



REGIONAL INTEGRATION OBSERVER

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Regional Integration Observer (RIO)

The RIO takes a comparative look
at West African and European
integration and deals with the
relations between the two
regions. It is a new platform for
exchange.

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The participants of the 4th WAI-ZEI Meeting of the Study Groups on
27 and 28 March 2014 at the University of Avignon, France.

What's next for EU-Africa relations? 4th Meeting of the Study Groups in Avignon

"We are all developing countries in transition", with these words, Prof. Dr. Ludger Kühnhardt, Director of the Center for European Integration Studies (ZEI) in Bonn, opened the 4th WAI-ZEI Study Group Meeting at the University of Avignon from 27-28 March 2014. He called for Africa and Europe to become learning communities, reflecting and learning from each other in order to gain new perspectives about bi-regional relations. Prof. Dr. Djénéba Traoré, Director of the West Africa Institute in Praia, Cape Verde (WAI), considered quality

education as the key development challenge for Africa and urged the two regions to focus on win-win opportunities within the partnership. Prof. Samuel Priso-Essawe, University of Avignon, further added that the challenge for EU-Africa relations would be the disconnection between African and European societies as well as to its own interests, highlighting the need for African governments to reconnect with civil society and the private sector in order to define external interests, or, as Dr. Félix N'zué, Director of the Economic Po-

Policy Analysis Unit of the ECOWAS Commission, Nigeria, put it: “Africa needs an EU strategy”.

Held shortly before the 4th EU-Africa Summit in Brussels, the workshop not only provided academics and practitioners with the opportunity to develop fresh perspectives and practical solutions for the bi-regional partnership, but also highlighted the untapped value-added of regional integration efforts. The workshop particularly focused on comparative academic work in the EU and the Economic Community of West African States (ECOWAS) in the fields of technology and innovation, energy and natural resources, as well as competition and regulatory policies for integrating trade in the service sector. “Liberalization does not equal deregulation. Instead, a liberalized market requires more regulatory efforts” highlighted ZEI Director Prof. Christian König in the specialized session on competition and regulatory policies. As private investors seek profits at supply bottlenecks, high prices can

be a good indicator of mono- or oligopolistic market structures and, possibly, overregulation. Nevertheless, effective regulation in African markets is often contradicted by the lack of adequate data, lack of political will to implement existing regulations and the lack of regulatory monitoring by an independent judiciary. Further points of discussion within the research group on “Economic integration and regional trade” were the costs and benefits of service trade liberali-

zation (which accounts for 60% of global GDP), adequate techniques and geographic modes (unilateral, bilateral, regional, bi-regional, multinational and plurilateral) to negotiate their liberalization, as well as the need to harmonize sectoral data to facilitate research and knowledge-based decision-making. There was a wide consensus among participants and guests that the sequencing of regulatory policies plays an important role, as otherwise domestic production risks to be replaced by foreign providers.

In the context of the research area on “Regional Integration and Policy Formulation Processes”, the challenges of regional energy policy as well as a regional policy for Science, Technology and Innovation (STI) were discussed. One aspect of particular relevance was the use of regulatory and fiscal measures to support the implementation of policy goals. A major obstacle participants defined was a



From right to left: Amadou Dieng, WAEMU Commission; Prof. Djénéba Traoré, West Africa Institute; Prof. Mammo Muchie, Tshwane University of Technology and Beejaye Kokil, African Development Bank at the Meeting in Avignon.

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lack of awareness of regulatory policies, e.g. the ECOWAS Energy Protocol, that are already existing in the region. This lack of awareness not only causes friction between member states but also increases the costs of cross-border energy transport and constrains investors. Against this background, the case was made for an intensive awareness raising campaign. Comparing West Africa and Europe, it was argued that specific, tailor-made state-aid measures may also support development of technologies in West Africa in some cases. However, it was also warned against merely copying the European approach of fiscal measures in the energy sector in other regions. The bi-regional energy relationship between Europe and West Africa was presented as increasingly interdependent. Also in the con-

