The EU - Africa Strategic Partnership
and effective multilateralism

Potential for an EU, Africa, China - trilateral dialogue

LLM Paper
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<tr>
<td>ACP</td>
<td>African, Caribbean, and Pacific Group of States</td>
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<td>AIIB</td>
<td>Asian Infrastructure Investment Bank</td>
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<td>AMISOM</td>
<td>African Union Mission In Somalia</td>
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<td>APF</td>
<td>African Peace Facility</td>
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<td>APSA</td>
<td>African Peace and Security Architecture</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>ASF</td>
<td>African Standby Force</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>BRICS</td>
<td>Brazil, Russia, India, China and South Africa</td>
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<tr>
<td>CARIFORUM</td>
<td>Caribbean Forum</td>
</tr>
<tr>
<td>CFSP</td>
<td>Common Foreign and Security Policy</td>
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<tr>
<td>CGPCS</td>
<td>Contact Group on Piracy off the Coast of Somalia</td>
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<tr>
<td>CJEU</td>
<td>Court of Justice of the European Union</td>
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<tr>
<td>CMR</td>
<td>Critical Maritime Routes Programme</td>
</tr>
<tr>
<td>CRIMLEA</td>
<td>Critical Maritime Routes Law Enforcement Agencies</td>
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<tr>
<td>CSDP</td>
<td>Common Security and Defence Policy</td>
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<tr>
<td>DCs</td>
<td>Developing Countries</td>
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<tr>
<td>DG</td>
<td>Directorate General</td>
</tr>
<tr>
<td>DRTC</td>
<td>Djibouti Regional Maritime Training Centre</td>
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<tr>
<td>EAC</td>
<td>East African Community</td>
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<tr>
<td>EBA</td>
<td>Everything But Arms</td>
</tr>
<tr>
<td>EC</td>
<td>European Communities</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>EDF</td>
<td>European Development Fund</td>
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<tr>
<td>EEAS</td>
<td>European External Action Service</td>
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<tr>
<td>EEC</td>
<td>European Economic Community</td>
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<tr>
<td>EPA</td>
<td>Economic Partnership Agreements</td>
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<tr>
<td>ENP</td>
<td>European Neighbourhood Policy</td>
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<tr>
<td>ESA</td>
<td>Eastern and Southern Africa</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>EUCAP Nestor</td>
<td>Regional Maritime Capacity Building Mission in the Horn of Africa and the Western Indian Ocean</td>
</tr>
<tr>
<td>EUGS</td>
<td>EU Global Strategy</td>
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<tr>
<td>EU MESS</td>
<td>EU Maritime Security Strategy</td>
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<tr>
<td>EUTM</td>
<td>European Union Training Mission</td>
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<tr>
<td>FOCAC</td>
<td>Forum on China-Africa Cooperation</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>GSP</td>
<td>Generalised Scheme of Preferences</td>
</tr>
<tr>
<td>IcSP</td>
<td>Instrument contributing to Stability and Peace</td>
</tr>
<tr>
<td>IfS</td>
<td>Instrument for Stability</td>
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<tr>
<td>IGAD</td>
<td>Inter-Governmental Authority on Development</td>
</tr>
<tr>
<td>JAES</td>
<td>Joint Africa-EU Strategy</td>
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<tr>
<td>LDCs</td>
<td>Least Developed Countries</td>
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<tr>
<td>MARSIC</td>
<td>Enhancing Maritime Security and Safety through Information Sharing and Capacity Building</td>
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<tr>
<td>MFN</td>
<td>Most-favoured-nation</td>
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<tr>
<td>MRCC</td>
<td>Maritime Rescue Coordination Centre</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NAVFOR</td>
<td>Naval Force</td>
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<tr>
<td>OAU</td>
<td>Organisation of African Unity</td>
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<tr>
<td>OBOR</td>
<td>One Belt, One Road</td>
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<tr>
<td>PLA</td>
<td>People’s Liberation Army</td>
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<td>PLAN</td>
<td>People’s Liberation Army Navy</td>
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<tr>
<td>RECs</td>
<td>Regional Economic Communities</td>
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<tr>
<td>ReMISC</td>
<td>Regional Maritime Information Sharing Centre</td>
</tr>
<tr>
<td>RMRCC</td>
<td>Regional Maritime Rescue Coordination Centre</td>
</tr>
<tr>
<td>RMs</td>
<td>Regional Mechanisms</td>
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<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
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<tr>
<td>SHADE</td>
<td>Shared Awareness and Deconfliction</td>
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<tr>
<td>TEC</td>
<td>Treaty Establishing the European Community</td>
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<tr>
<td>TEU</td>
<td>Treaty on European Union</td>
</tr>
<tr>
<td>TFEU</td>
<td>Treaty on the Functioning of the European Union</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNTAC</td>
<td>United Nations Transitional Authority in Cambodia</td>
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<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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Introduction

