www.jcer.net

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

ISSN 1815-347X

Contents

Contributors

Sarah Delputte, *Ghent University*

Mark Furness, *Deutsches Institut für Entwicklungspolitik*

Luciana-Alexandra Ghica, *University of Bucharest*

Patrick Holden, *University of Plymouth*

Stephen Hurt, *Oxford Brookes University*

Patryk Kugiel, *Polish Institute for International Affairs*

Simon Lightfoot, *University of Leeds*

Mark Langan, *Newcastle University*

Balázs Szent-Iványi, *Aston University*

Iliana Olivié, *Elcano Royal Institute & Complutense University of Madrid*

Jan Orbie, *Ghent University*

Aitor Pérez, *Elcano Royal Institute*

Maryna Rabinovych, *University of Hamburg*

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Introduction

EU development policy: evolving as an instrument of foreign policy and as an expression of solidarity

Mark Furness, Luciana-Alexandra Ghica, Simon Lightfoot and Balázs Szent-Iványi

Citation

Furness, M., L. Ghica, S. Lightfoot and B. Szent-Iványi (2020). 'EU development policy: evolving as an instrument of foreign policy and as an expression of solidarity', *Journal of Contemporary European Research* 16 (2): 89-100. https://doi.org/10.30950/jcer.v16i2.1156

First published at: www.jcer.net

Abstract

This article introduces the special issue on the evolution of European Union development policy, against the background of fundamental challenges that have emerged since the 2009 Lisbon Treaty. The special issue's objective is to highlight the complex dynamics of a policy area that is called on to address the massive challenges of poverty, inequality, healthcare capacity, climate change, insecurity and weak governance in countries of the global south, and at the same time support European foreign policy objectives including political stability, migration management, access to resources and markets. In this introductory article, we attempt to sketch the broad outlines of the conceptual and practical dilemmas faced by a policy area that is supposed to be able to fix almost any problem. We observe that European development policy's evolution is driven by the tension between its raison d'être as a concrete expression of global solidarity and international cooperation, and its increasing instrumentalisation in the service of European economic and security interests. We highlight some of the key challenges that have emerged in the last decade, including rising populist nationalism and Brexit within Europe, the changing nature of relationships between Europe and countries who receive EU aid, and the changing nature of development cooperation itself, exemplified by the 2030 Agenda and the Sustainable Development Goals. We outline the specific contributions the articles in this special issue make to research and policy debates on the themes we raise in this introduction. We conclude that the battle between the forces of solidarity and instrumentality has evolved EU development policy into an impossibly complex arena of competing norms, practices and institutions, which raises many open questions for future research.

Keywords

EU development policy, EU foreign policy, solidarity, instrumentalisation

EU DEVELOPMENT POLICY: THE ONE YOU TURN TO WHEN THE CHIPS ARE DOWN

The EU's international development policy has been evolving continuously over the last decade, in response both to the shifting international development landscape and to shifting political realities inside the EU. Since the Lisbon Treaty came into force in 2009, the global impacts of the 2008 financial crisis became apparent and the austerity with which many EU governments responded to the ensuing Euro crisis had both financial and political consequences for development cooperation (Berginer 2019). Increasing migration pressure on Europe, due to myriad factors including demographic change, increasing global inequality, the impacts of climate change on many developing regions, wars and mass displacement, and incoherent European immigration policies, has had huge impacts on development policy frameworks and aid budgets, especially since the Syrian refugee crisis in the autumn of 2015 (Knoll and Sherriff 2017).

Since 2015, global development has itself been reconceptualised as an interrelated set of multifaceted economic, environmental, and institutional challenges by the 2030 Agenda and the Sustainable Development Goals (SDGs), with far-reaching implications for the norms and practices of international development cooperation (Brown 2020). Meanwhile, geopolitical shifts, including the rise of the BRICS (Brazil, Russia, China, India and South Africa) and Arabian Gulf donors, the retreat of the United States from its pre-eminent role in global development, and the fast-approaching end of the 'post-colonial' development paradigm, are all challenging the EU to re-define its global position as a leading donor of official development assistance, and as a decision-making system where global development norms and standards are set (Gänzle et al. 2012; Schöneberg 2016).

EU development policy is not only expected to address the consequences of poverty, inequality, weak governance, climate change, environmental degradation and unmanaged migration. It has also come to be seen as the EU's 'cornerstone' policy, able to address the 'root causes' of these phenomena, including socio-economic exclusion, continued reliance on fossil fuels, unsustainable agricultural practices, violent conflict, elite corruption and political repression. For example, development policy has been called upon to respond to the unprecedented shock from the Coronavirus crisis in 2020, even before the consequences of the pandemic for developing countries could have been known (Urpilainen 2020). Such enormous expectations inevitably raise impossible demands on political decision-makers and the bureaucratic systems through which policies are defined, negotiated and implemented. However, despite all these demands on development policy, the budgets for financing cooperation have remained well below the 0.7% of GNI commitment for aid spending in most EU countries (Orbie and Lightfoot 2017).

THE EVOLUTION OF EU DEVELOPMENT POLICY IN RESPONSE TO THE FORCES OF SOLIDARITY AND INSTRUMENTALITY

The evolution of EU development policy has been traditionally influenced by several long-term, mostly unresolved puzzles. These include the challenges of working together in a policy area defined as a 'shared competence' in EU legalese, meaning that the policies of the EU institutions should not compromise the ability of member states to pursue their bilateral development policies and cooperation programmes.1 This structural issue has in turn made the question of how member states and EU institutions should work together a matter of interpretation and constant re-negotiation, resulting in inherent challenges of coordination, both at the strategic/policy level and at the level of the implementation of programmes and projects in partner countries (Koch 2015).

A further, long-term challenge is that of policy coherence, both in terms of managing the so-called 'nexuses' between EU-level policies like agriculture, trade, foreign/security policy

and development, as well as clear incoherencies with member state policies like migration, tax and fiscal regimes, or arms sales (Adelle and Jordan 2014; Carbone and Keijzer 2016, Furness and Gänzle 2017). At a conceptual level, these issues have been debated not only by scholars of EU development policy but also as part of the broader external relations discussions of the EU's 'actorness' or, its nature, purpose and effectiveness as a global actor (Bretherton and Vogler 2006; Niemann and Bretherton 2013).

In addition to these long-term, structural questions, one may add a long list of challenges that have emerged in the decade since the adoption of the Lisbon Treaty. Many of these concern matters that have always been on top of the EC/EU development policy agenda. For instance, while relationships with Africa, both at the continent-to-continent level of AU-EU relations, and at the levels of EU relations with individual African countries and bilateral relations between EU member states and African countries, have become less 'post-colonial,' they have not evolved into 'partnerships of equals' (Gomes 2013; Barbarinde 2019; Carbone 2019). Nevertheless, the days when the EU or certain member states could impose their will in Africa are over. This is partly due to the influence of emerging actors like the BRICS countries, whose impact in Africa has grown and provided African countries with alternative markets and development models to that offered by the EU. The increasing influence of the BRICS (especially China) in Africa has led to relative decline in the EU's influence in the region, including the attractiveness of the values promoted by the EU (Hackenesch 2018).

New priorities on the political agendas of many European governments have had major implications for European development policies at both the member state and at the EU level. Arguably, the most significant of these has been increased migration pressure on the EU from outside of Europe, driven by demographic factors, as well as by economic inequality and forced displacement due to conflict and environmental degradation. While the political fall-out can be seen most clearly in the Syrian refugee crisis of the autumn of 2015, this built on many other preceding situations and has been kept alive by ensuing ones. The ways in which the migration challenge has been interpreted and politicised have led to a number of potentially conflicting demands on the EU's external policies. Member state policy makers have called on the EU to use its diplomatic influence and especially its development resources to halt the flow of refugees and migrants through programmes and projects that aim to address the so-called 'root causes' of migration and displacement, and by attempting to make the disbursement of aid conditional on cooperation on migration and security matters (Rozbicka and Szent-Iványi 2020). Many development researchers, as well as prominent voices in the European Commission and Parliament, have emphasized the positive impacts of migration for development, and have argued that the EU needs to better harness this by developing channels for controlled migration (Knoll and Sheriff 2017).

In the development cooperation field itself, the agenda has been broadened from the 'make poverty history' narrative and the Millennium Development Goals of the 2000s to the sustainable development narrative and the SDGs. This shifted the main focus from poverty and health to attempting to capture the essentially multifaceted and interrelated nature of global development, while at the same time effectively making every conceivable policy area relevant from a development perspective (Fukuda-Parr and McNeill 2019). Such transformations raise questions not only about what the scope and contents of EU and member state development policies should be, but also highlight many unresolved issues around policy coherence (Carbone and Keijzer, 2016).

The EU has taken a leading role in driving the sustainable development agenda, and has built for itself a position that has brought a new set of challenges and responsibilities. At a discursive level and especially after the adoption of the 2030 Agenda, the EU has been

one of the most active promoters of the principles of international partnerships. However, due to the dynamics between reformers and status-quo defenders within the EU's legal and policymaking systems, as well as the divergent views that the EU and partner countries have expressed, the actual changes aimed at making eye-level cooperation the major principle for advancing sustainable development have been much less ambitious than promised. The EU has not yet fully replaced the system of asymmetrical donor-recipient relationships (Keijzer and Black, 2020).

These recent global shifts have also been complemented by internal challenges to the EU, many of which raise questions linked to international cooperation. Brexit arguably poses the most important challenge among these. Before its withdrawal from the organisation, the UK was one of the largest contributors to the EU's international development spending. At the same time, as one of the world's largest bilateral donors, it has added significant clout to the EU's engagements with developing countries. The UK has also been one of the more influential shapers of the EU's development and neighbourhood policies in the past decades, and its retreat from EU policymaking on development started to be felt as soon as the referendum on EU membership was announced in late 2015 (Lightfoot et al. 2017). A further, related set of challenges has been posed by the rise of nationalist populism, both within Europe and internationally. Feelings in Western societies that political and economic elites have become detached from and irresponsive to the needs of the people have been exploited by populist politicians of various stripes. An implication of this for development policy has been the calls made by both populists, and policymakers looking to outflank populists, for development aid to better serve the 'national interest', which has often been portrayed to be at odds with global goals (Thier and Alexander, 2019). Despite increasing evidence on the negative effects of such measures on all involved parties (Fine et al. 2019), populist politicians have argued for cutting aid and using the resources domestically, or refocussing aid on preventing migration (Gomez-Reino 2019).

Arguably, the cumulative effect of these challenges has been to exacerbate a fundamental dilemma for European development cooperation: achieving the right balance between solidarity, on the one hand, and instrumentality on the other. Solidarity is the core value of the international development social contract, in which the rich world is supposed to help poor countries end poverty and eventually create prosperity for all (Lumsdaine 1993). Whether this is driven by moral values and altruism, or some form of "enlightened self-interest" is secondary; aid influenced by solidarity places the concerns of the poor at its centre. Instrumentality refers to the tendency to see development aid, and also other cooperation tools that are intended to support public goods provision, rather as instruments for creating 'private' gain, whether this is derived from the national interests of a donor country or indeed the private interests of individuals and groups that can influence policy (Asongu and Jellal 2016). In this sense, aid becomes an instrument of pursuing policy or other goals which are essentially outside of the realm of development policy.

The literature on EU development cooperation has explored this dilemma from various perspectives. Scholars working with positivist analytical frameworks have discussed the challenges to collective action, both in terms of actors working together, and in terms of the coherence of substantive policy issues which contradict and undermine each other (Bodenstein et al. 2017; McLean 2013; Schneider and Tobin 2013). Others working from social constructivist perspectives have addressed the questions of identity and values that the dilemma raises, as well as the practical implications of the EU's 'Janus-faced' tendency to say one thing in its policy documents and do something quite different in the actual practice of its cooperation with developing countries (Hadfield 2007; Babarinde 2019).

CONTRIBUTIONS TO THIS SPECIAL ISSUE

The contributions to this special issue aim to further advance this literature through the exploration, analysis and discussion of key issues that have brought the solidarity – instrumentality dilemma into focus in various ways in the decade since the Lisbon Treaty. At the same time, they highlight important aspects of the processes through which the European Union is evolving, both as an international development actor and as a policymaking system, due to the tensions created by the core solidarity-instrumentality dilemma. We have arranged the articles in three groups based on their thematic focus, bookended by a broader reflection that revisits several of the issues raised in this introduction.

The first set of articles explores the ways in which the guiding policy frameworks for development policy are evolving and are challenged by various actors, in response to the global geopolitical shifts and political pressure from within the EU. Both articles in this set illustrate internal and external pressures towards greater aid instrumentalisation, and show that the EU has not been immune to these.

Holden's article discusses the dilemma between solidarity and instrumentality in the context of rising global illiberalism and other challenges, which have led to the increasing dominance of a new 'geoeconomic' or neomercantilist worldview among policy makers (Holden 2020). This approach to making sense of global affairs facilitates the use of aid as an instrument for promoting political and economic self-interest. Holden analyses the shift towards geoeconomics in a historical context, and examines how it has impacted the EU's development policy. Specifically, Holden focuses on how the EU has framed two policy initiatives: blended finance and the merging of development funds into a single integrated financial instrument. Both of these initiatives would allow the greater instrumentalisation of aid for economic and geopolitical purposes. Nevertheless, Holden concludes that due to its nature, the EU is less susceptible to these kinds of pressures than its member states, or other nation-states like the United States are. These conclusions imply that while the EU is not immune to greater aid instrumentalisation, solidarity may continue to be a feature of its development policy.

The article by Szent-Iványi and Kugiel (2020) examines how the 'illiberal' populist governments in Hungary and Poland have shifted their countries' international development policies, and have attempted to shape the policy on the EU level. In a sense, both countries have promoted the shift towards a greater instrumentalisation of EU development aid, especially in terms of managing the flows of refugees and migrants, with Hungary being especially vocal and disruptive. The paper argues that while Poland sees the recent changes in EU development policy regarding the aid-migration nexus as favourable (and evidence of the Polish government's influence), Hungary would want the EU to implement even more radical changes. However, the article also notes that Hungary may have instrumentalised development policy in its own way, using it to send signals of its willingness to become a more disruptive member should the EU become tougher in challenging the authoritarian nature of Prime Minister Viktor Orbán's governance.

The second set of articles addresses the issue of how the challenges outlined at the beginning of this introduction have impacted on specific aspects of European development policy, and in turn have influenced the EU's ability to shape the international development landscape.

Hurt's article focuses on the post-Cotonou partnership negotiations with Africa and is specifically concerned with the scope for increased 'African agency' in shaping a new relationship with the EU (Hurt 2020). The article contributes an important new case-study

to the existing literature on 'African agency' in international politics by considering the scope for Africa to exert agency within the post-Cotonou negotiations, given the negotiation of a specific regional compact with Africa. It adopts a structurally embedded view of agency, as a fit between institutions, ideas and material relations. Hurt's central argument is that, in comparison to the negotiation of the Cotonou Agreement two decades ago, there is greater scope for African agency. However, both the ideational and material aspects of Africa's relationship with the EU condition the limits to how effective such agency might be. The EU envisages a greater role for the private sector and remains determined to continue to base its trade relationship with Africa on Economic Partnership Agreements (EPAs) in the short-medium term. In recent years, African institutions have expressed bold aims for industrialisation and job creation, but the EU's vision – which is based on advancing European economic and political interests – will hinder, rather than support, this ambition.

Kugiel (2020) discusses the division of labour (DoL) in European development cooperation, which was regarded as a high priority in the 2000s and early 2010s but all but disappeared from the agenda later in the decade. Though the Union still promotes joint programming for better aid coordination, other EU interests took precedence. This reflects the general trend of instrumentalisation in European development cooperation, which is less focused on traditional goals like poverty eradication or aid effectiveness but serves more political, security, and economic self-interests. Kugiel traces the evolution of the European approach to DoL and highlights the major reasons for its limited successes. He argues that among the most important of these was the imprecise and inadequate description of the EU's own comparative advantage and added value, compared to member state bilateral aid programmes. Kugiel proposes the concept of functional DoL, in which the European institutions focus development assistance more on the regional level, while leaving national programmes to the member states.

In her article, Rabinovych (2020) notes that the EU's long-term commitment to development cooperation and the pre-existing policy support for the 2030 Agenda in the EU institutions indicate an ongoing political consensus, especially on human rights aspects. Nevertheless, she argues that the current legal framework presents several interconnected challenges at both international and EU levels that could allow states to adopt a more instrumental approach. The 2030 Agenda is a non-binding international agreement, which, as a soft law document, is connected to international treaty law particularly through the signatories' commitment to implement pre-existing treaties. It therefore has significant potential to impact international customary law and to encourage cross-fertilization between international and EU law. However, due the fact that existing International Court of Justice opinions on the nature of UN General Assembly resolutions are contradictory, it cannot prevent states from developing different interpretations and approaches to the 2030 Agenda, which could in turn facilitate an instrumental view of development cooperation. However, the consensual nature of the 2030 Agenda, its connections to 'hard' law, the existing practice of 'substantive borrowing' from international law to EU law when gaps are identified, and the scope of the SDGs, which is strongly connected to the EU's principles and values, also suggest that the solidarity dimension may remain significant and influence the future evolution of EU law in this area.

The third group of articles engages with the topic of how the UK leaving has started to impact EU development cooperation, and the scope for continued, bespoke British involvement in EU development initiatives, especially the new convention between the EU and the ACP countries, and the European Development Fund.

Olivié and Perez's article explores the potential medium-term impact of Brexit on both EU and global aid (Olivié and Perez 2020). Their results show that UK aid has increased since

the Brexit vote in 2016. This has come in hand with a shifting pattern of allocation: increases in aid provided for domestic research in health issues, stronger links with private actors and with academia, a fall in aid directed to least developed countries, and the dispersion of aid funds across several ministries. These changes are aligned with a realist scenario, rather than reflecting nationalist behaviour on the part of the UK, which would result in decreasing aid and weaker links with partner countries. As a result, Olivié and Perez argue that there will be no major impacts on global aid levels. However, given that the EU is losing the UK's contribution to the general budget, and also a major bilateral donor, the EU's aid will be strongly cut. Moreover, given that post-Brexit EU-UK collaboration on aid matters remains unlikely, British funds formerly channelled via EU institutions are likely to be re-internalized and allocated according to the shifted pattern of British aid.

Langan's article unpacks the notion that Brexit would lead to greater solidarity with Africa, from the UK rather than from the EU (Langan 2020). He notes that prominent Brexiteers claimed that the UK's newfound independence would usher in a new era, whereby the UK Department for International Development (DFID) and a resurgent UK Department for International Trade (DFIT) would be able to offer aid and free trade unencumbered by the cynicism of the European Commission. Recent policy papers from both DFID and DFIT, however, have made clear that the UK intends to replicate the Economic Partnership Agreements with sub-regions of the ACP bloc. Langan considers that despite a rhetorical commitment to a more equal partnership between the UK and many African countries, the reality of the UK's post-Brexit vision for development will intensify a 'new scramble for Africa'. This will have major implications as to how the UK and the EU manage their broader relationships in the area of development cooperation.

The final article in this special issue builds on these three themes and takes a critical look at the past, present and future of EU development cooperation and research. Delputte and Orbie (2020) focus on the difficulty of identifying change and continuity in the EU's development policy. While rhetoric from EU leaders of paradigm shifts, 'new chapters' and 'fresh starts' has been frequent in the past decades, Delputte and Orbie argue that radical breaks in how the EU approaches its relationships with developing countries are not easily visible in practice. The changes that have happened, via the various policy experiments discussed in the article, fit into the EU's existing paradigm of development, which critics have labelled 'Eurocentric, modernist and colonial' (Schöneberg 2016). Delputte and Orbie deploy insights from paradigm change and post-development theory, and outline a new research agenda which can make better sense of change and continuity, as well as promote thinking along different paradigms to better appreciate the 'pluriverse' of alternatives to development. In this sense, the dilemma between solidarity and instrumentalisation fits squarely in the EU's existing development paradigm, and movements in practice towards greater solidarity or greater instrumentalisation do not represent new chapters, but rather pendulum swings in emphasis.

EMERGING TRENDS IN EU DEVELOPMENT POLICY AND RESEARCH

The articles in this collection suggest that at least three trends are emerging, which open fascinating and challenging avenues for research on EU development policy over the next decade or so.

First, aid has become increasingly instrumentalised, shifting away from the principles of the post-millennium international aid effectiveness agenda and more towards a situation where aid has become a tool for pursuing the political interests of donors. The instrumentalisation of aid is contested, both from outside development policy decision-

making systems and from within, and there remain many instances of aid spending and new cooperation initiatives along lines that are entirely consistent with the principles of international solidarity expressed by the global aid and development effectiveness agenda (Saltnes 2020). Nevertheless, the pressure to use aid as a tool for pursuing foreign or domestic policy interests that are not consistent with these principles is enormous and this is having a clear impact, both on the framing of strategy and the programming of aid (Hadfield and Lightfoot 2020).

Second, achieving policy coherence for development as an outcome has always been a tough challenge, due to the power imbalances of interest constituencies responsible for policymaking in key areas which can undermine the core goal of development policy, namely poverty eradication in developing countries. In recent years, the increasing complexity of global development means that policy coherence has become all but impossible. This is not only a problem for the EU – all actors engaged in development cooperation face the 'wicked problem' of making policies coherent with each other, and the SDGs themselves, some of which are mutually incoherent, have not helped in this regard. Accordingly, the effort to make policies coherent with each other will have to be abandoned in favour of approaches that prioritise between mutually inconsistent objectives, thereby forcing policymakers to face the political trade-offs that must inevitably arise.

Third, the EU is still struggling to find a role for itself in the modern world. This will not become easier if the EU itself continues to be weakened and undermined by rising nationalism in Europe, and consequently by less willingness to show solidarity with and cooperate with others. Commission President Ursula von der Leyen's first international trip was to Africa. In doing so, she clearly indicated that the geopolitical priorities for her Commission included a closer relationship with Europe's neighbouring continent. From a development cooperation perspective, the most significant change from the Juncker to the von der Leyen Commission is the replacement of the EU 'Development' Commissioner with a Commissioner for 'International Partnerships'. It remains unclear whether this marks a rhetorical or substantive change, although it has been noted that the new title is less neo-colonial sounding (Delputte and Orbie 2020).

In this context, the articles in this special issue indicate that future research on the dilemma between solidarity and instrumentality in EU development cooperation could engage more closely with the following themes. There is, for example, already a need to explore in more depth the connection between, on the one hand, democratic institutions and practices, and, on the other hand, the potentially anti-democratic politics-policy nexuses within the global, EU and local landscapes of international cooperation for development. Research will need to trace the engagement of individuals and actors with phenomena like increasing digitalisation, which is already raising significant challenges to the solidarity / instrumentality dilemma at national, EU and global levels. The increasing securitisation of cooperation with countries in the global south will remain a key topic for research, both with regard to nexus-management at the operational level, as well as at the policy level as the voices calling for the militarisation of the EU grow louder (Borrell and Breton 2020). A further theme is the tension raised by the migration-development nexus between the demands of domestic constituencies, whose taxes pay for development aid, and polities in partner countries. This dilemma is most clearly raised by the increased use of aid for migration management purposes, but it is also present in the fact that economic development can increase migration levels, even though aid increases are often sold as measures to address the 'root causes' of migration (Knoll and Sheriff 2017). Whose solidarity is EU development cooperation supposed to serve?

While the impacts of the 2020 Covid-19 crisis for the EU and its development partners are still unfolding at the time of writing, it is clear that they will be far-reaching. As one senior European Commission official has noted, Covid-19 'represents the biggest ever stress test for development cooperation and its ability to address shared global challenges, including in their political dimension' (Manservisi 2020). The EU's initial response to the crisis provides a case study of what this introductory article has addressed. The rousing rhetoric around the TEAM Europe package promised to combine resources from the EU, its member states, and financial institutions, in particular the European Investment Bank and the European Bank for Reconstruction and Development, to support vulnerable countries in their fight against the pandemic. Once again, development policy was being deployed in a crisis to fix a problem, but with regard to its 'root causes' (viral transmission and the lack of health sector capacity) and its potential socio-economic fallout. The kind of multi-agency cooperation promised by the EU can be seen as an important step in more effective delivery. However, the fact that the 20 billion euros pledged were not additional but rather reallocated from existing external action resources immediately raised concerns that the EU was promising more than it could deliver, and that other important programmes which had not been allocated specific budgets would be left on the shelf as the crisis response absorbed resources. Such concerns reflect agreement among experts that Covid-19 will put immense pressure on member state budgets for many years, further contributing to the 'inward looking agenda' of the EU (Beringer et al. 2019; Rios 2020).

Instrumentality is, therefore, likely to dominate the political agenda in all areas of EU external action in the short term. Nevertheless, although the pendulum has swung towards instrumentality, this does not mean it cannot swing back. The shock of the 2020 Covid-19 crisis clearly demonstrated the need for solidarity with regard to global health, if not with regard to the best way to deal with the social and economic consequences of a pandemic. The challenge is therefore to ensure that amid the pressures placed on the European Union by the pandemic, the central concept of solidarity is not forgotten in development policy and practice.

AUTHOR DETAILS

Dr. Mark Furness, Deutsches Institut für Entwicklungspolitik (DIE), Tulpenfeld 6, Bonn, D-53113, Germany. Email: Mark.Furness@die-gdi.de

ENDNOTES

[1] See Treaty on the Functioning of the European Union (Article 4): "In the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a common policy; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs."

REFERENCES

Adelle, Camilla and Andrew Jordan (2014). 'Policy Coherence for Development in the European Union: Do New Procedures Unblock or Simply Reproduce Old Disagreements?'. *Journal of European Integration* 36(4): 375–391.

Asongu, Simplice and Mohamed Jellal (2016). 'Foreign Aid Fiscal Policy: Theory and Evidence'. *Comparative Economic Studies* 58(2): 279–314.

Bararinde, Olufeme (2019). 'New Directions in EU-Africa Development Initiatives: Between Norms and Geopolitics in EU Development Policies'. In Sarah Beringer, Sylvia Maier and Markus Thiel (eds) *EU Development Policies: Between Norms and Geopolitics*. New York: Palgrave Macmillan: 111–134.

Beringer, Sarah, Sylvia Maier and Markus Thiel (2019). 'Introduction'. In Sarah Beringer, Sylvia Maier and Markus Thiel (eds) *EU Development Policies: Between Norms and Geopolitics*. New York: Palgrave Macmillan: 1–16.

Bodenstein, Thilo, Jörg Faust and Mark Furness (2017). 'European Union Development Policy: Collective Action in Times of Global Transformation and Domestic Crisis. *Development Policy Review* 35(4): 441–453.

Borrell, Joseph and Thierry Breton (2020). 'L'ère de l'Union européenne conciliante, quand ce n'est pas naïve, a vécu'. *Le Figaro* 9 June 2020. Online: https://www.lefigaro.fr/vox/monde/l-ere-de-l-union-europeenne-conciliante-quand-ce-n-est-pas-naive-a-vecu-20200609 (accessed 22 June 2020).

Bretherton, Charlotte and John Vogler (2006). *The European Union as a Global Actor* London: Routledge.

Brown, Stephen (2020). 'The Rise and Fall of the Aid Effectiveness Norm', *European Journal of Development Research.* Online: https://doi.org/10.1057/s41287-020-00272-1 (accessed 26 May 2020).

Carbone, Maurizio (2019). 'The Calm after the Storm: Plurilateral Challenges to the Post-2020 EU–ACP Partnership'. *Journal of Common Market Studies* 57(S1): 141–151.

Carbone, Maurizio and Niels Keijzer (2016). 'The European Union and policy coherence for development: reforms, results, resistance'. *European Journal of Development Research* 28(1): 30–43.

Delputte, Sarah and Jan Orbie (2020). 'Paradigm Shift or Reinventing the Wheel? Towards a Research Agenda on Change and Continuity in EU Development Policy'. *Journal of Contemporary European Research,* 16(2) 234-256.

Fine, Shoshana, Susi Dennison and Richard Gowan (2019). *False Moves: Migration and Development Aid.* London: European Council on Foreign Relations.

Fukuda-Parr, Sakiko and Desmond McNeill (2019). 'Knowledge and Politics in Setting and Measuring the SDGs: Introduction to Special Issue'. *Global Policy* 10(S1): 5–15.

Furness, Mark and Stefan Gänzle (2017). 'The Security–Development Nexus in European Union Foreign Relations after Lisbon: Policy Coherence at Last?' *Development Policy Review* 35(4): 475–492.

Gänzle, Stefan, Sven Grimm and Davina Makhan (eds) (2012). *The European Union and global development: an 'enlightened superpower' in the making?* London: Palgrave Macmillan.

Gómez-Reino, Margarita (2019). 'We First' and the Anti-Foreign Aid Narratives of Populist Radical-Right Parties in Europe'. In Iliana Olivié and Aitor Pérez (eds) *Aid Power and Politics.* London: Routledge: 272–284.

Gomes, Patrick (2013). 'Reshaping an asymmetrical partnership: ACP-EU relations from an ACP perspective'. *Journal of International Development* 25(5): 714–726.

Hackenesch, Christine (2018). *The EU and China in African Authoritarian Regimes: Domestic Politics and Governance Reforms* London: Palgrave Macmillan.

Hadfield, Amelia (2007). 'Janus Advances - An Analysis of EC Development Policy and the 2005 Amended Cotonou Partnership Agreement'. *European Foreign Affairs Review* 12: 39–66.

Holden, Patrick (2020). 'Irreconcilable tensions? The EU's development policy in an era of global illiberalism'. *Journal of Contemporary European Research,* 16(2) 101-119.

Hurt, Stephen (2020). 'African Agency and EU-ACP relations beyond the Cotonou Agreement'. *Journal of Contemporary European Research,* 16(2) 139-162.

Keijzer, Niels and David Black (2020). 'Special issue introduction Ownership in a post-aid effectiveness era: Comparative perspectives'. *Development Policy Review* 38(S1): O1–O12.

Knoll, Anna and Andrew Sherriff (2017). 'Making Waves: Implications of the irregular migration and refugee situation on Official Development Assistance spending and practices in Europe: A study of recent developments in the EU institutions, Denmark, Germany, the Netherlands and Sweden'. *Expertgruppen för biståndsanalys (EBA) Rapport* 2017: 01. Online: https://eba.se/wp-content/uploads/2017/01/ECDPM-webb.pdf (accessed 7 May 2020).

Koch, Svea (2015). 'From Poverty Reduction to Mutual Interests? The Debate on Differentiation in EU Development Policy'. *Development Policy Review* 33(4): 479–502.

Kugiel, Patryk (2020). 'Towards a Functional Division of Labour in EU development cooperation post-2020'. *Journal of Contemporary European Research*, 16(2) 163-181.

Langan, Mark (2020). 'A New Scramble for Eurafrica? Challenges for European Development Finance and Trade Policy after Brexit'. *Journal of Contemporary European Research*, 16(2) 218-233.

Lightfoot, Simon, Emma Mawdsley and Balázs Szent-Iványi (2017). 'Brexit and UK International Development Policy'. *Political Quarterly* 88(3): 517–524.

Lumsdaine, David (1993). *Moral Vision in International Politics: The Foreign Aid Regime*, *1949-1989*. Princeton, NJ: Princeton University Press.

Manservisi, Stefano (2020). 'COVID-19: A Stress Test for International Development Cooperation', *IAI Commentaries* 20. Online: https://www.iai.it/sites/default/files/iaicom2021.pdf (accessed 11 May 2020).

McLean, Elena (2012). 'Donors' Preferences and Agent Choice: Delegation of European Development Aid'. *International Studies Quarterly* 56(2): 381–395.

Niemann, Arne and Charlotte Bretherton (2013). 'EU external policy at the crossroads: The challenge of actorness and effectiveness'. *International Relations* 27(3): 261–275.

Olivié, Iliana and Aitor Perez (2020). 'Brexit's impact on aid: EU and Global development assistance under the scenario of a Realist UK'. *Journal of Contemporary European Research,* 16(2) 200-217.

Orbie, Jan and Simon Lightfoot (2017). 'Development: Shallow Europeanisation?' In Amelia Hadfield, Ian Manners and Richard G. Whitman (eds) *Foreign Policies of EU Member States: Continuity and Europeanisation*. London: Routledge: 201–217.

Rabynovich, Maryna (2020). 'Legal Status and Effects of the Agenda 2030 within the EU Legal Order'. *Journal of Contemporary European Research,* 16(2) 182-199.

Rios, Beatriz (2020). 'Experts warn against using EU budget for COVID-19 recovery plan', Euractiv 23 April 2020. Online: https://www.euractiv.com/section/economy-jobs/news/experts-warn-against-using-eu-budget-for-covid-19-recovery-plan/ (accessed 8 May 2020).

Rozbicka, Patrycja and Balázs Szent-Iványi (2020). 'European development NGOs and the diversion of aid: Contestation, fence-sitting, or adaptation?'. *Development Policy Review* 38(2): 161–179.

Saltnes, Johanne Døhlie (2020). 'A Break from the Past or Business as Usual? EU-ACP Relations at a Crossroad'. *GLOBUS Research Paper* 10/2020. Online: http://www.globus.uio.no/publications/globus-research-papers/ (accessed 8 May 2020).

Schneider, Christina and Jennifer Tobin (2013). 'Interest Coalitions and Multilateral Aid Allocation in the European Union'. *International Studies Quarterly* 57(1):103–14.

Schöneberg, Julia (2016). *Making Development Political*. Baden-Baden: Nomos Verlagsgesellschaft.

Szent-Iványi, Balázs and Patryk Kugiel (2020). 'The Challenge from Within: EU Development Cooperation and the Rise of Illiberalism in Hungary and Poland'. *Journal of Contemporary European Research,* 16(2) 120-138.

Thier, J. Alexander and Douglas Alexander (2019). 'How to Save Foreign Aid in the Age of Populism' *Foreign Policy* 13 August 2019. Online: https://foreignpolicy.com/2019/08/13/how-to-save-foreign-aid-in-the-age-of-populism-usaid-dfid/ (accessed 7 May 2020).

Urpilainen, Jutta (2020). 'Corona-Krise: EU-Kommissarin setzt sich für Schuldenerlass für Afrika ein'. Interview with *Deutsche Welle*, 21 April 2020. Online: https://www.dw.com/de/corona-krise-eu-kommissarin-setzt-sich-f%C3%BCr-schuldenerlass-f%C3%BCr-afrika-ein/a-53199696 (accessed 8 May 2020).

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

Irreconcilable tensions? The EU's development policy in an era of global illiberalism

Patrick Holden

Citation

Holden, P. (2020). 'Irreconcilable tensions? The EU's development policy in an era of global illiberalism', *Journal of Contemporary European Research* 16 (2): 101-119. https://doi.org/10.30950/jcer.v16i2.1073

First published at: www.jcer.net

Abstract

There have always been tensions within the EU's external development policy between ethical and self-interested approaches and also between universalist and realpolitik policies. The EU's structural economic power and global neoliberal dominance have allowed these tensions to be subsumed within its external policies. A range of factors has contributed to the rise of illiberalism globally, leading to heightened geoeconomic rivalry while complex changes in global development governance facilitate the use of aid as an instrument of political and economic self-interest. The EU has reacted to this by re-framing its political approach and policies in an effort to rebalance values and interests. A new realism entered EU discourse and there is evidence of this being applied in specific instruments and policies analysed here. Blended finance instruments are 'dual use' in that they can be used for more flexible development policies but also to support EU businesses more directly. The proposal to combine nearly all of the previous aid and cooperation instruments into one single legal instrument will also give the EU unprecedented flexibility to use aid funds for various political purposes. These changes are part of a more complex iterative process in the case of the EU than for other international actors. Interests and values are being reconfigured rather than jettisoned in a 'realist turn'. However, they still represent a significant adjustment for the EU in terms of aid priorities and modalities.

Keywords

Illiberalism, geoeconomics, development, framing.

INTRODUCTION

This article addresses the complex relationships between ideas, values, geoeconomics and power in the EU's development policy reforms. The events of 2016 crowned a decade of change that has left the global political economy transformed. In response to a number of existential threats, the EU itself has altered its foreign policy from a universalist globalist liberal (and arguably teleological) approach to a more nuanced particularist and 'realistic' approach. This article analyses how this is shaping development policy and how the changes may be understood. It is argued that changes in global development governance together with 'emerging donor' pressure have led to a great 'loosening up' of global development policy norms, which the EU has promoted and embraced. Changing EU policy is interpreted in terms of international political economy and its ramifications for global normative development goals such as poverty reduction and human development. It is not contended that there has ever been a halcyon era when these values entirely shaped development policy, but rather that they are always in tension with different forms of self-interest and ideological bias. In the new era an arguably sharper element of self-interest is emerging. The major focus of this article is on development aid policy. Two initiatives are considered in some detail: the rise of blended finance instruments and the Commission's 2018 proposal for a single all-encompassing aid instrument for the 2020-2027 budgetary period. Theoretically, the changing geopolitical and policy environment is understood in terms of the ideal types of global neoliberalism contrasted with a more realist, geoeconomic, multipolar world order. Global neoliberalism refers to the outlook that privileges private market forces and downplays the role of the state in the economy, while promoting an ever-integrated global economy based on the legal frameworks of free market capitalism (Slobodian, 2018). The counterpoint is a more 'geoeconomic' or 'realist' worldview, which stresses the importance of territorial configurations of power which compete, sometimes, in a zero-sum manner for markets and resources (Luttwak 1991; Gilpin 2001). In the case of aid donors, the global neoliberal framework is deemed to encourage the use of aid as a form of 'liberal globalised economic diplomacy' while the more realist world order would imply more directly self-interested behaviour.

The paper begins with an overview of the global geoeconomic changes and discusses the implications of this for leading Western states and institutions, in the light of concepts and analytical frameworks from international political economy. The following section explains the changes in global aid governance and fleshes out the different ways in which development aid can serve as a political and economic instrument, ending with an interpretation of the EU's approach here. This is followed by an analysis of the EU's framing of development policy and foreign policy, interpreted in the light of these pressures. After this there is an analysis of the two specific policy initiatives: blended finance and a single integrated financial instrument. The methodological approach here is not very elaborate as the empirical, historical scope of the study is quite large. It analyses the language and seeks to trace the different logics in the various policy initiatives that have taken place since 2010. This is related back to the different interests and theoretical understandings outlined above. The key analytical concept here is that of framing, tracing how political and policy problems and responses are articulated and represented in EU texts (Bøås and McNeill 2004; Daviter 2007; De Ville and Orbie 2011). This is done at the level of key policy and legal documents. While it is noted that these may not determine the nature of aid policy on the ground, they signify the overall priorities and mind-set of the institution. The overall conclusions are cautious. The EU is not susceptible to the kind of dramatic changes that can occur in a single state, such as the US, but clearly a significant adjustment is taking place.

THE CHANGING GLOBAL POLITICAL ECONOMY

It is a truism that liberal globalisation, as a defining dynamic of world order, has been supplanted by a more multipolar system, in which illiberal capitalism is on the march. Characterising any world order is fraught with peril as there are always nuances and counterveiling trends. The world economy has never been entirely free-trade based and globalisation has ebbed and flowed. However, in the decade after 1989, the sense of inexorable globalisation and an expanding global market was all pervasive. Neoliberal market-led approaches to development dominated from Rio to Moscow and even authoritarians such as China appeared to be on a neoliberal 'capitalist road' (Sachs 1995). Of course, this did not mean that national interest and geoeconomic competition did not exist, but it was taking place within a framework of transnational capitalist forces (globalised finance markets, global production and global markets) and laws (to a degree). The World Trade Organization (WTO) and the Uruguay round had been founded on crude trade-offs of interests, but rhetorically at least the major global powers were committed to ever opening markets, competition and transparency. The ideational dominance of neoliberalism was unsurpassed.

The first decade of the 21st century witnessed a process of 'global economic rebalancing' as growth diminished (and financial instability increased) in the Western core, while giant emerging powers, such as China, India and Brazil and a host of 'smaller' developing economies such as Mexico and Turkey achieved impressive economic growth and dramatically increased their weight in the global trade and economic system (Cammack 2012). The outcome is a world that may be described as a multipolar world, a G-20 world or, more negatively, one of increasing disorder (Bremner 2013). (The impact of the COVID-19 pandemic is likely to further accentuate this process). It is an era that offers acute challenges to global institutions as agreements that could be achieved in an era of Western preponderance (the Uruguay Round for example) have proven hard to reach in an era of increased developing country assertiveness. Witness the stalling of the Doha Development Agenda for example (Narlikar 2010). All of these countries are pursuing capitalist paths to growth, based on engagement with the global economy, but not along the lines of the vision of global liberal capitalism dreamed of during the 1990s (Sachs 1995). Stephen (2014) argues that these emerging powers are only partially integrated with transnational institutions, in terms of membership of transnational companies and participation in institutions like Davos. More importantly their domestic legal and political structures can be characterised as illiberal in terms of lacking transparency, 'openness' and so forth (Stephen 2014). These illiberal rising powers engaged in their own extensive economic diplomacy in the developing world, including aid, again outside of Western liberal frameworks. Fukuyama and Birdsall (2011) label it the 'post-Washington Consensus era', signifying the fading prestige of Western liberal precepts on economic development.

Post-2016, the already substantial cracks in the liberal world order have turned to chasms. The US, the heart of the Western globalist capitalist system, elected a President with profoundly illiberal attitudes to trade. The Trump administration has turned the President's realist mercantilist rhetoric (in which any bilateral trade deficit is assumed to be a loss to the US) into reality to a large extent. The various tariffs it has imposed and the resulting negotiations have been conducted outside of the WTO framework. The Trump administration has also directly attacked the WTO and impaired its operations by failing to nominate officials to key posts, while even threatening to withdraw from the organisation. Trump's general approach could be described as illiberal capitalism with tax cuts for big business at home, to compensate for the trade tensions he has initiated. In the meantime, China had launched the One Belt One Road (OBOR) initiative. This can be fairly described as a neo-Keynesian global geoeconomic project of breath-taking ambition (Ferdinand 2016). The Chinese state has offered to finance infrastructure development projects across (and on the periphery of) Eurasia (Maçães 2018), potentially to the tune of US$1 trillion. Leading Western states have criticised the non-transparent nature of OBOR financing and

governance. There are also concerns about the geopolitical implications of the funding. While the success of Chinese efforts to proactively shape Eurasian trade from the top down is far from guaranteed, the OBOR symbolises a new level of interventionist (non-market led) economic diplomacy.

The EU could be expected to react to the changes in the global political economy as other actors have, although the EU has tended to operate on different processes and timescapes (Holden 2016) to conventional international actors. Superficially at least, over this time period the European Union's external posture has also evolved from being essentially universalist/globalist to a more defensive engagement with the world. In particular, the 'migration crisis', which has led to real tensions within the EU, has also forced it to explicitly adopt a more preventative approach to control population movement, including agreements with authoritarian states rather than pressing them to reform (Lucarelli 2018). Within Europe, Brexit has forced the EU to consider the UK as an economic rival within Europe and inspired it to articulate a more explicit power-based rationale for European integration. EU leaders explicitly put strategic, political thinking above the commercial imperatives of retaining access to the UK's market, emphasising the global power attendant with EU unity (Barnier 2018). There are signs of a more geoeconomically realist stance in general. This is evident in increasing discussion over a more pro-active European industrial policy in response to global challenges, in tension with the liberal norms of EU competition policy (Politico 2019). There are also explicit concerns over monitoring and limiting Chinese investment in key areas as well as (unsuccessful) efforts to prevent EU countries engaging with the OBOR (European Council on Foreign Relations 2016).

In brief, the balance between cooperative liberal globalised economic diplomacy (led by the Western powers) and more geoeconomic interest-based approaches has tilted dramatically towards the latter. Understanding the changes in even relatively liberal powers such as the US, the EU and its member states requires delving a little more deeply into political economy and geopolitics. The Amsterdam School of critical international political economy (IPE) has been devoted to historical and contemporary analysis of the role of the state (political institutions) in relation to different capitalist classes and geopolitics (Van Der Pijl 1984/2005; Van Apeldoorn 2002). In his study of transatlantic relations in the 20th century, Kees Van Der Pijl (1984) delineates a 'liberal globalist' class who supported free trade, global institutions and integration (confident that it would benefit their interests) with whom he contrasts 'sphere of interest' capitalists eager for the state to defend specific interests, including though trade protection. After 1945, the liberal globalists triumphed, but the Trump administration could be understood as a reincarnation of the latter tendency. Similarly, a coalition of social, economic and political forces have been behind the liberal globalist 'transnationalist' approach of the EU to economic diplomacy (Van Apeldoorn 2002), but the exigencies of the new era may require new policies. A key factor here is that economic preponderance or the sheer structural power of the West (Strange 1994) allowed liberal globalism to be commensurate with core economic and strategic interests of the US and Europe. As Europe and North America made up almost 50% of global GDP, liberal economic globalisation could, with some tweaks, be easily reconciled with dominant interests. In the famous words of the economic hegemon of a previous era (British Prime Minister George Canning referring to one 'emerging' continent in 1824): 'Spanish America is free and if we do not mismanage our affairs badly she is English'. In the EU's case, to globalise and liberalise in North Africa, Eastern Europe and many parts of Sub-Saharan Africa seemed inevitably to bring them further into the European economic orbit. While this was rivalrous with the US and other Western economies, to an extent there was a mutual reinforcing dynamic to their common activities. In an era of sharper competition from other actors, the question of the balance between global and European interests/perspectives now reasserts itself. A study of the particular class configurations and political forces that underlie this change is beyond the scope of this article, which will focus on tracing the changes to the policy and language of the EU institutions.

GLOBAL DEVELOPMENT GOVERNANCE, INTERESTS AND VALUES

While the idea of 'global development governance' is controversial, a broad set of institutions had emerged to regulate this area and promote norms in international development policy. At the core of this are the major Organization for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) donors and the Bretton Woods Institutions. The EU's role within this system is debated (Holland 2008). In the case of the recent changes to global development governance, we can see that the EU influence on global development norms, via the DAC (Verschaeve and Orbie 2018) has been substantial. Likewise, its influence on the key economic philosophy of the Sustainable Development Goals (SDGs) is evident (Holden 2019). Regarding the substance of these norms, when it came to economic policy, neoliberal free market norms have been hegemonic; 'market-oriented policies, and an overall commitment to just and democratic societies' were 'essential' (UN 2002). The Millennium Development Goals (MDGs) themselves (the highest articulation of the global development community in the 1990s) are best described as liberal more broadly, based as they were on a vision of cooperation to achieve political and economic progress and freedom (Ul Haq 1996). Ideas aside, the 'governance' that did take place was informal. In the OECD/DAC, peer pressure was and is applied to donors based on agreed guidelines, best practices and policy norms (OECD 2018). This appeared to have had some success in gradually phasing out the use of 'tied aid' in some sectors (Holland 2008: 357). The DAC has also shaped the all-important statistical framework for classifying and measuring official development assistance (ODA). The definition of aid was based on altruism, in that aid had to be 'administered with the promotion of the economic development and welfare of developing countries as its main objective'; military aid and private funding was excluded (OECD 2019). As such, the underlying principle or meta-norm behind the DAC has been a 'virtuous' ideal of aid as an altruistic endeavour, which was not used for the direct explicit economic benefit of donor states (the word 'direct' and 'explicit' are crucial here, as noted below there are very many ways in which aid, even within these guidelines, has been used to promote donor interest). The work of the DAC provided the raw data for any norm supporting actors, such as NGOs, who wished to name and shame donors. The MDGs, although quite superficial, offered a focal point for lobbying and critiquing aid donors on their geographical thematic priorities (Fukuda-Parr and Hulme 2009).

A major challenge to this global governance of development aid arose from the rise of emerging donors (Manning 2006; Woods 2008). Although low if measured in terms of pure ODA, states such as China and India have instigated a massive range of publicly guided South-South cooperation. Such aid is more explicitly linked to the economic and political interests of these donors than has been the case for contemporary DAC donors. However, given its non-conditional nature and the focus on tangible development issues such as infrastructure, this cooperation is much valued by their partner governments. The most striking examples are China's use of aid, loan packages and directed investment by private or semi-state bodies to secure access to resources in Africa, such as Zambian copper or Angolan oil. New economic partners have certainly reduced the power and leverage provided by Western development aid as we enter the 'age of choice' for developing countries (Greenhill, Prizzon and Rogerson 2013). New non-Western dominated institutions such as the China-led Asian Infrastructure Investment Bank have been established. Efforts to acculturate these new donors into the DAC system have petered out. A range of new or revitalised development finance instruments have emerged in response. The UK is foregrounding the role of the Commonwealth Development Corporation (CDC), in post-Brexit development policy. Trump established a new US International Development Finance Corporation, separate from USAID, in 2018, with a ceiling of up to $60 billion for investments to help compete with China.

However, another challenge to the DAC-led system has come from within, and from European states in particular who under financial pressure have pushed for changes to how

aid has been classified (OECD DAC 2018a; 2018b; Manning 2013). This has included counting some of the blended financing arrangements between aid donors and other financial institutions in the public and private sector as ODA (OECD DAC 2016). It has also included some elements of peace and security measures as ODA (OECD DAC 2016), which again has been highly controversial. Arguably most contentious of all, the DAC has agreed that some money spent by developed countries in hosting refugees/asylum speakers can be counted as ODA (OECD DAC 2018a), even though this is the legal responsibility of the states anyway. These three changes have significantly chipped away at the (however superficial) altruistic principles of the DAC. Other changes to global governance have come as the SDGs replaced the MDGs. The SDGs were much richer in scope and thought than the MDGs (United Nations 2015). While there are merits to this, the sheer number of goals and targets tends to denude their normative power (Economist 2015). The sheer volume of goals means that donors cannot possibly be held accountable for their impact on each – they can pick and choose what they support. As to the financing of these, the UN placed great hope on the role of the private sector and mobilising private finance as opposed to just ODA (although the Addis Ababa conference on Financing for Development 2015 did include a note of realism on what could be expected from the private sector). The question of aid to mitigate climate change and the (perfectly valid) stress on other 'global public goods' also mitigate against any distinctions between selfish and unselfish aid. A new category called the total official support for sustainable development (TOSSD) has been developed within the OECD to attempt to cover all the financial contributions of states (beyond ODA) to this global public good (OECD DAC 2018c).

In brief it is clear that the landscape, norms and methodologies of global development governance have been utterly transformed in recent decades. While there are valid reasons for this, it is apparent that they have occurred in parallel with (and been inspired by) a broader shift in the global political economy. It is equally apparent that they facilitate the use of aid and cooperation for different purposes. In terms of understanding these different purposes more deeply, let us return to the generic theoretical discussion in the previous section concerning the tensions between more universalist/globalist and more particular forms of economic diplomacy. In the specific case of aid, it is clear that it can fulfil a wide variety of purposes for donors. This can be divided into the use of aid for narrow or direct interests (commercial or geopolitical), sometimes described as 'short-term' interests, and broader longer-term self-interest (which include altruism and deeper economic and ideological power). These contrasting interests can include:

- Commercial (market access for donor enterprises or tied aid) versus deeper geoeconomic interests (long term investments, economic presence, structural economic changes).
- Short term security interests (alliance with ruling elites) versus longer terms security interests (peaceful social change).
- Short term combating of migration versus longer term reduction of root causes.
- Interests of transnational economic forces versus more specifically national economic interests.

It is clear that the more 'open', longer-term and transnational motivations map across to the general conception of liberal globalised economic diplomacy discussed earlier. These have always been commensurate with the traditional DAC regime, while the changes in this regime noted above tend to facilitate the use of aid for the more direct, short-term, self-interested purposes noted. This section now turns to the specific question of EU aid.
Whether the EU's development aid policy can be evaluated as a whole touches on the classic debate as to whether the EU can be considered an actor in international relations (Bretherton and Vogler 2006). It certainly struggles to meet some of the criteria of a unitary actor much less a rational actor. The shape of EU aid policy, including funding patterns, is to a relatively large extent attributable to historical pathways (Pierson 1996) as much as strategic political decisions. (EU aid funding priorities are less amenable to a mono-causal explanation than, for example, US funding priorities). Yet just as the EU has

hammered out a discernible approach to foreign relations, it has evolved coherent uses of development policy and there is a significant body of literature which has interpreted/evaluated EU development policy in the light of its 'liberal' foreign policy. The classic concepts of civilian power and normative power (Manners 2006) have been applied to interpret the EU's use of development policy as a form of liberal globalising economic diplomacy. Much work has focused on contrasting the benevolent altruistic implications of normative power theory with the reality of EU interest-based policy, in line with a standard 'values versus interests' dichotomy (Farrell 2005). The interests are primarily understood in terms of different economic and security concerns. From a critical political economy perspective, 'interests' and 'values' can coincide if the latter are considered to be part of a broader ideology which furthers the long term interest of specific social forces. EU development policy has been understood as supporting neoliberal values, which is a form of 'normative power', but one which is aligned with the interests of European economic actors (Storey 2007). EU aid policy in particular has been understood as an instrument to help liberalise and globalise developing country societies and governments in a manner which supported broader efforts of the EU to develop its structural power in the global political economy (Holden 2009). At the same time, the pervasive neoliberal ideology allowed EU policy-makers to occlude the potential tensions between the reform/liberalisation project and the goal of poverty reduction (as it could be assumed that the latter, with some tweaking, would support the former over time). This liberal globalist approach can be highly universalist, legalistic and moralising, but it relies on confidence that core interests can be protected. In the new era, this confidence is lacking and the remainder of the article will analyse the EU's policy changes in the light of this understanding of the sophisticated interplay between interests and values in the political economy of aid policy.

RETREAT FROM GLOBAL UNIVERALISM? THE EU'S FRAMING OF ITS DEVELOPMENT POLICY

The EU has invoked different (sometimes contradictory) principles and policies in response to the complex global changes. The initial response of the EU to the financial crisis and global rebalancing were to be found in communications on reforming development policy (European Commission 2011) and on the link between trade and development (2012). The principle of differentiation (between developing states) emerged as a major theme here. Differentiation of different forms has been a feature of EU development policy from the beginning, in particular between the Africa Caribbean Pacific group and other geographical units (while the EU's policy principles have been similar, the institutional formats have varied widely). However, this new form of differentiation was based on income per capita. This allowed the EU to focus aid and trade preferences more on the poorest countries while crafting new forms of partnership with middle income countries (European Commission 2011). This principle had a solid pedigree in the global development policy community based on increasingly obvious differences between least developed countries (LDCs) and emerging economies. However, the enactment of this principle has been heavily criticised from a normative development perspective (Pilke 2016). It has been argued that poverty in many of the 19 countries dropped from bilateral aid programming (none of which were in the EU's neighbourhood or the ACP region) had not been considered and that a new Partnership Instrument for non-aid related economic cooperation lacked any developmental considerations (Pilke 2016). As such, Pilke (2016) understands the policy implementation of differentiation as more concerned with the EU's economic and financial interest. Using aid to support the EU's economic interest is nothing new, but the employment of global development policy norms for this purpose is noteworthy. In reality, a legally rigorous implementation of differentiation in aid policy proved unwieldy and would be adjusted later. Likewise, the implementation of this principle in trade policy had the effect of removing more developing countries (and China in particular) from the General System of Preferences, thus toughening up the EU's approach towards economic rivals (Siles-Brügge, 2014). The trade and development communication for this era was much

more explicit about the new geoeconomic context Europe was facing (European Commission 2012; Holden 2017). Unlike previous 'liberal teleological communications', this communication is much more explicit about power dynamics in the global political economy (Holden 2017). The European Commission retained its support for free trade and the global trading system, but also articulated a more combative approach vis-à-vis rising powers. A 2014 communication on the role of the private sector further developed this new pragmatic combination of new development policy ideas with European interests in an era of heightened competition (European Commission 2014: 9), as discussed in the following section.

Concurrently, the EU was developing its own position on the global SDGs, in which similar themes emerged (European Commission, 2013; European Commission, 2015). Given the nature of this subject, the Commission's papers here did not include the more explicit discussion of EU interests and geo-economic rivalry of EU-focused papers. The Commission – and Council (Council of the EU, 2015) – expound a universalist moralistic vision of the EU's role in providing a 'decent life for all', while at the same time the EU continued to promote the policy of increasing the role of the private sector while in core areas such as trade, the EU was proposing no new commitments and merely pressing others to do more. It focused on the responsibilities of emerging powers like China and ignored problematic EU policy areas such as agriculture and fisheries (Holden 2019). The New European Consensus on Development was another landmark in terms of changing tone and ideas (European Union 2017; Rozbicka and Szent-Iványi 2020). The original consensus was mostly focused on rallying spending commitments and promoting intra-European donor cooperation in terms of established norms and values, including a poverty focus and the needs of LDCs (European Union 2006). The New Consensus included similar principles, but to the dismay of NGOs, included new concerns such as combating migration, noting that (as a part of development policy) the EU and member states will 'fight against the smuggling of migrants and trafficking in human beings, which are sources of instability. Building strong partnerships with countries of origin, transit and destination with sustained, long-term policies' (European Union 2017:35). The Consensus reiterates the hope placed in private sector involvement and blended instruments. It also knots the security-development link even more tightly than before, stressing European security. A phrase on 'engaging' 'with security sector actors' was viewed as opening the door to using aid to fund military operations, although the EU itself is legally barred from doing so (ACT Alliance 2017). Generally, although it included all the expected normative commitments embedded in the new global frameworks (the SDGs), the Consensus was viewed as crowning the predominance of 'short-term political interests' in EU development policy (Oxfam 2017). This 'realism' was also apparent in the mid-term review of the EU's aid instruments, which noted that 'the EU's capacity to promote and mainstream its values agenda (human rights, democracy and rule of law) may be declining', as well as 'the growing weight of stability, security and resilience issues' (European Commission 2017b).

The new paradigm is best exemplified by a document which is not a development policy document at all. The High Representative's Global Strategy reiterated EU values, but stated that its principles would flow from '[a] realistic assessment of the current strategic environment as from an idealistic aspiration to advance a better world' (European Union 2016). It calls for 'principled pragmatism' in a world of 'global power shifts and power diffusion'. This may seem like common sense, but represented a retreat from the globalist pretensions of the EU's turn of the century discourse. While still expounding EU values, there is much less of an emphasis on exporting democracy and more on flexible and differentiated treatment of different societies. It hones in more on Europe's geographical position, noting that it would support 'different paths to resilience to its east and south'. 'Resilience' has become a ubiquitous term, and it has connotations of stability and defensiveness as opposed to the previous discourse of liberal reform and freedom. Development is a big part of this project, including supporting 'a political economy of peace', while it notes that 'development policy also needs to become more flexible and

aligned with our strategic priorities' (European Union 2016: 11). The document on the whole 'reinforces a widespread perception that the EU is experiencing a shift from a transformative-liberal power to a realpolitik actor', according to Youngs (2016: 1). However, Youngs also noted that in reality the situation is more complex as the EU retains its values and its legalistic approach. Brexit itself has not greatly affected the EU's global development posture so far. The UK will remain involved in the EU's development policy but the loss of what had been one of the most liberal European states seems likely to push the EU further down a more regionalist, if not realist, approach, ceteris paribus (Directorate General for External Policies 2017). This broad overview implies that the EU has sought not to abandon its normative ethical principles but to reframe them and make them more commensurate with changing self-interests. The paper now turns to the substantive policy changes in two areas.

BLENDING INSTRUMENTS

Blending has become a common theme of contemporary development policy, although there is considerable confusion about how to define and measure it (ODI 2019). Blended finance refers to a method of combining aid resources with those of other public financial institutions and the private sector to promote economic development. A distinction has always been made (although as noted it has become muddled) between development finance and 'ODA'. Blended finance involves crossing the line between these two areas to leverage the resources of the private sector. The great hope is that the smart use of public money can mobilise much greater resources from private business. The 'private sector' is a very broad label, which can include everything from small micro-enterprises to large transnational enterprises and financial concerns, however in terms of potential involvement in major development projects, the latter will inevitably predominate. There are logical developmental reasons for this focus on the private sector. Private investment flows to and within the developing world (UNCTAD 2012; European Commission 2014), dwarf public aid resources and if it can be mobilised more for development, all to the good. Given the limited public finance available to developing governments' rationalisation, the potential of being able to leverage much greater private funds is tempting (and allows for some nice headline figures). In its 2011 reforms, the Commission explained its hopes here of 'leveraging private sector activity and resources for delivering public goods. It should explore up-front grant funding and risk-sharing mechanisms to catalyse public-private partnerships and private investment' (European Commission 2011: 8). However, the document is also direct about more self-interested motivations: supporting the European private sector; 'access to finance and risk sharing instruments in developing countries is also an important prerequisite for EU investors seeking to venture out into these markets' (European Commission 2011: 10). The Commission highlights a number of areas characterised by 'high risk exposure and often unfair international competition that requires action to ensure a level playing field' (European Commission 2011).

The European Investment Bank (EIB), which mostly operates within Europe, has also lent to the outside world, (in accordance with European foreign policy priorities). It developed a special facility for the Mediterranean (FEMIP), which has funded private sector as well as public sector activities (EIB 2010). In 2007, the EU-Africa Infrastructure Trust Fund was established. This fund (supported by the EU and its member states) would provide grants to projects to help leverage public and private investment. It invests in or provides interest rate subsidies for loans to projects (or offers different forms of risk guarantees or insurance) deemed to have strong externalities in terms of supporting development and sustainability (European Commission and European Investment Bank 2015: 8). Within the European neighbourhood, the Neighbourhood Investment Facility (established in 2008) was a broadly similar instrument. It provides grants from the EU and member states to leverage funding from a range of official public finance institutions and to a lesser extent private sector entities (European Commission 2015: 12). Both of these instruments

involved 'blending', mostly with public providers of commercial finance, with the private sector involved as implementing partner.

