 2007: 18).⁵⁶

Various studies estimate trade liberalisation would not significantly improve Ghana's market access to the EU (Patel 2007: 11; Hinkle and Newfarmer 2005: 19). The EPA would be worth less than 1% of the value of the country's exports to the EU, while it would allow the EU to increase its exports by up to 11%. At the same time, the elimination of import tariffs would lead to an estimated 7% loss in total government revenues (Zouhoni-Bi and Nielsen 2007: 12).⁵⁷ Although Ghana would therefore not reap any significant benefits from the EPA in terms of trade preferences, it could, for example, provide the country with market access improvements and more favourable Rules of Origin for Ghanaian exports; increase local capacity to comply with standards and certification requirements; and remove the barriers for entry into the EU market for services (Patel: 11-12).

⁵⁶ Interview Ghanaian government, Accra: September 2008 (G7).

⁵⁷ This is significant considering that in 2006, FDI and remittances constituted 3.4 and 1.3 % of GDP (World Bank 2008: 2).

The government considers that, in view of the country's relatively small domestic market, growth must come through increased international trade. This is to be achieved through increased regional and global integration, streamlined export and import procedures, a diversified and strengthened export base, promotion of agricultural processing, geographical diversification towards ECOWAS, and full use of preferential market access (WTO 2007: 12). The government therefore considers the EPA as potentially beneficial and an important legally binding instrument guaranteeing market access to the EU. For these reasons it has been intent on engaging in the negotiation process.⁵⁸ It also attaches great importance to integrating a development dimension into the final text of the regional EPA, to provide the country with instruments to overcome supply-side constraints (*Daily Guide* 2008). At the same time and in contrast to Senegal, Ghana considers the development of its trade capacity and strengthening the competitiveness of its industries as a much more important element of the development dimension (i.e. supply-side constraints), as opposed to receiving increased financial assistance to cope with the short-term effects related to diminished revenues from import tariffs (i.e. adjustment costs).⁵⁹

Like Senegal, Ghana also attaches great importance to regional economic cooperation and integration, which since 2005, has become an official objective of the government's trade policy. Ghana has proven its commitment to the integration process by adopting the UEMOA's CET in 2005 and has been an important recipient of trade-related assistance for regional integration towards infrastructure and strengthening regional productive capacities. Indeed, as it is entirely surrounded by UEMOA countries, yet trade with its neighbours is limited, closer economic integration is considered fundamental in order for Ghana to meet its developmental goals. The government considers the EPAs as potentially beneficial instruments for pushing regional integration of the ECOWAS faster and further, through trade facilitation, capacity-building and technical assistance. At the same time, like most of the ECOWAS countries, the government is concerned that regional integration efforts are not sufficiently advanced to allow for a full-fledged FTA, and could therefore result in dividing the region. Furthermore, Ghana is particularly concerned with the implications of failure to sign a regional EPA for the country's trade prospects. As one of three non-LDCs in the region, the LDCs choice not to enter into an EPA but trade through the EBA would imply the creation of border controls and rules of origin between

⁵⁸ Interviews Ghanaian government, Brussels: April 2008 (G1); Accra: September 2008 (G10; G11).

⁵⁹ *Ibid.* (G7). This is not to say that it does not attach any importance to the adjustment cost side of the EPAs development dimension. In general however, the government has focused much more on how the EPA will address supply-side constraints (Interview Ghanaian government, Accra: September 2008 (G11)).

LDC and non-LDC in West Africa, which would further increase barriers to economic integration in the region (Patel: 24).⁶⁰

Therefore, Ghana's interests in the EPA are clearly found in continuing market access to the EU, in enhancing its trading potential and capacities, and in strengthening and advancing regional integration. Considering Ghana's position and its interests, and considering that Ghana's view on the EPAs differs from Senegal's, what has been Ghana's strategy towards promoting these interests vis-à-vis the EU, and how successful has the government been in its efforts?

3.1 Ghanaian strategy towards the EPA negotiations

Similar to its position in aid negotiations, Ghana's strategy on the EPAs has relied on a rather consensual or accommodating approach towards the EU, while at the same time relying on the ECOWAS to negotiate on its behalf. Indeed, all Ghanaian interviewees insisted that the possibility for influencing the negotiations and the EU was minimal because the negotiating mandate had been delegated to the regional level.⁶¹ Unlike Senegal therefore, Ghana did not perceive any opportunities for directly influencing the EU, and instead concentrated its efforts at the national and regional levels. Furthermore, at the national level, most efforts to either prepare the government's position on the EU or influence the region's negotiating mandate were left to technical staff, with many interviewees noting that political interest and commitment to the negotiations only came as the 2007 deadline approached.⁶² During most of the negotiating process therefore, aside from occasional calls for increased EU flexibility on the developmental concerns of the ACP (see WTR 2006), the government took a mostly passive approach to the negotiations, while technical experts were left to prepare the government's positions on issues to be forwarded to the regional level.

A few months before the negotiations were due to end, high-level figures in the government became more involved and interested in the negotiations and began publicly voicing Ghana's position. Yet unlike the loud activism on the part of Senegal's Wade, Ghana's then-president Kufuor was much more apprehensive about criticising the EU's approach. He insisted that the EPAs were mainly aligned with the government's economic and development interests and offered the potential for becoming development tools to build Ghana's productive capacity, competitiveness and industries, and enhance regional

⁶⁰ Interviews Ghanaian government, Brussels: April 2008 (G1); Accra: September 2008 (G2; G7; G10; G11).

⁶¹ *Ibid.* (G1; G2; G7; G10; G11).

⁶² *Ibid.* 2008 (G7; G10).

integration.⁶³ At the same time, in 2007 the president requested the EU to consider extending the deadline for the negotiations and to consider addressing the barriers to trade and procurement and assist the ACP countries in preparing their markets for liberalisation (*Daily Graphic* 2007). This position was reiterated by the then-Trade Minister, who indicated in November 2007 that Ghana and the ECOWAS, were not ready to sign the agreements and had made the decision to refrain from signing at the December deadline (*The Statesman* 2007).

Yet as the deadline approached, in view of securing continued market access and faced with the risk of losing trade preferences, the government's 'strategy' or choice was to shift its position of not signing a regional EPA to initialling the interim agreement.⁶⁴ Importantly, as a non-LDC, Ghana had only one alternative option in continuing its trade with the EU, namely the GSP or GSP plus scheme. Although in mid-2007 the GSP plus was briefly considered as an alternative option, it was eventually deemed inappropriate for securing Ghana's trade interests, as this did not offer a binding legal agreement and was subject to periodic review and could be withdrawn unilaterally by the EU, thus creating "an uncertain environment, which does not encourage investors and will not serve the development interest of ACP countries," according to one Ghanaian trade official (*Public Agenda* 2007).⁶⁵ After initialling the agreement the government came to face public, civil society, and trade unions criticism for undermining the regional position of resistance against the EPAs. In May 2008, Kufuor reiterated the government's position, noting that Ghana was compelled to sign the agreements as a safeguard against losing its trade preferences vis-à-vis the EU:

The government is very much aware of the criticism it has attracted. The EPA is a transitional arrangement for getting our produce and products into the European market. It is the way to save the country's export industry and thereby protect jobs and earn revenue while the Doha negotiations for a fairer global trade system still proceed. In the West African sub-region, the two countries that are caught up in the dilemma are Ghana and Cote d'Ivoire. Apart from Nigeria, the rest are classified as Least Developed Countries, which are exempt from the payment of tariffs on the EU market. Nigeria on the other hand is so endowed with oil revenue that it could afford not to sign the Agreement. Ghana cannot. I therefore urge our labour movement to appreciate the position of government during this period (GoG 2008).

Indeed, the months following the initialling of the interim EPA saw the government defending and justifying its decision, both at the national and regional levels,⁶⁶ and with the

⁶³ *Ibid.* (G7; G10); Interview EC delegation, Accra: September 2008 (EC18).

⁶⁴ *Ibid.* (G1; G2; G7; G10; G11).

⁶⁵ *Ibid.* (G10; G11).

⁶⁶ Interviewees claim that Ghana's decision to enter into an interim agreement with the EU needed to be explained to the region due to initial criticism from some ECOWAS countries on their decision to negotiate at

EU stepping up pressure for Ghana to sign and ratify the agreements.⁶⁷ The government's strategy towards the EPAs was therefore mainly oriented towards the national level, firstly in developing technical positions to present to the ECOWAS, and then to support the EPAs and defend the government's decision when faced with public discontent over initialling the agreement.

It is noteworthy that since the change of government in December 2008, the interim EPA has not been signed or ratified. Several stakeholders approached the new government with concerns over the previous government's decision to sign the interim agreements without adequate national consultations. Ghana's Trade Union Congress told the new government that "Ghana initialling the EPA was a stab on the back of ECOWAS, which in October 2007 called for the extension of the EPA negotiations deadline having recognised the Sub-Region was not in a position to sign or initial any form of EPA ... In our view the action by Ghana and Cote d'Ivoire is a threat to regional integration" (GNA 2009). In April 2009, the new government announced that it would re-engage with the EU on the EPAs, but only after consultations with national stakeholders were incorporated into the government's position to be discussed with the EU. The government also claimed that if the agreement was found to be against the interests of the country, Ghana would ensure that adequate development assistance was committed to address adjustment costs (*Public Agenda* 2009). In May 2009, the new president, John Atta Mills criticised the EPAs and claimed it would lead to European countries dumping highly-subsidised goods and services on Ghana (*The Statesman* 2009). The new government's position on the EPAs seemingly indicates a shift in strategy in dealing not only with the EU, but also in its approach at the national level.

3.2 Explaining Ghana's inability to influence the EPA negotiations

The inability of Ghana to significantly influence the negotiations can be attributed firstly to Ghana's perceptions of the EU as a powerful and united trade negotiator, especially in relation to how it perceives its own negotiating weaknesses compared to the EU. Secondly, this can be attributed to contextual factors present at the country and regional levels: namely, an institutional context characterised by a lack of experience and expertise in trade negotiations and a lack of adequate consultations between the government and relevant stakeholders and civil society; an economic position which left

the individual level (see *The Statesman* 2008a). (Interview Ghanaian government, Accra: September 2008 (G7; G10); Interview EC delegation, Accra: September 2008 (EC18)).

⁶⁷ Interview Ghanaian government, Accra: September 2008 (G7).

the government with little alternative but to sign an interim agreement to protect its trade interests, and a general inability to project its interests as a non-LDC; a political situation in which high-level political engagement was limited and where pressure to deliver led to the decision to initial the interim agreement; and lastly, a less than strategic position in the region where Ghana's weight is marginal compared to the dominant position of the UEMOA. As such, the relational and contextual factors outlined in Chapter 1 have not favoured Ghana's exercise of leverage vis-à-vis the EU.

3.2.1 Ghana's perceptions of the EU: United or divided? Consistent or inconsistent?

Ghana's lack of influence on the regional trade agenda and its inability to significantly influence the process and outcomes of the negotiations can be partially attributed to its perceptions of the EU, especially in relation to its own understandings of the country's inability to exercise leverage vis-à-vis the EU. Unlike Senegalese interviewees, Ghanaian government officials could identify no weaknesses in the EU, and felt that negotiators were firm, prepared, constructive and open to address the country's concerns.⁶⁸ Furthermore, interviewees were unable to identify any divergences within the EU, either between Member States and the Commission, or between DG Trade and DG DEV (or other relevant DGs). While some Member States, most notably the UK and Germany, provided funding for EPA-negotiation capacity-building, officials could not identify any particular instances in which the government was able to voice its concerns vis-à-vis Member States, nor did they view Member States as potential interlocutors between the government and the Commission.⁶⁹ Indeed, as one interviewee noted, "there were absolutely no cracks in the EU's negotiating machine. They are extremely well-trained and experienced negotiators and this clearly shows in the way they handled the negotiations."⁷⁰

This perception of the EU as a united and prepared negotiator in trade is particularly relevant to understanding the Ghanaian approach to the negotiations when considered in relation to the government's understanding of its own strengths and weaknesses. Amongst interviewees, there was a strong conviction that the country could not significantly influence the negotiations. In this sense, Ghana very much recognised its 'weaker' position vis-à-vis the EU and acknowledged that the power asymmetry between the country and the EU was of such magnitude that it limited the scope for forwarding its interests firstly onto

⁶⁸ Interviews Ghanaian government, Brussels: April 2008 (G1); Accra: September 2008 (G2; G7; G10; G11).

⁶⁹ *Ibid.* (G1; G2; G7; G10; G11).

⁷⁰ *Ibid.* (G1).

the EU, and to lesser extent, onto the region. According to officials, this inability to influence the negotiations is considered to originate namely at the regional and country levels (see below).⁷¹ As such, the major problem that Ghana faces in pursuing its preferences in the EPA negotiations, does not necessarily concern the EU as a trade negotiator *per se*, but is seen as due to constraints in the domestic and regional context which limit its ability to influence the negotiations.

Any criticism that was voiced on the EU's position mainly concerned the lack of policy coherence between trade and development aspects. As in Senegal, interviewees felt that the EU's negotiating position diverged from its initial position, which more strongly referred to development-friendly trade agreements.⁷² Yet, one aspect that was common amongst most interviewees was the view that the EU had become more willing to discuss development issues during the third phase of the negotiations, and although exact funding modalities and the amount of funding to be made available to the region were still subject to negotiation, many consider this a positive step towards a development-friendly EPA.⁷³ Although the EU's negotiation agenda was perceived to have been mainly trade-driven, officials were confident that if an adequate development dimension was inserted into the agreements, the EPAs could provide potentially very useful tools for strengthening capacity and development potential. One interviewee noted, "for the EPAs to be successful tools for development, the EU will have to fulfil its end of the bargain too, which implies more resources to address supply-side constraints. I am confident that we can reach agreement on this. The EU does not have mercantilist interests in Africa, and it is not looking for market access. Instead, the EPA is a tool for development."⁷⁴ Unlike the Senegalese position, Ghanaian officials held a view of the EPAs which was not radically different from the EU's own position.⁷⁵ Ghana did not seek to influence the negotiations because the position adopted by the government largely converged with the idea of the EPAs that the EU was trying to champion, and because Ghana was seemingly satisfied with progress made on integrating a development dimension.

⁷¹ *Ibid.* (G2; G10).

⁷² *Ibid.* (G2; G7; G11).

⁷³ *Ibid.* (G2; G7; G10; G11).

⁷⁴ *Ibid.* (G11).

⁷⁵ Interview EC delegation, Accra: September 2008 (EC18).

3.2.2 Institutional factors

A major factor constraining Ghana's ability to exercise leverage is found in the country's institutional context. Ghana's institutional framework for trade negotiations is similar to that of Senegal. Since 2006, the Ministry of Trade has overall responsibility for the formulation, implementation, and monitoring of Ghana's trade policies and officially oversees trade negotiations. An Inter-Institutional Committee (IIC) on Multilateral Trade Negotiations follows trade negotiations and aims to ensure participation of different institutions and stakeholders in formulating the government's position (WTO 2007: 10).⁷⁶ The IIC and the subcommittee on EPA negotiations have the "critical role in ensuring formulation and validation of regional negotiation positions ... [and] advise ministries on the appropriateness of signing EPAs at the end of negotiations" (South Centre 2007: 1).⁷⁷ As regards regional integration, the Ministry of Foreign Affairs, Regional Cooperation and NEPAD is responsible for coordinating the implementation of regional integration, facilitating the opening of the regional market to Ghana's private sector, and aligning these processes with the country's national development framework.⁷⁸

Despite this institutional set-up, similar to Senegal, the government faces several constraints that have hampered its effectiveness in terms of trade policy formulation and negotiating strength. Indeed, "until recently, Ghana did not have a coherent trade policy as policies were scattered in various documents and ministries, making it difficult to have an overall view of the direction of the Government's trade strategies, and the linkages between trade policy and the broad economic development plans" (WTO 2007: 21).⁷⁹ An OECD study on Ghana's capacity in trade negotiations noted that coordination between the different ministries responsible for trade matters was poor, without any formal mechanisms for coordination in place. Furthermore, often the government preferred sending "poorly-equipped officials (from non-Trade Ministries) to deal with technical aspects of trade negotiations", rather than making use of the expertise (however limited) available in the

⁷⁶ The IIC was established in 1995 as a follow-up to the WTO Uruguay Round, with a view to strengthening Ghanaian capacities in trade negotiation and benefited from external funding from its inception, thus allowing for a building-up of expertise and experience.

⁷⁷ Interviews Ghanaian government, Accra: September 2008 (G2; G10); Interview EC delegation, Accra: September 2008 (EC18).

⁷⁸ Regional integration has long been a priority area for the government, leading to the creation of a Ministry of Economic Planning and Regional Integration, which replaced by the Ministry of Regional Cooperation and NEPAD in 2003, and then merged with the Ministry of Foreign Affairs in 2006. The Ministry contains a division dedicated towards the regional cooperation and is further divided into six sections responsible for different aspects of regional integration (Senghor 2007: 153).

⁷⁹ Ghana Trade Policy framework adopted in 2005 represents the first concrete attempt to provide "clear and transparent guidelines for the implementation of the Government's domestic and international trade agenda" (WTO 2007: 9).

Trade Ministry (OECD 2000: 3). Thus a lack of sufficient technical, financial and human resources has been, and continues to pose a major constraint on the country's negotiating capacity and is considered a major handicap in pushing its position. Yet as shown in the Senegalese case study, similar institutional constraints have not necessarily translated into an ineffective position towards influencing the regional agenda or influencing the EU's approach towards integrating a development dimension into the regional agreement. Indeed, there are two important differences in the institutional context of Senegal and Ghana that have favoured leverage in the former, but led to a more passive approach in the latter.

Unlike Senegal, the government's position and approach to the negotiations did not represent a consolidated view amongst the government, relevant stakeholders, and civil society. At the institutional level, no appropriate mechanism existed to allow other actors to participate in formulating the Ghanaian approach to the negotiations. Indeed, Ghana's ICC failed to provide a space for other national views on the EPA. One advocacy leader noted that the "the institutional committee is not working and everything is centered in the ministry," (*The Statesman* 2007a; see also IPS 2007a), a position which was echoed by one government interviewee who agreed that the ICC had failed to consider the views of other stakeholders, leading to intense criticisms of the government's decision to initial the interim EPA.⁸⁰ Indeed, while in late 2007, trade unions and civil society urged the government to consider the GSP plus option instead of the interim EPA (*Ghanaian Chronicle* 2007), the government had already decided that it would sign the interim EPA.⁸¹ According to some interviewees, the fact that other stakeholders were not adequately consulted, and the significant criticism that followed the decision to enter into the agreements, minimised ownership over the country's negotiating position, and negatively impacted the government's position within the region and its ability to influence the negotiations.⁸²

A second important difference in the institutional context is the varying levels of experience of trade officials in regional negotiations. While Senegal has gained considerable strategic and technical expertise through its active participation in the UEMOA, Ghana's regional integration prospects have focused almost entirely on the ECOWAS. All interviewees noted that because the EPA is unprecedented, the government, and more specifically the Ministry of Trade does not have the expertise needed nor well-trained negotiators with the level of experience necessary to take on the myriad of issues the EPA negotiations require the government to tackle. It was noted that national experts on

⁸⁰ Interview Ghanaian government, Accra: September 2008 (G7).

⁸¹ *Ibid.* (G1; G7).

⁸² *Ibid.* (G7).

EPAs can provide only limited input in to the negotiating process, because either technical knowledge was lacking, or because many other trade files (namely the WTO) are being handled simultaneously, constraining capacity.⁸³ The different negotiating mandates and timetables place considerable stress on Ghana's institutional capacities (WTO: 20). Furthermore, the actual number of people working on EPA and EPA-related issues is also limited (three in the entire Ministry), and the continuous re-posting of expert technical advisors has created a lack of institutional memory during the entire negotiations.⁸⁴ While this is not to say that Senegal does not experience similar institutional constraints in terms of capacity and expertise, a fundamental difference is found in the strength and experience Senegal has gained through UEMOA membership. Indeed as noted in the Senegalese case study, it is namely the unit responsible for relations with the UEMOA within the Ministry of Trade, which has led policy formulation on regional affairs and consolidated the country's strategic position in the organisation. In fact, some Ghanaian government officials have suggested that the extensive experience of the governments of UEMOA member states in economic integration and trade liberalisation have assisted their ability to influence the region in formulating a negotiating position vis-à-vis the EU.⁸⁵ Ghana's lack of experience in trade negotiations is considered a major handicap in terms of its ability to influence the negotiations beyond the national level.⁸⁶

3.2.3 *Economic factors*

Ghana's economic position is another major contributing factor to the government's inability to exercise leverage. Unlike Senegal, Ghana was not in a position to risk forgoing EU market access by refusing to sign an interim agreement, significantly affecting the country's position in the negotiations. Interestingly, Ghana's choice to initial the agreement is quite similar to its approach to aid negotiations (see Chapter 3), which has been mostly reactionary or compromising to please the donor and avoid the risk of forgoing critical aid commitments. Similarly in the EPA negotiations, due to lack of a suitable alternative trading scheme and to avoid the risk of losing trade preferences, the government felt compelled to opt for the interim-EPA. Indeed, if a country's ability to exercise leverage is linked to an available alternative that more closely fits its national interest, then the case of Ghana clearly indicates that trade dependence on the EU market and a non-LDC position

⁸³ *Ibid.* (G2; G7; G10).

⁸⁴ *Ibid.* (G7; G10).

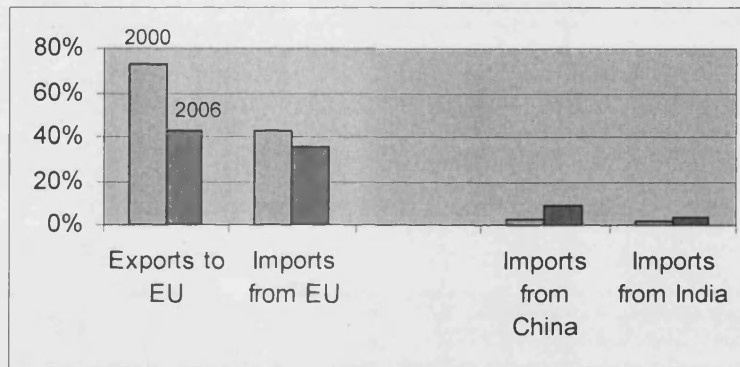
⁸⁵ *Ibid.* (G1; G2; G10).

⁸⁶ *Ibid.* (G2; G7; G10).

significantly shaped the government's position in the negotiations. Indeed, the following observation seems rather accurate: "Most EPAs rather mirror the prevalent power asymmetries ... Since most non-LDC ACP countries lacked the ultimate source of bargaining power of the weaker party, namely, the ability to walk away from the EPA negotiations, they had to accept the interim EPA text" (Meyn 2008: 524).

A second economic factor constraining the country's bargaining power, is its position in international trade, and more specifically, its trade relations with alternative trading partners. Ghana's bilateral trade with the EU has declined, while its share of imports originating from China and India has increased.

Figure 5.7: Ghana's Share of Trade with the EU and Alternative Partners, (1990-2008)



Source: Adam and Tweneboah 2008: 2

Indeed, Ghana is actively pursuing alternative markets for its main export, cocoa (IPS 2008). Furthermore, China and India have also increased their foreign direct investment (FDI) in Ghana, ranking second and third next to the UK in FDI in 2007 (Idun-Arkurst 2008: 18). According to Idun-Arkurst, "by being the most diversified source of FDI, China is contributing to the creation of basic industrial capabilities" (2008: 21), and is therefore aligning with the government's interests in addressing supply-side constraints to develop increased trade capacities.⁸⁷ At the same time, in comparison to Senegal, the presence of China and India has been met with a rather mixed reaction from the government and the public. Although Kufuor praised China for its development assistance to Africa, the government and trade unions alike are increasingly concerned that this trade expansion is not necessarily in the country's long-term development interests (Idun-Arkurst and Laing 2007: 19).⁸⁸ The more cautionary approach to alternative trading partners in Ghana, especially in comparison to Senegal's 'open arms' policy is important,

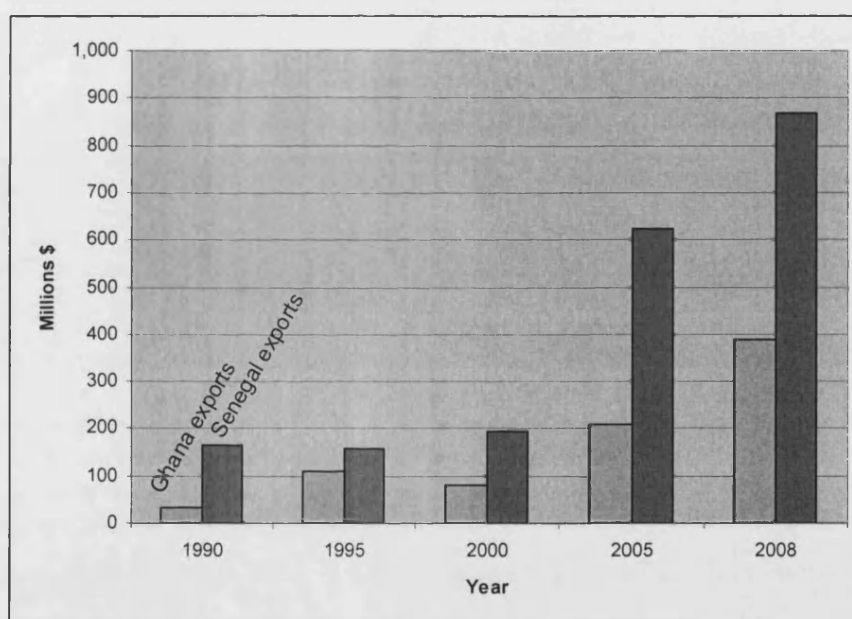
⁸⁷ *Ibid.* (G7).

⁸⁸ *Ibid.* (G1). For example, Ghana's cocoa exports to China and India face higher tariffs than other cocoa-producing LDCs, which is seen as discouraging investment in this crucial sector (Reuters 2008).

because it indicates that the country is less inclined to forego favourable trade relations with the EU as it does not see alternative sources as a viable alternative to traditional trade partners.

In addition, Ghana also trades much less within the region and with Africa in general, than Senegal (see Figure 5.8). In 2004 and 2005, less than 3% of Ghana's exports went to other ECOWAS countries (mainly Guinea, Benin, and Nigeria), and only about 2% of its imports came from within the region (mainly Togo) (WTO 2007a: 16). The current limited trade flows between Ghana and the region further constrains Ghana's choice to continue preferential access with the EU, and limits its room for manoeuvre. As such, the Ghanaian case confirms that expanding trade relations with non-traditional partners is an important factor in determining a country's approach to trade negotiations with structurally stronger partners such as the EU.