The relationship between the European Union (EU) and Africa has lived through many phases and has evolved over the years; from the conclusion of international agreements to the most recent adoption of a strategic partnership. However, the current legal framework between the partners, the Cotonou Partnership Agreement, has sparked intense discussions due to the foreseen conclusion of so-called Economic Partnership Agreements. The difficulties that arose in the process of the negotiations for the latter and, in addition, the arrival of other external actors, such as China, have considerably added to the dynamics of the EU-Africa relationship. This is why in 2008, the European Commission has attempted to address the new realities on the African continent by formally proposing a trilateral dialogue between China, Africa and the EU. While this attempt has not yet led to any significant results, it is nevertheless significant to emphasise the added value such a trilateral dialogue would entail. China’s massive increase in investment and trade relations with African countries as well as the more recent announcement of its ‘One Belt, One Road’ initiative, including a maritime dimension and comprising of investment and infrastructure initiatives connecting China and Europe as well as the African continent, show that there are significant overlaps in interests between the partners. The maritime dimension of this Chinese initiative is of particular interest for this research, making a case for the importance it ought to carry for the EU. It is therefore relevant to highlight these overlapping geopolitical and economic interests, focusing on Africa and especially the Horn of Africa region, since this is an important transit route for both the EU and China. The massive maritime trade flows from Asia via the Indian Ocean to Africa and eventually via the Gulf of Aden to Europe still range amongst the most significant global merchant activities. Therefore, I believe that there are possible scenarios of cooperation between the partners, some of which have already been explored and therefore can be built upon and others which do still offer potential for improvement. What is more, it is necessary to re-evaluate the suggestions of the 2008 Commission proposal and come up with improvements for a potential trilateral dialogue. At the same time, it is necessary to keep in mind the limits to such initiatives, which do certainly exist given the immense differences between the respective partners. To sum up, in light of the new realities on the African continent, in the Indian Ocean as well as in Europe, some form of cooperation between the three actors is indispensable. The reasons for such cooperation vary, be it in order to save resources, to address common concerns and or to show the willingness of the respective actors to take on responsible roles as global players.

Therefore, this paper focuses on how such a trilateral dialogue could be implemented. As it would exceed the scope of the research, possible areas for trilateral dialogue such as cooperation in the sector of climate change and development aid are not part of this paper, but I will mainly focus on security-related issues. Especially the issue of development cooperation has been subject to extensive research which is why I aimed at refraining from
merely reproducing previous research on the topic. Therefore, taking the EU-Africa Strategic Partnership as a point of departure, the paper tries to outline possible scenarios for such a trilateral dialogue. The main questions guiding the research process are, on the one hand, what the added value of a trilateral dialogue between the EU, Africa and China could be: Can it deliver stability to the African continent or at least parts of it? What has been done so far that can be expanded? On the other hand, whether such a trilateral dialogue is feasible and if answered in the affirmative, under which conditions this might be the case: Which areas of cooperation offer space for a trilateral form of cooperation and what are some concrete policy suggestions to be drawn from this? These are the questions I aim to address throughout this paper.