This initiative has proven highly controversial within the development community. In fact, European Commission officials had previously been highly critical of member state aid policies in this regard (Interviews, March 2012). Objections and concerns to the use of ODA for blended instruments have abounded particularly from NGOs. The EURODAD network has been highly active here in producing critical material (EURODAD 2013). They can also rely on some criticism from the EU's own evaluations of the existing instruments. The European Court of Auditors concluded that additionality often was not demonstrated: the projects may well have gone ahead without the grant offered by the EC (Court of Auditors 2014: 20; Vervynckt 2014). The general criticisms of the existing EU instruments have been that they are lacking in transparency; businesses will inevitably try to exploit these facilities for their own interests; their fulfilment of development objectives is dubious and they are a waste of precious ODA (unless truly additional and for a worthy project). In response to these concerns, the EC has outlined criteria that would justify the EC/EUs partnering and financing of private sector investment. These include clear benefits in terms of poverty reduction and sustainability, clear additionality, the potential to catalyse further private sector action and strict social and environmental standards in the business itself (European Commission 2014: 4). The logic here is hard to fault, but applying these principles (of additionality, neutrality, fair burden and reward sharing) will be highly challenging, and possibly arbitrary, in practice. The EC's own evaluations of these instruments have been more positive and Rozbicka and Szent-Iványi (2020) report that NGOs are beginning to accept the principle of private sector partnership.

As geopolitical turbulence and challenges to the EU multiplied, the EU's reliance on these blended instruments increased. The European External Investment Programme was the major response to challenges such as the migration crisis and insecurity in the near abroad and Africa (2017). (This was modelled partly on the 'Juncker plan' – the Investment Plan for Europe – to help combat the Eurozone crisis). It aimed to achieve a massive increase in mobilised finance to support the SDGs and stability. Essentially, the goal was to better harness the latent economic power of Europe; as European Commission Vice-President Jyrki Katainen put it: 'enhance the financial firepower of EU external action' (European Commission 2018c). The EU's financial contribution included the European Fund for Sustainable Development which would (along the lines of the previous instruments) offer grants and (importantly) risk guarantees to support investments by public financial institutions and the private sector. The aim was that this €4.1 billion from the EU's budget would leverage more than €44 billion in funding by 2020. The primary objective of funding was 'the eradication of poverty in line with Article 208 of the Treaty on the Functioning of the European Union (TFEU), thus addressing root causes of migration' (European Commission 2018c). It was aligned with the (by now vast) range of policy frameworks including the European Agenda for Migration, the Addis Ababa Action Agenda on Financing for Development, the Paris Agreement on Climate Change as well as the Cotonou Agreement and the revised European Neighbourhood Policy. The rationale for doing this at the EU level was to facilitate larger scale and strategically coherent activities. The initiative was accompanied by plans to increase the political coherence of EU member states within international financial institutions such as the European Bank for Reconstruction and Development. All of this implies at least a desire for the EU to align the various funding streams of European institutions with a broader strategy based on agreed political priorities. Whether this is actually achievable is a moot point.

Ideologically, these blended finance instruments are something of a hybrid, as although the idea of private-sector led activities is resonant with neoliberal norms, the role of the public aid component in steering and partnering private investment would be looked at with suspicion by neoliberal purists (fears of crowding out and/or distorting private finance flows). The instruments are clearly dual-use in that apart from development/migration

control objectives, they are a tool which allow for EU development aid funds to be used to support the EU's economic role in developing countries (while also, at least potentially, increasing the overall political impact of Europe's economic presence). Clearly, they are a part of a broader 'external economic policy' which may not be commensurate in practice with development norms. As such, the EU's increased reliance on these instruments supports the hypothesis that changes in the global political economy and geopolitical environment are requiring it to take a more directly self-interested approach. The comprehensive research thus far (not focused on EU instruments per se) on the operation of these tools argues that blending instruments are not leveraging anything like the funds hoped for (ODI 2019). This report estimates that funds leveraged 1.06$ for every dollar (and this is without probing additionality and development impact very critically). It also notes that their operation is particularly weak and problematic in LDCs, which offer fewer commercial opportunities and weaker financial and business instruments (ODI 2019). All of this indicates that the concerns about the impact of this development trend on global poverty reduction and human development are justified.

THE PROPOSED SINGLE INSTRUMENT

The Commission's proposal to combine all EU aid instruments into a Single Instrument – the Neighbourhood, Development and International Cooperation Instrument (NDICI) – must rank as the single-most important legal-institutional reform ever made to EU/EC development funding. The rationale for the new NDICI was one of 'effectiveness and efficiency' (European Commission 2018a). In particular, it would allow for a more comprehensive and flexible approach to funding (European Commission 2018b). The most salient feature here is that there would be a reserve of €10.2 billion and that resources could be moved 'where they are needed as the international context changes' (European Commission 2018a). The proposal combines the discursive intermingling of development and other objectives with the integration of hitherto different aid and cooperation legal instruments. There were considerable vested interests within and without the institutions wary of this change (as it could result in less earmarked aid and challenge long-held procedures and relationships), but the idea passed the College of Commissioners and is now in the legislative process, where it will certainly be passed in some form. Before the end of the Juncker Commission, the legal regulation was approved by the Parliament's Development and Foreign Affairs committees, while the largest political grouping, the EPP, is firmly behind it. As such the status at the time of writing is that it is more than a proposal, but not yet a law. This section focuses on the legal texts produced for the instrument. These signify the funding priorities and the overall strategic and normative priorities of the instrument (even if these do not always determine practice on the ground).

As outlined in Box 1 the NDICI comprises a vast range of previously separate instruments. It includes the three large geographical instruments and a range of normative (European Instrument for Democracy and Human Rights), strategic (Instrument for Stability) and sectorally specific instruments. It also includes the non-ODA Partnership Instrument (Pilke 2016) and part of the financing stream of the European Sustainable Development Fund. (The very act of putting these explicitly self-interested instruments together with development aid could be deemed significant in itself). Because of this heterogeneity, the regulation is embedded in a wide range of European and international texts (including the relevant parts of the TFEU on development and foreign policy as well as the SDGs and the Paris Agreement). The Commission seamlessly interweaves the very different developmental, normative and strategic interests of EU external cooperation: 'through this proposal the EU will continue to be able to play an active role in promoting human rights, stabilisation, development, security, fighting root causes of irregular migration, trade,' (European Commission 2018b). It also notes the need to sidestep a previous Development Cooperation Instrument provision on ending aid to wealthier middle income countries (differentiation) to offer 'innovative ways of cooperation, as set out in the new European

Consensus on Development with more advanced developing countries and strategic partners, in line with the universal coverage of the 2030 Agenda' (European Commission 2018b). As such we see how the SDGs can facilitate (for better or worse) the transcendence of a purist LDC-focused aid agenda.

The heterogeneity of objectives (the mixing of the normative with the self-interested) is nothing new of course for the EU and the geographical instruments have always been 'broad churches'. The European Neighbourhood Instrument in particular combined a strong foreign policy outlook with development motifs (EC officials would often sharply distinguish it from 'development policy' per se although it counted as ODA). However, the extent of intermingling of all of these different objectives in one instrument is unprecedented. It is not a tabula rasa and includes financial envelopes for the key areas, which are roughly in line with historical priorities as well as guarantees that a certain proportion (92%) of the funding would be ODA eligible (European Commission 2018b: 18). There is also a specific chapter and legal framework on the Neighbourhood Instrument to continue special mechanisms associated with that.

The European Parliament's initial report on the NDICI regulation is illustrative of the struggle over framing development policy in the new era. It suggested several changes, mostly geared towards safeguarding the more values-based, universalist and pro-development element of the document (European Parliament 2019a). Regarding funding, the report calls for an increase in the funds allocated to human rights/democracy and climate/environmental protection activities and also calls for increasing the percentage of funding that fulfils the criteria for ODA (European Parliament 2019b). While it also supported increasing the overall budget to €93.154 billion, it suggests reducing the strategic reserve to 7 billion. Changes are proposed to the text are to focus more explicitly on LDCs (European Parliament 2019b: 9;19), making climate change more central (11), adding texts from UNCTAD to the relevant global documents (13), promoting a 'values-based' as well as a 'rules-based' global system (8) and adding the objectives of democracy and human rights to the Commission's core objective of economic development for neighbouring states (20).

Box 1. The list of aid instruments that would be integrated into the Single Financial Instrument

Macro-financial AssistanceThe European Development Fund
The Development Cooperation Instrument
The European Neighbourhood Instrument
The Partnership Instrument
The Instrument Contributing to Stability and Peace
The European Instrument for Democracy and Human Rights Worldwide
The Instrument for Nuclear Safety Cooperation
Macro-financial Assistance
Support of Small and Medium-sized Enterprises (Infrastructure and Climate Change)
Guarantee Fund for External Action
European Fund for Sustainable Development, its Guarantee and its Guarantee Fund

Naturally, there has been a lot of attention and criticism devoted to the Commission's radical proposal (especially in the light of the trends already noted). The streamlining of aid concerned various institutional interests (member states and the Parliament), as well

as the obvious concerns of development CSOs that it would favour 'short term political interests' over the EU's poverty reduction and global development objectives (ECPM 2018b: 3). How would the weighting given to each of the – fundamentally important – objectives such as peace, security, stability in the near abroad, development and economic cooperation be worked out? Much attention has focused on the mechanics of the reallocation of funds and safeguards for its use including a cap on using it for any one policy area (EDCPM 2018a). There are different interpretations of this process. In the case of the Neighbourhood Instrument, which was already highly geopolitical and strategic, Furness and Keijzer (2018) argued that including it in the Single Instrument could actually 'development proof' it by at least assuring it was aligned with ODA principles and the SDGs. As Keijzer (2018) notes however, in the Commission's proposal poverty reduction and the SDGs are not as prominent as they might be, while the ODA/DAC discipline has slackened in recent years. He suggests to work towards 'SDGs-driven allocations […] combined with a detailed results framework' but given the broad expanse of the SDGs it is not clear how much of a discipline this would be either.

This initiative bears out the political and geoeconomic dynamics postulated earlier. The change in political framing and broad policy framing has been accompanied by a major legal innovation. While in previous eras the array of different geographical and legal instruments (working towards a gradual liberalisation and cooperation or integration with the EU) sufficed, under the pressure of the new environment this is not enough. There are a range of logics here, including valid justifications regarding efficiency and the coherence of aid. However, one can also detect concerns of geoeconomic utility and in particular the pressures of the 'migration crisis'. The salient feature of the new instrument is how it allows funds to be transferred relatively rapidly and that is more likely to be needed in the case of a surge in migration. This facility is also useful if one considers a sharpened sense of real-time geoeconomic competition where the EU might feel the need to move funds to a specific region or country in the light of new circumstances. The possibility of combining, previously different, baskets of funds for development and economic cooperation (including private flows) also multiplies the potential political and economic impact of the EU's activities. As noted above however, attempts to make aid instruments more facilitative of the EU's foreign policy and economic interests have been resisted by other actors in the Parliament, which are more wedded to traditional development modalities and norms.

CONCLUSION

The assumption that geoeconomic changes have inspired changes in the EU's development policy is at least partially borne out by this study of the EC's framing of policy and policy instruments. It is clear that the increased heterogeneity of global development governance, including the stress on new modalities of aid, the range and universality of the SDGs, opens windows for development aid to be used in a more egregiously self-interested ways. The EC has been a major player in these changes and it has used them to create new frames linking development, security, economic interest and migration in its own development policy. While it has retained its values, there is much more political realism and less emphasis on liberal reform of the state. Its new policies are 'dual use' in that while they may be used for more creative and flexible interventions in support of development, they are also be useful for geoeconomic or other strategic interests. It is worth noting that while the globalist neoliberal approach to 'aid and reform' has done a lot of damage to human development by overreliance on market forces, a new turn towards statist geoeconomic development policy would also be in tension with human development ideals. If this does become the dominant trend, many non-strategic LDCs will continue to be ignored, while the plight of the poor in middle income countries will not be a major concern and the environmental implications of global neomercantilism are even more negative than those of global neoliberalism (given the reduction in global collaborative capacity).

The change on the part of the EU is not as dramatic as the account of the global transformation may have implied. The EU has equipped itself with new instruments that allow it to use aid funds to more directly support the European private sector, in theory. The new Single Instrument would allow an unprecedented level of flexibility in many senses. Its policy framing does reflect the new, more geoeconomic realist world posited. As such it bears out the theoretical expectations that the EU institutions would respond to the changing geoeconomic context and socio-economic configurations by steering development policy away from the global neoliberal approach that had dominated. However, it would be overstating things to explain the precise changes in development policy primarily in terms of global geoeconomic challenges. The EU, for better or worse, does not change easily and its liberal values and legalistic approach are still evident, despite the aforementioned changes. There is nothing remotely hinting at the full-blown geoeconomic realism of the Trump administration or emerging powers. It would be premature to say that EU development policy has been totally subsumed by other considerations (given that it has always been interwoven with other political considerations and interests). Here it is always worth noting that EU member states have their own instruments and funding sources to support their own corporations and interests globally. The major geoeconomic role of the EU is in ensuring market access and gaining critical mass from collective funding instruments. The framing and the deployment of the new development policies makes it clear that, in terms of European self-interest, it is controlling migration rather than economic concerns that dominate and this is where normative human development objectives are most likely to be skewed. There will be a fruitful research agenda in exploring how the various security-related, geoeconomic and normative objectives interact in the new policy instruments in the future. On the more applied level, there is room for extensive work on how to monitor and programme aid within such a heterogeneous policy context. While the EU is engaging in legal integration of its development policy and trying to shape a new, more coherent approach, it has also generated new contradictions and new forms of complexity.

AUTHOR DETAILS

Dr Patrick Holden, School of Law, Criminology and Government, University of Plymouth, 21 Portland Villas, Drake Circus, Plymouth, PL4 8AA UK. Email: patrick.holden@plymouth.ac.uk

REFERENCES

ACT Alliance (2017). Analysis of the new European Consensus on Development. Online: https://actalliance.eu/wp-content/uploads/2017/10/ACT-EU-Analysis-of-the-new-European-Consensus-on-Development.pdf (accessed 12 April 2019).

Apeldoorn, B. (2002). Transnational Capitalism and the Struggle over European Integration. London: Routledge.

Attridge, S. and L. Engen (2019). Blended finance in the poorest countries: the need for a better approach. ODI Research Reports. Online: https://www.odi.org/publications/11303-blended-finance-poorest-countries-need-better-approach (accessed 12 April 2019).

Barnier, M. (2017). Speech on German Employers' Day (Deutscher Arbeitgebertag). Berlin, 29 November 2017. Online: europa.eu/rapid/press-release_SPEECH-17-5026_en.pdf (accessed 12 April 2019).

Barnier, M. (2018). Speech at the 28th Congress of the International Federation for European Law. Lisbon, 26 May 2018. Online: http://europa.eu/rapid/press-release_SPEECH-18-3962_en.htm (accessed 12 April 2019).

BBC (2018). G7 summit ends in disarray as Trump abandons joint statement, 10 June 2018. Online: https://www.bbc.co.uk/news/world-us-canada-44427660 (accessed 12 April 2019)

Birdsall, N. and F. Fukuyama (2011). 'The Post Washington Consensus: Development after the Crisis'. Foreign Affairs 2011(March/April).

Bøås, M. and D. McNeill (eds.) (2004). Global Institutions and Development: Framing the World? Routledge: Abingdon.

Bretherton, C. and J. Vogler (2006). The European Union as a Global Actor. Abingdon: Routledge.

Bremner, I. (2013). Every Nation for Itself: What Happens When No One Leads the World. New York: Penguin.

Cammack, P. (2012). 'The G20, the Crisis, and the Rise of Global Developmental Liberalism'. Third World Quarterly 33(1): 1-16.

Colin, S. (2014). A matter of high interest Assessing how loans are reported as development aid. EURODAD. Online: http://www.eurodad.org/files/pdf/1546131-a-matter-of-high-interest-assessing-how-loans-are-reported-as-development-aid-1450104968.pdf (accessed 12 April 2019).

Daviter, F. (2007). 'Policy Framing in the European Union'. Journal of European Public Policy 14(4): 654-66.

De Ville, F. and J. Orbie (2011). 'The European Union's Trade Policy Response to the Crisis: Paradigm lost or reinforced?'. European Integration Online Papers (EIoP) 15(2). Online: http://eiop.or.at/eiop/texte/2011-002a.htm (accessed 1 June 2017).

Economist (2015). The 169 Commandments. Online: https://www.economist.com/leaders/2015/03/26/the-169-commandments (accessed 12 April 2019).

European Investment Bank (2010). FEMIP The crisis and ways out of it in the Mediterranean countries. Online: http://www.eib.org/attachments/country/femip_study_femise_en.pdf (accessed 12 April 2019)

EURODAD (2013). A dangerous blend? The EU's agenda to 'blend' public development finance with private finance. Online: http://eurodad.org/Entries/view/1546054/2013/11/07/A-dangerous-blend-The-EU-s-agenda-to-blend-public-development-finance-with-private-finance (accessed 12 April 2019).

European Commission (2010). Trade, growth and world affairs: trade as a core component of the EU's 2020 Strategy. COM (2010) 612 final. Brussels: European Commission.

European Commission (2011). Increasing the impact of EU Development Policy: an Agenda for Change. COM (2011) 637. Brussels: European Commission.

European Commission (2012). Trade, growth and development: Tailoring trade and investment policy for those countries most in need. COM (2012) 22. Brussels: European Commission.

European Commission (2013). A Decent Life for All: Ending poverty and giving the world a sustainable future. COM (2013) 92. Brussels: European Commission.

European Commission (2014a). A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries. COM(2014) 263 final. Brussels: European Commission.

European Commission (2015b). Neighbourhood Investment Facility Operational Annual Report 2014. Brussels: European Commission.

European Commission (2016a). EU External Investment Plan. Online: https://ec.europa.eu/europeaid/sites/devco/files/factsheet_-us-format-eu-external-investment-plan_en.pdf (accessed 12 April 2019).

European Commission (2016b). Proposal for a regulation of the European Parliament and the Council on the European Fund for Sustainable Development (EFSD) and establishing the EFSD Guarantee and the EFSD Guarantee Fund. COM(2016) 586 final. Brussels: European Commission.

European Commission (2017a). Annual Report on the implementation of the European Union's instruments for financing external actions in 2016. Brussels: European Commission.

European Commission (2017b). Mid-term review report of the External Financing Instruments. COM(2017) 720 final. Brussels: European Commission.

European Commission (2018a). EU Budget for the future. Brussels: European Commission.

European Commission (2018b). Proposal for a Regulation of the European Parliament and the Council of the European Union establishing the Neighbourhood, Development and International Cooperation Instrument. COM(2018) 460 final. Brussels: European Commission.

European Commission (2018c). State of the Union 2018: Commission unveils plan for a more efficient financial architecture to support investment outside the EU European Commission. Press Release. Brussels, 12 September 2018.

European Commission and European Investment Bank (2015). EU-Africa Infrastructure Trust Fund Annual Report 2015. Brussels: European Commission.

European Council on Foreign Relations (2016). China's investment in influence: the future of 16+1 cooperation. Online: https://www.ecfr.eu/page/-/China_Analysis_Sixteen_Plus_One.pdf (accessed 12 April 2019).

European Court of Auditors (2014). Special Report The effectiveness of blending regional investment facility grants with financial institution loans to support EU external policies. Special Report No. 16. Online: http://www.eca.europa.eu/en/pages/DocItem.aspx?did=28909 (accessed 12 April 2019).

European Parliament (2019a). Report on the proposal for a regulation of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation. PE 627.790v02-00 A8-0173/2019.

European Parliament (2019b). Legislative resolution of 27 March 2019 on the proposal for a regulation of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument (COM(2018)0460 – C8-0275/2018 – 2018/0243(COD)).

European Union (2006). Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: 'The European Consensus'. Official Journal of the European Union C46/1.

European Union (2016). Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy. Online: http://europa.eu/globalstrategy/sites/globalstrategy/files/eugs_review_web.pdf (accessed 12 April 2019).

European Union (2017). The New European Consensus on Development 'Our World, Our Dignity, Our Future'. Online: from www.consilium.europa.eu/en/press/press-releases/2017/06/pdf/European-Consensus-on-Development-2-June-2017-Clean_final_pdf (accessed 12 April 2019).

Eyben, R. and L. Savage (2013). 'Emerging and Submerging Powers: Imagined Geographies in the New Development Partnership at the Busan Fourth High Level Forum'. The Journal of Development Studies 49(4): 457-469.

Ferdinand, P. (2016). Westward ho—the China dream and 'one belt, one road': Chinese foreign policy under Xi Jinping. International Affairs 92(4): 941-957.

Fukuda-Parr, S. and D. Hulme, (2009). 'International Norm Dynamics and the "End of Poverty: Understanding the Millennium Development Goals (MDGs)'. Brooks World Poverty Institute Working Paper 96.

Gilpin, R. (2001). Global Political Economy. Princeton: Princeton University Press.

Greenhill A., Prizzon, A. and A. Rogerson (2013). The Age of Choice: Developing Countries in the New Aid Landscape. Online: https://www.odi.org/publications/7163-age-choice-developing-countries-new-aid-landscape (accessed 12 April 2019)

Hanke, J. (2019). Germany's industrial plan signals Europe's protectionist lurch. Online: https://www.politico.eu/article/germany-industrial-plan-signals-europes-protectionist-lurch/ (accessed 12 April 2019).

Holden, P (2018). 'Finding common ground? The European Union and European Civil Society framing of the role of trade in the Sustainable Development Goals'. Journal of Common Market Studies 57(5): 956-976.

Holden, P (2017). 'Neo-liberalism by default? The European Union's trade and development policy in an era of crisis'. Journal of International Relations and Development 20(2): 381–407.

Holden, P. (2016). 'Eternal potential? Temporality, complexity and the limitations of the European Union's global role'. Cooperation and Conflict 51(4): 407–427.

Holden, P (2009). In Search of Structural Power: EU aid policy as a global political instrument. Aldershot: Ashgate.

Holland, M. (2008). 'The EU and the global development agenda'. Journal of European Integration 30(3): 343–62.

Hollis, S. (2014). 'The Global Construction of EU Development Policy'. Journal of European Integration 36(6): 567–583.

Lucarelli, S. (2018). 'The EU and the Crisis of Liberal Order: At Home and Abroad'. GLOBUS Research Paper. Online: https://www.globus.uio.no/publications/ (accessed 12 April 2019).

Luttwak, E. (1990). 'From Geopolitics to Geoeconomics: Logic of Conflict, Grammar of Commerce'. The National Interest 20: 17–23.

Maçães, B. (2018). The Dawn of Eurasia. London: Penguin.

Manners, I. (2006). 'Normative Power Europe Reconsidered: Beyond the Crossroads'. Journal of European Public Policy 13(2): 182-199.

Manning, R. (2006). 'Will "Emerging Donors" Change the Face of International Cooperation?'. Development Policy Review 24(4): 371-385.

Manning, R. (2013). OECD is ignoring its definition of overseas aid. Online: http://www.devinit.org/archivedsite/ex-dac-chair-claims-oecd-is-ignoring-its-own-definition-of-overseas-aid (accessed 12 April 2019).

Narlikar, A. (2010). 'New powers in the club: the challenges of global trade governance'. International Affairs 86(3): 717–728.

OECD (2019). What is ODA. Online: https://www.oecd.org/dac/stats/What-is-ODA.pdf (accessed 12 April 2019).

OECD (2018). Development Co-operation Peer Reviews: European Union 2018. Online: http://www.oecd.org/dac/oecd-development-co-operation-peer-reviews-european-union-2018-9789264309494-en.htm (accessed 12 January 2019).

OECD DAC (2018a). Is it ODA? Factsheet. Online: https://www.oecd.org/dac/stats/34086975.pdf (accessed 12 April 2019).

OECD DAC (2018b). Modernisation of the DAC statistical system. Online: http://www.oecd.org/dac/financing-sustainable-development/modernisation-dac-statistical-system.htm (accessed 12 April 2019).

OECD DAC (2018c). What is total official support for sustainable development (TOSSD)? Online: http://www.oecd.org/dac/financing-sustainable-development/tossd.htm (accessed 12 April 2019).

OECD DAC (2016). High Level Communiqué. February 19, 2016. Online: http://www.oecd.org/dac/DAC-HLM-Communique-2016.pdf (accessed 12 April 2019).

Orbie, J. (2003). 'EU Development Policy Integration and the Monterrey Process: A Leading and Benevolent Identity?'. European Foreign Affairs Review 8(4).

Pierson, P. (1996). 'The path to European integration: a historical institutionalist approach'. Comparative Political Studies 29(2): 123-163.

Pilke, R. (2016). 'Partnerships in transition: the case of the EU and middle-income countries (MICs)'. Development in Practice 26(6): 719-730.

Rozbicka P. and B. Szent-Iványi (2020). 'European development NGOs and the diversion of aid: Contestation, fence-sitting, or adaptation?'. Development Policy Review 38(2): 161–179.

Sachs, J. (1995). 'Consolidating capitalism'. Foreign Policy 98.

Sachs, J. (2015). Financing for Sustainable Development, Key Note Speech at the ODI Global Challenges Event Series. 1 January 2015. Online: https://www.odi.org/events/4089-financing-sustainable-development (accessed 12 April 2019).

Siles-Brügge, G. (2014). 'EU trade and development policy beyond the ACP: subordinating developmental to commercial imperatives in the reform of the GSP'. Contemporary Politics 20(1): 49-63.

Slobodian, Q. (2018). Globalists. The End of Empire and the Birth of Neoliberalism. Cambridge MA: Harvard University Press.

Stephen, M. (2014). 'Rising powers, global capitalism and liberal global governance: A historical materialist account of the BRICs challenge'. European Journal of International Relations 20(4): 912–938.

Storey, A. (2006). 'Normative Power Europe? Economic Partnership Agreements and Africa'. Journal of Contemporary African Studies 24(3): 331-346.

Strange, S. (1994). States and Markets. London: Pinter.

Ul Haq, M. (1996). Reflections on Human Development. Oxford: Oxford University Press.

UNCTAD (2012). Development and Globalisation Facts and Figures. Online:http://unctad.org/en/PublicationsLibrary/webgdsdsi2012d2_en.pdf (accessed 12 April 2019).

United Nations (2002). Monterrey Consensus of the International Conference on Financing for Development. Online: http://www.un.org/esa/ffd/monterrey/MonterreyConsensus.pdf (accessed 12 April 2019).

Van der Pijl, K. (2005). Transnational classes and international relations. London: Routledge.

Van der Pijl, K. (1984). The making of an Atlantic ruling class. New York: Verso Books.

Verschaeve, J. and J. Orbie (2018) 'Ignoring the elephant in the room? Assessing the impact of the European Union on the Development Assistance Committee's role in international development'. Development Policy Review 36(1): O44-O58.

Vervynckt, M. (2014). 'EU-blending-lessons-learnt-or-just-lip-service'. EURODAD Blog. Online: http://www.eurodad.org/Entries/view/1546317/2014/12/17/EU-blending-lessons-learnt-or-just-lip-service (accessed 12 April 2019).

Woods, N. (2008). 'China, Emerging Donors and the Silent Revolution in Development Assistance'. International Affairs 84(6): 1-18.

Youngs, R. (2016). EU Global Strategy Expert Opinion. Online: https://www.iss.europa.eu/sites/default/files/EUISSFiles/EUGS_Opinion_3_Youngs_0.pdf (accessed 12 April 2019)

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

The challenge from within: EU development cooperation and the rise of illiberalism in Hungary and Poland

Balázs Szent-Iványi and Patryk Kugiel

Citation

Szent-Inányi, B. and P. Kugiel (2020). 'The challenge from within: EU development cooperation and the rise of illiberalism in Hungary and Poland', *Journal of Contemporary European Research* 16 (2): 120-138. https://doi.org/10.30950/jcer.v16i2.1078

First published at: www.jcer.net

Abstract

This article examines how the emergence of 'illiberal democracy' in Hungary and Poland has impacted the behaviour of these two countries in the EU's international development policy making processes. Adapting Hirschmann's concepts of voice, exit and loyalty, the article argues that three factors may have undermined the loyalty of these member states towards EU development policy, increasing the likelihood of them using more extreme forms of voice (vetoes) or even enact partial exits from the policy area. Erosion of loyalty is seen to be more likely if (1) illiberalism actually impacts bilateral development policies in the two countries; (2) they have poor track records in influencing EU development policy; and (3) alternatives to EU level action emerge. Applying this framework, a greater erosion of loyalty is expected in the case of Hungary than for Poland. Hungary's recent actions in EU development policy are in line with the expectations from the framework: it has increasingly been using more extreme forms of voice following the 2015 refugee crisis, while Poland has been a less 'problematic' member state in the policy area.

Keywords

EU development cooperation, Hungary, Poland, illiberalism, voice and exit

INTRODUCTION

Since their accession to the EU, the Central and Eastern European (CEE) countries have showed little interest in international development cooperation. Creating bilateral development policies was a condition for accession, which all CEE countries did after the turn of the Millennium, albeit with relatively small and underfunded policies (Szent-Iványi and Lightfoot 2015). Even in 2016, the eight CEE countries which joined the EU in 2004 only provided about 1.4 billion dollars in total development aid, which was less than the amount provided by Austria alone (OECD 2018). The CEE countries also became contributors to the EU's international development efforts, giving them some material interest in the policy area. Despite this, efforts from the CEE countries to influence the EU development cooperation have been limited, and often restricted to niche issues, such as supporting democratic transitions.

Some of the CEE countries, especially Hungary and Poland, have increasingly been drifting towards more 'illiberal' domestic politics in the past years under nationalist/populist governments. This emerging illiberalism has led to several instances of confrontation between these two countries and the EU. EU institutions have been highly critical of policy developments in Hungary and Poland, but have generally been powerless to reign in the authoritarian tendencies of the two governments. While the European Parliament has voted to start procedures under Article 7 of the Treaty on European Union (TEU) against Poland (in 2017) and Hungary (in 2018), which carries the threat of suspending their voting rights in the Council, actual sanctions remain unlikely. The EU is increasingly portrayed by both governments as an outside power interfering in domestic affairs, and thus a force that needs to be contested and stopped.

The aim of this paper is to investigate what this shift towards illiberalism in Hungary and Poland means for the EU's international development cooperation policy. Are the two countries becoming problematic partners in this policy area, or do they continue to behave as the 'uninterested followers' they have mostly been since their accession? The paper uses a framework based on Albert Hirschmann's (1970) classic concepts of voice, exit and loyalty, which have already been adapted fruitfully to explain various processes of European disintegration (Vollard 2014; Jachtenfuchs and Kasack 2017). We argue that there are three factors which may undermine the loyalty of member states towards EU development cooperation, and thus increase the likelihood of these states 'making trouble' by using more extreme forms of voice (vetoes) or enacting partial exits from the policy area. Loyalty will be eroded if (1) the illiberal shift in domestic politics is reflected in bilateral development cooperation practices; (2) if the member states have a poor track record of influencing EU development cooperation; and (3) alternatives to acting within the EU emerge.

Applying this framework, there are reasons to expect lower levels of loyalty from Hungary than from Poland: the illiberal shift seems to have had a larger impact on Hungary's international development policy than in case of Poland, and Poland has potentially been more influential in EU development cooperation. Alternatives to acting within the EU however are relatively scarce for both countries. When comparing the actual behaviour of the two countries in the EU's development policymaking processes, we find that Hungary has been using stronger forms of voice, such as vetoes, more frequently than Poland, especially in relation to the migration-development nexus. Poland, by contrast, has generally been satisfied with the direction of the EU's development policy, especially since the EU itself has been putting a greater emphasis on managing migration and supporting the private sector through development funds.

The analyses focuses on the years between 2015 (when the Law and Justice Party came into power in Poland) and 2018, although some links to earlier developments will be made in the case of Hungary, given how Viktor Orbán's Fidesz party has been in power since 2010. The main sources of data include government documents, political statements and media reporting. We use the term development cooperation in a relatively broad sense, to refer to all EU policies which include the transfer of resources and expertise between the EU and less developed countries. Thus, beyond the EU's development cooperation activities with the African, Caribbean and Pacific countries, we also include areas like the EU's Neighbourhood Policy or its democracy promotion efforts. Development cooperation also touches on a number of other EU policy areas, among which migration policy has gained recent prominence.

The paper contributes to the literature on European disintegration by examining the processes eroding loyalty and potentially leading to various forms of EU disintegration in a policy area which has received relatively little attention. Furthermore, the paper also highlights key issues for the EU development policy literature, emphasizing the fact that the policy has not performed well in terms of integrating the new member states, which is a source of internal challenge in need of a solution.

The following section discusses the paper's conceptual framework, followed by an analysis of the factors, which may have eroded the loyalty of Hungary and Poland towards EU development cooperation. The subsequent section compares the recent actions of the two countries in the EU's development policymaking processes, with the aim of identifying whether lower degrees of loyalty have led to more voice or even partial exits. The final section provides concluding remarks.

EXIT, VOICE AND LOYALTY IN EU POLICYMAKING

While the literature on the EU has paid much attention to explaining the processes of integration, it has only recently started to develop theoretical accounts of disintegration, driven by challenges such as the Greek debt crisis and Brexit. Most agree that existing theories of integration 'in reverse' do not provide sufficient explanations for disintegration processes (Webber 2014; Jones 2018). A number of new approaches have therefore emerged to explain disintegration, using a variety of explanatory variables and theoretical backgrounds (Vollard 2014; Webber 2014; Jactenfuchs and Kasack 2017; Jones 2018). A particularly fruitful approach, focusing on explaining the actions of member states who are dissatisfied with the workings of an EU policy area, adapts Albert Hirschmann's (1970) framework of exit, voice and loyalty (Vollard 2014; Jactenfuchs and Kasack 2017).

Jachtenfuchs and Kasack (2017) argue that member states face a trade-off between national autonomy and collective problem-solving. A member state may either try to influence an EU policy in order to ensure that it reflects its preferences (voice), or it may decide not to be part of a collective policy effort (exit). Voice can take many forms centred around constructive participation in EU policymaking processes, including techniques aimed at achieving influence such as coalition building, framing, or persuasion (Panke 2010). In the extreme (and depending on the rules of the policy area), a member state may block or veto a decision. Similarly, exit from a policy area is not a binary in/out choice either. A full exit would represent a situation when a member state opts out fully from an EU policy area, such as Denmark's opt-out from the EU's military policies. A partial exit refers to situations that are less drastic (Vollard 2014): a member state refusing to comply with specific decisions made in the policy area, or limiting its own participation without

complete withdrawal. A partial exit represents a form of EU disintegration, although the member state does not receive a formal opt-out.
Hirschmann's (1970) third concept, loyalty, is conceptualized as a variable which affects the choice between voice and exit. Organisations may foster loyalty among members, who thus remain committed to the organisation, even though they are dissatisfied with its performance. Loyal members may passively accept the status quo, while less loyal ones are more likely to use voice or even exit. However, in the dynamic setting of EU policymaking, with shifting national and European interests, there is rarely a stable status quo. Member states engaged in EU policy processes constantly need to make decisions regarding their actions, ranging from being passive, through using various forms of voice, to a (partial) exit. The decision they make along this continuum can be seen as a function of loyalty. Using voice is part of the normal functioning of EU policy processes, and if done constructively and within the written and unwritten rules of the integration, it is actually a manifestation of loyalty rather than a sign of eroding loyalty. Only opting for stronger forms of voice such as vetoing decisions, or a partial exit would be associated with lower levels of loyalty. Furthermore, to note, passivity does not necessarily signal a high degree of loyalty in the case of the EU, but can also mean a lack of interest from the member state in the given policy.

Loyalty towards the EU can decrease for three reasons. First, as Webber (2014) argues, a significant driver of disintegration comes from the domestic politics of member states, mainly due to the upsurge in anti-EU, national/populist politics, or shifts towards values which are less compatible with those embodied in EU level policies. The general shift in domestic politics can spill over to specific policy areas, which may be adapted to reflect the broader national political discourse. This adaptation, in turn, will decrease loyalty towards EU level solutions, as these are based on values no longer accepted by the member state. This makes the usage of stronger forms of voice or a partial exit more likely. Furthermore, a member state may also feel the need to signal its new values, especially towards domestic audiences, and is more likely to select policy areas for this where greater confrontation is not perceived as costly. Second, even without a shift values, member states may still experience an erosion in their loyalty towards the policy area if they continuously find it difficult to ensure that EU policies reflect their interests. In the extreme, the perceived lack of influence may even lead to perceptions on how the rules of the policy area discriminate against them (Jones 2018). This can lead to a gradual disappearance of loyalty towards collective problem solving. Third, loyalty towards a policy area may decrease due to the emergence of alternatives for managing it. An alternative to collective action is acting alone, and the perceived effectiveness of this may increase, providing member states with incentives to argue for the renationalization of the policy. Other, non-EU, collective solutions may also emerge which member states perceive as more effective. These three factors may co-exist simultaneously, in which case the erosion of loyalty is expected to be the strongest.

The remainder of this section illustrates how this approach is relevant for the case of EU development policy. Development policy is a shared parallel competence within the EU: member states retain their bilateral development policies, but the European Commission (EC) provides aid as well, as an additional donor. The EC is also charged with coordinating the bilateral development activities of members. Most of the *acquis communautaire* aimed to promote this coordination is based on non-binding, soft law instruments (Carbone 2007: 50). Many decisions, usually in the forms of Council Conclusions, do not carry legal weight, and enforcement mechanisms are weak. None the less, given how the development *acquis* often emphasizes key norms and principles, giving it symbolic and moral weight, less loyal member states may have reasons to block them before they are accepted.

Given the non-binding nature of most of the development *acquis*, and the fact that most member states have been selective in aligning their development activities with these rules (Carbone and Keijzer 2016; Delputte et al. 2016), conceptualizing a partial exit is difficult. Not applying a specific rule is clearly a harsh criteria, which would lead to large number of partial exit instances. A partial exit would thus need to be conceptualized as a systematic and vocal refusal to implement or engage with the development *acquis*. In essence, a partial exit is a situation in which a member state's international development policy is only minimally informed, or not informed at all by the development *acquis*, and the member state clearly acknowledges its opposition to these rules.

International development cooperation is often viewed as a technical and 'depoliticized' issue area, which rarely enters political discourses in the CEE countries (Horký-Hlucháň 2015). While the rise of nationalist populism and anti-EU politics have been well documented for Poland and Hungary (Krekó and Enyedi 2018), the degree to which these affect such a technical policy area is unclear. Development cooperation could remain relatively isolated from the broader political direction of the country, and thus rising illiberalism would not (automatically) translate into a lower degree of loyalty towards EU development policy. In order to get a sense of the impact of these domestic changes, the effect of changing domestic politics on the bilateral development cooperation of the two countries needs to be examined. Populist/illiberal shifts in bilateral development policies can take several forms. Discourses in the policy area may start to reflect the broader discourses used by the government, especially in terms of putting national interests first and combating external threats to society. Practice may also shift to better serve government goals, such as through a greater emphasis on the promotion of economic interests, the selection of partner countries, or reducing efforts in areas, which are less compatible with government rhetoric, such as democracy promotion. Of course, many donors talk about economic motivations in international development, or the need to combat certain external threats, and this does not make their development policies populist/illiberal. What matters is whether there is a push to systematically align development policy with government rhetoric and practice.

The lack of long-term influence in the EU can also erode loyalty. Thus, we need to examine how Poland and Hungary have engaged with EU development policy in the past, what results they have had achieved in uploading their preferences, and how this engagement has impacted the two countries. There is a substantial literature examining the Europeanization of member states in development policy (Lightfoot and Szent-Iványi 2014; Orbie and Carbone 2016), which can provide insights in this regard. Finally, possible alternatives to EU development policy may also decrease loyalty. Member states may see the relative effectiveness of bilateral development efforts increase in terms of dealing with new challenges. A renationalization of development policy would allow them to use their aid more freely. There are also a number of other multilateral arrangements, including the relatively recent proliferation of trust funds, which allow bilateral donors to retain much stronger control over their contributions than in case of traditional multilateral (Reinsberg 2017).

We now turn to examining whether there is reason to expect an erosion of loyalty in the case of Poland and Hungary, along these three dimensions.

THE EROSION OF LOYALTY?

Rising Nationalism in Bilateral Development Cooperation

In Hungary, the right-wing Fidesz party led by Viktor Orbán has been in power since 2010. The actions of Orbán's governments and Hungary's slide towards 'illiberal democracy' have been well documented in the literature (see e.g. Greskovits 2015; Krekó and Enyedi 2018). Many of these actions, including regulation of the media and the gradual 'taming' of opposition media outlets, attacks on the judiciary, electoral reform, the undoing of checks and balances on the executive, or legislation against non-governmental organisations have received heavy international criticism (see e.g. Venice Commission 2015). In September 2018, the European Parliament voted to start disciplinary action against Hungary over breaches of the EU's core values, under Article 7 of the TEU. The government framed international criticism as unjustified and ignorant attacks against Hungary, and portrayed itself as standing up for the country.

The shift away from Europe was reflected in the Orbán government's foreign policy as well. Introduced in 2011 and entitled 'Global Opening', the government's foreign policy aimed to diversify Hungary's EU-centric external relations, especially towards emerging economies (Hungarian Ministry of Foreign Affairs 2011). The main goals were clearly economic: increasing Hungarian exports and generating new business links. The policy shift included opening new embassies and a number of high profile visits in various countries in Asia, Africa and Latin America, which had previously been neglected by Hungarian diplomacy (Tarrósy and Vörös 2014). A sub-component of the Global Opening policy, entitled Eastern Opening, specifically aimed at strengthening relations with countries East of Hungary, especially Russia and China. The Orbán government has developed a particularly close relationship with Russia, most clearly manifested in the fact that Russia's state owned nuclear energy firm was awarded a contract to build two new reactors in Hungary, funded by a loan from Russia.

The Global Opening policy also led the government to embrace bilateral development cooperation much more strongly than its predecessors did. Orbán's government carried out a number of reforms, including the enactment of Hungary's first law and strategy on development cooperation in 2014 (Szent-Iványi and Lightfoot 2015). The government also committed itself to increasing funding for bilateral aid. The main motivation for increased interest in the policy was to use it to promote Hungarian exports to emerging and developing economies (Tétényi 2018), serving the goals of the Global Opening policy. The government significantly increased the number of scholarships for students from developing countries wanting to study in Hungary (from 6.2 million USD in 2014 to 23.8 in 2017), and also increased funding for concessional loans for infrastructure projects in developing countries, tied to procurement from Hungarian companies. In 2016 alone, the government signed new loan agreements with Laos (30 million USD), Mongolia (25 million USD) and Vietnam (60 million EUR) (Hungarian Ministry of Foreign Affairs and Trade 2017).

The European refugee crisis of 2015 led to the most significant confrontation between Hungary and the EU, and is relevant for Hungary's bilateral development cooperation, as well as its engagement with the EU's development policy. Hungary closed its Southern border towards refugees in 2015, and labelled all arrivals as economic migrants who were not eligible for asylum protection, regardless of their actual individual circumstances. The country opposed any mandatory redistribution scheme of refugees among EU member states(Washington Post 2017), and the government whipped up anti-immigrant sentiments and even organized a referendum about accepting the EU's refugee reallocation

quotas in October 2016. In 2017, Hungary launched a new bilateral aid programme entitled Hungary Helps, with the declared aim of addressing the root causes of migration. The programme claimed to focus on supporting Christian minority communities in conflict zones, through providing post-conflict rehabilitation assistance. The emphasis on Christian solidarity was in line with the government's ideology. The government also organized a series of international conferences on the persecution of Christians (Orbán 2019), and funded reports on the topic (Kaló and Ujházi 2018). Little is known however about the exact financial resources devoted to the Hungary Helps programme, and most likely the purpose of its existence is to show that Hungary is taking bilateral initiatives which back up its anti-migrant rhetoric.

In Poland, the nationalist-populist Law and Justice Party (PiS) won the elections in October 2015, and quickly began challenging the EU institutions. Changes in the Constitutional Tribunal beginning in December 2015 and subsequent reforms of the judiciary put the government in serious conflict with the EU. Poland became the first country against which the EC activated the Article 7 procedure in January 2018. Furthermore, due to the alleged violations of the principle of judicial independence, the EC referred Poland to the ECJ in September 2018 (European Commission 2018). Together with some other policy changes enacted by PiS relating to the public media, many in Western Europe started asking whether Poland is also building an illiberal democracy. Similarly to Hungary, the Polish government retaliated by accusing the EU of discrimination and double standards.

The PiS government, despite declaring a cut-off from the foreign policies of the previous government, showed a great deal of continuity in the field of development cooperation. This was manifested in three dimensions. First, the government continued to work along the lines of the Multiannual Programme of Development Cooperation for 2016-2020, adopted by its predecessor in 2015 (Polish Ministry of Foreign Affairs 2016). Second, Poland has continued to regard development assistance as a foreign policy tool, serving Polish national interests. Similarly to Hungary, there was an emphasis on ensuring closer alignment between aid and economic diplomacy. The new government signed new loan agreements with Angola (60 million USD), Mongolia (50 million EUR) and Vietnam (250 million EUR) in 2017 (Polish Ministry of Finance 2019). Just like Hungary, it also expanded scholarships, which's value more than doubled from 2016 to 2017 (to approximately 70 million EUR), emerging as the single largest modality of bilateral aid (Polish Ministry of Foreign Affairs 2018: 23). Finally, the third element of continuity was the underestimation of development cooperation in general. While in Hungary we clearly see evidence of increasing government attention to development policy, in Poland the limited presence of the issue in political debates and the low level of financing has not changed. The PiS government made no clear commitment for increasing aid, and any increases that did happen went to issues linked to the refugee crisis and contributions to development banks.

However, there are also departures from the past under the PiS government. The first, as in the case of Hungary, relates to migration policy: Poland also rejected the EU's refugee relocation scheme and has blocked any attempts to reform European migration policy. Like Hungary, the PiS government also felt that in order to make this rhetoric credible, it needed to prioritize humanitarian assistance to the Middle East as a tool of addressing root causes of refugee crisis. During the height of the refugee crisis and in midst of the Polish election campaign in September 2015, PiS leader Jarosław Kaczynski suggested increasing assistance to refugee camps in the Middle East (Sejm of the Republic of Poland 2015: 14). After PiS' victory, this approach became the official position of the new government, claiming that help must be provided where the problem starts (Rzeczpospolita 2016). Government officials prioritised assistance to Christian communities, though this commitment was less visible in actual activities. The new emphasis on the Middle East is

also clear from the number of official visits to the region and the increase in funding. An increase in Polish humanitarian aid duly followed, increasing from 6 million USD in 2015 to over 43 million USD in 2017, although the vast majority of this increase represented contributions to the EU's various migration-related trust funds.

A second major change by PiS was a lower focus on democracy assistance and transition support, areas which in the past have been seen as Poland's comparative advantages in development cooperation (Pospieszna 2014). PiS politicians had major reservations about the successes and achievements of the Polish transformation post-1989. In addition, being a subject of external pressure from the EU, the PiS government had more hesitations about interfering in the internal affairs of other countries through democracy support. As a result, democracy assistance was downgraded in Poland's development cooperation. The Ministry of Foreign Affairs also became much less vocal about democracy support as Polish added value in development cooperation (Polish Ministry of Foreign Affairs 2018: 2).

In summary, we see evidence of a populist/illiberal shift in the bilateral development cooperation policies of both countries, with anti-EU elements. Both countries made increasing use of their bilateral aid to promote economic objectives, and Poland has scaled back on its normative commitment to supporting democracy. Both countries have also used bilateral aid as a vehicle to back-up their anti-migration rhetoric, claiming that the root causes of migration need to be addressed. A key difference however between the two countries is that Hungary seems to have integrated bilateral development cooperation more strategically into its foreign policy. In Poland however, there seems to be a surprising continuity with the past. While development policy clearly did not remain isolated from the broader political direction of either country, the impact in Hungary seems larger, potentially leading to a greater erosion in loyalty towards EU development cooperation.

Influence and Europeanization

Most CEE countries created bilateral international development policies during the run-up to their accession to the EU (Carbone 2004). A significant literature has emerged to examine what impacts EU membership has had on these policies, mostly using a framework based on the theory of Europeanization (Horký 2010; Timofejevs Henriksson 2013; Lightfoot and Szent-Iványi 2014). There have also been efforts to examine the influence the CEE states have had on the EU's development cooperation (Hellmeyer 2015), especially in terms of uploading their preferences to the EU's development agenda. We examine these two processes below.

The Europeanization of development cooperation in the CEE countries has been 'shallow' (Horký 2012a), and the CEE countries have been 'reluctant' donors in terms of their engagement with the EU's development *acquis* (Lightfoot and Szent-Iványi 2014). Member states will only Europeanize their policies, i.e. adopt the norms and rules into their domestic policies if either they face strong material incentives to do so, or they gradually internalize them due to socialization. Given how most of the EU's development acquis is in the form of soft law, the EU was not able to put pressure on member states to comply. Compliance has costs, thus the rationalist approach focusing on material incentives points towards weak Europeanization. There is also little evidence of CEE member state officials being socialized into accepting the EU's development policy norms and values (Lightfoot and Szent-Ivanyi 2014). They have clearly pay lip service to these at times, but there is also evidence of rhetoric which shows that these values have not been internalized (Paragi 2011).

The conclusions on the low degree of Europeanization seem to be shared for all CEE countries, and it is difficult to pinpoint any differences between Hungary and Poland. In fact, both countries have generally been among the laggards even within the region in terms of adopting the EU's development *acquis* (Szent-Iványi and Lightfoot 2015: 80). Neither country made significant efforts to raise its aid spending towards the EU's target of 0.33% of GNI, nor did they adapt EU recommendations relating to the quality of their aid (such as untying aid, reducing the number of partner countries, or focusing more aid on the least developed). If any effect of Europeanization could be seen beyond the rhetorical level, it would be negative – over the years, both Poland and Hungary learned how to ignore EU soft laws. Rather than making the two countries 'good' European donors, past experiences may in fact have encouraged them to break away even more from European standards. The EU has failed to foster loyalty to development cooperation through Europeanization in either country.

In terms of influencing the EU's development cooperation, the CEE countries never formulated any grand visions on how they would like this policy area evolve. This general disinterest however did not mean that they had no ambition to shape EU development cooperation. Due to perceptions that development cooperation is mainly the field of the Western member states and CEE actors cannot compete with Western actors in winning EU development contracts and grants, the CEE countries mainly focused on trying to carve out niches for themselves (Szent-Iványi 2014). First, due to their own historical experience, they aimed to position themselves as having unique expertise in political and economic transition processes (Horký 2012b). This led countries like Poland, and to a lesser degree Hungary, to prioritize democracy support in their bilateral development cooperation. Second, the CEE countries argued that they are well placed to work with countries in the Eastern neighbourhood, due to a shared history as members of the Eastern bloc. Third, they aimed to get positive discrimination from the EU for CEE actors bidding for EU development funding, arguing that they are at a relative disadvantage due to their status as newcomers.

Much of the lobbying in these areas was carried out jointly by the CEE countries (Non-paper 2011), so it is difficult to identify specific successes for Hungary and Poland separately. In terms of joint successes, CEE transition experience, and the value it brings to EU development cooperation, received explicit mentions in key EU policy documents, such as the 2006 European Consensus on Development (Article 33). In order to operationalize this commitment, the EC started a project to map CEE transition experience, which resulted in the publication of the European Transition Compendium (ETC) in 2010. The ETC however never truly entered EU development policymaking (Hellmeyer 2015). Poland was especially vocal on democracy support, and it was during the Polish Presidency in 2011 when the European Endowment for Democracy (EED) was established, clearly seen as a success for Poland. Poland (together with Sweden) was also instrumental in the creation of the Eastern Partnership initiative in 2009 (Copsey and Pomorska 2014), however, this proved less of a transformative force on the EU's development cooperation than anticipated, mainly due to mounting geopolitical tensions with Russia. CEE actors have also achieved some success in twinning projects in the Eastern Neighbourhood (Bossuyt and Panchuk 2017). The EU agreed to some 'ring-fencing' of funds for CEE actors for projects aimed at domestic development education and awareness raising. CEE actors however had trouble in bidding for even these ring-fenced amounts, and performed generally weakly in terms of winning EU funding for projects abroad (Szent-Iványi 2014). Contributions to the EU's development budget were increasingly seen as 'lost money'.

Following the 2015 European refugee crisis, both Hungary and Poland adopted hostile positions towards immigration, and has framed the issue in terms of national security and cultural identity. This not only led to confrontation with the EU through the refusal to accept refugee quotas, but also to stronger, and more politically visible efforts to influence EU development cooperation. The heads of government of the Visegrad Group (V4), a loose framework for cooperation between the Czech Republic, Hungary, Poland and Slovakia, issued a joint statement in 2015, emphasizing the need to use aid to tackle the root causes of migration, calling on the EU to 'mobilize the relevant resources', and ensure that 'their development assistance to countries of origin and of transit […] is well-targeted […], both for preventing and fighting irregular migration as well as combating root causes of migration' (Visegrad Group 2015). Poland has also committed itself to support and 'take part in EU actions that lead to solving problems [of migration] at their sources' (Polish Ministry of Foreign Affairs 2017: 24). Given the general sense of crisis in the EU due to the surge in refugee flows, the V4 countries did not face an uphill battle in terms of getting these interests uploaded to the EU's agenda. They were supportive of the Joint Valetta Action Plan and the creation of the EU's migration-related trust funds in 2015, the EU Regional Trust Fund in Response to the Syrian Crisis and the EU Emergency Trust Fund for Africa.

Weak Europeanization and only limited influence points to a low degree of loyalty towards EU development cooperation. Poland, perhaps due to its larger weight in EU decision-making, may have had relatively larger influence than Hungary, as evidenced by its role in creating the Eastern Partnership and the EED. This could mean that loyalty towards the EU's development efforts may have eroded to a lesser degree in Poland than in Hungary, although given the PiS government's decreasing emphasis on democracy promotion, one must be careful with such conclusions. Furthermore, both countries have lobbied for, and have welcomed the more recent shift in the EU's development policy towards managing migration. This shift may have increased the relevance of development cooperation for the two countries, contributing to an increase in loyalty.

Alternatives to EU Development Policy

The loyalty of member states may also decrease if the relative attractiveness and perceived effectiveness of alternative solutions increases. Alternatives may include bilateral development cooperation or multilateral arrangements other than the EU. As discussed, both Hungary and Poland have been using more aid bilaterally to address the root causes of migration. Hungary created the Hungary Helps programme, while Poland increased its humanitarian assistance to the Middle East. Just how serious these efforts are, and how much they represent an alternative to EU development cooperation is questionable. Neither country has sufficient resources to achieve any kind significant impact that would reduce migratory pressures. These countries mainly expect the EU to increase funding for managing migration, and have clear perceptions about the limits of their bilateral funding (Visegrad Group 2015). Bilateral initiatives should therefore be seen as efforts by the governments to make their anti-migration rhetoric more credible, and do not represent a realistic alternative to joint EU funding. A closer look reveals that the resources devoted to new bilateral efforts are rather minimal. While the exact amounts devoted to the Hungary Helps programme are unclear, sporadic data on a government website indicate that around 6.3 million EUR were committed in 2017, and a further 5 million EUR in 2018 (About Hungary 2019). Another government source mentions 25 million EUR in total support for persecuted Christians, 'directly enabling 35 thousand people to remain or return home within the framework of the Hungary Helps Programme' (Kormany.hu 2019). The bilateral share of Poland's humanitarian aid increases points to similarly modest amounts: only around 6.7 million EUR was delivered through Polish NGOs

and diplomatic missions (Polish Ministry of Foreign Affairs 2018). These are relatively tokenistic amounts, especially when compared to the tied loan agreements both countries have recently signed with various developing countries.

There is some evidence of both countries making slightly greater use of multilateral arrangements outside of the EU. Poland has increased its contributions to UN agencies between 2015 and 2017, both countries began contributing to regional development banks in 2016 (OECD 2018), and both have joined the China-led Asian Infrastructure Investment Bank. However, these increases are relatively modest, and not out of line with the general trends of the multilateral development cooperation policies of the two countries.

An interesting situation is represented by the EU's migration related trust funds. As mentioned, both Poland and Hungary were supportive of these initiatives. While these funds were created by the EU, and can thus be conceptualized as new aid modalities, they may also be thought of alternatives to the EU's traditional development cooperation processes. Both funds aim explicitly at managing migration, and have their own governance mechanisms with lower oversight from the EC. Each contributing member state receives one vote in board of the funds, and a minimum contribution of 3 million EUR also provides a seat in the operational committee. These features may make some member states see these trust funds as more attractive in terms of achieving influence than the EU's general development cooperation processes. The Visegrad countries jointly contributed 3.14 million euros to the EU Emergency Trust Fund for Africa, which gave them a joint seat in the Fund's operational committee. Hungary and Poland both contributed 3 million euros each to the Syria Trust Fund (European Union 2015), with Poland contributing an additional 1.2 million in 2017 (European Commission 2017). Both countries have also clearly expressed that they see the goals of the trust funds fitting very well into their development cooperation strategies. While amounts contributed are not large compared to the total values of these funds, the fact that both countries made efforts to ensure that they have a say in how these are allocated shows that they have taken them seriously. Due to their close links to the EU however, including the fact that the EC implements the projects approved under the trust funds, it is unclear whether they are seen as alternatives by the two countries which would erode loyalty towards EU development cooperation.

It is difficult to argue that either Poland or Hungary see a clear alternative to EU development cooperation. They clearly do not have the resources to achieve any meaningful impact through bilateral development cooperation, and there is no strong evidence of turning towards other multilateral agencies either: contributions to the EU still make up the bulk of the total foreign aid expenditure of both countries.

LESS LOYALTY, MORE VOICE?

There are clearly processes at work in both countries which erode loyalty towards EU development cooperation, although these are not uniformly strong. In case of Hungary, there is evidence of the Fidesz government's nationalist and anti-EU rhetoric entering bilateral development policy. There is very little indication that EU membership would have had any socialization effects on Hungary's development cooperation, and while Hungary has managed to have some impact on EU development policy, these have not been large, and reflect collective CEE efforts. The emerging picture is slightly different for Poland. Poland's bilateral development policy has shown greater continuity, although there is also evidence of the impact of illiberalism in the form of decreasing emphasis on democracy promotion. Poland has been more influential than Hungary, although it is just as difficult to identify any socialization effects. Based on these differences, we expect Hungary to

have become more vocal in EU development policymaking. This section analyses the recent actions of the two countries in these processes.

There is evidence that Hungary has increasingly been acting as a 'trouble maker' in EU development policy. Its opposition towards migration has translated into extreme hostility towards any positive mentions of the issue in EU documents. As stated in a report by the Hungarian Ministry of Foreign Affairs and Trade (2017: 15):

> Hungary places a strong emphasis on ensuring that the EU separates discussions on refugees eligible for protection and economic migrants. Not all EU countries think the same in all development-related topics, which became evident during the elaboration of the New European Consensus, the backbone of the EU's international development cooperation policy. While all members supported the goals of international development and criteria aimed at increasing effectiveness, approaches to migration divided the member states. While finalizing the document, Hungary was unable to accept any references to the positive impacts of migration on destination countries.

Contestation of positive images of migration was visible in a number of Hungarian actions on the EU level. In April 2018, Hungary vetoed the text of the Marrakesh Political Declaration between the EU and African countries on migration and development – in the end, Hungary was the only EU member not to sign it (444.hu 2018a). Hungary also vetoed the EU's negotiating mandate for the post-Cotonou negotiations in May 2018, arguing that it speaks too favourably of migration, and demanded removing references to legal routes for migration. Hungary was the only member state to oppose the mandate (Euractiv 2018). Furthermore, Hungary was the first member state to break away from the EU's joint position on the United Nations' Global Compact on Migration in June 2018, a non-binding instrument laying down principles on managing migration. The government argued that 'migration is an unfavourable and dangerous process […], at odds with the country's security interests' (Gatti 2018).

These are all clear instances of using an extreme form of voice, which had previously not characterized Hungary's participation in EU development policy, or even EU policymaking more generally. Previously, Hungary only opposed EU declarations if it was not alone in doing so. The shifts towards acting alone became evident in other areas of EU foreign policy as well in 2018: for example, Hungary was alone in opposing a declaration condemning China on human rights (444.hu 2018b). Hungary has also been perhaps one of the most vocal critics of sanctions against Russia in the aftermath of the annexation of Crimea. The government has also been making the development of closer ties with Ukraine more difficult: Orbán's government, has taken a distinctly pro-Russian angle after the Maidan revolution (Krekó and Szicherle 2018). Relations with Ukraine deteriorated especially after the country passed a controversial education law in 2017, which affects minority languages users (including ethnic Hungarians living in the Transcarpathia region of Ukraine) negatively. Peter Szijjártó, Hungary's foreign minister, stated that 'Hungary will block and veto all steps in the European Union, which […] would bring Ukraine closer to the European integration' (Valasz.hu 2017). While there has been no evidence of Hungary living up to this promise, Hungary's actions have been seen as disproportionate and benefiting Russia (Kreko and Szicherle 2018).

Poland has acted much less controversially in EU development cooperation and related policies, with rather little evidence of a stronger Polish voice or partial exits. While Poland also broke away from the EU position on the Global Compact on Migration and did not sign the document, it was more a follower in this regard after Hungary and several other

member states broke away (Gatti 2018). Poland eventually voted against the Compact in the UN General Assembly and did not support a separate Global Compact on Refugees either. However, Polish objections to the migration related issues in EU development policy documents and positions where much softer than those of Hungary. Poland gave some technical support to Hungary relating to its criticism of migration and seems to have 'felt comfortable' hiding behind Hungary during the negotiations of the EC's mandate for the post-Cotonou agreement.

