

EU-AU relations: What role for civil society?

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On 28 April 2009, foreign ministers from the European Union and African Union will meet in Brussels to assess progress on the Joint Africa EU Strategy (JAES) adopted in Lisbon, in December 2007. A week earlier, on 20 April, a session of the EU-AU Human Rights Dialogue will be held in Brussels. European and African leaders have committed to civil society participation in these processes but, to date, these commitments remain largely unfulfilled, with information hard to come by and access still disputed. Nevertheless, civil society in Africa and Europe should be gearing up to engage in these debates - important issues will be on the table for discussion by our leaders.

This article will set out some background for the JAES and Human Rights Dialogue, the potential role of civil society in their implementation, and make recommendations for action.

I. What is the Joint Africa-EU Strategy?

The Joint Africa-EU Strategy provides a long term framework for relations between the AU and the EU, based on equality and shared interests. The Strategy is meant to be an ‘umbrella’ for all existing and future cooperation between the two organizations, and has a Plan of Action with specific priorities and outcomes to be achieved by 2010. These are structured along eight areas of cooperation (known as ‘partnerships’) that cover important subjects for civil society in both continents, from peace and security to governance, human rights, trade, migration and climate change (see Annex on key information).

Although there are differences between partnerships, their work has generally progressed slowly. For example, the partnership on Democratic Governance and Human Rights has reported some progress in their priority areas (dialogue in international *fora*, support for African governance mechanisms and cooperation in cultural goods), but has yet to agree a common concept or way forward for these broad and ambitious priorities. Concrete implementation projects are defined by the Joint Expert Groups (JEGs) established for each of the partnerships. They bring together working level representatives and have an African and European ‘lead’ to push forward their agenda. For example, Egypt, Portugal and Germany lead the JEG on Democratic Governance and Human Rights (see Annex for list of all lead countries).

The appointment of an EU Special Envoy to the African Union and the strengthening of the AU delegation in Brussels are among the few direct and immediate results of the Strategy. These two delegations are responsible for many of the daily contacts between the EU and AU and for the preparation of the officials' meetings that take place regularly in both continents (see Annex).

II. The Human Rights Dialogue

The EU and AU have established a regular Human Rights Dialogue - a foreign policy instrument the EU uses in its relations with several non-European countries.¹ This Dialogue was officially launched in 2008 and is supposed to hold twice yearly session alternatively in Europe and Africa. Human rights organizations have often criticized the EU's human rights dialogues because of limitations on civil society participation and lack of independent assessment of their impact on concrete situations. However, having this additional institutional mechanism to discuss human rights concerns in both Europe and Africa is a positive development. Although this Human Rights Dialogue is separate from the Joint Africa-EU Strategy, there will be overlap and collaboration between the two processes,

¹ For example, the EU holds human rights dialogues with China, Central Asia, India, USA, Canada and Japan. They can take place autonomously or in the context of broader political discussions, at either experts or political level.

making it all the more important for non-governmental organisations (NGOs) to engage with it.

III. Where, in all this, stands civil society?

The Joint Africa-EU Strategy is meant to be a “people-centred partnership” and states clearly that the AU and the EU “will empower non-state actors”. Both parties pledge to make the Joint Strategy “a permanent platform for information, participation and mobilization of a broad spectrum of civil society actors” and affirm that the Strategy’s objectives can only be achieved “if this strategic partnership is owned by all stakeholders, including civil society actors and local authorities, and if they are actively contributing to its implementation.”² The reference language for the Human Rights Dialogue also opens the possibility for involving civil society, which “could become involved under the most suitable arrangement in the preliminary assessment of the human rights situation, in the conduct of the dialogue itself...and in following up and assessing the dialogue”.³

Despite these good intentions, involvement of civil society actors so far has been slow and limited. There are no agreed procedures for civil society participation in the overall implementation of the JAES. Access to working level meetings is mostly ad hoc with each Joint Experts Group establishing for itself suitable ways to involve civil society organisations. The first EU-AU civil society event scheduled to precede a ministerial meeting (28 April) was postponed after the European organizers pulled out, due to time constraints and difficulties raised by the AU over the participation of African NGO’s.