As for the methodology, an extensive part of the research process has been conducted via document analysis. To this end, legally non-binding documents adopted by the EU institutions, as well as jointly with its African or Chinese counterparts, serve as main reference points. Taking the Joint Africa-EU Strategy as an example, the approach undertaken was to first understand the main objectives of the strategy, the context in which it was adopted and the aims of the actors adopting such a document. In a second step, I tried to specifically look for points relevant for a trilateral dialogue in order to make cross-references to China taken as starting point for the last part of this thesis laying down potentials for cooperation. This approach was taken with regard to all the respective bilateral frameworks; thus, looking at the EU-China framework for cooperation and its guiding documents and filtering it especially with a view to possibilities for cooperation with regard to Africa. A similar approach was undertaken as far as the China-Africa relationship is concerned, mainly with regard to the FOCAC forum. Moreover, a set of foreign policy instruments of the European Union served as guidelines for the EU standpoint towards a trilateral dialogue. These include the most recent document, the EU Global Strategy adopted in 2016, but also the more specific EU Maritime Security Strategy and the two regional documents dealing with the Horn of Africa and the Sahel region. From a legal perspective these documents do not amount to binding legal documents, but they could be defined as so-called soft law instruments. They serve to define the EU’s interests in a specific area and aim to address these by laying down ways to tackle the respective issues. Therefore, they are valuable documents in order to understand the possibilities that exist for a potential trilateral dialogue. As regards literature, the sources providing for a basic understanding of the overall topic included anthologies such as *The European Union in Africa: Incoherent Policies, Asymmetrical Partnership, Declining Relevance?* edited by Maurizio Carbone as well as *China and the European Union in Africa: Partners or Competitors?* edited by Jing Men and Benjamin Barton. In addition, a multitude of research articles provided additional information on specific aspects of this paper, notably those conducted by institutions such as the EU Institute for Security Studies (EU ISS), the European Centre for Development Policy Management (ECDPM) and the Netherlands
Institute of International Relations (Clingendael). On top of that, on the occasion of the publication of a study conducted in autumn 2016 by the Friends of Europe think tank, I attended the publication talk for this study entitled “Europe, China and Africa: New Thinking for a Secure Century”. This study, consisting of a compilation of short articles on the topic of security cooperation in Africa provided valuable direction for the eventual conclusions drawn from my research. Moreover, in order to highlight the economic relationship between the EU and Africa as well as China, respectively, data available from EU sources has been used to illustrate the weight the individual partners have in the relationship. The graphs to be found in the appendix aim at visualising this economic data, supporting the political and legal framework of the relationship laid out in the first part of this paper.

With a view to the structure of this paper, it consists of three main parts. The first part aims to provide an overview of the long-established relationship between the EU and African countries. The Yaoundé and Lomé Conventions therefore serve as a starting point for this chapter. I subsequently analyse the current legal framework provided for by the Cotonou Partnership Agreement. Even though the international agreements mentioned in this chapter do not only cover African countries, but have been concluded with the ACP (African, Caribbean, Pacific) group of countries, I will only focus on the parts relevant to the EU-Africa relationship. The second part of the paper addresses the implementation of the Cotonou Agreement in conjunction with the Joint Africa-EU Strategy (JAES). While the implementation of the Cotonou Agreement refers to the negotiation process and current status of the Economic Partnership Agreements (EPAs), I chose to start the chapter with analysing the JAES. This approach has been taken in order to first outline the principles of the JAES in order to subsequently analyse the EPAs and the problems that arose during the negotiating process in light of the principles adopted in the JAES. While I initially considered the flow of the paper required to first address the issues of the EPAs (having outlined the Cotonou framework in the previous chapter), in the course of my research I realised that an understanding of the JAES is indispensable for addressing the EPA negotiations. When analysing the JAES, two areas of cooperation, namely security and the economic dimension will be addressed, the latter dealing with the issue of the EPAs. This second part of the paper already deals with certain aspects of the EU-Africa relationship that need to be taken into account when contemplating a trilateral dialogue. This includes positive aspects of benefits of such a relationship as well as the backlash the JAES and the EPAs have suffered from; thus, significant aspects to be addressed at a later stage. The third part of this paper deals with a potential EU-China-Africa trilateral dialogue. To this end, the 2008 European Commission proposal for the establishment of a trilateral dialogue serves as a starting point for this chapter. However, before highlighting possible scenarios for such a dialogue and venturing further in an analysis of the proposal, the chapter addresses the respective bilateral frameworks of relations. Therefore, I first look at the EU-Africa security relationship. On the one hand, I will
address the security-development nexus by taking the two regional strategies for the Horn of Africa and the Sahel as well as the EU Global Strategy as an example. On the other hand, I will only briefly mention EU-AU cooperation, as it has been dealt with in the previous chapter under the JAES. Secondly, I will analyse the Sino-African relationship, by focusing on two aspects: China’s increasing involvement in security on the continent and its economic activities in connection with the FOCAC forum. The third pillar concerns the EU-China relationship. After outlining the legal and political framework for the relationship, I will make the point for overlapping interests of the two partners in Africa, taking the Chinese OBOR strategy’s maritime dimension as an example and showing how the EU Maritime Security Strategy plays into this. Moreover, I will mention past experiences in EU-China security cooperation by taking Somalia as an example. Furthermore, the final part of this chapter will deal with the specific potential for a trilateral dialogue, by suggesting areas of cooperation. The concluding chapter will take into account the different suggestions made for cooperation and evaluate the feasibility and necessity of a trilateral dialogue and the circumstances under which this would be possible.
1. Overview: From Yaoundé to Cotonou