Paradoxically, the refugee crisis in 2015 and its impacts on EU policy had a positive influence on Poland's position within EU development cooperation. The EU's approach to migration shifted from a welcoming to a more deterrent approach after 2016, which gave an impression to Polish officials that the EU was aligning itself with the Polish position. The failure of the refugee relocation scheme and greater EU focus on addressing the 'root causes of migration' in development policy strengthened the narrative that the CEE countries were right all along. The securitization of EU development policy was a welcome change for the Polish government, which had always regarded aid as a foreign policy tool. After rejecting any substantial reform of migration policy at the European Council in June 2018, Polish Prime Minister Mateusz Morawiecki stated that 'we have succeeded in convincing our partners that the refugee relocation scheme cannot force any country to admit refugees against its sovereign will. […] The position of Poland is now the position of the entire EU' (Deon.pl 2018). While this statement may be exaggerated, there has clearly been convergence between the Polish and European approaches to using foreign aid as tool of migration control. As opposed to Hungary, which thought that the EU did not go far enough, Poland was satisfied with this convergence. Furthermore, Poland has been much less of 'troublemaker' in other areas of EU external relations and development policy than Hungary.

There were further changes in EU development policy which were in line with Poland's interests. For instance, the growing European discourse on the stronger engagement of the private sector aligned with the multiannual strategy of Polish Aid (Polish Ministry of Foreign Affairs 2015). This gave an opportunity for Poland to justify its own support for Polish businesses in development cooperation. Poland welcomed the proposal for the European External Investment Plan and was one of the biggest donors for the European Resilience Initiative of the European Investment Bank. Poland saw it as a success that the New European Consensus on Development recognized the Eastern Partnership countries and Middle Income Countries, where most of Polish bilateral aid goes, as important partners for the EU.

There is one final area in development cooperation where both Poland and Hungary have been increasingly using their voice: Sexual Reproductive Health Rights (SRHR). Both governments argue that this concept is not clearly defined and can be a cover for opening the way for supporting abortion, same-sex marriage, or adoption of children by same-sex couples. Both claim to protect 'traditional' family values, although in rather archaic forms, which fits into their proclaimed illiberal/nationalist ideologies, and their adversity towards 'gender ideology' (Vida 2019). Poland and Hungary played a role in softening the language and propositions on SRHR in the negotiating mandate for the post-Cotonou agreement, as well as the New European Consensus on Development, making this a further area where they are using a stronger voice.[1] However, there is little data as to how systematic the opposition to these issues is from these countries, and it has clearly been less emphasized than migration. A report sponsored by the Hungarian government attempted to link the two issues, arguing that the way international organizations promote sexual education programs amounts to the persecution of Christians for their beliefs (Muller 2019).

Comparing the recent actions of Hungary and Poland in EU development cooperation processes supports our expectation that Hungary has become more likely to use extreme forms of voice, although there is no evidence for partial exit. Development cooperation has not emerged as a sticking point in Poland's relations with the EU, and Poland is acting in a less confrontational manner than Hungary. In fact, shifts in the EU's development policy have been in Poland's favour, lending the government an argument that it can wield influence in the EU. The fact that Hungary remained confrontational indicates that it would have liked the EU to be even more radical. Hungary has emerged as an internal challenger to the EU's development policy, while Poland less so.

CONCLUSIONS

This paper has examined how the rise of illiberalism in Hungary and Poland has affected their actions in EU development cooperation. Using a framework based on Hirschmann's (1970) concepts of voice, exit and loyalty, the paper argued that a number of processes may have eroded Hungary and Poland's loyalty towards EU development cooperation, making them more likely to use extreme forms of voice, and potentially even partially exit from the policy area. We argued that the erosion of loyalty could be caused by increasing discrepancy between the values embedded in EU development cooperation and those in bilateral development policy; a lack of Europeanization and low influence in shaping the policy; and the emergence of alternative solutions. Hungary's bilateral development policy has become more nationalist/illiberal than Poland's, where there is a strong degree of continuity. While neither country has been successfully Europeanized into the norms of the common development policy, Poland may have developed a stronger sense of loyalty due to the fact that it has had more success in influencing the policy area than Hungary. Finally, it is difficult to argue that there are any true alternatives to the EU's development policy in terms of addressing collective problems, such as the migration-development nexus. Both countries have made greater use of bilateral aid to address the root causes of migration, but these efforts are mostly symbolic.

The framework explains the differences between Hungary's and Poland's actions within EU development policy well. While partial exits would perhaps be a strong expectation, there is reason to expect Hungary to embrace stronger forms of voice due to how its loyalty towards the policy may have been eroded more than that of Poland's. This is supported by recent evidence: Hungary has indeed been using stronger forms of voice, including vetoes, in EU development policymaking. Poland on the other hand seems content with the policy area, especially since it has shifted towards placing a greater emphasis on managing migration and supporting businesses. In other words, the modus operandi of the EU has shifted closer to Poland's preferences, making the erosion of loyalty less likely. Indeed, Polish officials have communicated this as evidence of Polish influence. While these changes were in Hungary's favour as well, the government seemed to be pushing for even more radical change. It may also be using development policy for other political purposes, e.g. signalling to other member states that it is ready to act in a more disruptive manner, should the EU become tougher in challenging the authoritarian nature of Orbán's governance. In case of Poland, the convergence with EU development policy should not be seen as an effect of successful Europeanisation. To the contrary, the Polish approach emerged in opposition to the EU's refugee relocation scheme. Other changes, such as the marginalisation of democracy promotion, are home-grown phenomena, linked to the ideology of PiS.

EU development cooperation has provided an important, negative lesson for Hungary and Poland. Over the years, both countries learned how to ignore soft laws of EU in this area

and pursued a selective internalisation of EU norms and priorities. This experience may have emboldened them, especially Hungary, to act more vocally in the policy area, and may have also encouraged them to break free from European standards in other areas as well.

AUTHOR DETAILS

Dr Balázs Szent-Iványi, Aston Centre for Europe, Aston University, Aston, Main Building, B4 7ET Birmingham, United Kingdom. Email: b.szent-ivanyi@aston.ac.uk

Patryk Kugiel, Polish Institute for International Affairs, 1A Warecka Street, 00-950 Warsaw, Poland. Email: kugiel@pism.pl

ENDNOTES

[1] Interview with a Polish diplomat, Brussels, April 2019.

REFERENCES

444.hu (2018a). Magyarország megvétózta az EU-Afrika csúcs megállapodását, óriási a felháborodás [Huge outrage as Hungary vetos the agreement on the EU-Africa summit]. Online: https://444.hu/2018/04/26/magyarorszag-megvetozta-az-eu-afrika-csucs-megallapodasat-oriasi-a-felhaborodas [accessed 08 April 2019].

444.hu (2018b). Európa büszkeségéről szólt az a szöveg, amit a magyar kormány megvétózott. [Europe's pride was the main point of the text which the Hungarian government vetoed]. Online: https://444.hu/2018/04/19/europa-buszkesegerol-szolt-az-a-szoveg-amit-a-magyar-kormany-megvetozott [accessed 08 April 2019].

About Hungary (2019). *Hungary Helps*. Online: http://abouthungary.hu/hungary-helps/ [accessed 08 April 2019].

Bossuyt, Fabienne and Dymtro Panchuk (2017). 'The Participation of CEECs in EU Twinning Projects: Offering Specific Added Value for EU Transgovernmental Cooperation in the Eastern Neighbourhood?' *East European Politics and Societies* 31(2): 334-359 https://doi.org/10.1177/0888325416687638

Carbone, Maurizio (2004). 'Development policy'. In Nugent, Neil (ed.) *EU Enlargement.* Basingstoke: Palgrave.

Carbone, Maurizio (2007). *The European Union and International Development.* London: Routledge/UACES.

Carbone, Maurizio and Niels Keijzer (2016). 'The European Union and Policy Coherence for Development: Reforms, Results, Resistance'. *European Journal of Development Research* 28: 30–43. https://doi.org/10.1057/ejdr.2015.72

Copsey, Nathaniel and Karolina Pomorska (2014). 'The Influence of Newer Member States in the European Union: The Case of Poland and the Eastern Partnership'. *Europe-Asia Studies* 66(3): 421-443. https://doi.org/10.1080/09668136.2013.855391

Delputte, Sarah, Steven Lannoo, Jan Orbie, and Joren Verschaeve (2015). 'Europeanisation of aid budgets: Nothing is as it seems'. *European Politics and Society* 17(1): 74-89. https://doi.org/10.1080/23745118.2015.1075775

Deon.pl (2018). Premier: ws. uchodźców stanowisko Polski jest teraz stanowiskiem UE [Prime Minister: Poland's position on refugees is now the EU's position]. Online: https://www.deon.pl/wiadomosci/polska/art,29811,premier-ws-uchodzcow-stanowisko-polski-jest-teraz-stanowiskiem-ue.html [accessed 08 April 2019].

Euractiv (2018b). MEPs condemn Hungary's post-Cotonou agreement blockade. Online: https://www.euractiv.com/section/africa/news/meps-condemn-hungarys-post-cotonou-agreement-blockade/ [accessed 08 April 2019].

European Commission (2017). *EU Syria Trust Fund: new assistance package to support Syrian refugees and host communities crosses €1 billion mark*. Online: http://europa.eu/rapid/press-release_IP-17-1593_en.htm [accessed 7 April 2019].

European Commission (2018). *Rule of Law: European Commission refers Poland to the European Court of Justice to protect the independence of the Polish Supreme Court*. Online: http://europa.eu/rapid/press-release_IP-18-5830_en.pdf [accessed 7 April 2019].

European Union (2015). Europe's Support to Refugees and their Host Countries. EU Regional Trust Fund in Response to the Syrian Crisis. http://www.eutf-unicef.org/assets/fact-sheet-eutf-syria-jan20172.pdf [accessed 08 April 2019].

Gatti, Mauro (2018). EU States' Exit from the Global Compact on Migration: A Breach of Loyalty. Online: http://eumigrationlawblog.eu/eu-states-exit-from-the-global-compact-on-migration-a-breach-of-loyalty/ [accessed 7 April 2019].

Greskovits, Béla (2015). 'The Hollowing and Backsliding of Democracy in East Central Europe'. Global Policy 6(1): 28-37. https://doi.org/10.1111/1758-5899.12225

Hirschmann, Albert (1970). *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*. Cambridge, MA: Harvard University Press.

Hellmeyer, Monika (2015). 'Case Study 2: The European Transition Compendium: Much Ado about Nothing?' In Horký-Hlucháň, Ondřej and Lightfoot, Simon (eds) *Development Cooperation of the 'New' EU Member States*. London: Palgrave Macmillan.

Horký, Ondřej (2010). 'The Europeanization of development policy: Accommodation and resistance of the Czech Republic'. *DIE Discussion Paper* 18/2010.

Horký, Ondřej (2012a). 'The Impact of the Shallow Europeanisation of the 'New' Member States on the EU's Actorness: What Coherence between Foreign and Development Policy?' In Stefan Gänzle, Sven Grimm, and Davina Makhan (eds) *The European Union and Global Development*. London: Palgrave Macmillan.

Horký, Ondřej (2012a). 'The Transfer of the Central and Eastern European 'Transition Experience' to the South: Myth or Reality?' *Perspectives on European Politics and Society* 13(1): 17-32. https://doi.org/10.1080/15705854.2011.649165

Horký-Hlucháň, Ondřej (2015). 'Czechia: The 'Foreign Development Cooperation' as a policy without politics'. In Ondřej Horký-Hlucháň and Simon Lightfoot (eds) *Development Cooperation of the 'New' EU Member States*. London: Palgrave Macmillan.

Hungarian Ministry of Foreign Affairs (2011). Magyar külpolitika az uniós elnökség után [Hungarian Foreign Policy After the EU Presidency]. Online: http://eu.kormany.hu/download/4/c6/20000/kulpolitikai_strategia_20111219.pdf [accessed 04 April 2019].

Hungarian Ministry of Foreign Affairs and Trade (2017). Jelentés Magyarország 2016. évi nemzetközi fejlesztési és nemzetközi humanitárius segítségnyújtási tevékenységéről [Report on Hungary's international development and humanitarian assistance activities in 2016]. Budapest: Külgazdasági és Külügyminisztérium.

Jachtenfuchs, Markus and Christiane Kasack (2017). 'Balancing sub-unit autonomy and collective problem-solving by varying *exit* and *voice*. An analytical framework'. *Journal of European Public Policy*, 24(4): 598-614. https://doi.org/10.1080/13501763.2016.1273376

Jones, Erik (2018). 'Towards a Theory of Disintegration'. *Journal of European Public Policy*, 25(3): 440-451. https://doi.org/10.1080/13501763.2017.1411381

Kaló, József and Lóránd Ujházi, eds (2018). *The Budapest Report on Christian Persecution 2018*. Budapest: Ludovika Egyetemi Kiadó.

Krekó, Péter and Zsolt Enyedi (2018). 'Explaining Eastern Europe – Orbán's Laboratory of Illiberalism'. *Journal of Democracy* 29(3): 39-51.

Krekó, Péter and Patrik Szicherle (2018). 'Why Is Hungary Blocking Ukraine's Western Integration?' *Atlantic Council Blog*, http://www.atlanticcouncil.org/blogs/ukrainealert/why-is-hungary-blocking-ukraine-s-western-integration [accessed 09 April 2019].

Kormany.hu (2019). Hungary Helps Agency established. https://www.kormany.hu/en/prime-minister-s-office/news/hungary-helps-agency-established [accessed 06 March 2020].

Lightfoot, Simon and Balázs Szent-Iványi (2014). 'Reluctant Donors? The Europeanization of International Development Policies in the New Member States'. *JCMS: Journal of Common Market Studies* 52(6): 1257-1272. https://doi.org/10.1111/jcms.12141

Muller, Thomas (2019). A keresztényüldözés mérése a világon – a World Watch List of Open Doors International és módszertana [Measuring the global persecution of Christians – the World Watch List of Open Doors International and its methods]. In Kaló, József, Ferenc Petruska, and Lóránd Ujházi, (eds). *The Budapest Report on Christian Persecution 2019*. Budapest: Háttér Kiadó, pp. 317-336.

Non-paper (2011) Harnessing the transition experience in EU's external relations: From policy to implementation. Non-paper by the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovak Republic, and Slovenia. Online: http://www.mzv.cz/file/591175/non_paper_on_the_transition_experience.pdf [accessed 23 October 2018].

OECD (2018): Total flows by donor (ODA+OOF+Private) [DAC1]. https://stats.oecd.org/Index.aspx?datasetcode=TABLE1 [accessed 08 April 2019].

Orbán, Viktor (2019). Speech at the Second International Conference on Christian Persecution, Budapest, 26 November 2019. https://www.kormany.hu/hu/a-miniszterelnok/beszedek-publikaciok-interjuk/orban-viktor-beszede-a-keresztenyuldozesrol-szolo-nemzetkozi-konferencian [accessed 06 March 2020].

Orbie, Jan and Maurizio Carbone (2016). 'The Europeanisation of Development Policy'. *European Politics and Society*, 17(1): 1-11. https://dx.doi.org/10.1080/23745118.2015.1082688

Panke, Diana (2010). 'Small States in the European Union: Structural Disadvantages in EU Policy-Making and Counter-Strategies'. *Journal of European Public Policy,* 17(6): 799-817. https://doi.org/10.1080/13501763.2010.486980

Paragi, Beáta (2011). 'Hungarian Development Policy'. In Hoebink, Paul (ed.) *European Development Cooperation: In Between the Local and the Global*. Amsterdam: Amsterdam University Press.

Polish Ministry of Finance (2019). Wykaz umów międzyrządowych [List of intergovernmental agreements]. Online: https://www.gov.pl/web/finanse/wykaz-umow-miedzyrzadowych-kredyty-rzadowe [accessed 04 April 2019].

Polish Ministry of Foreign Affairs (2015). *Multiannual Development Cooperation Programme for 2016-2020.* Warsaw: Ministry of Foreign Affairs.

Polish Ministry of Foreign Affairs (2017). *Strategia Polskiej Polityki Zagranicznej 2017-2021* [Strategy of Polish Foreign Policy 2017-2021]. Warsaw: Ministerstwo Spraw Zagranicznych.

Polish Ministry of Foreign Affairs (2018). *Polska Współpraca Rozwojowa. Raport roczny 2017*. [Annual Report on Polish Development Cooperation 2017]. Warsaw: Ministerstwo Spraw Zagranicznych.

Pospieszna, Paulina (2014). *Democracy Assistance from the Third Wave: Polish Engagement in Belarus and Ukraine*. Pittsburgh: University of Pittsburgh Press.

Reinsberg, Bernhard (2017). 'Trust Funds as a Lever of Influence in International Organizations'. *Global Policy,* 8(5): 85-95. https://doi.org/10.1111/1758-5899.12464

Rzeczpospolita (2016). 'Wicepremier Piotr Gliński: Pomagajmy uchodźcom tam, skąd pochodzą' [Deputy Prime Minister Piotr Gliński: Let's help refugees at home]. 24 March.

Sejm of the Republic of Poland (2015). *Sprawozdanie Stenograficzne z 100. posiedzenia Sejmu Rzeczypospolitej Polskiej w dniu 16 września 2015 r.,* Warszawa 2015, s.14. Online: http://orka2.sejm.gov.pl/StenoInter7.nsf/0/A8CA0F4060DE3B1CC1257EC200722812/%24File/100_a_ksiazka.pdf [accessed 04 April 2019].

Szent-Iványi, Balázs (2014). 'The EU's Support for Democratic Governance in the Eastern Neighbourhood: the Role of New Member State Transition Experience'. *Europe-Asia Studies* 66(6): 1102-1121. https://doi.org/10.1080/09668136.2014.927646

Szent-Iványi, Balázs and Simon Lightfoot (2015). *New Europe's New Development Aid*. Abingdon: Routledge.

Tarrósy, István and Zoltán Vörös (2014). 'Hungary's Global Opening to an Interpolar World'. *Politeja* 28: 139-162.

Tétényi, András (2018). 'Hungarian international development policy: a case for conflicted success'. In: Batory, Agnes, Cartwright, Andrew and Stone, Diane (eds) *Policy Experiments, Failures and Innovations. Beyond Accession in Central and Eastern Europe*. Cheltenham: Edward Elgar.

Timofejevs Henriksson, Péteris (2013). *The Europeanisation of Foreign Aid Policy: Slovenia and Latvia 1998-2010*. Umea: Umea University Press.

Valasz.hu (2017): Így zajlott az Ukrajna elleni magyar vétó [This is how Hungary's veto against Ukraine happened]. Online: http://valasz.hu/vilag/igy-zajlott-az-ukrajna-elleni-magyar-veto-126095 [accessed 09 April 2019].

Venice Commission (2015). *Opinion on Media Legislation (ACT CLXXXV on Media Services and on the Mass Media, Act CIV on the Freedom of the Press, and the Legislation on Taxation of Advertisement Revenues of Mass Media) of Hungary*. Online: https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD%282015%29015-e [accessed 04 April 2019].

Vida, Bianka (2019). 'New waves of anti-sexual and reproductive health and rights strategies in the European Union: the anti-gender discourse in Hungary'. *Sexual and Reproductive Health Matters*, 27(2): 13-16. https://doi.org/10.1080/26410397.2019.1610281

Visegrad Group (2015). Joint Statement of the Heads of Government of the Visegrad Group Countries. Prague, September 4, 2015. Online: http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the-150904 [accessed 04 April 2019].

Vollard, Hans (2014). 'Explaining European Disintegration'. *Journal of Common Market Studies*, 52(5): 1142-1159. https://doi.org/10.1111/jcms.12132

Washington Post (2017). 'Hungary and Slovakia challenged Europe's refugee scheme. They just lost badly.' September 8.

Webber, Douglas (2014). 'How Likely is it that the European Union will Disintegrate? A Critical Analysis of Competing Theoretical Perspectives'. *European Journal of International Relations*, 20(2): 341-365. https://doi.org/10.1177/1354066112461286

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

African Agency and EU-ACP relations beyond the Cotonou Agreement

Stephen R. Hurt

Citation

Hurt, S.R. (2020). 'African Agency and EU-ACP relations beyond the Cotonou Agreement', *Journal of Contemporary European Research* 16 (2): 139-162. https://doi.org/ 10.30950/jcer.v16i2.1075

First published at: www.jcer.net

Abstract

With the Cotonou Agreement due to expire in 2020, formal negotiations towards a new partnership agreement between the EU and African, Caribbean and Pacific (ACP) states began in September 2018. Based on the acceptance of the EU's negotiating mandate, the new arrangement will be primarily organised via three specific regional protocols with each of the ACP regions. Meanwhile, the Joint Africa-EU Strategy (JAES) launched in 2007, has seen the African Union (AU) gain increased prominence as an institutional partner of the EU. Given its ambitious pan-African agenda, it adopted an alternative 'African' vision for future EU-ACP relations, to the mandate agreed by the ACP states and expressed a willingness to become directly involved in the negotiations. This article contributes an important new case-study to the existing literature on 'African agency' in international politics by considering the scope for Africa to exert agency within the post-Cotonou negotiations, given the negotiation of a specific regional compact with Africa. It adopts a structurally embedded view of agency, based on Cox's understanding of historical structures, as a fit between institutions, ideas and material relations. The central argument is that, in comparison to the negotiation of the Cotonou Agreement two decades ago, there is greater scope for African agency. However, both the ideational and material aspects of Africa's relationship with the EU, condition the limits to how effective such agency might be. Moreover, tensions at the institutional level between the ACP and AU further undermine the potential for effective African agency.

Keywords

ACP states; African agency; African Union; development; European Union; trade

INTRODUCTION

September 2018 saw the start of formal negotiations between the EU and African, Caribbean and Pacific (ACP) states towards a new partnership agreement.[1] This new arrangement will replace the Cotonou Agreement, which has governed EU-ACP relations for a twenty-year period since 2000.[2] Previously, during the negotiation of the Cotonou Agreement, ACP states had expressed a preference for maintaining both the unity of their group and a trade relationship based on non-reciprocity, but instead the EU's vision for regional Economic Partnership Agreements (EPAs) based on reciprocal trade liberalisation was adopted. In essence, 'there was little evidence of ACP states shaping the agenda' (Hurt et al. 2013: 72).

This article focuses on the post-Cotonou negotiations with Africa and is specifically concerned with the scope for increased 'African agency' in shaping a new relationship with the EU. This is something that, rhetorically at least, EU officials suggested is central to their vision for the negotiations. For example, in December 2017, then EU Commissioner for International Cooperation and Development, Neven Mimica, suggested that the forthcoming negotiations, between the EU and ACP, provided a 'unique opportunity to shape a true partnership of equals, moving beyond traditional donor-recipient perceptions' (DG International Cooperation and Development 2017). Similarly, Carlos Lopes, appointed by the African Union (AU) as High Representative to support member states in the post-Cotonou negotiations, has argued that 'Africa has a historic opportunity to change its relationship with Europe' (Lopes 2018).

In sharp contrast to this official rhetoric, many commentators have questioned the significance and relevance of a new EU-ACP framework. It has been suggested that the 'fundamental question is whether an agreement between the EU and the member states' former colonies is still relevant at all' (Schmieg 2019: 1). The Cotonou Agreement was based on a traditional North-South relationship, which now looks increasingly out of step with a global development agenda, reflected in the adoption of the Sustainable Development Goals (SDGs) in 2015, by all UN member states (Medinilla and Bossuyt 2019: 1).

Despite this changing global landscape, the post-Cotonou negotiating mandate of the ACP states expressed a desire for continuity in the structure of the EU-ACP relationship. It called for 'a single Agreement which … should maintain and build on the acquis of the Cotonou Agreement through a single negotiating framework and single undertaking' (ACP Council of Ministers 2018: 6). This ACP vision proposed a structure based on three pillars (trade, investment and services; development cooperation; political dialogue and advocacy), closely resembling the framework of the Cotonou Agreement. By contrast, the EU proposed a more significant overhaul by outlining a new structure for the post-Cotonou agreement, which the ACP states reluctantly accepted in December 2018 (Medinilla and Bossuyt 2019: 1). As a result, there will be an umbrella framework agreed with the ACP Group as a whole covering general objectives and principles, with three specific regional compacts operating underneath this with Africa, the Caribbean and the Pacific respectively. The EU has also been clear in emphasising that the 'centre of gravity will be on the regional compacts' (European Commission 2017: 2).

This article interrogates the rhetorical claims made by policymakers to the potential for Africa to influence the terms of a new post-Cotonou agreement with the EU. In doing so, it makes an original contribution to the literature by advancing the wider debate on 'African agency' in international politics. It also contributes to the specific literature on EU-ACP relations, by adopting a different perspective from the majority of analysis, which tends to take an EU-centric viewpoint. The article is based on analysis of both primary documents published before and during the post-Cotonou negotiations together with secondary literature. The most significant of these primary documents include the negotiating

mandates adopted by the ACP Council of Ministers and the Council of the European Union, statements by the AU in relation to the negotiations and key documents produced by the European Commission (including a consultation paper) prior to the start of the formal negotiations. The experience of the Cotonou negotiations is instructive here in highlighting the significant agenda-setting role played by the European Commission in setting out in a Green Paper, what became the broad framework of the final agreement (European Commission 1996). This time around it was already evident in 2016 that the plan was to include regional compacts in the post-Cotonou Agreement (European Commission 2016a). In assessing the scope for 'African agency', the article begins by outlining the value in adopting a Coxian theoretical framework. Taking a critical approach allows us to stand 'back from the existing order of things to ask how that order came into being, how it may be changing, and how that change may be influenced or channeled' (Cox 1992/1996: 525). It is argued that this approach avoids either a position that dismisses 'African agency' as impossible, or an uncritical assertion of its significance. The article then takes stock of the changing historical structure within which the post-Cotonou negotiations are taking place before evaluating the role played by key African institutions, the dominant ideas, together with the material relations between the EU and Africa, which set the parameters of the negotiations.

The central argument is that the current historical structure and in particular important institutional developments (especially within the AU) suggest there is potential for more African agency in the post-Cotonou negotiations, than was exercised during the negotiation of the previous arrangement agreed two decades ago. However, tensions between the ACP and AU have undermined attempts to develop a common African position towards the continent's relations with the EU, which have compromised these institutional opportunities. Moreover, at an ideational level the underlying neoliberal assumptions in relation to African development, still place significant limits on the potential for African agency. The EU envisages a greater role for the private sector and remains determined to continue to base its trade relationship with Africa on EPAs in the short-medium term. EPAs remain highly problematic given that they limit the policy space available to African governments and lock-in the economies of Africa to a neo-colonial relationship with Europe (see Hurt 2012). In recent years, African institutions have expressed bold aims for industrialisation and job creation (see AU 2008 and UN Economic Commission for Africa 2017) but the EU's vision will hinder, rather than support, this ambition. Finally, when considering African agency we also need to consider the scope for non-state actors to influence the negotiations. The final section of the article discusses this, before concluding by suggesting that future relations organised between the EU and AU, offer greater prospects for achieving African agency, than the re-negotiation of the Cotonou Agreement.

UNDERSTANDING 'AFRICAN AGENCY'

Africa has never been a passive actor in international affairs. For many years, however, the literature on Africa's international relations had focused primarily on its marginality within the international system. Even more contemporary analysis, underpinned by the neorealist assumption of a self-help system, still comes to the inevitable conclusion that Africa remains peripheral due to the weak material capabilities of its states (Andreasson 2013). Most research on the engagement of external actors with the continent has tended to treat Africa as an inactive recipient of their policymaking. Starting from the assumption of marginality, however, is problematic, given that Africa 'has in fact been dialectically linked, both shaping and being shaped by international processes and structures' (Taylor and Williams 2004: 1). From a critical perspective, structuralist readings have tended to dominate the analysis of Africa's place in the world economy. They have viewed Africa 'as part of the global periphery, an agency-less victim of great power/core manipulations' (Chipaike and Knowledge 2018: 2). As Harman and Brown have convincingly argued, the danger is that such 'a focus on structure without a more detailed consideration or

acknowledgement of agency binds Africa's international relations into a narrow and predetermined position' (2013: 86).

As a corrective to this focus on marginality, in recent years we have seen an emerging literature on 'African agency', reflecting the perception that Africa's place in the global political economy is changing. In tandem with this, it has become noticeable that Western policymakers are now keen to remind us that Africa offers untold potential. For example, in his 2018 State of the Union address to the European Parliament, Jean-Claude Juncker, then President of the European Commission, said, 'By 2050 … one in four people on earth will be African. We need to invest more in our relationship with the nations of this great and noble continent' (Juncker 2018).

In the specific literature on EU-ACP relations, there is only limited engagement with these broader debates on African agency. In the main, the concept has featured most noticeably in the work of scholars adopting a constructivist theoretical lens. The main focus has been the extent to which African actors have been able to exert agency in the negotiation of EPAs with the EU. One such study suggests that African actors have been able to employ a mimetic challenge, by using official EU discourse describing EPAs as development partnerships, to 'influence outcomes (in this case no agreement on comprehensive EPAs) in ways that would not be possible if the negotiations were determined by material power alone' (Hurt et al. 2013: 69). More specifically, Murray-Evans (2015) provides a nuanced account of the EPA talks with Southern African countries, highlighting the variety of positions taken by states in this region and the significance of South African negotiators in securing concessions from the EU. Meanwhile, Trommer (2011), in a discussion of the EPA negotiations with West African states, notes the significance of the role played by NGOs based in the region, enabling African states to challenge the developmental rhetoric of the EU.

This focus on the agency of Africa in world politics is to be welcomed. Starting our analysis from the perspective of 'African agency' allows us to look at EU-ACP relations in different ways to those that dominate the orthodox analysis of many scholars in European studies. However, 'what the optimistic discourse on African agency fails to sufficiently acknowledge is the persistence of wider structures (both material and ideational) that set the parameters of Africa's engagement in the global political economy' (Hurt 2013: 52). Hence, we need a conceptualisation of 'agency' that gets beyond seeing it as simply a synonym for an ability to exact influence. Instead, as Brown argues, we should employ a structurally embedded understanding, whereby 'agency needs to be seen as both creative and reproductive of existing structural relationships, as well as, potentially at least, transformative of them' (2012: 1895).

In sum, much of the existing literature on Africa has framed the debate as being between 'dependency' and 'agency'. This article portrays a more nuanced picture, by steering a course between those who simply dismiss African agency altogether and others who assert it as self-evident. In so doing, it advances the debate on African agency by avoiding two important limitations: structural determinism and an account that lacks historical specificity.

This is achieved by employing a Coxian understanding of historical structures, a conceptualisation which 'does not determine actions in any direct, mechanical way but imposes pressures and constraints' (Cox 1981: 135). A Coxian framework helps us to understand the structural limits to agency. For Cox, structures are dynamic rather than being fixed and immutable. Hence, there is scope for agency. Historical structures, Cox argues, are 'made by collective human activity and transformed through collective human activity' (1987: 4). He understands historical structures as being composed of the interaction between three key elements: material capabilities, ideas and institutions (Cox

1981: 136). Together they form the basis of the main dimensions of structural power, which condition the possibilities for agency within the global political economy.

A Coxian approach also avoids an ahistorical understanding of the structure of international relations. It allows an appreciation of 'how social relations in the present of any particular era, are, to some extent, prefigured by the past' (Bieler and Morton 2001: 18). Therefore, in relation to the focus of this article, it is important to acknowledge the significance of the historical development of EU-ACP relations. The post-Cotonou negotiations build on previous arrangements and do not take place outside of this history. Those who assert an increase in African agency tend to justify their position with reference to the increasing material significance of the continent. For example, Lopes (2019), has suggested that 'the last two decades have further empowered African countries, as economic development has been translated into increased diplomatic capacity, and socioeconomic potential has given weight to a more assertive leadership'. A Coxian framework, by contrast, emphasises the importance of considering the ideational alongside the material. Hence, the relationship between the three aspects of a historical structure should be understood as reciprocal. This means that 'institutions are particular amalgams of ideas and material power which in turn influence the development of ideas and material capabilities' (Cox 1981: 137). Historical structures may become hegemonic when dominant ideas become accepted as common sense and powerful actors maintain their dominance largely through consent rather than coercion. Thus, hegemony is understood as 'an expression of broadly based consent, manifested in the acceptance of ideas and supported by material resources and institutions' (Bieler and Morton 2004: 87). Assessing the prospects for agency, therefore, becomes central in an evaluation of any counterhegemonic project. Such a commitment to the significance of the ideational, nonetheless situated within material circumstances, is the basis upon which agency is understood within the analysis of the post-Cotonou negotiations that follows in the rest of this article.

The other potential pitfall of discussing 'African agency' is that we end up with a conceptualisation of Africa as a single entity. It is clear that 'given the diversity of the continent, speaking unproblematically of "*African* agency" in the singular is hazardous' (Brown 2012: 1891). As this article demonstrates, in the case of the post-Cotonou negotiations, the question of who speaks for Africa remains heavily contested. The AU has sought to assert itself as the representative voice of African interests, but individual states retain a privileged role in the framework of EU-ACP relations. As the final section of this article outlines, non-state actors also represent an expression of African agency, articulated both within and outside the formal mechanisms established for such dialogue. Thus, the following sections seek to evaluate recent institutional developments within the EU and Africa, combined with the material and ideational structures, within which the EU and Africa are negotiating a post-Cotonou agreement, in order to evaluate how much scope there is for African agency to shape the eventual outcome. Before this analysis, however, it is important to consider changes within the historical structure and the extent to which this differs from that which set the frame for the negotiations towards the Cotonou Agreement in the late 1990s.

HISTORICAL STRUCTURE

The historical structure has been important in the past in shaping the nature of the relationship between the EU and ACP states. In fact, the European Commission itself, in its proposals to the Council and the European Parliament, argued that the post-Cotonou negotiations are 'an opportunity to make the partnership fit for purpose in light of today's challenges in a changed world' (European Commission 2016a: 5). This section assesses the nature of the contemporary historical structure as Africa re-negotiates its relationship with the EU. It notes that although the Post-Washington Consensus (PWC) version of

neoliberalism remains significant, some broader geopolitical changes do suggest there is scope for Africa to exercise more agency during the post-Cotonou negotiations.
The PWC became the development orthodoxy of the World Bank and International Monetary Fund in the late 1990s. It acknowledged that during the period since the early 1990s 'neoliberalism had failed to create a sufficient number of productive employment opportunities in many countries in the Global South' (Hurt 2016: 549). As a result, the PWC envisages a greater role for the state in development. However, this role is essentially reducible to creating the institutional environment whereby the private sector can most effectively fulfil its function as the main driver of development. Since the early 2000s, the EU has closely followed the PWC in its approach to development policy and these ideas remain at the centre of the recently updated European Consensus on Development (see Council of the European Union, European Parliament and European Commission 2017). Hence, the PWC continues to inform the EU's ideational vision for its future relationship with the ACP states.

The adoption of the SDGs in 2015 sets the broad framework within which the post-Cotonou negotiations will take place.[3] It is noticeable that both the EU and ACP negotiating directives make frequent references to the SDGs. It is important to recognise that the assumptions inherent to the PWC underpin the SDGs. As Langan suggests 'the free market and pro-business discourse of the SDGs is … a regurgitation of long-standing donor norms concerning the need to align poverty reduction strategies to the interests of the private sector' (2018: 181).

With respect to the governance of world trade, the most striking trend, since the negotiation of the Cotonou Agreement, is the exponential growth of bilateral trade agreements. The EU in its approach to external trade strategy has played a leading role in this regard. At the time of writing, 302 regional trade agreements are in force globally, with half of these covering both goods and services (World Trade Organization 2019). At the multilateral level, we have seen examples of the effective deployment of African agency. For example, within the World Trade Organization (WTO) it has been convincingly argued that African states have used 'the prevailing discourse of development … to resist a multilateral trade agreement that falls short of their expectations of what is promised' (Lee 2013: 35). The key question is whether Africa is now able to replicate such an approach in regional and bilateral relations with the EU.

An important geopolitical context for the post-Cotonou negotiations is the increasing focus of the emerging powers in Africa. The European Commission made this clear, in its consultation paper on the re-negotiation of the Cotonou Agreement, stating that 'Brazil, China and India are strategically positioning themselves in these regions with an increased presence, growing investment and trade relations, and a growing cooperation portfolio' (European Commission 2015: 6). What does this mean in terms of African agency? It has been argued that the increasing role played by China and has provided scope for political and business elites in Africa to shape the terms of this relationship (Mohan and Lampert 2013: 109-110). Certainly, it is clear that African countries now have ideational alternatives to the PWC orthodoxy offered by the established powers. In fact it was this prospect of increasing links with Southern partners that informed African resistance to the EU's inclusion of a Most-Favoured Nation (MFN) clause in the EPA negotiations (Vickers 2013: 686). The adoption of such a clause in the EPAs would require ACP states to offer the EU matching trade preferences, to those potentially agreed to in any future trade agreements, with other major trading partners.

However, we should be wary of assuming that this growing interest from the emerging powers, in particular China, will automatically result in positive outcomes across Africa. There is evidence that effective African agency is at least possible in these new relationships. For example, the Ethiopian government has 'used its strategic partnership with China and India as an explicit bargaining chip in its negotiations with European donors

and vice versa' (Cheru 2016: 605). However, as Taylor warns, the impact of African engagement with emerging powers is contingent on 'the conjectural circumstances in each state formation and the nature of the external partners … the key question remains: how can African leaders take advantage for the benefit of the ordinary citizen?' (Taylor 2018: 318). Hence, Philips argues that, in the case of Ghana's relationship with China, 'state agents shaped the brokerage and outcomes of bilateral assistance, yet the scope for agency over economic structures was narrow' (2019: 123). His view is that in considering the agency of African elites, we must pay sufficient attention to the structures of the global political economy within which such agency occurs. In many cases, it is African elites, rather than the wider population, that benefit from the increased scope for agency afforded by these new external partners.

In sum, the post-Cotonou negotiations are taking place in a context where neoliberalism, in its PWC form, remains the orthodoxy. In world trade, meanwhile, the trend, exemplified by the EU, is for bilateral trade agreements rather than multilateralism. This places limits on what African states can hope to achieve in the post-Cotonou negotiations. However, the increasing engagement of emerging powers, especially China, does potentially allow African states more room for manoeuvre. In the next section, I consider recent institutional developments within Africa, the first of the three elements that comprise a Coxian understanding of historical structures.

INSTITUTIONAL DEVELOPMENTS WITHIN AFRICA

It is clear from the recent examples of effective African agency in a range of arenas that a collective negotiating stance is important. In this regard, Vickers argues that, 'African countries require joint strategies and common positions, preferably at the AU or sub-regional level, if they are to negotiate effectively with the rising and established powers' (2013: 679). Similarly, Lay and von Soest (2018) argue that for Africa to achieve a substantive new post-Cotonou agreement with the EU, a strong continental negotiating position is required. However, during the early phase of the post-Cotonou negotiations, the ACP Group and the AU took quite different positions on the future of the EU-ACP framework. The ACP Group includes 48 Sub-Saharan African states, all of whom are also members of the AU. However, it does not include the five North African states (Algeria, Egypt, Libya, Morocco and Tunisia) whose relationship with the EU falls under the remit of the European Neighbourhood Policy.[4]

Historically, the ACP Group has been a relatively ineffective actor and has had little impact on global governance more broadly. This is unsurprising given that the original rationale for the formation of the ACP Group was to negotiate and implement agreements with the EU. It still relies on the EU for the funding of its secretariat and the ACP negotiating mandate for the post-Cotonou negotiations argues for this arrangement to be continued (ACP Council of Ministers 2018: 25). In the lead-up to the re-negotiation of the Cotonou Agreement, the Brussels-based Secretariat and Committee of Ambassadors were largely unsuccessful in their attempts to redefine the purpose of the ACP Group, as a potentially important player on the wider global stage. It has been convincingly argued, therefore, that the future viability of the ACP Group 'is more related to its effective provision of patronage and EU funding benefits, than to its performance in relation to the Group's formal mandate' (Keijzer 2016: 520). In reality, its continued existence as a meaningful entity relies significantly, on negotiating something with the EU that looks very similar to the Cotonou Agreement. However, the EU's proposal to include regional compacts in the negotiations, posed an immediate threat to the ongoing relevance of the ACP as a distinct group of states.

Meanwhile, during the lifetime of the Cotonou Agreement we have seen the development of the Joint Africa-EU Strategy (JAES), which is reflective of an ongoing shift towards the

EU working more directly with the AU. The official portrayal of the JAES is that it provides an opportunity for a more balanced, less-dependent, relationship between Europe and Africa. It also signals an acknowledgement by the EU of the heightened status of the AU as an institution. In fact, due to a request by the AU, the 2017 summit held in Abidjan, Côte d'Ivoire, under the auspices of the JAES, was renamed an AU-EU meeting, rather than 'Africa-EU' as previous summits had been. In the final declaration from the Abidjan Summit, the AU and EU agreed that there was an 'opportunity for a paradigm shift to an even stronger, mutually beneficial partnership in the spirit of shared ownership, responsibility, reciprocity, respect and mutual accountability and transparency' (AU-EU 2017: 1).

It is clear that the change from the Organisation of African Unity to the AU in 2002 has precipitated a step-change in the coordination of continental politics. To date, this has been most noticeable in the fields of peace and security as seen in developments like the AU's Peace and Security Architecture. Although not without significant limitations, we have also seen the emergence of common African negotiating positions via the AU, with the impact on the global climate change talks a particularly good example of effective African agency (see Zondi 2013).

With respect to external economic relations, the AU, has until recently, been rather less effective. The AU-backed New Partnership for African Development (NEPAD) was the initial focal point for its approach in this area. As Taylor notes, NEPAD conformed to the assumptions of the PWC, by focusing on a pact with external donors around the implementation of 'good governance' (Taylor 2010: 54). In the last few years, however, the progress made towards the creation of a Continental Free Trade Area (CFTA) demonstrates the more significant prospect of the AU's ability to exercise agency in the global political economy. One of the AU's longstanding limitations has been its significant reliance on external financing. The CFTA includes a plan to levy a tariff of 0.2% on imports from outside the continent, which some African states have already implemented, to raise the funds needed to ensure the AU is eventually self-funded.

So, what are the prospects for the AU to exert agency on the post-Cotonou negotiations? Historically, the AU has not participated in EU-ACP negotiations given that its membership also includes North African states outside of this framework. The EU has suggested that the regional compact with Africa could serve as a potential replacement for the current JAES (European Commission 2017: 3). As a result, the AU expressed a strong desire to become directly involved in the negotiations (Carbone 2018: 484).

In March 2018, the AU's Executive Council announced the adoption of a draft common African position, which called for a 'single framework for cooperation from Union to Union/continent to continent, independently of the ACP–EU framework' (AU 2018a). In September of the same year, however, the Executive Council failed to consolidate these plans into a concrete AU negotiating mandate. It is suggested, that this was due to the preference of some African states for continuing with an intergovernmental approach, via the ACP Group, whereby aid recipients would be more confident of maintaining their levels of development assistance from the EU (Medinilla and Bossuyt 2019: 4). In addition, when push comes to shove not all African states are actually that willing to advocate for greater pan-Africanism and a transfer of power to the AU. Resistance to the common African position 'came from most countries in West Africa, particularly Senegal and Burkina Faso, as well as many in East Africa, such as Uganda and Kenya' (Carbone 2018: 487). As a result, in November 2018, an extraordinary AU summit agreed that the existing ACP negotiating team should continue to lead the post-Cotonou negotiations (AU 2018b). To satisfy the AU's desire to remain involved, a compromise proposal for AU mandated officials to be able to oversee the negotiation of the regional protocol with the EU, was subsequently suggested (Medinilla and Bossuyt 2019: 5).

In sum, Langan envisages that Pan-Africanism 'could offer a real path to emancipatory agency in the continent' (2018: 224). The key word here is 'could' and at present the tensions discussed in this section, between the ACP, AU and its member states, have undermined the prospects for Africa to capitalise on the potential for agency that it has in the post-Cotonou negotiations. As a result, we have seen a reinforcement of a twin-track approach to African relations with the EU. This will 'deepen the rift between AU-EU cooperation on peace and security, high-level dialogue on key issues such as migration and investment on one side, and bilateral political dialogue and development cooperation on the other' (Medinilla and Bossuyt 2019: 6-7). Ultimately, these institutional developments do not take place outside of the ideational and material relations underpinning the relationship between the EU and Africa. These aspects are the focus of the following two sections.

IDEAS AND THE EU'S VISION FOR PRIVATE-SECTOR LED DEVELOPMENT

This section highlights how the EU's ideational stance on development has framed the periodic negotiation of agreements with the ACP states and how this remains the case for the post-Cotonou negotiations. While African elites have often shared the EU's vision there have been challenges to it on occasions. The historical structure and in particular the material relations between the two parties, have largely determined the extent to which such ideational challenges from Africa, have produced tangible outcomes in the nature of the EU-ACP relationship.

The legacies of European colonial rule of Africa remain visible in the way that current EU policymakers view the future relationship between the two continents. In this sense, we should remember that the link, between European integration and the exploitation of Africa, has long been understood as mutually reinforcing. As Hansen and Jonsson suggest in their important recent study:

> Eurafrica was an intellectual endeavour and a political project that from the 1920s saw Europe's future survival … as totally bound up with Europe's successful merger with Africa … even as the Eurafrican project is largely forgotten, the content of current EU policy-making towards its African 'partner' demonstrates that it has continued influence under the surface (Hansen and Jonsson 2014: 277-278).

The idea of Eurafrica was essentially about securing Europe's economic future and European policymakers are applying a similar line of reasoning today. For example, the EU's recent foreign policy strategy argues that the EU 'will invest in African peace and development as an investment in our own security and prosperity' (European Commission 2016b: 36).

The negotiation of the first Lomé Convention in the mid-1970s did reflect a relative degree of agency by the ACP states. Inspired by calls within the UN General Assembly for a New International Economic Order (NIEO), the ACP Group succeeded in achieving a number of important concessions from the EU, such as the inclusion of non-reciprocal trade preferences and protocols guaranteeing prices for specific commodities exported to the European market. The idea being that African countries 'would be able to stabilise their raw material production while at the same time using such earnings to diversify into agro-processing and manufacturing' (Langan 2018: 123).

From the early 1980s onwards, however, we saw within the EU-ACP framework, the increasing adoption of a neoliberal understanding of development, whereby economic liberalisation is the central guiding principle. These neoliberal underpinnings of the EU's vision for African development have remained consistent since then. As it prepared for the Cotonou Agreement negotiations, the EU made it clear that a return to reciprocal trade liberalisation was their preferred outcome. As a result, the Cotonou Agreement

represented 'a substantial shift towards the adoption of neoliberal values' (Hurt 2003: 164).

During this period, particularly during Lomé IV, the EU increasingly began to focus on the role of private sector development (PSD) in its engagement with ACP states. In its 1996 Green Paper, which set out the European vision for future relations with ACP states, the Commission argued that most ACP states had been unable to secure the benefits of the trade preferences accorded under Lomé, due to the lack of an environment conducive to private sector growth (European Commission 1996: 11). Hence, under the Cotonou Agreement, the EU focused its development assistance on PSD, as this was understood to be the mechanism to ensure that ACP states enjoyed the developmental benefits of reciprocal trade liberalisation (Langan 2016: 100). This focus on PSD 'reflects ongoing attempts to embed global market integration in path-dependent ways and increasingly sophisticated inter-scalar linkages between the EU and sub-regional, national and sub-national interests in the ACP' (Price and Nunn 2016: 458). At the same time, the Cotonou Agreement reflected a discursive shift, in line with the PWC, with the language of partnership and country-ownership combined with the inclusion of budget support and Aid for Trade (AfT) in the EU's development assistance. In sum, the EU portrayed the inclusion of reciprocal trade relations in the Cotonou Agreement as the central driver of its pro-poor development agenda.

The negotiating position adopted by the EU for a post-Cotonou agreement does not deviate from this PWC approach. The EU's mandate suggests that 'the promotion of investment and private sector development should be at the heart of the partnership' (Council of the European Union 2018: 13). Moreover, the section of the EU's negotiating mandate focused specifically on Africa, reasserts the connection noted above between the need for PSD to realise the benefits of trade liberalisation. It argues for the need to 'strengthen mechanisms, procedures and institutions to enhance capacity to establish and implement trade policies, as well as to enable [*sic*] private sector to take advantage of such policies and the increased opportunities' (Council of the European Union 2018: 40).

The ideas at the heart of the EU's vision for its relationship with ACP states have therefore shown a level of continuity over a number of decades. Although, there have been discursive shifts in line with the prevailing development discourse of the day, the fundamental belief in a broadly neoliberal approach remains intact. Apart from the concessions won during the first Lomé Convention negotiations, there has been little evidence of effective agency by African actors seeking to challenge the EU at the ideational level.

The ACP states' post-Cotonou negotiating mandate shares many of the ideas at the heart of the EU's vision. For example, it is suggested that one of the specific objectives of a new agreement should be to 'increase the role of the private sector in the social and economic transformation of ACP Member States in particular by improving the business climate for private sector development' (ACP Council of Ministers 2018: 8). Where it does differ, as discussed further in the next section, is that there are calls for the policy space to allow ACP states to pursue industrialisation. This has been a particular focus within Africa over recent years. In 2008, the AU adopted its 'Action Plan for Accelerated Industrial Development in Africa' (see AU 2008). It also features strongly in the AU's 'Agenda 2063' document, which notes that 'African economies have not been sufficiently transformed and continue to be commodity-based, with weak value addition, poor manufacturing and industrialization' (AU 2015: 5). One of the central projects of Agenda 2063 is the CFTA. A key focus of the CFTA project is industrialisation, whereby it is envisioned that 'creating a single African market … will boost incentives to source inputs and intermediates from within Africa, which is expected to support the expansion of manufacturing sectors' (UN Economic Commission for Africa 2017: 13). The prospects for African industrialisation, however, are to a significant extent shaped by the nature of trade agreements negotiated

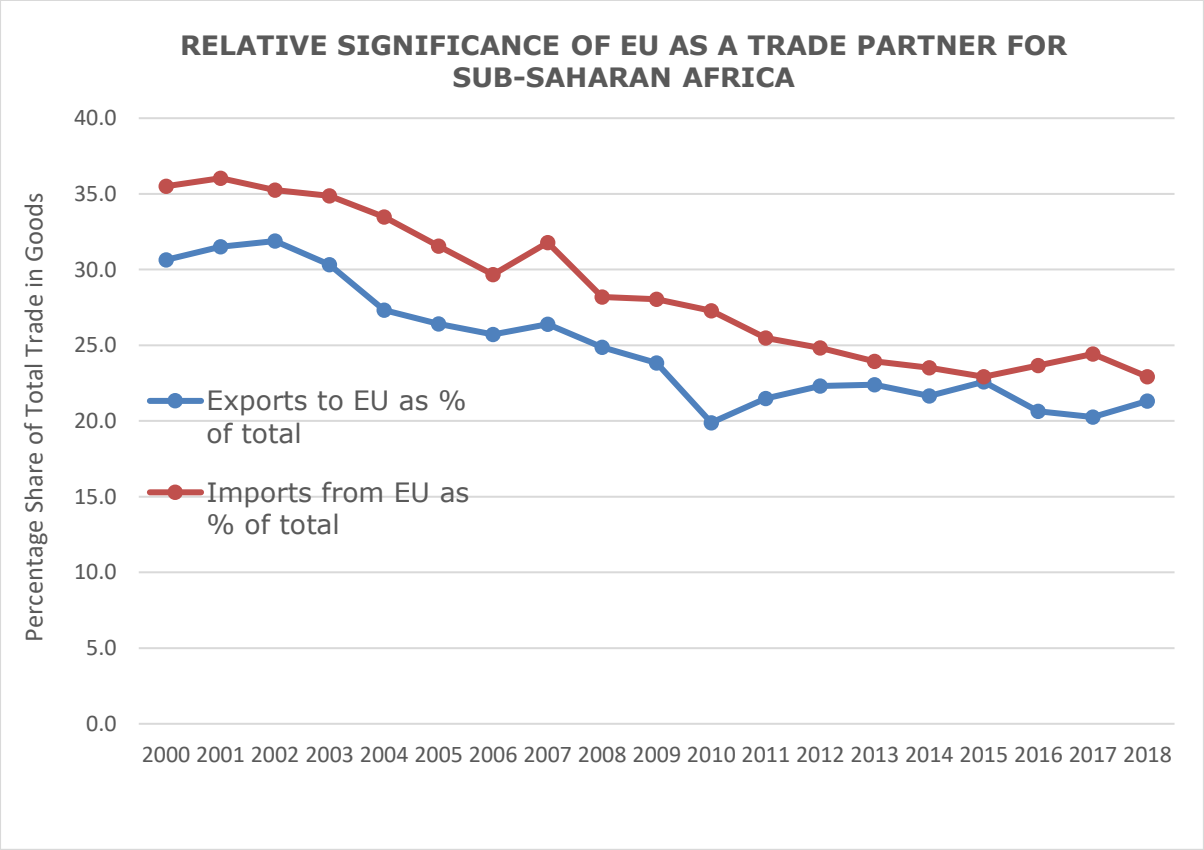
with external partners. Hence, the nature of Africa's future trade and investment relationship with the EU, discussed in the next section, remains highly significant to the realisation of this vision.

Overall, this section has argued that even allowing for the more conducive historical structure and in particular the institutional capabilities discussed above, at the ideational level, experience would suggest that African states have limited agency and, to some extent desire, to fundamentally challenge the EU's vision for a post-Cotonou agreement. The next section considers the material relations between the EU and Africa that set the parameters within which such ideational debates take place.

THE MATERIAL RELATIONS BETWEEN THE EU AND AFRICA: TRADE AND INVESTMENT IN A POST-COUTONOU AGREEMENT

This section provides analysis of the continuities and changes in the material relations between the EU and Africa, since 2000 when the Cotonou Agreement was signed. Given the fact that, unlike the Caribbean region, comprehensive EPAs including services and investment have not been agreed, the main change in circumstances has been in respect of merchandise trade. Trade in goods between the EU and Sub-Saharan Africa has become relatively less significant for the latter since the signing of the Cotonou Agreement. As Figure 1 below demonstrates, there has been a decline in the relative significance of both exports from Sub-Saharan Africa to the EU and imports from the EU to Sub-Saharan Africa.

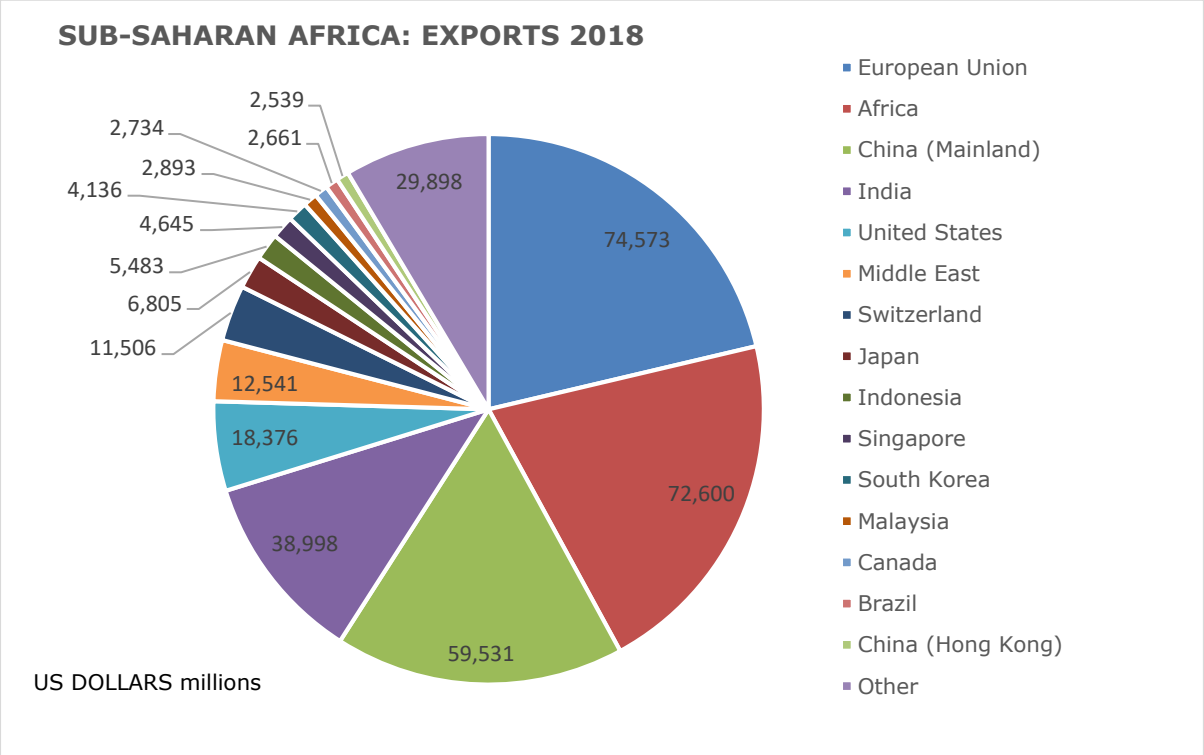
Figure 1: Significance of Trade in Goods between the EU and Sub-Saharan Africa, 2000-2018



Source: Author's own calculations based on IMF Direction of Trade Statistics.

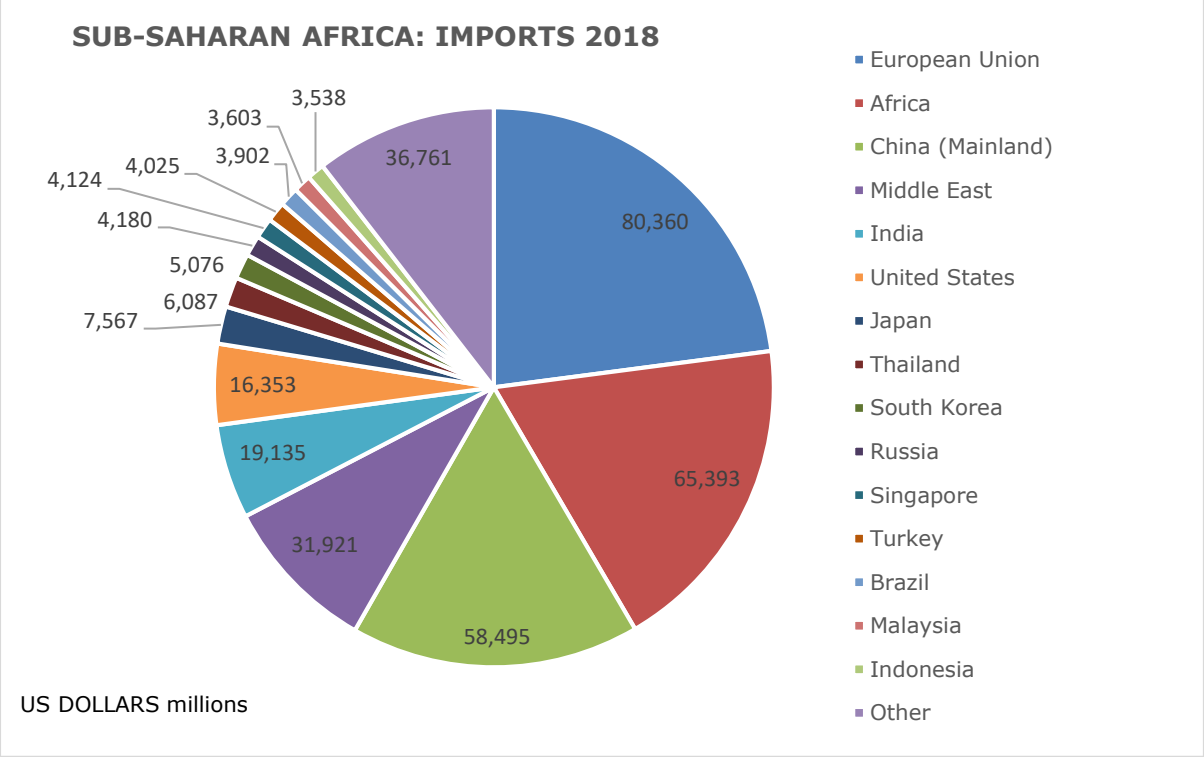
In 2000, the EU was the destination for 35.5 per cent of Sub-Saharan Africa's total exports but by 2018 this had fallen to 22.9 per cent. Similarly, Sub-Saharan Africa imported 30.6 per cent of its total imports from the EU in 2000 but in 2018 this had dropped to 21.3 per cent. This trend has resulted in a change in the geographic profile of Sub-Saharan Africa's trade. As Figures 2 and 3 below highlight, in 2018 intra-continental trade is significant as is trade with China and the Middle East, while India is a major partner (particularly as a destination for African exports).

Figure 2: Geography of Sub-Saharan Africa's Goods Exports, 2018



Source: Author's own calculations based on IMF Direction of Trade Statistics.