Figure 5.8: Ghana's and Senegal's exports to Africa, (1990-2008)



Source: IMF DOTS 2009

A last economic factor constraining Ghana's ability to exercise leverage is found in relation to its overall economic position within the region. Specifically, the presence of an economically stronger Nigeria and the dominant position of LDCs have positioned Ghana, as a non-LDC but with a relatively small and volatile economy, in a middle-ground position. Indeed, the fact that Ghana is one of three non-LDCs in a region dominated by 13 LDCs, has constrained its ability to upload its interests onto the regional agenda, largely dominated by the influence and preferences of LDCs. Aside from differing economic interests due to the different levels of industrialisation and development facing these two

groups of countries,⁸⁹ market access and reciprocity obligations do not affect the LDCs should they wish not to negotiate a regional EPA, while for countries like Ghana and Ivory Coast, the loss of market access is a significant threat. Ghanaian observers claim that divergences in interests between the LDCs and non-LDCs have caused a stalemate at the regional level, that high-level political intervention is needed to reach a solution.⁹⁰ Furthermore, officials indicated that because the UEMOA, which is composed of a majority of LDCs, is seen as having largely dominated the regional negotiating mandate (see below), Ghana's opportunities for influence and leverage have been even more limited.⁹¹

In addition, the presence of Nigeria and the limited strategic relationship Ghana has with the strongest economy in West Africa has also hampered Ghana's potential for leadership, influence and leverage in the negotiations. Officials noted that Nigeria has been very effective at complicating the regional integration process, shaping the regional agenda, and convincing the EU to more closely consider the region's concerns and interests.⁹² Nigeria's position in the region is particularly important for understanding Ghanaian prospects for leverage because of what this implies for Ghana's potential position of regional leadership. Because Ghana is not a member of the UEMOA, its main economic alliance in the region has been with Nigeria. This alliance however has not meant greater economic influence for Ghana, as Nigeria has pursued its own economic interests. Indeed, as Aryeetey notes:

While Ghana and Nigeria have been traditional anglophone partners in the sub-region, this relationship has never been translated into greater priority being attached to the bilateral relationship. The current stimulated relationship is driven more by a felt urgency to respond to the perceived lack of interest from the Francophone partners, at the behest of France, in faster integration ... Ghana is perceived to be pulled in separate directions by different political pressures, but the lack of an open debate suggests that whichever way the country chooses to go the final decision will be a matter of diplomatic and political convenience, rather than a well-thought out strategy (2001: 32).

Therefore, the important economic presence of Nigeria and the rather loose partnership between Ghana and Nigeria has not necessarily helped it to gain influence in the economic affairs of the ECOWAS, and consequentially limited its bargaining strength in the negotiations.

⁸⁹ For instance, Ghana has more protective interests in liberalising certain sectors and industries, whereas the LDCs have preferred to liberalise these immediately because they are more underdeveloped.

⁹⁰ Interview Ghanaian government, Accra: September 2008 (G7).

⁹¹ *Ibid.* (G7; G10).

⁹² *Ibid.* (G7; G10). Nigeria's economy is larger than that of all ECOWAS countries combined, yet its trade policy is much more restrictive, creating considerable difficulties when it resisted adopting the regional CET and demanded the creation of a fifth tariff band. The request sparked controversy and led to the date for implementation of the CET to slip twice, once in January and again in July 2008.

3.2.4 Political factors

Ghana's political environment is another contributing factor hampering the country's effectiveness in influencing the negotiations. As mentioned above, it has been noted by some government officials that political leadership and engagement in the negotiation process remained limited until the 2007 deadline approached. According to one official this led to decisions being taken on the basis of a weak consultation between the political and technical levels, and furthermore led to a very technical approach to the negotiations.⁹³ It was only when the negotiation deadline neared, and the "reality of losing trade preferences became imminent," that political figures began demonstrating interest in the negotiations and began taking note of the implications for Ghana.⁹⁴ This explains the difference between the Senegalese and Ghanaian approaches to the negotiations: while in Senegal high-level political involvement immediately dominated the government's approach to the negotiations, in Ghana the government's approach remained rather passive because it was left mostly to the technical experts to formulate an approach with interest demonstrated only at a later stage in the negotiations.

Another political factor that has influenced Ghana's approach is the presence of highly competitive party politics, leading to pressure on government officials to deliver visible development results in the short term. Indeed, another parallel can be drawn here between Ghana's position in aid negotiations and its positions towards the EPAs. While in aid negotiations the pressure to deliver and the desire to stay in power have led the government to forego ownership over development policies and programmes in order not to risk losing crucial aid, in the trade sphere similar pressure to secure market access with its most important trade partner have led to accusations that decisions were made and positions adopted based on short-term interests and political expediency, rather than on adequate consultations between the technical, ministerial, and political levels.⁹⁵ Some government officials saw the decision to initial the interim EPA as an attempt to gain credibility vis-à-vis the EU and demonstrate the government's commitment to the EPAs. Indeed, not only was there an urgency to initial the interim-EPAs to secure market access, the decision was also in line with the government's foreign policy focus on economic diplomacy vis-à-vis major donors and trade partners (see also Chapter 3).⁹⁶ However, according to one interviewee, in doing so, "the focus on the development dimension, namely the adjustment

⁹³ *Ibid.* (G7).

⁹⁴ *Ibid.* (G7; G10).

⁹⁵ *Ibid.* (G7).

⁹⁶ *Ibid.* (G10; G11).

costs, supply-side constraints, and financial support was undermined, because the government felt it more opportune in the short-term to give into EU pressure and demonstrate its positive approach to the negotiations than securing long-term commitment to other essential areas.⁹⁷ This highlights how Ghana's political framework has influenced its position in the negotiations, and has seemingly compromised its ability to exercise leverage vis-à-vis the EU when faced with the pressure to initial the interim EPA.

3.2.5 *Strategic factors*

The last contextual factor influencing Ghana's exercise of leverage is found in its less than strategic position regarding the region's negotiating mandate. Ghanaian interviewees identified a set of problematic issues at the regional level which impacted on the country's ability to get its position across. Firstly, all interviewees mentioned the issue of capacity problems at the regional level, in that the level of expertise and the quality of negotiators was not at the level necessary to take into consideration the position of all member states, and to negotiate with the EU. Communication between the capitals and the regional secretariats was low. National experts are said to lack access to negotiating material and seldom receive reports from the regional level. Furthermore, direction from the regional level is seen as lacking, and this hampered the pursuit of the country's interests vis-à-vis the regional level, and was also a major factor in the government's decision to enter into the interim agreements when approached by the EU bilaterally.⁹⁸

Secondly, some interviewees claim that major tensions exist between the UEMOA and ECOWAS, which are seen as severely hampering the formulation of a unitary approach to the negotiations. Due to better and more funding and integration sustained by external (mainly French) guarantors, the UEMOA is seen as having taken a dominant position in formulating the regional negotiation agenda. Indeed, as one observer notes:

So successfully has UEMOA check-mated and undermined ECOWAS that all that the latter now spends a great deal of its time doing is to harmonise its programmes with those of the former, hold joint ministerial meetings, seek the convergence of the economic and financial policies and the harmonisation of the legal framework, accounting procedure and statistics of both ECOWAS and UEMOA. In any case, such convergence will for long remain a pipedream since UEMOA countries constitute a majority of ECOWAS member countries and as such can play both judge and jury. In spite of the apparent unity that exists, ECOWAS is a house divided against itself. (Adebayo 2004: 45).

⁹⁷ *Ibid.* (G7).

⁹⁸ *Ibid.* (G1; G2; G7; G10; G11).

These tensions have also affected the negotiations. One report on the EPA negotiations pointed out: “There is a need to strengthen collaboration between UEMOA, whose integration agenda is more advanced, and ECOWAS, whose membership is larger and more heterogeneous. Information flows between the two need to be optimised, and trickle down to different countries of the region” (South Centre 2007). Although some interviewees have praised the expertise and experience of the UEMOA and some of the UEMOA countries,⁹⁹ others claimed that this constrained Ghana’s ability as a non-UEMOA country to effectively shape the agenda and influence the negotiations.¹⁰⁰ One official said:

It is namely the UEMOA that is driving us, and they have a strong voice. But we need to have a voice too or our interests and those of the ECOWAS will not be met. Ghana feels intimidated and isolated, and under pressure to break through this framework. Because of this sense of isolation within the region and the inability of the Secretariat to respond to our concerns, we felt compelled to negotiate with the EU at the bilateral level.¹⁰¹

As a non-LDC and non-UEMOA country, Ghana was not strategically placed to influence the regional agenda and the EPA negotiations. Its rather isolated position in the region limited Ghana’s scope for influence vis-à-vis the region, and consequentially vis-à-vis the EU.

This case study has demonstrated how a country’s perception of the EU in addition to certain contextual factors have contributed to an unsuccessful strategy on the part of the Ghanaian government in shaping the regional negotiating agenda on the EPA negotiations and in influencing the EU to consider the country’s preferences and interests. Importantly, the Ghanaian case shows that on the one hand certain structural constraints, especially in terms of institutional capacity, a country’s economic dependence on the EU, and limited access to alternatives affect the ability to effectively promote interest vis-à-vis a structurally stronger EU. On the other hand, the case study also illustrates how structural constraints alone do not determine power asymmetry between strong and weak actors. Indeed, the Ghanaian case shows that a country’s perception of the EU as trade power and capable negotiator, political factors, such as the pressure to deliver in a highly competitive political system, and strategic factors, such as a country’s position of influence within (a divided) regional configuration, are crucial when analysing a country’s ability to exercise leverage in regional trade negotiations with the EU.

⁹⁹ *Ibid.* (G1; G10).

¹⁰⁰ *Ibid.* (G2; G7).

¹⁰¹ *Ibid.* (G7).

4 Comparisons and Conclusions

Based on the two case studies of Senegal and Ghana, three overall conclusions can be drawn about how some African countries have or have not been able to exercise leverage in trade relations with the EU. Firstly, the case studies demonstrate some relevant findings about how the EU is perceived as a trade negotiator in both countries, and how both its strengths and weaknesses can assist or constrain its ability to engage effectively with these countries in the trade field. In Senegal, the EU was perceived to be mostly inconsistent and divided in its approach to the EPA negotiations. This perception firstly led Senegal to adopting a highly critical approach towards the EU because of its perceived inconsistency and secondly it led the government to approach interlocutors within the EU that were seen as more closely considering Senegal's main concerns. In Ghana, the EU was instead seen as a strong, capable, and united negotiator, and this was seen as creating significant power asymmetry in the face of Ghana's perception of its own weaknesses and constraints. Furthermore, despite the inconsistency between the EU's development-friendly rhetoric and its trade-oriented approach in the actual negotiations, Ghana did not perceive this as an opportunity to press the EU to more closely consider its own position, because indeed, the government took a rather positive approach to the negotiations from the outset.

These findings confirm the hypotheses on perceptions posited in Chapter 1. The case of Ghana confirms that objective reality does influence perceptions of the EU's power (Hypothesis 1). The EU was perceived as the more powerful actor and one with which cooperation is necessary given the country's marginal and dependent position. However, when the EU is perceived as unable or unwilling to convert its policy rhetoric into practise, as evidenced by its lack of willingness to integrate an adequate development dimension, it does indeed lower countries expectations of the EU and negatively affects their perceptions of the EU (Hypothesis 2a). Yet no definite conclusion can be made on the extent to which this affects weaker actors' strategies, because while in the Senegalese case, this did contribute to less willingness to cooperate, in the Ghanaian case, this did not affect the country's strategy to become more conflictual as opposed to consensual. These differences can likely be explained however, by the differing contextual factors which encouraged or constrained leverage and control (see below). Furthermore, when the EU is perceived as inconsistent in its position or actions between the Member States/Council and the Commission, it affects actors perceptions of the EU as a unitary actor, and allows them to seek out interlocutors or actors more sympathetic to their position within the EU or to influence and shift their positions (Hypothesis 2b). Incoherence between the various

policies which constitute the EU's external actions also affects actors' perceptions of the EU's capacity to effectively engage with outsiders. When the EU is perceived as being incoherent in translating policy rhetoric and actual actions, countries are likely to adopt a more critical approach towards the EU and either push for their own policy preferences or decline cooperation with the EU. On the other hand, when the EU is perceived as a powerful, united, and capable trade actor, countries are less likely to oppose its position and will likely adopt a more consensual approach to its relations with the EU (Hypothesis 2c). Lastly, when the EU is perceived as constrained by its wider interests, or constrained to finding an agreement, as was Senegal's perception of the EU, the exercise of leverage by the weaker party is favoured, as awareness of these constraints acts as a source of bargaining strength (Hypothesis 2d).

Findings on the EU's constraints and capabilities and how this influences a country's perception of the EU also build upon previous conclusions made in Chapter 3 on aid relations, where it was similarly shown that the countries' perceptions of the EU as overly bureaucratic, its inability to effectively engage with recipient governments on the ground, and a perceived lack of coherence between official rhetoric and actual practise, impacted on the EU's relations with the countries and contributed to shaping these countries' negotiating strategies. In this sense, both the aid and trade case studies indicate that power relations between the EU and Africa are not merely based on structural strengths and constraints: the way in which both actors perceive each others' strengths and weaknesses also affects the way in which the actors choose to conduct these relations. Therefore, a country's ability to exercise leverage vis-à-vis the EU is found in its awareness of the EU's capacities and constraints and how this affects its strategies.

The case studies have also shown that structural constraints faced by developing countries affect their ability to negotiate with the EU, yet these do not determine the process and outcome of negotiations. In this sense, the case studies further confirm the hypotheses posited in Chapter 1 regarding the factors which constrain or favour weaker actor leverage (see Table 1.3). At the institutional level Ghana and Senegal are limited in their ability to transform their preferences into actions, because of capacity constraints and limited experience in negotiating trade agreements. Yet the Senegalese case shows how an institutional structure allowing for other domestic actors to influence the government's overall position and its past experiences in other trade fora have provided it with a good capacity for strategy formulation and a conviction of government ownership. The lack of these elements in the Ghanaian case gives more weight to the notion that on the domestic

front, overall consensus and government ownership of policies positively contributes to a country's ability to exercise leverage.

The case studies have highlighted how a country's economic circumstances can pose a very significant structural constraint on its choice and ability to enter into trade agreements with the EU, even if these do not entirely correspond to the country's preferences and interests. Indeed, while the Senegalese case demonstrates how its position as an LDC and the availability of alternative trading partners gave it breathing space with regards to its decision not to initial the agreements, the Ghanaian case instead indicates how non-LDC status and predominant dependence on the EU for market access severely constrained its room for manoeuvre. As in the aid relations therefore, the lack of availability of alternative resources and the extent of dependence on the EU is a crucial factor in determining leverage.

Other contextual elements, such as a country's political environment and its strategic position within the region, have affected the exercise of leverage. The political utility and involvement by high-level government figures in adopting a critical approach to the EPAs assisted Senegal in stirring considerable opposition towards the EU, while the political expediency, pressure to deliver, and limited involvement of high-level political figures in Ghana instead resulted in the government accepting the interim agreement but also thereby stirring domestic discontent. Lastly, the strategic position of the two countries in the region was an important factor in determining leverage. Indeed Senegal's membership of the UEMOA in combination with the leadership position taken by that regional organisation has certainly assisted its ability to influence the regional negotiations. Ghana's sense of isolation within the region and from the ECOWAS Secretariat with regards to the negotiations have instead constrained its ability to promote its interests at the regional level. Therefore, the case studies confirm that although a power asymmetry exists in EU-Africa trade relations, contextual factors can intervene to create more or less favourable conditions under which weaker actors can exercise leverage.

Finally, in relation to the above two points, this chapter illustrates an emerging pattern with regards to the countries' strategies vis-à-vis the EU, with important implications for understanding a country's inability or ability to exercise leverage, and to a lesser extent, control. In both aid and trade relations, Senegal has apparently been more effective in promoting its interests and agenda onto the EU, regardless of power asymmetry. While engagement with the EU is considered essential, 'ownership' and government 'control' strongly prevail. Its influential position in the region also provides it with a strategic importance in negotiations with the EU. Ghana demonstrates a rather mixed

record of promoting its preferences vis-à-vis the EU. It has adopted cooperative and consensual strategies towards the EU, due to its strong awareness of differences in power. Although the government is keen on maintaining ownership in the different policy spheres, policy processes and outcomes are mostly either externally-driven, as in aid, or nationally-oriented, as in trade, weakening Ghana's ability to influence external actors such as the EU.

In conclusion, the case studies have given further weight to the notion that although power asymmetry is a prominent characteristic in relations between weak and strong actors, relational and contextual factors intervene significantly in this structural environment so as to create conditions under which weaker actors can influence stronger actors. The last two chapters will explore how this power asymmetry operates in the relatively new area of cooperation between the EU and Africa, migration.

Chapter 6

Migration Policy: Agenda-setting with Africa and EU constraints

The purpose of this chapter is to explore the extent to which the EU's external migration policy has impacted on its relations with Africa, while the following chapter will explore the extent to which migrant-sending countries in West Africa have or have not been able to move migration policy towards one which engages with the countries' own migration agendas. Migration is an issue area which deserves due consideration in view of the developmental challenges that continue to face African countries. Indeed, both on the EU and African side, there is an increased recognition that migration and development complement one another, and that through a coherent and coordinated policy of joint migration management,¹ migration can be beneficial to both countries of origin and destination. The recognition of the increasing importance of migration has spurred intensive and extensive dialogue between the EU and Africa. The EU has realised that in order to stem migration flows it needs to seek cooperation from sending countries. It is therefore crucial to establish the extent to which this dialogue has given African governments a new opportunity for exercising leverage and control vis-à-vis the EU.²

The first section of the chapter reviews some of the major developments in the EU's approach to migration in relations with the ACP. It shows that high-level dialogue particularly with Africa on joint migration management has become a priority item on the EU's political agenda. Cooperation with countries of origin has intensified, technical and financial assistance for migration management have increased, and efforts to combat illegal immigration have been prioritised. The EU has sensitised African countries to the importance of the migration phenomenon for the EU and for the countries' development, but at the same time, agendas are characterised by diverging interests and concerns. The second section reviews Africa's views on managing migration. Here the focus has largely been on making migration a positive tool for development, focusing on four main areas:

¹ "Joint migration management" has been used by the EU and various international organisations to describe the dialogue and policies being negotiated and implemented between countries of origin, transit, and destination in order to maximise the benefits and minimise the disadvantages of migration for all actors concerned. Management essentially refers to policies which aim to reduce irregular migration, promote the rights and protection of migrants, reduce economic pressures that influence outward migration, and regulate labour migration. Countries are ideally to work together to find a common or burden-sharing approach towards migration.

² It should however be noted that because this is a relatively new policy field in which the EU and Africa are now cooperating, conclusions drawn will necessarily be tentative and merely aim to identify possible instances of leverage and control in a rather uncharted and continually-evolving area in EU-Africa relations.

remittances, mitigating the brain drain and encouraging brain gain, addressing the root causes of migration, and building domestic capacity and ownership. African governments generally agree with the need to coordinate migration agendas and have been willing to engage in dialogue with the EU provided this considers the concerns of *both* origin and destination countries. The last section analyses the EU's capacities and constraints in formulating an effective and coherent approach to cooperation with migrant-sending countries. Although the EU has endorsed a balanced and comprehensive approach, in practise it has employed a combination of repressive measures and incentive mechanisms meant to induce countries of origin to comply with readmission and migration control measures. This has led many observers to argue that the EU has opted for a 'coercive' approach over the more 'open' approach preferred by countries of origin. Furthermore, regardless of the EU's increased efforts in formulating an effective and comprehensive migration policy, the institutional and political constraints it faces tend to weaken its effectiveness, and therefore its ability to meet its preferences in migration dialogue with countries of origin. These constraints affect the perceptions and shape the strategies of the countries with which it is aiming to establish cooperation.

This chapter demonstrates that although the EU-Africa relationship is characterised by power asymmetry, careful consideration of the context in which such relations take place is essential in establishing *both* parties' limitations and capabilities. On the one hand, power asymmetry is evidenced by the possibility of the EU to implement restrictive measures to prevent and control migration flows, and through the use of coercive measures to induce or even force sending-countries to cooperate in prevention and control, despite the significant pull factors for migration originating in the EU. On the other hand, migrant-sending countries are constrained in the prevention and control of their migration flows because of limited institutional and technical capacities, in addition to the significant push factors they face. Indeed, this makes for a situation of power asymmetry between the EU and Africa. Yet, unlike the aid and trade fields, in migration the EU does not hold the ultimate decision-making power. The need to engage migrant-sending countries to cooperate in stemming migratory flows challenges the traditional power asymmetry between the weak and the strong. The necessity for cooperation and the increased strategic importance of migration for the EU are expected to create a more balanced relationship in which both parties can make demands and concessions; this may have given some African governments a new scope for influencing the EU.

1 Migration in EU-Africa relations

The EU's commitment to the formulation of a migration policy has grown significantly and rapidly since its initial formation in the Amsterdam Treaty.³ The gradual institutionalisation of the policy (Geddes 2000) and the growth of high-level political discourse on migration matters have had significant implications for the EU's relations with migrant-sending countries. Africa has witnessed an increasing willingness from the EU to engage in cooperation efforts geared at developing a joint strategy on migration. The Cotonou Agreement, which in linking migration with development and inserting clauses on migration into the text, brought the issue to the forefront of the EU's relations with Africa. The insertion of a migration clause, Article 13 (see Appendix I), was amongst the most contentious issues during the Cotonou negotiations, highlighting the weight and importance of the issue for both the EU and the ACP. It defines the parameters of the EU-ACP dialogue on migration, and is essentially the result of a difficult compromise between the parties' different views and interests on migration. On the EU side, Member States, under domestic pressure to reduce illegal migration stemming from Africa, strongly endorsed the integration of a readmission clause into the Agreement. On the ACP side, securing the protection of the rights of their migrants' residing and working in the EU was the most relevant concern (Vanheukelom *et al.* 2006: 6). As a compromise, the first part of Article 13 considers EU and ACP obligations towards migrants by committing to the right of fair treatment for legal migrants; equal treatment of ACP nationals in the EU and vice versa; EU support for the training of ACP nationals; facilitating access to education for ACP students; and support for the economic and social development of migrant-sending regions. The second part of the article instead deals with illegal migration, requiring individual ACP countries to negotiate readmission agreements with the EU, as well as soliciting cooperation in joint migration management.⁴

³ Since the 1997 Treaty on European Union (i.e. the Amsterdam Treaty) policies previously under the Justice and Home Affairs pillar (illegal immigration, internal and external border controls, movement of non-EU nationals and refugees) moved to the Community pillar. As in all policies under the first pillar, the Commission has the sole right to propose legislation. Since 2004, decision-making power is shared between the Council and the Parliament, and all Council decisions must be made by qualified majority voting.

⁴ This is where compromise between the parties was particularly difficult. In October 1999, the Tampere European Council established that readmission clauses would henceforth be included in all EU agreements with third countries. The need to integrate a readmission clause in Cotonou was communicated to the ACP in December 1999, a few months prior to the conclusion of the negotiations in February 2000. The issue was met with fraught resistance from the ACP, on the grounds that the obligation to readmit any third country national which had entered the EU illegally was incompatible with international law. (This was later concurred by the EU's Legal Service, which stated, "it is doubtful whether, in the absence of a specific agreement to this effect (readmission) between the concerned states, a general principle of international law exists, whereby these states would be obliged to readmit their own nationals when the latter do not wish to return to their State of origin" (*Statewatch Bulletin* 2000)). The issue was left unsettled until the final round of

Since Cotonou, steps have been taken to regularise dialogue on migration particularly with Africa. Following developments at the June 2002 Seville Summit, which focused on efforts to reduce illegal immigration and proposed steps to harmonise migration policies within the EU, the Commission released the *Communication on integrating migration issues in the European Union's relations with Third Countries*, in December 2002. The Communication examined the driving forces and root causes of migration and proposed to address these more closely by integrating migration into the EU's external policies, with a particular focus on the link between development policy and migration (CEC 2002). Shocking events in Ceuta and Melilla in 2005, in which several unarmed African migrants were killed while attempting to surmount blockades surrounding the two Spanish enclaves in Morocco, prompted a call for dialogue with Africa on how to stem migration flows. In 2005 the Council adopted the *Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean*, prompting action in three key areas: strengthening cooperation and action between the Member States, increasing dialogue and cooperation with Africa and the Mediterranean, and promoting the creation of a framework for funding and implementation of a strategy on migration.⁵ In Rabat in July 2006, the EU and Africa adopted a joint Action Plan outlining a series of repressive measures including stronger border controls to curb illegal migration, and the need to negotiate readmission agreements, as well as incentive measures such as assistance in improving access to education, strengthening training opportunities for legal migrants, and a proposal for facilitating circular migration. The meeting was followed by a high-level EU-Africa Ministerial Conference on Migration and Development in Tripoli in November 2006 where both sides agreed to step up efforts to tackle the root causes of migration by mainstreaming migration into development strategies. In December 2006, the Council urged the establishment of a comprehensive migration policy, which would include partnerships with key migration countries and regions (CEU 2006). A second Ministerial conference took place in Paris in November 2008, where the parties agreed to a multi-annual programme of cooperation based on enhancing legal migration, combating illegal migration, and establishing synergies between migration and development policy. A Partnership on

negotiations, where the EU and ACP eventually agreed that readmission clauses would be negotiated at the bilateral level between individual countries and the EU.

⁵ The *Global Approach* lists nine areas in which it aims to strengthen cooperation with Africa. Six are particularly worth noting: make migration a shared priority for political dialogue between the EU and African Union (AU); establish partnerships with key African countries and regional organisations; identify migration routes and increase cooperation between countries of origin, transit and destination along those routes; initiate enhanced dialogue with key sub-Saharan African states on the basis of Cotonou's Article 13; study the root causes of migration to establish a long-term approach to tackling these; and launch initiatives to promote and facilitate remittances (CEU 2005).

Migration, Mobility and Employment, also became one of the strategic priority areas under the Joint EU-Africa Strategic Partnership agreed in Lisbon in 2007, setting out an ambitious agenda for long and short term cooperation. Lastly, the *European Pact on Immigration and Asylum*, adopted by the Council in October 2008, again reaffirmed the EU's intent on creating comprehensive partnerships with countries of origin and transit.⁶

Cooperation at the regional and individual country levels has intensified. Migration issues have featured prominently on the EU-ECOWAS troika agenda, as the regional organisation is considered to play a key role in dialogue between the EU and Africa, resulting in a working group on migration in May 2006. The group has stressed the "value of regular political dialogue on migration and development in identifying areas for practical cooperation and in facilitating coordination" (ECOWAS-EU 2007). At the individual country level, the EU has sent diplomatic missions to key African countries to negotiate readmission agreements and secure cooperation in combating illegal migratory movements, based on Cotonou's Article 13. The dialogue has been led by EU delegations and embassy staff of Council Presidencies as well as interested Member States, and ideally covers, "a broad range of issues from institution and capacity building and effective integration of migrants to return and the effective implementation of readmission obligations, in order to establish a mutually beneficial cooperation in this field" (CEU 2005: 5). In 2006, the first such missions were sent to Mali, Mauritania, and Senegal, and in 2007 further missions were sent to Cape Verde, Ghana, and Ethiopia.⁷

Financial and technical assistance have also been established as important instruments in order to help sending countries to better manage migration flows and to counter illegal migration. Assistance in migration-related areas has been incorporated into the EDF. In 2006, €25 million was devoted towards the creation and funding of an intra-ACP Migration Capacity Building Facility, focusing on the management of south-south migration by financing capacity-building measures and cross-border programmes. Under the programming phase of the 10th EDF, ACP countries with a heavy migration outflow were required to integrate migration profiles into their CSPs. Besides containing

⁶ The *Pact* commits the EU to concluding EU-level and bilateral migration agreements with clauses on legal and illegal migration, readmission, and development; encourages Member States to provide increased legal opportunities for migration through temporary or circular migration schemes; incites cooperation with third countries to prevent illegal immigration; aims to integrate migration and development policies; and promotes diaspora engagement (CEU 2008; 2008a).

⁷ The Council contends that the missions have been fruitful and mutually beneficial: "the missions have resulted in the launch of a comprehensive dialogue addressing all the relevant migration and migration-related issues which are of concern to both sides. The missions have also resulted in a better understanding of the positions of the EU and of the countries concerned, as well as of the challenges faced by both sides, and in a reinforcement of mutual cooperation. This dialogue, which is tailored to the specific situation and needs of each country, is expected to be taken forward locally by the representations of the Member States and of the Commission" (CEU 2007).