The EU’s relationship with the African continent is characterised by multiple phases and, most notably, by a multitude of different layers concerning the countries involved. When thinking about EU-Africa relations, it is vital to define the policy framework one is about to refer to and thus, which countries the respective frameworks include. While the EU has for a long time separated the African continent into North Africa and sub-Saharan Africa, the former being incorporated in the EU’s Neighbourhood Policy (ENP) and the latter being dealt with within the ACP framework, the Joint Africa-EU Strategy (JAES) for the first time embarks on a continent-wide approach to the EU’s relationship with Africa. 1 Nevertheless, there are still numerous other layers that cover aspects of EU-Africa relations. These are made up of bilateral agreements and sub-regional strategies for the Horn of Africa and the Sahel regions or the Great Lakes and Gulf of Guinea strategies. 2 This adds significantly to the web of overlapping relationships that already exist. The following section will therefore aim at laying down the framework for cooperation between the EU and sub-Saharan Africa, as well as the entire continent with the introduction of the JAES.

1.1 The beginnings of the EU-Africa relationship: the Yaoundé and Lomé Conventions

Against the backdrop of decolonisation, the European Union, at the time still the European Economic Community (EEC), set up a framework for cooperation with some of its Member States’ former colonies. As regards Africa, the Treaty of Rome of 1957 (1958) forms the start of formal relations with post-colonial Africa, by including the European Overseas Territories in the Treaty. The two Yaoundé Conventions concluded in the 1960s shifted the relationship to the multilateral level. The Conventions govern the relationship between eighteen African states (former French colonies) and the EEC. In 1963, the first Yaoundé Convention was signed (entry into force 1964) for five years. The Yaoundé framework provides for financial aid to and free-trade zones with the former European colonies. Therefore, it aims at taking a regional approach by building a relationship with a group of countries instead of bilateral approaches. The second Yaoundé Convention, signed in 1969 (1971) for another five years was initially intended to cover a wider array of states. To this end, the Lagos Agreement with Nigeria and the Arusha Agreement with the three East African States Kenya, Uganda and

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Tanzania were negotiated in the second half of the 1960s. However, while the former did not enter into force due to failing ratification, the latter was not introduced into the Yaoundé framework and continued a separate path from 1971-1975.

1975 marked the start of the Lomé Conventions, counting four in total. The legal basis of the Lomé Conventions and the subsequent relationship between the EU and Africa was ex Article 310 TEC (Article 217 TFEU post-Lisbon), giving the Community the possibility to enter into treaty relationships with third countries. The accession of three countries to the EEC in 1973 – the UK, Ireland and Denmark – provided the possibility for the ACP (Africa, the Caribbean and the Pacific) Commonwealth members and after the expiry of the second Yaoundé Convention also other African countries, to establish formal relations with the EEC. The Lomé Conventions were introduced to establish an equal partnership, a principle that would be crucial from that point onwards. Therefore, the first Lomé Convention marked the beginning of this relationship from 1975-1980. In 1989 the fourth Lomé Convention was signed, this time for a ten-year period, including a mechanism for review after five years. The review of the fourth Lomé Convention introduced regional cooperation and highlighted issues such as good governance and human rights, however, not yet amounting to an ‘essential elements’ clause. Lomé IV provided for almost all products to enter the EC market duty-free on a non-reciprocal basis. Thus, compared to other developing countries, the ACP countries enjoyed a more preferential access to the European Communities’ (EC) market. This preferential treatment, however, was contrary to the EC’s international obligations and could only be maintained due to an exception granted by the WTO. The GATT panel in a number of disputes concluded that the Lomé Convention was not in line with the most-favoured-nation (MFN) principle, ruling out discrimination between ‘like products’ from different export nations. However, from 1994 until 2000, the EU could continue the Lomé framework due to a waiver from its GATT/WTO obligations, eventually resulting in the EPAs.

Towards the end of the Lomé Conventions, the late 1990s, the two sides had to decide whether to establish a relationship with developing countries based on equality (and thereby giving all developing countries non-reciprocal, preferential access) or whether to continue the

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5 Ibid.
unique relationship the two regions have forged in previous decades (via establishing a WTO-compatible relationship). This eventually resulted in the establishment of the Cotonou Partnership Agreement and the EPA negotiations.