Figure 3: Geography of Sub-Saharan Africa's Goods Imports, 2018



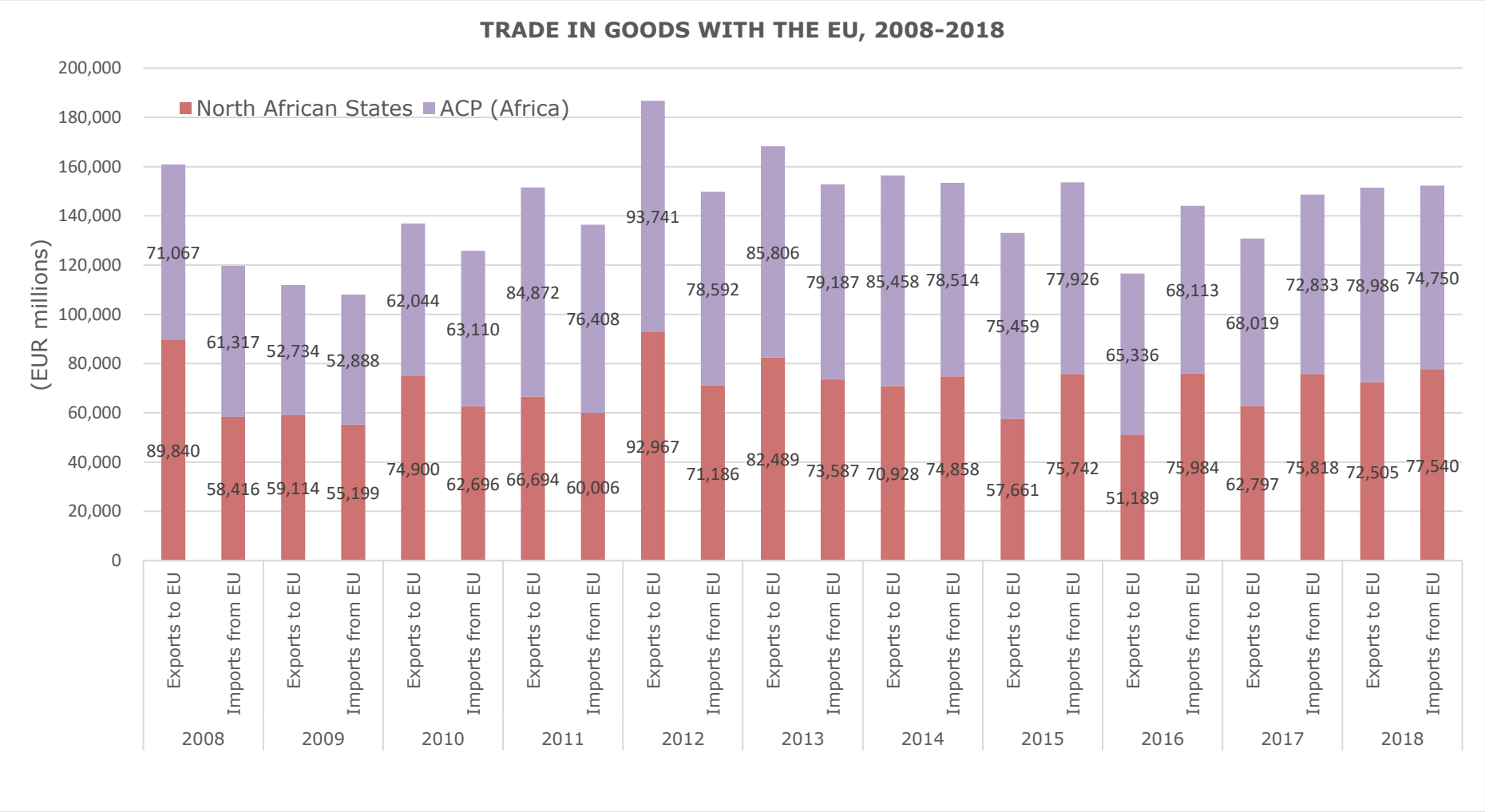
Source: Author's own calculations based on IMF Direction of Trade Statistics.

Over the last decade, as Figure 4 demonstrates, for both imports and exports, the five North African states that are outside of the ACP Group have consistently contributed close to, and occasionally more than, half of Africa's trade with the EU.[5] This highlights the much greater significance of the African continent as a whole, rather than the ACP Group, with respect to the material interests of the EU.[6] It also reinforces the argument that 'African agency' may be most effectively employed at the continental level.

As discussed in the previous section, the promotion of European investment in Africa is central to the EU's Post-Cotonou negotiating mandate. It is also a key focus of the new Africa-Europe Alliance discussed below. The EU continues to hold the highest total stock of foreign direct investment (FDI) in Africa. Total investment stock held by EU member states in Africa totalled EUR 261 billion in 2017 (European Commission 2019). However, similar to recent trends in relation to the trade in goods, China in particular has significantly increased its stock of FDI in Africa, from USD 26 billion in 2013 to USD 43 billion in 2017 (UNCTAD 2019: 34).

These material realities are clearly reflected in the negotiating directives adopted by the European Council, which outline the 'significance of trade and investment for the overall relations between the ACP and the EU, as well as for the development of the ACP economies' (Council of the European Union 2018: 16). The EU negotiating directives also reaffirm a commitment to the EPAs and to 'the possibility for widening and deepening the agreements where appropriate, in line with the rendezvous clauses' (Council of the European Union 2018: 16).[7] During the early phase of the EPA negotiations, the implied threat of ACP states losing preferential trade access to the EU market, gave the EU leverage in securing their broad vision for reciprocal free trade agreements and their desire to include services and the so-called 'Singapore issues' (Heron and Murray-Evans 2018: 206).[8] However, African states were able to employ discursive power in the EPA negotiations, by holding the EU to account to its own rhetoric of development. There are, however, limits to what such an approach can achieve and in particular they have found

Figure 4: Africa's trade in goods with the EU, 2008-2018



Source: Author's own calculations based on DG Trade data.

it hard to move 'from a strategy of resistance to agenda-setting' (Hurt et al. 2013: 83). From a Coxian perspective, an ability to also challenge the existing material relations would represent effective African agency in this regard.

Moreover, it is important to remember that the idea of negotiating EPAs was an EU project from the outset. The European Commission (1996) set out its vision for reciprocal trade agreements with ACP countries in a Green Paper during its preparations for the Cotonou Agreement negotiations. By contrast, in the following year, the ACP Group were still arguing for a continuation of non-reciprocal trade preferences (ACP Heads of State and Government 1997). Price and Nunn (2016: 460) convincingly highlight how, despite the relatively effective African-led resistance campaign, the EU has still achieved a set of EPAs that will lock-in a gradual process of liberalisation for decades to come.

In response, as discussed in the previous section, the ACP's negotiating mandate differs from that of the EU in terms of its specific emphasis on the policy space for industrialisation. It calls for both parties to 'seek to cooperate in formulating and implementing policies in various key areas, including supporting agro-processing, manufacturing, mineral beneficiation and down-stream processing in the ACP countries' (ACP Council of Ministers 2018: 17). This connection between trade policy and industrialisation has been developed in a range of African policymaking forums in recent years. For example, the UN Economic Commission for Africa has argued there is an explicit link between EPAs and Africa's prospects for industrialisation. They argue that EPAs 'would see a significant influx of European Union exports to African countries in almost all sectors (especially in industrial goods) … which may undermine efforts to industrialize and diversify' (UN Economic Commission for Africa 2017: 15). Similar claims have been made in the academic literature on EPAs. For example, in the case of West Africa, Langan demonstrates how they threaten domestic agro-processing and manufacturing sectors, resulting in both deindustrialisation and concerns over food security (2018: 119-142).
Historically, the EU's response to such concerns has been to emphasise the support available through AfT money. Beyond this, however, it would appear unlikely, given the earlier analysis of the EU's ideational vision that these concerns will result in structural changes to the material relations between the EU and Africa. What African states have not been able to do, to this point, is fundamentally change the nature of their trade relationship with the EU. Data for 2018 highlights that a broadly neo-colonial pattern persists, with the majority of EU exports being manufactures (65.5 per cent), while the majority of the imports from the African members of the ACP Group are primary goods (73.3 per cent) (Author calculation based on DG Trade data).

Alongside the post-Cotonou negotiations, the European Commission announced a proposal for 'A new Africa-Europe Alliance for Sustainable Investment and Jobs' in September 2018 (see European Commission 2018). In the view of the Commission, this would provide a joint economic strategy between the EU and Africa, which would complement the JAES that provides a political framework for cooperation. The idea for the new Africa-Europe Alliance formed part of Jean-Claude Juncker's 2018 State of the Union address, where he outlined how the EU 'should develop the numerous European-African trade agreements into a continent-to-continent free trade agreement, as an economic partnership between equals' (Juncker 2018). The aim is for this new Africa-Europe Alliance to work in tandem with the External Investment Plan (EIP), which the EU adopted in September 2017. Of course, any new continent-to-continent FTA would not be possible in the short-medium term given that the successful implementation of the AU's CFTA would be a prerequisite.

There have been concerns raised in response to the European Commission's claim that the existing EPAs provide the building blocks towards a larger EU-Africa FTA. For example, Viwanou Gnassounou, then Assistant Secretary General of the ACP group of states, has suggested that EPAs are 'not encouraging regional integration … [and] are not preparing the way to create regional value chains, creating growth and employment' (Chadwick

2018). Meanwhile, Johannes Trimmel, President of the European Confederation of Relief and Development NGOs (CONCORD), also expressed concern by arguing that 'investments that put commercial opportunities for EU companies at the centre rather than people's needs … are not worthy of the proud values of our continent or likely to endear us to our neighbours' (Trimmel 2018).

In essence, there appears to be nothing essentially 'new' about the proposals for the Europe-Africa Alliance. Rather, it appears to be an attempt to boost the profile of Africa within the EU's broader global agenda. Teevan and Sherriff (2019) suggest that there was a lack of African input into its formation and that even EU member states were not consulted. The aim is to reinforce a move away from development cooperation towards a focus on encouraging European private sector investment into Africa. A combination of financial support to reduce the risk of investments, combined with a strengthening of the investment climate in Africa itself, are the mechanisms identified to achieve this. In essence then, a locking-in of the ideational approach based on neoliberalism, whereby an attractive environment for foreign investment is prioritised (e.g. low taxes, flexible labour markets, etc.) rather than an approach with human development and sustainability at its core.

It remains to be seen whether the new Europe-Africa Alliance will increase the prospects for African agency. It seems to be very much an EU-led initiative with tacit support from the AU. As such, it seems that the EU is legitimating the further development of alternative institutional arrangements with Africa, which are outside of the post-Cotonou negotiations. The ambitious plans for a future EU-Africa FTA might provide scope for Africa to exert more influence on the terms by which trade with Europe will be organised in the future, in comparison to the regional EPA negotiations, which have created an 'internal' system of competition for market access between ACP sub-regions (Langan 2018: 124). However, as argued above, the broad patterns of trade between Europe and Africa remain neo-colonial in character and the continued application of EPAs over the coming years will merely reinforce this situation.

AFRICAN NON-STATE ACTORS: CHALLENGING HISTORICAL STRUCTURES?

In considering the scope for African agency on the post-Cotonou negotiations, we should also consider the role played by non-state actors across the continent. It has been noted that, African non-state actors can both 'form the constituencies of interest to which state leaders must relate and thus have a role in shaping state preferences and … they also interact more directly with 'external' international agencies and organisations' (Brown 2012: 1893). Of course, not all non-state actors in Africa adopt a counter-hegemonic position and their agency can also be employed to reproduce aspects of the existing historical structure. As Langan argues 'certain NGOs may not be a progressive instrument for poverty reduction and 'development' but, conversely, might be used to frustrate the empirical sovereignty of Africa's governments' (2018: 213). Nevertheless, in the recent history of EU-ACP relations, there have been examples of social movements and NGOs arguing effectively for progressive change (see Trommer 2011). In this final section, I consider the input of both African NGOs and trade unions, as actors with the potential to exert an alternative form of African agency that might challenge the historical structures already identified.

There are formal mechanisms that allow for the involvement of non-state actors in shaping the post-Cotonou negotiations. In 2015, the European Commission opened a public consultation on the plans for a new partnership agreement between the EU and ACP. In March 2016, the results were published and it is noticeable that, of the 103 total responses received, only 23 were from respondents based in Africa.[9] Although not all the contributors agreed to have their individual submissions published, it would appear that the most

familiar African NGOs, social movements and trade unions did not provide submissions to the consultation process. Beyond this public consultation process, the European Commission would also point to the fact that, since 2012, it organises the annual Policy Forum for Development (PFD), which creates a framework for dialogue with non-state actors. In addition to the annual 'global meeting' of the PFD, regional meetings have also been held, including two in Africa, the most recent of which took place from 8-10 October 2018, in Gaborone, Botswana. The problem with these formalised avenues for civil society dialogue is that they tend to lead to a very structured engagement. For example, respondents to the public consultation had to answer a series of very specific questions designed by the European Commission. Hence, they tend to replicate both the dangers of co-option and the 'insider-outsider' problems identified in the civil society mechanisms institutionalised within EU free trade agreements (see Orbie et al. 2016).

This may explain why a number of African non-state actors, who are critical of the nature of the EU's relationship with Africa, choose to operate outside of these formally constructed frameworks for dialogue. A number of groups have expressed their views in relation to the negotiations for a new EU-ACP agreement. In March 2018, the African Trade Network hosted a meeting of civil society organisations from across both ACP states and Europe. The resolutions resulting from this meeting included a call for the preservation of the policy space of ACP states and an end to any plans to broaden or deepen EPAs (Africa Trade Network 2018). In October 2018, a joint statement by both African and European trade union confederations expressed similar views. This called for the replacement of EPAs with a more progressive trade arrangement between the EU and Africa given that they 'pose significant risks to sustainable development, stable employment, labour standards and public services as well as democracy in African countries' (ITUC-Africa et al. 2018).
We have also seen concerns raised over the level of agency that African non-state actors are able to exert on the post-Cotonou negotiations. In April 2018, in Harare, a meeting organised by the Southern and Eastern African Trade Information and Negotiation Institute (SEATINI) Zimbabwe, concluded that grassroots voices are rarely considered and that non-state actors in Africa must devise a clear strategy for engaging with the post-Cotonou negotiations (SEATINI Zimbabwe 2018). In general, social movements and civil society organisations are often fragmented and lacking co-ordination and those working on issues of development and trade justice in Africa are no different. Ultimately, I would share the concerns of Langan (2018: 215) who argues that although African NGOs and trade unions are able to articulate potentially counter-hegemonic ideas, which might enhance the agency of African governments, they lack the ability to achieve radical transformation of Africa's relations with the EU.

CONCLUSIONS

In conclusion, this article has explored the scope for African agency within the post-Cotonou negotiations. In so doing, it recognises the historical structure within which the negotiations are taking place and provides analysis of the institutional, ideational and material relations between the EU and Africa. It has been argued that, compared to the Cotonou Agreement negotiations, there is more scope for African agency. However, the ideational vision of the EU remains firmly embedded within a PWC version of neoliberalism. African actors must provide a sustained counter-hegemonic challenge to this, if they are going to be able to fundamentally alter the nature of their relationship with the EU.

For Africa to successfully redefine its relationship with Europe there must be an awareness that 'in the absence of an overarching African vision and creative leadership to steer the future, this opportunity may become lost' (Khadiagala 2018: 442). Given recent developments in the AU, there is an increasing focus on pan-Africanism providing the most effective approach to African agency. Invoking the ideas of Kwame Nkrumah, Langan has recently called for 'African countries in the lead-up to a post-Cotonou pact with the EU …

to consider the potential of pan-African co-operation for achieving more equitable trade arrangements' (2018: 223). There is some merit in the view that a continental approach would increase the scope for African agency in the negotiations. However, as this article has demonstrated, divisions between the ACP Group, the AU and its member states, have restricted the ability of African actors to take advantage of the increased space for African agency.

Pan-Africanism is not a panacea, given the ideational, material and institutional structures analysed in this article. Changes at the institutional level need to be combined with counter-hegemonic challenges to the dominant ideas and material realities, which I have argued underpin the EU's relationship with Africa. Ultimately, any consideration of the scope for African agency within the post-Cotonou negotiations needs to acknowledge that there remain important structural limits at play. Ultimately, pursuing a new EU-ACP agreement 'may reduce Africa's ability to effectively defend its own interests autonomously at continental level on a host of pressing issues such as trade, investment, migration, climate change' (Medinilla and Bossuyt 2019: 8). Instead, focusing on future relations at an EU-AU level, rather than pursuing the re-negotiation of Cotonou, may offer Africa the clearest route to exercising agency in its relations with Europe.

ACKNOWLEDGEMENTS

An earlier version of this article was presented at a workshop on 'EU International Development Cooperation post-2020' organised at Aston University, 8-9 November 2018. The author wishes to acknowledge the detailed and very helpful comments provided by Mark Furness, Chris Hesketh and Niels Keijzer and the constructive comments provided by the two anonymous reviewers.

AUTHOR DETAILS

Dr Stephen R. Hurt, Department of Social Sciences, Oxford Brookes University, Gipsy Lane, Oxford, OX3 0BP. Email: shurt@brookes.ac.uk

ENDNOTES

[1] Throughout this article, I use EU to represent the European Union and the organisation, pre-Maastricht Treaty, officially referred to as the European Economic Community. The ACP Group includes 79 states (48 African, 16 Caribbean and 15 Pacific) who were all signatories of the Cotonou Agreement, except for Cuba. Since 5 April 2020, the name of this group was officially changed to the Organisation of African, Caribbean and Pacific States (OACPS)

[2] Funding of EU development assistance to ACP states comes from the European Development Fund (EDF). The eleventh EDF is due to expire in December 2020, which is also when the EU's Multi-Annual Financial Framework ends.

[3] The Cotonou Agreement was finalised before the adoption of the UN Millennium Development Goals and a reference to them was only included after the first revision of the agreement in 2005.

[4] The AU has 55 member states in total. In addition to the 48 African ACP states and the five North African states, South Sudan and the Sahrawi Arab Democratic Republic are also members.

[5] These five countries are Algeria, Egypt, Libya, Morocco and Tunisia. The respective Association Agreements that these states have with the EU covers their trade, except for Libya, which at the time of writing does not have one.

[6] It is worth noting that the EU's total trade in goods with the Caribbean states (EUR 11,825 million in 2018) and Pacific states (EUR 3,842 million) is relatively small in comparison to Africa.

[7] It is important to note that the EPAs are separate international agreements and are therefore not a direct part of the post-Cotonou negotiations.

[8] The 'Singapore issues' refers to competition policy, transparency in government procurement, national treatment for foreign investors, and trade facilitation measures, which the EU had initially sought to include in the Doha Round of the WTO.

[9] It is important to note that 25 of the 103 responses were from organisations, or individuals, based in Belgium, but that this category does include actors such as the ACP Civil Society Forum.

REFERENCES

ACP Council of Ministers (2018). *ACP Negotiating Mandate for a Post–Cotonou Partnership Agreement with the European Union*. 30 May. Online: http://www.acp.int/sites/acpsec.waw.be/files/acpdoc/public-documents/ACP0001118_%20ACP_Negotiating_Mandate_EN.pdf [accessed 17 October 2018].

ACP Heads of State and Government (1997). *The Libreville Declaration*. Online: http://www.acp.int/content/libreville-declaration [accessed 27 October 2018].

Africa Trade Network (2018). 'A call for Equitable and Transformative ACP-EU relations'. Online: http://www.twnafrica.org/call%20to%20action-FIN%20(002).pdf [accessed 31 October 2018].

Andreasson, Stefan (2013). 'Elusive agency: Africa's persistently peripheral role in international relations'. In William Brown and Sophie Harman (eds), *African Agency in International Politics*. Abingdon: Routledge: 143-157.

AU (2008). *Action Plan for the Accelerated Industrial Development of Africa*, EX.CL/379 (XII) Annex II. Online: https://www.au.int/web/sites/default/files/documents/30985-doc-plan_of_action_of_aida.pdf [accessed 26 October 2018].

AU (2015). *Agenda 2063: The Africa We Want (Framework Document)*. Addis Ababa: African Union.

AU (2018a). *Decision on the African Common Position for Negotiations for a New Cooperation Agreement with the European Union*, Decisions of the Eighteenth Extraordinary Session of the Executive Council, Ext/EX.CL/Dec. 1 & 2(XVIII). Kigali, 19 March. Online: https://au.int/sites/default/files/decisions/34054-ext_ex_cl_dec_1-2xviii_e26_march.pdf [accessed 18 October 2018].

AU (2018b). *Decision on Post-Cotonou Negotiations*, Decisions of the Eleventh Extraordinary Session of the Assembly, Ext/Assembly/AU/Dec. 1-4(XI). Addis Ababa, 17-18 November. Online: https://au.int/sites/default/files/decisions/35378-ext_assembly_dec._1-4xi_e.pdf [accessed 13 April 2019].

AU-EU (2017). *Investing in Youth for Accelerated Inclusive Growth and Sustainable Development*, AU-EU/Decl.1(V). Abidjan, 29-30 November. Online: https://www.consilium.europa.eu/media/31991/33454-pr-final_declaration_au_eu_summit.pdf [accessed 15 April 2019].

Bieler, Andreas and Adam D Morton (2001). 'The Gordian Knot of Agency-Structure in International Relations: A Neo-Gramscian Perspective'. *European Journal of International Relations*, 7(1): 5-35.

Bieler, Andreas and Adam D Morton (2004). 'A critical theory route to hegemony, world order and historical change: neo-Gramscian perspectives in International Relations'. Capital & Class, 28(1): 85-113.

Brown, William (2012). 'A Question of Agency: Africa in international politics'. *Third World Quarterly*, 33(10): 1889-1908.

Carbone, Maurizio (2018). 'Caught between the ACP and the AU: Africa's relations with the European Union in a post-Cotonou Agreement context'. *South African Journal of International Affairs*, 25(4): 481-496.

Chadwick, Vince (2018). 'EU eyes Africa free-trade deal amid battle for influence'. 13 September. Online: https://www.devex.com/news/eu-eyes-africa-free-trade-deal-amid-battle-for-influence-93417 [accessed 19 October 2018].

Cheru, Fantu (2016). 'Emerging Southern powers and new forms of South–South cooperation: Ethiopia's strategic engagement with China and India'. *Third World Quarterly*, 37(4): 592-610.

Chipaike, Ronald and Matarutse H Knowledge (2018). 'The question of African agency in international relations'. *Cogent Social Sciences*, 4(1): 1-16.

Council of the European Union (2018). *Negotiating directives for a Partnership Agreement between the European Union and its Member States of the one part, and with countries of the African, Caribbean and Pacific Group of States of the other part*. 21 June. Online: http://data.consilium.europa.eu/doc/document/ST-8094-2018-ADD-1/en/pdf [accessed 16 October 2018].

Council of the European Union, European Parliament and European Commission (2017). *New European Consensus on Development – 'Our world, our dignity, our future'*. 7 June. Online: https://ec.europa.eu/europeaid/new-european-consensus-development-our-world-our-dignity-our-future_en [accessed 30 October 2018].

Cox, Robert W. (1981). 'Social Forces, States and World Orders: Beyond International Relations Theory'. *Millennium: Journal of International Studies*, 10(2): 126-155.

Cox, Robert W. (1983). 'Gramsci, Hegemony, and International Relations: An Essay in Method'. *Millennium: Journal of International Studies*, 12(2): 162-175.

Cox, Robert W. (1987). *Production, Power and World Order: Social Forces in the Making of History*. New York: Columbia University Press.

Cox, Robert W. (1992/1996). 'Globalization, multilateralism, and democracy'. In Robert W. Cox with Timothy J. Sinclair, *Approaches to World Order*. Cambridge: Cambridge University Press: 524-536.

DG International Cooperation and Development (2017). 'EU proposes a modernised partnership with Africa, the Caribbean and the Pacific countries'. 12 December. Online: https://ec.europa.eu/europeaid/news-and-events/eu-proposes-modernised-partnership-africa-caribbean-and-pacific-countries_en [accessed 12 October 2018].

European Commission (1996). *Green Paper on Relations between the European Union and the ACP Countries on the Eve of the 21st Century: Challenges and Options for a New Partnership*, Brussels, COM (1996) 570 final.

European Commission (2015). 'Towards a new partnership between the European Union and the African, Caribbean and Pacific countries after 2020 – Joint Consultation Paper'. 6 October. Online: https://ec.europa.eu/europeaid/joint-consultation-paper-towards-new-partnership-between-european-union-and-african-caribbean-and_en [accessed 29 October 2018].

European Commission (2016a). *Joint Communication to the European Parliament and the Council: A Renewed partnership with the countries of Africa, the Caribbean and the Pacific*, Strasbourg, JOIN (2016) 52 final.

European Commission (2016b). *Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign And Security Policy*. Online: http://europa.eu/globalstrategy/sites/globalstrategy/files/regions/files/eugs_review_web_0.pdf [accessed 31 October 2018].

European Commission (2017). *Recommendation for a Council Decision authorising the opening of negotiations on a Partnership Agreement between the European Union and countries of the African, Caribbean and Pacific Group of States*, COM (2017) 763 final.

European Commission (2018). *Communication on a new Africa-Europe Alliance for Sustainable Investment and Jobs: Taking our partnership for investment and jobs to the next level*, COM (2018) 643 final.

European Commission (2019). 'Strengthening the EU's partnership with Africa: Africa-Europe Alliance for Sustainable Investment and Jobs'. November. Online: https://ec.europa.eu/commission/sites/beta-political/files/alliance-progress-factsheet_en.pdf [accessed 29 November 2019].

Hansen, Peo and Steffan Jonsson (2014). *Eurafrica: The Untold History of European Integration and Colonialism*. London: Bloomsbury.

Harman, Sophie and William Brown (2013). 'In from the margins? The changing place of Africa in International Relations'. *International Affairs*, 89(1): 69-87.

Heron, Tony and Peg Murray-Evans (2018). 'The EU and Africa: trade, development and the politics of inter-regionalism'. In Sangeeta Khorana and Maria Garcia (eds) *Handbook on the EU and International Trade*. Cheltenham: Edward Elgar: 206-223.

Hurt, Stephen R. (2003). 'Co-operation and coercion? The Cotonou Agreement between the European Union and ACP states and the end of the Lomé Convention'. *Third World Quarterly*, 24(1): 161-176.

Hurt, Stephen R. (2012). 'The EU–SADC Economic Partnership Agreement Negotiations: 'locking in' the neoliberal development model in southern Africa?', *Third World Quarterly*, 33(3): 495-510.

Hurt, Stephen R. (2013). 'African agency in world trade undermined: The case of bilateral relations with the European Union'. In William Brown and Sophie Harman (eds) *African Agency in International Politics*. Abingdon: Routledge: 49-64.

Hurt, Stephen R. (2016). 'The EU's Economic Partnership Agreements with Africa: 'Decent Work' and the challenge of trade union solidarity'. *Third World Thematics: A TWQ Journal*, 1(4): 547-562.

Hurt, Stephen R., Donna Lee and Ulrike Lorenz-Carl (2013). 'The Argumentative Dimension to the EU-Africa EPAs'. *International Negotiation*, 18(1): 67-87.

International Trade Union Confederation-Africa (ITUC-Africa), European Trade Union Confederation (ETUC), International Trade Union Confederation (ITUC) (2018). 'Joint Statement on the EU Economic Partnership Agreements with Central Africa, Eastern and Southern Africa, the East African Community, the Southern African Development Community, and West Africa, and the EU-Africa trade relations'. 25 October. Online: https://www.etuc.org/en/publication/joint-ituc-africaetucituc-statement-eu-economic-partnership-agreements-central-africa [accessed 31 October 2018].

Juncker, Jean-Claude (2018). 'State of the Union 2018: The Hour of European Sovereignty'. Brussels, 12 September. Online: https://ec.europa.eu/commission/sites/beta-political/files/soteu2018-speech_en_0.pdf [accessed 04 October 2018].

Keijzer, Niels (2016). 'Feigned ambition. Analysing the emergence, evolution and performance of the ACP Group of States'. *Third World Thematics: A TWQ Journal*, 1(4): 508-525.

Khadiagala, Gilbert M. (2018). 'Europe-African Relations in the Era of Uncertainty'. In Dawn Nagar and Charles Mutasa (eds) *Africa and the World: Bilateral and Multilateral International Diplomacy*. Basingstoke: Palgrave Macmillan: 433-453.

Langan, Mark (2016). *The Moral Economy of EU Association with Africa*. Abingdon: Routledge.

Langan, Mark (2018). *Neo-Colonialism and the Poverty of 'Development' in Africa*. New York, NY.: Palgrave Macmillan.

Lee, Donna (2013). 'African agency in global trade governance'. In William Brown and Sophie Harman (eds) *African Agency in International Politics*. Abingdon: Routledge: 34-48.

Lopes, Carlos (2018) 'Africa's chance to bridge gap with EU'. *The Herald* (Zimbabwe), 12 July. Online: https://www.herald.co.zw/africas-chance-to-bridge-gap-with-eu/ [accessed 18 October 2018].

Lopes, Carlos (2019) 'Diversity and Unity: African Agency in International Affairs', Chatham House, 22 November. Online: https://www.chathamhouse.org/expert/comment/diversity-and-unity-african-agency-international-affairs [accessed 22 November 2019].

Medinilla, Alfonso and Jean Bossuyt (2019). *Africa-EU relations and post-Cotonou: African collective action or further fragmentation of partnerships?* European Centre for Development Policy Management Briefing Note No. 110. Online: https://ecdpm.org/publications/africa-eu-relations-post-cotonou-african-collective-action-further-fragmentation-partnerships/ [accessed 13 April 2019].

Mohan, Giles and Ben Lampert (2013). 'Negotiating China: reinserting African agency into China-Africa relations'. *African Affairs*, 112(446): 92–110.

Murray-Evans, Peg (2015). 'Regionalism and African agency: negotiating an Economic Partnership Agreement between the European Union and SADC-Minus', *Third World Quarterly*, 36(10): 1845-1865.

Orbie, Jan, Deborah Martens, Myriam Oehri and Lore Van den Putte (2016). 'Promoting sustainable development or legitimising free trade? Civil society mechanisms in EU trade agreements'. *Third World Thematics: A TWQ Journal*, 1(4): 526-546.

Phillips, Jon (2019). 'Who's in charge of Sino-African resource politics? Situating African state agency in Ghana'. *African Affairs*, 118(470): 101-124.

Price, Sophia and Alex Nunn (2016). 'Managing neo-liberalisation through the Sustainable Development Agenda: the EU-ACP trade relationship and world market expansion'. *Third World Thematics: A TWQ Journal*, 1(4): 454-469.

Schmieg, Evita (2019). *EU and Africa: Investment, Trade, Development - What a Post-Cotonou Agreement with the ACP States Can Achieve*. German Institute for International and Security Affairs, SWP Comment No. 1. Online: https://www.swp-berlin.org/en/publication/eu-and-africa-investment-trade-development/ [accessed 13 April 2019].

Southern and Eastern African Trade Information and Negotiation Institute (SEATINI) Zimbabwe (2018). 'Report on the National Dialogue Meeting on the Post-Cotonou Partnership Agreement'. 17 May. Online: http://seatini.org.zw/wp-content/uploads/2018/05/Post-Cotonou-Workshop-Report.docx [accessed 31 October 2018].

Taylor, Ian (2010). 'Governance and Relations between the European Union and Africa: the case of NEPAD'. *Third World Quarterly*, 31(1): 51-67.

Taylor, Ian (2018). 'Africa's natural resource corner and BRICS'. In Tony Binns, Kenneth Lynch and Etienne Nel (eds) *The Routledge Handbook of African Development*, Abingdon: Routledge: 313-326.

Taylor, Ian and Paul Williams (2004). 'Introduction: Understanding Africa's place in world politics'. In Ian Taylor and Paul Williams (eds) *Africa in International Politics: External Involvement on the Continent*, Abingdon: Routledge: 1-22.

Teevan, Chloe with Andrew Sherriff (2019). *Mission possible? The Geopolitical Commission and the partnership with Africa*. European Centre for Development Policy Management Briefing Note No. 113. Online: https://ecdpm.org/publications/mission-possible-geopolitical-commission-partnership-africa/ [accessed 30 November 2019].

Trimmel, Johannes (2018). 'CONCORD's reaction to Juncker's speech "State of the Union" 2018'. 12 September. Online: https://concordeurope.org/2018/09/12/reaction-state-of-the-union-2018/ [accessed 22 October 2018].

Trommer, Silke (2011). 'Activists beyond Brussels: Transnational NGO Strategies on EU-West African Trade Negotiations'. *Globalizations*, 8(1): 113-126.

UNCTAD (2019). *World Investment Report 2019: Special Economic Zones*. New York: UN.

UN Economic Commission for Africa (2017). *Transforming African economies through smart trade and industrial policy*. Addis Ababa: UN Economic Commission for Africa.

Vickers, Brendan (2013). 'Africa and the rising powers: bargaining for the 'marginalized many'. *International Affairs*, 89(3): 673-693.

World Trade Organization (2019). 'Some Figures on Regional Trade Agreements notified to the GATT/WTO and in force'. Online: http://rtais.wto.org/UI/publicsummarytable.aspx [accessed 26 November 2019].

Zondi, Siphamandla (2013). 'Common positions as African agency in international negotiations: An appraisal'. In William Brown and Sophie Harman (eds) *African Agency in International Politics*. Abingdon: Routledge: 19-33.

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

Towards a Functional Division of Labour in EU development cooperation post-2020.

Patryk Kugiel

Citation

Kugiel, P. (2020). 'Towards a Functional Division of Labour in EU development cooperation post-2020.', *Journal of Contemporary European Research* 16 (2): 163-181. https://doi.org/10.30950/jcer.v16i2.1080

First published at: www.jcer.net

Abstract

Division of labour (DoL) was recognized as a priority in EU development cooperation policy a decade ago, but has lost importance in recent years. Though the Union still promotes joint programming for better aid coordination, other EU interests took precedence. This reflects general trend of instrumentalisation of European development cooperation, which is less focused on traditional goals like poverty eradication or aid effectiveness but serves more political, security, and economic self-interests. This paper traces the evolution of the European approach to DoL and highlights the major reasons for its limited successes. It claims that among most important ones was the imprecise and inadequate description of the EU's own comparative advantage and added value. The main aim of this analysis is to propose the concept functional DoL in which the European institutions focus development assistance more on the regional level while leaving national programmes to the Member States. This would better utilise the Union's unique expertise and help in more strategic allocation of EU aid. Though such a radical shift seems improbable in the short term for reasons including vested interests and path dependency, the EU can already start refocusing on regional development-cooperation programmes. This would be in line with EU external policy goals and allow it to boost regional cooperation while competing with emerging donors like China.

Keywords

European Union, development cooperation, division of labour, joint programming, foreign aid, ODA, development assistance.

INTRODUCTION

Adoption of the Millennium Development Goals in 2000 and the sharp increase in the volume of Official Development Assistance (ODA) led also to the proliferation of donors and fragmentation of aid, which had negative effects on its effectiveness (Acharya 2006). Better coordination of work between donors became a pressing need for the international community. One of the proposed ways for better coordination of aid efforts was 'more effective Division of Labour' (DoL) and enhanced complementarity between donors in which each one would focus on the areas where it has the most expertise and can bring added value. It was assumed that this exercise could lead to a reduction of transaction costs, ease the fragmentation of aid, avoid duplication of donor initiatives, and better distribute aid between different sectors and countries (so-called 'aid orphans' and 'aid darlings').

The European Union had its own good reasons to endorse the aid effectiveness agenda in general and DoL in particular. It was already the largest provider of development assistance and with the big enlargement of 2004, it could have contributed even further to the aid fragmentation problem (Murle 2007). One study found out that EU donors (excepting the European Commission, EC) designated between 380 and 505 countries as priority partners, while the EC alone had 144 partner countries (Carlsson, Schubert, and Robinson 2009). It was assessed that DoL could address the fragmentation of aid, ease transaction costs and burdens on beneficiary governments, and bring substantial savings for the EU calculated by different authors between 200 milion euro and 5 bilion euro per year (Carlsson, Schubert, and Robinson 2009; Bigsten, Platteau, and Tengstam 2011; Anderson 2011; Prizzon and Greenhill 2012). Therefore for a few years, DoL became a hotly debated priority in the EU, with a number of documents, declarations, and initiatives adopted. With a decade passing since the EU committed itself to DoL, it is a good time to ask how successful this process has been and what is its current status?

Though aid fragmentation is a less-debated problem today, it is not less important, with more emerging donors, new aid modalities, and a need to further increase assistance to developing countries to achieve the Sustainable Development Goals (Klingebiel, Mahn and Negre 2016). What lessons can we draw from the EU experience with DoL in the past and what can be done to better utilise the expertise of European donors?

There is already quite considerable literature on coordination and aid effectiveness in EU development policy (Aldassoro, Nunenkamp and Thiele 2010, Nunenkamp, Ohler and Thiele 2013, Carbone 2013, 2015, 2017; Olivie and Perez 2015, Delputte and Soderbaum 2012, Delputte and Orbie 2014, Furness and Vollmer 2013, Galeazzi, Helly, and Krätke 2013, Helly et al. 2015, Saltnes 2019, Kruger and Steingass 2019). However, much less has been written specifically about DoL (Murle 2007, Shultz 2007, Roeske 2007, Hartman 2011) and the role played by the European Commission (EC) within this framework. Though some scholars took an interest in problems and successes of EC in coordinating works of member states (Carbone 2007, 2017, Orbie 2012), EC's own specialisation and added value in terms of DoL have escaped closer scrutiny.

This paper aims to fill these gaps and focuses on relations between EU institutions and the Member States in reducing aid fragmentation and examine accuracy of EC comparative advantage in DoL. It suggests that one possible way to make progress in this area is the adoption of a more functional approach to DoL in which the EC redirects its aid to the regional level while the Member States focus more on national programmes. The article contributes also to the nascent literature on 'politicization' of EU aid by looking at political interests behind evolution of EU approach to division of labour.

The paper is structured as follows. The first part introduces a theoretical framework for further analysis and asks whether we can better understand EU approach to DoL in the context of the 'politicisation' of aid. The second part traces the evolution of the EU's approach to the coordination of aid from DoL to joint programming (JP), and assesses the progress achieved so far in this area, outlining major obstacles to that goals. Then, the paper turns to an analysis of the less studied role of the EC in DoL. The fourth part presents a concept of the functional DoL, together with an analysis of the main challenges and benefits for the EU. Concluding thoughts are given in the final part.

HOW POLITICAL IS AID?

There is a long and heated debate whether development cooperation is a political process serving mainly the interests of donors or just an altruistic and technical activity focused on addressing the socio-economic needs of countries and people in need (Carothers and De Gramont, 2013). In general, the scholarship on the foreign aid as phenomenon serving interests of donors, is surprisingly underdeveloped. As observed in the recent volume on this very subject 'the political grounds for giving aid are assumed, rather than explored' and as a result 'the study of the domestic politics of aid remains in an initial stage' (Olivie, Perez, 2019:1). Though there are some attempts to conceptualise this better in recent years (Woods 2005, Pankaj 2005, Lancaster 2007, van der Veen 2011, Lundsgaarde, 2012) this area needs to be better understood. Politicization of aid is understood here as instrumentalisation of aid to domestic foreign policy interests of donors rather than partner countries' needs. It is much broader concept than better known 'securitisation of aid' (Duffield 2007, Brown and Gravingholt 2016), as it can include different (not only security) interests of donors – commercial, political, migration control, soft power, etc. – in design and realisation of development cooperation.

The EU has long promoted itself as a unique altruistic donor that treats aid as an independent area of external relations focused more on the needs of developing countries than its own interests. The Maastricht Treaty (art. 130u) named as the main objectives of development cooperation traditional development goals (sustainable economic development, integration with the world economy, and a campaign against poverty). Also, the Lisbon Treaty held 'eradication of poverty' in developing countries as the main rationale for European development cooperation. Though EU aid has always been conditional and instrumental in promoting European values, this was presented in the prism of improving the effectiveness of aid and creating conditions in partner countries conducive to growth and prosperity. Though the political motivation for development cooperation of many EU member states were well acknowledged (Carbone 2007) much less has been said about similar rational for aid at Community level.

Already in the 2000s there were some voices showing EU development cooperation as driven by self-interest (Mold 2007, Holden 2009). There is a growing amount of evidence that in the post-2009 financial crisis period and under the new framework of the Lisbon Treaty, European aid has become even more closely integrated with EU foreign policy and subordinated to its larger goals. With the establishment of the European External Action Service, strengthening of Common Foreign and Security Policy under the new post of High Representative of the Union for Foreign Affairs and Security Policy and with the development of a comprehensive approach to external relations, ODA has been increasingly regarded as one of many tools to secure EU political, security, and economic interests.

From the start of the Arab Spring in 2011 to the aftermath of the refugee crisis in 2015, the EC has been discovering the utility of aid in addressing the main challenges and solving problems that the EU faces outside its borders. The EU Global Strategy of 2016 openly said that 'development policy also needs to become more flexible and aligned with our strategic priorities' and promised to make external polices – including development – 'migration-sensitive' (EU HR/VP 2016:11, 50). Though the New European Development Consensus of 2017 upholds the 'eradication of poverty' and achievement of the Sustainable Development Goals as the primary declared goals of EU development policy, art 41, for instance, linked development cooperation clearly with EU migration aims.

Therefore, many experts, researchers, and NGOs point to a growing politicisation of EU aid, whether in the form of securitisation (Furness and Gänzle 2016) or broader instrumentalisation. This is most striking when it includes humanitarian aid, which should be governed by principles of neutrality, impartiality, and independence (Dany 2015). Also, development cooperation is more openly used for EU domestic objectives, as the new approach to stemming illegal migration clearly displays. European NGOs warned that this policy endangers the principle of solidarity on which aid is based and point to its instrumentalisation in favour of EU and national interests, such as security, conflict, and migration management (CONCORD 2018). It has been already observed that the tendency of several EU Member States to use aid for increased political leverages has negative impact on EU coordination and aid effectiveness agenda (Carbone 2017:545).

The question addressed in this paper is whether this trend of politicisation of aid has had an impact on the European approach to DoL, or, to put it differently, whether the concept of politicisation of aid can help us explain the changes in attitude to DoL and the limited success it has had thus far in improving the effectiveness of EU development assistance. Is better coordination in this field first and foremost an approach that will help the EU make its aid more effective, to better target the needs of partner countries and use the specific expertise of EU donors? Or, is it rather a mean to make the EU a more strategic actor and aid, a more useful tool in its external relations? And how can this shape the approach to DoL in the future?

EVOLUTION OF THE EU APROACH TO DOL

The EU understands DoL as sharing out the work in the development field in such a way as to avoid overlap and ensure complementarity between development partners. This also allows each partner to specialise in what it does best (area of comparative advantage) as opposed to spreading support thinly over many sectors and issues. DoL has the potential to lead to fewer and larger initiatives, delivering economies of scale and reducing administrative costs (European Commission 2018).

Division of labour has been important initiative to better coordinate the development cooperation between member states and member states and the Commission. This was necessary as development is one of shared competences according to the Maastricht Treaty (1993) and Lisbon Treaty (2009). Though first attempts at better division of labour in this field were made already in the 1990s the first decade of the new millennium brought major documents and guidelines streamlining DoL in EU development cooperation with the 'EU Code of Conduct on Complementarity and Division of Labour adopted by the Council in May 2007 as a most clear evidence of high importance of this approach. This 'voluntary and flexible' policy document (European Commission 2007), encouraged better complementarity of donors at three levels: in-country, cross-country, and cross-sector. Most important, the Code of Conduct (CoC) proposed a set of 11 guiding principles,

including a focus on a maximum of three sectors per partner country, and 3-5 active donors per sector, a limited number of priority countries, and addressing the problem of 'aid orphans'.

To turn words into deeds, in early 2008, the EU launched the Fast Track Initiative on Division of Labour (FTI DoL) to support a selected group of partner countries in the process of implementing in-country DoL and supported the process in several documents (DG DEV 2009, EU 2009, EU 2010) and published in June 2009 the 'EU Toolkit for the implementation of complementarity and division of labour in development policy', a practical guide explaining the main concepts, tools, and mechanisms suggested by the EC.

Though the official evaluation reports of implementation of DoL showed some progress (for instance FTI included more countries and many European donors reduced the numbers of priority sectors and countries and improved information sharing (FTI 2008, FTI 2009, FTI 2011), there was a rather modest impact of DoL on the aid-effectiveness agenda (OECD 2011, Nogaj 2013). The early OECD study observed that both in-country aid fragmentation and in-country donor proliferation have actually increased considerably, not decreased from 2005 to 2009 (OECD 2011b:2). As a result despite the EU efforts, it was concluded that 'EU donors have contributed to the increase in sectoral fragmentation in the same way as other donors' (OECD 2011b:3, CONCORD 2012:11).

Some authors argued that the reduction in sectors and priority partners was not driven by the aid-effectiveness agenda but the national interests of donors or other external circumstances (i.e. a change in government in a given country) (Aldasoro et al. 2010, Delputte et al. 2012). In general there was no 'any direct contribution of DoL processes to development outcomes' (OECD 2011a:12). There were also no compelling proofs for increased aid specialization after the Paris Declaration (Nunnenkamp et al. 2013, Nunnenkamp et al. 2015), or better synchronisation of programming cycles of different donors on the ground (O'Riordan and Benfield and de Witte 2011) or the progress in cross-country fragmentation, which 'remained a problem' (OECD 2011c, OECD 2011d). These led some scholars to conclude that 'EU donors did not implement the guiding principles they set for themselves in the EU CoC DoL in 2007' (Burcky 2011:29).

Joint programming as new priority in aid coordination

Facing major problems in implementing DoL the Commission turned its focus to another element of aid coordination– joint programming (JP). Originally JP was seen 'as a tool to advance division of labour' (European Commission 2007: 3). Replacing the broader goal of division of labour by one of its instruments points to scaling down the level of EU ambition in coordination of aid. JP does not require EU donors to exit from certain sectors or countries, focus on one's comparative advantage nor to work towards cross-country division of labour. It can be seen as a more pragmatic way to improve coordination and harmonisation of aid.

JP aims at better planning and more coordination at country level. It means simply the joint planning of development cooperation by EU donors working in a partner country. In the following years, 'JP has emerged 'as a norm' in EU external relations, so as to promote donor coordination as well as to 'make Europe happen on the ground' (Carbone 2017: 532).

Since 2011 division of labour has been hardly present in EU documents which gave more emphasis on JP. The FTI DoL has been discontinued and monitoring of DoL in annual reports abandoned. The Union, in its common position for the Fourth High Level Forum on Aid Effectiveness in Busan in December 2011, did not mention DoL at all but committed itself

to using it as one of five goals to 'implement joint programming at the country level to reduce aid fragmentation and promote harmonisation' (EU 2011). Similarly, also the new EU development policy, Agenda for Change, accepted by the Council in May 2012 has put emphasis on joint programming of EU and Member State aid as the way to 'reduce fragmentation and increase its impact proportionally to commitment levels'. It encouraged also other mechanisms to improve coordination, such as budget support (under a 'single EU contract'), EU trust funds, and delegated cooperation (EU 2012). In the new development cooperation strategy, the Commission observed that in the post-Lisbon Treaty framework, development policy is firmly anchored within EU external action and 'the EU and its Member States must speak and act as one to achieve better results and to improve the EU's visibility' (European Commission 2011).

In May 2016, Council adopted special conclusions to step up joint programming. It said it 'should be promoted and strengthened while being kept voluntary, flexible, inclusive, and tailored to the country context, and allow for the replacement of EU and Member States' programming documents with EU Joint Programming documents' (EU 2016). The preference for joint programming over DoL was evident also in recent strategic documents on external relations and development policy: 'EU Global Strategy' of 2016 and 'New European Consensus on Development' adopted in June 2017. The Commission and most Member States appreciate and support joint programming as long as it remains a voluntary and flexible instrument. In June 2018, the Commission published the 'Guidance Pack on Joint Programming', which replaced the first such material from April 2015 and which explains in practical terms all the issues, the mechanisms linked to joint programming, and some examples and case studies from the field. The Commission also offers capacity-building to the Member States through workshops, seminars, training, etc. to secure broader participation and support for the exercise. The commitment to joint programming means it will be continued and further promoted in the next multiannual financial framework (MFF) for after 2020.

Yet, despite new approach to aid coordination joint programming faced the same challenges as division of labour before. Though, the evaluation reports recognised "good progress' in strengthening joint programming and 'reducing fragmentation of development assistance' (DG DEV 2014), reduction of partner countries and an increasing number of donors engaged in different levels of joint programming (AECOM 2016), the impact on aid effectiveness was marginal. The exercise has not entered the stage of joint implementation in any single country. But as was observed in one study, 'without joint Member State-EU financing and implementation, [joint programming] is little more than a paper tiger' (Furness and Vollmer 2013).

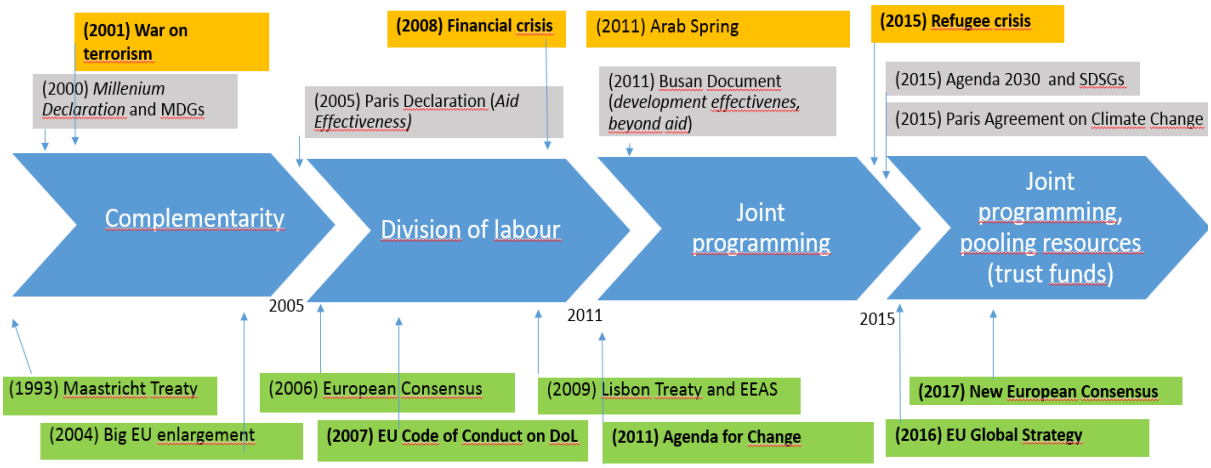
It became clear, that joint programming has delivered thus far more positive results to the EU family rather than benefiting the partner countries or contributing to aid effectiveness. The most comprehensive evaluation of joint programming thus far published in 2017 found out the joint programming process 'very valuable for the EU and Member States' and a 'worthwhile' exercise (ADE 2017: III). It allowed for closer interaction and a better understanding of each donor's form of cooperation and also 'helped to make EU and Member States aid more harmonised, working towards commonly agreed objectives and adopting commonly agreed strategic approaches'. In addition, other benefits included improved visibility of participating donors - both as a group—the EU and the Member States—and individually. The study concluded that: 'The ambitions of joint programming in terms of aid effectiveness (reduced aid fragmentation, increased transparency and predictability, reduced transaction costs) have thus not as yet been realised' (ADE 2017: 56).

Also, the most recent DAC OECD peer review acknowledged some benefits of joint programming exercises (they 'potentially facilitate collaboration, a clearer DoL and greater visibility of European support'), but underlined many shortcomings and challenges in its implementation (especially from the partner countries' point of view). The review recommended the EU and Member States 'continuously expand and refine implementation of their joint programming strategy, including by reinforcing partner country ownership and strengthening results-based approaches' (OECD 2018: 22), which is a veiled critique of its current status.

Politicisation of aid and Division of Labour/Joint Programming

Why DoL/JP has brought limited progress in terms of aid effectiveness agenda? Researchers point at numerous reasons – technical, administrative, institutional, financial, and political, applicable at different levels of development cooperation—in partner countries, EU Member States, and the Community. The European approach was also influenced by external developments and processes in areas of political, economic and development cooperation like , the 'war on terror', global financial crisis of 2008, the Arab Spring in 2011, 'the refuge crisis' of 2015, the post-Busan beyond-aid approach to development cooperation, new Sustainable Development Goals, Paris Climate deal or emergence of new donors – all influenced the EU to look at its development policy in a more pragmatic and realist perspective (see Graph 1). For some scholars, these changes meant that many donors became less interested in the global effectiveness agenda and aid effectiveness principle (Keijzer 2013, 10; Mawdsley, Savage, and Kim 2014).

Graph 1. Evolution of European approach to DoL between 2000 and 2018 in the global and regional context.



It seems however, that this phenomenon can be best explained by the trend of 'politicisation' or instrumentalisation of aid both at Member States' and Community levels. At national level, it was observed early on that lack of political will, competition between member states for the relative impact of aid, or due to visibility and foreign policy concerns, self-interests of donors, desire for bilateral control over aid, and role domestic constituencies posed major risk of failures for any coordination efforts (Roeske 2007, Schulz 2007, Hartman 2011, Annen and Moers 2012, O'Riordan and Benfield and de Witte 2011: 9). Bigsten and Tengstam (2012) claimed that even if better coordination would help reduce the costs of aid substantially, the decisions of the countries rely on their political interests. It was observed that that many donors are still acting individually and

unilaterally when making decisions regarding the selection of partner countries and thematic areas (DG DEV 2014). For some Member States, the mechanism was seen as still too complicated and put into question the visibility of their bilateral programme (Galeazzi, Helly, and Krätke 2013). Political factors behind limited success of DoL were found in number of case studies from Morocco (Olivie, Perez and Dominguez 2013; Olivie and Perez 2015), Tanzania (Delputte and Orbie 2014), South Sudan (Furness and Vollmer 2013) or Sub-Saharan Africa (Carbone 2013).

The limited enthusiasm for DoL also reflects the weak or shallow Europeanisation of development cooperation policies of not only 'new' donors (Lightfoot, 2010, Horký, 2012, Lightfoot and Szent-Ivanyi, 2014, Henriksson, 2015) but also of more established ones (Orbie and Carbone 2016, Orbie and Lightfoot 2017). Some scholars underlined the generally low level of internal EU coordination, also because of differences in traditions in development aid and the often diverging national interests of Member States (Delputte 2013).

Some recent studies point at disagreements between different Member States' on main rationale for stronger aid coordination as reasons for slow implementation of JP. Carbone (2017: 544, 545) observed that 'a disconnect between what is decided at headquarter level and what actually happens on the ground' is due to the tensions 'between those member states that have sought to emphasize the aid effectiveness aspect of the JP initiative and those that have stressed the EU's increased political leverage'. Saltness (2019:536) pointed at possible 'collision of norms' (between country ownership and donor involvement) between even like-minded donors. Others highlighted procedural (or technical) problems in translating internationally agreed principles of Joint Programming into practical actions in EU Member states as 'administrative incompatibility in national capitals slows down implementation, even for committed member states which have intensely promoted JP in Brussels' (Kruger and Steingass 2019:439).

It confirms earlier studies that show that EU members protect their national prerogatives in development cooperation (Carbone, 2007) and substantial differences between the Member States can (and should) continue to coexist (Carbone, 2013, Delputte and Orbie, 2014). As development cooperation is seen by most states as an instrument of external relations with other countries, they do not want to reduce the visibility and impact of their bilateral programmes. Thus one research found out that 'Member States are interested in Joint Programming when it decreases their transaction costs, does not threaten their bilateral cooperation objectives and gives them more influence' (Helly at all 2015:IX).

The process of subordination of aid to larger political and strategic goals of a donor can be observed also at the Community level. As stated more openly in recent EU strategic documents on external relations and development cooperation aid is to be an effective tool for advancing EU interests and part of its comprehensive approach to external challenges. Some major internal changes and shocks, like the austerity measures or creation of EEAS in post-Lisbon Treaty context made the EU to pay more attention to its own interests than international standards. DoL and JP is being regarded today to serve more the EU strategic aims – to make it more visible, unified and influential international actor.

As the EU is not giving up on its efforts at better coordination of aid, it seems evident that the nature and purpose of DoL has changed considerably, and in line with general trends in EU development cooperation policy. The evolution of the European approach to aid coordination can be seen as transforming from complementarity in early 2000s to division or labour since 2005 to joint programming in 2011 and pooling resources recently. And as it was driven by aid effectiveness agenda originally it is now more entangled into EU strategic considerations.

THE MISSING ELEMENT – EU INSTITUTIONS' SPECIALISATION IN DOL

As long as development cooperation is a shared competence between the Member States and the Community and DoL/JP is of 'voluntary and non-binding nature' (EPRS 2015) it will continue to face major problems in its implementation. If EU Member States continue to guard their sovereignty over development policies, is there anything that the EC can do to implement DoL and improve the effectiveness of aid? The EC plays a dual role—it acts as 'coordinator, convener and policymaker' of European aid and at the same time, it is itself a significant donor. While the first role was crucial in driving DoL, the latter has escaped deeper analysis in this context.

The EC is one of the biggest donors in the world. In 2017, its net ODA stood at over USD 16.5 billion, making it the third biggest donor within the EU, and fourth globally (behind the US, Germany and UK) (OECD 2018). EU institutions are responsible for almost one-fifth of total EU aid (16.5 per cent in 2017). Therefore, one can assume that deeper specialisation of EC aid and greater focus (geographic and sectoral) would make a great difference in a better DoL.

With a high concentration of aid, the EC has not been seen, however, as an important part of the aid-fragmentation problem. It was working hard to implement principles on aid effectiveness and focus its aid. As a recent study revealed, in line with the concentration principle and DoL, the EU country programmes have been focusing on a maximum of three sectors per country since 2014 (OECD 2018: 19). Also, a considerable part of the EC aid is being given through multilateral channels (24 per cent in 2017). The EC spends relatively big amounts of ODA to budget support, which helps ease aid fragmentation and is 'widely appreciated by partner countries' (OECD 2018: 19).

Yet, the EC delivers aid to dozens of countries in a number of sectors, often overlapping with the Member States. Though it has over the last decade withdrawn aid from many more-advanced countries and limited its assistance to middle-income countries, it still considers almost 100 countries to be priority partners, has dozens of National Indicative Programmes (along with several regional and thematic programmes), and a list of all beneficiaries exceeds 140 partners. As a result, there may be the impression that its aid goes everywhere and to every sector. One can wonder what comparative advantage the EC has over its Member States in providing assistance, for instance, to health or education sectors in a country in Africa. It is hard to understand what specialisation EC aid has when its support is spread thinly across dozens of countries and sectors. And, one may wonder whether the unique expertise of the EU is rightly utilised in its development policy. Though the Commission reassures that 'the EU is not simply the 28th European donor' (EC 2011), in practice, it delivers aid similarly to other bilateral donors.

This observation suggests that possibly the analysis of comparative advantage and added value of the EU in development cooperation was not very successful and the EU's specialisation is not clearly defined. Or maybe, that for some other reasons the theoretical understanding of the EU's unique role has not been translated into practice. One can see that both explanations apply and that despite numerous attempts at a more precise definition of EU specialisation, this has not been transformed into practice.

In a communication from 2000, the Commission observed that to go 'one step further' beyond coordination and to 'envisage a DoL' there is the need to identify areas 'where Community action offers added value' (EU 2000). It then named several strengths of the Community in relation to the Member States (i.e. global presence, bigger projects) and to other international financial institutions (i.e. big share of grants) and gave two criteria for better concentration of aid. Eventually, the document identified six priority fields for the

Commission. However, the description of sectoral priorities was so broad that it allowed EU aid to go to most areas. This practice was even expanded in the following years.

The 'European Consensus on Development' of 2006 was crucial in defining the Community's role as a donor in general and its comparative advantage in particular but did little to better define the EC's role. Though the Commission vowed greater concentration on a 'strictly limited number of areas for action when Community aid is being programmed, instead of spreading efforts too thinly over too many sectors' (EU 2006: article 67), the document enlisted eight areas in which the Community brought added value and a long list of 12 priority sectors, which at the same time were considered the Commission's comparative advantage. This had in no sense restricted Community specialisation sector-wise. Geographically, aid at the Community level was to be focused on the countries most in need.

The 'Code of Conduct on Complementarity and Division of Labour' (2007) and 'EU Toolkit on Division of Labour' (2009) encouraged EU donors to focus their activities in areas of specialisation and gave 10 criteria that could define comparative advantage. Yet, they were framed so broadly that they hardly limited the scope of the EC's actions. On the contrary, due to its global presence, the EC was encouraged to play a role in most developing countries. Also, the following strategies on EU development policy—'Agenda for Change' (2011) and the 'New European Consensus on Development' (2017)—did not call for greater focus and concentration in Commission development assistance.

'Agenda for Change' prioritised support in two areas (human rights, democracy and good governance; inclusive and sustainable growth for human development) but did not exclude a presence in many more sectors. In terms of geography, it promoted a differentiation principle, which meant more aid for neighbourhood countries, less-developed countries, and fragile states (those most in need), and those that were making the most progress in reform ('more for more'). The Commission also committed to the rule of a maximum of three sectors per country. The 'New Consensus on Development' of 2017 focuses on broad priorities—the '5 Ps', people, planet, prosperity, peace, and partnership—but does not confine anyhow, priority areas for aid provided by European institutions.

To sum up, the EU strategic documents did not call for more precise thematic specialisation of the Commission and failed to better describe its comparative advantage. As EC considers aid increasingly as a tool in its external relations it tends to expand its areas of activity. It seems that EC shares the same constraints in approach to coordination of aid as Member States, which protect their control and visibility of development programmes. As a process of politicization of aid applies also to the EU, more effective coordination of aid may be more difficult in future.

FUNCTIONAL DOL AND EU COMPARATIVE ADVANTAGE REVISITED

Problems in coordination of aid prompted many to look for alternative solutions. One recent study suggested stronger 'centralisation of European development aid' and 'shifting more financing and management of development cooperation from member states to the EU' as the best way to overcome persistent aid fragmentation problems. (Harendt, Heinemann, Weiss 2018:5). This seems, in the light of politicisation of aid, unacceptable to most member states. Therefore here another approach is proposed that takes into account political process in the EU.

The reluctance from the Member States in engaging in EU-led coordination suggests that the greatest potential for DoL rests with a redefinition of the role of the EC based on its

sectoral specialisation. Most naturally, the comparative advantage of the EU, a *sui generis* and most successful regional organisation, lies in regional cooperation and integration (ECDPM 2016). No Member State has comparable expertise in this area like the EU. Under this functional DoL, the Commission would channel most of its aid to the regional level while the Member States would continue development cooperation at the national level. Instead of duplicating and competing on aid with the Member States in traditional sectors, the EC can focus on areas where it has know-how that no country can match.