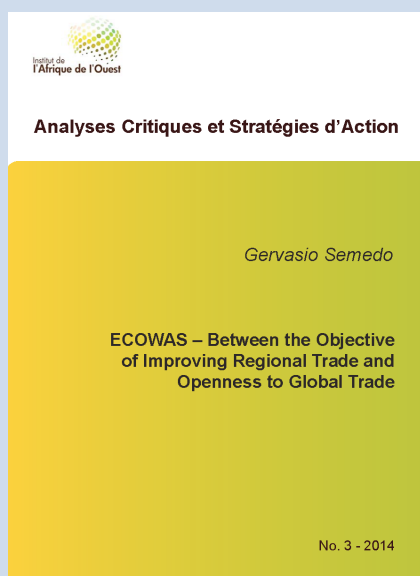
text of the Crimean Crisis, it was argued that a reinvention of the political relationship between the two regions, could contribute to a further diversification of Europe's energy supply. Furthermore, participants criticized the poor regional coordination in the field of STI in West Africa. As in other policy fields, in spite of far-reaching and ambitious goals, adequate implementation of these goals is often missing. Therefore, a "Unified System of Innovation" was urged, in which STI is acknowledged as an equal component of regional and national economic policies in Africa.

The workshop was part of the research and consulting project "Sustainable Regional Integration in West Africa and Europe", a co-operation between ZEI and the West Africa Institute in Praia, Cape Verde. The WAI-ZEI coope-

ration project is financed by the German Ministry of Education and Research (BMBF) in the years 2012-2016 as one of the lighthouse projects in transformation and education of the Ministry's Africa Strategy. The next workshop will take place on 8 and 9 September 2014 in Praia.

The conference papers will be published as WAI-ZEI Papers over the course of the next months. Up to now, ten WAI-ZEI Papers and three Regional Integration Observers (RIO) have been published and are available for download. Further aspects of the project are the establishment of a library of WAI in Praia and the elaboration of a specific Master Program in African Regional Integration in cooperation with the University of Cape Verde (UNI CV).

Publications: WAI Critical Analysis and Action Strategies



Traoré, D., 2014. Défis de l'Enseignement Supérieur en Afrique de l'Ouest Francophone: Les TIC peuvent-elles être un Vecteur de Développement? IAO Analyses Critiques et Stratégies d'Action 4/2014, Praia: IAO.

Semedo, G., 2014. ECOWAS - Between the Objective of Improving Regional Trade and Openness to Global Trade. WAI Critical Analysis and Action Strategies 3/2014, Praia: WAI.

Ambe-Uva, T. N., 2014. Towards the Fourth Generation of Mining Codes in Africa: Implication for Mineral Resource Governance. WAI Critical Analysis and Action Strategies 2/2014, Praia: WAI.

Touré, O. Z., 2014. La CEDEAO et l'UEMOA. Deux organisations concurrentes pour une intégration régionale en Afrique de l'Ouest. IAO Analyses Critiques et Stratégies d'Action 1/2014, Praia: IAO.

The 4th EU-Africa Summit. More light than shadows?

by Ablam Benjamin Akoutou*



Family photo of the 4th EU-Africa Summit on 2 and 3 April 2014 in Brussels. © EC

As the long-awaited opportunity to discuss the future of both continents and their ties, the EU-Africa Summit had to forfeit the attention of politicians and media in favor of events in Ukraine. Such sudden shifts of political attention is commonplace in foreign policy and media, and in this case the developments in Eastern Europe probably cost the summit some of the recognition, it deserved. However, due to the on-going problems in the implementation of the EU-Africa Strategic Partnership, coined in Lisbon in 2007, many had hoped that the Summit would be a new kick-start. Against the background of this difficult starting point, it is reasonable to ask about the results of this bi-continental meeting of Heads of State and Government.

In hindsight, analyzing the outcome documents of the meeting, three remarks can be made:

1. Atmospheric disturbances remain but matter less.

The refusal of Zimbabwe's leader Robert Mugabe to join the Summit, because of EU's visa ban on his wife, did not lead to a failure or even a cancellation of the Summit as was the case in 2003. Even though South African President Jacob Zuma did not come and merely send a delegation, solidarity among African leaders concerning the Zimbabwe issue seemed to find its limits in their self-interested rationalism. One might argue that this can be seen as decrease of the „neo-colonial reflex“. In the short-term or long-term, Mugabe's refusal could be seen as neglecting opportunities that Zimbabwe could pursue in the framework of the Africa-EU-Partnership.