1.2 The current legal framework: the Cotonou Partnership Agreement

In 2000 (2003), the Partnership Agreement between the African, Caribbean and Pacific (ACP) group of states and the European Community and its Member States, a mixed agreement between the EU and its Member States and 79 ACP countries, hereafter ‘Cotonou Agreement’, was concluded. The legal basis for the agreement was Article 217 TFEU. According to the European Commission’s DG TRADE, the Cotonou Agreement seeks two main goals: Firstly, it aims at enhancing the participation of the ACP countries in world trade, which has not been sufficiently achieved by the previous cooperation framework. Secondly, it is a necessary step towards bringing the relationship in line with WTO rules, more specifically, the principle of non-discrimination which, in general, does not allow for trade preferences.

The overall objective of the agreement is to promote development. More specifically, Article 1 of the agreement clarifies that the objective of the agreement is to eradicate poverty while paying due regard to the principle of sustainable development as well as the introduction of the ACP countries into the global economy. Article 2 of the Cotonou Agreement refers to the fundamental principles upon which the EU-ACP relationship is based. These include an emphasis on the equality of the partnership, participation, dialogue and the inclusion of civil society and the private sector. Moreover, special focus is given to regional approaches given the different stages of development of the actors concerned. This marks a significant turning point in EU-Africa relations as it installs a “dual-track approach”; not only does the Cotonou mechanism foresee economic integration of Africa based on regionalism in the world economy, it at the same time calls for closer cooperation between the different regional groups and mechanisms within Africa.

What is more, the Cotonou Agreement includes some particularities. First of all, not all ACP countries are party to the agreement. In particular, these countries are Sudan, South Sudan,

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12 Ibid; Partnership agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part signed in Cotonou on 23 June 2000, OJ L 317/3 (entered into force 1 April 2003) [Cotonou Agreement].
Somalia, Equatorial Guinea (and Cuba). This is important because the EU’s financial instrument to grant assistance to African states, the European Development Fund (EDF), has been established by the Treaties of Rome, but is now embedded within the Cotonou Agreement.\textsuperscript{13} However, since the above mentioned countries are some of the most vulnerable African states, potentially suffering the most in the event of being deprived from access to the EDF, the Cotonou Agreement addresses this issue in order to allow for these countries to still have access to EU funding. Thus, Article 93.6 of the agreement allows for countries such as Somalia to participate under the EDF,\textsuperscript{14} ensuring the EU’s most important financial instrument in dealing with poor African countries does not exclude those who are in dire need of financing. Another specificity of the Cotonou Agreement is enshrined in Article 95, stating that the agreement is valid for twenty years. Additionally, the agreement, although it entered into force in 2003, commenced on 2000; therefore fixing its date of expiry for 2020.\textsuperscript{15}

The institutional structure of the Cotonou framework is highly developed. This is laid down in Part II, Articles 14 to 17 of the agreement. Article 14 introduces the three main institutions: the Council of Ministers, the Committee of Ambassadors and the Joint Parliamentary Assembly. These institutions have already been included in the Lomé framework.\textsuperscript{16} However, after the second revision of the Cotonou agreement in 2010, a provision on meetings of heads of state and government was added under Article 14A. Article 15 refers to the Council of Ministers, meeting on an annual basis. Most importantly, this institution has the competence to adopt legally binding decisions. The Council of ministers furthermore is called upon to set up a dialogue with civil society. Article 16 subsequently refers to the Committee of Ambassadors. The Council may delegate to this committee comprised of the permanent representatives of the Member States and the ACP countries to the EU. Moreover, Article 17 provides for the Joint Parliamentary Assembly and Article 38 refers to a Joint Ministerial Trade Committee, another sign for the high degree of development of institutions in this framework.\textsuperscript{17}

As for the content of the agreement, the Cotonou Agreement consists of three main dimensions: development cooperation, political cooperation as well as economic and trade cooperation.\textsuperscript{18} As an instrument to promote development, it thus added the two former areas, political and development cooperation, to the under Lomé already considered pillar, trade and financial assistance. According to Carbone, three major changes characterise the Cotonou