Naturally, the EC has recognised regional cooperation and integration as its comparative advantage in most strategic documents on development cooperation. Support to other regions is, for the EC, not a novelty as regional programmes have long been part of its development offer. They get, however, a small fraction of EC aid, with the clear majority of it spent at the country level. For instance, in 2016, disbursements for regional programmes for Africa (EUR 303 million) comprised less than 10 per cent of its total aid to the continent (EUR 4,860 million)—a similar share as the regional envelope for Europe (EUR 334 million out of EUR 2,955 million). The second multiannual regional programme for Africa—Pan-African Programme (PanAf)—for 2018-2020 aimed at supporting the strategic partnership between Africa and the EU, received EUR 400 million (some EUR 135 million per year). The whole regional envelope for Asia in 2017 was planned at only EUR 113.5 million.

It is well known that most regions outside the EU suffer from limited intra-regional trade, poor cross-border infrastructure, weak regional institutions, and scarcity of funds for regional initiatives. This is a natural area for European support that could provide expertise and funding for other regional organisations, capacity-building, transboundary connectivity projects, and closer cooperation across borders.

The EC could naturally continue providing budget support and other modes that do not add to then aid-proliferation problem and do not duplicate Member State actions nor put extra burdens on partner countries. The Commission could also retain horizontal programmes that are important for the EU for many different reasons and where it is seen as a more impartial and credible international organisation than the Member States, such as in election observation and the promotion of human rights and democracy. Naturally, the EU should stay active in providing humanitarian aid to react swiftly to unplanned challenges, but it should, under the new approach, withdraw gradually from aid to partner countries, provided that the Member States can fill the void.

This reform would mean a historic shift in the way Community aid is delivered and it would transform the nature of the EC as a development actor. Naturally, such a revolutionary change faces a number of political, technical, and legal challenges and can be resisted by many constituencies with vested interests in the status quo (such as DG DEVCO, DG NEAR, NGOs, and the private sector, partner countries). Most important, the European Commission may fear it would lose a crucial tool, its main leverage, and an important dimension of cooperation with many developing countries in times when it more openly regards aid as an instrument of its foreign policy.

The idea of functional DoL in the EU aid conforms with the trend of politicisation of aid. First, it takes into account the fact that the opposition from member states to closer coordination and integration of aid will continue. Second it suggests that the EC as more 'political' actor can use aid in a more strategic way. In fact, the EU would uphold development cooperation as a tool in its external relations, only directing it at a different level and give the Union a bigger role at the regional level. Refocusing EC ODA to the regional level would clearly increase the effect of scale in supporting bigger projects and help other regions address major challenges and bottlenecks in regional cooperation and

growth. This would make the EU the most important donor in this area and an influential force for regionalism and multilateralism.

In fact, one of five priorities for European foreign policy as per the 'European Union Global Strategy 2016' was support for 'regional cooperative orders'. Yet, it has not created separate and substantial funds to achieve this goal. In addition, the focus on the bigger picture would help the implementation of the EU strategy on 'Connecting Europe and Asia' of 2018, which aims to promote high standards in infrastructure investments.

By redirecting aid to the regional level, the EC would avoid overlap and duplication of efforts with the Member States, ease the fragmentation of aid and implement clear DoL. Such a change would also free resources at the EC (both in headquarters and in the field) that can be employed for better management and coordination of European donor assistance. This would secure better coherence and greater impact.

Though the coincidence of the negotiations of the next EU financial perspective (2021-2027) and post-Cotonou agreement with ACP countries, as well as Brexit had offered the best opportunity to fundamentally remodel EC development cooperation policy, this chance has passed already. The EC proposal for the new MFF brought important changes in the number and composition of development instruments, though the general philosophy of EC aid remains the same.

Yet, one can still introduce more gradual changes to refocus EC aid to the regional level. First, it can increase the envelopes for regions in the next MFF, thus giving the EU more chance to shape regional cooperation and integration. Second, it can strengthen and expand the mandate of the European Investment Bank (EIB), which now accounts for some 27 per cent of EC ODA (OECD 2018), to focus on connectivity projects with a regional dimension in all parts of the world. One can enhance regional investment facilities post-2020 for different regions to encourage more European businesses to help develop infrastructure in developing countries or strengthen further the External Investment Plan to use innovative financial instruments, such as blending, in most regions of the world. This would be especially important in the context of expanding on an alternative option for many developing countries to the Chinese Belt and Road Initiative. Third, it can still consider establishing an additional trust fund that can finance capacity-building and training specifically for other regional organisations and allow for more regular sharing of EU experience.

CONCLUSIONS

The above analysis shows the evolution in European coordination of aid from the more comprehensive and ambitious vision of DoL to the more political and pragmatic joint programming mechanism. This shift has been driven by many reasons, including strong resistance by EU Member States against closer coordination and Europeanisation of their development polices, which are increasingly subordinated to their foreign and domestic interests. This 'politicisation of aid' trend applies also to the Community level. This is visible in two crucial dimensions:

1) At the programming level, the EU has over the years paid increasing attention to the political constraints and interests of the Member States and to its own goals at the expense of the aid-effectiveness agenda. While DoL was at the beginning closely aligned with the Paris Declaration principles on aid effectiveness, this is clearly not the main rationale behind the joint programming exercise. With the new institutional framework post-2009, more demanding

international context, and changes in international development cooperation, the efforts at better coordination of aid are to make the EU, as illustrated in official documents, a more coherent and strategic actor. While joint programming may lead eventually to improved EU aid effectiveness, it is not the main goal of this exercise.

2) At the implementation level, the evaluation of the progress of DoL and joint programming shows that the two mechanisms have in practice served eventually more EU interests than partner countries or the aid-effectiveness agenda. Whatever positive effects they had brought thus far were applicable to the EU in terms of better cohesion, bigger leverage, and improved visibility. Much less impact has been observed in terms of strengthened ownership or lowered transaction costs for partner countries.

This paper contributes to existing literature on EU development policy and coordination of aid in three important ways. First, it confirms that among major reasons of modest progress in DoL/JP continues to be the reluctance of the Member States to give up full control over their aid programmes. With recent trends of growing opposition to further integration and Europeanisation of different EU policies (including development cooperation, but also others like migration) and more countries regarding aid as an important part of their foreign policy toolbox, there is little realistic expectation for a much success of joint programming. Coordination and 'collective action challenge in EU development policy' (Bodenstein, Faust and Furness M. 2017) will not go away easily.

Second it adds to developing discussion on 'politicization of EU aid' by showing how domestic and strategic concerns of the EU started playing more role also in its approach to division of labour and aid effectiveness. Hence, it conforms with findings that perceive the EU as more self-interested donor. In other words stronger coordination of EU aid (through JP) serves now more strategic interests of the EU than aid effectiveness principle. In this sense, 'politicisation of aid' as theoretical framework of analysis proved helpful in understanding the changes in EU approach to DoL.

Thirdly, it fills the gap on literature on European Commission's role in division of labour, by questioning its selected comparative advantage and specialization. It suggests that this has been ill-defined and not based on unique competences of the EU. By expanding its focus too widely, the EC became just another donor competing with the Member States and adding to the problem of aid fragmentation. At the same time, it also had fewer resources left to focus on areas where its actions could have the most impact.

In this context the paper presents a practical and original (if not revolutionary) solution to revive the division of labour. It is based on re-evaluation of comparative advantage of the EC and Members States. Under a functional DoL, the EC would focus on assistance at the regional level while leaving national programmes to its Member States. That would allow the EC to focus on issues it knows best (regional cooperation and integration) and ease tensions with the Member States, reduce aid fragmentation, and give the EU a strategic outlook to counter new big players like China. Though such a radical shift in EU aid would face numerous serious problems and may need some time to be implemented, it is certainly high time to consider this idea carefully. This rationalisation that can bring visible progress on DoL, improve aid effectiveness, and enhance the strategic coherence of the EU at the same time.

ACKNOWLEDGEMENTS

A first draft of this paper was discussed at the "Workshop on EU International Development Cooperation post-2020 in Birmingham, UK (8-9 November 2018), and revised version was presented at the 49th Annual UACES Conference, Lisbon, September 2019. The author would like to thank Mark Furness and Balazs Szent-Ivanyi for their relevant comments and support and two anonymous referees for their helpful feedback.

AUTHOR DETAILS

Patryk Kugiel, Analyst, Polish Institute for International Affairs, 1A Warecka Street, 00-950 Warsaw. Email:kugiel@pism.pl

REFERENCES

Acharya, A., T. Fuzzo de Lima and M. Moore (2006). 'Proliferation and Fragmentation: Transaction Costs and the Value of Aid', Journal of Development Studies, 42 (1): 1-21.

ADE (2017.) Evaluation of EU Joint Programming Process of Development Cooperation (2011-2015). Final Report Volume I – Main Report. Evaluation carried out on behalf of the European Commission. Brussels: Analysis for Economic Decisions. European Commission.

AECOM (2016), *Effective Development Cooperation: Has the European Union delivered*?, 28 November. Brussels: AECOM. European Commission.

Aldasoro, I., P. Nunnenkamp and R. Thiele (2010). 'Less aid proliferation and more donor coordination? The wide gap between words and deeds'. *Journal of International Development* 22 (7): 920-940.

Anderson, E. (2011). 'Aid Fragmentation and Donor Transaction Costs', International Development UEA Working Paper, 31.

Annen, K. and L. Moers (2012). 'Donor Competition for Aid Impact, and Aid Fragmentation', IMF Working Paper, 12/204.

Bigsten, A., J.P. Platteau and S. Tengstam (2011). 'The Aid Effectiveness Agenda: The Benefits of Going Ahead'. Brussels: SOGES, European Commission.

Bodenstein, T., J. Faust and M. Furness (2017). 'European Union Development Policy: Collective Action in Times of Global Transformation and Domestic Crisis', Development Policy Review, 35(4): 441-453.

Brown, S. and J. Grävingholt (eds), (2016). The Securitization of Foreign Aid, Palgrave Macmillan.

Bürcky, U. (2011). 'Trends in In-Country Aid Fragmentation and Donor Proliferation. An Analysis of Changes in Aid Allocation Patterns between 2005 and 2009'. OECD TT DoL.

Carbone, M. (2017). 'Make Europe Happen on the Ground? Enabling and Constraining Factors for European Union Aid Coordination in Africa'. Development Policy Review, 35 (4): 531–548.

Carbone, M. (2015). 'Foreign Aid, Donor Coordination and Recipient Ownership in EU-Africa Relations'. In M. Carbone (ed.), The European Union in Africa: Incoherent Policies, Asymmetrical Partnership, Declining Relevance? Manchester, UK: Manchester University Press: 121-141.

Carbone, M. (2013). 'Between EU actorness and aid effectiveness: The logics of EU aid to sub-Saharan Africa'. International Relations, 27(3): 341–355.

Carbone, M. (2007). *The European Union and International Development: The Politics of Foreign Aid*. London: Routledge.

Carlsson, B.T., Schubert, C.B. and Robinson, S. (2009). 'The Aid Effectiveness Agenda: Benefits of a European Approach'. Hemel Hempstead, UK; Brussels: HTSPE, European Commission.

Carothers, T. and D. De Gramont (2013), *Development Aid Confronts Politics: The Almost Revolution.* Washington, DC: Carnegie Endowment for International Peace.

CONCORD (2018). *AidWatch 2018. Aid and Migration: externalisation of Europe's responsibilities'*. Brussels: CONCORD.

CONCORD (2012). *AidWatch Report 2012: Invest More in Global Development*. Brussels: CONCORD.

Dany, Ch. (2015). 'Politicization of Humanitarian Aid in the European Union', *European Foreign Affairs Review*, 20(3): 419-438.

Delputte, S. (2013). *The European Union as an emerging coordinator in development cooperation An analysis of EU coordination in Tanzania, Zambia, Burkina Faso and Senegal,* Dissertation submitted by Sarah Delputte in fulfilment of the degrees 'Doctor in Political Science' (Ghent University) and 'Doctor in Development Studies' (University of Antwerp).

Delputte, S., and J. Orbie (2014). 'The EU and Donor Coordination on the Ground: Perspectives from Tanzania and Zambia'. European Journal of Development Research 26 (5): 676–691.

Delputte, S. and F. Soderbaum (2012). 'EU Aid Coordination in Africa: Is the Commission Calling the Tune?' In S. Gänzle, S. Grimm and D. Makhan (eds) The European Union and Global Development: An 'Enlightened Superpower' in the Making?, Palgrave Macmillan: 37-56.

DG DEV (2014). 'The Busan Commitments: An Analysis of EU Progress and Performance', 11 April, Brussels: European Commission.

DG DEV (2009). EU Toolkit for the implementation of complementarity and division of labour in development policy. Brussels: European Commission.

Duffield, M. (2007). Development, Security and Unending War: Governing the World of Peoples. Cambridge, UK and Malden, MA: Polity.

ECDPM (2016). 'The EU's new approach to funding regional cooperation'. GREAT Insights Magazine 5 (4), July/August. ECDPM.

EPRS (2015). 'The challenge of coordinating European development policies Fragmentation, a disaster?' European Parliament Research Service, January.

EU (2017). 'The New European Consensus on Development: Our World, Our Dignity, Our Future'. Joint Statement by the Council and the Representatives of the Governments of the Member States Meeting within the Council, the European Parliament and the European Commission. Brussels. 8 June.

EU (2016). 'Council Conclusions on stepping up Joint Programming' Brussels, 12 May.

EU (2012). 'Council conclusions 'Increasing the Impact of EU Development Policy: an Agenda for Change'.' 3166th Foreign Affairs Council meeting. Brussels, 14 May.

EU (2011). 'EU Common Position for the Fourth High Level Forum on Aid Effectiveness (Busan, 29 November – 1 December 2011). Council conclusions.' 3124th Foreign Affairs Development Council meeting, Brussels, 14 November.

EU (2007). 'EU Code of Conduct on Complementarity and Division of Labour in Development Policy-Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the Council'. Brussels, 15 may.

EU (2006). *The European Consensus on Development*, Joint declaration by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on the development policy of the European Union entitled 'The European Consensus' [Official Journal C 46 of 24.2.2006].

EU HR/VP (2016). 'Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the EU's Foreign and Security Policy'. Brussels.

European Commission (2018). 'Joint Programming Guidance: Supporting EU Delegations to work better together with Member States, like-minded partners and country stakeholders', Brussels, June.

European Commission (2011). 'Increasing the impact of EU Development Policy: an Agenda for Change.' 13.10.2011 COM(2011) 637 final, Brussels.

European Commission (2007). 'EU Code of Conduct on Division of Labour in Development Policy.' COM(2007) 72, February 28. Brussels.

FTI (2011). 'Third Monitoring Report and Progress Review of the EU Fast Track Initiative on Division of Labour. Annex 5 to Commission Staff Working Document EU Accountability Report 2011 on Financing for Development Review of progress of the EU and its Member States.' 19.4.2011 SEC(2011) 502 final, Brussels.

FTI (2009). '2nd Monitoring Report of the EU Fast Track Initiative on Division of Labour. A Product of the EU-Technical Seminar on Aid Effectiveness.' 30 November.

FTI (2008). 'Monitoring Report EU Fast Track Initiative on Division of Labour and Complementarity, Monitoring of the Status Quo'. A product of the EU Technical Seminar on Division of Labour and Complementarity, November.

Furness, M. and S. Gänzle (2016). 'The European Union's Development Policy: A Balancing Act between 'A More Comprehensive Approach' and Creeping Securitization' in Brown, Stephen, Grävingholt, Jörn (Eds.), *The Securitization of Foreign Aid*, Palgrave Macmillan: 138-162.

Furness, M. and F. Vollmer (2013). 'EU Joint Programming: Lessons from South Sudan for EU Aid Coordination'. DIE Briefing Paper 18, Bonn: German Development Institute.

Galeazzi, G., D. Helly, and F. Krätke (2013). 'All for One or Free-For-All? Early Experiences in EU Joint Programming'. ECDPM Briefing Note No. 50, Maastricht, May.

Harendt, Ch., F. Heinemann and S. Weiss (2018). Why and How There Should be More Europe in Development Policy. Gütersloh: Bertelsmann Stiftung.

Hartmann, S. (2011). 'Political Constraints on Division of Labor in Development Policy Across Countries. A Proposal for A More Viable Coordination Procedure at the EU Level', ÖFSE Working Paper, 28.

Helly, D., G. Galeazzi, A. Parshotam, C. Gregersen, W. Kokolo, and A. Sherriff (2015). 'Stepping Up? Best Practice in Joint Programming and Prospects for EU Joint Cooperation Strategies.' ECDPM Discussion Paper 183. Maastricht: ECDPM.

Henriksson, T. P. (2015). 'Europeanization of foreign-aid policy in Central and East Europe: The role of EU, external incentives and identification in foreign-aid policy adoption in Latvia and Slovenia 1998–2010', Journal of European Integration, 37(4): 433–449.

Holden P. (2009). In Search of Structural Power: EU Aid Policy as a Global Political Instrument. Farnham: Ashgate.

Horký, O. (2012). 'The impact of the shallow Europeanisation of the 'New' member states on the EU's actorness: What coherence between foreign and development policy?' in: S. Gänzle, S. Grimm & D. Makhan (Eds). The European Union and Global Development: An 'Enlightened Superpower' in the Making? Basingstoke: Palgrave Macmillan, 57–73.

Keijzer, N. (2013). 'Unfinished Agenda or Overtaken by Events? Applying Aid- and Development-Effectiveness Principles to Capacity Development Support.' *DIE Discussion Paper 17/2013*, Bonn: German Development Institute.

Krüger L.-T. and S. Steingass (2019). 'Policy entrepreneurs in Brussels, tied hands at home? EU member states between joint policy-making and domestic implementation in development co-operation', Journal of European Integration, 41(4): 429-445.

Lancaster, C. (2007). Foreign aid: Diplomacy, Development, Domestic Politics. Chicago: University of Chicago Press.

Lightfoot, S. and B. Szent-Iványi (2014). 'Reluctant donors? The Europeanization of international development policies in the new member states', Journal of Common Market Studies, 52(6): 1257–1272.

Lightfoot, S. (2010). 'The Europeanisation of international development policies: The case of Central and Eastern European States', Europe-Asia Studies, 62(2): 329–350.

Lundsgaarde, E. (2012). *The Domestic Politics of Foreign Aid.* London: Routledge.

Mawdsley, E., L. Savage, and S.-M. Kim (2014). 'A 'Post-Aid World'? Paradigm Shift in Foreign Aid and Development Cooperation at the 2011 Busan High Level Forum.' *Geographical Journal* 180 (1): 27–38.

Mold, A. (ed.) (2007). *EU Development Policy in a Changing World: Challenges for the 21st Century*. Amsterdam: Amsterdam University Press.

Mürle, H. (2007). 'Towards a division of labour in European development co-operation: operational options'. *Discussion Paper 6*, Bonn: German Development Institute.

Nogaj M. (2013). 'Cost of Non-Europe in Development Policy: Increasing coordination between EU donors'. Brussels: European Added Value Unit, European Parliament.

Nunnenkamp, P., A. Sotirova and R. Thiele (2015). 'Do Aid Donors Specialize and Coordinate within Recipient Countries? The Case of Malawi'. *AidData Working Paper 10*. Williamsburg, VA: AidData at William & Mary.

Nunnenkamp, P., H. Öhler and R. Thiele (2013). 'Donor coordination and specialization: Did the Paris Declaration make a difference?' *Review of World Economics,* 149(3): 537-563.

OECD (2018), *OECD Development Co-operation Peer Reviews: European Union 2018*, OECD Development Co-operation Peer Reviews, OECD Publishing, Paris, https://doi.org/10.1787/9789264309494-en.

OECD (2011a). 'Division of Labour among Donors: Progress, Results and Challenges on the Road to HLF 4, Review of the Country Studies Conducted for the Evaluation of the Paris Declaration (Phase 2)', Annex 4 to Evidence on Trends in Fragmentation and Proliferation and Implementation and Results of Division of Labour Processes Key Messages for HLF 4 and Beyond TT DoL (WP-EFF, Cluster C).

OECD (2011b). 'Evidence on Trends in Fragmentation and Proliferation and Implementation and Results of Division of Labour Processes. Key Messages for HLF 4 and Beyond TT DoL (WP-EFF, Cluster C)'.

OECD (2011c). 'Cross-Country Division of Labour Findings from Research and the International Dialogue TT DoL – April 2011', Annex 5, to Evidence on Trends in Fragmentation and Proliferation and Implementation and Results of Division of Labour Processes Key Messages for HLF 4 and Beyond TT DoL (WP-EFF, Cluster C).

OECD (2011d). 'OECD Report on Division of Labour: Addressing Cross-Country Fragmentation of Aid'. Paris: OECD. November.

Olivié, I. and A. Pérez (eds) (2019). *Aid Power and Politics*, London: Routledge.

Olivié I., and A. Pérez (2015). 'Why don't donor countries coordinate their aid? A case study of European donors in Morocco'. *Progress in Development Studies*, 16 (1): 1–13.

Olivié I., A. Perez, and R. Domínguez (2013). 'Case study: Morocco'. Annex 2 to Nogaj M. (2013). 'Cost of Non-Europe in Development Policy: Increasing coordination between EU donors'. Brussels: European Added Value Unit, European Parliament.

Orbie, J., and S. Lightfoot (2017). 'Development : shallow Europeanisation?' in A. Hadfield, I. Manners, and R. Whitman (eds), *Foreign policies of EU member states : continuity and Europeanisation*. Abingdon: Routledge: 201–217.

Orbie, J. and Carbone, M. (2016). 'Introduction: The Europeanisation of development policy', *European Politics and Society* 17(1): 1–11.

Orbie, J. (2012). 'The EU's role in development: A full-fledged development actor or eclipsed by superpower temptations?' in: S. Gänzle, S. Grimm and D. Mahkan (eds) *The European Union and Global Development. An 'Enlightened Superpower' in the Making?* Basingstoke: Palgrave Macmillan:, 17–36.

O'Riordan, A., A. Benfield, and E. de Witte (2011). 'Joint Multi-Annual Programming. Study on European Union Donor Capacity to Synchronise Country Programming (and joint programming) at the Country Level'. Brussels, HTSPE: European Commission.

Pankaj, A. K. (2005). 'Revisiting Foreign Aid Theories', *International Studies*, 42:2, 103-121.

Prizzon, A. and R. Greenhill (2012). 'The Aid Effectiveness Agenda: The Benefits of Going Ahead. A Commentary on the Final Report', EDCPS / ODI Paper.

Roeske, K. (2007). 'The Code of Conduct for a Better Division of Labour in Development Policy. Is It a Real Milestone?', *Friederich Ebert Stiftung Brussels Focus*, September.

Saltnes J. D. (2019). 'Resistance to EU integration? Norm collision in the coordination of development aid', *Journal of European Integration*, 41:4, 525-541.

Schulz, N.S. (2007). 'Division of Labour Among European Donors: Allotting the Pie or Committing to Effectiveness'. *FRIDE Development in Context*, 09.

van der Veen, M. (2011). *Ideas, Interests and Foreign Aid*, Cambridge University Press.

Woods, N. (2005). 'The Shifting Politics of Foreign Aid', *International Affairs*, 81(2):393–409.

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

Legal Status and Effects of the Agenda 2030 Within the EU Legal Order

Maryna Rabinovych

Citation

Rabinovych, M. (2020). 'Legal Status and Effects of the Agenda 2030 Within the EU Legal Order', *Journal of Contemporary European Research* 16 (2): 182-199.
https://doi.org/10.30950/jcer.v16i2.1071

First published at: www.jcer.net

Abstract

This article explores the legal status and effects of the Agenda 2030 within the EU legal order. It refers to different forms of international law (i.e. international treaty law, international customary law and international soft law) as a 'connective tissue' between the EU legal order and the Agenda 2030. It is found that, despite the EU's commitment 'to be a frontrunner in the implementation of the Agenda 2030', its legal status in the EU law is undefined, and it does not enjoy direct effect. The article distinguishes a number of indirect effects the Agenda 2030 may have within the EU legal order, and calls for stronger scholarly attention to the effects of international soft instruments in the EU law, and the interplay between 'hard' and 'soft' instruments within the EU and international law.

Keywords

Agenda 2030; Sustainable Development Goals; EU Law; Relationship between EU Law and International Law; International Treaty Law; International Customary Law; International Soft Law.

INTRODUCTION

Adopted at the UN General Assembly in 2015, the Agenda 2030 posits itself as a comprehensive 'plan of action for people, planet and prosperity', composed of 17 Sustainable Development Goals (SDGs) and 169 associated. As opposed to many global governance strategies, relying on 'top-down regulation or market-based approaches', the Agenda 2030 exemplifies the novel type of governance – 'governance through goals' (Biermann et al 2017). This type of governance is marked by the detachedness from international legal system and weak institutional oversight arrangements that allow for much leeway for the Goals' interpretation and implementation (Biermann et al 2017). Nevertheless, the universal applicability of the Agenda 2030, the inclusiveness of the process by which it was adopted, its emphasis on means of implementation and partnership, and high reporting and monitoring standards make scholars argue that the Agenda 2030 will have far-reaching implications not only in the normative but the legal realm (Piselli 2016; Bröhlmann 2018).

EU strategic development policy documents emphasize the Union's commitment "commitment 'to be a frontrunner in implementing the 2030 Agenda and the SDGS, together with its Member States, in line with the principle of subsidiarity', in both its internal and external policies (European Commission 2016a; Council et al. 2017). In policy terms, the above commitments were immediately translated into specific actions, such as streamlining of SDGs into all Commission's policies and initiatives in the form of a 'guiding principle' or launching a high-level multi-stakeholder platform to support the exchange of 'best practices' (European Commission 2019). In legal terms, however, the consequences of the above commitment remain undefined both for the Union and its Member States. We ask: Shall the Agenda 2030 be regarded as a solely soft law document or does it also have legal value under the international treaty law or customary international law? Are all the commitments under the Agenda 2030 of equal legal value? Our hypothesis is that the Agenda 2030 shall be primarily regarded as a non-binding soft law document that only tacitly influences the EU legal order, yet specific commitments it incorporates may produce legal effects through links with international treaty law or if recognized as a source of international customary law. Answering the above questions is important for understanding the legal value of multiple commitments under the Agenda 2030 within the EU legal order, including the legal consequences of cases, when either the EU or Member States fail to implement their commitments to the Agenda or change policy priorities. In broader terms, the case study of the Agenda 2030 can give an impetus to exploring the legal status and effect of further non-binding consensual tools, adopted by the international community, such as the Global Compact for Safe Orderly and Regular Migration. Thus, the article intends to contribute to the literature strand on the role of international law in the EU legal order with a focus on non-binding instruments, such as the UN declarations, principles, and statements.

In this view, the article analyses the legal status and effect of the Agenda 2030 in EU's legal order, referring to various forms of international law (i.e., international treaty law, customary international law and international soft law) as the 'connective tissue' for the research. The background part of the article constructs the research puzzle by highlighting the Agenda 2030 as a novel approach of governance through goals, the sui generis nature of the Union's legal order and the EU's commitment to the Agenda. Next, the article discusses the legal nature and potential impact of the Agenda 2030 in the context of the international treaty law, customary international law and international soft law. Given the ambiguities, connected to the problématique of regarding 'general principles in internal law' as a source of international law (Voigt 2008) and the limited scope of this article, it will not consider the 'general principles in internal law'. It also will not consider the effects the Agenda 2030 exerts on the EU governance of sustainable development and biodiversity. Based on the above and the CJEU case law as regards the status and effect of international law within the EU legal system, the central part of the study maps the modalities of the legal status and effect of SDGs. Concluding, the paper distinguishes key

legal effects of the Agenda 2030 within the EU legal order and a number of phenomena, deserving further scholarly attention.

CONSTRUCTING THE PUZZLE: THE MARRIAGE OF SUI GENERIS LEGAL CREATURES AND THE ROLE OF INTERNATIONAL LAW IN IT

The ever-strengthening economic and political interdependencies among the nation-states, coupled with global challenges (e.g. population growth, migration, climate change etc.) condition the continuous proliferation of mechanisms, aimed to develop and implement solutions globally Hence, the dynamics of the global governance seeks to capture a kind of yearning, 'but whether this yearning is for peace and justice, or mere maintenance of the status quo, is less clear' (Wilkinson 2005: 5). An insight into the nature and contents of the Agenda 2030 allows supposing that this yearning is merely for multi-stakeholder action to be taken vis-à-vis an array of global challenges including *inter alia* the support to peace and justice (UNGA 2015). Furthermore, the Agenda fulfils the need for a 'universal counter-narrative against radicalization, violent extremism, conflict and disorder' (Werther-Pietsch 2018: 20). These ambitions determine the number of Agenda's peculiarities that allow for calling it a *sui generis* legal creature.

Foremost, although the Agenda is 'detached from the international legal system' Biermann et al 2017: 26), a number of 'junctures' between it and public international law can be identified. As opposed to MDGs, the Agenda contains the 'Peace' axis that points to the 'promotion of the rule of law at national and international levels' (target 16.3) and the 'protection of fundamental freedoms in accordance with national legislation and international agreements' (UNGA 2015). Secondly, the Agenda is informed and guided by multiple international law sources (e.g. the UN Charter, the Universal Declaration of Human Rights), and many its targets and indicators refer to states' specific obligations under international treaties (Kim 2016: 17-18). Moreover, thematically, the scope of the Agenda is consonant with the key strands of international law, such as international environmental law, international labour law and international human rights law. Thus, despite its non-binding nature, the Agenda is multifacetedly connected to international public law, and the scope of such connections deserves future exploration.

Secondly, the novel High-Level Political Forum for Sustainable Development (HLPF) is the key institutional mechanism, lying at the heart of the SDGs-driven emerging global architecture for sustainable development. Hence, the HPLF has a 'dauntingly expansive mandate' that encompasses agenda-setting in the field of sustainable development, the promotion of policy integration and coherence with regard to SDGs' implementation and respective oversight (Abbott and Bernstein 2015). However, due to the limitedness of HPLF resources and non-permanent nature of its operation, its institutional settings are characterized as weak that makes it predominantly rely on the governance strategy of 'orchestration' by acting through the intermediary organisations (Abbott and Bernstein 2015). The 'soft and indirect' mode of governance through orchestration contributes to international organizations' coordination of their activities on a decentralized level through mutual adjustment (Abbott et al 2012; Abbott 2018). Even though 'orchestration' becomes increasingly relevant in polycentric contexts, there are voices, advocating for strengthening the institutional arrangements of global governance for sustainable development as a crucial task to be fulfilled to mobilize resources and ensure the resonance between global and national aspirations (Pattberg and Widerberg 2016: 51).

With regard to the latter, the Agenda 2030 combines the 'respect [for] each country's policy space and leadership to establish and implement policies for poverty eradication and sustainable development' and the focus on the 'Means of Implementation', such as finance, technology, capacity-building and trade (UNGA 2015). Furthermore, Goal 17 'Strengthen Means of Implementation and Revitalize the Global Partnership for Sustainable Development' stresses systemic issues, such as the introduction of Policy Coherence for

Sustainable Development, capacity-building support to developing countries and support to multi-stakeholder partnerships (UNGA 2015).

The takeaway from the above is that the Agenda 2030 represents the *sui generis* creature in the global governance domain that reconciles superficially controversial characteristics: detachedness from international law and multifaceted substantial links to it; comprehensive substance, non-binding nature and weak institutional arrangements as well as the focus on the means of implementation and extensive national leeway to implement the Goals.

Sui Generis Nature of the EU Legal Order

Scholarship extends the terms 'sui generis', 'exceptional', 'hybrid' to both the EU and its legal order (Plehan 2012), addressing the former as 'an unidentified political object' (Delors 1985) that is 'less than a state; more than an international organisation' (Hlavak 2010). Given the tight connection and interdependent evolution of the EU and its legal order, this section of the paper will exemplify the *sui generis* nature of the Union's legal order by considering arguments, applied to the nature of the Union (the nature of Union's powers) and its legal order *per se* ('the EU as a self-contained regime in international law'; autonomy of the EU legal order; the supremacy of EU law and its direct effect).

The central argument in favour of the *sui generis* nature of the EU is that EU Member States transfer a part of their sovereignty to the supranational organization, whereas membership in confederations and international organisations allows for states' retaining their sovereignty (Dabrowski 2017). Nevertheless, scholarship offers varying interpretations of such restriction, many of which emphasize Member States' sovereignty and view the EU as a network of institutions, norms and principles through which it is exercised (e.g. Klabbers 2016: 3-4). Such view does not, however, resonate both with the concept of the Union's legal personality (Art.47 TEU) and the division of competences between the EU and its Member States (Title I TFEU) (Saurugger 2013: 4). Thus, the principle of the conferral of competences (Art.5 TEU) and the resulting division of competences between the Union is usually elaborated on to substantiate the *sui generis* nature of the EU.

The concept of a self-contained regime in international law embodies the international law perspective to EU legal studies and stems from the globalization-driven process of the fragmentation of international law (specialized branches of international law with their norms and principles that function autonomously vis-à-vis *lexgenerali*) (Ioniță 2015: 39-40). The key arguments in favour of defining the Union as a 'self-contained' regime are as follows. First, an extent to which the EU is a self-contained regime is determined by the regime itself (and its dynamics) and 'not simply the application of conventional secondary rules of general public international law' (Conway 2002: 680). Secondly, the EU evolved by virtue of 'the breach and alienation from international law and its transformation into a constitutional legal order' that has a special institutional design, multi-level governance network and own enforcement and sanctioning powers (Weiler 1999: 293). Thirdly, the EU functions based on its *own* norms and principles stipulated in the *acquis communautaire* as a corpus of EU law. The scholarship also links the self-contained nature of the EU legal regime to the fact that it 'imposes costly requirements on its Member States but rejects the use of interstate countermeasure and reciprocity mechanisms' (Plehan 2012: 368). Instead, the Union takes recourse to alternative dispute settlement measures (e.g. the application of the Rule of Law Framework with regard to the rule of law crises in Poland and Hungary (European Commission 2014). Finally, as it will be illustrated further, the 'self-containedness' of the Union's legal order manifests itself in the complex relationship between EU law and international law.

From the Eurocentric perspective, the *sui generis* nature of the Union is attributed to the notion of the 'autonomy of the EU legal order' (*Costa v ENEL* judgment of the CJEU), and the principles of primacy and direct effect (*Costa v ENEL* and *Van Genden Loos* judgments, respectively). In *Costa v ENEL*, the CJEU argued that 'by contrast with ordinary international treaties, the EEC Treaty has created its own legal system, which, on the entry into force of the Treaty, became an integral part of the legal systems of the Member States and which their courts are bound to apply'. The constitutional and institutional aspects of the autonomy of Union's legal order were also strengthened by a number of more recent CJEU cases (e.g., *Commission v Ireland (Moxplant*); *Interanko*; *Kadi and Al Barakaat*) and the Lisbon Treaty-driven consolidation of the Union's powers in CFSP domain (Art.47 TEU; Art.216 TFEU). In *Costa v ENEL*, the Court argued that 'it follows from all these observations that the law, stemming from the Treaty, an independent source of law could not, because of its special and original nature, be overridden by domestic legal provisions, however, framed, without being deprived of its character as community law and without the legal basis of the community itself being called into question'. The direct effect of EU law is another fundamental principle of Union's law, attributed to the *sui generis* nature of the EU legal order. Established by the CJEU in its *Van Genden Loos* judgment, the 'direct effect' doctrine enables individuals to immediately invoke EU law in domestic courts, even if no relevant domestic law exists. The variation in the application of 'direct effect' depends on the type of a relevant Union's legal act (EUR-lex n.d.)

Ultimately, the EU legal order represents a 'self-contained' or 'autonomous' legal regime, marked by the distinctive constitutional and institutional design, peculiar responsibility and enforcement mechanisms, multi-dimensional interplay with Member States' legal orders and the complex inter-relationship with international law.

EU's Commitment to SDGs: The Role of International Law

The Declaration 'The Future We Want', adopted at the 2012 UN Conference on Sustainable Development Rio+20, stipulated the establishment of 'an inclusive and transparent intergovernmental process on sustainable development goals that is open to all stakeholders in order to develop global sustainable development goals to be agreed by the General Assembly' (UNGA 2012). Under paragraph 248 of the Rio+20 Summit Declaration, quoted above, the UN General Assembly adopted the decision on the establishment of the Open Working Group (OWG) on SDGs (UNGA 2012). Several EU Member States participated therein (e.g. the Netherlands, Germany, the UK, Denmark, Italy, Cyprus) (UNGA 2013).

Although the EU did not independently participate in the 'making' of the SDGs, the Commission's 2016 Communication 'Next steps for a sustainable European future' stipulated the Union's commitment to be a frontrunner in the implementation of SDGs (European Commission 2016a). The Staff Working Document (SWD), accompanying this Communication, provided the broad picture of the EU internal and external action, directed to SDGs' implementation, emphasizing the importance of different actors' cooperation (e.g. the European Parliament, the Commission, the Council, Member States and citizens) (European Commission 2016b). Highlighting the instruments of the EU implementation of the SDGs, the SWD, *inter alia*, pointed to the EU implementation of specific 'hard' international law instruments (e.g. Paris Climate Change Agreement) and international soft law frameworks (e.g. Sendai Framework for Disaster Risk Reduction) (European Commission 2016a). Such referrals tend, however, to be non-systemic, with many of the EU's and Member States' international law commitments not having been mentioned. Furthermore, the SWD did not refer to the EU's efforts to promote the consolidation of the principles of international law beyond its borders (Art. 21(2)(b) TEU) (European Commission 2016b). Mirroring the structure and language of the Agenda 2030, the new European Consensus on Development stipulated that the EU's implementation of SDGs will be 'closely coordinated with the implementation of the Paris Agreement on Climate Change

and other international commitments…' (Council et al 2017). The new Consensus also addressed the EU's commitments to the 'respect for the principles of the UN Charter and international law' as the principle that inspired the EU's creation and the guiding principle of its external action (Art. 21(1) TEU) and the Union's treaty obligation to externally 'consolidate …the principles of international law' (Art. 21(2)(b) TEU) as foundational its implementation of the SDGs (Council et el 2017). Nonetheless, similar to the 2016 Communication and respective Staff Working Document, the new Consensus only tangentially mentioned specific 'hard' and 'soft' documents the EU aspires to implement (e.g. the 2015 Joint Valetta Action Plan) (Council et al 2017).

Thus, in general, the EU's commitment 'to be a frontrunner in the implementation of SDGs' is founded on and intertwined with its primary law commitments to observe international law norms and consolidate them externally. Under the tangential referral to international law documents in the above mentioned SWD, the question of an extent to which the EU's commitment to SDGs encompasses the Union's observance of international law norms domestically remains open. Moreover, as noted in the introduction, the EU does not specify the legal value of the EU's commitment to the Agenda 2030 in the EU legal order. Addressing both of the above concerns requires further exploration of the SDGs' relationship with key forms in which modern fragmented international law exists.

AGENDA 2030 AND ITS RELATIONSHIP TO DIFFERENT FORMS OF INTERNATIONAL LAW

Modern international law tends to exist in two key forms: international treaty and international customary law, and 'general principles' of international law can be viewed as the means to address the gaps, emerging from the 'the non-comprehensiveness of the former forms of international law' (Dellapenna 2011: 19). Such an approach does not, however, refer to the dichotomy between 'hard' and 'soft' international law. The usual way to distinguish between 'hard' and 'soft' law is the recourse to a 'simple binary binding/non-binding divide' (Schaffer and Pollack 2010: 706). However, the understandings of 'hardness' and 'softness' vary across different schools of legal thought, with positivists denying the idea that law can be 'soft' and constructivists' focusing on a law's effectiveness at the implementation stage, rather than the form in which this law exists (Schaffer and Pollack 2010: 708-709). Against this background, an insight into the interactions between binding and non-binding international law instruments is essential for tracing the dynamics and interactions of actors within the fragmented international system. Since the Agenda 2030 is officially regarded as a non-binding international law document, it is of particular value for this project to consider its role in the context of the evolution of international soft law. Thus, this part of the article focuses on the relationship between the SDGs, on the one hand, and international treaty law, international customary law and international soft law, on the other.

Agenda 2030 and International Treaty Law

According to Art.2(1)(a) of the Vienna Convention on the Law of Treaties (VCLT), 'treaty' represents an 'international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation'. Similar to contracts between private parties, the key requirement for international treaties is parties' consent (Art.11 VCLT). In turn, the binding nature of international treaties stems from the *Pacta sunt servanda* principle (Art. 26 VCLT). Nonetheless, 'there can be complex questions about whether the state parties had reached an agreement, what the agreement means and whether there is a legally valid excuse from compliance' (Dellapena 2011: 13). An in-detail regulation of the above issues is provided in the VCLT; furthermore, many international

treaties address enforceability issues through creating their own dispute resolution mechanisms.

There is no doubt that Agenda 2030 does not represent an international treaty. First, it does not qualify as a treaty under the above mentioned VCLT definition, since it was stipulated by the Resolution of the UN General Assembly (GA), rather than concluded between States (UNGA 2015). In turn, Art.10-17 of the UN Charter do not empower the GA to adopt binding international law documents; pursuant to Art.13 of the Charter, the GA 'can make studies and initiate recommendations' pertaining to international cooperation in the political, economic, social, cultural and health domains (UN 1945). Additionally, the lack of the Agenda's legally binding nature can be substantiated by the fact that not only states as traditional international law subjects committed themselves to its implementation. Many cities, businesses and NGOs 'mobilized around' the SDGs and expressed their commitment to its implementation, assuming different roles and tasks in this process (e.g., cities may 'create new channels for urban and subnational financing and long-term planning' while NGOs tend to serve as 'watchdogs' that hold governments accountable for the implementation of the SDGs) (Hege and Demailly 2017: 6). This demonstrates that the strict international treaty law form, limiting parties to the treaties to those of international law, would contradict the universal nature of the Agenda 2030 and the idea of promoting multi-stakeholder partnerships as a means to implement the Agenda.

Nevertheless, the Agenda is, however, connected to international treaty law in several ways. First of all, the Agenda 2030 reaffirms states' commitment to the *corpus* of international law in particular domains (e.g. the conservation of coastal and marine areas (target 14.5); the conservation and sustainable use of oceans and their resources (target 14c); labour rights, such as freedom of association and collective bargaining (indicator 8.8.2) (IAEG-SDGs 2016). Secondly, some targets and indicators under the Agenda 2030 make connections to specific 'hard' international law acts (e.g. the UN Framework Convention on Climate Change) (IAEG-SDGs 2016). Thus, the Agenda 2030 can be addressed as 'a subset of existing intergovernmental commitments' (Kim 2016). Thirdly, some of the targets under the Agenda (e.g. those relating to the environment and the conservation of biodiversity) mirror particular international treaties without immediate referrals to them in the Agenda (Kim 2016) (Biermann et al 2017). Fourthly, on the most general level, the Agenda 2030 stipulates that the SDGs were created and are to be implemented 'in a manner that is consistent with the rights and obligations of States under international law' (UNGA 2015). This allows arguing that the actual role of the Agenda 2030 with regard to the international law would to a great extent be shaped by its implementation by states and international organisations. On the one hand, explicitly referring to only selected domains of international law and treaties, the Agenda does not position itself as a tool to promote states' compliance with international treaties and introduce respective toolbox. Given the 'soft' nature of the Agenda, this is not, however, its task. On the other hand, particularly 'soft' and comprehensive nature of the Agenda, and the breadth of the link to international law it creates enables states and international organisations to utilize the Agenda and related institutions of global governance for sustainable development as a forum for strengthening the implementation of international treaties and coordinating it.

Agenda 2030 and International Customary Law

Emerging from uniform state practices, international customary law is marked by the elusive nature and, on the most general level, can be described as 'usages generally accepted as expressing principles of law' (PCIJ 1927). Scholarship distinguishes two basic approaches to understanding the emergence of customary international law are distinguished (Bodansky 1995: 108). One focuses on the causal links and tries to find our which political, socio-economic and psychological processes underlie the emergence of

customary international law (Bodansky 1995: 108-110). The second approach zooms in on the reasons that make states comply with international customary law, thus, opens up the gateway for numerous explanations of states' compliance with international law (involving the factors of costs and benefits, managerial issues, reputation and legitimacy) (Verdier and Voeten 2014). As postulated by the International Court of Justice in the North Sea Continental Shelf Cases (1969), the creation of a norm of international customary law requires the combination of two components: the presence of actual settled practice (*usus*) and the so-called *opinio juris* – a psychological element that characterizes a state's belief that it acts in accordance with the law. (*North Sea Continental Shelf Cases* 1969). Thus, the emphasis on the *opinio juris* allows one to characterize the formation of customary international law as a process, within which states act in a certain way, guided by the belief that they act in accordance with the law.

Two characteristics of international customary law are of particular relevance for our study. First, as opposed to international treaty law, binding only for the parties to a specific treaty, international customary law applies to all subjects of international law (Bodansky 1995: 108). Thus, its scope of application is close to the philosophy of universalism, lying at the heart of the Agenda 2030 (UNGA 2015). Secondly, in its *Nicaragua* opinion, the ICJ recognized that the General Assembly (UN GA) resolutions may serve as evidence of the existence of a customary rule as well as a source of *opinio juris*, provided that the effect of the consent to the text of such resolutions 'may be understood as an acceptance of the validity of the rule or set of rules declared by the resolution or by themselves', rather than the 'reiteration or elucidation' of the treaty commitment' (*North Sea Continental Shelf Cases* 1969: 97-98). While arguing that sometimes the UN GA resolutions 'may sometimes have the normative value', the ICJ's 1996 *Nuclear Weapons* opinion weakened the above position by stipulating that the GA resolutions can only *provide evidence,* 'important for establishing the existence of a rule or the emergence of the *opinio juris'*. (Legality of the Threat or Use of Nuclear Weapons 1996).Given the contradictions between the ICJ's positions, expressed in the *Nicaragua a*nd *Nuclear Weapons* cases, it is hard to establish whether the Agenda 2030 can be regarded as 1) a subset of customary international law and 2) a source of *opinio juris*. An important argument in favour of both points is the consensus nature of the Agenda, with the second point being additionally substantiated by recourse to the *Nicaragua* opinion. However, given the divergence of state practices, covered by the Agenda, a profound insight into the Agenda's implementation is required to distinguish the practices, capable of becoming customary rules. Moreover, following the logic of the *Nuclear Weapons* opinion, the stipulation of the respective principles in the Agenda and their implementation by states will be regarded as evidence of their customary law nature (including *opinio juris*) of these practices, rather than the fact that the Agenda 2030 represents a codification of international customary law norms. Nevertheless, given its universal, comprehensive and consensus nature, the Agenda 2030 is evidently capable of impacting customary international law.

Agenda 2030 and International Soft Law

As a *sui generis* legal creature, the Agenda 2030 is marked by the combination of an extremely comprehensive scope and non-binding nature. The latter characteristic is consonant with the modern trend to the increasing use of international soft law, caused by the heterogeneity of international actors (including the proliferation of non-state actors) and differences in their interests (Schaffer and Pollack 2010: 707-708). It also speaks to the logic of polycentric governance through the orchestration of the international organizations' activities (Abbott 2018). Additionally, an important rationale for the proliferation of international soft law deals with the gap between numerous ways by which international norms are made and the provisions of Art.38 of the ICJ Statute, only distinguishing between the international treaty law, international customary law and the general principles of international law (Olsson 2010). Though slightly prematurely, it is worth arguing that the trend to the softening of legal obligations is also relevant for the

EU, where, similar to the international system, it can be also widely regarded as a means to reconcile states' divergent interests (Terpan 2015).

Based on the application of two criteria – obligation and enforcement – for distinguishing between 'hard' and 'soft' law and between 'soft' law and non-legal norms, international soft law can be defined as a combination of 'binding norms with a soft dimension' and 'non-binding norms having legal relevance' (Terpan 2015: 7). Thus, characterized by the 'soft' nature of States' obligations (commitments) and their enforcement (i.e. states' broad discretion to decide on the means of implementation of the Agenda), the Agenda 2030 can be undoubtedly categorized as an international soft law document. Moreover, along with the recourse to some 'hard' law documents, the Agenda 2030, confirms States' commitment to a number of international soft law acts (e.g. the Rome Declaration on Nutrition and an accompanying technical Framework for Action).

Ultimately, while evidently belonging to the category of international soft law documents, the Agenda 2030 is tightly intertwined with both international treaty and customary law. An important takeaway is that the interfaces between the Agenda 2030 and respective categories of international law are continuously being shaped by the dynamics and patterns of its implementation. As it will be shown further, an understanding of the connections between the Agenda 2030 and respective categories of international law creates the 'connective tissue' for researching the role and effects of the Agenda 2030 in the EU legal order.

MAPPING THE RELATIONSHIP BETWEEN THE AGENDA 2030 AND INTERNATIONAL LAW

The problématique of the relationship between the EU law and international law lies at the heart of the debate about *sui generis* nature of EU as a legal order, and the interplay of internationalism and constitutionalism therein (Ziegler 2013: 5). From an international law perspective, the starting point for understanding this relationship is that the EU is an international organisation, created by the treaties (the TEU, TFEU and the EURATOM Treaty) that are sources of EU law. The treaty-based nature of the EU and its possession of legal personality (Art.47 TEU) are key factors, determining the applicability of general principles of international law (e.g. rules of responsibility of states and international organisations) to the EU legal order and the EU's being bound by international treaty and customary law. Moreover, Art.3(5) and Art.21 TEU underlines the EU's commitment to the observance of international law and its development. Thus, on the abstract level, the embeddedness of the EU legal order into the international legal order and its openness to international law can be hardly contested (Ziegler 2013: 4). Nonetheless, the *sui generis* nature of the EU legal order, the fragmentation of the international law and an active role of the CJEU in deciding on international law issues determine the complexity and variation in the formation of the EU obligations under international law. In this view, the subsequent analysis will highlight the relationship between the EU law and each of the above-mentioned forms of international law. Furthermore, it will highlight several the Agenda 2030 may have within the EU legal order, non-attributable to any of the above-mentioned forms of international law.

EU Law, Agenda 2030 and International Treaty Law: Indirect Effects and Stronger Selectiveness

Although the EU legal order is by its nature embedded into the international legal order, the Treaties do not set explicit rules regarding the status and effects of international law within the EU legal order (Ziegler 2013: 5-6). Subsequently, the CJEU historically played an active part in the formation of the relationship between EU law and international law, in general, and international treaty law, in particular. The pivotal role of the CJEU in shaping

this relationship can be exemplified by the referral to its landmark case *Kadi and Al Barakaat International Foundation v Council and Commission*. Having indirectly recognized that the UN Security Council's resolutions on counter-terrorism may violate fundamental rights, the CJEU judgment in this case gave an impetus to the debate on the 'constitutionalist-monist versus pluralist-dualist approaches to the international legal order' (Michaelsen 2009: 15). For the majority of EU law scholars, the key takeaway from the judgment in *Kadi* case has been the emphasis on the autonomy of the EU legal order and 'the primacy of its autochthonous values over the common goals of the international community' (De Burca 2009: 6). The trend towards the restriction of international law's effects in EU law is also reflected in *Van Parys, Intertanko and Commune de Mesquer* cases.

From a substantive viewpoint, international law and, in particular, international treaty law can have an effect within the EU legal system in three ways. (Ziegler 2013: 10). While the problématique of the international treaties' direct effect within the EU legal order is shaped by the autonomous nature of the Union's legal order, 'self-executing nature' of international treaties and the narrow definition of direct effect in *Van Genden Loos* case, an insight into the more recent CJEU cases allows for distinguishing three conditions for their direct effect. Firstly, the EU is to be bound by the treaty (*Intertanko and Others*: 44); secondly, respective treaty provisions need to be 'sufficiently clear, precise and unconditional' (Joined Cases *FIAMM*, Opinion of AG Maduro: 27) and, finally, the 'nature and structure' or 'broad logic' of the treaty shall not serve as factors, precluding direct effect (*Intertankoand Others*: 45) (*International Fruit Company and Others*: 7). Moreover, international treaties can be relevant for the interpretation of EU law (Ziegler 2013:11). Last, but not least, in case of the lack of formal relationship, international law (and foreign law) can impact EU law through 'substantive borrowing' that may involve using international or foreign law to fill gaps in EU law as well as acting as a 'persuasive authority' or source of inspiration for the formal sources of EU law (Ziegler 2017:281). 'Substantive borrowing' is closely linked to the idea of cross-fertilization between the international and EU legal orders and is of particular relevance for the areas of shared values. Most commonly used examples of 'substantive borrowing' from international treaty law to EU law concern human rights (i.e. the European Convention on Human Rights) and international humanitarian law (Ziegler 2017:281).

Transferring to the question of the status and effects of the Agenda 2030 within EU law in the context of the international treaty law, I would like to stress that, since the Agenda 2030 does not qualify as an international treaty, it cannot have a direct effect within the EU legal order. At the same time, the insights from the previous analysis of the interplay between the Agenda 2030 and international treaty law, and the status and effects of international treaty law in EU law allow to distinguish several indirect effects the Agenda 2030 may have within the EU legal order. Firstly, the Agenda emphasizes the importance of the application of a number of hard international law documents, such as the Paris Agreement, the UNESCO Convention on the Protection and Promotion of Cultural Expressions and the UN Convention on the Rights of the Child. All respective documents were already ratified by the EU, and in each of the above cases the EU positions itself as a leader in their implementation. Secondly, it shall be mentioned that the Agenda's 2030 calls for compliance with international law are vague, and it seldom refers to specific hard law instruments. In practice, such an approach may allow using the Agenda 2030 as a tool, legitimizing the selectiveness of the EU commitment to international treaties. Furthermore, such an assumption can be substantiated by the fact that the formulations, contained in the Agenda 2030, virtually erase the boundary between 'hard' and 'soft' international law, assigning equal value to treaties and 'other instruments'. Thirdly, notwithstanding its 'soft' legal nature, the Agenda 2030 can exert effects on EU law, if it is used by the CJEU for the purposes of interpretation. Fourthly, the framework nature of the Agenda 2030 creates the foundations for 'substantive borrowing' that is also not limited to 'hard' international law.

EU Law, Agenda 2030 and International Customary Law

In recent years, the CJEU jurisprudence on the relationship between international law and EU law has predominantly considered effects international treaties have within the EU legal order. Less attention has, however, been paid to the legal status and effects of customary international law within the EU legal order. In a number of cases (e.g. *Anklagemyndigheden v. Poulsen, Ahlström Oy v Commission, Air Transport Association of America v Secretary of State for Energy and Climate Change (ATAA)*) the CJEU has explicitly stipulated that the EU shall be bound by customary international law rules and that these rules are applicable in both internal and external domains of the EU action. The CJEU directly applied customary international law in several domains, such as the principles of international treaty law, rules regarding the nationality of individuals and ships and the scope of jurisdiction under international law (Ziegler 2013: 11). Among the customary international law principles, it affirmed one can mention *pacta sunt servanda* (case *A. Racke GmbH & Co. v Hauptzollamt Mainz*) *effet utile* and *ut res magis valeat quam pare* (case *Jean Reyners v Belgian State*). It is also of interest that in controversial Kadi and Yusuf cases the Court of First Instance of the EU (presently known as the 'General Court') recognized all human rights 'to have attained the status of *jus cogens* in international law' (a part of international customary law, defined by the VCLT as 'a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted' (VCLT: 53)) (Ahmed and Butler 2006: 775). Moreover, the tight connection between the EU law and customary international law is manifested by the fact that the CJEU obliged the EU to take into account international treaties it is not a party to, 'in so far as they codify general rules recognized by international custom' (Case *Poulsen*: 39). While it has since a long time been accepted by the CJEU that customary international law can be utilized to challenge the validity of EU secondary legislation (or, in other words, have a direct effect), the Court only confirmed the conditions on which customary international law can be relied upon for such purposes in its *ATAA* judgment. In fact, these conditions resemble those, necessary for international treaties to have a direct effect. For a custom to be applied by individuals to challenge EU secondary law, 1) the EU must be bound by this international law rule; 2) the content of the rule needs to be unconditional and sufficiently precise and 3) the nature and broad logic of the rule shall not preclude its application as a grounds to challenge the validity of EU secondary law (*ATAA*: 51-54, 74). Importantly, CJEU earlier judgment *A. Racke GmbH & Co. v Hauptzollamt*Mainz limited the basis of the review of EU measures to 'fundamental rules' of customary international law and, given the 'complexity of the rules' restricted the review itself to the cases of 'manifest error' of EU institutions (52). Since customary international law rules may by their nature be less precise than treaty rules and the CJEU adopted divergent approaches to defining what 'fundamental' nature of a rule may mean, international customary rules so far played a highly limited role in judicial review of CJEU measures (Ziegler 2013: 17-18). At the same time, as noted in scholarship, they may still represent a crucial source of inspiration for EU law-making or the foundation for 'substantive borrowing' (Ziegler 2013: 18).

This study earlier established that the comprehensive nature of the Agenda 2030 prevents it from being regarded as a codification of customary international law rules. Thus, finding out which practices, contained in the Agenda 2030, constitute customary international rules would require an in-depth analysis of their implementation by states, including *opinio juris*. In light of the ICJ *Nuclear Weapons* opinion, the Agenda 2030 and the practices of its implementation can be regarded as evidence of the customary nature of a particular rule. For the EU legal order, this would potentially mean an opportunity to challenge EU measures, constituting a 'manifest error' in relation to 'fundamental' customary international law rules, stipulated in the Agenda 2030 (*Racke GmbH & Co. v Hauptzollamt Mainz*: 52). Since there has so far been no CJEU practice pertaining to the Agenda 2030, it is difficult to establish which domains of the EU and Member States law could be influenced by the selective recognition of the Agenda 2030 commitments as customary international law rules. However, by analogy with the EU's recognition of the general

principles of international law, one can assume that such practice would predominantly concern human rights, justice and the rule of law and the use of natural resources (Kornobis-Romanowska 2018: 415-417). Potentially, the recognition of specific Agenda 2030 commitments as customary international law rules can also impact the EU-Member States' cooperation and coordination in the aforementioned domains due to an increase of potential international responsibility. Nonetheless, as compared to international treaty law, challenging EU measures based on specific Agenda 2030 commitments is still hardly possible due to a number of previously mentioned difficulties pertaining to 1) the qualification of the rule as an international customary law rule; 2) characterizing the rule as 'fundamental' from the perspective of the EU legal order and 3) the non-established nature of the CJEU practice of utilizing customary international rules as a means to challenge the validity of EU acts. Thus, similar to international treaty law, interpretation and different forms of 'substantive borrowing' represent the major avenues through which the 'Vision', Goals, targets and indicators, contained in the Agenda 2030, may have an effect within the EU legal order from the perspective of customary international law.

'Soft' Effects of the Agenda 2030 within the EU Legal Order

Representing 'a defining feature of the European polity', flexible and differentiated nature of European integration, aimed at accommodating the degree of difference between the Member States and regions, has been intensely reflected in EU law (De Witte, Ott and Vos 2017: 2). Along with the application of Directives as a 'hard' law instrument that requires Member States to achieve a defined result without dictating, such reflection encompasses the proliferation of soft law instruments, such as opinions, recommendations, guidelines and best practices. Only opinions and recommendations have their legal basis in the EU primary law(Art. 288 TFEU). Their validity and interpretation can be part of the preliminary ruling (Art.267 TFEU); however, they can only be subject to judicial review if 'an act, by reason of its content, does not constitute a general recommendation' (*Belgium v Commission*: 29). Other soft law documents (e.g. guidelines, conclusions, inter-institutional agreements) are often found to have the legal effects, comparable to the ones of opinions and recommendations (Meijers Committee 2018: 2). This is, however, not the case for 'best practices' that are generally regarded as examples that may facilitate the application of legal instruments. According to the Opinion of AG Bobek in case *Belgium v Commission,* the legal effects of 'soft' instruments encompass 1)institutions' self-bindingness and possibly bindingness for members of respective bodies in line with the principle of loyal cooperation (Art.4(3) TFEU); 2)the application of 'soft' law documents for interpretative purposes by the CJEU and national courts (earlier confirmed in cases *Salvatore Grimaldi v Fonds des maladies professionnelles* and *Alassini v Telecom Italia SpA*) and 3) their potential to generate parallel sets of rules.

Importantly, notwithstanding the proliferation of non-binding legal instruments internationally, the CJEU has not yet ruled on their status and legal effects within the EU legal system. However, since the EU commitment to be a frontrunner in the implementation of the SDGs is stipulated in the non-binding legal instrument, adopted by the Commission (i.e. Communication), it can be argued that the respective Commission's Communication is binding for the Commission; can be used for interpretative purposes on the national and EU levels and may give rise to parallel sets of rules. Thus, in case of the application of provisions related to opinions and recommendations to other 'soft' law documents by analogy, the validity and interpretation of the Commission's Communication 'Next steps for a sustainable European future' can become part of the CJEU preliminary ruling. Questionable is, however, whether these legal effects only pertain to the respective Communication or can be automatically extended to the Agenda 2030 and its role within the EU legal order. This question, however, remains to be answered under the circumstances of the lacking CJEU practice regarding the application of international soft law documents within the EU legal order.

CONCLUSION

The EU's commitment 'to be a frontrunner in the implementation Agenda 2030' presupposes multiple changes on the policy level, such as the streamlining of the SDGs into the whole spectrum of the Commission's policies both internally and externally. Such commitment also serves as an important source of legitimacy for the EU's support for multilateralism and its action in the domains of conflict resolution, peace-building, human rights and rule of law promotion. Notwithstanding the above and multifaceted interconnections between the Agenda 2030 and international law, the legal status of the Agenda 2030 within the EU legal order is not defined in legal terms, and it does not have a direct effect (cannot be used by individuals to challenge EU legal acts in the CJEU and national courts). Having used various forms of international law as a 'connective tissue', this study can distinguish the following legal effects of the Agenda 2030 within the EU legal order: 1)evidence of the existence of particular international customary rules and the EU's being bound by them; 2) self-binding nature of the 'commitment to be a frontrunner in the implementation of the Agenda 2030' for the Commission (rather than the Agenda 2030 as a 'soft law' document; 3) the potential for 'substantive borrowing' in the EU law-making (e.g. drawing inspiration); 4) the application by the CJEU and national courts for interpretative purposes (including the selective reaffirming of the EU obligations under international treaties).