2. The interdependence of African and European Security and the degree of African economic and human potential are increasingly recognized.

The conflict in the Central African Republic as well as the migration

issue, were indeed high on the Summit agenda. European leaders promised to do more in favour of African Ownership in the field of peace and security. The German "Enable and Enhance" (E2I) initiative as well as a financially well-equipped African Peace Facility (APF) are at the center of these efforts. Acknowledging the benefits that migration and mobility bring to both regions, another principal objective was to search for a comprehensive approach to Migration and Mobility as a vehicle for boosting sustainable development for all actors involved. This approach is indeed in the interest of both sides: instead of fighting against, the new approach is rather to contain irregular migration and so take away the breeding ground of the criminal networks behind it with the aim to avoid another tragedy of Lampedusa. To this end, EU-Decision makers promised to advance legal migration and to facilitate the flow of remittances.

Furthermore, the tone of stakeholders has become more friendly towards the African potentials for trade and economic exchange. A plea was made for a fundamental change from aid to investment as drivers of African growth. Are these signals for a slow but ongoing change in the way of thinking of Africa?

3. The shortcomings of the partnership structure have been addressed.

A lot of disappointment had accumulated since the Lisbon Summit in 2007, where the Joint Africa-EU Strategy (JAES) had been framed. Indeed, the JAES raised great expectations that could not be met in practice because of its complex, inflexible and underfinanced structure. Before and during the 4th Summit in Brussels, some of these shortcomings were discussed. As a result of the discussion, the number of priority areas was reduced from eight to five and thematically reframed. Many of the cooperation areas have been maintained or summarized under a new headline. This is hardly surprising as many of the initial objectives remain unachieved. Some recent issues have joined the list. Nonetheless, it must be acknowledged that the volume of the new Road Map has been reduced by 40 pages compared to the last action plan 2011-2013.

This action plan was characterized by its rather technical and bureaucratic approach. The technical expert structures, the so-called informal Joint Expert Groups (iJEGs), have now been



Mohamed Ould Abdel Aziz from Mauritania. The current Chairperson of the African Union at a Meeting. © EU

abandoned and the Joint Task Force was transformed into Joint Annual Forums. By introducing more flexibility into the JAES, decision-makers have reduced some of the implementation pressure that they had burdened themselves with before. Instead the procedural nature and the framework character of the Joint Strategy was emphasized.

Political dialogue structures like the meetings of the EU Political and Security Committee (PSC) and the AU Peace and Security Council (PSC) were strengthened as important pillars. Furthermore, with the new Pan-African Programme as part of the Development Cooperation Instrument (DCI), a special financial facility dedicated to Pan-African measures was created for the first time. A step forward?

Anyway, it remains unclear if this provides a remedy to the problems the JAES faced in the years before. Questions remain regarding the relationship between continental and sub-regional integration on the African side and regarding the commitment of EU Member States to focus on their Africa policies, given the current developments in Eastern Europe: Does more flexibility in

the JAES necessarily create more political will to elaborate a suitable and coherent European Africa policy, staying on the path since the Cairo Summit 2000, or does it rather give reason to refer to the long-term character of the partnership as an excuse for disengagement? Will the partners be able to overcome existing reservations in favor of tapping joint potentials?

Against this background, the question if there is really more light than shadow seems justified. Rather than measuring the achievement of numerical goals in certain areas, the success of the JAES will express itself in the future ability of the AU to deal with armed conflict with less and less external support, in the ability to forge a common position for the climate change negotiations in 2015 and in the elaboration of frameworks supportive of economic and human exchange, that enable acceptance and mutual understanding and a connection of societies with the political partnership project. These factors will prove if the JAES can regain the substance it has obviously missed so far and if it can undergo the change that is needed to tackle existing challenges in an efficient and mutually beneficial way.