\textsuperscript{15} Cotonou Agreement. 2000, Article 93, 96.
\textsuperscript{16} Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Article 30.
\textsuperscript{17} Cotonou Agreement. 2000, Part II.
\textsuperscript{18} European Commission, “ACP - The Cotonou Agreement.”
framework compared to the Lomé relationship. To begin, Cotonou establishes a performance-based allocation of financial support, as opposed to the previous need-based allocation. This reflects the introduction of the principle of conditionality. Secondly, Article 1 of the Cotonou Agreement lays down the objectives of the partnership, referring explicitly to the promotion of peace and security, a new area added to the relationship and, therefore, highlighting the deepening of the relationship. \(^{19}\) Lastly, the above mentioned waiver granted by the WTO was extended until 2007, which is when the new and non-discriminatory relationship between the EU and the ACP countries was initially foreseen to be established. \(^{20}\) On top of that, an important provision with regards to the Cotonou agreement is Article 9, the so-called ‘essential elements’ clause, referring to the promotion of human rights, the rule of law and sustainable development. However, under the fundamental principles guiding the relationship (Article 2) there is an explicit reference to Article 9. This crucial link means that the essential elements clause can be activated with regard to these principles as well. Furthermore, in an attempt to foster a more equal partnership between the EU and the ACP states, the essential elements clause has been updated in the 2010 review to include a reference that both the EU and the ACP countries have to abide by the essential elements laid down in the agreement. A violation can, as a last resort, lead to the suspension of the agreement (Article 96). The EU has applied a very strict framework of conditionality in the Cotonou partnership. The detailed essential elements clause aims at preventing human rights violations. However, cutting aid or limiting a relationship can have negative impacts on those countries that would actually be in need of cooperation the most. This is why this provision aims at preventing this to happen in providing for a political consultation procedure. \(^{21}\) However, strict conditionality raises the question of potentially driving African states in the arms of other actors, including China. African governments tend to feel more at ease at times with their Chinese counterpart as the China-Africa relationship is considered to take a less paternalistic and more equal approach to cooperation. Therefore, a balance is essential between ensuring the adherence to EU values as well as refraining from preventing outside actors to be considered “easier” partners since they do not apply the same set of strict conditionality.

Concluding this first section, the EU-Africa relationship after decolonisation started with establishing a trade relationship between Europe and its former colonies on the basis of preferential access for African countries to the European market. The legal framework of the Lomé Conventions did not, however, deal with African countries alone but included Africa in the ACP framework. The Lomé Conventions became ever more sophisticated and eventually resulted in the current legal framework provided for by the Cotonou Agreements. This was a necessary step in order to bring the EU-ACP relationship in line with international rules.

\(^{19}\) Carbone, “Rethinking Acp-Eu Relations After Cotonou,” 2–3.


\(^{21}\) Hachez, “Essential Elements” Clauses in EU Trade Agreements, 10–11.
2. **Cotonou Implementation and the EU-Africa Strategic Partnership**

The negotiations for Economic Partnership Agreements, as provided for in the Cotonou Agreement were a necessary step to live up to WTO standards. The implementation of the EPAs has proven, however, more difficult than initially expected. Therefore, this chapter will first outline the second dimension of the EU-Africa relationship, the JAES and highlighting its objective, before moving on to evaluate the implementation of the Cotonou Agreement against the backdrop of the JAES.

2.2 **The Joint Africa-EU Strategy (JAES)**

The Joint Africa-EU Strategy (JAES) is a crucial example of the EU’s strategic partnerships, a key element of which forms the promotion of the concept of *effective multilateralism*. This concept aims at reaching a convergence of views in multilateral fora. This is when the EU’s strategic partnerships come in, which serve as instruments for the EU to pursue and implement common objectives within multilateral institutions. As for the JAES, prior to its launch in 2007 the EU published its EU Strategy for Africa in 2005. This document reflected the Union’s wish to adopt a “comprehensive, integrated and long-term framework for its relations with the African continent.” This ‘comprehensive’ approach refers to the aim to bundle the EU’s various agreements covering different parts of the continent (North Africa, sub-Saharan Africa and South Africa) in one policy framework. More specifically, this is a significant goal as the different countries in the various regions in Africa face similar problems.

Two years later, the Joint Africa-EU Strategy (JAES) was adopted at the Lisbon Summit in 2007 between the European Union and the African Union (AU). This year also marked the signature of the Treaty of Lisbon by the EU Member States. Therefore, it is vital to mention the reference to its “renewed institutions.” Firstly, the JAES clearly focuses on cooperation between the two organisations, the EU and the AU against the backdrop of the establishment of the Union’s wish to adopt a “comprehensive, integrated and long-term framework for its relations with the African continent.”