The analysis of the status and effects of the Agenda 2030 within the EU legal order also allowed us distinguishing three important phenomena, deserving further scholarly attention. Firstly, being positioned as a unique instrument of the 'governance through goals', rather than 'hard' norms, the Agenda 2030 virtually erases the borderline between 'hard' and 'soft' international law in its 'Vision' part and the formulations of the Goals. This makes it interesting to trace the role of the Agenda 2030 and its implementation in the dynamic interplay between international 'hard' and 'soft' law norms. Secondly, while the CJEU has repeatedly addressed the legal effects of EU soft documents in its jurisprudence, no clarity exists with regard to the legal effects of international 'soft' law instruments within the EU legal order and the legal consequences of the EU's commitment to them. Thirdly, of high relevance is the gap between the comprehensiveness of action the implementation of the Agenda 2030 requires the EU, its institutions and Member States to undertake both internally and externally and very 'modest', indirect and difficult to distinguish legal effects of the Agenda 2030 within the EU legal order. This, once again, puts the problématique of the effectiveness of political commitments and 'soft' norms vis-à-vis 'hard' obligations, and the interplay between 'hard' and 'soft norms' internationally and within the EU legal order to the forefront.

AUTHOR DETAILS

Dr. Maryna Rabinovych, Public International Law Department, University of Hamburg, Europa Kolleg Hamburg, Windmühlenweg 27, 22607 Hamburg. [Marinarabi93@gmail.com]

REFERENCES

Abbot, K.W. (2018). 'Orchestration'. In A. Jordan, D. Huitema, H. van Asselt and J. Forster (eds), *Governing Climate Change. Polycentricity in Action?* Cambridge: Cambridge University Press: 188-209.

Abbott, K.W., P. Genschel, D. Snidal, and B. Zangl (2012). 'Orchestration: Global Governance through Intermediaries'. In Kenneth W. Abbott, P. Genschel, D. Snidel and B. Zangl (eds), *International Organizations as Orchestrators*. Cambridge: Cambridge University Press: 3-36.

Abbott, K.W. and S. Bernstein (2015). 'The High-Level Political Forum on Sustainable Development: Orchestration by Default and Design'. *Global Policy* 6(3): 222-233. https://doi.org/10.1111/1758-5899.12199

Ahmed Ali Yusuf and Al Barakaat International Foundation v Council and Commission [2005] T–306/01, ECR II-03533.

Ahmed, T. and I. Butler (2006). 'The European Union and Human Rights: An International Law Perspective'. *European Journal of International Law* 17(4): 771-801. https://doi.org/10.1093/ejil/chl029

Air Transport Association of America v Secretary of State for Energy and Climate Change [2011]. C 366/10, ECR I-13755.

Anklagemyndigheden v Poulsen [1992]. C-286/90, ECR I-06019.

Biermann, F., N. Kanieand R. Kim (2017). 'Global governance by goal-setting: the novel approach of the UN Sustainable Development Goals'. *Current Opinion in Environmental Sustainability*, 26-27(June): 26-31. https://doi.org/10.1016/j.cosust.2017.01.010

Bodansky, D. (1995). 'Customary (and not so customary) international environmental law'. *Indiana Journal of Global Legal Studies* 3(1): 105-119. Online: https://www.repository.law.indiana.edu/ijgls/vol3/iss1/7.

Bröhlmann, C. (2018). Sustainable Development Goal 6 as a Game Changer for International Water Law. *European Society of International Law*. Online: https://esil-sedi.eu/esil-reflection-sustainable-development-goal-6-as-a-game-changer-for-international-water-law/ [accessed 24 April 2020].

Commission of the European Communities v Ireland [2006] C-459/03, *ECR*I-4635.

Commune de Mesquer v Total France SA and Total International Ltd [2008]. C-188/07, ECR I-04501.

Conway, G. (2002). 'Breaches of EC Law and the International Responsibility of Member States'. *European Journal of International Law,* 13(3): 679-685. https://doi.org/10.1093/ejil/13.3.679

Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission (2017). The New European Consensus on Development 'Our World, our Dignity, our Future'. Online: https://ec.europa.eu/europeaid/sites/devco/files/european-consensus-on-development-final-20170626_en.pdf [accessed 31 March 2019].

Dabrowski, M. (2017). How to balance sovereignty and integration in a voluntary EU?, Bruegel, January 17.Online: http://bruegel.org/2017/01/sovereignty-integration-voluntary-eu/ [accessed 31 March 2019].

De Burca, G. (2009). The European Court of Justice and the International Legal Order after *Kadi*. *Jean Monnet Working Papers Series* 09/01. Online: http://jeanmonnetprogram.org/wp-content/uploads/2014/12/090101.pdf [accessed 31 March 2019].

De Witte, B., A. Ott and E. Voss (2017). 'Introduction'. In B. De Witte. A. Ott and E. Voss (eds), *Between Flexibility and Disintegration: The Trajectory of Differentiation in EU Law.* Cheltenham: Edward Elgar: 1-9.

Dellapenna, J. W. (2011). *The Forms of International Law.* Villanova University Charles Widger School of Law Working Papers. Online: https://digitalcommons.law.villanova.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1173&context=wps [accessed 31 March 2019].

Delors, J. (1985). *Speech at the first Intergovernmental Conference (IGG) to be held in Luxembourg* [speech] 9 September, Luxembourg. Online: https://www.cvce.eu/content/publication/2001/10/19/423d6913-b4e2-4395-9157-fe70b3ca8521/publishable_en.pdf [accessed 31 March 2019].

EUR-lex (n.d.). 'The direct effect of European law'. Summaries of EU legislation. Online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Al14547 [accessed 24 April 2020].

European Commission (2019). *A Sustainable Europe by 2030* (Reflection Paper). Online: https://ec.europa.eu/commission/publications/reflection-paper-towards-sustainable-europe-2030_en [accessed 31 March 2019].

European Commission (2016a). 'On the next steps for a sustainable European future' (Communication) COM (2016)739final.

European Commission (2016b). 'Key European action supporting the 2030 Agenda and the Sustainable Development Goals' SWD (2016) 390final.

European Commission (2014). 'A New EU Framework to strengthen the Rule of Law' (Communication) COM (2014) / 0158final*.

Flaminio Costa v ENEL [1964]. 6/64, ECR 595.

Hege, E. and D. Demailly (2017). *How do NGOs mobilize around the SDGs and what are the ways forward?* IDDRI Working Paper. Online: https://www.iddri.org/sites/default/files/import/publications/working-paper-sdgs-and-ngos_eh-dd.pdf [accessed 31 March 2019].

Hlavak, M. (2010). *Less than a state, more than an international organization: the Sui generis nature of the European Union.* MRPA Paper No 27179. Online: https://mpra.ub.uni-muenchen.de/27179/1/MPRA_paper_27179.pdf [accessed 31 March 2019].

[ICJ] International Court of Justice (1996). Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion. *ICJ Reports 1996* (8 July): 226.

Inter-Agency and Expert Group on Sustainable Development Goals Indicators (IEAG--SDGs) (2016). *Final List of proposed Sustainable Development Goal indicators.* Online: https://sustainabledevelopment.un.org/content/documents/11803Official-List-of-Proposed-SDG-Indicators.pdf [accessed 31 March 2019].

Intertanko and Others [2008]. C 308/06, ECR I-4507.

Ioniță, L.A. (2015). 'Is European Union a fully self-contained regime? A theoretical enquiry of the functional legal regimes in the context of fragmentation of international law'. *Studia Politica: Romanian Political Science Review,* 15(1): 39-59. Online: https://www.academia.edu/12437895/Is_European_Union_Law_a_Fully_Self-Contained_Regime_pp.39-59[accessed 31 March 2019].

Jean Reyners v Belgian State [1974]. 2-74, ECR *00631.*

Joined cases 21 bis 4-72 *International Fruit Company NV und anderegegenProduktschapvoorGroentenen Fruit* [1972]. ECR *1972 -01219.*

Joined cases C-317/08, C-318/08, C-319/08 and C-320/08*Rosalba Alassini v Telecom Italia SpA* (C-317/08), *Filomena Califano v Wind SpA (C-318/08)*, *Lucia Anna GiorgiaIacono v Telecom Italia SpA (*C-319/08) and *Multiservice Srl v Telecom Italia SpA* (C-320/08) [2010] ECR *I-02213.*

Joined cases C-89/85, C-104/85, C-114/85, C-116/85, C-117/85, C-125/85, C-126/85, C-127/85, C-128/85 and C-129/85*Ahlström v Commission*[1994] Not published in the ECR.

Kadi and Al Barakaat [*2008].* International Foundation v Council and Commission. *C-40*2/05 and 415/05, ECR I-6351.

Kim, R.E. (2016). 'The Nexus between International Law and the Sustainable Development Goals'. *Review of European, Comparative and International Environmental Law,* 25(1): 15-26. https://doi.org/10.1111/reel.12148

Kingdom of Belgium v European Commission [2018]. *C/16/16P,* ECR.

Kingdom of Belgium v European Commission [2018]. Opinion of AG Bobek. *C/16/16P,* ECR.

Klabbers, J. (2016). 'Sui Generis? The European Union as an International Organization?'. In D. Patterson and A. Södersten (eds), *A Companion to European Union Law and International Law.* London: John Wiley and Sons: 3-16.

Kornobis-Romanowska, D. (2018). 'Effects of International Customary Law in the Legal Order of the European Union'. *Wroclaw Review of Law, Administration and Economics,* 8(2): 405-428.

Léon Van Parys NV v BelgischInterventie- enRestitutiebureau (BIRB) [2005]. C-377/02, ECR I-01465.

[Meijers Committee] Meijers Committee standing committee of experts on international immigration, refugee and criminal law (2018). *1806 Note on the use of soft law instruments under EU law, in particular inthe area of freedom, security and justice, and its impact on fundamental rights, democracy and the rule of law*. Online: https://www.commissie-meijers.nl/sites/all/files/cm1806_note_on_soft_law_instruments.pdf [accessed 31 March 2019].

Michaelsen, C. (2009). 'Kadi and Al Barakaat v Council of the European Union and Commission of the European Communities: The Incompatibility of the United Nations Security Council's 1267 Sanctions Regime with European Due Process Guarantees'. *Melbourne Journal of International Law,* 10(1): 329-345.

North Sea Continental Shelf Cases (*Federal Republic of Germany v Denmark, Federal Republic of Germany v Netherlands*). *ICJ Reports 1969*, p.3, International Court of Justice (ICJ), 20 February 1969: 3.

Olsson, I.A. (2010). 'Four Competing Approaches to International Soft Law'. *Scandinavian Studies in Law,* 58(9): 178-196.

Pattberg, P. and O. Widerberg(2015). 'Transnational multistakeholder partnerships for sustainable development: Conditions for success'. *Ambio,* 45(1): 42-51.

[PCIJ] Permanent Court of International Justice (1927). The S.S. Lotus case (*France vs Turkey*) (A/10) (18). Online: https://ruwanthikagunaratne.wordpress.com/2012/07/27/lotus-case-summary/ [accessed 31 March 2019].

Piselli, D. (2016). 'Can Agenda 2030 Change the Norm?' Dag Hammarsköld Foundation. Online: http://www.daghammarskjold.se/can-agenda-2030-change-norm/ [accessed 24 April 2020].

Plehan, W. (2012). 'What Is Sui Generis About the European Union? Costly International Cooperation in a Self-Contained Regime'. *International Studies Review,* 14(3): 367-385. https://doi.org/10.1111/j.1468-2486.2012.01136.x

Racke GmbH & Co. v Hauptzollamt Mainz [1998]. C-162/96 *A,* ECR *I-03655.*

Salvatore Grimaldi v Fonds des maladies professionnelles [1989]. C-322/08, ECR 04407.

Saurugger, S. (2013). *Is there a sovereignty problem in the EU?* Sciences Po Grenoble Working Paper no.9. Online: https://halshs.archives-ouvertes.fr/halshs-00911482/document [accessed 31 March 2019].

Schaffer, G. and M. Pollack (2010). 'Hard vs Soft Law: Alternatives, Complements and Antagonists in International Governance'. *Minnessota Law Review* 94(3): 706-799.https://www.minnesotalawreview.org/wp-content/uploads/2011/08/ShafferPollack_MLR.pdf

Terpan, F. (2015). 'Soft Law in the European Union – the Changing Nature of EU Law'. *European Law Journal,* 21(1): 68-96. https://doi.org/10.1111/eulj.12090

[TEU] (2016) Consolidated Version of the Treaty on European Union [2016]. *OJ* C 202, 7.6.2016.

[TFEU] (2016) Consolidated Version of the Treaty on the Functioning of the European Union [2016]. *OJ* C 202, 7.6.2016.

[UN] (1945) Charter of the United Nations and Statute of the International Court of Justice, June 26, 1945, 59 Stat. 1031 [the Charter], 1055 [ICJ Statute], T.S. No. 993 [ICJ Statute at 25], 3 Bevans 1153 [ICJ Statute at 1179].

[UNGA] United Nations General Assembly (2015). Resolution A/RES/70/1. *Transforming our world: the 2030 Agenda for Sustainable Development.* GAOR 17th Session, 15-16301. (21 October 2015). [Online]. [Accessed 31 March 2019]. Available from https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf.

[UNGA] United Nations General Assembly (2013). Resolution A/67/L.48/Rev.1 *Open Working Group of the General Assembly on Sustainable Development Goals* (draft decision submitted by the President of the General Assembly, agenda item 20a*). (15January 2013). [Online]. [Accessed 31 March 2019]. Available from https://www.un.org/ga/search/view_doc.asp?symbol=A/67/L.48/Rev.1&Lang=E.

[UNGA]United Nations General Assembly (2012). Resolution 66/288. *The future we want.* (27 July 2012).[Online]. GAOR 123rd plenary meeting, 1147/610*. [Accessed 31 March 2019]. Available from https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_66_288.pdf.

[UNGA] United Nations General Assembly (2000).*Resolution 55/2. United Nations Millennium Declaration*. (18 September, 2000). [Online]. A/55/L.2. [Accessed 31 March 2019]. Available from https://undocs.org/A/RES/55/2.

Van Genden Loos v Nederlandse Administratie der Belastingen [1963]. 6/63, ECR I.

Verdier, P.H. and E.Voeten(2014). 'Precedent, Compliance, and Change in Customary International Law: An Explanatory Theory'. *American Journal of International Law,* 108(3): 389-434. https://doi.org/10.5305/amerjintelaw.108.3.0389Fpr

[VCLT] Vienna Convention on the Law of Treaties, 1155 U.N.T.S. 331, 8 I.L.M. 679, *entered into force* Jan-27. 1980.

Voigt, C. (2008). 'The Role of General Principles in International Law and their Relationship to Treaty Law'. *Nordic Journal of Law and Justice* 77(1-2): 1-25.

Weiler, J. H. H. (1999). *The Constitution of Europe: "Do New Clothes Have an Emperor?" and Other Essays on European Integration*. Cambridge: Cambridge University Press.

Werther-Pietsch, U. (2018). 'Measuring the Impact of SDGs on International Law – A Nucleus of a Right to Peace'. *Austrian Journal of Political Science*, 47(1):17-28. https://doi.org/10.15203/ozp.1895.vol47iss1

Wilkinson, R. (2005). *The Global Governance Reader*. London: Psychology Press.

Ziegler, K. (2017). 'Autonomy'. In S. Douglass-Scott and N. Hatzis (eds), *Research Handbook on EU Law and Human Rights.* Cheltenahm: Edward Elgar: 267-307.

Ziegler, Katja (2013). The Relationship between EU Law and International Law. University of Leicester School of Law Research Paper 13/17. http://dx.doi.org/10.2139/ssrn.2373296 [accessed 31 March 2019].

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

The impact of Brexit on aid: EU and global development assistance under a realist UK scenario

Iliana Olivié and Aitor Pérez

Citation

Olivié, I. and A. Perez (2020). 'The impact of Brexit on aid: EU and global development assistance under a realist UK scenario', *Journal of Contemporary European Research* 16 (2): 200-217. https://doi.org/10.30950/jcer.v16i2.1077

First published at: www.jcer.net

Abstract

On 31 January 2020 the UK formally withdrew from the EU, with disengagement to become effective after a period of transition and uncertainty, aggravated by a global health crisis. By analysing the shifting profile of British aid since the Brexit vote and also the terms of the withdrawal, this article intends to shed light on its future course. Building on previous research, three scenarios on post-Brexit aid are considered in section 1: the nationalist; the realist; and the cosmopolitan. Considering the most recent changes in the UK's aid budgets and policy papers, it can be concluded that the country has a realist approach to development cooperation (see section 2). Finally, the paper assesses the impact these changes will be likely to have on European and global aid, ceteris paribus (section 3).

Our data show that the UK's volume of aid has remained stable since the Brexit vote in 2016. This has come hand in hand with a shifting pattern of aid allocation: aid provided for health research programmes in the UK, companies and universities has increased, while aid directed at LDCs and DFID programmes has decreased. Our main argument is that the changes match a realist scenario, rather than a cosmopolitan or even a nationalist approach, which would result in decreasing aid and weaker links with partner countries.

As a result, and despite the UK's new allocation pattern to countries, sectors and channels, there should be no major impact on aid at the European and global levels.

Keywords

Brexit; European Union; United Kingdom; development cooperation; aid.

INTRODUCTION

Brexit and its impact on the EU have become hot topics in academic literature, think-tank assessments and the media. Studies that started shortly after the 2016 referendum cover a wide range of issues: from security and defence (Duke 2018) to trade (Bilal and Woolfrey 2018). Development cooperation might not be the major concern in the exit negotiations and debates, but analyses on the impact of Brexit on aid have also proliferated and pointed towards a massive impact on the EU's development role.

The UK is the largest donor complying with the 0.7% international commitment and manages the fourth-largest aid budget according to OECD data. The EU is often presented as the world's largest donor, as Member States' aid budgets (including the UK's) plus aid channelled through EU Institutions currently account for more than 50% of global aid. Even considering only the volume of aid managed by its institutions, the EU is a highly relevant actor, having a slightly larger budget than the UK, and behind only Germany and the US.

As the UK is one of the biggest European donors, as well as (until now) a major contributor to the EU's budget due to its high GDP, Brexit may imply a huge setback for the EU as a global donor and actor, or, at least, a strong shift in EU aid, given the UK's very active role in shaping EU development cooperation in the past decades (Steingass 2019; Price 2019).

At the same time, the future post-Brexit EU-UK relation is still uncertain as regards a wide range of topics, including cooperation in global issues and, specifically, on development cooperation. The intensity and nature of such a post-Brexit relation may yet nuance the UK's withdrawal from EU aid budgets.

The aim of this paper is to shed light on the future course of UK aid allocations following the country's withdrawal from the EU. Based on ongoing changes in papers and budgets, the consequences of Brexit are explored at the national level (how Brexit will impact on British aid) and also at the global and EU levels (how EU and global aid will be transformed as a result of these changes in post-Brexit UK aid).

Different academic and think-tank inputs have dealt with this uncertainty in different ways. Some analyses are based on the authors' interpretations of the political situation at different post-referendum times, and/or on that of key stakeholders from the British and European aid community. Other academic inputs, such as those of Olivié and Pérez (2017) and Henökl (2018) have proposed different scenarios for figuring out what the post-Brexit aid universe might look like.

Although the UK has formally left the EU, the future of cooperation in aid matters between both parties still needs to be defined. Regardless of the scope and type of cooperation that will finally be agreed upon, several decisions have already been taken by the British government regarding aid (its general budget, its strategic orientation and its geographical, sector and channel distribution), showing a changing pattern for UK aid that responds to a political shift and that can provide us with solid ground for predicting the final destination of British aid currently channelled through EU institutions. Similarly to what occurred with EU aid, the British policy makers in charge of the aid budget started making 'anticipatory adjustments' (Price 2019: 80) after the Brexit referendum and long before the real Brexit materialised.

Indeed, as we will show in this paper, British aid's changing pattern since the Brexit referendum responds, in general terms, to the realist scenario identified in Olivié and Pérez (2017). Contrary to what various different analyses predicted, the British aid budget has not been cut as a result of the more conservative turn in the administration. However, aid has been reshaped in different directions. For instance, there are increasing funds channelled through public-private partnerships (PPPs), crowding out multilateral aid.

This article is structured as follows. First, we go through previous analyses on Brexit and aid, including a European Parliament report setting the scenarios that are used further along in this paper to interpret our findings. Secondly, we detail the changing pattern of British aid after the Brexit referendum in 2016, based on 2018 data on aid commitments as well as on institutional documents released by the British authorities. The third section forecasts the impact of Brexit on EU and global aid on the basis of the changing pattern identified in section 2.

PREVIOUS ASSESSMENTS OF BREXIT

For obvious reasons, with the 2016 referendum, Brexit emerged as a highly significant topic in the European think-tank community; a community that produced a great number of assessments of what Brexit would mean for the EU (and for the UK itself) on different fronts, including development assistance. Also, although at a slower pace, academic literature is producing analyses on the implications of Brexit. All these analyses and information provide us with a strong basis for understanding the future prospects of the two main variables of this study, which are the volume of aid and its distribution.

Aid volume

Several analyses focused on the financial implications of the UK's departure from the EU, with early reactions concluding that Brexit would entail a decrease in UK aid. Several reasons were cited. First, Britain's GDP and Gross National Income (Zheng and Huang 2018) could decrease because of Brexit, and the British Pound could lose some of its value (Barder 2016; Chonghaile 2016; Green 2016; Nazeer 2016; Te Velde, Papadavid and Méndez-Parra 2016).

Secondly, the negative impact of Brexit could result in the need to re-route aid spending towards covering domestic needs (Barder 2016; Chonghaile 2016; Green 2016; Sow and Sy 2016; Mawdsley 2017). Moreover, according to some British think tanks and NGOs, the 0.7 per cent commitment was under attack from the same media that actively supported the Brexit campaign (Bush 2017). Thirdly, it could 'cause a crisis for Europe's approach to international development' that would have directly resulted from the UK's continued leadership in development issues at the EU Council (Nazeer 2016).
Conversely, according to some authors, Brexit could entail the UK being liberated from the European burden, which would reinforce Britain's commitments in global affairs, including development agendas. Aid budgets would, therefore, be maintained at the present levels (Chonghaile 2016; Green 2016; Sharma 2016). This idea was reinforced by the fact that the UK's aid effort is a legally binding commitment that can be modified only by a major political agreement, and no such modification is currently under discussion by the main political parties.

Aid allocation

There are two main questions regarding the pattern of allocation of British ODA. First, whether there will be some type of EU-UK post-Brexit cooperation and, secondly, how British aid previously channelled via EU institutions will be allocated if directly spent by the UK authorities.[1]

Maintaining UK funds via EU institutions is defended by some UK policymakers and analysts as a way of perpetuating the UK's global influence. One easy way to do this would be to maintain its contributions to EU aid through extra-budgetary procedures, given that the UK has been very active in moulding EU development cooperation policy (Steingass 2019; Price 2019). However, it could also be managed through other multilateral channels, such as the World Bank or the UN system. Nevertheless, the latter option cannot be taken for

granted as some other EU Member States seem reluctant to continue cooperating with the UK in the post-Brexit phase (Olivié and Pérez 2018; Price 2019).

A specifically British allocation pattern seems more consistent with withdrawing from the EU and with gaining control over policy decisions. Nevertheless, decisions on aid allocation exclusively taken by the UK government might differ from those prior to Brexit, despite what was stated in the recent British review of bilateral aid (DFID 2016b).

As a consequence of a new political vision for the UK's global development role, the British administration could alter its current pattern of bilateral aid allocation. Funds might be redistributed, diverting aid from least developed countries (LDCs) with high rates of poverty, or countries with weak economic ties to the UK, while increasing aid to Commonwealth and African and Asian middle-income countries (MICs) with historic and/or economic ties with the UK (Te Velde, Papadavid and Méndez-Parra 2016; Lightfoot, Mawdsley and Szent-Iványi 2017; Price 2018; Kohnert 2018; Polonska-Kimunguyi and Kimunguyi 2017; Price 2019; Nwankwo 2018).[2]

Increasing the bilateral channel would be an option if the UK's priority were to set up new trade agreements across the world, while the priority currently given to the multilateral channel would be the best way to maintain its global commitment. Even if the UK discards EU instruments as a multilateral option, this budget could be channelled via other multilateral institutions where the UK might seek to have a stronger influence, such as the World Bank.

Post-Brexit scenarios

Other studies have dealt with the uncertainty implied in studying post-Brexit aid behaviour by building scenarios. This is the case of Henökl (2018), who deals mainly with the prospects for UK-EU cooperation after Brexit, and of Olivié and Pérez (2017), who built three scenarios upon broader international visions that result in concrete choices on development policy (see table 1). These three scenarios (nationalist, realist and cosmopolitan) are briefly described in the following paragraphs.[3]

The nationalist scenario would be the one described by Norris and Inglehart (2019) to explain the overall Brexit process, the election of Trump and the rise of national-populist or authoritarian-populist parties. According to these authors, such parties politicise a cultural backlash in Western democracies by emphasising the problems of the native and ordinary population ('us, our country') over foreign issues and global concerns ('them, foreigners'), and advocating strong leaders over institutions and professional elites. As a result, these parties not only reject European integration, but also any openness towards migrants, multicultural societies, international organisations and multilateral cooperation, and –of course– foreign aid. As Gómez-Reino (2020) puts it, 'our country first' is not only rhetoric but also a budget allocation criterion. From the point of view of Norris and Inglehart (2019), Brexit and the overall nationalist approach to international relations is a backlash against cosmopolitanism, the dominant set of values resulting from the cultural transformation of Western societies that came with economic development and democratisation. Cosmopolitan attitudes include openness towards migrants, refugees and multicultural diversity, as well as public support for international cooperation, humanitarian assistance and multilateralism.

According to IR theory, values are not the only driver of aid policies. From a realist point of view, the behaviour of countries in the international arena responds to their own national interest, which mostly depends on power and influence vis-à-vis other nation-states. International cooperation is possible but cooperative states will always seek to maximise their relative power and preserve their autonomy (Morgenthau 1962; Waltz 1979). The aid allocation literature has reinforced the realist perspective in aid studies. This literature

classifies the motives of aid into two general categories, donors' national interests and recipients' needs, and confirms with statistical regression the prevalence of the donors' self-interest in most cases.[4]

In the nationalist scenario, Brexit might lead British institutions to place greater emphasis on domestic issues. Following an 'our-country-first' logic (Gómez-Reino 2020), the UK's institutions would become more inward-oriented and the money collected from British taxpayers would prioritise domestic problems over foreign or global issues. That would affect the UK's involvement with the EU, of course, but also in international cooperation in more general terms. Under this scenario, aid formerly channelled via EU institutions would not be replaced by other development programmes and further cuts affecting other multilaterals would likely happen. Based on the average rate EU countries decided to reduce their aid effort in recent years, cuts in UK aid could be as high as 30 per cent.
Alternatively, in line with a realist approach, Brexit may lead to a strong individual role in the world for the UK as a better way of pursuing its own national interest. From this perspective, it would be in the UK's best interest to provide aid to other nations if that contributes to establishing new economic and political alliances between nation states, instead of supporting multilateral or supranational constructions. Aid can help to reactivate the Commonwealth for commercial purposes, to establish new trade agreements with emerging economies or both. Accordingly, the UK's diplomacy and international cooperation would be as important as in the past, and the government would send a signal to the world about its ambitions in international affairs by maintaining the present 0.7 per cent commitment. However, trade would shape the way external policies, including aid, are implemented. In other words, the patterns of British aid allocation would be altered. This would mean that UK contributions to European aid instruments would be reallocated to bilateral aid programmes.

Lastly, the UK's external role could take a more cosmopolitan approach. If, as in the Lancaster House speech, Brexit implies the mere rejection of the EU's integration process and, therefore, departure from the Union, the UK might place a stronger emphasis on preserving or even reinforcing its global commitments. Accordingly, it would seem reasonable not to put in danger strategic partnerships and the UK could, therefore, opt for Europe as its number-one ally. In this case, the lack of alternatives in current world politics might be the determining factor. In this cosmopolitan scenario, the UK would not revisit its legal commitment to the 0.7 per cent target. The current patterns of British aid distribution, which are aligned to internationally-agreed agendas on development and aid effectiveness, would also remain the same, consistent with the country's global commitment. This could lead the UK to preserve its commitments with European aid programmes, but would very likely lead to diverting funds away from EU institutions towards other multilateral organisations, consequently revising sector and geographical allocations. This reallocation could affect up to 50 per cent of the British aid currently channelled via EU institutions, while cooperation between the UK and the EU with funds under such an agreement would follow the European pattern of aid allocation.

Table 1. Three scenarios for post-Brexit UK aid

	Scenario 1 Nationalist UK	Scenario 2 Realist UK	Scenario 3 Cosmopolitan UK
1. UK aid budget	-30%	Same	Same
2. British aid allocation	Aid cuts would affect the EU channel in the first place and other multilateral channels	Realist pattern Channel distribution following British pattern of bilateral aid Geographical distribution, accordingly Sector distribution, economic infrastructures only	European-like pattern (50% of aid) Same channel distribution Same geographical distribution Same sector distribution Globalist pattern (50% of aid) Channel distribution following British pattern of multilateral aid (except EU institutions) Geographical distribution, accordingly Sector distribution, accordingly
3. British willingness to cooperate with the EU in development	No cooperation	No cooperation	Cooperation (50% of aid formerly channelled via EU institutions channelled via EU institutions in the post-Brexit phase)

Source: Olivié and Pérez (2017).

UK AID AFTER THE BREXIT VOTE

In this section the allocation of UK bilateral aid before and after the Brexit referendum is analysed by using the most recent data available from the OECD creditor reporting system (CRS). The CRS database is based on donor reports to the DAC on an activity basis and therefore presents information in great detail, allowing the disaggregation of UK aid in terms of sectors, channels and countries (among other variables), and provides microdata with qualitative information on the specific programmes behind the main variations in each of the three variables. Additionally, the CRS covers the aid budgets of all the members of the DAC including EU institutions, which will facilitate an estimation of the impact of Brexit on EU and global aid in section 3.

The purpose of this section is to identify anticipatory adjustments as in Price's (2019) work. These are changes in aid budgets made by policymakers that can anticipate if UK aid after Brexit will evolve according to a nationalist, a realist or a cosmopolitan pattern of behaviour, following Olivié and Pérez's (2017) scenarios. As shown on table 4, the latest data available at the CRS refer to 2018. By using data on commitments, instead of disbursements, the analysis can already capture policy decisions made after the vote of 23

June 2016. By comparing such commitments with the average data on the previous 5 years, patterns of change or, at least anticipatory adjustments, can be highlighted. This analysis is also supported by the review of declarations and strategic papers issued by the UK Government in the same period, and organised around the variables considered in the scenarios summarised in table 2.

Total aid budget

According to OECD figures, UK bilateral ODA after the Brexit referendum amounted to USD 7,298 million in 2017 and USD 8,008 million in 2018. This was 8 per cent above the average commitments of the 5-year period prior to the referendum. This increase was aligned with the UK's economic growth as the overall budget is stipulated by law at 0.7 per cent of the UK's GNI, as explained in section 1. No indication has been found in oral and written declarations by current UK government representatives about a possible modification of the commitment, which would require a major political agreement. On the contrary, Theresa May's declarations confirmed Britain's commitment to global development (Green 2016; Sharma 2016), and such commitment would be consistent with the Truly Global Britain slogan in which she framed the overall Brexit strategy in her Lancaster House Speech (UK-Government 2017).[5] Moreover, we found no evidence that the current Johnson Administration is planning significant aid cuts.

Aid allocation by sector, channel and country

However, based on political declarations, changes in aid allocation could occur after Brexit. Priti Patel, former Development Secretary and first post-Brexit referendum head of the Department for International Development (DFID), said on several occasions that the aid rationale should be more closely linked to the pursuit of national interests (and, more specifically, to international trade opportunities); an idea that might culminate with the recent merger of DFID and the Foreign Office (UK-Government 2020).[6] This idea of pursuing one's interests was formally stated in the previous UK Aid Strategy (HM-Treasury and DFID, 2015) and re-emphasised in the current plan (DFID 2017). Table 2 provides mixed evidence on the possible reorientation of UK aid. While the social sector still receives the largest amount of UK bilateral aid and even increases its funding, the production sectors are experiencing the highest increase of all sectors with a +109 per cent variation.

Table 2. The UK's ODA allocation by sector before and after the Brexit referendum. Bilateral ODA commitments in USD million (2018 constant prices)

	2012-16 average	2017-18 average	% change
III. Production sectors	383	798	109
IX. Refugees in donor countries	251	411	64
IX. Unallocated/unspecified	155	196	26
I. Social infrastructure & services	2,811	3,349	19
IV. Multi-sector/cross-cutting	973	1,070	10
II. Economic infrastructure & services	742	611	-18
IX. Administrative costs of donors	570	447	-22
VIII. Humanitarian aid	1,073	751	-30
VII. Action relating to debt	22	4	-81
VI. Commodity aid/general programme assistance	93	15	-84
Total	**7,069**	**7,653**	**8**

Source: Creditor Reporting System (OECD 2020).

According to the CRS microdata, the main increases in production sectors relate to SME development programmes framed under the industry and agriculture subsector, as well as support to trade policies and regulations. The assistance provided to refugees in the UK also saw a large increase (64 per cent), while programmes under the unallocated and social headings also experienced some growth. The 19 per cent increase of the social sector

was mainly due to a 580 per cent increase of the aid allocated to the health subsector. This increase was strongly related to research programmes run by institutions like the UK National Institute for Health Research. Within the social sector, the funding for conflict, peace and security, and governance and higher education also increased by 90 per cent, while the funding for more traditional subsectors like water and sanitation, basic education and basic health decreased.

From a channel perspective, the most significant change in British aid in 2017 was the emergence of companies as a new channel for direct implementation of UK aid. This type of aid amounted to USD 1,105 million after the referendum but was inexistent in previous years, and, although it was scattered across many sectors, its main driver was related to the priority given to the health sector and research capacities,[7] showing how aid can be used to strengthen national capacities and interests.

Similarly, aid channelled through public-private partnerships almost trebled and that of universities doubled. The latter was also closely related to the growth of the health sector, while the former also benefitted from the increased allocation of aid to the financial, business and education sectors.

Table 3. The UK's ODA allocation by channel before and after the Brexit referendum. Bilateral ODA commitments in USD million (2018 constant prices)

	2012-16 average	2017-18 average	% change
Private sector institution	0	1,105	-
Public-private partnerships (PPP)	62	166	167
Academia	407	878	116
Public Sector Institutions	2,029	2,463	21
Non-governmental organisations (NGOs) and civil society	1,270	1,375	8
Multilateral institutions	2,275	1,508	-34
Unspecified	92	24	-73
Others	953	134	-86
Total	**7,069**	**7,653**	**8**

Source: Creditor Reporting System (OECD 2020).

In line with some of the changes described above, the budget of the Department of Health has increased by 555 per cent, and that of the Department for Business, Innovation and Skills by 125 per cent. The latter also participates in research and innovation grant programmes often related to the health sector, as well as in private sector support programmes in the field of industry and agriculture. This department is getting closer to departments with a longer involvement in development cooperation, like the Department of Health and the Foreign & Commonwealth Office.

That said, the Department with the most dramatic increase of ODA is Culture, Media and Sports (1,469 per cent). This institution manages a relatively small programme which has recently grown due to the increasing needs of cultural heritage restoration in Middle Eastern countries recently affected by war.

All the departments other than the DFID still manage a small share of ODA, but together they have constantly increased their participation in development cooperation since 2014 (DFID 2019b). For this reason, it is remarkable that an additional cut of -25 per cent was made to the DFID's budget after the Brexit referendum. Such a redistribution of funding among departments, along with the existence and growing importance of a cross-government fund, the Conflict, Stability and Security Pool Fund, managed by the security council, confirms the idea that the DFID might cede the leadership on aid to the FCO after the merger, so that aid can be managed from a whole-of-government approach. The importance of working more closely across the UK government and the relevance of aid

for national interests such as business opportunities and security are also emphasised in the recently published new strategy on governance (DFID 2019a). Moreover, this approach is consistent with Boris Johnson's decision to merge the DFID with the Foreign Office, in an attempt to closely link development foreign action with national interests (Willis 2019).

Table 4. UK ODA allocation by agency before and after the Brexit referendum. Bilateral ODA commitments in USD million (2018 constant prices)

	2012-16 average		2017-18 average	% change
Department for Culture, Media and Sports	2		25	1,496
Department of Health	146		957	555
Department for Work and Pensions	11		26	137
Department for Business, Innovation and Skills	327		733	125
Miscellaneous	526		855	63
Home Office	227		363	60
Foreign & Commonwealth Office	468		740	58
Department of Energy and Climate Change	201		311	55
Scottish Government	15		16	6
Department for International Development	4,788		3,583	-25
Department for Environment Food and Rural Affairs	62		39	-37
Export Credit Guarantee Department	57		4	-93
Welsh Assembly Government	2		0	-100
Ministry of Defence	7		0	-100
CDC Capital Partners PLC	420		0	-100
Total	**7,069**		**7,653**	**8**

Source: Creditor Reporting System (OECD 2020).

From a geographical standpoint, Africa continues to be the region receiving the largest amount of UK bilateral ODA, although its budget decreased by -8 per cent, mainly affecting the least developed countries (LDC) with a variation of -14 per cent along with that of Oceania. On the contrary, the highest relative increases benefitted America, Europe and Asia.

Table 5. UK ODA allocation by region before and after the Brexit referendum. Bilateral ODA commitments in USD million (2018 constant prices)

	2012-16 average	2017-18 average	% change
America	223	346	55
Europe	79	136	73
Asia	1,805	1,996	11
Developing countries (unspecified)	2,537	3,082	21
Africa	2,416	2,088	-14
Oceania	9	5	-40
Total	**7,069**	**7,653**	**8**
Of which LDCs	*1,991*	*1,735*	*-14*

Source: Creditor Reporting System (OECD 2020).

In summary, when comparing UK aid before and after the Brexit referendum, the possibility of this policy being more closely linked to national interests is confirmed. The increase of the funding managed by the Department for Business, Energy and Skills channelled by companies and public-private partnerships, and allocated to productive sectors like industry, can contribute to increase the opportunities of UK businesses abroad while pursuing development goals. Similarly, the increase of funding of the Department of Health, when allocated to global research institutions based in the UK, increases the innovation capacities of domestic actors. This shift goes back to an Aid Strategy issued in 2015, but has been reemphasised in official papers and declarations following the Brexit referendum (HM-Treasury and DFID 2015). In other words, the most recent data indicate that the UK will follow a realist approach in which a strong budget of bilateral ODA is required to sustain the Truly Global Britain (where the UK aims to strengthen its historical

ties with non-EU partners, such as Commonwealth members both in the North and in the Global South), as opposed to a cosmopolitan scenario in which previous contributions to the EU can be either maintained or channelled through other multilateral actors, and to a nationalist scenario, in which the withdrawal of the UK contributions to EU aid programmes could be taken as an opportunity to decrease ODA budget and increase domestic expenditure.

This behaviour responds to a series of political decisions linked to both a more conservative turn in the UK Administration and also to a new definition of the UK's role in the world (and therefore in the international aid community) in light of its withdrawal from the EU.

EU AID AFTER BREXIT

In this section, 2017-18 data on UK aid commitments are taken as the best estimation of UK aid once Brexit materialises. Not only were such commitments made after the Brexit referendum, but their allocation of UK aid across sectors, channels and countries was consistent with the most recent policy statements, which reinforce a previous trend consisting of improving the connection between development cooperation and other policies.

Assuming that The British Pound and other currencies remain stable, along with the allocation pattern of the rest of the donor community,[8] the impact of Brexit on EU and global aid is estimated here by drawing on the aid committed by the UK and other donors in 2017-18 and by reallocating the British multilateral aid channelled through the EU institutions to the UK (approximately EUR 2 billion). Considering that the UK is anticipating a realist trend that will prioritise stronger bilateral relations, and in line with the results shown in the previous section, it is foreseen that the aid budget will be maintained, complying with the 0.7 per cent ring-fenced commitment.

The possibility of the UK retaining part of its contribution to EU aid programmes, as some non-EU European countries like Norway or Switzerland do, is ruled out. On the one hand, the British authorities have expressed their will to extend cooperation on aid matters with the EU after Brexit. In a British review of multilateral aid, the EU was assessed like any other multilateral channel and received a very good score (DFID 2016a). More recently, the UK has shared this view with its European partners: 'The EU will remain one of the largest development actors in the world, and the UK wants to retain a close partnership with the EU in the future'. This view was expressed in a non-paper shared with the other Member States at an EU Foreign Affairs Council on Development. In 'The EU beyond 2020, future development instruments: a UK perspective', the UK calls for flexibility on the part of the EU when designing the post-2020 development cooperation financial tools so that non-Member States can join and play a proactive role (De Groof 2018). A similar request is also made in a UK Government paper on the future UK-EU partnership (HM-Government 2018). However, on the other hand, the EU-27 is now reluctant to open the door to this sort of cooperation. Also, this is consistent with the latest Brexit agreement (EU and UK 2019), which includes a heading on global cooperation that refers only to future EU-UK cooperation in the framework of the G20, the G7 and the United Nations Conventions on Climate Change, but does not mention any possible joint action in the field of development finance.

As a result of a realist choice by the UK and the assumptions above, Brexit should not impact on the amount of aid globally but it will obviously have a significant and negative impact in the share of global aid managed by the EU as a whole, and an increase in the ODA budget under the exclusive control of the UK government. These effects are shown in table 6, where the DAC countries have been grouped as the UK, EU institutions, other EU Member States and other donors.

Table 6. Overall impact of Brexit on bilateral aid. Estimates based on 2017-18 bilateral ODA commitments in USD million (2018 constant prices)

	Before Brexit		After Brexit		
	USD million	%	USD million	%	% change
UK	7,653	5	9,449	6	23
All EU	90,436	61	80,987	54	-10
- Member States	67,576	45	59,923	40	-11
- EU institutions	22,860	15	21,064	14	-8
Other donors	59,043	39	59,043	39	0
Total DAC	149,479	100	149,479	100	0

Source: Creditor Reporting System (OECD 2020).

Note: Aid recorded in the CRS, including bilateral aid of donor countries and that of the EU, which is at the same time a multilateral channel and a member of the DAC. Including bilateral UK aid before Brexit.

Unless additional contributions are agreed upon in the framework of the EU27, aid programmes run by the EU institutions will decrease by almost USD 2 billion as a result of the withdrawal of the UK, also meaning that the volume of bilateral aid associated to the EU as a whole will decrease by approximately USD 2 billion. Still, EU27 aid will account for more than half of global bilateral aid.

Table 7 shows how an increase of 23 per cent in UK aid and a reduction of 10 per cent in EU aid will impact on the geographic distribution of global aid. Europe will be the most affected recipient region because of the priority given to the EU's Eastern Neighbourhood and Turkey by the EU institutions. The reallocation might slightly increase aid allocated to Oceania and unspecified regions as a result of the UK's propensity to promote and fund programmes related to global goods without specific geographical targets, as in the case of health research and innovation.

Table 7. The impact of Brexit on EU and global ODA: geographical allocation. Estimates based on 2017-18 bilateral ODA commitments in USD million (2018 constant prices)

				All EU			All DAC	
	UK	Other EU Member States	EU institutions	USD million	% change	Other DAC	USD million	% change
Before Brexit:								
Africa	2,088	15,916	7,860	25,865		16,324	42,188	
America	346	4,505	1,459	6,310		3,921	10,232	
Asia	1,996	14,368	3,960	20,324		25,772	46,096	
Europe	136	2,550	5,463	8,150		1,034	9,183	
Oceania	5	116	177	298,155 928		1,668	1,966	
Unspecified	3,082	22,029	3,941	29,051		10,763	39,814	
Total	**7,653**	**59,485**	**22,860**	**89,998**		**59,481**	**149,479**	
After Brexit:								
Africa	2,578	15,916	7,243	23,159	-10	16,324	42,061	0
America	427	4,505	1,345	5,850	-7	3,921	10,198	0
Asia	2,464	14,368	3,649	18,017	-11	25,772	46,253	0
Europe	168	2,550	5,034	7,584	-7	1,034	8,786	-4
Oceania	6	116	163	279	-6	1,668	1,953	-1
Unspecified	3,805	22,029	3,631	25,660	-12	10,763	40,228	1
Total	**9,449**	**59,485**	**21,064**	**80,549**	**-10**	**59,481**	**149,479**	**0**

Source: Creditor Reporting System (OECD 2020).

Note: Aid recorded in the CRS, including bilateral aid of donor countries and that of the EU, which is at the same time a multilateral channel and a member of the DAC. Including bilateral UK aid before Brexit.

Despite recent trends in the allocation of UK aid by sector, Brexit would entail an increase in the budget allocated to traditional aid sectors such as humanitarian aid or social sectors.

EU institutions, compared with the UK, tend to provide more funding to economic sectors, and Brexit could therefore impact negatively on the funding allocated to basic infrastructures, productive activities and commodity aid.

Table 8. The impact of Brexit on EU and global ODA: sector allocation. Estimates based on 2017-18 bilateral ODA commitments in USD million (2018 constant prices)

				All EU		All DAC		
	UK	Other EU Member States	EU institutions	USD million	% change	Other DAC	USD million	% change
Before Brexit:								
I. Social infrastructure & services	3,349	19,755	8,255	31,360		21,639	52,999	
II. Economic infrastructure & services	611	8,035	5,770	14,416		13,216	27,632	
III. Production sectors	798	3,858	2,489	7,145		4,077	11,222	
IV. Multi-sector/cross-cutting	1,070	5,810	2,549	9,429		3,371	12,800	
VI. Commodity aid/programme assistance	15	1,335	849	2,199		1,918	4,117	
VII. Action relating to debt	4	405	0	409		28	437	
VIII. Humanitarian aid	751	5,736	1,955	8,442		9,273	17,715	
IX. Administrative costs of donors	447	3,011	790	4,248		4,120	8,367	
Refugees in donor countries	411	9,966	0	10,377		2,214	12,591	
Unallocated/unspecified	196	1,574	203	1,973		-375	1,599	
Total	**7,653**	**59,485**	**22,860**	**89,998**	**0**	**59,481**	**149,479**	
After Brexit:								
I. Social infrastructure & services	4,135	19,755	7,607	27,362	-13	21,639	53,136	0
II. Economic infrastructure & services	754	8,035	5,317	13,351	-7	13,216	27,322	-1
III. Production sectors	986	3,858	2,293	6,151	-14	4,077	11,214	0
IV. Multi-sector/cross-cutting	1,321	5,810	2,349	8,159	-13	3,371	12,851	0
VI. Commodity aid/ programme assistance	19	1,335	782	2,117	-4	1,918	4,054	-2
VII. Action relating to debt	5	405	0	405	-1	28	438	0
VIII. Humanitarian aid	928	5,736	1,802	7,537	-11	9,273	17,738	0
IX. Administrative costs of donors	552	3,011	728	3,738	-12	4,120	8,410	1
Refugees in donor countries	508	9,966	0	9,966	-4	2,214	12,688	1
Unallocated/unspecified	242	1,574	187	1,762	-11	-375	1,629	2
Total	**9,449**	**59,485**	**21,064**	**80,549**	**-10**	**59,481**	**149,479**	**0**

Source: Creditor Reporting System (OECD 2020).

Finally, the propensity of EU institutions to channel their aid through national governments will condition a negative impact of Brexit on the funding available for public institutions. Bilateral aid allocated trough multilateral programmes will remain constant, while the UK's

increase in ODA will clearly benefit non-government actors of a different nature: universities, public-private partnerships, companies and non-profit organisations.

Table 9. The impact of Brexit on EU and global ODA: channel allocation. Estimates based on 2017-18 bilateral ODA commitments in USD million (2018 constant prices)

				All EU			All DAC	
	UK	**Other EU Member States**	**EU institutions**	**USD million**	**% change**	**Other DAC**	**USD million**	**% change**
Before Brexit								
Multilateral organisations	1,525	11,070	4,699	17,295		10,779	28,074	
NGOs & civil society	1,375	8,271	2,626	12,272		8,678	20,949	
Not reported	0	-80	0	-80		-172	-252	
Other	134	1,538	0	1,672		9	1,681	
Private sector institutions	1,105	1,666	2,104	4,875		6,123	10,998	
Public sector	2,463	34,188	13,183	49,834		32,311	82,145	
Public-private partnerships (PPP)	172	421	52	646		192	837	
Academy	878	2,848	197	3,923		1,123	5,046	
Total	**7,653**	**59,923**	**22,860**	**90,436**		**59,043**	**149,479**	
After Brexit								
Multilateral organisations	1,883	11,070	4,330	15,400	-11	10,779	28,063	0
NGOs & civil society	1,697	8,271	2,419	10,690	-13	8,678	21,065	1
Not reported	0	-80	0	-80	0	-172	-252	0
Other	166	1,538	0	1,538	-8	9	1,713	2
Private sector institutions	1,364	1,666	1,939	3,605	-26	6,123	11,092	1
Public sector	3,041	34,188	12,147	46,335	-7	32,311	81,687	-1
Public-private partnerships (PPP)	213	421	47	469	-27	192	874	4
Academy	1,085	2,848	181	3,029	-23	1,123	5,237	4
Total	**9,449**	**59,923**	**21,064**	**80,987**	**-10**	**59,043**	**149,479**	**0**

Source: Creditor Reporting System (OECD 2020).

CONCLUSIONS

Recent political events, official documents and political statements by the British authorities, as well as the shifting profile of the UK's aid, back the realist scenario described above (Olivié and Pérez 2017). UK aid has not decreased: much to the contrary, it has increased since the Brexit vote in 2016. This rules out the nationalist scenario. As explained in section 1, a nationalist approach to aid by the UK would have resulted in a substantial cut in aid budgets. However, its pattern of allocation has changed. There have been significant increases in aid provided for domestic research in health issues; stronger links with private actors through public-private partnerships and with academia, a fall in aid directed to LDCs and the dispersion of aid funds across several ministries. This pattern is far removed from the aid allocation that would result from a cosmopolitan view and that would imply stronger links with multilateral organisations.

Most likely, the UK will maintain its aid levels and therefore the volume of global aid will remain unchanged. However, since the EU is losing not only the important financial

contribution of the UK to the general budget but also a major individual donor, EU aid will be strongly cut. In spite of this, the EU-27 will still be the provider of more than half of total traditional aid. Moreover, as post-Brexit EU-UK cooperation on aid matters is not likely at this moment, British funds formerly (currently) channelled via EU institutions will be re-internalised and allocated according to the changed pattern of British aid. This will have no major effect at the global level but some impacts (above 4 per cent) are worth mentioning: aid to Europe will decrease (as a result of the UK's low interest in the EU's neighbourhood) and global aid channelled through public-private partnerships and academia will probably increase.

These results contrast with the somehow generalised perception that the EU might be losing its focus on human development targets –in the framework of a process of politicisation and securitisation of aid– due to the *de facto* withdrawal of the UK from EU aid debates and decisions (Price 2019). Even in the case of the EU being in such a process, given the shifting pattern of UK aid, it is difficult to argue that the current influence of this donor would incline EU aid towards a greater focus on poverty reduction.

AUTHOR DETAILS

Iliana Olivié
Senior Analyst, Elcano Royal Institute & Associate Professor, Department of Applied & Structural Economics & History, Complutense University of Madrid
iolivie@rielcano.org

Aitor Pérez
Senior Research Fellow, Elcano Royal Institute
aperez@rielcano.org

ENDNOTES

[1] For a debate on the options for UK aid formerly channelled via EU institutions, see Mitchell & Anderson (2016).

[2] Or funds could even be diverted to East European countries, if the UK searches for allies during the Brexit process Farand (2017).

[3] These three scenarios were drawn on the basis of previous analysis on the potential impact of Brexit on UK aid (included in section 1 of this work) and on semi-structured interviews conducted with key stakeholders in both London and Brussels.

[4] For a review of the empirical literature on aid and its connections with IR theory, including the realist and neo-realist schools, see Malacalza (2020) and Pauselli (2020).

[5] Such behaviour of UK aid budgets is also in line with the political positions of different parties, as described by Heppell et al (2017).

[6] Somehow, a return to more traditional cooperation agendas, with greater emphasis on the economic growth element of development, could be linked to this Mawdsley (2015).

[7] More exactly, the most relevant increase in the participation of private companies occurred in the health sector, and was related to the Fleming Fund. The Fleming Fund is an UK ODA program tackling antimicrobial resistance (AMR) and supporting developing countries to improve its surveillance of AMR and generate relevant data that is shared nationally and globally.

[88] The aim of these assumptions is to isolate the variables of our study. During this period, all currencies have fluctuated and so has the allocation pattern of the donor community. These changes, however, do not comprise our research results.

REFERENCES

Barder, O. (2016) 'Brexit: Threats and opportunities for global development', Center for Global Development. https://www.cgdev.org/blog/brexit-threats-and-opportunities-global-development

Bilal, S. and Woolfrey, S. (2018) 'How'to trade or not to trade' is the question for third countries after Brexit', ECDPM Great Insights, 7 (3): 33-35.

Bush, S. (2017) 'The right's next target: foreign aid', New Statesman. https://www.newstatesman.com/politics/staggers/2017/01/rights-next-target-foreign-aid

Chonghaile, C. N. (2016) 'Less money, less influence: Brexit's likely hit to the UK's development role', The Guardian. https://www.theguardian.com/global-development/2016/jul/07/brexit-uk-development-role-less-aid-money-less-influence

De Groof, E. (2018) 'The UK proposes a 'win-win opt-in' on international cooperation', ECDPM blog. https://ecdpm.org/talking-points/uk-proposes-win-win-opt-in-international-cooperation/

DFID (2016a) Raising the Standard: the Multilateral Development Review 2016: United Kingdom Department for International Development.

DFID (2016b) Rising to the challenge of ending poverty: the Bilateral Development Review 2016: United Kingdom Department for International Development.

DFID (2017) Economic Development Strategy: prosperity, poverty and meeting global challenges: United Kingdom Department for International Development.

DFID (2019a) Governance for Growth, Stability and Inclusive Development: Department for International Development.

DFID, DFID (2019b) Statistics on international development: Final UK aid apend 2018. DFID: DFID.

Duke, S. (2018) 'High stakes: Brexit, security, and defence', ECDPM Great Insights, 7(3), pp. 44-46. https://ecdpm.org/great-insights/beyond_brexit/high-stakes-brexit-security-and-defence/

EU and UK (2019) Revised text of the Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom as agreed at negotiators' level on 17 October 2019, to replace the one published in OJ C 66I of 19.2.2019. Brussels: Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU, European Commission.

Farand, C. (2017) 'Ministers want to divert aid from Africa to Eastern Europe 'to get better Brexit deal'', The Independent, 19 February. https://www.independent.co.uk/news/uk/home-news/ministers-uk-aid-divert-africa-to-eastern-europe-for-better-brexit-deal-a7588116.html

Gómez-Reino, M. (2020) ''We first' and the anti-foreign aid narratives of populist radical-right parties in Europe', in Olivié, I. and Pérez, A. (eds.) Aid Power and Politics. Oxon and New York: Routledge: 272-284.

Green, D. (2016) 'What's the likely impact of Brexit on development aid and Oxfam? Any opportunities amid the gloom?', Oxfamblogs. https://oxfamblogs.org/fp2p/whats-the-likely-impact-of-brexit-on-development-aid-and-oxfam-any-opportunities-amid-the-gloom/

Henökl, T. (2018) 'How Brexit Affects EU External Action: the UK's Legacy in European International Cooperation', Futures, 97: 63-72. https://doi.org/10.1016/j.futures.2017.07.002

Heppell, T., Crines, A. and Jeffery, D. (2017) 'The UK Government and the 0.7% International Aid Target: Opinion Among Conservative Parlimentarians', The British Journal of Politics and International Relations, 19 (4): 895-909. https://doi.org/10.1177%2F1369148117726247.

HM-Government (2018) The Future Relationship between the United Kingdom and the European Union. London: HM-Government.

HM-Treasury and DFID (2015) UK Aid: Tackling Global Challenges in the National Interest: HM Treasury & DFID.

Kohnert, D. (2018) 'More equitable Britain-Africa relations post-Brexit: Doomed to fail?', Africa Spectrum, 53 (2): 119-130. https://journals.sub.uni-hamburg.de/giga/afsp/article/view/1136/

Lightfoot, S., Mawdsley, E. and Szent-Iványi, B. (2017) 'Brexit and UK International Development Policy', The Political Quarterly, 88 (31): 517-524. https://doi.org/10.1111/1467-923X.12369

Malacalza, B. (2020) 'The politics of aid from the perspective of international relations theories', in Olivié, I. and Pérez, A. (eds.) Aid Power and Politics. Oxon and New York: Routledge: 11-33.

Mawdsley, E. (2015) 'DFID, the Private Sector and the Re-centring of an Economic Growth Agenda in International Development', Global Society, 29: 339-358. https://doi.org/10.1080/13600826.2015.1031092

Mawdsley, E. (2017) 'National Interests and the Paradox of Foreign Aid Under Austerity: Conservative Governments and the Domestic Politics of International Development since 2010', The Geographical Journal, 183 (3): 223-232. https://doi.org/10.1111/geoj.12219.

Mitchell, I. and Anderson, M. (2016) 'Beyond Brexit: How Do You Spend 1.3 bn Pounds of Aid?'. CGD Blog. https://www.cgdev.org/blog/beyond-brexit-how-do-you-spend-13bn-aid

Morgenthau, H. (1962) 'A political theory of foreign aid', The American Political Science Review, 56 (2): 301-309. DOI: 10.2307/1952366.

Nazeer, F. (2016) 'What Brexit means for international development', https://www.politics.co.uk/comment-analysis/2016/09/01/what-brexit-means-for-international-development

Norris, P. and Inglehart, R. F. (2019) Cultural Backlash. Trump, Brexit, and Authoritarian Populism. Cambridge: Cambridge University Press.

Nwankwo, C. F. (2018) 'Brexit: Critical juncture in the UK's international development agenda?', Open Political Science, 1: 16-19. https://www.degruyter.com/view/journals/openps/1/1/article-p16.xml?language=en

Olivié, I. and Pérez, A. (2017) Possible Impacts of Brexit on EU Development and Humanitarian Policies, Brussels: Directorate-General for External Policies, Policy Department, European ParliamentEP/EXPO/B/DEVE/FWC/2013-08/Lot5/14). Available at: http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578042/EXPO_STU(2017)578042_EN.pdf.

Olivié, I. and Pérez, A. (2018) 'The impact of Brexit on aid: Divorce or marriage of convenience?', ECDPM Great Insights, 7 (3): 24-26. https://ecdpm.org/great-insights/beyond_brexit/brexit-aid-divorce-marriage-convenience/

Pauselli, G. (2020) 'Foreign aid's motivations: theoretical arguments and empirical evidence', in Olivé, I. and Pérez, A. (eds.) Aid Power and Politics. Oxon and New York: Routledge: 34-49.

Polonska-Kimunguyi, E. and Kimunguyi, P. (2017) ''Gunboats of soft power': Boris on Africa and post-Brexit 'Global Britain'', Cambridge Review of International Affairs, 30 (4): 325-349. https://doi.org/10.1080/09557571.2018.1432565

Price, S. (2018) 'Brexit and the UK-Africa Caribbean and Pacific aid relationship', Global Policy, 9 (3): 420-428. https://doi.org/10.1111/1758-5899.12558.

Price, S. (2019) 'The impact of Brexit on EU development policy', Politics and Governance, 7 (3): 72-82. http://dx.doi.org/10.17645/pag.v7i3.2149

Sharma, Y. (2016) 'Brexit casts a shadow over UK development aid', https://infacts.org/brexit-casts-shadow-uk-development-aid/

Sow, M. and Sy, A. (2016) 'The Brexit: What implications for Africa?', Africa in Focus, https://www.brookings.edu/blog/africa-in-focus/2016/06/21/the-brexit-what-implications-for-africa/

Steingass, S. (2019) 'Too effective for Europe? The UK, norm advocacy and the case of EU international cooperation', JCMS - Journal of Common Market Studies, 1-18. https://doi.org/10.1111/jcms.12927.

Te Velde, D. W., Papadavid, P. and Méndez-Parra, M. (2016) 'Brexit and development: how will developing countries be affected?', Briefing Papers, Overseas Development Institute. https://www.odi.org/publications/10480-brexit-and-development-how-will-developing-countries-be-affected.

UK-Government (2017) The government's negotiating objectives for exiting the EU: PM speech - 17 January 2017: UK Government.

UK-Government 2020. Prime Minister announces merger of Department for International Development and Foreign Office. Prime Minister's Office, 10 Downing Street, Department for International Development, Foreign & Commonwealth Office, The Rt Hon Boris Johnson MP.

Waltz, K. N. (1979) Theory of International Politics. Reading, Massachusetts: Addison-Wesley

Willis, D. (2019) 'This is the real reason Boris Johnson wants to give the Foreign Office control over overseas aid', The Independent, 26 December. https://www.independent.co.uk/voices/foreign-office-dfid-merger-overseas-aid-uk-trade-global-development-a9260396.html

Zheng, Y. and Huang, Y. (2018) Market in State: The Political Economy of Domination in China. Cambridge: Cambridge University Press.