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Mega-regionals vs. the global South - Why ECOWAS should care about the US-EU Free Trade Agreement

by Rike Sohn*

Apart from remarkable progress in the WTO Package agreed upon in Bali (particularly the new Agreement on Trade Facilitation), the global trade agenda in 2013 focused rather on bi-regional than multilateral negotiations, namely the Trans-Pacific Partnership (TPP)¹ between the US and twelve Pacific States and the Transatlantic Trade and Investment Partnership (TTIP) between the US and the EU. The latter of these two mega-regionals had been on the table for quite a while with former German Foreign Minister, Klaus Kinkel, proposing the idea in 1995 but has re-gained momentum following the financial crises, austerity policies and growing fears of global competition. Since its re-announcement on 13 February 2013, four rounds of negotiations have taken place with the goal of conclusion by December 2014.

Encompassing a marketplace covering a third of global trade, half the world's total economic output and over 800 million people, TTIP would be the biggest trade deal of all time. It may well become one of the deepest trade agreements, as it would go way beyond traditional trade barriers but also non-tariff barriers (NTBs) such as environmental and consumer protection standards; regulations for investor protection, competition policy and public procurement and de-

regulation of the service sector beyond the GATS.² Framed as a 'living' agreement, TTIP may not only affect actual but also future regulatory cooperation and legislative harmonization.

Proponents argue that a comprehensive reduction of tariffs and NTBs will increase economic efficiencies and competitiveness without using taxpayer money; boosting the transatlantic



The US and EU Chief Negotiators Dan Mullaney and Ignacio Garcia Bercero. © EU

economy's GDP between 1.5% and 3.5%, creating 400 000 new jobs, strengthen investment and innovation potential, and enhance labour mobility.³ On the other side, a broad coalition of farmers, internet activists, environmentalists and anti-globalization critics fear that previously high regulatory standards will experience a race to the bottom and complain that negotiations are held without sufficient public participation. Opponents are

also suspicious that the consolidation of investor-to-state arbitration will manifest in the primacy of investor rights over states and environmental or social legislation.

However, preferential trade agreements like TTIP do not only affect negotiating countries but also those that do not sit at the table: When tariffs across the Atlantic diminish and third parties' market access regulations stay constant, the latter become relatively higher, leading to trade diversion. This effect is particularly high if there are good substitutes for the exported product and no alternative export markets close by, as it is the case for most West African exports. As the scope and geographical distribution of trade diversion effects resulting from TTIP clearly depend on the comprehensiveness of the new agreement and as most studies focus on negotiating parties, it is hard to give exact estimates of the economic effects for the ECOWAS region. According to a study from the Bertelsmann foundation, Cote d'Ivoire and Guinea would be among the biggest losers from trade diversion effects resulting from comprehensive TTIP tariff reductions, with diminishing per capita incomes of 6.4% and 7.4% respectively, while the entire region may lose an estimated average of 4.0%. However, the Eu-

1 TPP negotiations have been ongoing since 2010 and include Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States of America and Vietnam.

2 According to an study commissioned by the German federal Ministry for Economy and Technology, weighted EU-US average tariffs were already at a low 2.8% in 2007, only peaking for sensitive average areas such as textiles, automobiles and agricultural products. See Felbermayr, Gabriel et al. (2013), Dimensionen und Auswirkungen eines Freihandelsabkommens zwischen der EU und den USA, ifo-Institut, Munich, January 2013, p.4.

3 See AmCham: <http://www.amchameu.eu/TTIP/tabid/400/Default.aspx>

European Commission finds these figures overestimated.⁴

NTBs, however, distort trade in a different way than tariffs (that basically redistribute income from consumers to producers) as they cause direct economic costs. In fact, complicated import formalities and procedures often result in higher costs than import duties themselves. If standards are harmonized or mutually recognized through agreements (MRAs), exporting costs for third countries will diminish, facilitating integration into global supply chains. However, if the EU and the US agree on setting higher or lower standards instead, developing country firms will find it more difficult to adapt, especially as initial adjustment costs will be

⁴ Felbermayr, Gabriel; Heid, Benedikt; Lehwald, Sybille (2013), Die Transatlantische Handels- und Investitionspartnerschaft (THIP). Teil 1: Makroökonomische Effekte, Bertelsmann Stiftung, Gütersloh, 2013, p.26-30; Felbermayr et al. (2013), p. 6-7; European Commission (2013) Transatlantic Trade and Investment Partnership – Economic Analysis Explained, September 2013, p.11

high. In either case, and even if an overall increase in transatlantic import demand due to increased transatlantic welfare may offset some of the trade diversion effects discussed above, the overall effects for the West African region are expected to be rather negative.⁵ Finally yet importantly, common standards in the world's largest trade zone entice third countries to adjust their own standards, possibly trade agreements, and improve the transatlantic bargaining position. Doing so, TTIP may set new global industry and service standards in areas, where developed country firms enjoy competitive advantages and which have been repeatedly deadlocked since the WTOs founding ("Singapore issues"). 'Slipping regulations through