“information relevant to the design and management of a combined migration and development policy” (CEU 2006: 34), these profiles set out the process of migration dialogue with the countries, and helped to identify priorities for funding migration-related activities and projects. Migration profiles were integrated into 18 CSPs, while for Cape Verde, Ghana, Mali, Mauritania, and Senegal, migration has been directly integrated into the countries’ NIP. Further to the EDF, several ACP countries and several projects geared at tackling migration issues received funding under the Aeneas scheme.⁸ As a general objective, the scheme aimed to provide specific and complementary financial and technical assistance to third countries in support of efforts to manage migration flows.

In the area of legal migration, the EU has begun taking steps to increase access to its labour market. As initially specified under the December 2005 Commission’s *Policy Plan on Legal Migration*, and later endorsed by the Council, from 2007 to 2009 the Commission will propose a set of legislative measures facilitating legal entry and enforcing the socio-economic rights of four categories of migrants: highly-skilled workers, seasonal workers, remunerated trainees and intra-corporate transferees, while securing the legal status of already admitted migrants (CEC 2005a). In 2007, the Commission proposed the so-called ‘Blue Card directive’, which aims to recruit highly-skilled workers to the EU by offering a single work and residence visa, and the ‘Rights directive’, which aims to facilitate migrant integration by giving access to a range of socio-economic benefits (CEC 2007c, 2007d). The Blue Card was approved by the Council in May 2009, and Member States have two years to incorporate the new provisions into their domestic legislation.⁹ The EU has also been particularly keen on implementing measures to avoid the permanent establishment of migrants, but rather encourage circular migration. The Communication in May 2007 on *Circular migration and mobility partnerships between the European Union and third countries* offers a clear indication of the EU’s intent on ensuring that legal labour migration is temporary. Furthermore, the *European Pact on Immigration and Asylum* acknowledges that legal migration provisions must take account of the priorities, needs, and reception capacities of each of the EU’s Member States (CEU 2008a: 5-6). To this extent, circular migration is seen as benefiting both countries of origin and destination, by allowing for adjustments of migration flows according to the demands of Member States’ labour markets, while simultaneously promoting transfer of skills and avoiding the brain drain by ensuring that legal migrants return home after their work experience (CEC 2007e; CEU

⁸ Under the EC budget for 2008-2013, Aeneas was replaced by the *Thematic Cooperation Programme with Third Countries in the Development Aspects of Migration and Asylum*.

⁹ While the Commission has expressed its intention to define the conditions of entry and stay for other selected categories of economic migrants, at present the EU’s legal migration policy has focused exclusively on facilitating the recruitment and integration of highly-skilled labour.

2008a: 5). In light of this, the Council has approved the creation of mobility partnerships with third countries, and is currently implementing pilot schemes in Africa and Eastern Europe.¹⁰ These partnerships create a commitment by the EU to increase labour market access in addition to assistance on border security through Frontex, the EU's external border agency.

Increased political engagement on migration with Africa has also been coupled with an increased use in security instruments to fight illegal immigration. Since 2005, Frontex has begun carrying out studies on surveillance systems and risk analysis reports on African migratory routes, as well as implementing several border patrolling missions mostly in West Africa using Member State resources. Additionally, in 2006 the Rapid Reaction Mechanism (RRM), funded projects in Senegal and Mauritania to tackle illegal migration.¹¹ In July 2008, the EU adopted the Returns Directive, allowing for the detainment of illegal migrants for up to 18 months and a five-year ban on their return to the EU (EP 2008). It was the first major piece of legislation on migration passed by the co-decision procedure. Member States now have two years to implement the directive into national law. Furthermore, the Blue Card scheme also imposes penalties on employers hiring illegal immigrants. Finally, the *European Pact* has made the EU's commitment to fight illegal immigration all the more evident, where two of the five priority areas for action concern strengthening border controls and ensuring readmission and return of illegal migrants (CEU 2008).

Increased high-level dialogue between the EU and Africa and the various policy initiatives being formulated and implemented undoubtedly indicate the EU's interest and intention to work in cooperation with countries of origin and transit in regulating and managing the migration phenomenon (Gnisci 2008: 85). The intensification of the EU's efforts on the continent and the gradual establishment of a concrete framework for cooperation and action in migration matters, has also increased pressure on African governments to consider more closely how migration affects the continent. Although the placing of migration issues on the African agenda has largely been spurred by European pressure, at the same time the interests and issues of concern between the EU and Africa are somewhat divergent. Indeed, as the next two sections demonstrate, the African approach to migration has focused on enhancing the positive effects of migration for development, while minimising its negative effects.

¹⁰ In 2008, pilot programmes were launched with Cape Verde and Moldova, with similar schemes expected to be launched with Senegal and Georgia (CEU 2008a).

¹¹ The RRM is an instrument which allows the EU to respond urgently to the needs of countries which are threatened with or undergoing severe political instability or suffering from the effects of a disaster.

2 The African migration agenda: making migration work for development

With the growing interest on the EU side to place migration issues high on the agenda, the African side too has begun to consider migration as an important element to be placed on the national political agenda. African governments now accept that migration cannot be seen in isolation of development policy, and as such, they are aiming to ensure that migration does indeed contribute to development. It is crucial to understand just what type of effect migration has on the development prospects of sending countries, as “a growing consensus is now emerging that, although migration does not automatically lead to favourable effects, it can contribute to development and poverty reduction, provided an appropriate and consistent policy is pursued” (Zoomers *et al.* 2008: 4). To this extent, the African migration agenda has focused on four major issues: remittances, mitigating brain drain and encouraging the brain gain, assistance in fighting root causes, and capacity-building in migration management.

Perhaps the most positive effect of migration on development is visible in remittances, or the private transfer of funds migrants send to their countries of origin. Although in Africa ODA and FDI continue to represent the most significant flows of capital, remittances are steadily on the rise and are less volatile. Indeed, in heavy migrant-sending countries remittances can positively contribute to development by reducing poverty, stimulating economic growth, and deepening financial development (Gupta *et al.* 2007). Yet the transaction costs of sending remittances are high, as is the risk of deportation in the case of irregular migrants, discouraging regular remittance flows while reinforcing the use of informal channels. In countries where remittances constitute an increasingly important source of revenue, governments have placed the facilitation and institutionalisation of remittance flows high on the national agenda.

Secondly, the African migration agenda has focused on encouraging the positive link between migration and development through potential gains in human capital and promoting economic growth. Certainly, migration acts as a temporary ease on unemployment strains due to the departure of surplus labour (OECD Development Centre 2007: 60-61; Adepoju 2008: 26). However, the long-term loss of skilled migrants specialised in sectors of particular relevance to development has led to ‘brain drain’ becoming a major problem for Africa, where the rate of university graduates who have migrated to Europe is higher than in any part of the world (Katseli *et al.* 2006: 19). The loss of skilled professionals can mean a loss in productivity and knowledge, a loss of return on investment in training and education, and a loss in potential revenues. Furthermore, the

brain drain mainly affects the health and education sectors through the loss of key professionals, making the delivery of critical social services difficult (OECD Development Centre 2007: 70-71). Some African governments have begun exploring ways to encourage migrants to return and contribute to developmental efforts in their country of origin. Furthermore, circular migration schemes, which can mitigate the negative effects of brain drain, are also very high on the African agenda. Return and circular migration are seen to contribute to 'brain gain,' or knowledge transfers and the acquisition of social capital as return migrants bring new skills, information, and technologies, which in turn contribute to stimulating economic growth through enterprise-creation and investment (Xenogiani 2006: 21). Brain gain is also stimulated through increased engagement with the diaspora, which facilitates the forging of trade, investment and development links between origin and destination countries. Diaspora networks are often also very participative in political advocacy, charity and cultural exchanges (Adepoju 2008: 33). Indeed, involving the diaspora in development processes is yet another item of high importance on the African migration agenda.

Thirdly, African migrant-sending countries have also demanded more assistance in tackling 'root causes' which act as the main 'push factors' for migration, such as poverty, unemployment, political and economic instabilities, overpopulation, and even natural disasters. To this extent, assistance in the creation of increased employment opportunities in the country of origin and schemes which provide incentives for potential migrants to stay through higher wages and better working conditions have played an important role in requests for migration-related assistance. Furthermore, because institutional capacity required to formulate and implement migration policies is relatively weak, governments have also been keen on assistance towards capacity-building and training of officials to deal with migration issues at the domestic level (Adepoju 2008: 40). Thus the need to coordinate migration initiatives and policies amongst relevant stakeholders in the country of origin, as well as institutionalising information exchanges and dialogue with destination countries is considered necessary for better management of migration flows.

With migration bringing potential developmental benefits to Africa, it should come as no surprise that in cooperation with destination countries, African governments have focused on the positive benefits of the phenomenon. At the all-ACP level, the 2006 Brussels Declaration and Plan of Action outlined the ACP's commitment to developing a migration dialogue with the EU, as well as identifying the need for developing a holistic approach to migration. At the pan-African level, since 2006 the African Union (AU) has started to develop a common position on African migration policies and has also

participated in migration dialogue and initiatives with the UN and the EU. The common position emphasises the challenges migration poses for the continent, providing guidelines for member states to implement common measures advocated by national, regional, and international bodies. The framework focuses not only on the development aspect of migration, but also recognises the need to work with countries of destination to combat irregular migration flows (Gnisci 2008: 97-98). At the regional level several economic communities have begun formalising migration management dialogue. East Africa has only very recently begun regional dialogue on migration, holding its first workshop on migration in May 2008, initiated namely under the auspices of the AU's migration framework and the EU-Africa migration dialogue. The region aims to launch a Regional Consultative Process on migration between the Inter-Governmental Authority on Development (IGAD) as well as strengthening cooperation on migration with North Africa.¹² The Southern African Development Community (SADC) established the Migration Dialogue for Southern Africa in 2000, to facilitate regional cooperation and dialogue. This initiative has yet to develop concrete regional policy actions however (Oucho 2008: 66). The West African region, and more specifically the ECOWAS, has instead taken the lead in Africa in developing a regional framework for migration management. In January 2008, the ECOWAS adopted the Common Approach on Migration, highlighting firstly the region's commitment to adopting a common legal framework and key principles on migration, and secondly setting out an action plan for implementing a framework on migration and development. Although the formulation of the Common Approach was largely influenced by EU pressure on the region to develop a coherent framework (Oucho 2008: 96), at the same time, the willingness of West African governments to engage in regional migration dialogue has been driven by the recognition that prospects for successful regional integration are strongly linked to both intra-regional and international migration dynamics present in West Africa. The ECOWAS has tended to focus on the linkages between migration, development, and regional integration (Gnisci 2008: 106).¹³

Although there are some differences in the various emerging agendas on the continent, some common factors characterise the African position on migration (*Ibid.*). Firstly, the role of EU/European influence in the formulation of an African migration agenda cannot be understated, as increased salience of migration and much of what is

¹² IGAD is a regional development organisation in East Africa, whose members include Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda.

¹³ ECOWAS is currently fully implementing a policy of free movement of persons. The Protocol on Free Movement of Persons and the Right of Residence and Establishment, of May 1979, formalised the free movement of ECOWAS citizens, and is considered a trend-setter in migration policy development and management (Adepoju 2007). The region recognises that internal migration stemming from free movement can contribute positively to development and stem international migratory pressures originating in the region.

happening at the African level has been a reaction to increased pressure from the international community, and especially Europe, for better joint management of migration (Zoomers *et al.* 2008: 4). Secondly, the need to better coordinate and harmonise migration-related policies, country and regional frameworks, and international efforts at joint migration management, also features heavily on both agendas. The different African initiatives have demonstrated a clear commitment to dialogue and cooperation amongst relevant stakeholders. Indeed, dialogue has become ever more frequent and intense, and in general, African governments have been willing to engage provided the dialogue considers the concerns of both origin and destination countries. That said, while there has been a considerable acceleration of both EU and African efforts in developing a strategy of joint cooperation, the initial years following the *Global Approach* can be characterised mainly by “agenda setting with Africa” (Bosch and Haddad 2007: 17), or rather, in conducting dialogue to find a common approach to how best to deal with migration issues. Thus, “by furthering dialogue and co-operation with African partners to implement the global approach, a consensus has emerged – theoretically, if not for the moment practically – on the strategy linking ‘migration and development’” (Gnisci 2008: 85). But although the EU’s rhetoric on migration has clearly intensified, “it now remains to be seen whether concrete implementation can match the political statements made and policy initiatives taken” (Bosch and Haddad 2007: 17).

The EU has indeed stepped up its efforts in migration dialogue with Africa. Has this increased interest in cooperation with African countries offered opportunities for African governments to make demands on the EU? How have governments utilised these opportunities to meet their preferences? Has power asymmetry dictated the dialogue on migration, by favouring the EU’s preferences over those of African governments? In order to understand the opportunities that the migration dialogue has created for leverage and control, it is first necessary to investigate to what degree the EU itself is constrained in its application of an effective migration policy towards Africa, and how this might affect its position towards African countries. As the next section shows, institutional and political constraints weaken the effectiveness of the policy, and therefore the EU’s ability to engage fully with countries of origin in seeking cooperation on migration matters.

3 Constraints on the EU in migration matters

The migration field represents a somewhat different issue-area than aid and trade. Although power asymmetry characterises relations even in this field (see above), it is not as pronounced as in the other two fields. Indeed, from the outset, there are two important differences that can be identified, which considerably alter relations between the parties. Firstly, the extent of a country's dependence on the EU is far less pronounced in migration cooperation than in the other two fields. While in aid and trade it is namely the weaker country that needs to seek cooperation from the EU to meet its preferences, in migration it is mainly the EU that needs to seek cooperation from the country to reach its preferences. Secondly, the strategic importance of migration countries is much more a given than in the other two fields, where the countries necessarily need to construct themselves as either success stories or regional leaders. Given that strategic factors tend to favour weaker country leverage, the strategic position of migrant-sending countries is likely to affect their bargaining strength in migration dialogue with the EU.

Yet, even though power asymmetry in the migration field is less prevalent than in the other two fields, the EU does face very similar constraints in migration matters: policy overstretch and funding and human resource capacities; incoherence with other external policies; and limited coordination and harmonisation amongst the various levels of policy- and decision-making. These constraints limit the EU's effectiveness in migration dialogue and the implementation of policies in its relations with migrant-sending countries.

3.1 Overstretch and financial and human resource capacities

The increased salience of migration issues on the EU-Africa agenda calls for relevant funding and policy expertise, requiring both sufficient financial and human resources. Yet as Bosch and Haddad (2007) rightly point out, the provision (or lack thereof) of adequate resources can be a significant impediment to progress. Thus a very concrete constraint on the EU's ability to engage in a coordinated and coherent migration policy towards Africa is found in the limitations in resources which it is able and prepared to employ in executing the policy.

This limitation is found firstly in the resources, financial and human, being invested in the policy. Indeed, "progress can only be made if there are adequate resources. This is the case for the Commission, but also for Member States, and includes particularly the EC Delegations and Member State embassies where officials frequently have to cover a whole range of issues in addition to migration" (Bosch and Haddad 2007: 16). Although

delegation staff are expected to engage in migration dialogue with African governments, the challenge in effectively managing the policy lies partly in allocating sufficient financial and human resources and time to the policy, and in building up relevant policy expertise to handle an increasingly important profile.¹⁴ Yet migration-related programmes implemented in the countries of origin are mostly managed through intermediary agencies such as the International Organisation for Migration (IOM) or the United Nations Development Programme (UNDP). Since African governments are therefore not directly working with the EU, it is sometimes perceived as incompetent in handling the profile (see Chapter 7). Indeed, the Commission itself has acknowledged the EU's limitations in migration management. In 2008 it proposed enhancing expertise on migration management through the exchange of information and expertise, and the training of delegation and Member States embassies' staff (CEC 2008a: 12).

To induce countries of origin to engage fully and willingly with the EU's migration initiatives, increased assistance dedicated to the migration and development field is essential, with the provision of resources to strengthen government capacities to manage migration on the ground (see Chapter 7). Indeed, early EU initiatives in Senegal, for example, were met disapprovingly by the government partially because development-related assistance could not be delivered due to the lack of an appropriate funding instrument.¹⁵ Although increased resources are now being invested in the policy and migration-specific financing instruments have been set up,¹⁶ the Aeneas budget was criticised as being too modest, and therefore limited the effectiveness of migration-related initiatives (Roig and Huddleston 2007: 378).

Furthermore, although the 10th EDF has integrated financial instruments dedicated to migration in some West African CSPs, yet regardless of the extensive migration discourse found in some of the CSPs, migration-related funding has been modest in comparison to other areas in which the EU aims to play an active role in the countries. Although Senegal's CSP, for example, claims migration is a dominant theme in EU-Senegalese relations, and one in which the EU is committed to closer cooperation with the government, the migration profile was allocated €4M under the 10th EDF, less than 1% of the country's total allocation. Further to this, some interviewees have noted that the lack of EU expertise on migration matters (especially migration and development) is a major obstacle in creating a proper funding instrument for migration, while the instruments

¹⁴ Interview EC, Brussels: April 2008 (EC6); Interviews EC Delegations, Accra: October 2008 (EC20), Dakar: June 2008 (EC17).

¹⁵ Interview IOM, Dakar: June 2008 (I2); Interview Senegalese government, Dakar: June 2008 (S5).

¹⁶ The 2004-2008 budget for the Aeneas programme was €250M, while its follow-up programme (2007-2013) has increased the budget to €384M.

currently in place are considered limited and incomprehensive.¹⁷ The Commission is also aware that regardless of the many financial instruments dedicated to migration, problems remain in coordination amongst the different funding schemes (CEC 2008a: 13).¹⁸

Constraints due to limited resources and expertise may also arise from geographic expansion of the policy. Although the Global Approach initially prioritised relations with the Mediterranean and Africa, since 2007 it includes Eastern and South-eastern regions bordering the EU, and extends cooperation with countries of origin as far as Asia and the Middle East. In October 2008, the Communication on Strengthening the Global Approach noted that, “countries like India, China, Vietnam, Sri Lanka and the Philippines, as well as the Middle East are becoming increasingly relevant for the EU’s migration policy” (CEC 2008a: 11), while also proposing to develop a structured migration dialogue with Latin America and the Caribbean. Certainly the most pressing migration movements towards Europe originate in the Mediterranean, Africa, and along the EU’s Eastern and Southeastern borders, guaranteeing that at least in the short-term, the EU’s concentration on these geographic areas remains. Yet, extending migration management globally will no doubt require additional financial and human resources. Although geographic expansion is essentially in line with a more comprehensive approach to migration, at the same time “such further broadening of the strategic horizon involves a risk of operational and financial overstretching” (Pastore 2007: 7), which in turn may undermine the EU’s effectiveness in managing such a far-reaching policy.

According to both European and African migration officials, the implementation of concrete policy initiatives in the field of migration can only be considered effective when the EU has adequate resources and policy expertise necessary to translate rhetoric into actions.¹⁹ As illustrated above however, the EU is at times faced with constraints in financial and human resource capacities in the implementation of migration policies in Africa. These constraints are important to take into consideration, because as posited in Hypothesis 2a, if the EU is unable to convert its rhetoric into practise because it lacks or is unwilling to employ the resources necessary, this is likely to weaken its effectiveness abroad and will consequently affect other countries’ expectations and perceptions of the EU negatively.

¹⁷ Interview IOM, Dakar: June 2008 (I2); Interview Senegalese government, Dakar: June 2008 (S5).

¹⁸ Other funding schemes include the Solidarity and Management of Migration Flows Programme, launched in 2007, consisting in four financing instruments for external borders, integration, return, and refugees, and assists migration management in Member States with a heavy migrant inflow. Some migration initiatives have also been financed through the Rapid Reaction Mechanism, now replaced by the Stability Instrument.

¹⁹ Interview IOM, Dakar: June 2008 (I2), Accra: September 2008 (I3); Interview Senegalese government, Dakar: June 2008 (S5); Interview EC Delegation, Dakar: June 2008 (EC17).

3.2 Policy (in)coherence with other external policies

As an area that overlaps with other EU external policies, especially development, trade, and security, and for joint migration management with countries of origin to be effective, the EU considers coherence amongst the relevant policies and policy-actors essential (CEC 2006c: 4; CEC 2008a: 12). Yet, although it is recognised that migration policies overlap with and complement other policies, coherence has at times been lacking. Trade policies and to a lesser extent development policies operate in separate policy spheres from migration, while the justice, freedom and security policy field has instead adopted a leadership position in the formulation and implementation of the policy. The dominance of a security-led approach in the EU's migration policy has led several observers to point towards an "overwhelming presence of the 'security rationale' surrounding the debate concerning migration and development" (Chou 2006: 2-3). The institutional set-up of the EU perpetuates this security-oriented approach and has led to incoherence and a weakening of policy objectives abroad.

There are essentially two approaches which the EU can take in linking migration and development policies: either to "use development tools to reach migration goals such as tackling illegal immigration" or to "utilise migration tools such as legal immigration to achieve development objectives" (Carrera and Chou 2006: 141). Importantly:

The former represents a more 'coercive approach' in the form of restricting or conditioning development aid if certain non-EU countries do not comply with member states' requests on migration management and the readmission of illegal immigrants. The latter can be characterised as a more 'open approach', which seeks to foster the potential of 'brain circulation', circular migration and the positive effects of remittances (Carrera and Chou 2006: 141; see also Chou 2006, 2009).

In 2005, the Council adopted the *Policy Coherence for Development* (PCD), stressing the need for improvement in the coherence between twelve non-aid policy areas, including migration, and the EU's development policy in order to meet the MDGs by 2015. PCD stressed the need to "promote the synergies between migration and development, to make migration a positive factor for development." Specifically, the EU sought to promote managed labour migration; improve remittance flows; turn the brain drain into brain gain; promote responsible recruitment practises; diaspora engagement; and South-South migration management (CEC 2005: 15). The Commission's *Communication on Migration and Development*, released that same year, solicited similar actions, but added, "encouraging circular migration and facilitating return to the country of origin" as another priority area (CEC 2005g). In other words, in making migration policy coherent with the

EU's development policy, the EU aims for an 'open approach' by promoting migration as a positive factor for development in migration countries.

Although the EU has certainly demonstrated a willingness to engage positively with countries of origin, the growing trend in its approach towards Africa has been the combining of repressive measures and incentive mechanisms soliciting closer cooperation. Concessions given in the field of legal migration have been coupled with enhanced cooperation in combating illegal migration and requiring countries to sign readmission agreements. The pilot mobility partnership schemes, for example, go beyond simply offering temporary labour market access and increased assistance, by also requiring countries to cooperate on readmission and in the fight against illegal migration. The EU's diplomatic missions to several African countries have also employed this approach, with dialogue intended to cover "a broad range of issues from institution and capacity building and effective integration of legal migrants to return and the effective implementation of readmission obligations" (CEU 2006a), as well as increased assistance and political engagement.

The integration of migration profiles and readmission clauses in agreements with third parties as well as recent legislation on illegal immigration "enhances the EU's capacity to control and reduce unwanted immigration to its territory" (Lavenex 2002: 162). These control elements are further coupled with instruments to induce third countries to cooperate with the EU in the first place, in that, "trade and aid are increasingly made conditional on the reduction of push factors and the readmission of persons staying illegally in the contracting party" (Lavenex 2002: 162). Other scholars similarly argue that the EU's approach has tended to be restrictive and weighted towards a politics of control (Boswell 2003; Cespi 2006; Chou 2006; Niessen 1999; Lavenex 2002, 2007; Lavenex and Kunz 2008; Pastore 2007; Sterkx 2008). Indeed, the *European Pact on Immigration and Asylum* clearly highlights the use of a carrot and stick approach, with the Council insisting that EU-level and bilateral migration agreements concluded with countries of origin should include clauses on legal migration and development but also on illegal immigration and readmission. In effect, the Pact commits the EU to undertaking not just closer cooperation with sending countries, but also to organising legal migration policies in accordance with each Member State's needs and reception capabilities, to ensure that illegal migrants are sent back to their countries of origin or transit, and to increase the effectiveness of border controls (CEU 2008a). To this extent, "the Pact clearly heralds a more conservative approach to immigration ... It looks at immigration policies through the prism of 'control first', making this more explicit than in the past. Of the five areas identified for action, just

one concerns promoting access to the EU, and even this refers to preventing illegal and undesirable migration” (Collett 2008). Thus while the EU seemingly promotes a development-friendly approach to migration management with third countries, recent policy developments and the combined use of coercive and incentive mechanisms point towards a much more restrictive approach. This shows a lack of policy coherence with development policy, which instead favours using foreign policy instruments, such as migration management, in order to achieve development goals.

Another area in which policy coherence has been limited is in linking trade and migration. Labour market access provisions afforded in trade agreements are one way of offering increased legal migration opportunities to developing countries. This can be done through the liberalisation and regulation of a small subset of labour, i.e. the temporary movement of persons across countries for the purposes of supplying services, also known as Mode 4 in the language of the GATS. Mode 4 provides possible benefits to developing countries through increased and facilitated circulation of labour, while the its temporary nature encourages brain circulation.²⁰ Yet partly due to the EU’s institutional set-up in trade and migration policies, migration has not been successfully integrated into the EU’s trade agreements with third countries. As evidenced in the non-integration of migration issues in the EPA negotiations, the EU’s trade and migration policies actually operate in two very separate policy spheres (Van Criekinge 2009). Although free trade agreements such as the EPAs essentially have implications that go beyond trade, policy formulation and negotiations are headed by trade experts, without consultation of migration experts.²¹ Furthermore, granting Mode 4 provisions in trade agreements, and indeed legal migration in general, is an area of ‘shared competence’ between the Commission and the Member States, and one for which unanimity is required in the Council. As such, one very straightforward explanation for the lack of a comprehensive linkage between trade and migration is the insufficient level of competence afforded to trade negotiators in being able to give concessions in areas which go beyond trade policy and instead impinge on other policy areas such as migration. At the same time, this also leads to incoherence between policy areas which are essentially complementary.

²⁰ Mode 4 is a subset of labour mobility in the sense that while it does refer to the movement of workers across national borders, it only covers persons seeking access to foreign labour markets within specific sectoral roles, but not those seeking general access, nor does it apply to persons outside of the service sector or to those seeking permanent employment. Although the temporary movement of persons cannot be equated with international migration *per se*, as “it has none of the cultural, social or political dimensions that are associated with international migration ... its direct economic consequences are essentially those of migration” (Winters 2003: 4).

²¹ As noted by numerous observers, in the case of the EPA negotiations, DG Trade took a leadership position, with limited contact with relevant actors in other policy fields and other DGs (Baldwin 2006; Hudson 2006: 63-64; see also Chapter 4).

Thus, policy-making in migration continues to be dominated largely by the security field with limited attempts at better coordination with other relevant policies. Even in light of the changing discourse on migration in recent years through such developments as the *Global Approach*, mobility partnerships, and increased political dialogue with migrant-sending countries, the EU has continued to focus on migration control mechanisms rather than overcoming obstacles for greater policy coordination with other relevant fields. To this extent, “barriers towards greater policy coordination are sustained by the institutional set-up of policy-making in the EU” (Lavenex and Kunz 2008: 453). The external dimension of migration is governed mainly by the High-Level Working Group (HLWG) on Migration and Asylum within the General Affairs and External Relations Council (GAERC), and is largely composed of national justice and security officials, thus perpetuating command of the migration field by one policy group and posing as a barrier for linking migration to development and other complementary policies (Lavenex and Kunz 2008: 453-54; Chou 2006: 17).²² Furthermore, according to Pastore, migration and development policies “are marked since an early phase by a certain strategic fuzziness, by intrinsic political ambiguities, overlapping competences, policy incoherencies and bureaucratic competition (including, at European level, turf battles within the European Commission)” (2007: 3). Indeed, one study found that for the most part, coordination on migration policy amongst the relevant DGs in the Commission has often been insufficient. In fact, the Commission’s justice branch (DG JLS) had taken a leadership role in the formulation of migration and development policies, often without adequate consultation with DG DEV on development issues, or DG RELEX on external policy coherence (Egenhofer *et al.* 2006: 28; Sterkx 2008: 127). To this extent, “the underlying logic is to use external cooperation as a means of achieving asylum and migration goals, in particular the improved management of migration flows and the fight against illegal immigration” (Sterkx 2008: 127). This is sharply in contrast to a development-oriented perspective, where the purpose is not to achieve migration goals through migration control, but to achieve development goals through migration management.