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

A New Scramble for Eurafrica? Challenges for European Development Finance and Trade Policy after Brexit

Mark Langan

Citation

Langan, M. (2020). 'A New Scramble for Eurafrica? Challenges for European Development Finance and Trade Policy after Brexit', *Journal of Contemporary European Research* 16 (2): 218-233. https://doi.org/10.30950/jcer.v16i2.1074

First published at: www.jcer.net

Abstract

The British referendum on continued EU membership in 2016 was infused with Brexiteer discourse relating to a fairer UK relationship with African countries inside the Commonwealth. Prominent campaigners including Boris Johnson and Daniel Hannan regularly spoke of the EU's mercantilist trade and aid policies in sub-Saharan Africa as a means to underscore the supranational project's unsavoury relationship with Anglophone developing countries. Brexit, it was claimed, would usher in a new era whereby the UK Department for International Development (DFID) - and a resurgent UK Department for International Trade (DFIT) - would have the opportunity to offer humanitarian aid and free trade unencumbered by the cynicism of the European Commission. Recent policy papers from both DFID and DFIT, however, have made clear that the UK intends to replicate the Economic Partnership Agreements (EPAs) under negotiation between the European Commission and sub-regions of the African, Caribbean and Pacific (ACP) bloc. This is despite Brexiteer discourse about the EPAs' apparent pitfalls relating to non-tariff barriers and the import-flooding of African markets. Perhaps more worryingly, meanwhile, DFID and DFIT publications highlight the need for UK Development Finance Institutions (DFIs) – notably the CDC Group – to robustly compete with their EU counterparts, to gain better market share for UK businesses within emerging African markets. In this context, the article argues that Brexit will intensify a 'new scramble for Africa' and highlights emerging challenges for European development cooperation vis-à-vis normative pledges to sustainable development. Additionally, it considers possible African responses via reflection on the writings of Kwame Nkrumah regarding 'neo-colonialism'.

Keywords

Aid blending; Brexit; development finance; trade; neo-colonialism

INTRODUCTION

The founding of the European project with the Treaty of Rome in 1957 was underpinned by Eurafrican sentiments regarding the need for a continuing 'Association' with then colonies in sub-Saharan Africa. European founding fathers, including Robert Schuman in the famous *Schuman Declaration*, insisted that the supranational project would have an 'essential task' to assist then African colonies with economic and social development (Martin 1982). Through a pan-European effort – involving trade and aid assistance – African territories could realise the developmental benefits of a Eurafrican Association between the two continents. This Eurafrican ideology, embedded within the Treaty of Rome in terms of its Association clauses, was further underpinned by the twin concepts of economic interdependence and complementarity (*ibid*). Namely, that Europe's industrial might and technological advances were essential to the satisfaction of African needs in terms of importation of machinery and equipment. Meanwhile, Africa's raw material wealth was essential to the fuelling of European industry. The two blocs, joined together by geography, therefore had a common destiny as part of a Eurafrican arrangement, led of course by the European nation-states as part of a mission civiliatrice (Thorpe 2018).

This Eurafrican component at the heart of the European project met with significant resistance from African luminaries including Kwame Nkrumah, the first President of an independent Ghana; his Guinean counterpart, Sekou Touré; as well as leading intellectuals including Frantz Fanon (Pasture 2018). In their respective texts, these figures warned against a 'collective colonialism' in which predominantly French colonial privileges would be extended to other European states upon their membership of the supranational European Economic Community (EEC) (Nkrumah 1965; see also XX in this issue). In exchange for contributing to the European Development Fund (EDF) geared towards infrastructural projects in the African colonies (useful for resource extraction), states such as West Germany would gain privileged trading access to colonies hitherto reserved to the French metropole. Nkrumah, in particular, warned against the neo-colonial logic of Association between the EEC and African territories – even upon their legal independence – due to the marriage of aid to disadvantageous market-opening (Martin 1982). Nkrumah warned that in such circumstances African states would remain dependent upon European largesse while failing to diversify away from colonial patterns of raw material extraction and manufactured goods importation. Moreover, he warned that aid would corrupt pliable African elites who themselves might benefit from the continuation of asymmetric economic ties between the constituent continents of Eurafrica. His warnings were echoed by Touré (1962) who stated that Association would 'foreclose the possibility of industrialisation in advance' and would condemn African countries to remain as mere 'hewers of wood and drawers of water'. Fanon (1961), meanwhile, warned in a similar vein about the dangers of African elite collaboration with former colonial powers, warning against the rise of authoritarian leaders who would betray the aspirations of liberation nationalism.

In this historical context, European fragmentation brought about by the UK's intended departure from the European Union (EU) might – at face value – be deemed a 'win' for African countries in the sense of diminishing the opportunities for a 'collective colonialism' driven by Eurafrican ideology. Certain African governments have in fact seized upon Brexit to challenge controversial EU trade liberalisation agendas embodied in the Economic Partnership Agreements (EPAs) being pursued under the EU's Cotonou treaty with African, Caribbean and Pacific (ACP) states. Tanzania, most notably, has queried why it should undergo stringent tariff dismantling under an EPA in return for continued access to EU markets especially now that one of its chief markets, the UK, will no longer be a party to the arrangement (Mold 2018; Krapohl and Van Huut 2019). Certain African civil society commentators – as well as European counterparts – have therefore hailed Brexit as an opportunity for African states to challenge unfair economic and trade arrangements and to 'balance' the UK against the remaining EU-27 in ensuing negotiations (Mold 2018). Interestingly, this line of argument has even been advanced by European populists in their

attempts to, first, bring about Brexit and, second, to legitimise its implementation. Notably, a recent report by the Europe of Freedom and Direct Democracy (EFDD) grouping in the European Parliament has hailed Brexit as a blow to the neo-colonial prerogatives of Brussels (Finch and Crois 2018). Brexit, they insist, will bring about a truly free trade stance from the British government, which will not seek to replicate damaging EU protectionism against African imports, as witnessed under the controversial Common Agricultural Policy (CAP), to name but one instrument. This article, however, seeks to illustrate why Brexit - and this moment of apparent European fragmentation - will not necessarily – or even likely – result in fairer forms of trade and aid arrangements for African countries. In fact, Brexit will intensify a new 'scramble for Eurafrica'. Namely, a situation in which Britain and the EU-27 compete for their zone of influence in emerging African markets, particularly in terms of their respective development finance institutions (DFIs). With Brexit, the dangers of what Nkrumah termed 'neo-colonialism' will not dissipate. Instead the symptoms of neo-colonialism will be even more apparent, unless African actors exhibit greater agency to bring about pan-African responses to the interventions of foreign European nations.

The discussion is structured as follows. The first section explores the Eurafrican underpinnings of the EU as surpranational project and examines how certain African and European commentators have hailed Brexit as a potential victory for greater degrees of African sovereignty in trade and aid dealings with European powers. The second section then poses a rejoinder to such hopes in terms of ensuing UK trade and aid policies in a post-Brexit era. Rather than bring about a more egalitarian form of Afro-European relations, Brexit will entrench and intensify existing UK ambition for 'Empire 2.0' with development 'aid' being geared towards conclusion of controversial free trade deals, and the financial penetration of emerging African markets. Moreover, it will intensify existing European rivalries regarding their DFI investments, including those pursued by the EU itself in terms of the EU-Africa Infrastructure Trust Fund (EUITF), the EU External Investment Plan, and the recent Africa-Europe Alliance for Sustainable Investment and Jobs. The article then concludes with a consideration of avenues for greater African agency – in response to the dangers of Brexit for the continent amidst an intensified Eurafrican scramble for its markets and resources.

EURAFRICAN IDEOLOGY AND THE 'COLLECTIVE COLONIALISM' OF THE SUPRANATIONAL PROJECT

The Treaty of Rome in 1957 incorporated then African 'overseas territories' into an *Association* with the EEC without consultation with African political elites, in the context of colonialism (Brown 2002). Association granted the founding EEC members preferential trade access to the (predominantly) French colonies in sub-Saharan Africa in return for their contribution to a collective aid mechanism – the EDF (Brown 2002). The onset of Association, meanwhile, was not an accident of the negotiations in Rome alone. Rather it reflected a longer-standing Eurafrican ideology present within European supranational thinking as far back as the 1930s, and reflected strongly in the Schuman Declaration of 1953 (Thorpe 2018; Pasture 2018). Eurafrican ideology held – and today, as articulated by figures such as recent President Nicolas Sarkozy, holds – that the two continents share a common destiny based upon an inevitable economic interdependence and trade complementarity. Resource-rich Africa is essential to European industry; and European industry and commerce is essential to the economic and social development of the African continent (Hanssen and Jonsson 2014). A 'win-win' Eurafrican alliance was therefore envisaged which would unite European countries and African territories in the context of an ongoing colonialism, and in the context of European ambition vis-à-vis the Cold War superpowers, the USA and USSR.

Crucially, this Eurafrican component embedded in the foundations of the EEC was met with open hostility from a number of African luminaries, most notably Kwame Nkrumah (1965).

As an increasing number of African states followed Ghana's example by gaining formal juridical independence, Nkrumah warned that genuine empirical sovereignty might be thwarted within neo-colonial forms of Eurafrican Association. Namely, that the EEC would utilise its aid mechanisms to cajole African leaders to acquiesce to the continuation of asymmetric, colonial-style forms of raw material extraction and manufactured goods importation (*ibid*). Aid monies, economic pressure, as well as at times, military intervention, would be utilised by European powers to ensure the compliance of newly 'independent' African nations within neo-colonial forms of economic dominance and political tutelage. Nkrumah – alongside Sekou Touré (1962) and Frantz Fanon (1961) – therefore warned against premature economic liberalisation vis-à-vis European nations within any form of Association. This would, for African socialist thinkers, foreclose the possibility of economic diversification and industrialisation away from colonial patterns of trade, since it would allow unfettered importation of European goods to the decimation of emerging domestic sectors (such as cotton-textiles manufacturing).

Despite these warnings, however, Association continued to operate even after the advent of the formal independence of many African countries in the late 1950s and 1960s. Notably, the Yaoundé Conventions (1963-1975) were established between the EEC and the Associated African States and Madagascar (AASM) in large part due to the promise of funding for infrastructural development under the EDF, as well as preferential trade access to European markets (Brown 2002). Interestingly, however, the Yaoundé Conventions, while including a new discourse of 'sovereign equality', also included a discourse of the need for 'reciprocal' trade liberalisation – namely that AASM countries should avoid protectionist tariffs upon EEC wares. This confirmed the existing fears of African socialists, such as Nkrumah, that a noxious marriage of aid and trade meant that African countries would acquiesce to disadvantageous free trade arrangements and would do away with protectionist policies vital to economic diversification and industrialisation (Langan 2018).

Nevertheless, this overarching commitment to trade reciprocity within Eurafrican Association was challenged under the first Lomé Convention (1975-1980) which – in response to the agitation of 'Third World' countries under the New International Economic Order (NIEO) – promised for the first time a commitment to 'non-reciprocal trade' (Gruhn 1976). This ostensibly meant that African Associates (now within the expanded African, Caribbean and Pacific [ACP] bloc upon the accession of Britain and its former colonies to Eurafrican arrangements) would be allowed policy space to utilise protectionist tariffs and quotas to protect their infant industry. In practice, however, the onset of the Washington Consensus and structural adjustment programmes (SAPs) – supported by the European Commission in terms of EDF conditionalities – meant that African states under Lomé II, III and IV (1980-2000) did undergo substantial tariff dismantling as part of SAP recommendations for open trade policies (Mailafia 1997). This coincided with the privatisation of infant industry, including Kenyan textiles parastatals with the loss of 70,000 jobs, and de-regulation with regards to policies including national minimum wages (Langan 2018).

Furthermore, in the most recent phase of Eurafrican Association under the ACP-EU Cotonou Agreement (2000-2020), the commitment to reciprocal trade liberalisation has been enshrined in treaty and has been actively pursued since 2000 in terms of regional Economic Partnership Agreements (EPAs). The EPAs have been promoted by the European Commission on the grounds of promoting ACP countries 'smooth and gradual integration' into global markets through phased liberalisation. A majority of ACP product lines will undergo tariff dismantling, yet up to 20% of their products may possibly be included within 'sensitive goods baskets' (European Commission 2016). This apparently will enable ACP states to protect sectors which are insufficiently robust to compete within open markets, until such times as they gain competitive muscle. Moreover, the EPAs will ensure ACP countries' ongoing access to European consumers, albeit protectionist measures such as the Common Agricultural Policy (CAP) remain in place (as do EU tariffs which impose

prohibitive costs upon processed goods from ACP nations such as confectionary).[1] The EPAs have therefore been condemned by many civil society groups, and even Members of the European Parliament (2016), on the basis that they impose premature liberalisation to the detriment of local industry that will be impacted by import flooding of additional EU wares. Namely, the sensitive goods basket is viewed as inadequate to protect manufacturing industries since the majority of products selected will inevitably be agricultural commodities with ACP states' eye to ensuring food security (Matambalya 2009). Additionally, the EPAs will not resolve non-tariff barriers (NTBs) which continue to hinder ACP producers' meaningful access to European marketplaces, such as strict phytosanitary and hygiene requirements. ACP states are therefore seen to acquiesce to EPAs in no small part due to promised 'Aid for Trade' monies under the EDF, despite the fact that such agreements 'lock in' developing countries into colonial-style patterns of raw material production and manufactured importation (Langan and Scott 2014).

It is in this context that certain commentators, both in Europe and in Africa, have viewed Brexit as a potential boost to African agency in dealings with the EU, and the UK itself. From a critical standpoint concerned with 'collective colonialism' under Eurafrican Association, it might at first appear a gain for African countries that there is a moment of European fragmentation as represented in the UK's decision to leave the EU. Governments, including that of Tanzania, have seized upon Brexit to argue that the EU EPAs need to be renegotiated in their entirety. Others, meanwhile, have expressed hope that the UK – newly imbued with an independent trade competency – would be able and willing to conclude a more progressive form of trade deals with African nations, particularly those of the Anglophone Commonwealth (see for example Traidcraft 2017). Indeed, this line of argument was expressed by Brexiteer politicians themselves before and during the referendum campaign of June 2016 in their promises to end the trade 'betrayal' of Anglophone former colonies (Murray-Evans 2016). Prominent UK civil society groups – while not necessarily Eurosceptics themselves – have thus called upon Westminster elites to use Brexit as an opportunity to reform trade policy vis-à-vis African economic development. In particular, there have been calls for the UK to lead by example by eliminating discriminatory tariffs imposed upon processed goods from African origins, and by refraining from imposition of stringent liberalisation conditions upon developing economies (Traidcraft 2017). Additionally, there have been calls for UK aid monies to be used explicitly for the promotion of small and medium sized enterprises (SMEs) in sub-Saharan Africa since these entities are deemed most capable of achieving genuine forms of poverty alleviation within more vulnerable communities. Despite this apparent optimism, however, the prospects of a 'break' in Eurafrican relations of dependency appear unlikely. Rather, it would seem that Brexit will intensify a 'new scramble' between the EU-27 and the UK for emerging African markets as the next section now examines.

EMPIRE 2.0 AND A 'NEW SCRAMBLE' FOR EMERGING MARKETS IN AFRICA?

According to Brexiteer discourse and the UK government's stated policy, British trade and aid policy will gain a much greater degree of autonomy in the post-Brexit period. Notably, the formation of a new Department for International Trade currently led by Dr Liam Fox underscores the UK's intention to forge new trade arrangements based upon a renewed competency in this area. Moreover, UK officials have been keen to emphasise that the UK will play a progressive role in efforts for sustainable development through such policy instruments (Price 2016; Henokl 2018). While emphasising that British interests will come to the fore in post-Brexit trade negotiations – and aid arrangements too – nevertheless there is an explicit 'pro-poor' discourse within the communications of the UK government with regards to the exercise of British policy making. In part this reflects a desire to fulfil rhetorical commitments made during the referendum campaign about the UK's desire (post-Brexit) to offer a fairer deal to developing countries. Additionally, it in part represents a British (or rather English) imperial nostalgia for the Commonwealth nations, and a desire

to forge new relationships with former colonies in the Anglosphere. Central to these pro-poor narratives, meanwhile, is a focus on economic growth and private sector development (PSD) as the key ingredient for poverty reduction. The Department for International Trade (DFIT)'s policy communication - *Preparing for our Future UK Trade Policy* - usefully illustrates this pro-poor growth narrative:

> The UK government has a long-standing commitment to support developing countries to reduce poverty through trade. The government will continue to deliver improved support in the future by helping those developing countries break down the barriers to trade. This will help them to continue to benefit from trade by growing their economies, increasing incomes and reducing poverty. Helping to build developing countries' prosperity creates the conditions that allow commerce to flourish and in doing so, opens up opportunities for UK business in future markets (DFIT 2017).

Interestingly the UK's Department for International Development (DFID) is in full alignment with this pro-poor growth discourse, and, unusually, DFID ministers have embarked on 'trade' missions to sub-Saharan Africa to complement the efforts of the newly formed trade ministry itself. The DFID (2017) *Economic Development Strategy*, for instance, clearly states that:

> We are focusing investment in job creation across manufacturing, infrastructure and commercial agriculture to provide strong foundations for inclusive growth in the developing world. Communities and businesses need electricity, roads, dynamic cities and for rural areas to be connected to markets. We need to transform agriculture to feed and nourish rising populations and enable millions of smallholder farmers to tap into global value chains. We need to enable countries to look to future dynamic sectors of the global economy and use new technologies.

An intertwining of trade and 'development' is therefore apparent, both in terms of discourse and in terms of institutional alliances between DFIT and its DFID counterpart.

Again, however, UK ministers have repeatedly asserted that British economic and geopolitical interests will come to the fore in the post-Brexit period of African ties. And in no small measure this rhetorical element seeks to bolster continued public support for government aid-spending and for the prospect of an independent UK trade competency. Theresa May during her tenure as Prime Minister was particularly prominent with regards to the articulation of this discursive theme:

> As prime minister of a trading nation whose success depends on global markets, I want to see strong African economies that British companies can do business with in a free and fair fashion,'' May will say in Cape Town. "Whether through creating new customers for British exporters or opportunities for British investors, our integrated global economy means healthy African economies are good news for British people as well as African people (DFID 2018).

Under the premiership of Boris Johnson, this focus on UK interests continues, with the UK-Africa Investment Summit of January 2020 as a clear signal of British intent to 'turbo-charge', in the words of current DFID Secretary of State, Alok Sharma, its dealings in the continent (Blomfield 2020). It is important to note, however, that this focus on British enlightened self-interest in dealings with African states in fact precedes the Brexit referendum and the current period of the May government. Indeed, this narrative of win-win engagement and self-interest found expression in the period of the David Cameron premiership. Then DFID minister, Justine Greening, expressed in 2013, for instance, that UK aid monies would be geared towards promoting responsible forms of investment in African economies, to the benefit of British business and poverty reduction in developing

countries. Additionally, it was this minister who led the first DFID 'trade' delegation to the continent, in a visit to Tanzania (DFID 2013).

Furthermore, British ministers have emphasised that the EU's EPAs with African regional groupings such as the Southern African Development Community (SADC) will be replicated within the UK's own trade policy. DFIT made this commitment clear, alongside adjacent commitments to respect for the Everything But Arms (EBA) agreement currently offered by the EU to least developed countries (in terms of quota free and duty free access to European consumers):

> The UK remains committed to ensuring developing countries can reduce poverty through trading opportunities. As we leave the EU, we will maintain current access for the world's LDCs to UK markets and aim to maintain the preferential access of other (non-LDC) developing countries. This means we will establish a UK unilateral trade preferences scheme to support economic and sustainable development in developing countries. This will include those countries currently benefitting from the EU's GSP, including beneficiaries of the EBA, standard GSP and GSP+ tiers. We will also seek to replicate existing EPAs (in line with other EU-third country FTAs) as we prepare to leave the EU (DFIT 2017).

Meanwhile, in August 2018, Prime Minister May announced that the UK had tentatively agreed with six African nations (Mozambique, South Africa, Botswana, Lesotho, Namibia and eSwatini) that the terms of the EU EPA will form the basis of a post-Brexit trading arrangement. This was hailed by the then premier as evidence of the clout of 'Global Britain' to secure win-win trade agreements (The Economist 2018). Hopes, therefore, for a British progressive alternative to EPAs – perhaps including a commitment to non-reciprocal trade patterns involving unilateral UK tariff dismantling - appear ill-founded.

Moreover, the UK's focus on the use of aid monies for bolstering African economies while also securing British trade and commercial interests raises significant concerns in terms of the achievement of stated poverty reduction goals. Namely it raises concerns of a 'new scramble' for Eurafrican markets between the UK and the remaining EU-27. Illustrative of such fears, a coalition of trade justice bodies collectively campaigned under the banner 'No to Empire 2.0' on the eve of the January 2020 UK-Africa Investment Summit, warning African leaders to beware British predatory investors (Global Justice Now 2020). Of paramount concern here, DFID has emphasised that UK aid monies will increasingly be channelled towards the CDC Group (formerly known as the Commonwealth Development Corporation) (Lightfoot et al 2017). This is a development finance institution (DFI) which was formerly wholly owned by the UK Treasury and now is a private entity in which DFID is the sole stakeholder. The function of the CDC Group is to 'leverage' capital into African economies by minimising risk associated with private sector investment. To date this has prioritised the privatisation of, and thereafter investment into, African energy assets such the Umeme electricity distribution network in Uganda. This Ugandan intervention lead to substantial profits for UK investors, combined to substantial fee increases for local utility users (Bracking 2009: 78). In 2007 alone, $750 million was placed by CDC into energy assets via Actis, 'a fund management company owned by the bulk of the former senior staff of CDC'. (*ibid*: 76).

The CDC Group also provides capital as leverage for investment into agribusiness schemes in sub-Saharan Africa, often associated with accusations of agro-colonialism, labour rights abuses, environmental destruction and land grabbing (see for instance RIAO-RDC & GRAIN 2015 and Carden 2020 on Feronia scandal). As well as dubious 'development' funding for elite private school chains, private healthcare facilities, as well as a Prosperity Fund to facilitate free trade access for British firms (Global Justice Now 2020). In the post-Brexit phase, the role of the CDC Group is also described as a means of ensuring the ongoing

prominence of the City of London in terms of providing expertise and risk-mitigation vis-à-vis UK private investment into Africa. The UK government, meanwhile, has promised that Britain will invest an additional £4 billion into the continent in the wake of Brexit, indicating that the UK remains an important development actor, especially in Anglophone African countries such as Nigeria. As Kohnert (2018: 121) indicates, British FDI flows have already increased remarkably even prior to the recent phase of Brexit preparations. Perhaps unsurprisingly – and in alignment with the priorities of CDC Group to obtain 'revolving funds' (that is, profits) from investments - the majority of those sectors in receipt of British investment are found within the industrial and extractive industries:

> The amount of UK investment in Africa, which more than doubled between 2005 and 2014 from GBP 20.8 billion to GBP 42.5 billion, was meant to be enhanced by Brexit. South Africa will most likely remain the largest recipient of UK FDI (Vines 2018: 122–123). It already accounted for 29.8 per cent of total UK (outward) FDI in Africa in 2014 (Hardie 2016). Industry, mining, and financial services have been the main industrial sectors receiving British FDI, with the first two accounting for 54.4 per cent and 34.3 per cent of total UK FDI into Africa in 2014, respectively (Hardie cited in Kohnert 2018: 121).

In this context, Mawdsley (2015: 358) convincingly argues that UK private financial initiatives undertaken by the CDC Group in controversial sectors such as mining do not sufficiently take into consideration the 'pro-poor' gains in terms of core labour standards, anti-corruption and anti-tax evasion conditions, or in terms of minimising the risk of financialisation vis-à-vis risk contagion.

As illustrated by the aforementioned civil society 'No to Empire 2.0' campaign coinciding with the January 2020 UK-Africa Investment Summit, these concerns about the regressive consequences of UK aid monies under DFID-CDC schemes are exacerbated in the context of Brexit. Bracking (2009: 91) notes that even within the framework of EU development policy, there have been numerous historical tensions between the priorities of individual member states and their respective national DFIs (such as the UK CDC):

> Tensions arose between and within the Anglophone, Francophone and Lusaphone (Portuguese-speaking) zones which came to be managed within the EU as it developed a 'competition' policy for aid projects, a collectivised market which nonetheless continues to privilege European companies and financiers relative to those outside.

Accordingly, Brexit represents a potential intensification of these existing European rivalries in Africa, especially in relation to the UK and its own DFI arm since it would be inevitably removed from EU oversight and alignment. Already there is concern that the UK intends to depart from EU regulations regarding asset stripping with regard to investor behaviour across Europe itself, with potential consequences too for UK DFI behaviour in overseas countries, including those of Africa (see Sweeney and Sydor 2020). In addition, CDC group will likely cease to be a member of the Association of European Development Finance Institutions (EDFI) after Brexit, a body which commits itself to ensuring that its various DFI members adhere to UN criteria on responsible investment for sustainable development. The EDFI (2011) 'Harmonized Exclusion List', for instance, sets out clear guidelines regarding the need for its members to avoid investments in activities leading to human exploitation and ecological destruction:

> EDFI Members will not finance any activity, production, use, distribution, business or trade involving… Forced labor or child labor… Ozone depleting substances, PCB's (Polychlorinated Biphenyls) and other specific, hazardous pharmaceuticals, pesticides/herbicides or chemicals… wildlife or products regulated under the Convention on International Trade in Endangered Species or Wild Fauna and Flora

> (CITES)… Unsustainable fishing methods… cross border trade in waste and waste products… destruction of High Conservation Value areas… radioactive materials… pornography and/or prostitution… racist and/or anti-democratic material… [or businesses mainly involving] alcoholic beverages… tobacco… weapons… gambling…

Since EDFI membership aligns with either EU membership or membership of the European Free Trade Area (EMFTA), CDC will likely no longer belong or be beholden to that association's oversight with regard to its Exclusion List after Brexit. Similarly, Brexit will enable DFID and the CDC Group to intensify their operations in African extractive, industrial and financial sectors without the oversight of the European Parliament – which has played a substantial role in drawing public attention to the excesses of DFI activities in Africa (see for example, European Parliament censoring of the EIB in relation to the Glencore mining scandal in Democratic Republic of the Congo and Zambia in terms of alleged tax evasion).

Illustrative of the UK's increasing appetite for African investment opportunities in a post-Brexit landscape, Lord Boateng - the chair of the UK's Africa Enterprise Challenge Fund (another British DFI) – has expressed the view that Brexit will unleash opportunities for enhanced UK involvement in African emerging markets through capital investments. Interestingly, he compared the UK position to that of Germany, which he said had already made much progress via its own national DFI activities. He explained that the UK was 'late to the party' and that:

> we have a lot of catching up to do if we are to make the most of what is an historic opportunity to recast the relationship between Africa and the UK away from it being seen solely as a philanthropic exercise, a basket case suitable only for [oversees aid], to an opportunity that requires investment, that requires risk taking and support by government for British companies (BBC 2018).

And even in the event of a UK economic downturn after Brexit – and growing public reticence toward UK aid spending – this channelling of funds to DFI activities will likely continue to take place, since corporate profits enabled through DFI spending will in most cases offset initial 'aid' expenditures (Bracking 2009).

Worryingly, this likely intensification of UK DFI activities in relation to CDC is contextualised in terms of the EU's own emergent policy emphasis on so-called 'aid blending' – namely the marriage of public aid monies to DFI activities (Bilal 2019). EU-sponsored DFI activities undertaken in relation to the EIB itself; the EU-Africa Infrastructural Trust Fund (EAITF); and more recently the European External Investment Plan (EEIP) with the adjacent European Fund for Sustainable Development (EFSD); as well as the new Africa-Europe Alliance for Sustainable Investment and Jobs (AEASIJ) all point to the intensification of EU development finance and public-private partnerships as the modus operandi for the achievement of the UN SDGs in the post-2015 setting. Indeed, as Mawdsley (2015: 344) remarks in terms of broader donor community trends, we are currently witnessing that 'economic growth is being ideationally and institutionally reinstated as the central and prior condition for "development".

Moreover, these trends are being explicitly backed by European corporations with an interest in extractive and energy sectors (EU-27 outfits such as Areva and Total) and in lucrative services sectors (UK outfits such as HSBC). Corporate submissions to public consultations on the EU's New European Consensus, for instance, regularly emphasis the need for greater EU support to 'public private partnerships' (PPP) in Africa (European Commission 2019). Such PPPs are regularly understood in terms of aid blending initiatives geared towards large infrastructural projects (undertaken by European corporations with a view to profitability in sectors such as energy). This has paved the way for EU institutions,

EU member states, and the UK CDC itself, to represent enhanced DFI activities as a boost for African growth and poverty alleviation. This is despite the fact that a plethora of civil society, parliamentary and African government reports have pointed to the oftentimes regressive impacts of DFI portfolio investments for workers' rights, social stability, and ecological integrity in sub-Saharan Africa. On the latter issue, Monbiot (2019) has recently pointed to the likelihood of UK industry taking advantage of more lenient rules on pollution in the event of Brexit vis-à-vis the EU-27, giving British companies a competitive advantage especially in 'dirty' processing activities in sub-Saharan Africa.

This leads to a further point – namely that there is a likelihood that Brexit will complicate progressive alliances within the non-governmental sector between like-minded groups who to date have worked collectively to hold DFI institutions to account on an intra-EU basis. CONCORD (2017), the confederation of European development NGOs, estimates, for instance, that UK NGOs will lose EURO 140 million each year as a result of no longer receiving grants from EU auspices. UK NGO participation in intra-EU bodies such as CONCORD itself may be brought into question, with serious consequences in terms of holding national DFIs (such as CDC Group) to account. Moreover, in terms of public opinion, Brexit jingoism, and the rise of right-wing populist political parties within EU member states, there is the danger that critiques of a 'new scramble for African resources' will find little traction with public sympathies (in relation to negative consequences for poorer citizens in sub-Saharan Africa). On the contrary, there is a danger that public opinion will sanctify such activities on the understanding that British (or EU-based) companies profit from investments and that such profits benefit their home European state. This coincides with a media environment, in the UK at least, which seems ideologically sympathetic to the pro-poor growth discourse invoked by Westminster politicians and CDC representations to justify and legitimate their oftentimes dubious 'development' interventions into African economies. In this context, it becomes imperative for African governments, civil society, and indeed pan-African institutions (namely the African Union and its agencies) to realise increased agency to hold DFI discourse – and tangible interventions in their economies – to account.

AFRICAN AGENCY TO CONTEST A 'NEW SCRAMBLE' FOR EURAFRICA?

As the above discussion has made clear, Brexit will stimulate neo-colonial forms of trade, aid and investment relations between the UK and African countries – as the UK government seeks to use the opportunity to unleash DFIs from EU regulations and to pursue free trade deals lubricated by 'development' monies. The EU-27, meanwhile, have themselves already demonstrated a growing reliance on aid blending and DFI activities as an ostensible means of delivering aid revenues and achieving the UN SDGs. This confirms the fears of African socialists such as Nkrumah, Toure and Fanon, who all recognised the likelihood of European powers utilising economic and political advantages to perpetuate dependency and to maintain access to Africa's lucrative resources and markets.

The prospects of an intensification of neo-colonial relations between European (UK and EU-27) countries and African states in the wake of Brexit leads naturally to a discussion of potential African responses. Commentators such as The Economist (2019) point to the opportunities of a new scramble for African economies, in this case taking into account the activities too of the BRIC nations (Brazil, Russia, India and China). In such interpretations, African countries will have greater opportunities to play competing powers off against one another, thereby leading to better outcomes for 'development'. Oftentimes, for example, commentators on Chinese entry into Africa point to some of the advantages accruing to African elites in nations such as Rwanda and Uganda, due to China's less stringent (or non-existent) criteria regarding human rights. Moreover, countries such as Ghana have at times played competing commercial interests (notably in the oil) sector against one another, for

instance, threatening to invite greater Chinese participation in the sector when displeased with the behaviour of US oil interests (under the Presidency of John Kufuor) (Langan 2018). In the situation of UK competition with EU-27 nations after Brexit, however, it does seem uncertain as to whether African countries individually will be able to take advantage of intra-European tensions to gain better trade terms, or aid packages, or in terms of DFI behaviours in association with aid blending. Notably here, African elites themselves often benefit from the marriage of aid to disadvantageous trade or investment behaviour on the part of European partners. Budget support, for instance, from either UK or EU-27 to the functioning of the national budget can have a dampening effect on African elites genuine empirical sovereignty to challenge the behaviour of entities such as the EIB or CDI, on the understanding that EU or UK aid support would be reduced, or lost, in the event of a breach with the donor in question (Langan 2015). Moreover, in terms of trade agreements, instruments such as Aid for Trade packages – for instance, the EU's Economic Partnership Agreement (EPADP) with West African countries in relation to a regional free trade pact with EU member states – can again have a diminishing effect upon African elites' political willingness to challenge their European partners' policy priorities (Langan and Scott 2014).

In the event of Brexit, moreover, the UK government has already signalled its unwillingness to alter the fundamental reciprocal trade premise of the EU's own EPAs (DFIT 2017). It would seem unlikely, therefore, that African nations acting individually would have much opportunity to meaningfully challenge predatory DFI behaviours in the situation where CDC is increasingly competing (and undercutting in terms of environmental and social policies) its counterparts in the EU member states, as well as the EIB itself. This is at the same time, as mentioned above, that NGO alliances between UK and EU-27 to hold DFIs accountable will likely fragment as British campaign groups no longer gravitate towards collective bodies such as EURODAD.

There is potential scope, however, following the rationale of African luminaries who originally diagnosed the dangers of Eurafrica, to utilise pan-African institutions (namely the African Union [AU]) to more effectively challenge the neo-colonial commercial and trade prerogatives of either the UK or the EU-27. Interestingly, the EU itself has already signalled a greater intention to focus its African policy onto the AU Commission, rather than onto the African, Caribbean and Pacific (ACP) Secretariat (Chadwick 2018). This is especially so as the EU currently seeks to conclude a successor to the ACP-EU Cotonou Agreement, with the EU signalling that although the ACP group will still exist as an entity, that it envisages a greater devolution of its trade and aid relations to the individual regions (with the AU taking the lead for Africa). In such circumstances, the AU Commission must take a greater lead in overseeing any post-Cotonou relationship with the EU-27 especially in terms of the EPAs, and by default with the UK (which under a Brexit scenario will likely replicate the premise of EPA reciprocal trade). What will be essential here is the ability of the AU Commission to work with the Commissions of the individual sub-regions in the continent, for example, the ECOWAS Commission, to effectively monitor the impacts of the (sub-regional) EPAs as they unfold. For example, in the West African EPA it will be important for ECOWAS and AU officials to challenge import flooding of EU merchandise into that marketplace and to push for the enactment of safeguard clauses (included in the text of the EPA) where import flooding threatens food security or vital African economic interests. It will also be incumbent upon AU officials to work with sub-regional economic communities (RECs) to ensure that promised Aid for Trade monies are actually disbursed by the European Commission, and to ensure that Brexit does not result in an aid deficit which might detract from the headline figure promised under the EPADP, for instance.

In the longer term, meanwhile, intra-African economic co-operation and trade via the auspices of AU initiatives may augur well for weaning African countries from colonial patterns of dependency upon European (EU-27 and UK) markets. Already the AU is leading on the ambitious African Continental Free Trade Area (AfCFTA) plan which, if realised, would create the conditions for freer and smoother trade between AU member states

(Saygili et al 2018). The potential for stimulating intra-African trade and establishing economies of scale necessary for industrialisation and diversification away from colonial export patterns does lie within pan-African initiatives, as laid out by critics of Eurafrica back in the 1960s in the immediate period of decolonisation (Nkrumah 1965; Fanon 1961; Toure 1962). The AU Commission, meanwhile, working in liaison with global governance bodies such as the UN Development Programme (UNDP) and International Labour Organisation (ILO) would also be better positioned than individual African governments to draw up continental standards – and potential penalties – with regard to the ethical functioning of European DFIs and aid blending/PPP schemes within Africa. And again, through the creation of African-led and African-resourced DFIs themselves via the leadership of the AU Commission, African elites might in time do well to supplant foreign DFIs, including those of the EU-27 and UK given their dubious development records in the continent. However, AU officials should here beware the ambitions of the European Commission to utilise the AfCTA as an opportunity to realise a bi-continental Eurafrican free trade zone which would unite the sub-regional EPAs. Premature liberalisation towards the EU on a pan-African scale would retard diversification and encourage import flooding.

Finally, the AU as an institution offers African elites the forum in which to reconstruct pan-African narratives and discourse to counteract and confront Eurafrican imaginations of development. Nkrumah (1965) notably hailed pan-African ideology as a necessary corollary of a process of economic independence and of psychological self-confidence on the part of African citizenries. Through the rediscovery and reinvigoration of a radical pan-African narrative – critical of foreign impositions and development plans as embodied in Eurafrican interventions – the AU could do well to give African countries the discursive wherewithal to articulate a different vision to that of the mercantilist and neo-colonial prerogatives of European powers, whether that articulated by the European Commission in the period of post-Cotonou negotiations, or by the UK government (and its DFIT and DFID arms) in the period of Brexit preparations. The importance of such a discursive shift was also convincingly detailed by Fanon (1961) in terms of Africa discovering a civilizational voice geared towards economic autonomy and political sovereignty, in contradistinction to the neo-colonial impetus of Eurafrica. Overall it is clear, therefore, that any meaningful response to Brexit and the 'new scramble for Eurafrica' must entail a much greater degree of unity than heretofore seen (or at least not seen since the negotiations for the original Lomé Conventions in which African, Caribbean and Pacific countries collectively won major concessions – albeit fleetingly – from the European Commission in the context of debates for the New International Economic Order). The AU Commission in Addis Ababa, working within its individual member states, could pose a necessary and powerful counterweight to that of its governing counterparts in London and Brussels.

CONCLUSION

Brexit will not augur an opportunity for African countries as per Brexiteer discourse in the 2016 referendum. Rather than enable African governments to take advantage of an apparent European fragmentation to rewrite terms of trade and aid (for example the EPAs), Brexit will in fact likely augur greater competition between the UK and the EU-27 in what can accurately be deemed a 'new scramble for Eurafrica'. Already the UK government – via DFID and DFIT – has expressed clear intentions to replicate the EPAs. Moreover, UK aid agendas are being increasingly allied to commercial interests and conditionalities as part of government attempts to demonstrate to an increasingly reticent British public that aid monies are justifiable expenditure. In addition, there is clearly a neo-colonial appetite on the part of UK elites to utilise Brexit as an opportunity to unleash the 'potential' of British DFIs (notably the CDC Group), unrestrained by Brussels regulations and behavioural oversight (including that of the European Parliament which heretofore has held the EIB to account, and NGO alliances as embodied in EURODAD). The EU-27, meanwhile, with an increasing emphasis on aid blending and PPP, as well as an unwillingness to revisit

the terms of EPAs in the post-Cotonou phase, will remain wedded to a trade and aid agenda that underserves (and in fact undermines) poverty reduction prerogatives in sub-Saharan Africa. Brexit does not therefore appear to offer progressive opportunities of any kind.
In terms of overcoming Eurafrican inequalities, therefore, it becomes increasingly clear, that African elites must challenge European powers in terms of unfair trade deals and compromising aid arrangements, especially those which lubricate developmentally dubious DFI activities in extractive sectors, energy sectors, and services industries. Following the logic of Nkrumah (1965), it is apparent that the AU Commission is the most viable institution in terms of a leadership body capable of co-ordinating a pan-African response to the neo-colonial agenda of the UK government and the EU-27. Whether in terms of ambitions for the AfCFTA, or the potential oversight and regulation of foreign DFI activities, it is the AU which might hold European governments and corporations to account in terms of the often negative consequences of their interventions for jobs, livelihoods, and ecological security in the continent. Furthermore, a reinvigoration of a pan-African radical discourse would do well to counter the Eurafrican ideology which lies at the heart of the neo-colonial agendas of the UK and the EU-27 in their trade and aid dealings with former colonies.

AUTHOR DETAILS

Dr. Mark Langan, The School of Geography, Politics and Sociology, Newcastle University, NE1 7RU, United Kingdom. Email: mark.langan@ncl.ac.uk

ENDNOTES

[1] See Ansorg and Haastrup (2016) for more discussion on the CAP in the context of Brexit.

REFERENCES

Ansorg, N. and Haastrup, T. (2016). 'Brexit beyond the UK's borders: what it means for Africa'. *GIGA Focus Africa*, No. 3, September 1-10. Berlin: GIGA.

BBC News (2018). 'Theresa May pledges Africa investment boost after Brexit'. *BBC News*, 28th August 2018. London: BBC News.

Bilal, S. (2019). 'Leveraging the next EU budget for sustainable development finance', *ECDPM Discussion Paper*, No. 243: 1-24. Maastricht: ECDPM.

Blomfield (2020). 'Post-Brexit Britain will "turbo-charge" trade relations with Africa, says Sharma', *The Telegraph*, 14th January 2020. London: The Telegraph.

Bracking, S. (2009). *Money and Power: Great Predators in the Global Political Economy*. London: Pluto Press.

Brown, W. (2002). *The European Union and Africa: The Restructuring of North–South Relations*. London: I.B. Tauris & Co. Ltd.

Carden, D. (2020). 'For profit investments are not "development"', *New Internationalist*, 18th January 2020. Northampton: New Internationalist.

Chadwick, V. (2018). 'What's at stake as EU, Africa, Caribbean, Pacific, negotiate new accord'. *DEVEX*, 1st November 2018. Brussels: DEVEX.

Department for International Development (2013). *Justine Greening: Supporting Trade in East Africa*. London: DFID.

Department for International Development (2017). *Economic Development Strategy*. London: DFID.

Department for International Development (2018). *PM Takes Message on Investment in Africa to UN*. London: DFID.

Department for International Trade (2017). *Preparing for our Future UK Trade Policy*. London: DFIT.

The Economist (2018). 'Doing the Brexit shimmy: Britain's belated charm offensive in Africa', *The Economist*, 30th August, 2018. London: The Economist.

The Economist (2019). 'The new scramble for Africa', *The Economist*, 7th March 2019. London: The Economist.

EDFI (2011). *Harmonized EDFI Exclusion List*. Brussels: EDFI.

European Commission (2016). *10 Benefits of Economic Partnership Agreements*. Brussels: European Commission.

European Commission (2019). *Public Consultation on Revising the European Consensus on Development. Brussels*: European Commission.

European Parliament (2016). *European Parliament Resolution of 16 April 2016 on the Private Sector and Development*. Brussels: European Parliament.

Fanon, F. (1961). *The Wretched of the Earth*. London: Penguin Classics.

Finch, R. and Crois, D. (2018). *The EU and Africa: A Tale About Manipulation and Exploitation*. EFDD: Brussels.

Global Justice Now (2020). *An Open Letter to the UK Government on the UK-Africa Investment Summit*. London: Global Justice Now.

Gruhn, I. (1976). 'The Lomé Convention: Inching towards interdependence', *International Organization*, 30(2): 241-62.

DOI: https://doi.org/10.1017/S0020818300018269

Hanssen, P. and S. Jonsson. (2014). *Eurafrica: The Untold History of European Integration and Colonialism*. London: Bloomsbury Academic.

Henokl, T. (2018). 'How Brexit affects EU external action: The UK's legacy in European international cooperation', *Futures*, 97: 63-72. https://doi.org/10.1016/j.futures.2017.07.002

Kohnert, D. (2018). 'Britain and Africa: Heading for the Brexit rocks', *Africa Spectrum*, 53(2): 1-22. DOI: 10.2139/ssrn.3235451

Krapohl, S. and Van Huut, S. (2019). 'A missed opportunity for regionalism: The disparate behaviour of African countries in the EPA negotiations with the EU', *Journal of European Integration*, early online version: 1-18. https://doi.org/10.1080/07036337.2019.1666117

Langan M and Scott J. (2014). 'The Aid for Trade charade', *Cooperation and Conflict* **49**(2): 143-161. https://doi.org/10.1177/0010836713482880

Langan, M. (2015). 'Budget support and Africa-European Union relations: Free market reform and neo-colonialism?', *European Journal of International Relations*, **21**(11): 101-121. https://doi.org/10.1177/1354066113516813

Langan M. (2016). 'Brexit and trade ties between Europe and Commonwealth states in sub-Saharan Africa: Opportunities for pro-poor growth or a further entrenchment of North-South inequalities?', *The Round Table: The Commonwealth Journal of International Affairs* **105** (5): 477-487. https://doi.org/10.1080/00358533.2016.1233758

Langan, M. (2018). *Neo-Colonialism and the Poverty of 'Development' in Africa*. New York: Palgrave.

Lightfoot, S.; Mawdsley, E. and Szent-Ivanyi, B. (2017). 'Brexit and UK International Development Policy', *The Political Quarterly*, 88(3): 517-524. https://doi.org/10.1111/1467-923X.12369

Mailafia, O. (1997). *Europe and Economic Reform in Africa: Structural Adjustment and Economic Diplomacy*. London: Routledge.

Martin, G. (1982). 'Africa and the ideology of Eurafrica: Neo-Colonialism or pan-Africanism?', *Journal of Modern African Studies*, 20(2): 221-238.

Matambalya, F. S. (2009) 'Identifying products of defensive and offensive interests in both EPA trade regimes and WTO negotiations for commodity-dependent ACP economies: Lessons from an empirical review of Tanzania's agricultural sector', in Y. Ngangjoh-Hodu and F. S. Matambalya (Eds.) *Trade Relations between the EU and Africa: Development, Challenges and Options Beyond the Cotonou Agreement.* London: Routledge: 201 – 245.

Mawdsley, E. (2015). 'DFID, the *private sector*, and the re-centring of an economic growth agenda in international development', *Global Society*, 29(3): 339–358. https://doi.org/10.1080/13600826.2015.1031092.

Mold, A. (2018). 'The Consequences of Brexit for Africa: The case of the East African Community', *Journal of African Trade*, 5, 1-17. https://doi.org/10.1016/j.joat.2018.10.001.

Monbiot, G. (2019). 'Why disaster capitalists are praying for a No Deal Brexit'. *The Guardian*, 7th February. London: The Guardian.

Murray-Evans, P. (2016). 'Myths of Commonwealth betrayal: UK-Africa trade policy before and after Brexit', *The Round Table: The Commonwealth Journal of International Affairs*, 105: 489-498. https://doi.org/10.1080/00358533.2016.1233760.

Nkrumah, K. (1965). *Neo-colonialism: The Last Stage of Imperialism.* London: Nelson.

Pasture, P. (2018). 'The EC/EU between the art of forgetting and the palimpsest of empire', *European Review*, 26 (3): 545-581. https://doi.org/10.1017/S1062798718000224.

Price, S. (2016) 'Brexit, development aid, and the Commonwealth', *The Round Table: The Commonwealth Journal of International Affairs*, 105(5): 499-507. https://doi.org/10.1080/00358533.2016.1233762.

RIAO-RDC and GRAIN (2015). *Agro-Colonialism in the Congo: European and US Development Finance Bankrolls a New Round of Agro-Colonialism in the DRC*. Barcelona: GRAIN.

Sweeney, B. and Sydor, T. (2020). *Brexit: Changing Rules on Asset Stripping for Private Equity Funds*. London: Pricewaterhouse Coopers.

Thorpe, B. (2018). 'Eurafrica: A pan-European vehicle for Central European colonialism (1929-1939)' *European Review*, 26(3): 503-513. https://doi.org/10.1017/S1062798718000200.

Touré, S. (1962). 'Africa's Future and the World', *Foreign Affairs*, 41: 141-151.

Traidcraft (2017). *Post-Brexit Trade*. London: Traidcraft.

Saygili, M. and Peters, R. and Knebel, C. (2018). *African Continental Free Trade Area Challenges and Opportunities of Tariff Reductions*. New York: UNCTAD.

Journal of Contemporary European Research

Volume 16, Issue 2 (2020)

Research Article

Paradigm Shift or Reinventing the Wheel? Towards a Research Agenda on Change and Continuity in EU Development

Sarah Delputte and Jan Orbie

Citation

Delputte, S. and J. Orbie (2020). 'Paradigm Shift or Reinventing the Wheel? Towards a Research Agenda on Change and Continuity in EU Development Policy', *Journal of Contemporary European Research* 16 (2): 234-256. https://doi.org/10.30950/jcer.v16i2.1084

First published at: www.jcer.net

Abstract

While policy and academic discourses point to important shifts in EU development policy, it remains difficult to ascertain the level of these changes. The main aim of this article is to propose a research agenda on change and continuity in EU development policy. Drawing on the literatures on paradigm change and post-development, this involves four key questions for future research: (1) How can we map the EU's current paradigm? (2) How can we map changes and continuities in this regard? (3) How can we explain changes and continuities? (4) What role do policy experiments play in this regard? In addressing these four questions, the article pays particular attention to what we already know from existing literature and to what issues could guide future research. We highlight that ostensibly significant changes are often 'merely' second order changes that do not challenge underlying philosophical ideas of the Eurocentric, modernist and colonial paradigm. Specifically, we point at the importance of studying whether policy experiments 'reinvent' this paradigm or induce paradigmatic change. In the conclusions, we summarize the research agenda and reflect on the need of a better acknowledgement of the 'PlEUriverse' of alternatives to 'development' within Europe.

Keywords

European Union, development, paradigm, post-development, ideas

INTRODUCTION

The year 2020 has been labelled a 'pivotal year' for EU-Africa relations (European Commission 2020). The 10th AUC-EC Commission-to-Commission meeting in Addis Ababa in February 2020, attended by Commissioner President Ursula Von der Leyen and 21 other EU Commissioners, was announced as 'a new chapter' (Urpilainen 2020) and a critical step towards bringing the EU-Africa partnership 'to the next level' (European Commission 2020), and putting an end to a historically asymmetric relationship. The EU envisages 'a change of narrative (…) in moving from development aid to a true partnership', in areas such as trade, investment and migration (Euronews 2020). The chair of the European Parliament committee on international development stressed that this reorientation should be 'more than just a continuation of the present, with a twist'. It should indeed be 'reset', 'a fresh start' based on 'a shift of thought' and go beyond the 'obsolete donor-recipient mentality' (Tobé 2020). In October 2019, the new European Commission was also established with a new Commissioner for 'International Partnerships' instead of 'Development' in an attempt to adapt the 'European model of development' to 'new global realities' (Von der Leyen 2019).

This suggests a radical break with the past. However, discourse on a 'new era' based on a 'partnership of equals' dates back from 1975 (Langan 2009). Similarly, the purported shift from 'aid' to 'trade' (mostly free trade) is a constant in EU discourse on North-South relations, and also the migration-development nexus has figured prominently in European discourse since the 2000s (Lavenex andand Kunz 2008). Nonetheless, there have been discursive shifts, most recently in stressing the 'sustainability' of development and the need for a 'geopolitical' approach (Holden 2014). Hence, it remains difficult to ascertain change and continuity in EU development policy.

The main aim of this article is to propose a research agenda around the question of paradigm change in EU development policy. Are we witnessing a creative 'reinvention of the wheel' or a true paradigm change – and how can this be studied? In doing so, we do not only make use of the rich scholarship on EU foreign aid, as exemplified in this special issue. We also draw from literatures on paradigm change and post-development. First, scholarship about 'paradigm change' has theorized different degrees of change and levels of policy ideas. We are most interested in 'third order change', which involves shifts of 'philosophical ideas' (Schmidt 2011). Policy experiments may be the harbinger of paradigm change or serve to 'reinvent' and 'stretch' the existing paradigm (Hall 1994). Second, critical voices in development studies provide a clearer picture of the current development paradigm and possible future scenarios (Baud et al. 2019). Post-development scholars identify western development policy as being 'Eurocentric, modernist and colonial' (EMC) (see Mignolo andand Walsh 2018; Schöneberg 2016; Escobar 2015) and suggest a 'Pluriverse' of alternatives to development (Kothari et al. 2019).

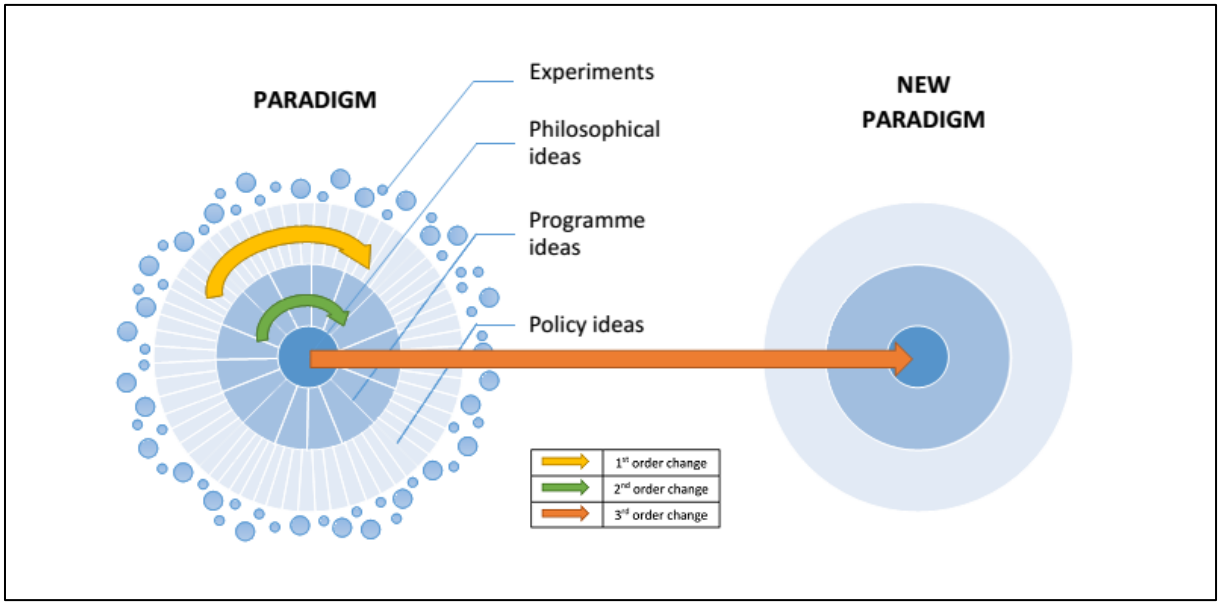
In contrast, EU development studies have shielded away from questions of paradigm change. While other EU policy domains have been researched from this perspective (e.g. Falkner 2016), EU development studies predominantly frame the challenges of EU development policy through the 'norms versus interests' dichotomy, emphasizing how moral principles of EU development policy become subordinated to strategic interests (e.g. Olivié andand Pérez 2020; Hadfield andand Lightfoot 2020; Beringer et al. 2019). Similarly, advocacy organizations consistently point at the tension between EU interests and normative goals (Rozbicka andand Szent-Iványi 2020). Building on these studies, our research agenda starts from the argument that there is need for an understanding of current challenges that goes beyond the 'norms vs interests' tension. The paradigm and post-development literatures provide useful tools in this regard. We assume that the Eurocentric, modernist and colonial paradigm that has shaped the EU's relations with the

Global South over the past 60 years is being faced with several difficulties, but that it seems not (yet) to be seriously challenged.
Our proposed research agenda aims to grasp this puzzle. Specifically, we will identify four questions for future research that will determine the structure of the article. The next section will set out the theoretical tools for further analysis, building on paradigm change literature. Then, we will discuss how to map the current EU development paradigm (question 1) as well as changes and continuities over time (question 2). In doing so, we will emphasize that ostensibly significant changes, for instance the Sustainable Development Goals (SDGs), are often 'merely' second order changes that do not challenge underlying philosophical ideas. The subsequent section will turn to explanations. We will systematically elaborate on how (a) (perceived) crises and policy failures, (b) epistemic changes, and (c) power changes may induce paradigmatic change (question 3). Finally, we attempt to demonstrate the relevance of research into policy experiments that might harbour the seeds of eventual paradigm change or be instrumental in safeguarding the existing paradigm (question 4). Illustrations will involve EU aid for the African Peace Facility (APF), blending through the European Fund for Sustainable Development (EFSD), linking migration and development through the Migration Trust Fund, cash transfers and vouchers in humanitarian aid, and constructing climate-development nexus through the Global Climate Change Alliance (GCCA). Finally, in the conclusions we reflect on the relevance of these questions for broader societal debates on development within Europe, and argue how the PlEUriverse could better acknowledge the diversity of views.

PARADIGM CHANGE: TOWARDS A RESEARCH AGENDA

Our conceptual toolbox for understanding changes and continuities in EU development policy paradigms mainly builds on Peter Hall (1993) and Vivien Schmidt (2011). According to Hall, a paradigm can be considered as 'a framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing' (Hall 1993: 279). His conceptualization builds on the assumption that changes occur at three levels, namely at the level of instrument settings, the instruments themselves, and the hierarchy of goals behind the policy. At the ideational level, Hall's three categories roughly correspond to Schmidt's distinction between different 'levels of generality' of ideas, namely policy, programmatic, and philosophical ideas (Schmidt 2011; see Figure 1).
Accordingly, analysing the changes in the UK's macroeconomic policy in the 1970s and 1980s, Hall (1993) distinguished three 'orders of change'. First order changes only involve adjustments in the settings of existing instrument (or policy ideas; Schmidt 2011). Second order change refers to innovations at the level of the instruments themselves (or programmatic ideas; Schmidt 2011). Hall's most fundamental third category involves 'radical changes in the overarching terms of policy discourse associated with a 'paradigm shift' (Hall 1993: 279), or what Schmidt called 'underlying philosophies of public policy' (Schmidt 2011). The latter are 'big ideas' that 'generally stay deep in the background' and 'are rarely contested except at moments of deep crisis' (Schmidt 2011). First and second order changes can be considered as 'normal policy making', corresponding to Thomas Kuhn's 'normal science', including adjustments that point at continuity rather than ruptures in policy (Kuhn 1962). In contrast, third order changes indicate discontinuity, radical change, or indeed a paradigmatic shift.

Figure 1: Paradigm change

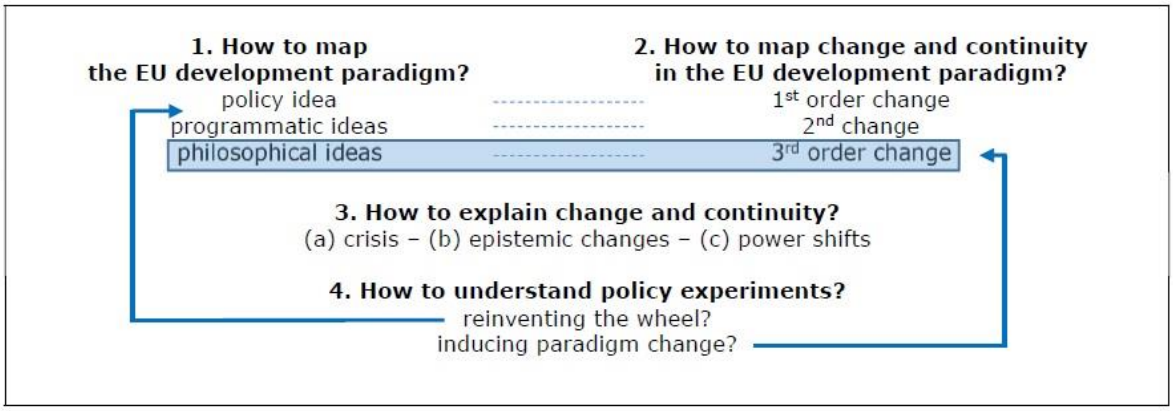


Source: authors, based on Hall (1993) and Schmidt (2011).

Paradigm shifts do not occur automatically. Based on theoretical literature, we can distinguish between three necessary conditions that precede such a radical change. First, instances of policy failures are likely to play a central role in the process of paradigm change. In response to major events and crises (Hall 1993: 285-291), which are causally attributed to the existing paradigm (Goldstein 1993: 13-14), changes in policy are thus introduced in response to discontent about (the results of) existing policies. A second condition constitutes the changing views of experts towards the ideas of a new paradigm. In response to the policy failures, officials and knowledge institutions start searching for alternatives. Credible and coherent challengers of the status quo can play a key role (Hall 1993: 286; Goldstein 1993: 14). Finally, power shifts are a third critical condition for a paradigm change to occur. Supporters of the new paradigm should get authority to institutionalize the new paradigm via new policies and instruments (Hall 1993: 280). These three factors can be seen as socially constructed or as objective facts – indeed, as suggested by Blyth (2013), the strength of Hall's framework is that the notion of 'paradigm' allows to build bridges between different (constructivist and rationalist) theoretical schools of thought.

Importantly, paradigm shifts typically go together with policy experiments. The accumulation of anomalies that follow from policy failures, epistemic changes and power shifts, lead policymakers to respond with 'ad hoc' solutions in an attempt 'to stretch the terms of the paradigm to cover them' (Hall 1994: 280). Kuhn defined this as the stage where scientists push the boundaries of normal science through exploratory 'extraordinary research' in an attempt to address the state of crisis in their discipline (Kuhn 1962). However, 'this gradually undermines the intellectual coherence and precision of the original paradigm' (Hall 1993: 280). Hence, paradoxically, while these experiments initially serve to save or 'reinvent' the existing paradigm, they may also induce paradigmatic change.

Figure 2: Research agenda



This brief theoretical exploration results in four key questions that constitute our research agenda on paradigms in EU development policy (Figure 2). First, how can we map the EU's current paradigm? This exercise can make use of the three layers of policy ideas. Second, how can we map changes and continuities in this regard? Here, the distinction between different orders of change can be useful. Third, how can we explain changes and continuities? The three conditions identified in the literature can guide research into this question. Fourth, what role do policy experiments play in this story? Case studies of alleged policy innovations may shed light on the extent to which paradigms are eroded, polished or reinvented. The subsequent sections of this article will elaborate on each of these questions, paying particular attention to what we know from existing literature and hinting at directions for further research.