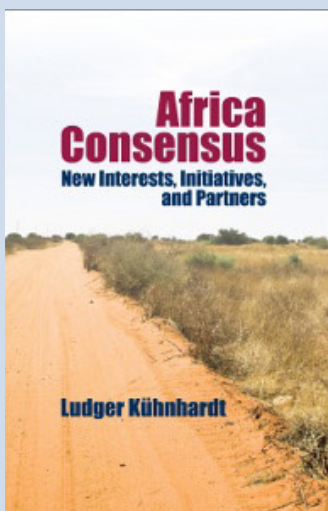
⁵ Berger, Axel; Brandi, Clara; Kubny, Julia (2013), What are the Implications of the Planned US-EU Free Trade Agreement for Developing Countries? Development in Brief, KfW, Frankfurt, No. 18, 15 November 2013.

the backdoor' may fragment global trade negotiations even further because emerging economies such as Brazil, China and India may not want to become rule-takers, forming opposing trade blocks in return. If West Africa does not want to be grinded between competing trading blocs, it should speed up economic integration to increase its bargaining power, while lobbying for possibilities to extend EU-US mutual recognition agreements to third countries and a truly multilateral agreement within the WTO. Although progress in the Doha Round is unlikely, a single undertaking would still be preferable than fragmented multi-speed agreements.



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Ludger Kühnhardt. Africa Consensus: New Interests, Initiatives and Partners, Washington D.C./Baltimore, 2014.



In the past, the world scrambled for Africa to win slaves, territory, and resources. Today, the world scrambles with Africa to do business in global markets. In *Africa Consensus: New Interests, Initiatives, and Partners*, Ludger Kühnhardt argues that new African politics, African regional institutions, and global demand for partnerships for trade and security will lead the continent to new relationships with the United States, the European Union, China, India, Brazil, and other emerging economies.

Kühnhardt reviews the history of Africa's international status and employs the rising African Union's own identified "intervention areas"—peace and security; development, integration, and cooperation; shared values; and institution- and capacity-building—to analyze challenges and possibilities.

Understanding Economic Partnership Agreement negotiations in West Africa

by Quentin de Roquefeuil*

The EPA process in West Africa has been derailed once again. The European Commission (EC) and West African negotiators from the Economic Community of West African States (ECOWAS) had reached an agreement in January, but it looks like Nigeria is having second doubts about signing the agreement. The concerns it voiced at the latest ECOWAS Heads of States and Government Summit amount to a re-opening of negotiations on key issues, something the European side will in all likelihood be very reluctant to embark upon. Regardless of the outcome of the Economic Partnership Agreement (EPA) negotiations in West Africa, there is no doubt that they have fallen short of initial expectations. The agreement will essentially cover goods: 75% of tariff lines on the West African side. The process itself has been slow and at some points acrimonious. And the final result is far from being popular with civil society and industry groups, parliamentarians, or society at large.

Understanding this dire state of affairs is, however, relatively straightforward. Firstly, there is very little to be gained in market access terms for West African countries in the negotiations, which means that little support for the EPA took shape in West African countries. Secondly, there was never a real buy-in on the West African side into the “reform through trade” logic underlying the EPA. Finally, ECOWAS’s trade

policy is still very much a work in progress. The region has had difficulties reconciling the different interests between its Members states in order to come up with a consolidated position, as the latest developments attest.

The West African dilemma explained:

The motivation for EPA negotiations in West Africa can be boiled down to the need to secure preferential market access on a few tariff lines of importance to Cote d’Ivoire and Ghana. Indeed, West African countries have benefited for a long time from quasi Duty Free Quota Free (DFQF) access to the European market through the so-called Lomé preferences. This means that they did not have to pay import tariffs on most of their exports for decades, although a few commodity specific regimes were in place.