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22 Appendix B contains general information on the EU’s strategic partnerships; its aims and objectives.
of the AU in 2002. Secondly, it emphasises the regional approach. As for the shifts that have taken place within the EU with the adoption of the Lisbon Treaty, the introduction of the European External Action Service the EU has undertaken a regional strategy for both the Sahel and the Horn of Africa. These developments highlight both the will to become a more visible and proactive player in international affairs but at the same time they reflect the reluctance of the Member States to abandon parts of their sovereignty in this field. In addition, it is important to note that the JAES moves from cooperation with sub-Saharan Africa (as practiced in the Cotonou framework) to an explicit inclusion of the entire African continent, therefore incorporating Northern Africa. This approach brings two regions which have previously been dealt with separately together into one (non-binding) document. This reflects the intention to enhance cooperation in the field of security, in which a shared set of objectives is paramount in order to tackle the threats to sub-Saharan Africa, the Mediterranean and Europe. Moreover, the JAES clearly points towards the intention to strengthen cooperation “at all levels”. Triennial summits of Heads of State and Government point towards a partnership implemented at the highest possible level. The purpose of these summits is to give overall guidance for the relationship between the two partners which is to be implemented by Action Plans adopted at these summits. Furthermore, institutional cooperation is foreseen at all levels, including between the Presidents of the EU Council and the AU, the two organisations’ parliaments as well as the Commissions. In addition to the summits, meetings on the level of ministers and senior officials provide the necessary input to realise the joint objectives. These meetings are to be held by so-called Troikas of both sides. The EU Troika includes the EU Presidency, the European Commission and the EU Council Secretariat.

On top of that, the Joint Africa-EU Strategy consists of four main aims: strengthening the political partnership; promoting a set of values such as peace, democracy and regional integration; enhancing effective multilateralism; and moving towards the inclusion of civil society. In addition, the JAES identifies four key areas of cooperation in which the mentioned four aims of the partnership ought to be implemented; these include: peace and security; governance and human rights; trade and regional integration; and key development issues. Additional priority areas of cooperation are to be set for the successive action plans.

29 Whitman and Hastrup, “Locating the EU’s Strategic Behaviour in Sub-Saharan Africa,” 67.
31 Ibid.
2.2.1 The JAES’ common objectives: peace and security

First of all, the area of peace and security features prominently in the JAES. Not only does the EU consider conflict management and prevention as key to development in Africa, but it also considers it of tremendous importance in order to establish peace within the EU, especially with a view to terrorism and migration. Therefore, cooperation between Africa and the EU in this field is indispensable. In this context, there is a clear focus on the EU providing support for existing African Union institutions and mechanisms. Established in 2002, the African Union (AU) is the successor organisation of the Organisation of African Unity (OAU). One year later, the Protocol on the establishment of the Peace and Security Council (PSC) was adopted. According to Article 2 of the protocol, the PSC is the decision-making organ in the area of peace and security. This reflects the AU’s drive to promote security on its own continent. To this end, the African Peace and Security Architecture (APSA) was established as an instrument in order to implement aims such as conflict management and peace-building.

This support by the EU to the AU in the area of security is supplemented by an explicit reference to the leadership of the African Union in this regard. The role the EU will undertake is mainly to provide financial support as well as capacity-building. The three main financial instruments the EU has established to support to African peace and security initiatives are the European Development Fund (EDF), the African Peace Facility (APF) which falls under the EDF’s umbrella and the Instrument for Stability (IfS), which has been renamed the Instrument contributing to Stability and Peace (IcSP). As the primary financial pool for development established by the Cotonou Agreement, the EDF is to provide the financial means to the APF. The legal basis of the APF is laid down in Article 11 of the Cotonou Agreement. This provision provided for peace building policies and conflict prevention and resolution (in later revisions this provisions has been significantly expanded). Based on this Article, Decision No 3/2003 of the ACP-EC Council of Ministers refers to the establishment of a ‘Peace Facility for Africa’ in order to implement the aims of Article 11 of the Cotonou Agreement.

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2.2.2 The JAES’ common objectives: trade and regional integration through the EPAs

A second dimension of the JAES aims at promoting trade and regional integration. One element to achieve this goal is to enhance the trade relationship between the two continents. Therefore, two specific approaches are mentioned. On the one hand, the Economic Partnership Agreements (EPAs) and on the other hand the EU-Mediterranean FTA with North Africa.  