MAPPING THE PRESENT, PAST AND FUTURE

While some scholars have analyzed evolutions in EU development thinking (e.g. Scholte andand Söderbaum 2017; Doidge andand Holland 2015; Farrell 2008), and even suggested paradigmatic shifts (e.g. Carbone 2013a), what exactly constitutes the EU's paradigm and how it has evolved over time remains understudied. Attempting to characterize the EU's development paradigm, we build on the insights of post-development thinking. Scholars within this field have identified the overarching policy goals of western (including EU) development policy as being 'Eurocentric and modernist/colonial' (EMC) (see Mignolo andand Walsh 2018; Demaria andand Kothari 2017; Schöneberg 2016; Escobar 2015). Development is seen as a discourse of Western origin that has operated as a powerful mechanism for the cultural, social and economic production of the 'Third World' (Escobar 1995). In contrast to the 'image of continuous innovation that the development industry constructs and tries to convey' (Ziai 2016: 199), Ziai argues that the central and constant tenets of the EMC paradigm remain: (1) the definition of the problem in terms of global poverty, (2) the promise that this problem can be solved today through (3) technical solutions and economic growth and (4) the credo of harmonious objectives amongst all parties involved, developed *and* developing countries (Ziai 2016). These four elements constitute the philosophical ideas that are core to the EMC paradigm.

The EMC paradigm has been dominant since US President Harry Truman's inaugural address on assistance to developing countries in 1949 (and some would say, since Europe's colonial expansion) (Ziai 2016). It has also characterized the EU since the early years of European integration (Hansen andand Jonsson 2014). The 'birth act' of the European project – the Monnet-Schuman declaration of 1950 – saw 'the development of the African continent' as one of Europe's 'essential tasks'. Part Four of the Treaty of Rome provided special trade and aid relations with the member states' colonies for the promotion of their

development. Despite some distinctive accents, the EU has largely followed trends of western donors within the Organisation for Economic Co-operation and Development (OECD), the United Nations and the World Bank (Doidge andand Holland 2015; Farrell 2008). Western development thinking has evolved since 1949, but these shifts constitute 'second order changes' that introduce new policy instruments without radically challenging the overarching policy goals of the EMC paradigm. These second order changes range from the Modernization Theory (1950s-60s), with brief challenges from Dependency Theory (1960-1970), over the Washington Consensus (1970-80s), towards the post-Washington Consensus or Human Development approach (since the end 1990s) (Doidge andand Holland 2015) and the Sustainable Development narrative (Ziai 2016). All these variants constitute 'development alternatives' or programmatic ideas that concern the changes in instruments without questioning underlying goals. Essentially, the western model is promoted, and intervention is legitimized for the purpose of development. However, the history of EU development policy has not been analysed systematically from this perspective (for partial analyses, see Profant 2019; Langan 2018; Holden 2014; Rutazibwa 2010).

While making clear that historical changes are less historical than they seem, this research agenda also requires us to analyze future scenarios. The EU public policy domain of development is obviously undergoing significant changes and challenges since the creation of the European External Action Service (EEAS) and the EU's 'geopolitical' agenda, the emerging/emerged powers such as China, India and Brazil, the budgetary constraints on member states' aid resources, mounting impact of extreme right populist parties, and stronger nexuses between development and trade, investment, climate and migration (see other contributions to this special issue). This fast-changing context may conceal, however, that the EMC paradigm still remains standing. A research agenda into paradigm change forces us not only to analyse historical antecedents but also to explore possible future avenues. If ongoing changes do not entail a paradigm shift, what are then the second order shifts that we may witness in the coming decades?
Here we provide a first attempt to delineate the contours of such scenarios. We schematize these according to whether they are (a) based on mainly European values or interests and (b) foresee a key role for private players or public authorities (Table 1). We need to note, however, that these four scenarios all share the basic tenets of the EMC paradigm which goes beyond the 'values versus interests' distinction.

Table 1: Second order scenarios

	Private	Public
Interests	Marketisation	Securitisation
Values	Charitisation	Humanitarisation

First, the marketisation scenario involves a radical promotion of free trade and investment. Instead of aid, the recipe for development (in terms of growth and hence welfare) is to deepen and enlarge markets (cf. Langan 2018; Heron andand Siles-Brügge 2012). Private players are key while public authorities need to guarantee the functioning of the market. Second, under the securitisation scenario the EU invests heavily in the protection of borders and guaranteeing of security (cf. Furness andand Gänzle 2016; Keukeleire and Raube 2013). Public authorities play a key role in safeguarding borders and security through all means available – including development aid. Third, charitisation means that seemingly apolitical interventions are legitimized for the purpose of saving lives (cf. Pariat 2019; Orbie and Van Elsuwege 2014). While governments are involved in aid, also contributions by private donors and charities are supported. Aid is not necessarily driven

by emotional and media-driven factors; the impact of aid on health in the South can also be measured scientifically (cf. below on the Nobel Prize in Economics 2019). Fourth, humanitarisation involves legitimized intervention by the EU and its member states to safeguard democracy and human rights in third countries (cf. Visoka and Musliu 2019). This includes military interventions.

These scenarios are to be extended and elaborated in future research. As explained below, one way to do this is through case studies on how policy experiments might contribute to certain scenarios. Future EU development policy is undoubtedly going to involve a mix of different scenarios, e.g. marketization and securitization (Holden 2017). The point is, however, that second order and third order changes should be distinguished, as all aforementioned scenarios, for all their differences, have in common that they remain firmly entrenched in the EMC paradigm. Ostensibly significant changes may not necessarily entail a paradigm shift. For instance, all these second order scenarios imply that the EU intervenes legitimately in third countries for the purpose of 'development', based on its alleged internal experiences; there are also no discernible changes to power structures or alternative views on economic growth.

This raises the question of what a real paradigm shift could potentially be? Reflecting on alternative paradigms – which thus involve changes of philosophical ideas – is challenging. Again, however, post-development studies can provide some guidance. Mignolo discerns a *paradigm otro* emerging from Latin America and elsewhere: 'another way of thinking that runs counter to the great modernist narratives (Christianity, liberalism, and Marxism).' (Mignolo, in Escobar 2007: 180). A recent edited volume exposes a 'Pluriverse' (Kothari et al. 2019) of alternatives to development, including concepts originating from Latin America (Buen Vivir; Zapatista Autonomy), Africa (Ubuntu) but also the so-called 'North' (De/Postgrowth; Commons). However, a clearly defined alternative proposal would run counter to the purpose of post-development thinkers, who above all have in common that they criticize the hegemonic EMC paradigm and cherish epistemic diversity. Inspired by the Zapatistas of Chiapas, they imagine a 'world in which many worlds fit', a 'matrix of alternatives, from universe to pluriverse' that cannot be reduced to a single overarching policy framework (Kothari et al. 2019: xxviii). Nonetheless, 'transformative alternatives' do share the ambition to 'go to the roots of the problem', encompassing an 'ethic that is radically different from the one underpinning the current system', reflecting 'values grounded in a relational logic' (Kothari et al. 2019: xxiv).[1] Not surprisingly, there is also much debate and diversity within 'post-development' – a contested term even for some leading authors in the debate. Importantly, despite the appeal of post-development thinking to those (formerly) committed to development policy, there may also be less emancipatory alternatives. In this regard, Ziai (2014) makes an interesting distinction between the (ideal) 'radical democracy' variants of 'sceptical post-development' and the dangerous 'neo-populist' strands from 'reactionary post-development':

> Sceptical (postdevelopment) PD does not generally reject all elements of modernity but promotes cultural hybridization, is critical towards cultural traditions, abstains from articulating desirable models of society and employs a dynamic, constructivist concept of culture. Neo-populist PD does reject modern industrial society altogether and promotes the return to (often idealized) subsistence communities, employing an essentialist concept of culture. Whereas sceptical PD thus leads to a radical democratic position, neo-populist PD potentially has reactionary consequences, as it is able to dismiss people's desire for 'development' as the results of ideology and manipulation, based on privileged knowledge on their 'real' needs — bringing PD scholars indeed in a position dangerously close to that of the 'development experts' they criticize so sharply. (Ziai 2015: 837)

Other (western or non-western) hegemonies may also appear that replace one oppressive paradigm by another one. Furthermore, research into philosophical ideas may involve even deeper layering (cf. Falkner 2016 on a 'fourth level').
In sum, the research agenda requires us to get a clearer picture of the current EMC paradigm, its history and its future, at both philosophical and programmatic levels. Having identified a basic understanding of these issues for further research, the next points on the research agenda concern explanations. How can we theorize change and continuity in EU development policy? And how should we understand the role of policy experiments?

EXPLAINING CHANGE AND CONTINUITY

Policy Failures

The perception of crisis and policy failure is crucial to understand (the absence of) paradigmatic change. The lack of developmental impact of the EU's policies on the South has been widely documented. Despite continuous criticisms, the response has typically been to change and improve existing instruments without challenging underlying goals. In the following paragraphs, we will illustrate this point by focusing on three flagship programmes that were meant to improve development effectiveness since the 2000s: (a) fostering *Policy Coherence for Developed* (PCD), (b) enhancing *European coordination*, and (c) strengthening *ownership and partnership*.

First, while at its inception in 2005 PCD was supposed to take account of development objectives in other policies that affect developing countries, today the EU still seriously lacks coherence on many development issues, including trade (Carbone and Orbie 2015; Faber and Orbie 2009a), agriculture and fisheries (Matthews 2015), migration (Langan 2018; Van Criekinge 2015; Lavenex and Kunz 2008), humanitarian aid (Orbie and Van Elsuwege 2014) or security (Keukeleire and Raube 2013; Haastrup 2013; Del Biondo et al. 2012; Olsen 2009). While in 2009 the EU's PCD strategy still focused on 12 policy areas, it was subsequently narrowed down to five strategic challenges: trade and finance, climate change, food security, migration, and security. After ten years, research indicates that PCD has indeed been a 'mission impossible' (Carbone 2008a). For instance, the EU's efforts to align trade policy with development objectives through 'Everything but Arms' (Faber and Orbie 2009b), the 'Generalized System of Preferences' (Siles-Brügge 2014) and 'Aid for Trade' (Brazys and Lightfoot 2016; Holden 2014), have been criticized for imposing an EU-centered and market-oriented agenda. Most critique in academic and policy debates has focused on the Economic Partnership Agreements (EPAs) between the EU and the former colonies of the African, Caribbean and Pacific (ACP) group (Weinhardt and Moerland 2017; Heron and Murray-Evans 2016; Del Felice 2012). A recent survey concludes that PCD results are modest because of limited political will with EU member states and bureaucratic obstacles within the EU institutions (Carbone and Keijzer 2016). This ongoing incoherence is argued to severely reduce the EU's international credibility (Carbone 2013b).

Second, although the EU has shown a remarkable commitment towards strengthening coordination for many decades and developed several policy instruments for this purpose, the EU still fails to act effectively as a coordinator in practice. The literature has pointed to numerous collective action problems that challenge effective EU coordination in development (Carbone 2017; Klingebiel et al 2017; Furness and Vollmer 2013). Indications of the effective and practical impact of EU coordination are also hard to find in the field, where the EU risks duplicating coordination instead of providing real added value (Jones and Mazzara 2018; Delputte 2013). Even joint programming, the flagship of EU development coordination, has yielded limited results so far. The claim that joint programming paves the way for joint implementation has only materialised in a small number of countries (i.e. Kenya and Cambodia) (ECDPM 2015). Where joint programming appears relatively successful, it often builds on pre-existing collaborations between donors (Orbie et al. 2017). As with PCD, to the extent that coordination is taking place, this is

mainly done to increase the EU's impact in its external action instead of to improve aid and development effectiveness (Delputte and Orbie forthcoming).
Finally, attempts to forge 'equal partnerships' and increase partner country ownership also remain limited in practice (Kotsopoulos and Mattheis 2018; Delputte and Williams 2016; Carbone 2013b; Rutazibwa 2010). Efforts to increase European coordination in the name of aid effectiveness have made it more difficult to involve third countries (Carbone 2008b). The European Commission's evaluation of Joint Programming concludes that this process has been 'very valuable for the EU and Member States' but also that it 'has remained very much an EU and Member States exercise, not sufficiently involving the Partner Country, whether the Government or the civil society organisations, or involving them very late in the process at a time when priorities had already been agreed' (European Commission 2017: ii). Strikingly, assessments of some of the more recent policy instruments such as blending facilities and trust funds point out that partner countries have even been more sidelined than in some of the more 'traditional' aid instruments (CONCORD 2018a; Orbie et al 2018; Castillejo 2017).

These policy failures have partially been recognized by the EU itself, as exemplified by the rationale of the Agenda for Change (2011) to 'increase the impact of EU development policy', the need for 'innovative' financial instruments, or finding 'new ways of engaging with the private sector' (European Commission 2011). However, there is no evidence of a sense of crisis within the EU development institutions, let alone a perception of an overall failure of EU Development. For instance, the Commission's recent PCD evaluation concludes that the EU exercises a 'leading role', that the Commission 'has acted as a lead institution', and that the member states 'have affirmed their political will' to promote PCD – although it is then also added that it remains 'very challenging' to assess impact (European Commission 2019d: 28). Recently, more consideration is given to scientific studies on the impact of development assistance. For example, the experiment-based approach to development economics of Nobel Prize winners Banerjee, Duflo and Kremer has become very influential within governments, international agencies, and NGOs. While their experimental research methods to test the effectiveness of development interventions on poverty reduction are said to have 'transformed' the field of development economics (Nobel Prize 2019), they have been criticized for taking a 'conformist rather than critical' attitude to development (Reddy 2013). In general, the EU continues to pride itself of being the *biggest* donor (cf. European Commission 2019a) and a *leading* development actor (cf. European Commission 2019b). The worldwide success in reducing poverty is continuously emphasized, while the causal role of EU aid in improving 'development' is being neglected.

While existing research has demonstrated quite convincingly the failure of these initiatives to deliver on development, there remains scope for more in-depth studies that not only gauge the EU's impact but also analyse how negative evaluations are interpreted within EU decision-making, how they serve to induce first and second order changes without challenging the paradigm, and how such innovations may even reinforce the latter's legitimacy.

Epistemic changes

Researching paradigm change also involves an investigation of epistemic shifts: to what extent is current thinking being challenged by alternative ideas, and do the latter involve radical change at the level of philosophical ideas? As mentioned above, while EU development policy thinking is continuously undergoing changes, existing research has focused more on the apparent changes and less on the underlying continuities. Recent research concerns epistemic shifts in the EU's established policy and knowledge institutions around DG DEVCO, in response to the policy failures and the changing development landscape. Below we discuss how the EU has emphasized (a) a *more 'global'* approach in line with the Sustainable Development Goals (SDGs), (b) a *more 'comprehensive'* approach

through the nexuses with migration, trade, security and climate, and (c) a '*beyond aid*' approach through which aid is slowly losing relevance.
First, whereas for decades ago EU development cooperation was mainly organized alongside bilateral or interregional mental boundaries, a shift has been made towards a more holistic globalist approach to today's development challenges that goes beyond national and regional restrictions. This epistemic change reflects the increased attention for the global 'commons' and the universality principle that is central to the attainment of the Agenda 2030 and the SDGs (Scholte and Söderbaum 2017). While the European Commission discourse also tacitly recognizes that 'there is no single path to development' (Mimica 2019), the principle of universalism, central to the Agenda 2030, has become the dominant leitmotiv: 'Crucially, this new agreement is universal. It applies to all countries. We all share ownership of it and we all have a shared responsibility for its implementation.' (Mimica 2015, bold in original). The new European Consensus situates itself within the Agenda 2030, emphasizing that the SDGs 'are universal and apply to all countries at all stages of development' (EU 2017: 3).

Second, in recent years, thinking in development circles has evolved from treating development policy as an independent and self-standing area of EU external policy (late 1990s - early 2000s) towards emphasizing the 'inevitable' linkages or 'nexuses' between different policy areas (from mid-2000s onwards) (Bergmann et al. 2019). The notion of the 'nexus' between development policy and other policy domains like environment/climate change (De Roeck et al. 2018; Adelle et al 2018; Lightfoot 2015; Gupta and van der Grijp 2010), migration (Langan 2018; Kunz 2013), trade (Carbone and Orbie 2014; Siles-Brügge 2014; Young and Peterson 2013) or security (Keukeleire and Raube 2013; Del Biondo et al. 2012), and the need for 'comprehensive' responses to complex situations has increasingly gained ground over the years and has now become a guiding principle of the EU's development policy. This shift in development discourse also corresponds with the evolution from the Millennium Development Goals (MDGs) towards the SDGs at the international level. Embedded within the Agenda 2030, the new European Consensus also links development challenges to other policy fields, adding also the objectives of democracy, rule of law and human rights (EU 2017).

Finally, since the mid-2000s a shift can be observed whereby development officials have increasingly been embracing the idea to think 'beyond aid'. Already in 2009, the Commission had to admit that the levels of official development assistance (ODA) were 'by and large insufficient to reach EU and international agreed targets' (European Commission 2009: 19), and some years later it was stated that 'there is a delay equivalent to about 25 years on the path to 0.7 per cent' (European Commission 2012: 10). At the same time, the EU started to emphasize 'innovative financing mechanisms' to complement traditional ODA, such as domestic revenues, remittances, investments or international tax cooperation (European Commission 2012; European Council 2010). The beyond aid approach, of which the PCD agenda is also an example, has served to legitimize the EU's limited compliance with its aid targets (Delputte et al. 2016). However, EU documents also continue to stress the importance of ODA and the 0.7 per cent target. The New European Consensus on Development reiterates the 0.7 per cent commitment, but also strongly emphasizes the need for innovative financing instruments (EU 2017).

Moreover, the EU seems to have reinforced its 'partnership' discourse. Although emphasis on 'equal partnership' is far from a new phenomenon in EU relations with the Global South (as discussed in the introduction), the renaming of the 'Commissioner for Development' into a 'Commissioner for International Partnerships' under the Von der Leyen Commission (2019-2024) might constitute an important move away from traditional development thinking (Delputte et al. 2019). Inspired by postcolonial and post-development thinking, the existential question whether we should indeed still talk about development (policy) has been rising on the agenda of development studies. The European Association of Development Research and Training Institutes (EADI) has publicly questioned the notion

of 'development' (Melber and Schöneberg 2018) and has recently published an edited volume proposing a 'new vision' of the field by 'examining new paradigms and narratives, methodologies and scientific impact, and perspectives from the Global South' (Baud et al. 2019). Accordingly, EU Development scholars could perform more systematic research on the level of ideational changes, as they appear in documents and speeches from bureaucrats in the EU institutions as well as experts in the think-tank and policy community around it. In researching epistemic changes, more attention could be paid to non-European perspectives (cf. Vérez 2019; Kotsopoulos and Mattheis 2018), to 'agency' within so-called developing countries (cf. Murray-Evans 2018), and to interdisciplinary perspectives (e.g. critical law: Gammage 2017; history: Hansen and Jonsson 2014).

A useful starting point would be the New European Consensus for Development (2017). Existing analyses have already pointed out the ambiguity of this text which stresses development goals on the one hand and EU migration, trade and security interests on the other hand (e.g. CONCORD 2017; Oxfam 2017). Moreover, the new Consensus has been criticized for lacking a clear strategic vision and being merely a comprehensive list of ideas (Bergmann et al 2019; Faure and Maxwell 2017). It remains to be studied, however, whether this indicates the erosion of the EMC paradigm or the moulting to another modernist research programme. In addition, it is unclear how and to what extent the EU development episteme has embraced ideas from alternative paradigms such as post-development.

Power shifts

Last but not least, power shifts may destabilize the current paradigm and provoke changes. EU development cooperation has undergone gradual but significant power shifts in favour of actors who do not entirely share the Post-Washington Consensus, both internally and worldwide. *Internally*, the European Commission's administration dealing with development has shrunk in size and relevance, while other bureaucracies, including the European Commission's DG Trade, DG Home, DG Near and the EEAS became more powerful (Furness 2012; Hurt 2010). At the time, the Development Commissioner and DG DEVCO were considered a powerhouse within the Brussels institutions, with a virtual monopoly of authority (Dimier 2014). In the 1960s-80s, the Development Commissioner determined the EU's policies vis-à-vis nearly all developing countries. He used to negotiate ambitious trade agreements and manage extensive aid budgets (Carbone 2007). This changed in the 2000s, when the Development Commissioner slowly but steadily turned into an emperor without clothes. On the one hand, the competence to negotiate trade agreements – including the EPAs – shifted towards the Trade Commissioner (and DG Trade). On the other hand, the Commissioner for External relations (and DG Relex) and later also the Commissioner for Neighbourhood Policy (and DG Near), gained more influence over the management of EU aid (Orbie and Versluys 2008: 70; Holland 2002: 91). However, the emperor did not yet surrender, and DG Development tried to play a leading role in the international aid effectiveness agenda (Carbone 2007). But since the 2010s, and especially since the creation of the EEAS, which became co-responsible for the programming of development aid, the emperor has become knocked of its pedestal (Orbie 2012: 33). Today, important decisions are made by the EEAS, DG Trade, DG Near and even DG Home (on migration). Over the past decade DG Development lost twenty percent of its personnel (OECD DAC 2018: 74). The previous Development Commissioners (Piebalgs, 2009-2014; and Mimica, 2014-2019) are not perceived to have put a strong and distinctive stamp on EU politics. A Europe-wide online survey with politicians, policymakers, business leaders, journalists, civil society, NGOs and other stakeholders across Europe ranked Mimica second to last with an approval rating of 20.6 per cent, with more than 47 per cent indicating that they do not know him (Burson Cohn and Wolfe 2019).

Worldwide, the development landscape has changed drastically (Fejerskov 2013), characterized amongst others by the emergence of the BRICS (Holden 2019; Grimm and Hackenesch 2017; Lundsgaarde 2012; Kim and Lightfoot 2011) and the increased agency of African countries (Murray-Evans 2019; Chipaike and Knowledge 2018; Brown and Harman 2013). The impact of these power shifts is strongly debated, with some arguing that the G20's Seoul Development Consensus represents a 'paradigm shift' or a radical break with the prevailing development model (Kharas 2011: 168) whereas others state that while 'the rise of the BRIC nations (Brazil, Russia, India, and China) […] put paid to that model. Yet it is not as if the 'Beijing Consensus' has popped up to replace it' (Ferchen 2010 in Blyth 2013: 12). However, it is clear that the alternative partnership models (cf. South-South cooperation) and development discourses have attracted many African countries that have been tired of the Western paternalist attitude (Taylor 2014). This, in turn, has increased their power vis-à-vis the EU (Lundsgaarde 2012). The EU, while remaining a large and essential development and trade partner for many African countries, is well aware of these shifting power dynamics and has at numerous occasions recognized that these global challenges require a different approach, as exemplified by the calls for 'Reducing poverty in a rapidly changing world' in the Agenda for Change (2011) and 'More effective EU action in a changing world' in the New European Consensus (2017).

These shifting power balances inside and outside the EU have been researched. Against the backdrop of the 'values versus interests' dichotomy, studies have pointed out that actors who do not favour the Post-Washington Consensus' focus on poverty reduction are becoming more powerful. It is less clear, however, what this implies for the underlying EMC paradigm. Are those actors and institutions that are becoming more powerful (e.g. the EEAS, China) favouring another variant of the current paradigm or would they introduce elements of other (post-development?) thinking?

This overview suggests that, for each of the conditions, we see changes, but no destabilization of the EMC enterprise. There seem limited signs of (1) a fully *recognized* crisis of the EU's development policy, (2) that is *challenged* by a clear alternative paradigm, (3) that is *supported* by powerful people and institutions. However, it has also become clear that further research on conditions for change is needed. Another way to research changing paradigms is to look concretely at cases of policy experiments and how these reinvent or erode the existing paradigm. In order to illustrate this point, the next section will outline five main manifestations of experimentation that can be analysed in further research.

UNDERSTANDING POLICY EXPERIMENTS

Another avenue to study paradigm change is through case studies of policy experiments. New policy initiatives may emerge as a result of the above-mentioned policy failures, epistemic changes and power shifts. They may turn out to be limited and insignificant, thereby confirming continuity, or pave the way for second order changes whereby the dominant paradigm struggles to reinvent itself. However, they might also anticipate third order change by highlighting the anomalies of the current paradigm.

EU development policy is continuously in development. Various new initiatives have been taken since the 2010s. The EU often also emphasizes the novelty of plans and proposals, and critics tend to agree that significant changes are being implemented (albeit in a more negative sense). While these new policies are often subjects of academic and policy-oriented analyses, they are not linked to overarching questions of paradigm change and continuity. In this section, we discuss five illustrations of such recent and ongoing experiments: financing for the African Peace Facility (APF), the European Fund for Sustainable Development (EFSD), the Migration Trust Fund, cash transfers and vouchers in humanitarian aid, and the Global Climate Change Alliance (GCCA). What these

experiments have in common is that they (seem to) step away from existing EU development policy practice.
These are not fully elaborated case studies, but merely examples of what future case studies could be oriented at. They have been sold by the EU as 'innovative' and 'experimental' and/or they have been perceived like that by observers. In addition, they display some of the second order directions in which the experiments could go, including marketization, securitization and charitisation scenarios (see above). Hence, these experimental initiatives seem most relevant for our purpose to analyse the relevance of the changes in today's development policy. Each time, we will indicate the challenges to which the initiatives aim to respond, evaluate their success in reaching their goals, and the significance of policy change.

First, the disconnect between development policy and security policy has increasingly been perceived as an incoherence that needs to be addressed (Furness and Gänzle 2016). As the EU's ambitions in foreign and security policy were growing since the 2000s, the position of development needed to be reconsidered. Experimenting with the security-development nexus, the EU has funded the APF with ODA since 2004 (Bagoyoko and Gibert 2009). Through the APF, the EU finances security-related action by the African Union and African regional organizations. The largest part of the APF budget supports the so-called African-led Peace Support Operations (PSOs) which aim at providing public security through military and civilian means. In the past decade the EU has spent ever more ODA through the APF and provided support to 14 PSOs in 18 countries since its inception (European Commission 2019c).[2] While it would be exaggerated to see this as evidence of a full-fledged securitization of EU development policy (Keukeleire and Raube 2013), it does constitute a relevant precursor of discussions at the level of the OECD DAC where the EU argued for more security-related expenses to be counted as ODA (CONCORD 2018b).

Second, in response to the observation that official (public) aid will not be sufficient to promote development, and that it is difficult to mobilize more ODA in times of austerity, the EU has increasingly promoted private finance as the new 'Holy Grail' (see previous section). In this regard, EU investment facilities have proliferated since 2010 to leverage support for big investment projects. These facilities allow for blending: combining grants from EU aid with loans or equity from other public and private institutions. In 2017, the EFSD was established to finance the EU External Investment Plan (2016) and scale up private sector involvement in developing countries by combining the existing blending mechanisms. Based on a budget of €4.4 billion, this Fund should leverage up to €44 billion in investment projects. It also includes a new guarantee mechanism that covers part of the risks that investors take in challenging environments. In their introduction to the first Operational Report of the EFSD, the Development and Neighbourhood Commissioners speak of a 'paradigm change' (EU 2018: 4). These blending initiatives have indeed taken up a significant part of the EU budget and they do explore the boundaries of how private capital can be stimulated by the EU. They may signify a more neoliberal or marketized EU development policy (Holden 2020). However, they do not involve a complete overhaul of EU development policy, which remains largely based on 'traditional' ODA. Evaluations of previous EU blending activities, including by the European Court of Auditors, have been critical about the added value of blended finance, and it remains questionable whether the EFSD would make a more significant contribution (Lundsgaarde 2017).

Third, the realization that the efficiency of EU aid sometimes leaves much to be desired, especially in emergency situations within specific regions and countries, has led to the creation of Trust Funds. Since January 2013, the Financial Regulation on the EU budget makes it possible to establish Trust Funds outside the EU's budget and the traditional policy-making procedures. These *sui generis* funds aim for quicker and more efficient responses to emergency situations by combining different EU instruments and other donors' contributions into a pooled fund that is managed at Union level for a limited duration (Regulation EC 1605/2002, 25 October 2012, Art 187). They also serve as

strategic instruments for the EU's external relations (Carrera et al. 2018). To date, four EU trust funds have been created of which the infamous 'EU Emergency Trust Fund for Africa', often called the 'Migration Trust Fund', is the most well-known and contested one. Created at the end of 2015 in response to the so-called 'migration crisis', the Trust Fund has been funded up to €4.2 billion. According to critical observers, the Fund signifies the instrumentalization of development aid for migration management purposes (Langan 2018; CONCORD 2018a). However, its impact on migration flows remains unclear, it promotes various objectives ranging from 'traditional' development to migration control (European Court of Auditors 2018; Kipp 2018), and it is uncertain whether the Fund will be continued after 2020.

Fourth, in response to perceived inefficiency and ineffectiveness of humanitarian aid in some situations, cash transfers and vouchers have increasingly been used by the EU. Mentioned as an 'innovative modality' in the European Consensus on Humanitarian Aid (2008), DG ECHO has for many years been 'testing' its use through 'pilot projects' (OECD DAC 2019: 105), and it has been promoted explicitly in recent years (Council 2015; DG Echo 2013), so that cash transfers and vouchers made up over 38 per cent of the European Commission's humanitarian aid in 2017. According to a recent evaluation, EU cash transfers constitute an 'innovation' and 'best practice' for cost-effectiveness in humanitarian aid (European Commission 2019e: 75), although international donors also warn that cash transfers only work under specific conditions and that ECHO should 'be cautious with the general idea that cash transfer is the best response' (European Commission 2019e: 121). Overall, it seems that cash transfers and vouchers are modalities that have not altered the underlying goals of EU humanitarian aid policy.

Fifth, in 2007, in response to the increasingly recognized discrepancy between EU development and external climate change policies, the EU introduced the GCCA as an innovative instrument to mainstream climate change into development policy. The GCCA has constituted an important step in the construction of the climate-development nexus in the EU. Starting with only four pilot projects in 2008, it is now portrayed as the EU's 'flagship initiative' to help the world's most vulnerable countries to address climate change through dialogue and technical and financial support for adaptation (EU 2015). The EU portrays the GCCA as 'one of the most significant climate change initiatives in the world' and its upgrade in 2014 presented the transformation into the GCCA+ as 'new features' and a new strategic orientation (EU 2015). While it has been noted that the GCC does not radically question the development paradigm, and that it has exported the EU's 'traditional' development approach to the climate finance regime context (De Roeck 2019), this is again an issue for further research.

In sum, these experimental initiatives do not seem to challenge the central tenets of the EMC paradigm. They may however entail second order change of EU development policy, for instance in the form of marketization (deepening and enlargement of markets, cf. private finance and blending), securitization (protection of borders and security, cf. APF), or charitisation (saving human lives, cf. through cash transfers and vouchers). Further research should examine these and other second order scenarios in a more analytically rigid and empirically in-depth way.

CONCLUSIONS

While policy and academic discourses point to important shifts in EU development policy, it remains difficult to ascertain the level of these changes. The main aim of this article was to propose a research agenda on change and continuity in EU development policy. Drawing on the literatures on paradigm change and post-development, this involves four key questions for future research: (1) How can we map the EU's current paradigm?; (2) How can we map changes and continuities in this regard?; (3) How can we explain changes and

continuities?; (4) What role do policy experiments play in this regard? These questions are elaborated and illustrated throughout the article, with particular attention for existing literature and issues for future research. With this research agenda, we envisage a deeper understanding of the many challenges of EU development policy, as illustrated throughout this special issue.

Normatively speaking, we also problematize the underlying Eurocentric, modernist and colonial paradigm of EU development. Given that EU and international policies are more and more politicized, it is likely that also development policy will at some point become the subject of public scrutiny beyond the relatively shielded 'Brussels bubble' of EU institutions and affiliated think tanks. Therefore, it would seem wise for the EU to engage in a more existential reflection on what 'development' and 'development policy' mean and on whether the assumptions of the previous decades should still be valuable. Paradigmatic and post-development perspectives can contribute to these debates as they force us to think the unthinkable, not only about the future relations between the EU and the so called 'developing countries', but also about the nature of the EU itself.

The proposed research agenda should indeed also allow for a better acknowledgement of the diversity or 'pluriverse' of alternatives to 'development' within Europe. Whereas member states and civil society actors in the EU may share the same underlying paradigm, there are various ways in which 'development' (policies) have been conceived and notable alternatives are in the making. Such a plEUriverse (Delputte et al. forthcoming) would involve a rejection of monolithical thinking and allow for critical, complexity-sensitive and interdisciplinary research that delves into the different cultural, historical and political economy backgrounds of different EU views on the good life in Europe and elsewhere.

ACKNOWLEDGEMENTS

An earlier version of this paper appeared in the form of a blog and poster (see Delputte and Orbie 2019). We are grateful to two anonymous reviewers, the editors of this special issue (Mark Furness, Luciana Ghica, Simon Lightfoot and Balazs Szent-Ivanyi), Viktor Opsomer who provided research assistance, Julia Schöneberg for helping to bridge EU and post-development studies, the members of the 'post-development' reading group at the Centre for EU Studies, and colleagues who gave feedback on presentations on earlier versions at the authors' workshop (Aston University, 8-9 November 2018), UACES Panel (Lisbon, 1-4 September 2019), Development Days 2019 (Helsinki, 27 February – 1 March 2019) and EADI Workshop (Ljubljana, 4 April 2019).

AUTHOR DETAILS

Dr Sarah Delputte (Assistant Professor), Centre for EU Studies, Department of Political Science, Ghent University, Universiteitstraat 8, B-9000 Ghent, Belgium. Email: Sarah.Delputte@UGent.be

ENDNOTES

[1] These values include 'diversity and pluriversality, autonomy and self-reliance, solidarity and reciprocity, commons and collective ethics, oneness with and rights of nature, interdependence, simplicity and enoughness, inclusiveness and dignity, justice and equity, non-hierarchy, dignity of labour, rights and responsibilities, ecological sustainability, non-violence and peace'.

[2] In the Commission's proposed future budget for external action, the APF would be included in a new off-budget European Peace Facility that would fund operations under the Common Foreign and Security Policy (ECDPM 2018).

REFERENCES

Adelle, C., S. Delputte, F. De Roeck and S. Nicholson, S. (2018). 'Environmental instruments in development cooperation: promoting better development and environmental outcomes?' In C. Adelle, K. Biedenkopf and D. Torney (eds), *European union external environmental policy: rules, regulation and governance beyond borders*. Houndmills: Palgrave Macmillan: 81-101.

Bagoyoko, N. and M. Gibert (2009). 'The Linkage between Security, Governance and Development: the European Union in Africa'. *The Journal of Development Studies* 45(5): 789-814. https://doi.org/10.1080/00220380802582312

Baud, I., E. Basile, T. Kontinen, and S. von Itter (2019). *Building Development Studies for the New Millennium.* Houndmills: Palgrave Macmillan.

Bergmann, J. S. Delputte, N. Keijzer and J. Verschaeve (2019). 'The Evolution of the EU's Development Policy: Turning Full Circle'. *European Foreign Affairs Review* 24(4): 533-554.

Beringer, S. L., S. Maier and M. Thiel (2019). *EU Development Policies: Between Norms and Geopolitics*. Houndmills: Palgrave Macmillan.

Blyth, M. (2013). 'Policy Paradigms in Two Moments of Crisis'. *Governance* 26(2): 197-215.

Brazys, S. and S. Lightfoot (2016). 'Europeanisation in Aid for Trade: the impact of capacity and socialisation'. *European Politics and Society* 17(1): 120-135. https://doi.org/10.1080/23745118.2015.1075780

Brown, W. and S. Harman (2013). *African Agency in International Politics*. Abingdon: Routledge.

Burson Cohn and Wolfe. (2019). European Commission Scoreboard 2014-2019. Online: https://www.euractiv.com/wp-content/uploads/sites/2/2019/02/EC_scoreboard-Results-Report.pdf [accessed 17 May 2019].

Carbone, M. (2017). 'Make Europe happen on the ground? Enabling and constraining factors for European Union aid coordination in Africa'. *Development Policy Review 35*(4): 531-548. https://doi.org/10.1111/dpr.12194

Carbone, M. (2013a). 'International development and the European Union's external policies: changing contexts, problematic nexuses, contested partnerships'. *Cambridge Review of International Affairs* 26(3): 483-496. https://doi.org/10.1080/09557571.2013.820073

Carbone, M. (2013b). *The European Union in Africa: Incoherent policies, asymmetrical partnership, declining relevance?* Manchester: Manchester University Press.

Carbone, M. (2008a). 'Mission impossible: the European Union and policy coherence for development'. *Journal of European Integration* 30(3): 323–342. https://doi.org/10.1080/07036330802144992

Carbone, M. (2008b). 'Better aid, less ownership: multi-annual programming and the EU's development strategies in Africa'. *Journal of International Development* 20(2): 218-229. https://doi.org/10.1002/jid.1452

Carbone, M. (2007). *The European Union and international development: the politics of foreign aid*. New York: Routledge.

Carbone, M. and N. Keijzer (2016). 'The European Union and policy coherence for development: Reforms, results, resistance'. *European Journal of Development Research*, 28(1): 30-43. https://doi.org/10.1057/ejdr.2015.72

Carbone, M. and J. Orbie (2015). *The trade-development nexus in the European Union: Differentiation, Coherence and Norms.* Abingdon and New York: Routledge.

Carrera, S., L. Den Hertog, J. Nunez Ferrer, R. Musmeci, L. Vosyliute, M. Pilati (2018). Oversight and Management of the EU Trust Funds: Democratic Accountability Challenges and Promising Practices. Online: https://www.ceps.eu/system/files/EUTrustFundsForEP.pdf [accessed 17 May 2019].

Castillejo, C. (2017). 'The European Union Trust Fund for Africa: What Implications for Future EU Development Policy?' *GDI/DIE Briefing Paper* 5/2017.

Chipaike, R. and M. Knowledge (2018). 'The question of African agency in international relations'. *Cogent Social Sciences* 4(1): 1-16.

CONCORD (2017). Letter to EU Ministers in advance of the EU FAC meeting on 19th May. Online: https://concordeurope.org/wp-content/uploads/2017/05/CONCORD_FAC_letter_20170519.pdf [accessed 26 March 2020].

CONCORD (2018a). What European Member States and Commission must remember while committing new funds to the EU Trust Fund for Africa. Concord Policy Brief. Online: https://concordeurope.org/wp-content/uploads/2018/06/CONCORD_PolicyBrief_EUTF_June2018.pdf [accessed 17 May 2019].

CONCORD (2018b). Aidwatch 2018. Security Aid. Fostering development, or serving European donors' national interest? Online: https://reliefweb.int/report/world/concord-aidwatch-2018-security-aid-fostering-development-or-serving-european-donors [accessed 17 May 2019].

Council of the EU (2015). Council Conclusions on Common Principles for Multi-Purpose Cash-Based Assistance to Respond to Humanitarian Needs. 10184/15, 22 June. Online: http://data.consilium.europa.eu/doc/document/ST-10184-2015-INIT/en/pdf [accessed 17 May 2019].

Del Biondo, K., S. Oltsch and J. Orbie (2012). 'Security and development in EU external relations: converging, but in which direction?'. In S. Biscop and R. Whitman (eds), *The Routledge Handbook of European security*. London: Routledge: 126–141.

Del Felice, C. (2012). 'Power in discursive practices: The case of the STOP EPAs campaign'. *European Journal of International Relations* 20(1): 145-167. https://doi.org/10.1177/1354066112437769

Delputte, S. (2013). *The European Union as an emerging coordinator in development cooperation: an analysis of EU coordination in Tanzania, Zambia, Burkina Faso and Senegal.* Doctoral dissertation, Ghent University. Online: https://biblio.ugent.be/publication/3262275 [accessed 17 May 2019].

Delputte, S., J. Orbie and J. Schöneberg (2019). 'Tough questions for new 'development' commissioner'. EUObserver, 1 October. Online: https://euobserver.com/opinion/146119 [accessed 26 March 2020].

Delputte, S., J. Orbie, J. Schöneberg (forthcoming) 'Beyond a Eurocentric approach: How postdevelopment can transform EU ('Development') Studies'. Blog.

Delputte, S. and J. Orbie (forthcoming). 'EU development cooperation with Africa: The holy grail of coordination.' In L. Mah, N. Duggan and T. Haastrup (eds), *Routledge Handbook on EU-Africa Relations.* London: Routledge.

Delputte, S. and J. Orbie (2019). 'Challenges to EU Development Policy: Paradigm Lost or Stretched?' Blog. Online: https://www.convivialthinking.org/index.php/2019/04/26/challenges-to-eu-development-policy-paradigm-lost-or-stretched/ [accessed 26 March 2020].

Delputte, S. and J. Orbie (2014). 'The EU and donor coordination on the ground: Perspectives from Tanzania and Zambia'. *The European Journal of Development Research* 26(5): 676-691. Open access: https://doi.org/10.1057/ejdr.2014.11

Delputte, S., J. Orbie, S. Lannoo, and J. Verschaeve (2016). 'Europeanisation of aid budgets: nothing is as it seems'. *European Politics and Society* 17(1): 74–89. https://doi.org/10.1080/23745118.2015.1075775

Delputte, S. and Y. Williams (2016). 'Equal partnership between unequal regions? Assessing deliberative parliamentary debate in ACP-EU relations'. *Third World Thematics* 1(4): 490–507. https://doi.org/10.1080/23802014.2016.1309257

Demaria, F. and A. Kothari (2017). 'The post-development dictionary agenda: paths to the pluriverse'. *Third World Quarterly* 38(12): 2588-2599. https://doi.org/10.1080/01436597.2017.1350821

De Roeck, F. (2019). 'Governmentality and the climate-development nexus: The case of the EU Global Climate Change Alliance'. *Global Environmental Change* 55: 160-167.

De Roeck, F., J. Orbie and S. Delputte (2018). 'Mainstreaming climate change adaptation into the European Union's development assistance'. *Environmental Science & Policy* 81: 36–45.

Dimier, V. (2014). *The Invention of a European Development Aid Bureaucracy*. Houndmills: Palgrave Macmillan.

Doidge, M. and M. Holland (2015). 'A chronology of European Union development policy: Theory and change. *Korea Review of International Studies* 17(1): 59-80.

ECDPM (2018). 'Aiming high or falling short? A brief analysis of the proposed future EU budget for external action'. *ECDPM Briefing note 104.*

ECDPM (2015). 'Stepping up? Best practice in Joint Programming and Prospect for EU Joint Cooperation Strategies'. *ECDPM Discussion Paper* 183.

Escobar, A. (2015). 'Degrowth, postdevelopment, and transitions: a preliminary conversation'. *Sustainability Science* 10(3): 451–462.

Escobar, A. (2007). 'Worlds and Knowledges Otherwise'. *Cultural Studies* 21(2-3): 179-210. https://doi.org/10.1080/09502380601162506

Escobar, A. (1995). *Encountering Development: The Making and Unmaking of the Third World*. Princeton: Princeton University Press.

Euronews (2020). EU looks to reset relations with Africa as record number of Commissioners visit Addis Ababa. Online: https://www.euronews.com/2020/02/27/eu-looks-to-reset-relations-with-africa-as-record-number-of-commissioners-visit-addis-abab [accessed 26 March 2020].

European Commission (2020). EU paves the way for a stronger, more ambitious partnership with Africa, IP/20/373. Online: https://ec.europa.eu/commission/presscorner/detail/en/IP_20_373 [accessed 26 March 2020].

European Commission (2019a). Europe remains the world's biggest development donor - €74.4 billion in 2018. Online: https://ec.europa.eu/europeaid/news-and-events/europe-remains-worlds-biggest-development-donor-eu744-billion-2018_en [accessed 17 May 2019].

European Commission (2019b). The EU as a stronger global actor: Towards a more united, stronger and more democratic Union. Online: https://ec.europa.eu/commission/sites/beta-political/files/euco-sibiu-stronger-global-actor.pdf [accessed 17 May 2019].

European Commission (2019c). African Peace Facility. Online: https://ec.europa.eu/europeaid/regions/africa/continental-cooperation/african-peace-facility_en [accessed 17 May 2019].

European Commission (2019d). Evaluation of the EU Policy Coherence for Development. Online: https://ec.europa.eu/europeaid/sites/devco/files/swd-pcd-evaluation-full-20190226_en.pdf [accessed 17 May 2019].

European Commission (2019e). Comprehensive Evaluation of EU Humanitarian Aid, 2012-2016. SWD(2019) 4 final. Online: https://ec.europa.eu/info/sites/info/files/swd-comprehensive-evaluation-of-the-european-union-humanitarian-aid-2012-2016_en.pdf [accessed 17 May 2019].

European Commission (2017). Programming Process of Development Cooperation (2011-2015). Online: https://ec.europa.eu/europeaid/sites/devco/files/evaluation_joint_programming_final_report_vol_i_en.pdf [accessed 17 May 2019].

European Commission (2012). EU Accountability Report 2012. Review of progress of the EU and its Member States Financing for Development. SWD(2012) 199. Online: https://ec.europa.eu/europeaid/sites/devco/files/swp-accountability-report-199-main-report_en.pdf [accessed 17 May 2019].

European Commission (2011). Increasing the impact of EU Development Policy: an Agenda for Change. COM(2011) 637 final. Online: http://www.europarl.europa.eu/meetdocs/2009_2014/documents/acp/dv/communication_/communication_en.pdf [accessed 17 May 2019].

European Commission (2009). Annual progress report 2009 on financing for development. SEC(2009) 444, 8 April.

European Council (2010). Conclusions on the Millennium Development Goals for the United Nations High-Level Plenary meeting in New York and beyond, EUCO 13/10. Online: https://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/genaff/115157.pdf [accessed 17 May 2019].

European Court of Auditors (2018). Special report no 32/2018: European Union Emergency Trust Fund for Africa: Flexible but lacking focus. Online: https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=48342 [accessed 17 May 2019].

European Union (2018). The European Fund for Sustainable Development. Promoting investment in the Neighbourhood and Africa. 2017 Operational Report. Online: https://ec.europa.eu/europeaid/european-fund-sustainable-development-2017-operational-report_en [accessed 17 May 2019].

European Union (2017). New European Consensus on Development - 'Our world, our dignity, our future'. 2017/C 210/01. Online: https://ec.europa.eu/europeaid/sites/devco/files/european-consensus-on-development-final-20170626_en.pdf [accessed 17 May 2019].

European Union (2015). The plus of GCCA+. The Global Climate Change Alliance Plus. An EU flagship initiative supporting climate resilience. Ares(2015)5956167. Online: http://www.gcca.eu/sites/default/files/gcca_concept_note.pdf [accessed 17 May 2019].

Faber, G. and J. Orbie (2009a). *Beyond Market Access for Economic Development EU–Africa relations in transition*. London and New York: Routledge.

Faber, G. and J. Orbie (2009b). 'Everything but arms: much more than appears at first sight'. *Journal of Common Market Studies* 47(4): 767–787. https://doi.org/10.1111/j.1468-5965.2009.02004.x

Falkner, G. (2016). 'The EU's current crisis and its policy effects: research design and comparative findings'. *Journal of European Integration* 38(3): 219-235. https://doi.org/10.1080/07036337.2016.1140154

Farrell, M. (2008). 'Internationalising EU development policy'. *Perspectives on European Politics and Society 9*(2): 225-240. https://doi.org/10.1080/15705850801999776

Faure, R. and S. Maxwell (2017). 'The proposed new European Consensus on Development: has the European Commission got it right?' *ODI Briefing Paper*. Online: https://www.odi.org/publications/10709-eu-european-union-european-commission-new-european-consensus-development-sdgs-sustainable [accessed 26 March 2020].

Fejerskov, A. M. (2013). 'European Union Development Cooperation in a Changing Global Context'. *DIIS Report* 2.

Furness, M. (2012). 'The Lisbon treaty, the European external action service and the reshaping of EU development policy'. In: S. Gänzle, S. Grimm and D. Makhan (eds), *The European Union and global development: An 'Enlightened Superpower' in the Making?* Houndmills: Palgrave Macmillan: 74-93.

Furness, M. and S. Gänzle (2017). 'The Security–Development Nexus in European Union Foreign Relations after Lisbon: Policy Coherence at Last?'. *Development Policy Review* 35(4): 475-492. https://doi.org/10.1111/dpr.12191

Furness, M. and F. Vollmer (2013). 'EU joint programming: lessons from South Sudan for EU aid coordination'. *GDI/DIE Briefing Paper* 18.

Goldstein, J. (1993). *Ideas, Interests and American Trade Policy.* Ithaca: Cornell University.

Gammage, C. (2017). *A Critical Assessment of the EU-SADC Economic Partnership Agreement.* Cheltenham: Edward Elgar.

Grimm, S. and C. Hackenesch (2017). 'China in Africa: What challenges for a reforming European Union development policy? Illustrations from country cases'. *Development Policy Review* 35(4): 549-566. https://doi.org/10.1111/dpr.12195

Gupta, J. and van der Grijp, N. (2010). *Mainstreaming climate change in development cooperation: theory, practice and implications for the European Union*. Cambridge: Cambridge University Press.

Haastrup, T. (2013). *Charting Transformation through Security. Contemporary EU-Africa Relations.* Basingstoke: Palgrave Macmillan.

Hadfield, A. and S. Lightfoot (2020). The Future of EU Development Policy Post-2020*. GLOBUS Research Paper 1*. Online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3516070## [accessed 26 March 2020].

Hall, P. A. (1993). 'Policy paradigms, social learning, and the state: the case of economic policymaking in Britain'. *Comparative Politics* 25(3): 275-296.

Hansen, P. and S. Jonsson (2014). *Eurafrica. The Untold History of European Integration and Colonialism*. London: Bloomsbury Academic.

Heron, T. and P. Murray-Evans (2016). 'Limits to market power: Strategic discourse and institutional path dependence in the EU-ACP Economic Partnership Agreements'. *European Journal of International Relations* 23(2): 341-364. https://doi.org/10.1177/1354066116639359

Heron, T. and G. Siles-Brügge (2012). 'Competitive liberalization and the "Global Europe" services and investment agenda: Locating the commercial drivers of the EU–ACP economic partnership agreements'. *Journal of Common Market Studies* 50(2): 250-266. https://doi.org/10.1111/j.1468-5965.2011.02220.x

Holden, P. (2014). 'Tensions in the discourse and practice of the European Union's Aid for Trade'. *Contemporary Politics* 20(1): 90-102. https://doi.org/10.1080/13569775.2014.881607

Holden, P. (2017). 'Neo-liberalism by default? The European Union's trade and development policy in an era of crisis'. *Journal of International Relations and Development* 20(2): 381-407.

Holden, P. (2020). Irreconcilable tensions? The EU's development policy in an era of global illiberalism. *Journal of Contemporary European Research*

Holland, M. (2002). *The European Union and the Third World.* Houndmills: Palgrave.

Hurt (2010). 'Understanding EU Development Policy: history, global context and self-interest?'. *Third World Quarterly* 31(1): 159-168. https://doi.org/10.1080/01436590903557488

Jones, A. and V. Mazzara (2018). 'Tous ensemble? La cooperation des institutions de l'UE et des états members face à des situations fragiles et de crises prorlongées'. *ECDPM Document de Reflexion* 226.

Keukeleire, S. and K. Raube (2013). 'The security–development nexus and securitization in the EU's policies towards developing countries'. *Cambridge Review of International Affairs* 26(3): 556-572. https://doi.org/10.1080/09557571.2013.822851

Kharas, H. (2011). 'Bringing Development into the G20: Overarching Themes'. In C. I. Bradford and L. Wonhyuk (eds) *Global Leadership in Transition*. Washington: Brookings Institution Press: 165-175.

Kim, S. and S. Lightfoot (2011). 'Does "DAC-Ability" Really Matter? The Emergence of Non-DAC Donors'. *Journal of International Development* 23(5): 711-721. https://doi.org/10.1002/jid.1795

Kipp, D. (2018). 'From Exception to Rule – the EU Trust Fund for Africa'. *SWP Research Paper*.

Klingebiel, S., M. Negre and P. Morazán (2017). 'Costs, benefits and the political economy of aid coordination: The case of the European Union'. *The European Journal of Development Research 29*(1): 144-159. Open access: https://doi.org/10.1057/ejdr.2015.84

Kothari, A., A. Salleh, A. Escobar, F. Demaria and A. Acosta (2019). *Pluriverse: A Post-Development Dictionary*. Delhi: Tulika Books and Authors Up Front.

Kotsopoulos, J. and F. Mattheis (2018). 'A contextualisation of EU–Africa relations: Trends and drivers from a reciprocal perspective'. *South African Journal of International Affairs* 25(4): 445-460. https://doi.org/10.1080/10220461.2018.1551154

Kuhn, T. S. (1962). *The structure of scientific revolutions*. Chicago: University of Chicago Press.

Kunz, R. (2013). 'Governing International Migration through Partnership'. *Third World Quarterly* 34(7): 1227-1246. https://doi.org/10.1080/01436597.2013.825089

Langan, M. (2018). 'Security, Development, and Neo-Colonialism'. In M. Langan (ed.), *Neo-Colonialism and the Poverty of 'Development' in Africa*. Houndmills, Basingstoke: Palgrave Macmillan: 149-175.

Langan, M. (2009). ACP–EU normative concessions from stabex to private sector development: why the European Union's moralised pursuit of a 'deep' trade agenda is nothing 'new' in ACP–EU Relations. *Perspectives on European Politics and Society* 10(3): 416-440. https://doi.org/10.1080/15705850903105835

Lavenex, S. and R. Kunz (2008). 'The Migration–Development Nexus in EU External Relations'. *Journal of European Integration* 30(3): 439-457. https://www.tandfonline.com/doi/abs/10.1080/07036330802142152

Lightfoot, S. (2015). 'Climate change and the Africa–EU Strategy'. In M. Carbone (ed.), *The European Union in Africa*. Manchester: Manchester University Press: 238-257.

Lundsgaarde, E. (2017). 'The European Fund for Sustainable Development: Changing the Game?' *GDI/DIE Discussion Paper* 29.

Lundsgaarde, E. (2012). 'The future of European development aid'. *Futures* *44*(7): 704-710. https://doi.org/10.1016/j.futures.2012.04.010

Matthews, A. (2015). 'Unfulfilled expectations?: The EU's agricultural and fisheries policies and Africa'. In M. Carbone (ed.), *The European Union in Africa*. Manchester: Manchester University Press: 189-208.

Melber, H. and J. Schöneberg (2018). 'Problems of development and "development" as a problem.' Online: http://blog.gdi.manchester.ac.uk/problems-development-development-as-problem/ [accessed 27 March 2020].

Mignolo, W. D. and C. E. Walsh (2018). *On decoloniality: Concepts, analytics, praxis*. Durham: Duke University Press.

Mimica, N. (2015). 'Countdown to a historic moment for development'. Blog. Online: https://ec.europa.eu/commission/commissioners/2014-2019/mimica/blog/countdown-historic-moment-development_en [accessed 17 May 2019].

Mimica, N. (2019). 'BAPA +40 New pathways to cooperation in the fulfilment of Agenda 2030 – Launch of the Latin American Outlook 2019 on Development in Transition'. Speech delivered in Buenos Aires, 20 March. Online: https://ec.europa.eu/commission/commissioners/2014-2019/mimica/announcements/bapa-40-new-pathways-cooperation-fulfilment-agenda-2030-launch-latin-american-outlook-2019_en [accessed 17 May 2019].

Murray-Evans, P. (2018). *Making the European Union's Economic Partnership Agreements.* London: Routledge.

Murray-Evans, P. (2019). *Power in North-South Trade Negotiations. Making the European Union's Economic Partnership Agreements*. Abingdon: Routledge.

Nobel Prize (2019). *Press release: The Prize in Economic Sciences 2019*. Online: https://www.nobelprize.org/prizes/economic-sciences/2019/press-release/ [accessed 27 March 2020].

OECD DAC (2018). *OECD Development Co-operation Peer Reviews: European Union 2018*. Paris: OECD.

Olivié, I. and Pérez, A. (2020). 'Re-Politizing the European Aid Debate'. *EADI/ISS Blog Series*. Online: http://www.developmentresearch.eu/?p=645 [accessed 26 March 2020].

Olsen, G. R. (2009). 'The EU and military conflict management in Africa: for the good of Africa or Europe?' *International Peacekeeping* 16(2): 245-60. https://doi.org/10.1080/13533310802685828

Orbie, J. (2012). 'The EU as an actor in development: just another donor, European norm maker, or eclipsed by superpower temptations?'. In S. Grimm, D. Makhan, and S. Gänzle (eds), *The European Union and global development : an enlightened superpower in the making?* Houndmills, Basingstoke: Palgrave: 17–36.

Orbie, J., J. Verschaeve, S. Delputte, Y. Williams and L. Steurs (2017). Improving European coordination in fragile states. Online: https://www.afd.fr/sites/afd/files/2017-12/improving-european-coordination-in-fragile-states-main-report.Pdf [accessed 17 May 2019].

Orbie, J. and H. Versluys (2008). 'The EU's international development policy'. In J. Orbie (ed.), *Europe's global role: External policies of the EU*. Aldershot: Ashgate: 67-90.

Orbie, J., S. Delputte and J. Verschaeve (2018). 'Variable geometry in development policy: Towards a facilitator role for the EU'. Online: https://www.eustudies.org/eusa-forum/eusa-interest-section-essays/13/download [accessed 17 May 2019].

Orbie, J., P. Van Elsuwege and F. Bossuyt (2014). 'Humanitarian Aid as an Integral Part of the European Union's External Action: The Challenge of Reconciling Coherence and Independence'. *Journal of Contingencies and Crisis Management* 22(3): 158-165. https://doi.org/10.1111/1468-5973.12054

Oxfam (2017). 'New EU development framework: self-interest trumps solidarity'. Press release, 18 May. Online: https://www.oxfam.org/en/press-releases/new-eu-development-framework-self-interest-trumps-solidarity [accessed 26 March 2020].

Pariat, M. (2019). 'The EU Humanitarian Aid Policy: Progress and Challenges'. *European Foreign Affairs Review* 24(1): 1-6.

Profant, T. (2019). *New Donors on the Postcolonial Crossroads: Eastern Europe and Western Aid*. London and New York: Routledge.

Reddy, S. G. (2013). 'Randomise This! On Poor Economics'. *Review of Agrarian Studies* 2(2): 60-73.

Rozbicka, P. and B. Szent-Iványi (2020). 'European development NGOs and the diversion of aid: Contestation, fence-sitting, or adaptation?'. *Development Policy Review* 38(2): 161–179. https://doi.org/10.1111/dpr.12417

Rutazibwa, O. (2010). 'The problematics of the EU's ethical (self)image in Africa: The EU as an "ethical intervener" and the 2007 joint Africa–EU strategy'. *Journal of Contemporary European Studies* 18(2): 209–228. https://doi.org/10.1080/14782804.2010.486976

Scholte, J. A. and F. Söderbaum (2017). 'A Changing Global Development Agenda?'. *Forum for Development Studies* 44(1): 1-12. https://doi.org/10.1080/08039410.2017.1275843

Schmidt, V. A. (2011). 'Ideas and discourse in transformational political economic change in Europe'. In G. Skogstad (ed.), *Policy Paradigms, Transnationalism and Domestic Politics*. Toronto: Toronto University Press: 36–63.

Schöneberg, J. (2016). *Making Development Political*. Baden-Baden: Nomos.

Siles-Brügge, G. (2014). 'EU trade and development policy beyond the ACP: subordinating developmental to commercial imperatives in the reform of GSP'. *Contemporary Politics* 20(1): 49-62. https://doi.org/10.1080/13569775.2014.881604

Taylor, I. (2014). *Africa rising? BRICS - Diversifying Dependency*. Woodbridge: James Currey.

Tobé, T. (2020). EU development policy needs a fresh start. Online: https://euobserver.com/opinion/147537 [accessed 26 March 2020].

Urpilainen, J. (2020). Plenary remarks on the Oral Question on the New Comprehensive EU-Africa strategy. Online: https://ec.europa.eu/commission/commissioners/2019-2024/urpilainen/announcements/plenary-remarks-commissioner-jutta-urpilainen-oral-question-new-comprehensive-eu-africa-strategy_en [accessed 26 March 2020].

Van Criekinge, T. (2015). 'The EU–Africa migration partnership: The limits of the EU's external dimension of migration in Africa'. In M. Carbone (ed.), *The European Union in Africa*. Manchester: Manchester University Press: 258-282.

Vérez, J-C. (ed.) (2019). 'L'avenir des relations UE-Afrique', *L'Europe en Formation,* 388(1).

Visoka, G. and V. Musliu (eds). (2019). *Unravelling Liberal Interventionism: Local Critiques of Statebuilding in Kosovo*. London: Routledge.

Von der Leyen, U. (2019). Mission letter to Jutta Urpilainen - Commissioner-designate for International Partnerships. Online: https://ec.europa.eu/commission/sites/beta-political/files/mission-letter-jutta-urpilainen_en.pdf [accessed 26 March 2020].

Weinhardt, C. and A. Moerland (2018). '(Mis)Perceptions in Two-and Three-Level Games: Detachment in Economic Partnership Agreement Negotiations'. *Journal of Common Market Studies* 56(3): 576-593. https://doi.org/10.1111/jcms.12642

Young, A. R. and J. Peterson (2013). '"We care about you, but…": the politics of EU trade policy and development'. *Cambridge Review of International Affairs* 26(3): 497-518. https://doi.org/10.1080/09557571.2012.734782

Ziai, A. (2017). 'Post-development 25 years after The Development Dictionary'. *Third World Quarterly* 38(12): 2547-2558. https://doi.org/10.1080/01436597.2017.1383853

Ziai, A. (2016). *Development Discourse and Global History: From Colonialism to the Sustainable Development Goals*. London and New York: Routledge.

Ziai, A. (2004). 'The ambivalence of post-development: between reactionary populism and radical democracy'. *Third World Quarterly* 25(6): 1045-1060. https://doi.org/10.1080/0143659042000256887