Preferential access confers an artificial competitive advantage to exports: while other exporting countries face the standard Most Favored Nation (MFN) tariff rate for their exports, countries benefiting from a preferential rate will pay less taxes at the border. For various reasons the Lomé preference which West Africa had enjoyed for decades could not be extended beyond 2007. In order to keep the same level of market access, they would have to open their own markets. This is the basic idea behind converting unilateral preferences into a bilateral trade agreement.

Not all countries, however, face the same consequences arising from a loss of preferences. Without an EPA, West African countries would be “retrofitted” into one of the EU preferential schemes: the Generalized System of Preferences (GSP), GSP+ or Everything But Arms (EBA), available to different categories of developing countries. The schemes are unilateral in nature, meaning that (almost) all developing countries qualify for them, and nothing is asked of them in return in terms of opening their own markets.

The principal difference between the GSP, GSP+ and EBA is their coverage and depth: the schemes do not provide tariff reductions on the same goods, and the tariff reductions are sometimes partial. The GSP offers partial coverage, and of the lines included in that partial coverage a good share of them are only partially reduced from the Most Favored Nation (MFN) rate. The GSP+ has roughly the same coverage as the GSP, but eliminates duties completely on the tariff lines covered. Only EBA, available to Least Developed Countries (LDCs), is comparable in terms of market access to the Lomé preferences: it offers DFQF market access, meaning that LDCs pay no tariffs whatsoever on all the products they export to the European Union. Therefore it is possible to distinguish a couple of “ideal types” of countries with

varying levels of interest in EPA negotiations in the region:

- Least Developed countries (LDCs), for whom EPA negotiations have no real added value. Without an EPA, they would enjoy a similar level of market access through the EU's EBA scheme. Generally, these countries fear increased competition from EU goods and loss of customs revenue, a major source of fiscal income.
- Non-LDCs are largely satisfied with GSP market access for which the fallback option from EPAs was acceptable economically speaking. Nigeria is an example of this type of country: its export basket is dominated by petroleum products, covered by the GSP. Its cocoa industry, whose products are not covered by the GSP, faced increased duties when Nigeria decided not to sign an Interim EPA and suffered compared to its regional competitors. The Nigerian government was more inclined to protect its industrial sector than to safeguard market access for its cocoa exports.
- Non-LDCs exporting a product not fully covered by the GSP for whom the loss of DFQF access would mean significant disruption of their exports (such as Cote d'Ivoire and Ghana). For these countries, losing Lomé-style DFQF access entails significant economic (and social) costs. The export lines of importance to them (processed cocoa products, bananas or flowers) are not covered in the fallback preferential scheme available to them:



Negotiators of both sides, discussing the future of the EPA for West Africa.
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the GSP or the GSP+. These countries are, by and large, the main reason why EPA negotiations are still ongoing. Their position can be understood as a compromise between safeguarding market access on a handful of tariff lines while at the same time remaining part of a regional grouping that in most cases involves the building of a customs union.

Thus, in West Africa, the only two countries in favor of an EPA from the start were Cote d'Ivoire and Ghana. Since countries are negotiating as a group, as part of a future or current Customs Union (ECOWAS/UEMOA), an additional layer of complexity was added. Countries had to weigh the costs and benefits of an EPA for themselves, but balance this against the importance they attach to keeping their regional group together. It is remarkable that they have managed to maintain regional unity to some extent despite the different incentive structures they face.

Why so little traction?

From the description above it should be clear that in a way, EPA negotiations were doomed from the start: negotiating one's own market opening to maintain the status quo, without additional incentives, is challenging. Trade negotiations are run on the basis of a quid pro quo: I open my market, you open yours. Some businesses will oppose the deal because of increased competition from imports, but at least exporters will be in favor of the deal. In the case of EPAs, however, African governments have little to show in terms of "new" market access opportunities, since the EU market is already almost completely open. There was relatively little "new" to be gained in mercantilist terms, and no domestic coalition pushing in favor of EPAs emerged. This could have been counterbalanced if other issues of interest to African countries had been put on the table by the EU, such as

the mobility of temporary labor (mode 4). Perhaps more importantly however, EPAs are an agenda for internal reform. Or at least they could have been seen as such. It is not a secret that in many cases, an important motivation underlying North-South FTAs is a willingness to reform internally on the developing country partner side. This dynamic was prominent during the negotiation of the North American Free Trade Agreement for example, where president Salinas of Mexico saw the agreement as a way of furthering the internal reform agenda. In the case of

EPAs however, the development model proposed and emphasized by the EU during negotiations never caught on in African countries, West Africa included. In some cases it is diametrically opposed to the direction economic policy making is going in some ECOWAS member states such as Nigeria, where protection and state support to domestic industries are in vogue.