One positive development is that the first session of the Civil Society Forum foreseen under the Human Rights Dialogue will definitely take place on 16-17 April, in Brussels. The draft agenda, though made available at fairly short notice, focuses on important issues in both Europe and Africa - legal frameworks for civil society, the impact of anti-terrorist legislation, and the fight against torture. The Forum will report the outcome of its discussions to the official’s meeting on 20 April.⁴ One can only hope that adequate financial provisions will be made to ensure future sessions of this Forum.

The AU has maintained that African civil society engagement in the JAES should be done only through the AU’s Economic, Social and Cultural Council (AU ECOSOCC). An AU Commission consultation meeting with NGOs (Nairobi, 3-5 March 2009), decided to establish a civil society Steering Group made up of 21 representatives to follow the implementations of the Strategy. This Group includes organizations that are not members of the AU ECOSOCC, but it should be chaired by an ECOSOCC member and its input apparently be channelled through the ECOSOCC. The AU Commission (Directorate for Citizens and Diaspora-CIDO) is also a member of the Steering Group. In general, there is not much information available about African civil society consultations on the eight partnerships.

European civil society participation in the JAES has been ensured also through a Civil Society Steering Group (CSSG) made up of the European organizations most interested in or active at the implementation of the Strategy. This self-selected group came together in a fairly informal way, following a request by the European institutions for civil society organisations to structure their input. There is one CSSG contact point for each of the partnerships (see Annex). The CSSG is not part of the European Economic and Social Committee (EU ECOSOC), which is an official EU body of non-state actors from the social and economic fields⁵. The EU ECOSOC has been loosely involved in the

² *The Africa-EU Strategic Partnership - A Joint Africa EU Strategy*, http://africa-eu-partnership.org/alfresco/d/d/workspace/SpacesStore/37336a7f-95d2-11dd-8816-21f41be19738/EAS2007_joint_strategy_en.pdf?guest=true

³ *EU Guidelines on Human Rights Dialogues with Third Countries – an update*, <http://www.consilium.europa.eu/showPage.aspx?id=822&lang=en>

⁴ The European Commission is financing the meeting, so travel and accommodation costs of African NGOs will be covered. Please contact Commission officials in the organization before incurring in any expense as limitations may apply.

⁵ It includes trade unions, employers associations and general interest organizations, such as farmers or environmental

implementation of the JAES and it is by no means the only vehicle for civil society engagement with EU institutions. European NGOs, like their African counterparts, are not a unified and cohesive body. In Brussels, they operate very fluidly, both on their own and in partnerships, networks or platforms that interact with EU institutions in formal and informal ways.⁶

The degree of involvement of European civil society organisations varies somewhat. The lead European countries for the Partnership on Democratic Governance and Human Rights, for example, have made an effort to share information about their discussions with the African counterparts. However, these have been mostly around methods and procedures for the work of the Partnership, rather than the substantive issues. Recently the states involved in this partnership invited two civil society representatives to attend the second JEG meeting of this partnership (30-31 March in Lisbon); while this was a very positive step, notice of the meeting was short and two weeks ahead, neither an agenda, nor discussion papers had been shared.

IV. Conclusion

The matters under discussion at these meetings are too important for civil society to ignore, whatever the imperfections of the consultation process. If meaningful joint actions are carried out in these areas, they could have a major impact on the work of many NGOs and the lives of communities. The Strategy can also be a means for civil society organizations from both continents to learn about each other - find commonalities and acknowledge disagreements - in the understanding that the more they know and contact with each other, the better the chances of impacting the policies and actions at stake in the Strategy. Critically, this is an opportunity for civil society from both continents to raise concerns about EU policy and practice and to look at the coherence between the internal and external action of the EU in key areas such as human rights and governance.

However, the systems for consultation do leave a lot to be desired, on both the European and the African side, despite commitments to a 'people-centred' approach. We are reaching the point where, given the difficulties in meaningful participation, civil society organisations will lose interest and the Strategy – if not the Human Rights Dialogue - will be little more than a set of wonderful commitments around which officials meet occasionally in Europe and Africa, making no difference to the future of both continents and the relations between them.