As long as migration continues to be seen mainly as a security issue rather than a development one, the link between migration and other complementary policies is likely to be limited. Furthermore, the fact that at the practical level migration has remained

²² Established in December 1998, the HLWG’s main task is the implementation of cross-pillar programmes in the main countries of origin and transit. The HLWG draws up action plans for selected countries identified as heavy migrant sending countries, in which it stipulates short- and long-term measures for cooperation with the countries in the areas of foreign policy, development policy, economic and humanitarian aid, conflict prevention, and combating illegal migration and organised crime. The HLWG is said to have a leading role in the EU’s migration policies with an external dimension (CEU 2002; Lindstrøm 2005).

embedded in the security field rather than being linked to other relevant policy fields demonstrates incoherence between stated policy objectives and actual implementation. The dominance of a security-oriented approach in migration constrains the EU's capacity to engage fully with countries of origin, largely because the EU's interests and policy objectives diverge from those of the countries of origin, which are instead seeking a more 'open' approach to migration. Thus while in the trade field the inconsistency between trade and development policies affected the EU's position in trade negotiations with African countries, a similar inconsistency in the migration field is likely to make countries less willing to engage with the EU, especially given the limited dependence and their strategic importance in this field. Thus, as posited in Chapter 1, inconsistency between external policies thus constrains the EU's power to impose its preferences on African countries, while in turn shaping their strategies vis-à-vis the EU.

3.3 Coordination between the EC and the Member States

While Member States can agree on the benefits of developing a common migration policy or a common position on migration, separate national policy agendas restrict an effective and practical approach at the EU level (Sterkx 2008: 126-128).²³ Although in some areas the EU's migration policy is becoming increasingly communitarised, EU Member States have kept a firm grip on the external aspects of the policy, especially in relation to cooperation on migration with third countries. This has created tensions between the supranational and intergovernmental levels of policy-making and implementation of the policy. These tensions, in turn, limit the EU's ability to promote its policy objectives abroad, as a lack of coordination between the different levels has weakened the potential effectiveness of engaging with migration countries.

Firstly, policy coherence has suffered not only because of particular institutional problems faced within the Commission (see above), but perhaps more importantly because of the Member States' role in shaping and orienting the policy according to their preferences. Indeed:

Policy coherence between member states and the different instruments and DGs of the European Commission is at times lacking. This is particularly true on issues like migration, for which there are considerably contrasting policy agendas between justice and home affairs ministries and external relations and development ministries ... The crucial determiners of European migration policies, however, remain the member states. It is the member states that have provided the main impetus for the incorporation of migration policies into EU external relations (Higazi 2005: 5).

²³ Interviews IOM, Dakar: June 2008 (I1; I2); Interview Senegalese government, Dakar: June 2008 (S5).

Not only do Member States steer policy orientations in migration, their approach has also tended to be geared towards security and migration control. According to Sterkx (2008), Member States have pushed for a security approach to migration rather than for policy coherence in external cooperation, evidencing the extent to which they tend to be concerned first and foremost with migration management for the purposes of migration control. This is to the disadvantage of the Commission's preferences, where DG DEV and RELEX have generally expressed discontent with the JLS authority over the migration agenda, which is seen to undermine policy coherence (Sterkx 2008: 126-127; Lavenex 2007; Boswell 2003: 632-635). Commission interviewees confirm that in general, Member States have adopted a much more restrictive approach towards third countries as opposed to the Commission, leading to a constant struggle for compromise on how the policy should progress, and more specifically, to what extent it should adopt a 'coercive' as opposed to an 'open' approach to migration.²⁴ Thus while the EU's objective has been to pursue "a rather innovative (at least on paper) common migration policy compared to the tradition of its member states", the policy "has encountered considerable difficulties in shaking off the prevailing approach at the level of its Member States, which often manifests itself in an opposite manner, that is, as biased towards restrictiveness and weighted towards controls, sectoral, reactive and essentially unilateral" (CeSPI/SID 2006: 5). Indeed, Gnisci reiterates this point well, when she writes that, "the EU's global approach seeks to be integrated, balanced, negotiated and consensual. It shows that migration is now one of the strategic domains of negotiation between the Community and third countries. From the operational perspective, however, the 'control' issue is overriding and liberating national agendas from it is often difficult" (2008: 85).

Secondly, delegating competence in migration matters to the EU level is delicate because of the careful balance to be struck between cooperation amongst Member States and between Member States and the Commission on the one hand, and maintaining national sovereignty over migration matters, on the other (Brady 2008: 18).²⁵ Indeed, while cooperation and coherence in migration policy is encouraged, some Member States have been apprehensive towards delegating further competence to the EU.²⁶ Even those Member States which have been the main architects of the EU's emerging migration policy (namely France, Spain, and to a lesser extent, the Netherlands and the UK) have nevertheless

²⁴ Interview EC, Brussels: April 2008 (EC6); Interviews EC Delegations, Accra: October 2008 (EC20), Dakar: June 2008 (EC17).

²⁵ The securitisation of some Member State migration policies post 9/11 has reinforced the link between migration and security. While this has not necessarily led to limitations on migration quotas, it has to some extent led to a reassertion of national autonomy over domestic borders (Chisti 2002).

²⁶ For example, in the formulation of a common migration policy, Denmark has an opt-out, and therefore does not participate in decision-making, while the UK and Ireland participate only on a case-by-case basis.

continued to operate separate bilateral migration schemes. This bilateral element has led to EU efforts in cooperation with third countries being duplicated or surpassed, and to some extent even undermined (Sterkx 2008: 126).²⁷ For example, although the Commission has been given the mandate to negotiate readmission agreements with third countries on behalf of the EU, Member States also conduct bilateral talks with migration countries. Accordingly, “third countries do not understand this situation of parallel negotiations, and take advantage of it, which often results in the deferral of Community negotiations” (*Ibid.*: 126).

This overlap of efforts in third countries goes further than readmission agreements however, and extends into the EU’s efforts at becoming more active in migration and development. A limited set of EU countries, namely France, Spain, and to lesser extent Italy, are managing African migration flows through ‘second-generation migration agreements.’²⁸ These agreements apply a carrot and stick approach to managing migration flows, by giving labour access, financial or technical assistance, or investment opportunities to migration countries, in exchange for their cooperation in fighting illegal migration and readmission.²⁹ Bilateral agreements thus address both the individual Member States’ labour needs as well as some of the root causes of migration in third countries, while providing incentives for closer cooperation in controlling irregular migration (Panizzon 2008). Yet although this approach is similar to the EU’s approach, coordination between the Member States and the Commission (or in this case the delegation) is often inadequate. This often perpetuates an image of the EU as unable to adequately deal with migration matters, as opposed to individual Member States, whose bilateral efforts are seen as more relevant.³⁰

A lack of coordination weakens the effectiveness and strength of the EU’s total efforts in third countries. As Sterkx rightly points out:

The premise of [the EU] is that external actions need to be coherent in order to have any impact. If not, the position of the EU vis-à-vis third countries will be

²⁷ Interview EC Delegation, Dakar: June 2008 (EC17); Interview IOM, Dakar: June 2008 (I2); Interviews Ghanaian government, Accra: September 2008 (G6; G9).

²⁸ As opposed to ‘first-generation’ schemes which can be classified mainly as guest worker programmes or working-holiday makers schemes.

²⁹ Through its ‘co-development’ programme introduced in 2003, France has signed several Migration and Co-development Agreements with African countries which seek to create channels for legal migration, fight illegal migration, and assist in the development of sending countries. The programme also aims to mobilise diasporas, by facilitating productive investment, implementing local projects, and assisting return migrants. Since 2006 the Spanish government has signed Migration Cooperation Agreements with several African countries, which link control mechanisms, such as the deployment of Spanish forces in the countries’ territorial waters in order to control illegal migration, with a development and trade dimension, by offering technical capacity-building assistance, equipment, and increased labour access as an incentive for cooperation.

³⁰ Interview Senegalese government, Dakar: June 2008 (S5).

substantially weakened. However, the starting point of external action on asylum and migration is a division of competencies across several policy areas, a varied degree of communitarisation, and different perspectives on how to achieve policy coherence ... This reality causes overlap and cultivates a struggle for policy ownership which, in the end, is likely to damage the coherence and firmness of external action (2008: 125).

Thus coherence and coordination in the EU's migration policy is undermined because of "the exclusion of key institutional actors who prefer the comprehensive approach from the decision-making process ... [and] the isolation of decision-making power within an institutional setting which favours the coercive strategy" (Chou 2006: 3). Inadequate consultation on the part of the security branch with other relevant policy actors has led to the dominance of a restrictive and limited approach being adopted at the EU level. Furthermore, tensions between the supranational and intergovernmental levels which characterise the EU's migration policy have led to further perpetuating a security-oriented approach over a more comprehensive approach in migration cooperation with countries of origin. The fact that Member States have continued operating migration policies at the bilateral level while the EU level remains inadequately equipped to implement the policy, has undermined the total EU effort in engaging with third countries.

Have these constraints created opportunities for migrant-sending countries to put forward their own migration agendas? This question is particularly important, because it evidences, as assumed in Chapter 1, that when the EU's actions are perceived as inadequate, uncoordinated, and/or incoherent, it affects actors' perceptions of the EU to act as single unitary actor, and may even allow them to seek out interlocutors or actors more sympathetic to their position within the EU. Indeed as the next chapter will show, this is precisely the strategy the Senegalese government adopted in conducting migration dialogue with the EU and Member States.

4 Conclusion

This chapter has traced the evolution of the EU's migration policy towards Africa. It was argued that although the EU has become increasingly active in promoting and instigating dialogue and policy initiatives at the African level, EU and African interests in migration do not always converge. Secondly, the chapter also outlined the extent to which the EU is constrained in fully engaging in migration dialogue with external actors because of three main reasons: financial and capacity constraints, inadequate policy coherence amongst migration and overlapping external policies, and a lack of overall coordination amongst the

different decision-making and policy-implementing structures comprising the EU's external relations.

Throughout the thesis, it has been demonstrated that power asymmetry between the EU and Africa is an overriding characteristic in relations between the two sides. In the aid and trade fields this asymmetry was found to be particularly prevalent, in that the EU had the ultimate decision-making power, considerably low interest in cooperating with Africa, and as the significantly wealthier actor, it could play on the power of the purse to either induce or refuse cooperation. Yet careful consideration of the context in which both aid and trade relations take place, essentially established that *both parties'* were limited in their capacities and opportunities for negotiating and administering relations according to their preferences. Although these constraints do not necessarily create a level playing-field between the EU and Africa, the extent to which the EU was constrained affected effectiveness in dealing with African countries and their perceptions of the EU. As established in Chapter 1, power is therefore seen as operating through an interactive, dynamic, and intersubjective *process* in which the exercise of leverage is both contextual and relational. Given the different contexts in which power asymmetry operates in relations between the EU and Africa, does the same scenario play out in migration dialogue? Have the EU's coordination and coherence gaps, provided migration countries with increased scope to steer dialogue and policy actions away from a purely restrictive framework, towards one which considers their concerns? The following chapter will explore these questions through a comparative case study of the strategies that Ghana and Senegal have adopted in migration dialogue with the EU.

Chapter 7

Exercising leverage and control in migration cooperation: Senegal and Ghana's relations with the EU in migration matters

This chapter discusses how the EU's migration policy has affected the scope of influence of migration countries in West Africa, focusing specifically on two important countries of emigration towards Europe, Senegal and Ghana. The recent, yet sudden increase in the intensity of migratory movement between the continents has encouraged a renewed political engagement with Africa. Indeed, "the growing phenomenon of transit migration towards EU territory has given new strategic importance to certain African (especially Sahelian) countries ... This new strategic importance has favoured unprecedented forms of cooperation" (CeSPI/SID 2006: 10). The need for joint cooperation with migration countries in order to stem migratory flows challenges the traditional relationship between weak and strong actors and the effectiveness of coercive instruments to induce compliance. While developments in the EU's migration policy sphere have tended to combine repressive measures with incentive instruments, African governments have instead focused largely on enhancing the developmental prospects that migration provides. Regardless of these diverging strategies, it is now widely recognised that migration can only be effectively managed through mutual engagement from sending and destination countries. The necessity for cooperation creates a more balanced relationship in which both parties can make demands and concessions.

This chapter will argue that some African governments, aware of the constraints the EU faces in effectively engaging in migration dialogue with them, have been successful firstly in repositioning the migration agenda in favour of development rather than purely focusing on migration control, and secondly, that they have been successful in driving and establishing ownership over joint cooperation schemes. While the EU's migration policy towards Africa was characterised as geared exclusively towards a politics of control, the evolution of the migration agenda towards a more comprehensive approach considering the interests of destination countries can be partially attributed to the leadership of some African governments.

The case studies of Senegal and Ghana illustrate important trends emerging in the EU's relations with migrant-sending countries in Africa. The first section of the chapter presents some basic migration trends between Ghana and Senegal, to facilitate comparison

in later sections of the chapter. The second section considers the Senegalese case. It demonstrates that while the EU is constrained in fully engaging with the government, EU Member States have instead engaged intensely with Senegal in order to establish an agenda and policy framework for joint migration management. At the same time that Senegal has negotiated bilaterally, it has exerted non-compliant behaviour in dialogue with the EU, thus stalling negotiations until agreement can be found. In doing so, it has contributed to repositioning the EU migration agenda from one focused exclusively on migration control, to one which more closely considers the government's concerns. Furthermore, the Senegalese government has adopted a pro-active approach in shaping the national migration debate, leading to increased ownership over its migration agenda in relation to external actors, namely the EU. The third section considers the Ghanaian case. In Ghana, the EU and the Member States have been less active, with efforts generally uncoordinated, narrow, and lacking in intensity. Furthermore, although EU engagement has generally been positively perceived, the government has shown a less pro-active approach in its relations with both the EU and Member States. The limited role of both the EU and the government has led to other international agencies playing a much more decisive role in migration policy formulation and implementation. As a result, the Ghanaian government has identified these agencies as the main actors shaping and leading national migration debates, and until recently, adopted a rather consensual approach to joint migration management with the EU.

The two cases demonstrate the constraints the EU faces in engaging with migration countries in migration dialogue and policy formulation, and perhaps more importantly, the extent to which these constraints can affect the EU's policy objectives. Secondly, they demonstrate the extent to which a country's perception of these constraints as well as the perception that the government holds of itself vis-à-vis the EU significantly shapes its position and strategies in conducting migration dialogue. Finally, they show how similar contextual factors present in the aid and trade policy areas, also operate in the migration context to allow for weaker actor leverage and control. To this extent, this final empirical chapter, contributes to confirming the notion that power operates through an interactive, dynamic, and intersubjective *process* in which contextual factors help determine the exercise of leverage and control of a weaker actor vis-à-vis a stronger actor.

1 Comparative migration trends in Senegal and Ghana

Both Senegal and Ghana have experienced a heavy migrant outflow since the 1990s. Aside from Nigeria, they are the two sub-Saharan African countries with the highest contribution to migratory flows to OECD countries (DELSA-OECD 2004; see also Table 7.1). Traditionally a country hosting a large number of West African migrants in the 1970s, Senegal has been transformed into a country of outward migration. An intense economic crisis in the 1990s which negatively impacted employment and private sector development, combined with high population growth, have acted as push factors (Adepoju 2009: 21). While “international migration was initially a reaction to this crisis situation, it has meanwhile become the standard model for social advancement” (Gerdes 2007: 2). Migrants have focused on Europe as their main destination, with France traditionally the country of choice (see Table 7.1). Since the late 1990s, migration flows from Senegal to Europe have increased rapidly, with Spain in particular experiencing a significant influx of migrants (see Figure 7.1). In the 1980s and 1990s Ghana moved from being mainly a country of immigration, hosting mostly West African migrants, to one of heavy emigration due to economic and political instabilities (Quartey 2006: 2-3). While the United States is the primary destination for Ghanaians, the UK, Southern Europe and France also host a considerable proportion of migrants (see Table 7.1).

Table 7.1: Migrants of selected West African countries in OECD countries, (2005)

	France	UK	Spain, Italy, Greece, Portugal	Other Europe	North America	Japan, Australia, New Zealand	Number of Emigrants	% Pop- ulation (2000 UNPD)	% of W. Africans in OECD countries
Cape Verde	12,404	328	50,543	13,272	27,411	28	103,986	23.1	9
Ghana	4,376	56,112	21,121	19,954	84,274	3,605	189,442	1.0	16
Mali	40,222	121	3,622	784	3,680	79	48,508	0.4	4
Mauritania	9,591	28	3,993	884	2,400	21	16,917	0.6	1
Nigeria	2,563	88,378	26,435	22,361	150,917	3,190	293,844	0.2	25
Senegal	82,116	723	41,476	3,781	12,739	299	141,134	1.4	12

Source: OECD Migration Database, 2005; IOM 2008

In terms of skill level of migrants there are some significant disparities between Senegal and Ghana.¹ Most Senegalese migrants are considered low skilled, while a significantly lower proportion are highly skilled or medium skilled. Ghana, on the other hand, has a

¹ Highly skilled refers to those with academic qualification up to the tertiary level; medium skilled refers to those with education up to upper secondary and post-secondary non tertiary; low skilled refers to those with less than upper secondary.

much more proportionate distribution of skill levels amongst its migrants, where the majority are either medium or highly skilled, rather than low skilled (see Table 7.2).

Table 7.2: Skill characteristics of Senegalese and Ghanaian migrants, (2005)

Characteristics	Senegal	Ghana
	% of migrants	
Highly skilled	19	31
Medium Skilled	24	38
Low Skilled	57	27
Unknown	0.5	4

Source: OECD Migration Database 2005

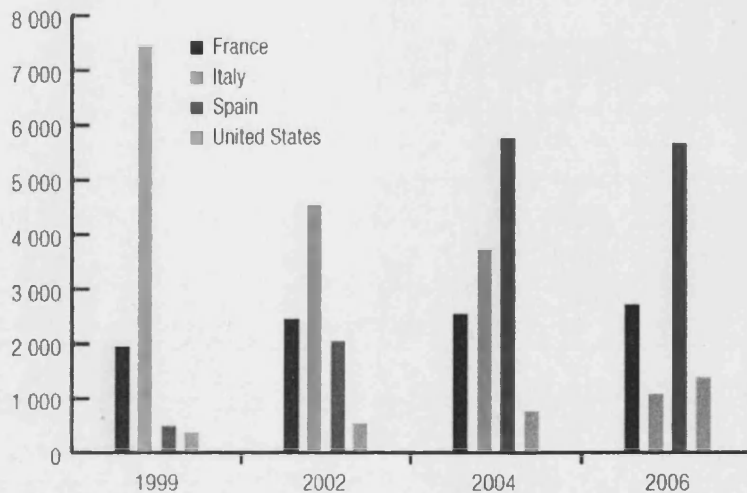
Both countries have experienced brain drain. In Ghana, the number of highly skilled nationals that have left the country is exceptional and a significant problem. In 2005, Ghana ranked second in the world, as a country with a population over 5 million, in terms of the departure of highly-skilled nationals, with 47% choosing to migrate upon completion of their education. The problem is not nearly as significant for Senegal, where 17% of its tertiary-educated nationals have migrated (Özden and Schiff 2006).

Senegal and Ghana have also contributed significantly to the influx of irregular migrants entering Europe. Although data on this is very tentative, and precise numbers are not readily available, some observations should be made. Senegalese migration has mostly taken the form of irregular migration, with migrants either overstaying on temporary visas, and to a lesser extent, entering the EU illegally via clandestine overland or sea routes (Gerdes 2007: 6; OECD 2008b: 39). Stricter controls along the overland routes in Northern Africa have also transformed Senegal into a transit country, with a significant number of non-Senegalese migrants coming through Senegal in order to depart from its coastline (Spaan and van Moppes 2006: 14; Adepoju 2009: 21). In 2006, the irregular migration situation intensified significantly with the amount of migrants arriving on Spain's Canary Islands increasing six-fold from the previous year,² with half believed to be of Senegalese origin (Gerdes 2007: 6; see Figure 7.1).³

² In 2005, 4,800 migrants arrived on the Canaries. In 2006 this increased to 32,000 arrivals (Gerdes 2007: 6).

³ Many of these operations were carried out by Senegalese fishermen. Over-fishing in Senegalese waters has caused for a significant loss of employment opportunities for fishermen. Faced with this loss of income, some fishermen have become intermediaries in transporting migrants to Europe. Since 2006, European fishing fleets are no longer allowed to operate in Senegalese waters as the government chose not to renew its fisheries agreement with the EU (Ndione and Broekhuis 2006: 5; Gerdes 2007: 8).

Figure 7.1: Trends in Senegalese Migration to Major Destinations, (1999-2006)



Source: Gnisci 2008

Ghana also contributes to irregular migration with mostly low skilled migrants using migration routes via Morocco and Libya to reach Europe (mainly Italy or Malta) or via the West African coastline to reach the Canaries. However, Ghana's contributions to irregular migration are not considered as significant as those of Senegal. Two (tentative) examples give some indication of this: in 2000, the Italian Ministry of Interior estimated that the number of illegal Senegalese migrants amounted to around 1,300, while illegal Ghanaians amounted to around 800 (Chiuri *et al.* 2005: 20); also in 2000, some 20% of Ghanaian migrants in Italy admitted to entering illegally or overstaying, while 50% of Senegalese in Spain admitted to this (NIDI/Eurostat 2001).

Lastly, both Senegal and Ghana are source, transit and destination countries for human trafficking (CEC-GoG 2006; Spaan and van Moppes 2006: 11; Adepoju 2005). Ghanaian women and children are trafficked to neighbouring countries for labour and prostitution, and to EU countries (mostly the UK and the Netherlands) for prostitution. Ghana also acts as a major transit country for Nigerian women being trafficked to Europe (Italy, Germany, and the Netherlands) for prostitution (Adepoju 2005: 78). Senegal is also a source and transit country for women trafficked to Europe and other parts of Africa. It is also a destination country for child trafficking from Mali and Guinea (*Ibid.*: 78).

The next sections will refer to these trends in Senegalese and Ghanaian migration in analysing the EU's efforts in the two countries in establishing a joint framework for migration management.

2 Senegal

The Senegalese government considers migration a positive phenomenon, bringing enormous benefits both at the level of the state and the individual migrant. The government's migration agenda has taken a very strong orientation towards a migration-development nexus, by focusing primarily on the potential positive effects of migration. The government's priorities for migration can be characterised as follows:⁴ Firstly, the government aims to engage closely with the Senegalese diaspora and involve them in the country's development. Indeed, diaspora investments have been crucial to the expansion of the country's infrastructure, and have created important knowledge transfers through cultural, scientific, and educational exchanges (Panizzon 2008a: 6-10; Ndione and Broekhuis 2006: 14; Tall 2002: 562-573). Secondly, the government also recognises the importance of facilitating remittance flows and orientating these towards productive use and investment in development (Tall 2002: 562-573; Tall 2005; Wabgou 2008: 158; Jettinger 2005).⁵ The promotion of official money transfers and their use for economic investments have become part of the national development strategy, demonstrating the government's eagerness to channel sources of income provided by the diaspora towards investment and development (Ndione and Broekhuis 2006: 13). Thirdly, the Senegalese government is keen to encourage the return of migrants and to facilitate their reintegration into the economy so as to enhance technical expertise and build-up a return migrant knowledge-base. This is seen as positively contributing to the development of the country by generating brain gain and creating entrepreneurship opportunities that further generate employment and capital. At the same time, the government also recognises the successful reintegration of repatriated migrants as a priority item on its migration agenda (Gerdes 2007: 7). Fourthly, mitigating the brain drain and avoiding the departure of skilled and semi-skilled labour by providing increased incentives for potential migrants to remain in Senegal is another important element on the government's agenda. As such, the government is interested in developing programmes that favour skill retention through increasing training and employment opportunities, thus tackling one of the primary push factors for the heavy migration outflow and the consequent brain drain (Panizzon 2008a: 19-20). Lastly, the government has been active in requesting funding for capacity-building and increasing ownership of its migration phenomenon. This entails strengthening

⁴ Interview Senegalese government, Dakar: June 2008 (S5); Interview IOM, Dakar: June 2008 (I2).

⁵ Indeed, "given the increase in migrant remittances and their growing significance for the national economy, the topic of migration has gradually found its way into the political discourse" (Gerdes 2007: 4). In 2007, Senegal was the fourth largest recipient of remittances in sub-Saharan Africa, estimated to be around 7% of the country's GDP between 2000 and 2005 (Gupta *et al.* 2007).

government capacity to regulate migration flows both by tackling irregular migration as well as creating legal opportunities for regular migration and increased employment opportunities at the national level.

In general, Senegal has been pro-active in developing a national migration agenda, and has actively embraced the migration phenomenon as an opportunity for furthering its development prospects (Ndione and Broekhuis; Panizzon 2008a, 2008b).⁶ According to Wabgou:

Senegal is one of the few countries in sub-Saharan Africa to have addressed the migration of its people as a foreign and public policy issue and to have started dealing with these migratory flows as a global reality in Africa, Europe and America. Across the country, the government has begun taking steps to promote migration policies, and to improve cooperation in migration management (2008: 141).

Furthermore, the government cooperates with destination countries in managing migration flows, so long as this takes into consideration the country's developmental concerns, and entails a strengthening of the government's own capacity to manage migration.⁷ The extent of the dialogue and policy actions that have ensued between Senegal and the EU in the area of migration are further explored in the following two sections. The first section indicates the main developments in the evolving joint migration strategy between the two sides, while the second section investigates both sides' strategies vis-à-vis one another in cooperation on migration management.

2.1 The EU – Senegal migration dialogue and policy actions

Initial dialogue and policy developments on migration between Senegal and the EU were characterised by systematic divergence in interests and views. In 2006, the EU began its interactions with Senegal by pushing a migration agenda oriented largely towards control rather than development, or even joint migration management. Thus the fundamental interest in conducting dialogue with Senegal was mainly to find a common position on stemming illegal migration and implementing control measures, and secondly to find agreement on readmission and border controls.⁸ In May 2006, the EU mandated the Commission to send its first diplomatic mission to Senegal in order to initiate dialogue with the government under Cotonou's Article 13. Although the Agreement had been signed and ratified in 2001, the sending of the mission nearly five years later was highly indicative of the interests of the EU in dealing with migration issues in Senegal, as the mission was sent

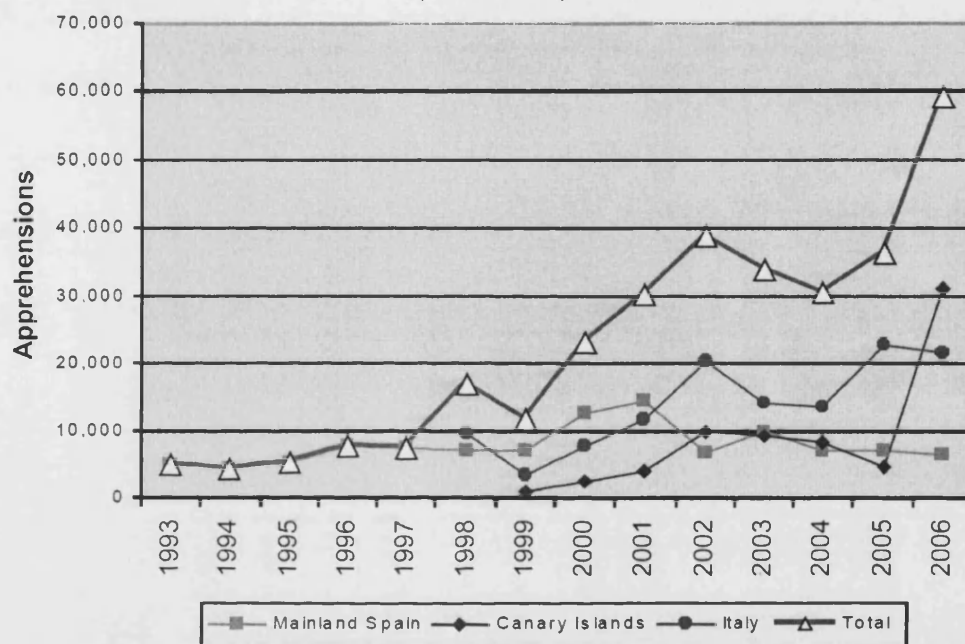
⁶ Interview Senegalese government, Dakar: June 2008 (S5); Interviews IOM, Dakar: June 2008 (I1; I2).