West Africa might end up signing onto an EPA, but one can question the rationale behind signing onto an FTA for the sake of safeguarding preferential margins on a few export lines.

It could have beneficial impacts, in the long run, on regional integration in the region notably because ECOWAS has had to fast track the design of its Common External Tariff during the process. But in terms of implementation and buy in of the final agreement, if signed at all, prospects are bleak.



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ECOWAS: Institutional Reforms as a Response to the Challenges of Regional Integration

by Omorou Zackaria Touré*

Regional Integration is a long-term process. Thus, institutional reforms are seen as a means to adapt to changes in the national and international environment. Reforms of the ECOWAS founding Treaty of Lagos (1975), were initiated in 1993 with the Revised Treaty and continued in 2006, 2013, and 2014. These reforms were aimed at following the integration dynamics and making ECOWAS more mature by repositioning it vis-à-vis the population, which was less involved in the regional integration process so far, by improving the living conditions of people, ensuring economic growth and creating a favorable environment for development and integration. It is also in this framework, that the implementation of the global "Vision 2020" which advocates the passage from an ECOWAS of States to an ECOWAS of People,

takes place. This implies a shift from the traditional way of intergovernmental governance to a more supranational type facilitated by strengthening the powers of the Community institutions with a functioning legal regime for the acts of these bodies.

The strengthening of the powers of the Community institutions concerns primarily the decision making bodies - the Authority of Heads of States and Government and the Council of Ministers. Their functioning was largely dominated by the intergovernmental type of governance. The objective of the reforms was therefore to ensure an effective transfer of sovereignty essential for the continuation of the integration policy. Already in 1993, the revised Treaty introduced majority as a mode of decision-

making including a surveillance mechanism to implement decisions. However, the reforms had little impact on the powers of the Council of Ministers. It remained largely supervised by the Authority of Heads of States and Government.

Secondly, the reforms aimed at adapting the functioning of the Commission in order to meet objectives assigned to it. Its status as a permanent body executing the decisions of the Authority of Heads of States and Government and the Council of Ministers deprived it of real decision-making power or initiative in integration matters. Recent reforms have now endowed it with more powers (in 2014, creation of 52 posts, six new departments) and Commissioners (9 in 2006 to 15 in 2014) in charge of smaller and more clearly de-



The President of the ECOWAS Commission and the President of the WAEMU Commission during a meeting of the Joint Technical Secretariat.
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financed sectors. It will have much more impact and visibility in the Member States. However, it lacks the competence to conclude international commercial treaties, a prerogative that belongs to the Member States (Article 83 of the Revised Treaty). The only occasion on which the Commission has been mandated to act was the negotiation of Regional Economic Partnership Agreement with European Union on behalf of the Community and Mauritania. The entry into force of the ECOWAS Common External Tariff on January 1st 2015 will perhaps correct this deficiency.

Finally, reforms also impact the supervisory bodies - the Parliament and the Court of Justice - responsible for compliance with the community rules. The Parliament is an advisory body. However, its powers shall gradually evolve from the advisory role to that of co-decision and legislative powers in matters defined by the Conference with the possibility of full legislative powers, and the direct election of deputies. As far as the Court of Justice is concerned, it can receive cases brought before it by individuals and matters brought by national courts for interpretation. Yet, it remains nearly inaccessible to

ordinary citizens and Member States mostly do not refer to it.