What can be done?

The official bodies of the EU and AU must fulfil their responsibilities. EU and AU governments and institutions should make timely information available about meetings and the items on the agenda for discussion, as well as promote more events where civil society can comment on and feed into official policies, while supporting direct contacts between civil society organisations from Europe and Africa.

But civil society organizations should not wait for the officials to take the initiative. They should approach the European and African Union Commissions and Member States to express their interest in the Strategy and specific Partnerships, enquire about progress made and let them know they are monitoring the implementation of the Action Plan - similarly for the human rights dialogue. They should ask about and push for open and inclusive mechanisms for civil society involvement. In their absence they should develop informal contacts with the institutional civil society representatives and government and Commission officials – both ahead of key meetings and on a regular basis. Civil society organisations should also present concrete recommendations in their areas of expertise, through submissions to officials or, where appropriate, public statements or advocacy campaigns

groups.

⁶ Just as an example, check the website of the EU Civil Society Contact Group which brings together some of the biggest European platforms of public interest organisations coming from different sectors – culture (EFAH), development (CONCORD), environment (Green 10), human rights (HRDN), lifelong learning (EUCIS-LLL), public health (EPHA), social issues (Social Platform) and equality between women and men (EWL): www.act4europe.org.

'hooked' on official meetings. Finally they should reach out to and promote contacts with civil society organisations in the 'other' continent. With such an effort, the meetings that risk being no more than formulaic might actually become spaces for real discussion and decision-making.

Annex: Joint Africa-EU Strategy - key information

EU-AU Human Rights Dialogue contact: Emma.ACHILLI@ec.europa.eu

Key EU-AU official meetings

Africa-EU Summit: Heads of State and Government meet every three years, alternatively in Europe and Africa.

Africa-EU troika: senior officials and ministers meet twice a year, alternatively in Africa and Europe. The troika involves the current and incoming EU presidencies, the European Commission (EC), the EU Council Secretariat, the current and outgoing AU presidencies and the AU Commission (AUC).

Commission-to-Commission meetings: The EC and AUC meet several times a year at working level as a Task Force. Political guidance is provided by the meetings, once a year, of the EU and AU Colleges of Commissioners.

Joint Expert Groups (JEG): experts from both sides responsible for the implementation of each partnership meet informally several times a year to discuss concrete implementation projects. Their work is prepared and followed up by separate EU and AU Implementation Teams. Each JEG has a lead country institution.

European CSO contact points for each partnership

Peace and Security – European Peacebuilding Liaison Office (cbiscaldi@eplo.org)

Democratic Governance and Human Rights – Amnesty International (sdennison@aieu.be)

Trade, Regional Integration and Infrastructure – CONCORD (Pb@eu-ngo.dk / ksohet@aprodev.net)

MDGs – CBM (lars.bosselman@cbm.org)

Energy – Climate Action Network/Europe (karim@climnet.org)

Climate Change - Climate Action Network/Europe (karim@climnet.org)

Migration, Mobility and Employment – ETUC (gclotuche@etuc.org) and ITUC (isabelle.hoferlin@ituc-csi.org)

Science, Information Society and Space (no one for the moment)

Partnerships and lead countries/institutions

Peace and Security - EU Council Secretariat and Algeria

Democratic Governance and Human Rights - Portugal+Germany and Egypt

Trade, Regional Integration and Infrastructure - European Commission and South Africa

MDGs - United Kingdom and Tunisia

Energy - Germany+Australia and AU Commission

Climate Change - France and Morocco

Migration, Mobility and Employment - Spain and Egypt

Science, Information Society and Space - France+Portugal and Tunisia

Useful links (access to key documents and calendar of events)

<http://europafrica.org/>

<http://www.africa-union.org/root/AU/AUC/Departments/BCEP/CIDO/cido.htm>

http://ec.europa.eu/development/index_en.cfm

<http://www.ecdpm.org/>

<http://africa-eu-partnership.org/au-eu/pages/templates/home.jsp?subkey=1&locale=en>

<http://www.consilium.europa.eu/showPage.aspx?id=822&lang=en>