⁷ *Ibid.* (S5).

⁸ *Ibid.* (S5); Interviews IOM, Dakar: June 2008 (I2).

in the same year that Europe was facing a major migration influx from Africa, with West Africa, and Senegal in particular, positioned as a major point of origin and transit for clandestine migrants (see Figure 7.2). As is evident from the initial strategies employed in Senegal, the EU's efforts there were concentrated on controlling this influx and seeking cooperation from the Senegalese government in averting departures.

Figure 7.2: Estimates of apprehended irregular migrants in Spain and Italy, (1993-2008)



Source: IOM 2008: 33

Just three months after the dialogue was launched, the EU deployed the first Frontex missions (termed HERA) in Senegalese waters in September 2006, with Spanish financial support, and with missions continuing to operate well into 2009.⁹ Closely following the Frontex mission was the decision to implement the Rapid Reaction Mechanism (RRM) in April 2007, signalling the first time this emergency instrument was used to tackle irregular migration. Following dialogue with the Senegalese government, the RRM was employed as a means to assist national authorities, in cooperation with the IOM, to enhance their migration management capacities and combat irregular immigration.¹⁰

⁹ The missions are mainly run by Spanish border patrols services, in joint cooperation with France, Luxembourg, Portugal, Italy and Senegal. During the course of the missions, the flow of irregular migration is said to have decreased drastically, with both Spain and Senegal declaring the mission as largely successful (CEC 2006a; CEC 2006c; FRONTEX 2007; Panizzon 2008a: 29).

¹⁰ The RRM provided Senegalese naval forces with the equipment and training necessary to divert and avert departures from Senegal; it supported the reinsertion of repatriated irregular migrants and assisted in the voluntarily return; and it provided assistance to conduct comparative research on legislation in Senegal, Spain, France and Italy concerning the protection of unaccompanied minor migrants, migrant rights, and other legal issues related to illegal migration (CEC-IOM 2007; Panizzon 2008: 29-30).

In addition, from 2004 to 2006 the Aeneas programme funded seven different projects in Senegal.¹¹ Although the Aeneas projects strike some balance between migration control and management, the migration-development nexus was not prioritised in initial funding initiatives in Senegal. Indeed, majority of the projects focused mainly on combating illegal migration and strengthening Senegalese and regional capacity in this respect. Furthermore, all projects that concerned legal migration or migration management also included an element of migration control, and moreover were implemented commencing in late 2007 or early 2008, while projects focusing on irregular migration were mostly implemented in late 2005 and early 2006.

The initial phase of the EU's migration dialogue and policy actions with Senegal therefore was oriented towards migration control and combating illegal immigration. To this end, both Senegalese and EU officials characterised initial dialogue between the two sides as negative, with progress being slow and difficult.¹² On the one hand, the EU considered the Senegalese government to be largely uninterested in the dialogue, especially with regards to managing irregular migration. Secondly, an internal power struggle within the Senegalese government over which ministry would be in charge of migration policies (i.e. the Ministry of Interior or the Ministry of Foreign Affairs), made it unclear with whom dialogue should be conducted, thus minimising the impact of migration-oriented initiatives. Thirdly, the limitations in the dialogue were also partially due to the EU's own constraints in undertaking a migration agenda. The EU delegation, which was mandated to follow-up on the dialogue, has admitted that it lacked the capacity, expertise and human resources necessary to carry-out this task effectively.¹³

On the other hand, according to the Senegalese side, the EU had initiated the dialogue without adequate concern for the government's interests. For example, the initial use of the RRM, although deemed largely successful by both the EU and Senegal, was criticised as having undermined government ownership and capacity-building efforts in migration management.¹⁴ Indeed, the RRM was employed as a short-term financing instrument almost immediately following initial dialogue, after which the EU Development

¹¹ The seven projects were: "Reinforcing and sustaining dialogue and management of irregular and transit migration in the Maghreb and originating in West Africa"; "Project Seahorse" and "Project Seahorse Network", implemented by the Spanish Guardia Civil; the "Law enforcement capacity building project for West Africa in preventing and combating the smuggling of migrants"; "Fit for Europe – Training for positive migration"; "Implementation of the Rabat Action Plan"; "Migration profiles in selected countries in West and Central Africa: A tool for strategic policy development"; and "Facilitating a coherent migration management approach in Ghana, Nigeria, Senegal and Libya by promoting legal migration and preventing further irregular migration" (CEC 2007).

¹² Interview Senegalese government, Dakar: June 2008 (S5); Interview EC, Brussels: April 2008 (EC6); Interview EC Delegation, Dakar: June 2008 (EC17); Interview IOM, Dakar: June 2008 (I2).

¹³ Interview EC, Brussels: April 2008 (EC6); Interview EC Delegation, Dakar: June 2008 (EC17).

¹⁴ Interview Senegalese government, Dakar: June 2008 (S5); Interview IOM, Dakar: June 2008 (I2).

Commissioner, Louis Michel, assured the government that long-term funding would be provided in order to assist in migration management. This assurance was made however, without a funding mechanism in place which could be immediately employed, hence the use of the RRM. Furthermore, initial dialogue under Article 13, under which the Commission has the competence to negotiate readmission agreements with ACP countries, was also tense and difficult. Senegal saw this as the EU unilaterally soliciting the signing of such an agreement without an adequate incentive mechanism in place for it to benefit from agreeing to an EU-wide readmission policy.¹⁵ This led to a series of difficult negotiations between the Commission and the Foreign Affairs Ministry on which migrants should be considered for readmission (namely only Senegalese nationals or also transit migrants).¹⁶

Most recently however, a shift in the dialogue as well as acceleration in positive engagement with the government's migration strategy has seemingly taken effect.¹⁷ In September 2007, the EU and Senegal released a joint declaration following the conclusion of the fourth migration dialogue meeting since 2006, noting that recent dialogue had proven fruitful, with agendas largely converging. Conclusions were made on three major issues: migration management, migration and development, and ongoing processes. Although the migration dialogue has continued to take account of illegal migration issues, the declaration indicates a definite shift in the scope of the dialogue by considering issues of concern to origin countries, such as legal migration, the nexus between migration and development, and domestic capacity-building (EU-GoS 2007). Recent policy initiatives have also demonstrated a closer convergence of agendas between the EU and Senegal. In June 2008, the Council mandated the Commission to commence negotiations with the government on an EU-wide mobility partnership (CEU 2008a). The mobility partnership essentially operates on incentive-based mechanisms, by granting increased labour market access in exchange for cooperation in fighting illegal immigration. At the same time it represents a shift from a purely unilateral control-oriented approach because it aims at joint cooperation in making migration a positive factor for development by facilitating measures on legal and circular migration between the country and those Member States interested in participating in the scheme (Chou 2009). Thus far the only pilot mobility programme to have been launched in Africa is with Cape Verde. Although the Cape Verdian case provides some

¹⁵ Roig and Huddleston (2007) argue that third-country willingness to sign readmission agreements is dependent on the integration of incentives such as visa facilitation or even EU membership prospects. Since these incentives cannot be offered to many migrant-sending countries with whom the EC is conducting negotiations, readmission agreements are likely to remain stalled.

¹⁶ Interview Senegalese government, Dakar: June 2008 (S5).

¹⁷ Interview EC Delegation, Dakar: June 2008 (EC17); Interviews IOM, Dakar: June 2008 (I1; I2).

insight in to what a mobility partnership might entail for Senegal,¹⁸ it is noteworthy that the countries face very different socio-economic situations. While Cape Verde has the strongest economy in West Africa, it has a low population, and poverty is not as prevalent thus constituting a “low risk for the EU, regarding mass migration,” yet Senegal is a low-income country with a large and mostly poor population (Afrol News 2008). The fact that the EU is willing to enter into this type of agreement with Senegal is therefore significant to the interests it has in Senegal, and the importance that Senegal has gained in the EU’s migration agenda.

The evolution of the dialogue is also evident in the intervention strategy adopted for sub-Saharan Africa concerning financial programming from 2007 to 2010 for the programme replacing Aeneas. In addition to fighting illegal immigration and promoting readmission, the new thematic programme prioritises regional and trans-border migration dialogue and cooperation, strengthening domestic administrative capacity in migration management, implementing labour migration policies, fostering links between migration and development, and has even included migrant rights protection as a priority area (CEC 2007b). Thus, according to observers, between 2007 and 2008, the migration dialogue between Senegal and the EU has moved from a purely migration control-oriented agenda, largely imposed by the EU, to one which more closely considers Senegal’s concerns and interests as a country of origin and transit. Accordingly, negotiations on legal labour migration schemes; increased dialogue on thematic areas, not only control; increased funding for labour migration and circular migration; as well as engagement from Member States to negotiate labour migration deals with Senegal are an indication of this changing framework. At the same time, observers also note that as the framework has moved from migration control to a more comprehensive approach of migration management, Senegal has also become more flexible on contentious issues such as readmission and cooperation on border management.¹⁹

Dialogue, policy actions, and cooperation on joint migration management between the EU and Senegal have evolved and intensified significantly since engagement commenced in 2006. The initially tense and difficult dialogue is said to have moved

¹⁸ Proposed initiatives in Cape Verde include the promotion of legal mobility opportunities, facilitating legal migration, supporting return and reintegration, and ensuring effective migration management. A Migration Information Centre launched January 2009, provides information on legal migration opportunities in the EU and offers pre-departure preparation and training services, assists in strengthening capacities of the national authorities, and provides information and assistance to return migrants. The partnership will also facilitate cooperation in the area of border management, security of identity and travel documents, the fight against human trafficking, as well as return and readmission of illegal migrants. The Mobility Partnership also addressed the links between migration and development, diaspora contributions, and facilitation of remittance transfers (CEC 2008; Chou 2009).

¹⁹ Interview IOM, Dakar: June 2008 (II).

forward, where both the EU and the Senegalese government are now able to promote their own interests and policy agendas vis-à-vis one another. The mobility partnership currently under negotiation, for example, signals a significant step towards a more comprehensive framework for joint migration management between the two sides. In order to better understand the reasons behind this intensification and acceleration of cooperative efforts in the migration field, the following section will trace the strategies that both the EU and Senegal have adopted. It will become evident that a considerable pro-activeness on the Senegalese side, coupled with intense EU Member State efforts to establish a comprehensive framework have been crucial elements in moving forward the EU-Senegalese migration framework.

2.2 Senegalese leverage and control vis-à-vis the EU

On the one hand, movement towards a more comprehensive approach in migration management between the EU and Senegal can be partially attributed to a calming situation in illegal migration. The actions taken in 2006 at the international, EU, and bilateral levels contributed to a significant reduction in the number of irregular migrants arriving in Europe in 2007.²⁰ Thus the shift from an emergency situation to one of relative normality allowed for an increased visibility of development aspects in the EU-Senegal migration dialogue.²¹ On the other hand, the evolution of the dialogue can also be characterised by an increased Senegalese pro-activeness in establishing ownership over its migration phenomenon. While engagement with foreign actors is considered essential to the country's developmental prospects, as has been demonstrated already in the aid and trade chapters, the concept of 'ownership' strongly prevails in all policy spheres, and migration is no different. As such, the government has keenly focused on enhancing capacity in migration management rather than accepting the unilateral implementation of control mechanisms. Indeed, any Senegalese movement on cooperation in migration control is coupled explicitly with gains in areas related to migration and development, legal and labour migration, and/or domestic capacity-building.

It is here argued that Senegal has been successful in exercising leverage in migration dialogue with the EU for two main reasons: its perceptions of the EU and other contextual factors which have created opportunities for leverage and control. Firstly, the government has perceived the EU as constrained in its efforts at soliciting engagement and

²⁰ According to the Spanish Ministry of Interior, the number of arrivals in the Canaries went from 32,000 in 2006 to 9,500 in the first 10 months of 2007, as a result of better interception and collaboration with departure countries, and information campaigns informing potential travellers of the risks.

²¹ Interview IOM, Dakar: June 2008 (I1).

coordination from migration countries. At the same time, the government has developed an awareness of its own strategic position within the framework of EU cooperation on migration. Senegal is therefore conscious that migration has given it an improved scope for influence and has begun using dialogue and negotiations as an ‘instrument’ for shifting policies closer to its own national agenda (IRIN 2006).²² Thus the perceptions Senegal holds of the EU’s power to impose its preferences, as opposed to the perceptions it holds of its own power to reach its own preferences in migration dialogue have shaped the Senegalese strategy for dealing with the EU in migration matters. The strategy consists in the government’s conscious decision to bypass EU engagement in the interim, and cooperate more closely with specific Member States whose engagement more closely fits Senegalese preferences. At the same time, the intensification of bilateral cooperation has provided a basis upon which Senegal’s cooperation at the EU-level has been re-orientated towards a more comprehensive framework for joint migration management. Secondly, contextual factors, namely Senegal’s strategic position in the African-EU migration dialogue and its leadership role at the regional level have also assisted in creating conditions for successfully exercising leverage and control vis-à-vis the EU.

2.2.1 Perceptions of the EU

While, as in the aid and trade fields, the EU is seen as an extremely important and critical player in Senegal, and engagement is considered necessary for development, Senegal is also aware that the so-called weaknesses of the EU can limit or constrain effectiveness. Indeed, Senegalese government officials have identified several problems with regards to the EU’s position as an effective actor in migration cooperation. Firstly, there is a strong conviction that the EU at present is unable to deal adequately with the reality of migration issues facing the country. Thus, the government considers the Commission ill-equipped to deal with the migration profile. Procedures are described as long and bureaucratic and communication between the delegation and Brussels headquarters is seen as limited. The delegation of project implementation to external agencies or intermediaries such as the IOM or UNDP, rather than engaging with the government directly at the practical level has been perceived as failing to strengthen the capacity of the government in dealing with migration issues. This has led the government to engage more closely with the intermediary agencies rather than with the EU.²³

²² Interview Senegalese government, Dakar: June 2008 (S5).

²³ *Ibid.* (S5); Interview IOM, Dakar: June 2008 (I1).

Secondly, government officials argue that it has been difficult to find satisfactory agreement with the EU in combining migration with development policies, because of the continual evolving nature of the EU's migration policy. The Senegalese side is convinced that without a coherent or unitary EU policy on both legal and illegal migration, progress will be limited. Thus, "the contentious harmonization of EU wide labour market admission visa" policies, for example, are seen as "delaying the concretization of a wider and deeper EU migration policy" (Panizzon 2008: 53).

Thirdly, the image of this inability to adequately deal with the migration profile is further strengthened by the fact that intense Member State engagement has led to what has been perceived as an incoherent EU position on migration vis-à-vis the government. Coordination between Member States and the Commission is seen as lacking. Each Member State active in the country is seen as pursuing its own bilateral interests and political agendas, which are often much more significant and appropriate in relation to Senegalese preferences (*Ibid.*).²⁴ Therefore, the Senegalese government perceives the EU as constrained on the three levels outlined in the previous chapter, namely in its ability to employ the resources and expertise necessary to effectively employ its policies; its inability to deliver a coherent and consistent approach towards migration cooperation by combining migration policies with development policies; and lastly, its inability to coordinate policy preferences and actions on migration between the Commission and the Member States.

2.2.2 *The Senegalese strategy for leverage and control*

How have these perceptions of the EU affected Senegal's strategy in dealing with the EU in migration dialogue, and to what extent has Senegal exercised leverage and control vis-à-vis the EU in the area of migration? Senegalese perceptions of the EU as incapable, inconsistent, and/or incoherent, have led the government to make a conscious and strategic choice to stall negotiations at the EU-level until satisfactory agreement can be found, while in the meantime, engaging more intensely with Member States and intermediary agencies, which are seen as more capable in meeting its preference. In employing this strategy, the government has been able to begin shifting the dialogue at the EU level to more closely consider its preferences and has asserted significant ownership over national migration management.

In its negotiations with the EU, the Senegalese government has largely employed a strategy of non-compliance. In Chapter 1, this was defined as resisting intimidation or

²⁴ *Ibid.* (S5); *Ibid.* (I1).

coercion by a structurally stronger actor, and its potential capability to employ threats or punishments and the refusal to comply with the other actor's demands which could potentially lead to the disintegration of the relationship. This type of behaviour has been evident from the very beginnings of the EU's attempts at establishing dialogue with the government, and has continued in present-day negotiations. Thus, in 2006, the government delayed the employment of the first FRONTEX mission, because it was unwilling to agree to the mission unless guarantees were made as to the treatment of intercepted migrants and additional funding. This issue was eventually settled when in August 2006 the Senegalese government was allowed to participate in the missions and therefore strengthen its own capabilities and expertise in migration management.²⁵ In 2007, readmission talks between the government and the delegation stalled, as the Senegalese government resisted the inclusion of non-nationals in readmission agreements, unless sufficient guarantees on funding for capacity-building to effectively manage a large influx of repatriated migrants could be made (see also Roig and Huddleston 2007).

Due to the stalled readmission dialogue, the EU, on the initiative of Member States, began negotiating a migration mobility partnership scheme with Senegal,²⁶ indicating that a Senegalese strategy of non-compliance has been largely successful in shifting the EU's approach on migration management with the country. In March 2009 however, the negotiations on the mobility scheme also reached a stalemate, "as a result of Senegalese dissatisfaction with what they were to receive in return for the EU's terms" (Chou 2009: 10). Senegalese officials claim that the government has little interest in negotiating the agreement with the EU unless it clearly provides for increased development and capacity-building assistance for the government and improved labour market access for Senegalese migrants. Given the availability of alternative agreements already negotiated on the bilateral level with the most relevant destination countries, unless the EU is able to provide significantly improved terms for cooperation, the government remains uninterested in moving the talks forward.²⁷ Interestingly, some observers have indicated that following Senegalese resistance in the negotiations, the EU is considering shifting its approach to the negotiations to more closely consider Senegalese demands, provided Member States agree to change the terms of the negotiations.²⁸ It is increasingly being recognised on the part of both the EU and Senegal that it has become absolutely essential that a comprehensive cooperative framework is needed if any positive progress is to be made on joint migration

²⁵ *Ibid.* (S5)

²⁶ Correspondence Senegalese government, April 2009 (S5); Correspondence EC, May 2009 (EC6; EC14).

²⁷ *Ibid.* (S5).

²⁸ Correspondence IOM, May 2009 (I2); Correspondence EC, May 2009 (EC6; EC14).

management. To this extent, the relationship is evolving from an imposed one, to one of 'give and take,' with movement in the fight against illegal migration possible only when the government can be expected to benefit in return for its cooperation.²⁹

At the same time that Senegal has adopted a non-compliant approach towards the EU, it has engaged with Member States in their efforts to develop a comprehensive approach to migration management, perceiving their efforts as far more relevant than the EU's. Thus the EU is bypassed or undermined, because Member States are seen as more closely converging towards Senegal's interests in migration.³⁰ Bilateral engagement on migration in Senegal is not a new phenomenon, but has intensified since 2006, with the signing of bilateral migration agreements between Senegal and France and Spain. These agreements employ an incentive-based strategy for migration management by offering increased labour mobility, development assistance, or legal migration opportunities, in exchange for cooperation on illegal migration (Panizzon 2008: 55).

France's 'co-development' programme has explicitly linked migration to development, while at the same time managing migration in cooperation with major sending countries. Co-development aims to promote the concerted management of migration flows and development, by mobilising the diaspora in France to contribute to development, facilitating productive investment, implementing local projects, and assisting return migrants in the reinsertion or setting-up of enterprises. In this regard, already in 2000 France and Senegal signed a co-development convention, while in 2006 a more comprehensive, first of its kind, Migration and Co-development Agreement (*Accord de gestion concertée des flux migratoires et de développement solidaire*) was signed, linking the creation of channels for legal migration and development assistance with cooperation in the fight against illegal migration. In 2008, this agreement was further supplemented by a quota agreement (*Accord de quotas migratoires*), providing residence permits to a number of Senegalese migrants, allowing them to immigrate, live and work legally in France, and offering the possibility for Senegalese nationals already living illegally in France to legalise provided they have secured a stable profession and whether French companies are interested in employing them.

Spain has also been particularly active in migration cooperation with Senegal. In an effort to stem the heavy flow of increased illegal migration originating from Senegal, in 2006 the two governments signed an agreement (*Acuerdo marco de cooperación en materia de inmigración*) in which Senegal agreed to cooperate on readmission, while Spain

²⁹ Interview Senegalese government, Dakar: June 2008 (S5); Interview EC Delegation, Dakar: June 2008 (EC17); Interviews IOM, Dakar: June 2008 (I1; I2).

³⁰ *Ibid.* (S5).

would in turn recruit up to 4000 regular and seasonal Senegalese workers by 2008.³¹ The agreement establishes a link between control mechanisms, such as the deployment of Spanish forces in Senegalese waters, and development, by offering technical capacity-building assistance, equipment, and increased labour access as an incentive for cooperation. Although other EU Member States, such as Italy and Portugal have also been active at the bilateral level in Senegal, France and Spain are considered to be at “the forefront of designing these new templates for managing EurAfrican migratory flows” (Panizzon 2008a: 2). With Senegal being the first West African country to engage so extensively at the bilateral level, this process has “initiated an overall positive migratory dialogue for both Senegal and its counterparts in Europe” (*Ibid.*: 50-51).

Member States have thus remained the main drivers of the EU’s emerging migration policies towards Africa. Indeed, as Panizzon argues:

For Spain, respectively France (*sic*), two EU member states driving the Europeanization of migration policies, the signing of migration management agreements with Senegal (and planning to extend the template to other West African countries) has been as important as it is ambiguous. Spain’s and France’s regulation of migratory relations towards West Africa, despite an interregional process set out by the EU and African ministers in Rabat in 2006, the Euro-African partnership for migration and development, sends mixed signals to the EU, as it seems that both France and Spain seek to re-assert EU Member States’ sovereignty over labour market admissions and overall competencies in migratory relations” (*Ibid.*: 51-52).

The intense Member State engagement with countries like Senegal has limited the EU’s movement on the migration front. Indeed, delegation staff have indicated that dialogue with the Senegalese government has at times been difficult largely because progress is not possible without indication and approval from the Council. This inability to act autonomously, combined with the constraints in resources, has led to individual Member States adopting a much more pro-active role in liaising with the government on migration.³²

At the same time, Member States’ bilateral efforts have also moved EU-wide dialogue with Senegal to consider a broader agenda, which converges more closely with the Senegalese preferences on migration. Although Spanish and French efforts surpass the EU’s capabilities in migration, the comprehensive agreements “pave the way for a future EU-wide migration agreement” (*Ibid.*: 2), with the mobility partnership agreement likely to assume similar shape and scope as the bilateral agreements, once the negotiations move

³¹ In 2007, Spain granted 2,700 work permits, namely for work in the fishing and agricultural industries in exchange for Senegalese cooperation in fighting illegal migration. The Spanish government is also funding a special training programme to be implemented in Senegal in 2008.

³² Unsatisfied by the lack of movement in the political dialogue which the Commission was expected to undertake under Article 13, Member States have also instigated further coordination mechanisms at the country level in order to move this dialogue forward. At present, this coordination initiative is still at a purely informal level and is led mainly by Member States, with limited Commission participation (Interview EC delegation, Dakar: June 2008 (EC 17)).

forward again. The intense bilateral cooperation on migration in Senegal therefore sets an important precedent for further cooperation efforts in the country. By providing an alternative and more comprehensive means for the government to engage with destination countries in the face of limited progress at the EU level, bilateral efforts contributed in re-orientating EU-Senegal relations on migration to fit more closely with the government's preferences. Bilateral cooperation has given the government further incentive to establish ownership over its migration phenomenon, and "affirmed the role of migration at the (Senegalese) political level" (*Ibid.*: 55). To this extent, although Senegalese interests in formulating a migration agenda were largely a reaction to pressure from external actors, this has also provided a framework within which the Senegalese government has come to base its understandings, expectations, and consequently its own policy preferences for cooperation on migration not just bilaterally, but also with other actors such as the EU.

Therefore, Senegalese perceptions of the EU's inability to fully engage with its preferences have led the government to develop a strategy of non-compliance vis-à-vis the EU, while more closely negotiating with individual Member States. All of this is not to say that either Senegal drove the Member States to break ranks with the Commission, nor that it was necessarily the only factor pushing the EU to shift its approach to migration management with the country. However, it does indicate the effectiveness of Senegal's strategy of non-compliance in having its preferences considered more closely, and in getting what it wants out of the bilateral dialogue while significantly stalling EU-level dialogue. In this sense, Senegal was able to exercise leverage because it was able to place its interests and preferences on the EU's migration agenda, has had its demands taken seriously by the EU, and has contributed to modifying the EU's approach towards migration dialogue with the government. It was able to exert some control vis-à-vis the EU in migration dialogue because it has insisted on close involvement in the implementation of all migration-related actions, and has forgone cooperation when the EU is unable or unwilling to allow for government ownership.

The Senegalese case highlights two important points about the possibility of exercising leverage and control. Firstly, as already witnessed in the aid and trade fields, the presence of an alternative option is a fundamental factor in a country's ability to possibly forego cooperation with the EU, or at least, in providing it with the confidence to negotiate according to its own preferences rather than those of its negotiating opponent. Secondly, and related to the first point, the degree to which a weaker government is perceived to be dependent on the EU to reach its policy preferences also determines its ability to exercise leverage and control. Being that migration cooperation is a new policy field in which the

EU is seeking cooperation with migrant-sending countries in Africa, African governments have not developed any financial or economic dependence on the EU in terms of migration management policies. In this sense, any funding opportunities or increased labour market access are considered merely supplementary, but not necessarily essential. This illustrates that within the context of migration policy, the terms of power asymmetry between the two parties are clearly very different than in the aid and trade fields, where alternatives are often limited and dependence on the EU is manifest.