Another aspect of the 2006 institutional reforms is the adoption of a new legal regime for Community acts that define a set of rules governing the structure, powers and functions of the Community. This regime allows the Community recourse to Supplementary Acts, Regulations, Decisions, Directives, Recommendations and Opinions to implement Member States' commitments. Thus, Supplementary Acts are adopted to complete the Treaty without modifying it. They are binding on Member States and the institutions of the Community. Regulations have general application. They are binding in their entirety and directly applicable in all Member States without the need for transposition into national legislation or ratification by parliaments. Directives are binding on all Member States as to the results to be achieved by States. They must be transposed into national legislation. Decisions are binding in their entirety upon those to whom they refer. They are notified to their addressees and shall take effect from the date of notification. Recommendations and opinions are not binding.

In this context, however, delays in taking and implementing the decisions are another deficiency that deserves special attention because it denotes the ability of community leaders to set goals and to provide for the means to achieve them. Studies revealed that Member States took five to ten years to implement ECOWAS protocols and conventions. The new regime did not bring substantial change to this. As a result, the integration process is slow because the region lacks a strong political foundation supporting it.

In sum, although the introduction of institutional reforms is a welcome initiative, their real impact is barely noticeable. Only experts, officials and researchers can detect progress. Delays are another deficiency that deserves attention because as it denotes the ability of community leaders to set goals and to provide for the means to achieve them. As a consequence, ECOWAS is not popular among the citizens. To be successful, institutional reforms should be accompanied by an outreach program that can enhance an integration culture. ECOWAS authorities may develop other initiatives such as ECOWAS TV, training schools with exchange programs, a website regularly updated or a network of correspondents to counter this trend.



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Africa - A new Political Priority for Germany?

by Matthias Vogl*

On the 21th May 2014, the German Government adopted its new "Africa Policy Guidelines". This 15 page document reflects a slow but steady change of thinking about Africa in a country without much of an Africa political tradition. While critics state that it has become fashionable to draft a new Africa concept every legislature, the mere fact that this is the case shows the new role that the continent plays. And it also shows the lack of internal debate so far. Since the rebellion in the north of Mali in 2012, Africa is more present than ever in Germany. This could also be seen during the conflict in the Central African Republic in early 2014. As a consequence, the German government announced a new Africa strategy. The recently published Guidelines are the outcome of this process.

Given the short period, in which they were drafted, it does not come as a surprise, that the Guidelines do not reveal some kind of revolutionary change. They rather summarize the existing German engagement. The news is however, that an enhanced commitment in almost every policy field is heralded. Hence, in spite of the events in Ukraine, Africa seems to be climbing the ladder of German foreign policy priorities.

The fact that change is slow and incremental, is however confirmed by the language that is used. On the one hand, it is true that the

potentials of Africa are being explicitly emphasized (but this was already done in the Africa Concept of 2011). However, the illustration of Africa as a continent of risks and crises still dominates (even though not so much as in former times). The Guidelines do not reflect particularly clearly, how, apart from mitigating these risks and crises, increasing economic interest should be turned into political practice.

Given the set of problems, the African continent is facing, a structural approach and a development focus which is reflected in the Guidelines is still necessary. At the same time, the debate would become more honest and live up to the obvious strategic ambition of the German Government (explicitly expressed in the Guidelines for the first time), if talk would not only be about how to help Africans make use of their potentials, but also on how to tap into these potentials from the German and European side. This would also help to sell increasing engagement to the German public, who is not very connected to this topic so far, and would avoid double standards. The Guidelines only do this in a few points. They are for example, less precise than the Africa strategy of the German Development Ministry which came out in March 2014. The almost parallel publication of these two documents is also an example for the internal struggles that can prevent

a coherent picture of German Africa policy in practice.

For many observers, the basic rationale of German Africa policy is to appease French pressure for burden-sharing, especially in the field of security policy. In this context, the tension between recent announcements to strengthen the German role in Africa in this sector and the actual focus on low risk E2I (Enable and Enhance Initiative), which focuses on training and equipping African armies, gives food to critics (the readiness to take part in more risky operations in Africa is mentioned but hidden somewhere between the lines and leaving enough flexibility). Although E2I is a very valid concept in the long-term, it remains to be seen if this concept together with the Guidelines will suffice, to balance the pressure from other Member States when new conflicts arise and to make Germany a credible player in European Africa policy. In this context, the ambition to frame this policy through a division of labor, as pronounced in the Guidelines, risks to be seen not as a suggestion to make use of synergies but rather as an excuse for not acting the way a responsible big EU Member State could do.



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