2.2.2.1 *Strategic factors*

Another important factor which has favoured Senegalese leverage and control in migration management is its strategic importance as a migrant-sending country. At the very basic level, its geographic position as a major point of departure for both regular and irregular migrants has certainly placed Senegal amongst the more relevant sending-countries with which the EU is interested in collaborating on migration matters. Particularly Senegal's contribution to a major influx of irregular and low skilled migrants in Europe has been one of the main reasons why the EU has continued to seek engagement with the government, and why it has often been willing to give concessions to the government's demands for a more development-oriented framework on migration.³³ Therefore, as argued in the previous chapter, because the EU's and indeed also the Member States' primary objective for engagement with migrant-sending countries has been to seek cooperation on migration control (through a framework of migration management), it should come as no surprise that Senegal has been prioritised as a partner country with which to seek engagement. This has also enhanced Senegal's strategic position vis-à-vis the EU and consequently its ability to exercise leverage and control, because, in order to find agreement with the government, the EU must provide concessions in exchange for the government's cooperation on migration matters. To a certain extent therefore, as posited in Hypothesis 2d, the EU's willingness, urgency, or need in reaching agreement with the weaker party can be used as a source of bargaining strength for the weaker party, provided they are aware of these constraints. The Senegalese government has developed an awareness of its own strategic position within the framework of EU cooperation on migration. Indeed, it has interpreted increased interest from Europe as an opportunity from which it can potentially benefit in terms of development and influence at the EU-Africa and regional levels. For example, one government interviewee claimed that Senegal was well

³³ Interview EC, Brussels: April 2008 (EC14).

aware of its strategic importance in the migration debate, and planned on using this in order to attain its preferences:

We Senegalese, we are good negotiators. We know what we want, and we negotiate hard to get it. But we also understand the importance of diplomacy and cooperation in order to get what we want. In migration negotiations with the EU, we know now that it is the EU that wants our cooperation, and not the other way around. This means that we need to build a partnership together, but that we are also using our new strategic position to get some increased benefits from our cooperation with the EU.³⁴

Thus the importance of the migration issue in Senegal's relations with Europe has allowed the government to use migration as a negotiation 'instrument,' by soliciting closer cooperation in exchange for shifting policies closer to its own national interests (IRIN 2006).³⁵

Furthermore, Senegal has also enhanced its strategic position by taking on an active role in leading migration dialogue at the regional level, mainly through the auspices of the ECOWAS. Senegal is said to have been the main regional actor in pushing the ECOWAS to set up a committee on migration at the regional level, and it has furthermore been the main country to lead the committee's work and progress on finding common positions on migration matters facing the West African region.³⁶ In March 2007, the government hosted an experts meeting on establishing a Common Approach to migration in the ECOWAS region, leading to a draft proposal for a joint strategy. In July 2008, it hosted and participated actively in another Experts Meeting on Migration and Development, aiming to establish a common position for the region to present at the second EU-Africa Ministerial Conference on Migration and Development held in Paris later that year. At the meeting, Senegal's foreign minister solicited Africa to develop its own African migration pact in response to the EU's Pact, which he envisioned eventually forming into one Euro-African pact on migration which would consider the concerns and interests of both the continents in cooperating on migration matters. In so doing, other regional actors have noted that Senegal has taken an important leadership position both in the region and in Africa in general in developing a regional and pan-African response to European pressures to engage the continents more closely on migration issues.³⁷ According to both Senegalese and Commission interviewees, its position at the regional level is another important factor in accounting for its ability to have external actors consider its preferences. As in trade negotiations, observers note that Senegal has become, "a voice to be reckoned with when it

³⁴ Interview Senegalese government, Dakar: June 2008 (S5).

³⁵ Interview IOM, Dakar: June 2008 (I2).

³⁶ *Ibid.* (I2); Interview Ghanaian government, Accra: September 2008 (G6);); Interview Senegalese government, Dakar: June 2008 (S5).

³⁷ *Ibid.* (I2); *Ibid.* (G6; G9); Interview IOM, Accra: September 2008 (I3).

comes to migration matters in the continent.”³⁸ Importantly therefore, as in the other two policy fields, Senegal’s pro-activeness in the region and its strategic position have assisted in the exercise of leverage and control.

In sum, Senegal’s pro-activeness, and even its success in shifting the migration agenda closer to its concerns, is intrinsically linked to how it perceives both its own position in EU-Senegal relations, as well as how it perceives the EU’s position as opposed to its own. To this extent, Senegal perceives its position within the migration debate as strategic, while at the same time, the EU is perceived as being constrained in the extent to which it can fully engage with the government, thus the government has opted to engage more closely with other interested actors. Although the EU is considered to be a crucial international actor in the country’s development efforts, as regards the ongoing migration debate in Senegal, the EU has been perceived as limited or constrained in its capacity to fully engage with the government. The constraints faced by the EU have been coupled with a rather unique level of engagement in the Senegalese migration phenomenon from interested EU Member States. Faced with this state of affairs, the Senegalese government opted to engage with these bilateral efforts while undermining and bypassing EU engagement unless successful agreement could be reached. Through this bilateral engagement, the Senegalese migration agenda was strengthened and the government adopted an awareness or perception of the country’s strategic position within the European migration debate. This perception has led to the government asserting increased ownership over its migration agenda in relation to other actors, namely the EU by adopting a strategy of non-compliance in order to attain its preferences. Although ongoing cooperation is more closely aligned with the government’s agenda, exemplified by the comprehensive joint framework for migration management between the EU and Senegal in the process of being established, movement has not been possible unless the government has indicated its willingness to negotiate and move dialogue forward.

³⁸ *Ibid.* (I2); *Ibid.* (I3); Interview Senegalese government, Dakar: June 2008 (S5); Interview EC, Brussels: April 2008 (EC6);

3 Ghana

The Ghanaian government considers migration a positive phenomenon, which, if managed effectively, can contribute to development. Areas of priority for the government can be summarised as follows:³⁹ Firstly, the importance of migrant remittances has dominated the political discourse on migration. Remittances are the largest source of foreign exchange, and have become a significant part of sustaining the Ghanaian economy.⁴⁰ As Ghana has become highly dependent on this source of income, the facilitation of remittance transfers is seen as requiring due consideration in relation to Ghana's development strategy (Anno-Kumi 2008; Higazi 2005; Owusu-Ankomah 2006, 2006a; Baah-Wiredu 2007; Mazzucato *et al.* 2008). Secondly, in response to improved economic conditions, Ghana is currently experiencing significant return migration (Adepoju 2009: 21). The government aims to further encourage the return of highly skilled migrants, as the potential for 'brain-gain' in Ghana is vast, with migrants bringing with them new knowledge, technologies, and experiences (Quartey 2006: 15; Owusu-Ankomah 2006a; Arthur 2008; Black *et al.* 2003; Sabates-Wheeler *et al.* 2007: 8; Anarfi *et al.* 2003: 28-30). Thirdly, the departure of skilled labour, especially in the health and education sectors, has adversely affected Ghana. Mitigating the brain drain through circular and temporary migration schemes is another priority area (CEC-GoG 2006: 9; Oppong 2004: 91-92; Owusu-Ankomah 2006; Black *et al.* 2003; Sabates-Wheeler *et al.* 2007: 8; Kuukua Awotwi 2007: 5). The government does not, however, have a clear policy on migration (CEC-Ghana 2006: 13; Anno-Kumi 2008; Anarfi *et al.* 2003: 32).⁴¹ In this sense, the government is aiming to develop a holistic approach to migration management by engaging all major partners both at the international and the domestic levels, including the government, private sector, civil society and trade unions, as well as focusing on increased research and data collection in order to better understand Ghana's migration phenomenon and its consequences and benefits on the country's development.⁴² The extent to which Ghana and the EU have engaged in dialogue and policy-making on migration is further explored in the following two sections.

³⁹ Interviews Ghanaian government, Accra: September 2008 (G6; G9).

⁴⁰ According to the Bank of Ghana, in 2003 remittances represented between 10-15% of Ghana's GDP, compared to 5% for ODA, and 1.2% for FDI (Addison 2004).

⁴¹ At present, the Ghanaian government is in the process of integrating migration issues into the national development programme, the Growth and Poverty Reduction Strategy (GPRS) (GoG 2005; Mensa-Bonsu 2007).

⁴² Interviews Ghanaian government, Accra: September 2008 (G6; G9).

3.1 The EU – Ghana migration dialogue and policy actions

The EU sent its first mission to Ghana in 2007 to initiate dialogue on the basis of Article 13. Initial dialogue between the Ghanaian government and the EU aimed to establish cooperation in migration control, with a view to encouraging the government to negotiate and sign a readmission agreement (GNA 2007).⁴³ Although the opening of the dialogue was considered inimical to the country's interests, an overall willingness and openness to engage in dialogue prevailed on both sides. Furthermore, the EU was generally perceived as well prepared and sincere in its efforts to develop a joint strategy on migration management.⁴⁴ Although the EU initially focused the dialogue on migration control, a shift towards a more comprehensive approach occurred almost immediately.⁴⁵ This was reflected, for example, in the June 2007 Ghana-EU joint statement following the conclusion of the first round of discussions between the government and the EU delegation,⁴⁶ noting both sides' commitment to developing a partnership in joint migration management by adopting a holistic approach and recognising that dialogue should become more systematic and regular in order to develop a more concrete and coherent framework for joint migration management (EU-GoG 2007). According to government officials, the EU shifted to a more comprehensive approach because of the realisation that in order for migrant-sending countries such as Ghana to become interested in migration management, the focus needed to be on adopting a wide-ranging approach that took account of development aspects.⁴⁷ Accordingly, an understanding is seen as existing on the part of both the Ghanaian and the EU sides that migration management will be mutually beneficial to both sides when managed effectively and coherently.⁴⁸

As in Senegal, the EU has used financial assistance from the EDF and the Aeneas programme to implement actions in migration management. Thus, migration was integrated into the country's CSP for the 10th EDF (2007-2010), where Ghana was allocated €2 million under the title 'Migration, Diaspora, and Security', which has prioritised funding for migration and development and government capacity-building in migration

⁴³ Interviews Ghanaian government, Accra: September 2008 (G6; G9).

⁴⁴ *Ibid.* (G9). As in Senegal, there was some initial confusion as to which government ministry or body would be responsible for coordinating the dialogue, and more importantly, possible implementation of migration-related projects and/or programmes. Indeed, the first EU mission to Ghana consisted of separate meetings with officials from several ministries.

⁴⁵ Interviews Ghanaian government, Accra: September 2008 (G6; G9); Interview EC Delegation, Accra/London: October 2008 (EC20).

⁴⁶ Comprised of the EU troika and representatives from interested EU Member States.

⁴⁷ Interviews Ghanaian government, Accra: September 2008 (G6; G9).

⁴⁸ *Ibid.* (G6; G9); Interview IOM, Accra: September 2008 (I3); Interview EC Delegation, Accra/London: October 2008 (EC20).

management.⁴⁹ The CSP also included a Ghana Migration Profile laying out the main determinants and effects of the country's migration phenomenon, as well as soliciting a need for improved data collection and research in the area (CEC-GoG 2007: Annex V; CEC-GoG 2006). In 2006, the Aeneas programme funded six projects in Ghana providing specific and complementary financial and technical assistance to support more effective management of migration flows. Four of these projects are the same as those implemented in Senegal (see above),⁵⁰ while two projects are exclusive to Ghana.⁵¹

Despite these actions however, ongoing migration dialogue and even policy actions have been limited between Ghana and the EU. The Netherlands, the UK, and Germany have pushed for further dialogue on migration with the government on the basis of Cotonou's Article 8, namely political dialogue, rather than Article 13, which instead focuses exclusively on migration.⁵² At present therefore, no dialogue exists specific to migration, but rather only within the context of political dialogue between the EU and Ghana, the ECOWAS, and Africa in general. The EU has thus preferred to keep migration issues at a relatively low profile in Ghana. Most of the discussions between the delegation and the government have concerned mainly the identification of funding opportunities and project formulation, and even this has often been delegated to external agencies, such as the IOM or UNDP, charged with project implementation. Furthermore, although the government sees the EU as an important partner in terms of funding, especially in the field of data collection (CEC-GoG 2006),⁵³ in comparison to the other development-related policy areas in which the EU is active in the country, funding for migration has been rather modest. Funding for migration management in the CSP is significantly less than what other migrant-sending ACP countries (namely Cape Verde, Mali, Mauritania, and Senegal) received, and constitutes less than 0.5% of Ghana's entire allocation. Moreover, financing for migration under the 10th EDF has yet to be implemented, with a feasibility study under way in 2008 and an actual financing decision expected only in 2010.

⁴⁹ As an objective, the funding aims to "ensure that migration and human and financial resources of the diaspora contribute effectively to national development, minimising the costs of the 'brain drain' (particularly in the health sector) while maximising diaspora contributions. Increase the capacity of police and migration agencies for law enforcement while enhancing their accountability and respect for human rights."

⁵⁰ The four projects are: "Reinforcing and sustaining dialogue and management of irregular and transit migration in the Maghreb and originating in West Africa"; "Law enforcement capacity building project for West Africa in preventing and combating the smuggling of migrants"; "Migration profiles in selected countries in West Africa"; "Facilitating a coherent migration management approach by promoting legal migration and preventing further irregular migration".

⁵¹ These are: "Countering document fraud" and "Leveraging remittances to promote migrant entrepreneurship".

⁵² Interview EC Delegation, Accra/London: October 2008 (EC20)

⁵³ Interviews Ghanaian government, Accra: September 2008 (G6; G9).

EU actions in Ghana in the migration field have therefore been far less intense than in Senegal. While initial dialogue was somewhat tense, this quickly shifted to a more wide-ranging approach. However, this approach has yet to develop into the EU or the government taking actions towards a concrete or comprehensive framework for joint migration management. At present, few policy actions have followed or complemented the limited dialogue that has taken place. In order to better understand just why such a limited framework for cooperation has come to characterise EU-Ghana relations in the field of migration, it is crucial to examine the strategies that both the government and the EU have adopted in formulating a framework for migration management. The extent of and the reasons for this limited framework are further explored in the following section.

3.2 Explaining the limited EU-Ghana migration framework

The Ghanaian government recognises that regardless of the increased dialogue, projects, and funding available, as well as increased engagement from Europe, it has not yet fully established 'ownership' in managing its migration phenomenon. It has not yet taken full advantage of the increased interest demonstrated by external actors as well as the opportunities that migration offers for development, and considers that it must now take up the EU's initiative and implement it into national policy (Anno-Kumi 2008).⁵⁴ Unlike the Senegalese case, the development of a joint migration framework between Ghana and the EU is not characterised by an increased pro-activeness on the part of the Ghanaian government to align preferences or establish increased ownership over its migration phenomenon. Rather the process has largely been driven by pressure and pro-activeness from external actors, with the government adopting a cooperative and compromising approach to migration relations, as opposed to the non-compliant approach adopted by Senegal.

It is argued that the Ghanaian government has not exercised leverage in migration relations with EU because it has not perceived the EU as the principal partner with which to conduct dialogue and formulate policy initiatives on migration cooperation with destination countries. Cooperation in migration matters is seen as being driven mainly by external sources, namely increased interest from the EU (but not leadership at the national level), some limited involvement from interested EU Member States, and positive and active engagement from agencies such as the IOM and the UNDP. The extent of involvement of these three external sources alongside the limited pro-activeness from the Ghanaian

⁵⁴ *Ibid.* (G6; G9).

government in shaping and driving the migration agenda partly explains why the scope for cooperation on migration between the EU and Ghana has remained narrow. The government has not adopted a leadership role in shaping EU-Ghana migration relations because the overall role of the EU (including Member States) in Ghana has been limited and narrow. This has led to closer engagement with external international agencies, which have come to play a more instrumental role in shaping the national policy environment. Another factor which can explain the lack of leverage and control on the part of the government is found in Ghana's less than strategic position as a migrant-sending country to Europe. The argument is further developed below.

3.2.1 *Perceptions of the EU*

In some respects, Ghana has perceived the EU similarly to Senegal, in terms of its capabilities in engaging with migration countries on closer cooperation in migration matters. Firstly, the government has recognised that the EU has a limited mandate to drive the migration debate in Ghana, leading it being pro-active and well-prepared in terms of high-level dialogue and agenda-setting, but much less so in terms of practical and applied actions in the field or at the national level. Government officials noted that the EU's efforts at the national level have been very limited, and that most interactions on migration had been conducted under the auspices of external international agencies such as the IOM and the UNDP. In this sense, the EU is seen as constrained in its ability to engage with the government because it lacks both the mandate and resources necessary to adopt a leadership role in migration matters.⁵⁵ Secondly, the government has perceived a lack of coherence between Member State efforts and those of the EU as a whole. Member States were seen as advancing their own bilateral interests, with limited coordination mechanisms in place to ensure that the delegation or even the Commission is aware of Member States' actions and initiatives being implemented in Ghana.⁵⁶ At the same time, differently from Senegal, the EU was also perceived as fundamental in having sensitised the government, as well as other African countries, in taking migration seriously and creating awareness on the benefits that could arise from integrating migration issues into the national development strategies. As such, the EU is seen as a crucial actor in having created awareness at the African level, and in promoting the idea that migration can positively contribute to development when managed correctly and effectively.⁵⁷

⁵⁵ *Ibid.* (G6; G9).

⁵⁶ *Ibid.* (G6).

⁵⁷ *Ibid.* (G9).

The way in which Ghana has perceived the EU's capabilities in migration is important in understanding the government's approach to cooperation on migration management with the EU. On the one hand, the EU has been perceived as a leader in terms of its ability to sensitise African governments and to place migration on the African and national development agendas. Unlike Senegal, the government has not sought to bypass or surpass the EU's engagement in order to establish increased ownership; rather, it has chosen to engage with the EU's initiatives and follow its lead. Indeed, as one government official claimed, "It is really thanks to the EU that Ghana is now starting to take its migration phenomenon seriously, and is starting to integrate migration into our national development agenda. The EU and Europe have been the main drivers of this."⁵⁸ On the other hand, the government also recognises that the EU is constrained by a rather narrow mandate for conducting dialogue on migration matters. The issues in which the government is fundamentally interested, such as increased labour migration opportunities or the creation of efficient temporary and circular migration schemes, essentially go beyond the EU's competences. At the practical level, therefore, the EU's role in implementing concrete initiatives and creating a working relationship with relevant national stakeholders has been rather limited and constrained to either providing limited funding opportunities, or supporting Member State initiatives (CEC-GoG 2006).⁵⁹

In sum, the Ghanaian government perceives the EU as capable and influential in the migration debate, which has led the government to opt for a strategy that is more consensual with the EU's leadership role in sensitising African governments to place migration issues on their national agendas. Similar to Ghana's strategy in aid and trade therefore, the government has allowed external actors to drive policy processes and has not made significant attempts to take a more pro-active approach towards establishing ownership over migration policies vis-à-vis the EU or in putting forward its preferences in the limited migration dialogue that does exist between the EU and Ghana. Why has Ghana adopted a consensual approach to migration management with the EU? And why has it not made attempts to exercise leverage or asserted ownership over migration matters?

3.2.2 *Ghana's constraints on leverage and control*

The EU is not considered to have spearheaded the formulation of a national position or policy on migration. In this sense the EU's practical role in Ghana has been limited and narrow, and this has led to the government identifying other actors as more relevant in

⁵⁸ *Ibid.* (G9).

⁵⁹ *Ibid.* (G6; G9); Interview IOM, Accra: September 2008 (I3).

terms of meeting its preferences. EU Member States have a larger scope for more intense engagement at the national level, since as demonstrated in the Senegalese case, migration management at the bilateral level can offer significantly more incentives for cooperation (labour schemes, financial and technical assistance, etc.) than at the EU level. Member State involvement in Ghana has been mostly positive, and has concentrated on migration and development by furthering links with the Ghanaian diaspora or developing legal labour migration schemes. The Netherlands actively participated in the IOM's MIDA Ghana Health project, which aimed at the development of the Ghanaian health sector by promoting skill transfers through temporary return assignments for the Ghanaian diaspora, while also organising internships in the Netherlands for Ghanaian nationals (IOM 2007). The Aeneas project on "leveraging remittances and promoting migrant entrepreneurship" also concentrated exclusively on diaspora engagement with Ghanaians residing in the Netherlands. The United Kingdom has taken steps to facilitate remittance transfers by developing a remittance partnership with Ghana, as well as supporting the UNDP in drafting a national framework on migration (Dfid 2007).⁶⁰ The Italian government has co-sponsored IOM-coordinated projects focusing on migration and development (see Markwei 2008; Gallina 2007).⁶¹ Other Member States have instead been intent on negotiating readmission agreements with the government, this group includes Spain, and to a lesser extent Malta and the UK,⁶² or have focused more explicitly on illegal migration issues, such as Denmark, which is funding an IOM-coordinated programme on "Capacity-Building and Awareness-Raising to Combat Trafficking in Persons and Irregular Migration" (IOM 2008a).

The Ghanaian government has largely welcomed this engagement from Member States, seeing the combination of EU and bilateral interest as providing a good source of funding for migration-related projects and contributing towards the formulation of a national policy framework.⁶³ At the same time, their engagement has also been rather limited, lacking in comprehensiveness, coordination, and intensity. Engagement has taken the form of a project-based approach, rather than overarching political agreements for cooperation. Projects usually focus on the short-term and on limited aspects of migration, rather than linking the different levels of Ghanaian migration, such as legal and illegal migration or ethical recruitment and labour migration policies. Coordination amongst

⁶⁰ Interview Ghanaian government, Accra: September 2008 (G9).

⁶¹ Interview EC Delegation, Accra/London: October 2008 (EC20); Interview IOM, Accra: September 2008 (I3).

⁶² To date no agreements between Ghana and an EU member state have been concluded.

⁶³ Interviews Ghanaian government, Accra: September 2008 (G6; G9); Interview IOM, Accra: September 2008 (I3).

different Member States and the EC is also limited, with the government recognising that each actor operates according to their own agenda, with coherence sometimes undermined.⁶⁴ To this extent, the different needs and priorities of Member States have led to a variety of initiatives being forwarded, but little concerted policy action. Lastly, the intensity of bilateral engagement, as experienced in the Senegalese case, has also been lacking in Ghana, with most engagement occurring under the auspices of the Aeneas programme, or through the IOM or UNDP. This lack of intense effort to develop a comprehensive framework for bilateral migration management has also constrained the possibility of Ghana asserting increased ownership or at least pro-actively engaging outside of the narrow framework for bilateral cooperation. Certainly if the Senegalese case serves as any indication, intense Member State involvement can offer an alternative means to establish more ownership over migration policy vis-à-vis the EU, by creating an important precedent for future cooperation, providing the country with the means to adopt non-compliant behaviour in order to gain increased concessions, and in increasing awareness of a country's strategic position in the migration debate.

While EU and bilateral efforts have contributed to the formulation of a national migration agenda, neither has taken a leadership role in Ghana. Rather this has been attributed to external international agencies that have been particularly active at the practical level in implementing migration-related and capacity-building projects in cooperation with the government. The IOM, and to a lesser extent, the UNDP, have worked in close cooperation with the government in the formulation of policies and implementation of projects.⁶⁵ Indeed, both at the bilateral and EU levels, almost all migration-related projects have been coordinated and implemented by the IOM. The delegation of project implementation has strengthened the IOM's role in Ghana's migration debate, as it has worked closely with relevant national and international stakeholders on the ground, rather than merely at the level of high-level dialogue, agenda-setting, or project formulation, as is the case for the EU and many Member States. At the same time, delegating competences to the IOM has also contributed to the image of the EU as limited in its involvement in direct cooperation with the government, with the IOM instead seen as spearheading progress at the national level. Further to this, the IOM is also currently active in its own programme on "Integrating Migration into Ghana's Growth and Poverty Reduction Strategy," the GPRS laying out the government's development strategies and agenda for implementation

⁶⁴ *Ibid.* (G6); *Ibid.* (I3).

⁶⁵ *Ibid.* (G6); *Ibid.* (I3).

(Mensa-Bonsu 2007). The agency is therefore directly interacting with the government in formulating a strategy on migration and building this into the national political agenda.

Although not as active as the IOM, the UNDP has also been considered instrumental in the formulation of a national strategy on migration. At the request of the government, it is currently formulating a national programme that focuses on effective migration management, migration return, and remittances. Furthermore, in a joint effort between the government and the UNDP, in September 2007 a Regional Consultation on Migration, Remittances and Development in Africa was launched aiming to bring together relevant stakeholders in order to formulate, “key recommendations for governments, the private sector, development agencies and other stakeholders in both the sending and the receiving countries, to facilitate efficient use of remittances to promote equitable growth and improve the quality of life of the poor people through achievement of the Millennium Development Goals” (UNDP-GoG-UN 2007: 8).

Because the EU is not a major actor in migration in Ghana, identifying leverage or control is not as straightforward. Indeed, although Ghana has not exercised leverage or control vis-à-vis the EU, it may indeed be doing so vis-à-vis other relevant actors in the country. In this sense, it is important to note that other actors such as the IOM, have mainly identified the government as mostly passive in formulating a national migration framework, but that this is now changing to a more pro-active approach.⁶⁶ Indeed, direct interaction with the government in terms of project implementation and the agencies’ direct involvement in the formulation of a national strategy on migration have led to a recent increase in the government’s engagement and pro-activeness in shaping its own national agenda. For example, the government’s request to the UNDP to assist in formulating a national strategy on migration and development, was seen as an indication of increased interest shown on the part of the government to integrate migration in its development strategy.⁶⁷ According to interviewees, although the national migration agenda was pushed and driven by external actors, recently there has been increased engagement from the government. This increased willingness to engage on migration has been attributed to firstly, increased IOM and UNDP initiatives and pressure for the government to develop a national migration policy, and secondly, to the increased funding available which has given the government an incentive to participate and motivated the development of national initiatives. Furthermore, observers have noted an increased willingness of outside actors to

⁶⁶ *Ibid.* (13).

⁶⁷ *Ibid.* (13).

implement concrete measures on migration and development, thus aligning more closely with the government's interests.⁶⁸

3.2.2.1 *Strategic factors*

Another important factor to consider in the lack of leverage and control on the part of the Ghanaian government in migration matters is its strategic position (or lack of one) as a migration country in West Africa. Arguably, the EU could consider Ghana a strategic partner in the migration debate considering that the country is a major exporter of mostly highly and medium skilled human capital (see Table 7.2). Yet, the EU's and the Member States' main interests in engaging with migrant-sending countries lie in establishing migration management frameworks for the purposes of migration control of mostly irregular and/or low skilled migrants. In this sense, Ghana, much unlike Senegal, is neither geographically nor demographically (in terms of migrant skill levels) placed as a strategic country. Certainly, migration is an important phenomenon in Ghana, but it is one which tends to affect Ghana more adversely (in terms of brain drain) rather than the EU (in terms of irregular or low skilled migrants).⁶⁹ In the Ghanaian case therefore, the strategic factors that favoured the exercise of leverage and control in the Senegalese case were not present. This not only led to much less intense engagement on the part of the EU, but it also contributed to a lack of the Ghanaian government perceiving itself in a strategic position which could favour leverage and control vis-à-vis the EU.

In Ghana, both EU and Member State engagement at the national level has been limited in terms of establishing a comprehensive and overarching framework for cooperation on migration, with efforts characterised as uncoordinated, narrow, and lacking in intensity. Arguably, without a broad bilateral agreement providing a model for possible future cooperation at the EU-wide level, the Ghanaian government has not had the opportunity to either bypass or surpass cooperation at the EU level (were this in their interests), nor does it have the previous experience of negotiating and formulating a framework for joint migration management. The limited roles attributed to the EU and

⁶⁸ *Ibid.* (I3); Interviews Ghanaian government, Accra: September 2008 (G6; G9); Interview EC Delegation, Accra/London: October 2008 (EC20).

⁶⁹ Related to this, it should also be mentioned, that interestingly, the EU has not closely engaged with either Senegal or Ghana specifically in preventing human trafficking. This too is indicative of the EU's interests in migration management with sending countries in Africa, and their strategic positioning vis-à-vis the EU in migration matters. Again, the lack of engagement on an issue which essentially concerns the protection of human rights, as opposed to a much more intense focus on preventing irregular migration in general shows where the EU's strategic concerns lie. As such, the EU does not seem to differentiate voluntary from forced migration, but as an overall objective is focused on stemming irregular migration.

individual Member States have given way to other international agencies playing a much more instrumental role in formulating a national migration policy and incentivising the government to adopt more ownership over its migration phenomenon. The practical work of the IOM, and to a lesser extent, the UNDP, mostly in terms of project implementation and coordination, have required close cooperation with the government, and have consequentially led to the perception that these agencies currently lead national migration management efforts. In the Ghanaian case therefore, leverage was not exercised, namely because the government did not actually identify the EU as the lead actor which could meet its policy preferences and because engagement from the EU and the Member States was not intense enough to establish these as the central actors with whom to engage with in the first place.

4 Comparisons and Conclusions

The two case studies have illustrated the extent to which some migrant-sending countries in sub-Saharan Africa can extend their influence in relations with the EU under the auspices of migration management with the EU. From the two case studies, three important conclusions can be drawn about firstly, the countries strategies in relation to the EU, secondly, on trends in the EU's migration policy towards Africa, and thirdly, on a country's ability to exercise leverage and control vis-à-vis the EU.

First, it has become even more clear that the countries' strategies and approaches adopted vis-à-vis the EU are quite similar in all three areas examined in this thesis. Senegal has been more effective in exercising leverage and control vis-à-vis the EU, while Ghana continues to demonstrate a rather mixed record with regards to its capability and willingness to exercise leverage and exert ownership vis-à-vis the EU. In Senegal, a rather non-compliant approach and often critical perceptions of the EU, combined with the confidence that it can promote its interests in relations with the EU, have allowed it to translate negotiating strategies into considerable negotiating weight, despite power asymmetry. In this chapter, it was demonstrated that in the formulation of a framework for migration management with the EU, Senegal has maintained its position by preventing any movement or agreement on migration issues unless the government is expected to mutually-benefit from this. In Ghana, policy processes and outcomes tend to much more externally-driven, rather than government-owned. As in the other two fields, in migration too Ghana has adopted a more consensual approach towards the EU, due in part because of its strong awareness of differences in power, but also because often the EU is not necessarily identified as the lead actor with which to exercise leverage and control.

Second, the case studies have shown the extent of the EU's constraints or limitations in terms of the four main themes highlighted in Chapter 1, namely capacity, policy coherence, coordination, and interests and how these affect countries' perceptions of the EU. In terms of capacity, the case studies bring to the forefront that the EU is limited in its capacity to engage fully with governments of migrant-sending countries in Africa. This is so because, firstly, policy implementation is delegated to external agencies largely because of their expertise in managing migration in different domestic contexts. These capacity constraints in turn have an effect on the type of relationship that the EU is trying to establish in the country. In Senegal, IOM coordination and implementation of EU-funded projects is perceived as restricting country ownership, while in Ghana these external agencies have adopted a leadership role, and the EU is seen as a secondary actor in shaping the national migration debate. With regards to policy coherence, the case studies have clearly shown that the EU has started to move towards increased coherence between migration and development policies, as demonstrated by the evolution of dialogue and policy initiatives from concentrating on control mechanisms to considering integration of migration policies into countries' development programmes. At the same time, migration and development, and even migration and labour policies, are linked only insofar as this creates incentive mechanisms meant to induce countries to comply with joint cooperation in tackling irregular migration to the EU. Although the EU's approach towards migration matters in Africa has indeed become more comprehensive, the field continues to be embedded in a security-oriented approach in that the purpose is still migration control, rather than reaching development goals through joint cooperation and policy coherence. This last observation was also clearly shown in the extent to which the EU has engaged much more intensely with Senegal as opposed to Ghana, largely because the former is much more closely aligned with the EU's strategic interests in migration management as opposed to the latter.

As regards coordination, the chapter showed the extent to which the multi-level structure of the EU can pose a constraint on effective coordination amongst the different actors interested and active in the EU's emerging migration policy towards Africa. Although decision-making and policy implementation should ideally be coordinated firstly amongst the different levels of the Commission, namely between the delegations and headquarters in Brussels, and secondly between the Commission and EU Member States, both the Senegalese and the Ghanaian case indicate that coordination and coherence is often lacking, and more importantly, these gaps have consequences for the effectiveness of the EU's policy objectives projected abroad. The EU is often perceived as incapable of

engaging with migrant-sending countries at the level espoused in the rhetoric on migration cooperation. At the level of the delegations, both Senegalese and EU observers noted problems in communicating decision-making processes between Brussels and the delegation. Accordingly, such delays in policy decisions and implementation have contributed significantly to the Senegalese strategy of closer engagement at the bilateral level, as Member State engagement has been seen as more closely aligned with Senegalese preferences and demands. Further to this, the extent of Member State efforts in the different countries also highlights these coordination gaps in the EU's migration policy. The Senegalese case demonstrates how intense Member State involvement provided an alternative means to establish more ownership over migration vis-à-vis the EU, by allowing the government to bypass Commission efforts while creating an important precedent for future cooperation at the EU level. The lack of intense Member State involvement in Ghana shows how Member State involvement affects the EU's policy effectiveness, in that a lack of coordinated and intense engagement has weakened the EU's overall position in shaping the national policy framework on migration.

Third, the case studies have also demonstrated the extent to which a country's perceptions of the EU's capabilities and its constraints are important in shaping its position and strategies in the migration debate. In Senegal, the EU has been perceived as lacking in coherence and having a rather weak capacity to engage fully with the government in the migration agenda. This is seen as constraining the extent to which it can act as a positive force in shaping the migration agenda and negotiating with the government. For Ghana the EU is seen in a more positive light, having played a crucial role in sensitising African governments to insert migration into national, regional, and continental debates and to integrate this into domestic development policies, but at the same time, having limited interaction with the government at the level of domestic policy making and implementation. Both countries' perceptions of the EU have in turn shaped their position in the migration debate. Senegal adopted a pro-active and strategic position in cooperating with other actors for closer collaboration, while Ghana adopted an accommodating approach in which it has willingly engaged in high-level dialogue with the EU, while the formulation of a national policy has been carried out alongside intermediary and external agencies specialised in migration matters. As such, the case studies largely confirm Hypotheses 2a-d, as outlined in Chapter 1: On the one hand, when the EU is perceived as incapable, inconsistent, incoherent, or constrained by its wider interests, weaker actors are more less likely to cooperate, and more likely to devise strategies towards the exercise of leverage and control. On the other hand, where the EU is perceived as capable and

coherent, and its wider interests do not constrain it to seek out intense cooperation with a weaker actor, than the country will be more likely to adopt a consensual or compliant approach.

The perception that the government holds of itself vis-à-vis the EU also contributes to the strategy that it chooses to adopt in relations with the EU. Indeed, the case of Senegal demonstrates that some African countries have been able to exploit this renewed strategic position vis-à-vis the EU showing just how this changing relationship has impacted the power dynamics between the two country blocs. As Senegal has come to perceive its position within the migration debate as strategic, it has not only strongly asserted ownership over its migration policy, but it shifted the migration dialogue to more closely consider the country's concerns and interests. Due to its different geographic and demographic position, Ghana has not been considered strategic as a major migrant-sending country to Europe, assuming a more passive approach in the migration debate, even if this is starting to shift towards increased pro-activeness. Thus while in Ghana pro-activeness was a result of an increasingly closer alignment of agendas between the EU, and other actors, and the government, the opposite is true in Senegal, where pro-activeness on the part of the government and other actors instead resulted in the EU having to more closely align its strategy with the government's.

Finally, the chapter illustrated how some African countries have been successful in putting forward their preferences and exercising leverage and control vis-à-vis the EU. Importantly, the chapter shows that in order to provide a more complete account of the power relationship between the EU and migrant-sending countries in Africa the limitations and constraints of *both* parties need to be taken into consideration. In considering the EU's constraints and limitations in migration relations with African countries, it becomes evident that the increased awareness of some countries of these constraints has changed the dynamics of the traditional power relationship. In this sense, the chapter further confirms previous findings in the other two case studies on aid and trade, that success in exercising leverage is to a large extent dependent on a country's perception of the EU as being able to transform its structural power into bargaining power, and effectively transform its rhetoric into policy actions, and secondly how this then translates into an effective strategy to get its preferences across despite the evident constraints it faces as a weaker country. Firstly, in terms of leverage, once again the opportunity for countries to exploit alternative options is a fundamental factor in a country's ability to forego cooperation with the EU and promote its own policy preferences when these do not converge with the EU's. Secondly, other contextual factors are important to consider in understanding the conditions under which

countries are able to exercise leverage vis-à-vis the EU. In a policy area like migration, where the EU has more interest in seeking cooperation with African countries and the countries only have supplemental interests in cooperating with the EU, contextual factors, as outlined in Table 1.3 in Chapter 1, such as institutional capacity and economic and financial dependence do not play such a crucial role. Rather strategic factors, such as the country's importance in the migration debate, are an important element in the exercise of leverage in new policy areas where power asymmetry between the EU and African countries is not as manifest. Indeed within the context of migration policy, the terms of power asymmetry between the two parties are clearly very different than in the aid and trade fields, where alternatives are often limited and dependence on the EU is often manifest. In sum, the chapter serves to confirm once again, that power relations between the EU and Africa are very much context-bound and dependent on the relation between the two parties.

Conclusion

African countries' scope for influence and the EU as an international actor

This thesis has argued that despite the fact that power asymmetry is an overarching characteristic of relations between the EU and Africa, relational and contextual factors can explain why some African countries have been successful in exercising leverage and control vis-à-vis the EU. Building upon previous literature on EU-Africa relations, it was argued that as a foreign policy actor the EU faces institutional and political constraints that lead to gaps between policy rhetoric and practise and between expectations and actual capabilities. This affects the EU's position vis-à-vis third parties and creates a disjunction between the EU's structural power and its actual bargaining power. Structurally weaker countries are able to achieve their preferences and goals successfully vis-à-vis the EU, firstly, because of their perceptions of the EU's constraints and capacities, and secondly, because certain institutional, economic, political and strategic factors create conditions for weaker country leverage and control.

This conclusion will outline the main findings that came out of the case and thematic studies examining power asymmetry in EU-Africa relations. It briefly summarises the conceptual framework forming the basis of the thesis. It then demonstrates how this framework has actually played out in relations between the EU and Africa, by summarising the results of the case and thematic studies. It proceeds to outline some of the shortcomings of the framework. Lastly, the conclusion considers the implications of the findings on broader considerations of classifying the EU as a certain kind of international actor in the world and offers some potential avenues for future research.

1 Main findings of the thesis

The thesis challenged the notion that power asymmetry between the EU and African countries determines that the outcome of these interactions will necessarily favour the EU, or the EU will necessarily be influential in shaping other countries preferences, because of the significant structural power it possesses. It adopted a holistic approach to examining EU-Africa relations, by examining firstly the constraints faced by both EU and African actors in engaging with one another, and secondly African perspectives of the EU's capabilities and how these have shaped their approach to the EU. In so doing, it engages

with calls to fill a large gap in the current literature on the EU's foreign policy role, by conducting more empirically-oriented research on the EU's interactions with third countries. It thus aimed to advance a discussion on other actors' perceptions of the EU, how the EU's foreign policy actions affect other countries' positions, and ultimately, what the EU's foreign policy actions vis-à-vis others imply about the EU's role in the world and its international identity.

The conceptual framework used to examine why certain countries have been successful in exercising leverage and control vis-à-vis a structurally stronger EU, adopted four different conceptualisations of power from the International Relations literature and placed these in the context of EU-Africa relations. Firstly, drawing on Baldwin's, Habeeb's, and Keohane and Nye's conceptualisation of power, it was posited that power is both relational and contextual. The way in which the two parties exercise power vis-à-vis one another, and not merely the type of power they possess, and the context or issue-area in which the exercise of power takes place, matter greatly in explaining instances in which weaker actors can exercise leverage and control. This allows for significant variations in the exercise of leverage and control, in that it depends and varies according to the context and the relationship between the actors considered. Secondly, following contributions by Zartman and Rubin and in an attempt to move away from EU-centric discussions on the EU's power, power was conceptualised as intrinsically linked to how an actor perceives its own power as opposed to that of others, as well as how it perceives the other actor's power as opposed to its own. Power was thus considered to be influenced and shaped by actors' perceptions of themselves, of others, and vis-à-vis one another. Thirdly, power was equated with Bachrach and Baratz's understanding of power as agenda-setting. This allowed for analyses that do not focus merely on outcomes, but also on the process of relations between weak and strong actors, and importantly, the extent to which actors can shape wider preferences and policy processes vis-à-vis one another. Lastly, following constructivist assertions made by Lukes, among others, power was also considered to operate according to broader structural limitations in place which can either constrain or assist in the exercise of leverage and control, but which the actors concerned do not necessarily have any control over. In this sense, both the agent and the structure affect and shape the process and outcome of power relations. Based upon these four understandings, power was characterized as operating through an interactive, dynamic, and inter-subjective process in which several contextual factors create the conditions under which an actor can exercise leverage and control vis-à-vis another.

In accounting for the contextual or issue-area aspects of power, the thesis focused on three different fields in which the EU and Africa have been or are seeking cooperation, namely aid, trade, and migration. The fields were chosen for their historical or contemporary importance in EU-Africa relations and because the context of these three thematic areas offers insights into how different issue-areas and contextual environments influence strategies and approaches. In addition, the three issue-areas illustrate that power asymmetry can differ from one issue-area to the next, and is therefore not a determinant for policy processes and outcomes between weak and strong actors. In accounting for the relational aspects of power, the EU's relations with Africa were analysed through a comparative country case study of Senegal and Ghana. The countries were chosen based on a most similar methodology. As 'weaker' countries, Senegal and Ghana are similar in terms of their history with the EU, face similar structural constraints in negotiating with the EU, and are seemingly comparable with regards to their political and strategic position, yet they have demonstrated differing degrees of success in exercising leverage and control in relations with the EU. The thesis sought to answer why two countries which on the surface seem quite similar have adopted such differing strategies towards the EU that led to differing degrees of success in fulfilling their preferences. While the EU's aid, trade, and migration policies towards the countries are nearly identical, as are the countries' national agendas and interests in relation to the EU, they hold different perceptions of both their own and the EU's strengths and weaknesses. Furthermore, there are important differences in certain contextual factors influencing the countries' strategies vis-à-vis the EU. As a result of differences in their perceptions and how contextual factors have influenced their ability to convert their strategies into a successful approach vis-à-vis the EU, variations in their ability to exercise leverage and maintain ownership can be explained.

Asymmetry in structural power is clearly an overarching characteristic in EU-Africa relations. In the field of development aid, this asymmetry is particularly pronounced. The EU holds significant financial strength over Africa and holds ultimate decision-making power as to whether or not to allocate its financial resources. Aid relations are thus based on a power asymmetry between the donor and the recipient. In the trade field, a similar asymmetry exists. The sheer size of the EU's market and its share of world trade make it an important actor in international trade fora and a crucial trading partner. Furthermore, the extent of the EU's experience in conducting trade negotiations and the delegation of competences to a central actor, namely the Commission, further accentuate the EU's power in trade. In the migration field, this power asymmetry is apparent in the EU's implementation of restrictive measures to prevent and control migration flows, and through

its use of coercive measures to induce sending-countries to cooperate in prevention and control, despite the significant pull factors the EU offers potential migrants.

Senegal's and Ghana's structural power, on the other hand, is severely limited in comparison. In all three fields examined, an overriding characteristic is the constraints the countries face at the institutional levels. They lack financial resources and technical capacity to formulate effective strategies, negotiate positions, and implement policies and programmes. In both aid and trade relations, their financial and economic dependence on EU aid and market access constrains their ability to bargain with the EU. Senegal and Ghana are both highly aid dependent and the EU (EC plus the Member States) is the most important donor in both countries. The European Commission's development programme alone constitutes an important source of revenue for the countries, and has been recognised as a crucial contributor towards achieving development goals. The countries are therefore not in a position to refuse or circumvent aid, making cooperation essential. Similarly, in the area of trade, both Senegal and Ghana hold a marginal share in world trade exporting only a narrow range of primary commodities, their industrial sector is largely underdeveloped, and the EU constitutes their largest export and import partner. As in aid therefore, cooperation with the EU in trade matters is essential for the countries' economic growth prospects. The migration field presents a slightly different scenario, however, in that financial or economic dependence on the EU is less pronounced than in the other two fields. In fact, as a more recent policy field in which the EU and Africa are cooperating, migration does not operate along the same power dynamics as the aid and trade fields, because here the EU has pronounced interests in seeking the collaboration of migrant-sending countries.

Although the EU-Africa relationship is characterised by asymmetry in structural power, consideration of the context in which relations take place has established that *both* parties face constraints in effectively cooperating with one another. Therefore, it is important to recognise that the EU also faces constraints and that these limit the extent to which it can engage with African countries. These constraints were found to exist at four levels. Firstly, at the administrative or institutional level several issues were raised (see Hypothesis 2a). A very concrete constraint is found in the limited resources, both financial and human, the EU is able and prepared to employ in its relations with Africa. In the aid, trade, and migration fields different financial constraints and concerns impacted the EU's engagement with Africa in important ways. In the aid field, the failure of Member States to commit to increased funding for the EDF impacts negatively on the EU's credibility as a capable and coherent development actor because of the inability of the Commission to follow through on initial promised allocations. In trade, the lack of a sufficient financial

instrument to address supply-side constraints and adjustment costs incurred by implementing free trade agreements caused significant deadlock in EPA negotiations with the ACP. In migration, the modest funding dedicated to migration in comparison to other policy areas and limited coordination amongst the different financial instruments available for migration-related programmes, has weakened the EU's position as a relevant migration-actor in Africa. In addition, the aid and migration thematic studies illustrated the crucial role the EU's delegations have in negotiating with the governments and carrying out tasks on the ground. At the same time, decentralisation has not been coupled adequately with the necessary resources, training, skills, expertise, and decision-making autonomy from Brussels required for the delegations to perform their roles as prescribed and as expected by the governments of the countries where they reside. Furthermore, in all three of the policy areas, both delegation and Commission staff were seen as lacking the knowledge of local conditions, which affected their engagement with national governments.

Secondly, the EU is constrained by the conflicting relationship between the Commission and the Member States or Council in executing its policies in Africa (see Hypothesis 2b). While Member State policies and practises towards Africa are supposed to be coordinated amongst themselves as well as with the Commission's efforts, in reality this harmonisation is sometimes lacking. Overlap, duplication and conflicting actions undermine the EU's total effort in Africa. While in all three fields, the Commission has been delegated the task of negotiating with African governments, albeit with differing degrees of intensity, its capacity to perform this task is constrained by several factors. In the negotiation and administration of aid, the Commission has come under intense pressure by the Member States to improve effectiveness and accountability of aid, yet this has led to an excessive complexity and bureaucracy, reducing the impact of aid and burdening recipient government. In trade negotiations, the Commission is on the one hand constrained to the negotiating mandate it is given by the Council, and therefore its inability to concede to the demands of the negotiating opponent reduces the scope for negotiation between the two parties. On the other hand, when divergences emerge between the Council or Member States and the Commission's position, as witnessed in the EPA negotiations, this weakens the image of the EU as a unitary actor in trade matters. In migration, the way in which the Member States constrain the Commission's efforts was clear. Indeed, Member States have preferred to conduct negotiations on migration agreements at the bilateral level, significantly undermining the Commission's efforts in Senegal and Ghana.

A third constraint was found at the level of coherence amongst the different policies concerning EU-Africa relations (see Hypothesis 2c). Within the Commission, coordination

is expected to occur between the different directorate generals responsible for Development, Trade, External Relations, and Justice, Freedom, and Security, etc., yet internal coordination and coherence was often lacking. Policy divergence between the different areas of competence posed a constraint on the EU's capacity to formulate a coherent approach towards its relations with African countries, which in turn affected its ability to employ an effective and credible policy in Africa. In the aid field, the lack of clarity about the roles and responsibilities of DG Relex, DG Development and EuropeAid created a split between aid programming and implementation, between policy formulation towards ACP and non-ACP countries, and between development and the EU's wider external relations. In trade, the leadership role of DG Trade in negotiating trade agreements led development concerns to be sidelined in the EPA negotiations, which in turn led to accusations of incoherence between development-friendly EU rhetoric and the EU negotiators' actual approach to the negotiations. Policy incoherence was also a major concern in the migration field, where the leadership position of the security branch constrained the EU's capacity to engage fully with migrant-sending countries, because the EU's objectives and policies are geared towards migration control and prevention rather than migration and development, as preferred by their African counterparts. The scattering of Africa-related policies amongst different DGs and the resulting policy incoherence contributes to the notion that the EU's approach is plagued with coordination and consistency gaps in its external policies.

Fourthly, the EU was often found to be constrained by its wider interests in establishing itself as a relevant and influential foreign policy actor (see Hypothesis 2d). Paradoxically, the EU's use of its relations, actions, and policies vis-à-vis weaker countries to achieve wider political and strategic objectives can sometimes hamper the reaching of those wider objectives because of the consequences of having to find agreement on issues that are particularly important to the EU. While this constraint was not as prevalent in the aid field, certainly in the trade and migration fields it was clear that the EU's need to find agreement or to solicit cooperation from weaker countries has at times negatively affected its bargaining strength. In the EPA negotiations, the need to conclude the negotiations, especially considering the controversy and criticisms that came to surround EU's negotiating positions, have evidenced the political constraints the EU continues to face as a trade negotiator. In migration, the need for the EU to engage in migration management with migrant-sending countries in order to reach the broader goal of effective migration control has constrained it to moving its migration agenda beyond a mere security focus, which proved largely ineffective in engaging governments of migration countries to cooperate. In

sum, constraints faced by the EU have led to a gap between policy rhetoric and practise, and between expectations and actual capabilities. Furthermore, the institutional and political constraints faced by the EU create a disjunction between the EU's structural power and its actual bargaining power or ability to influence and achieve its preferred outcome.

1.1 Perceptions

Some African countries are able to achieve their preferences successfully because of the way in which they perceive the EU and their awareness of the EU's constraints. The perceptions that Senegal and Ghana held of the EU's strengths and weaknesses influenced their choices, positions, and strategies vis-à-vis the EU, and ultimately contributed to their ability or inability to exercise leverage and ownership. In general, Senegal saw the EU as an essential partner, particularly in aid and to some extent in trade as well, and cooperation with the EU was considered necessary for the country to reach its goals of development and economic growth. Yet Senegal also perceives the EU as constrained in its ability to engage fully with the government. In this regard, the Commission's procedures and administration are considered overly bureaucratic and complicated; the EU's approach and policies are uncoordinated amongst the different institutions and actors comprising the EU; the EU's external policies are applied in an incoherent and inconsistent manner; the EU is seen as lacking sufficient expertise, with the Commission and especially the delegation lacking adequate decision-making and implementation autonomy in its relations with the government; and the EU is often perceived as constrained by its wider political and strategic interests. On the one hand, this is seen as adding an additional burden to the government's already limited and strained capacity. On the other hand, the government has often circumvented the EU by negotiating more closely with other external actors, attempted to re-orientate the EU's approach towards one that more closely fit its own preferences, adopted a non-compliant or hard-lined approach to negotiations, or insisted on its ownership over strategies according to the government's priorities.

In many respects, the EU is viewed similarly in Ghana: certainly cooperation is considered crucial, yet the Commission's procedures are also considered to burden the government, as in the case of aid; the EU's actions are not always congruent with its rhetoric, as in the case of trade; and the EU is not always identified as the lead partner due to its limited mandate, as in the case of migration. At the same time however, Ghana also viewed the EU as a leader in terms of high-level agenda-setting and often the government's strategies, where these existed, were largely congruent with those of the EU, thus avoiding major divergences between the EU and Ghana. Furthermore, few or even no opportunities

were identified in which the government could exercise leverage or control vis-à-vis a much stronger and more experienced EU. Instead, the government adopted a consensual or compromising approach towards the EU, which was seen as necessary to maintain cordial relations and reap the maximum benefits from this relationship in the face of its inability to refuse or bypass cooperation.

Further to the countries' perceptions of the EU's strengths and weaknesses, another important difference between Ghana and Senegal was found in the way in which they perceive their own power as opposed to the EU's. Although aware that structural power asymmetry constrains its room for manoeuvre, Senegal also holds a strong conviction of maintaining ownership or control over national strategies and defending these in relations with external actors. This conviction has given the government the confidence to take initiatives in orientating policies towards its preferences and in identifying those actors that can most closely address its needs. Therefore, although the government is aware of the extent to which it needs to cooperate with the EU, especially in the aid and trade fields, it has also been unwilling to accept policy processes and outcomes to be entirely driven by external actors, especially where these do not fit with the preferences of the government. Thus Senegal's strategy towards the EU has been to maximise control or leverage within the limits of structural power asymmetry (i.e. it does not have the choice to forego cooperation altogether). Ghana, on the other hand, does not perceive itself to be in a position in which it could strategically manoeuvre around EU constraints or gain increased control of policy processes and outcomes. Indeed, in Ghana there was a much stronger acknowledgement of the structural power asymmetry that permeates relations with the EU, and unlike Senegal, the government often considered the opportunities for exercising leverage limited or absent. Faced with a sense of constraint in exercising leverage and aware of its dependence on the EU, the Ghanaian government has been more inclined to opt for a consensual approach rather than confrontation. Thus Ghana's strategy towards the EU has been to maximise the benefits from relations with the EU through compromise because of structural power asymmetry. Although this strategy has generally allowed for a rather 'positive' relationship between Ghana and the EU, in opting for such an approach, the government has also allowed policy processes and outcomes to be mostly externally-driven, rather than government-controlled. While this does not imply that Senegal's relationship was more or less successful than Ghana's, or that confrontation is a more desirable option than compromise, it simply suggests that perceptions, both those of the EU and of the country's own strengths and weaknesses, influence the countries' strategies in

relation to the EU, which in turn partially explains the ability or inability to exercise leverage vis-à-vis the EU despite structural power asymmetry.

Contrary to the expectations of realist and neo-realist understandings of power, and to the conceptualisations of EU-Africa relations as mainly determined by power asymmetry, the case studies confirm that power is a relational concept, and highlight the extent to which understandings of power and asymmetry need to account for the inter-subjective nature of relations between weak and strong actors. Findings from the case studies also point to the importance of the perceptions actors hold of one another to explain why one actor can produce 'intended effects' despite an objective reality that clearly denotes a situation of power asymmetry. Yet perceptions alone cannot entirely explain weaker actor leverage. Although perceptions shape the actors' approach and strategy vis-à-vis one another, they do not necessarily determine success in exercising leverage. Indeed, there are certain contextual factors which each country faces in its relations with the EU that have helped to determine firstly how the countries perceive the EU and secondly how the strategies adopted translated into successfully reaching preferences in policy processes and outcomes. This is precisely why the context and the issue-areas in which power relations take place were particularly relevant to consider in determining countries' ability to exercise leverage.

Through detailed empirical work on the countries' perceptions, approaches, and strategies towards the EU, it was demonstrated that Senegal has been more successful in exercising leverage and control vis-à-vis the EU than Ghana. In aid relations Senegal was able to maintain ownership and control over its national development framework and managed to gain increases in the type of aid it prefers due, in part, to its hard-line negotiating position. Although Ghana's relations with the EC as a donor are cordial, this has not necessarily been congruent with the exercise of leverage or control. Different from Senegal, Ghana did not maintain control of its national development framework, and mainly relied on donor initiatives to allow for increases in the type of aid it preferred and develop donor coordination mechanisms. In the trade field, Senegal was able to influence the regional negotiating mandate by placing development issues at the centre of the region's demands vis-à-vis the EU, and mobilised considerable opposition against the trade agreements the EU was trying to negotiate with the region, contributing to a shift in the EU's strategy. Ghana instead focused its attentions more towards the national level, and took a rather passive approach to influencing the regional agenda or voicing its concerns towards the EU. The country eventually initialled the agreement that was opposed by most of the region and some important players at the national level. Finally, in the migration

field, Senegal exercised leverage and control by using the extensive engagement on migration matters at the bilateral level to reposition the debate at the EU level, while at the same time adopting a non-compliant approach to the EU's initial engagement on migration matters. In doing so, it managed to shift the EU to more closely address its own preferences in cooperating on migration matters. Ghana, on the other hand, in not identifying the EU as the main actor with which to reach its preferences on migration matters, preferred to collaborate with other international actors; in failing to develop a government-owned approach to migration, it allowed external actors to drive the migration debate at the national level. Senegal was more successful because it had the confidence to transform its strategies into 'negotiating capital' and employ this in an effective manner in its relations with the EU. This confidence derived largely from its ideological orientation towards country ownership of its development process and in relations to outside actors, and this was strengthened by numerous contextual factors which created favourable conditions for the exercise of leverage. Ghana, on the other hand, did not have this confidence largely due to a perceived lack of alternative sources and an embedded dependence on relations with external actors in which maximising the benefits of these relations rather than control over these relations is the country's priority. Thus in remaining with the understanding of power espoused in this thesis, the exercise of leverage is dependent both on the agent and the structure.

After considering the strategies adopted by each country in each of the three policy fields, the country chapters proceeded to examine the historical, institutional, economic, political and ideological, and strategic contextual conditions in both countries which have shaped the countries' perceptions and strategies vis-à-vis the EU. These factors can explain the variations between Senegal and Ghana's exercise of leverage. While in Senegal these contextual factors have translated into an effective strategy to be employed in the exercise of leverage and maintaining control vis-à-vis the EU, in Ghana these same contextual factors have instead translated into a less effective strategy for leverage and control. Importantly however, although the effectiveness or ineffectiveness of leverage and control can be attributed to the country's capacities and willingness to do so, at the same time the extent to which the EU has or has not been identified as the main partner in a given fields, is also crucial to the countries' approaches to the EU. In performing this detailed exercise, it is now possible to draw some relevant conclusions regarding these intervening factors.

1.2 Factors favouring and constraining leverage and control

1.2.1 *Historical*

Although this factor was not examined specifically in the country chapters, as outlined in the conceptual framework, a country's historical ties to the EU and certain EU Member States was considered to be an overarching factor which contributed to influencing countries' perceptions of the EU and consequentially the strategies they develop to negotiate with the EU. Thus Senegal's historical ties to France have implications on the way it has chosen to deal with the EU. On the one hand, Senegal has based its expectations and interactions with the EU on its previous experiences in dealing with France. As the views it holds of France's interventions are often congruent with the views it holds of the EU's efforts in the country, its sometimes conflictual strategies and the strong sense of ownership it exerts in relations with external partners have been partially shaped by the views it holds of its primary historical partner: namely that it is considered important and essential, but at the same time Senegal aims for increased political and economic independence from France, by seeking out alternative partners and by asserting ownership over national processes and preferences. Indeed, throughout the chapters it became clear that this view and approach is increasingly similar to the one Senegal projects towards the EU. In Ghana, the historical ties to its former colonial power, the UK, are not nearly as strong as Senegal's ties to France. In fact, it has been mostly other actors such as the World Bank, the IMF, and the US that have influenced and shaped Ghana's understanding and perceptions of other foreign policy actors. In this regard, the EU, the UK, and other Member States are merely considered one amongst the many international actors present in Ghana. This has consequently also influenced the strategies it adopts towards the EU, which have been mostly in line with the overall approach the country has towards external actors. In this sense, the Ghanaian government has preferred to negotiate most closely with those external actors it has identified as better able to meet its needs and preferences, and in doing so it has adopted a consensual approach in order to receive the maximum benefits from its relations with external actors.

1.2.2 *Institutional*

Structurally weaker actors are severely constrained in the exercise of leverage due to the unfavourable institutional conditions they face, however there are several intervening conditions in the country's institutional environment that assist or hinder the exercise of leverage beyond mere capacity constraints. In all three fields, it was evident that one of the

main weaknesses Senegal and Ghana faced in their relations with the EU was the lack or limited capacity of their institutional and administrative structures to cope with not only the EU's stringent procedures, but also to implement EU policies and programmes, and acquire negotiating expertise and capabilities. In Ghana in particular, institutional weaknesses were seen as the main factor explaining the country's inability to effectively reach its preferences and maintain control over its policies and programmes. At the same time, many of the constraints faced by Ghana were similarly present in the Senegalese institutional context, and still the government often managed to get its preferences across. This is because even if it is not always successful in following through on strategies in the implementation phase, Senegal possesses a good capacity for strategy formulation without much external intervention. This derives mainly from its previous policy experience, institutional structures permitting for the formulation of a consolidated view between the government and stakeholders, and the technical expertise, albeit limited, that is available. Because strategies were largely formulated on the government's initiative and without much external interference, this assisted in providing Senegal with the confidence to promote its preferences in relations with external actors such as the EU. Conversely in Ghana, although the government is capable of strategy formulation, this was mainly said to involve a large degree of interference and influence by external actors, which diminished the government ownership and even confidence in promoting its own initiatives and preferences. Because strategies are produced with a view of pleasing external partners in order to reap the maximum benefits from its external relations, many of Ghana's strategies are externally-driven with the government taking initiative only after items have already been placed on the agenda.

1.2.3 Economic

A country's economic situation, namely its trade and aid dependence on the EU, strongly determines the extent to which it is able or confident enough to exercise leverage vis-à-vis a structurally stronger actor. The more a country is considered to be dependent on the EU for its exports or on aid for meeting its developmental needs, the less likely it is willing to forego cooperation with the EU and risk confrontation in the pursuit of leverage. Access to alternative resources and alternative trading and aid partners encouraged governments to exercise leverage vis-à-vis its more traditional partners such as the EU. This was particularly evident in the aid and trade fields, where Senegal's interactions with non-traditional donors and trading partners have provided the government with an increased willingness to criticise traditional partners such as the EU and increased

confidence to risk forgoing cooperation in favour of other options which more closely converge with its short-term interests. In Ghana, the more cautious approach adopted by the government towards alternative partners, in combination with the embedded aid dependence at the institutional level, did not permit the government to adopt a more critical or confrontational approach vis-à-vis the EU. Certainly, Ghana's access to newfound economic resources, namely the recent discovery of offshore oil, will prove particularly relevant in assessing whether the government's approach to donors becomes more assertive as a consequence. Even in the migration field economic factors played a role: the more economically beneficial or the more development potential out-migration was seen as bringing, the less inclined the government was to cooperate with the EU in migration control and the more the agenda shifted towards migration and development.

1.2.4 Political/Ideological

Several political factors influence the exercise of leverage. Firstly, a high degree of domestic political legitimacy of the government and a strong electoral mandate favour leverage in that it confers upon the government a strong negotiating mandate and a strong conviction that policies should be defended and promoted in external relations. This was particularly evident in Senegal, where wide electoral support of Wade and his government and a relatively weak opposition gave the government the legitimacy and the security to formulate government-owned strategies that it aimed to defend in aid, trade, and migration negotiations with the EU. In Ghana, highly competitive party politics and the resulting pressure to deliver visible short-term results to ensure electoral success discouraged the pursuit of policies that do not converge with the interest of the government's external partners. Therefore, in addition to aid and trade dependence, political dependence and the embeddedness of this dependence in the government's relations with external actors such as the EU heavily influences the extent to which a country is able or willing to exercise leverage. This last point highlights another political factor that influences leverage, namely the political utility of defending government positions or complying with external actors' strategies. In this sense, a country's position vis-à-vis the EU and the intensity with which policy goals are pursued in its relations with the EU also depends on a strategic political choice to converge or diverge with the EU's position. This was made most evident in the case of the EPA negotiations, in which criticising the EU's approach to the negotiations in Senegal helped the government to divert attention from other pressing domestic concerns, whereas in Ghana, short-term interests and the political expediency to secure market access

with its most important trade partner led to limited consultations at all level of government and a rather rushed decision to enter into an interim trade agreement with the EU.

1.2.5 Strategic

A country's leadership, especially in the regional context, assists its ability to exercise leverage more effectively vis-à-vis the EU. The more its regional leadership role and a country's position in the region aligns with the EU's interests in the region, the more room for manoeuvre the country has in reaching its preferences. The importance of regional leadership was evident in all three thematic areas. In aid, it was argued that it was in part due to Senegal's increasingly important geo-strategic position in the region and on the African continent, in which Senegal's efforts and commitments have matched the EU's increasing strategic interests in focusing on security. In Ghana, though regional commitments are extensive and commendable, donor interests lie mainly in the country's policy efforts in terms of economic and political stability, rather than its role in security and political leadership geared towards a wider regional agenda. In trade, it was Senegal's role and experience in the UEMOA that had afforded it with increased influence in determining the regional agenda, as opposed to Ghana's sense of isolation within the region regarding both its economic position as a non-LDC and strategic position as a non-UEMOA member country. The regional leadership role of Senegal in placing migration issues on the ECOWAS political agenda has increased the government's strategic importance in migration cooperation, as opposed to Ghana's very limited involvement in the area, further illustrating the importance of regional leadership in exercising leverage. The migration field also points to another relatively clear-cut strategic condition which has influenced leverage: Senegal's geographic position as a major country of migrant origin and transit especially for irregular and low-skilled migration as opposed to Ghana's less threatening geographic position and contribution to mostly semi- and high-skilled migrant flows has made the EU's interest in engaging with Senegal much more intense than with Ghana, especially in terms of cooperation on migration control, which in turn has contributed to shaping the governments' reactions and strategies towards the EU's approach.

In sum, in adopting an empirical approach to analysing power asymmetry between the EU and African countries, the thesis demonstrated that although asymmetry does indeed constrain weaker actors in identifying their preferences and limits the resources these actors can draw upon in meeting their preferences vis-à-vis stronger actors, it does not determine that the process and outcome of these relations necessarily favour the stronger actor. Indeed, in demonstrating that some African countries have been able to achieve

successfully their preference vis-à-vis the EU despite power asymmetry, the thesis has demonstrated the importance of firstly identifying both parties' strengths and weaknesses in conducting relations with one another, and secondly in establishing the conditions under which African countries are able to fulfil their goals in relations with the EU. Although there are some limitations to the framework adopted, as briefly outlined below, at the same time, the thesis makes a contribution in moving beyond the literature which merely characterises the EU as a certain kind of power or international actor, by instead considering specifically how its relations with the outside world affect current understandings of the EU's power.

2 Limitations of the framework

The present framework does not allow in-depth consideration of how other external and internal contextual factors have influenced the countries' positions vis-à-vis the EU. Indeed, in focusing mainly on the power relationship between the EU and Africa, some other important actors that have undoubtedly contributed to the changing context of EU-Africa relations remained mostly obscured. The presence and influence of other major players on the African continent, such as the US and the World Bank, merit due consideration, as does the extent of influence deriving from internal African players and processes such as the African Union and NEPAD. Furthermore, as the thesis was written at a very dynamic time period for the African continent, no solid conclusions could be drawn with regards to effects of Africa's changing economic conditions and the impact of non-traditional partners on Africa, such as China. Thirdly, it is also recognised that the historical ties to the Member States and the post-colonial relationships between some Member States and the two case studies was not considered in any systematic manner. While it is true that Senegal's ties to France and Ghana's ties to Britain have influenced the way in which the countries perceive the EU, it is also the case that both the countries and these Member States have begun distancing themselves from one another considerably, while the post-colonial relationship is not nearly as central to Europe's relations to Africa as it once was.

In placing the focus of this research explicitly on the current state of EU-Africa affairs and in focusing exclusively on contemporary processes that illustrate the changing context of EU-Africa relations, the historical aspect of these relations could not be explored in much detail. The focus on contemporary processes is nevertheless valid, because one of the central aims of the thesis was to explore how the current state of EU-Africa relations, which have continuously been characterised by power asymmetry and marginalisation, are instead influenced and affected by numerous processes and complexities which continue to

shape the evolving nature of EU-Africa relations. Furthermore, in focusing on a relatively short time frame of relations between the parties, the thesis attempts to capture more closely the extent to which some of the more dramatic shifts afforded by the Cotonou Agreement, the ending of trade preferences, and new issue-areas for cooperation have influenced relations between the parties.

3 Implications of the findings: the EU as an international actor

It is incorrect to assume the EU has power just because it is the EU, and that Africa has no power just because it is Africa. In adopting a holistic approach to the EU's relations with Senegal and Ghana, the focus of the research shifts away from an EU-centric approach and instead examines the countries' perceptions of the EU and certain contextual factors shaping their strategies towards the EU, it has become clear that power asymmetry does not determine the outcome of the EU's relations with weaker actors. A holistic approach allows for explanations as to why and how some developing countries have been successful in reaching their preferences regardless of a situation in which the structural levels of power do not necessarily favour the weak. The research has shown that there is much more to the EU's relations with Africa than meets the eye. Although it by no means negates that power asymmetry exists, it also argues that in taking into closer consideration the context in which relations between the EU and Africa operate, this asymmetry can be seen as decidedly less deterministic. The thesis has thus aimed to make a contribution to the growing body of literature that challenges the common notion of the inability of developing countries to formulate strategies and negotiate successfully with stronger actors. In doing so, it has aimed to put EU-Africa relations into a new perspective. In looking at power asymmetry in the context of these relations, the thesis challenges previous understandings of Africa as being an increasingly marginalised political entity on the EU's foreign policy agenda. Current understandings about EU-Africa relations have consistently referred to the extent to which power asymmetry has dominated these relations, and how Africa, as a marginal actor in world affairs, has been unable to challenge this asymmetry significantly while the EU has generally projected its own preferences and policies onto African governments. In pointing at evidence from the changing context of EU-Africa relations, it becomes clear that although power asymmetry continues to be a defining characteristic in these relations, it is by no means a determining characteristic.

The thesis neither aims to propose a model upon which African countries can base their relations with the EU henceforth, nor to prescribe a set of guidelines to follow in order to 'get what you want' from the EU. It merely serves as recognition that EU-Africa

relations are complex and very much context-bound, and relying merely on assumptions that power asymmetry determines how the actors will interact with one another presents a rather one-sided view of this relationship. It is mainly for this reason that a more holistic approach to analysing these relations was chosen, in terms of considering *both* EU and African perspectives and perceptions of one another and the extent to which these African countries are indeed capable or limited in formulating and achieving their preferences vis-à-vis the EU. While relevant conclusions can certainly be drawn from adopting a more holistic approach to examining the EU's relations with third countries in general, a prescriptive set of guidelines on how or how not to exercise leverage would only serve to undermine the complexity and intricacy of interactions between the two continents.

What it does aim to do however, is to challenge and adjust current understandings of both the EU's and Africa's power and influence in international affairs. In furthering current understandings of the EU's capabilities as a foreign policy actor, and the extent to which its policies and actions vis-à-vis Africa can contribute or harm its wider efforts in becoming a relevant, coherent, unique, and even powerful foreign policy actor, it is possible to move beyond the debate about what kind of power or leader the EU is or is aiming to be. In this sense, notions of the EU as 'soft power,' as posited by Nye (2004), a 'normative power,' as posited by Manners (2002), or a 'civilian power' as posited by Duchêne (1973), cannot be considered complete without taking account of other actors' perceptions of the EU. Instead, the focus is shifted towards the effectiveness and coherency of the EU's actions abroad, which provides evidence upon which classifying the EU as a certain kind of power or actor can actually be based. In addition to this, any debate on what the EU's power actually is capable of or the effectiveness of the EU's actions abroad cannot be considered complete without taking into consideration the perceptions and understandings of that power by those same actors the EU's external policies and actions are designed for and projected upon. In order to fully understand the extent of the EU's 'actorness', as posited by Bretherton and Vogler (2006) amongst others, it is not enough to try to situate the EU's identity as a foreign policy actor, or to identify how congruent the EU's goals are with its capabilities, or whether it is implementing policies coherently and effectively. There is therefore a need to move beyond EU-centric analyses of the EU's foreign policy actions and its actorness, which as a basis for classifying the EU as a certain kind of power, have focused only on the EU's actions abroad, but fail to consider how others perceive the EU. In considering other actors' views, a more complete picture emerges of the impact and effectiveness of the EU and the implications this may have for EU's role in the world (Lucarelli 2009; Elgström 2007). Regardless of what kind of identity

or role the EU is trying to establish, success in establishing itself as such depends on whether other external actors see it as such. If the EU's sense of power or its own self-image is not congruent with other actor's images of the EU, then classifications of the EU as a certain kind of power diminish the usefulness of this as an analytical tool and prove largely irrelevant in a real-world context.

In considering African views of the EU, what kind of power does the EU really exert according to others? And what does this say about the EU as an international actor? More than fifteen years onwards from Hill's (1993) conceptualisation of the gap that existed between the EU's capabilities, in terms of resources, instruments, cohesiveness and consistency, (i.e. the means) and expectations, especially in terms of both the EU's own internal desires and goals and other actors' hopes and demands of the EU (i.e. the ends), the gap has certainly not 'closed'. Indeed, the gap between capabilities and expectations at the internal level seems certainly to have widened. The EU's actions and policies in Africa remain rather incoherent and limited in their effectiveness and impact, yet the EU is continuously expanding the scope of its policies and actions on the continent without having adequately addressed these original gaps between means and ends, or without providing increased capabilities to take on effectively its expanding role. Yet in terms of other actors' expectations of the EU, and especially concerning Africa, this gap may actually be narrowing, not necessarily due to higher capabilities, but rather due to lowering expectations. That is to say, while the means to effectively engage with Africa have remained either the same or are even less, the expectations by African governments of the EU are increasingly becoming lower too. This is both cyclical and structural in nature. On the one hand, the lowering of expectations is a result of years of somewhat ineffective engagement or approaches that are seen as increasingly interest-based rather than based on wider values or norms. In looking at other actors' perceptions of the EU's power and influence, it is clear that although the EU is considered an important actor in Africa and governments certainly have numerous interests in cooperating with the EU, expectations of the EU have been lowered by its inability to meet these interests or to project a coherent policy. Lowered expectations are fuelled by a distinct understanding on the African side that despite the EU's significant structural power, or despite the potential power it possesses, most of the EU's actual efforts are largely interest-based, tend to lack coherency, or the mandate to carry out actions is often too restrictive to fully engage with African countries as anticipated. In the eyes of others therefore, or at least, in the eyes of the EU's African partners, the EU is seen as possessing tremendous potential for being a powerful

and relevant actor on the world stage, but either due to a general incapability or unwillingness, this potential has not been fully achieved.

On the other hand, the lowering of expectations is structural in nature too, in that contextual factors have contributed to narrowing the gap on the expectations side. It is increasingly evident that the context in which EU-Africa relations take place is rapidly changing, and indeed is now facing a critical turning point. The sudden interest of other non-traditional actors in Africa, such as China and India, is bringing with it alternative sources of funding, increased investment, rapid infrastructure and energy-sector development, and new markets for African exports. These new entities are also affecting the way in which African governments now deal with their more traditional partners, often giving governments increased bargaining power and confidence to control their own agendas without excessive intervention or undermining of country ownership. The onset of alternative investment and interest in the continent has consequentially also spurred renewed interests and activeness from Africa's traditional partners, such as the EU. Perhaps due to concern that it might lose its preferential relations with Africa or perhaps due to the increased opportunities and challenges Africa provides, the EU has significantly stepped up its efforts to engage with the continent on a variety of issues that now span well beyond the traditional aid and trade frameworks. In this thesis only limited consideration could be given to this new intervening factor in EU-Africa relations because of its novelty and dynamism making inquiry difficult and inconclusive. However, future research on EU-Africa relations will certainly have to consider this new factor ever more closely, as no current inquiry on Africa can be considered complete without reflecting on the changes ensuing on the continent and how this affects its position and its expectations vis-à-vis one of its longest-standing partners.

If the full potential of the EU's power has not been perceived as having been achieved in its relations with other actors, what does this say about the EU's international 'actorness' or the EU's international identity? If other actors' perceptions and expectations of the EU have been lowered or altered due to the EU's inability to effectively engage with outsiders, it suggests first of all that much work still needs to be done on measuring the effectiveness and impact of the EU's policies abroad and how its actions are seen by others before the EU can correctly be classified as any certain kind of power. If anything, based on outsiders' perceptions, the EU can perhaps be prematurely classified as a 'conflicted power' or a 'potential power'. In any case, any considerations of the EU's power or its international identity will certainly have to take better account of the view of those actors with which the EU conducts its foreign relations, as it is namely these actors which can

affirm or negate the true significance of the EU's 'actorness'. If the EU has not been able to meet other actors' expectations, it is damaging to the employment of its foreign policy objectives as well as to the desire to become a relevant power in the world. Other actors' perceptions of the EU thus put into question such classifications of the EU as a 'normative power', in terms of the role the EU has seemingly adopted in advancing international norms and values such as democracy, human rights, peace, and stability. Indeed, there is a strong temptation to imply that strategic interests and even power politics have driven the EU's approach towards Africa much more than the pursuit of core normative values and goals. While at least in rhetoric the EU's foreign policy goals towards Africa certainly take on a heavily normative approach, the means by which these goals are pursued and the ends or impact of this approach illustrates the extent to which strategic policy concerns mostly override normative concerns. Certainly this is how many of its actions have been perceived by African governments, in explaining the persistent inconsistencies between rhetoric and action, and incoherence between essentially overlapping policies. Furthermore, this also suggests that the EU's policies, actions, and even interests in Africa have been mostly reactive, in that they seem to be mainly in response to changing contextual and structural conditions and to a lesser degree, in response to external demands, even by African governments which have traditionally been considered much weaker than the EU. After a period of clear marginalisation on the EU foreign policy agenda, Africa has once again started re-acquiring a more prominent position, largely driven by increasing security concerns, the desire to secure natural resources in less volatile regions, the growing presence of other external actors, and perhaps even due to what some have considered a resurgence of assertive third worldism or pan-Africanism (Whitfield 2008a: 368-378; Kotsopoulos 2007) that have in some way put Africa back on the agenda. Therefore, it is in looking at what the EU actually does abroad, and how effective these actions are considered by others, that a more balanced debate can unfold on the EU as a foreign policy actor.

4 Future research

While considering other actors' perceptions and understandings of the EU is a crucial element to furthering understandings of the EU as a foreign policy actor, the research agenda should also move beyond looking at other actors' perceptions, and examine how these "actually have an influence on the EU's chance to achieve its goals" (Elgström 2007: 964). The EU's policies abroad influence other actors' perceptions of the EU, these perceptions inform actors' strategies towards the EU, and in an environment where power

is both relational and contextual, these strategies in turn affect the EU's capacity to reach its own preferences. The EU's foreign policy does not operate in a vacuum, and it is in the interactions it has with other actors that its foreign policy identity can actually take shape and that the research agenda can make more empirically-informed assertions about the EU's role in the world. This will certainly require many more studies focusing on how other actors have formulated their approaches and the extent of their effectiveness in forwarding their own strategies onto the EU. In this sense, country case studies and comparative studies will prove particularly useful in moving along both the debate on the EU's international identity and the effectiveness of its foreign policy. It is most certainly necessary to expand the current research agenda beyond this thesis' focus on West Africa, by exploring the research question in relation to other parts of the continent, the ACP, or indeed other developing countries. Extending the research agenda beyond the West African region is crucial in understanding the changing power dynamics amongst the EU and Africa as a continent as well as in an era of growing regionalism. An extended focus will also have to allow therefore, for observation of how the significant acceleration in regionalisation processes now taking place in Africa have potentially affected the power dynamics with the EU. Although on the one hand regionalisation essentially fragments the continent, it also generates a need for understanding how these groupings have managed new challenges in negotiating their preferences and demands with the EU. In order for these preliminary observations to become more analytically useful, additional case studies in other African or even ACP regions would allow for broader scope from which to make improved generalisations regarding the power dynamics in EU-Africa relations.

Negotiation theorist William Zartman has rightly noted that if relations between the weak and the strong were "only a power play, they could be dismissed as not only unimportant but even uninteresting, given the asymmetrical context" (1987: 290). EU-Africa relations provide both an important and an interesting perspective on power relations between the weak and strong. Not only have African governments demonstrated a capacity to formulate relevant strategies vis-à-vis their European partners, they have also been able to influence processes and outcomes beyond just negotiating at the margins. It has become clear that studying the EU's relations with Africa has a relevant role to play in shaping our understandings of the EU's international identity, and this needs to be considered both in terms of the academic debate on the issue and in terms of the EU's actual conduct as a foreign policy actor. As Africa's own international role is set to increase in importance and relevance in the near future, it has become all the more crucial to reconsider common notions of power in an asymmetrical context.

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Appendix I

Article 13 of the Cotonou Agreement

ARTICLE 13

Migration

1. The issue of migration shall be the subject of in-depth dialogue in the framework of the ACP-EU Partnership.

The Parties reaffirm their existing obligations and commitments in international law to ensure respect for human rights and to eliminate all forms of discrimination based particularly on origin, sex, race, language and religion.

2. The Parties agree to consider that a partnership implies, with relation to migration, fair treatment of third country nationals who reside legally on their territories, integration policy aiming at granting them rights and obligations comparable to those of their citizens, enhancing non-discrimination in economic, social and cultural life and developing measures against racism and xenophobia.

3. The treatment accorded by each Member State to workers of ACP countries legally employed in its territory, shall be free from any discrimination based on nationality, as regards working conditions, remuneration and dismissal, relative to its own nationals. Further in this regard, each ACP State shall accord comparable non-discriminatory treatment to workers who are nationals of a Member State.

4. The Parties consider that strategies aiming at reducing poverty, improving living and working conditions, creating employment and developing training contribute in the long term to normalising migratory flows.

The Parties will take account, in the framework of development strategies and national and regional programming, of structural constraints associated with migratory flows with the purpose of supporting the economic and social development of the regions from which migrants originate and of reducing poverty.

The Community shall support, through national and regional Cooperation programmes, the training of ACP nationals in their country of origin, in another ACP country or in a Member State of the European Union. As regards training in a Member State, the Parties shall ensure that such action is geared towards the vocational integration of ACP nationals in their countries of origin. The Parties shall develop cooperation programmes to facilitate the access of students from ACP States to education, in particular through the use of new communication technologies.

5.(a) In the framework of the political dialogue the Council of Ministers shall examine issues arising from illegal immigration with a view to establishing, where appropriate, the means for a prevention policy.

(b) In this context the Parties agree in particular to ensure that the rights and dignity of individuals are respected in any procedure initiated to return illegal immigrants to their countries of origin. In this connection the authorities concerned shall extend to them the administrative facilities necessary for their return.

(c) The Parties further agree that:

(i) each Member State of the European Union shall accept the return of and readmission of any of its nationals who are illegally present on the territory of an ACP State, at that State's request and without further formalities; each of the ACP States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of a Member State of the European Union, at that Member State's request and without further formalities.

The Member States and the ACP States will provide their nationals with appropriate identity documents for such purposes. In respect of the Member States of the European Union, the obligations in this paragraph apply only in respect of those persons who are to be considered their nationals for the Community purposes in accordance with Declaration No 2 to the Treaty establishing the European Community. In respect of ACP States, the obligations in this paragraph apply only in respect of those persons who are considered as their nationals in accordance with their respective legal system.

(ii) at the request of a Party, negotiations shall be initiated with ACP States aiming at concluding in good faith and with due regard for the relevant rules of international law, bilateral agreements governing specific obligations for the readmission and return of their nationals. These agreements shall also cover, if deemed necessary by any of the Parties, arrangements for the readmission of third country nationals and stateless persons. Such agreements will lay down the details about the categories of persons covered by these arrangements as well as the modalities of their readmission and return. Adequate assistance to implement these agreements will be provided to the ACP States.

(iii) for the purposes of this point (c), the term "Parties" shall refer to the Community, any of its Member States and any ACP State.