As for the EPAs, in order to respond to criticism of the EU-ACP relationship due to the non-reciprocal nature of the trade relationship, Article 37 of the Cotonou Agreement provided for the negotiation of so-called Economic Partnership Agreements (EPAs), based on Article XXIV GATT, which allows for the establishment of free-trade areas and customs unions as exception to the principle of non-discrimination and covering ‘substantially all the trade’. One major objective of the EPAs as tools for development in an attempt to make them WTO-compatible is the principle of reciprocity. Not only do a major amount of ACP exports enter the EU market on a duty-free basis, but approximately 80% of products from the EU do also enjoy tariff-free access to the ACP regions. A second crucial objective of the EPAs is to foster regional integration. The EU has a strong goal of promoting multilateralism. Therefore, the EPAs as free trade agreements are one step towards reaching the goal of establishing an effective framework for integration.

However, the EPAs have ever since been a point of contention. In September 2002, the negotiations for the agreements with six regional groups were launched. The initial deadline for negotiations was 2007, however, since only one EPA has been successfully concluded (the agreement with CARIFORUM), it was extended until 2014 under the “Market Access Regulation” (Regulation 1528/2007). This regulation allowed for the extension of duty-free access of certain African exports entering the EU, of those countries that had been negotiating EPAs without meeting the deadline. Countries not succeeding in negotiating an EPA by 2014 would subsequently have fallen under the less beneficial Generalised Scheme of

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40 The six regional groups at the time were: the Caribbean (CARIFORUM), the Pacific region, ECOWAS and Mauritania, the Central African region, the South African Development Community (SADC), Eastern and Southern Africa (ESA); in 2007, a seventh group was established, the EPA group of the Eastern African Community (EAC). For more information on the current status of EPA negotiations, see Appendix C.
Preferences (GSP). This rather stringent mode of negotiation has caused considerable criticism towards the EU.\textsuperscript{43} Under the GSP, which allows for WTO-compatible special treatment of developing countries (DCs), DCs face lower or no tariffs on its exports to the EU for certain products. Least developed countries (LDCs) fall under the Everything But Arms (EBA) framework, allowing for duty-free access of all products, except for weapons.\textsuperscript{44} As the 2014 deadline approached, some countries have individually concluded interim-EPAs. This has been one of the most heavily criticised aspects. EPAs were clearly designed to promote regionalism,\textsuperscript{45} something that is only very gradually realised. In this context, Farrell criticises that the EPA negotiations took place regardless of the JAES and therefore regardless of one of the main principles of the JAES: the principle of an equal partnership within a continent-to-continent approach.\textsuperscript{46} What is more, there is little incentive for LDCs to join the EPAs since the preferential treatment under the EBA framework, in their opinion, provides better conditions for them.\textsuperscript{47}

What adds to the difficulties in the implementation of the EPAs is the multitude of regional groupings on the African continent, which pose a major challenge to efficiently implement the JAES’ objectives. Therefore, simplifying the institutional structure on the African continent in order to better identify the responsible players should aim at reducing the current overlaps.\textsuperscript{48} Regional integration features as a vital objective in the Cotonou/EPA framework as well as in the JAES. However, there are certain contradictions given that the EPA negotiating partner groups differ from the existing economic frameworks already established.\textsuperscript{49} The resort to a bilateral approach to EPA negotiations – while keeping regional agreements as the end goal – is somewhat ambivalent as it seems to give more leverage to those countries with the means to present themselves as strong actors vis-à-vis the EU. These are often the strongest economies; with those countries agreeing on EPAs, less developed countries face even more pressure. This problem arises because the failure to conclude an EPA with the EU in light of intra-regional competition created by the conclusion of EPAs of those stronger countries leaves less developed countries in an even weaker position. The EU’s aim to a regional approach is therefore ambivalent. Those few countries that have been able to agree on a deal enjoy a considerable advantage over their neighbours and other African states.

\textsuperscript{43} Carbone, “Rethinking Acp-Eu Relations After Cotonou,” 6.
\textsuperscript{48} European Union and African Union, “The Africa-EU Strategic Partnership: A Joint Africa-EU Strategy”.
Therefore, this implies that the EU’s goal of regionalism has unintentionally also had a certain number of detrimental effects on the ACP group and its regional groupings.\textsuperscript{50}

Furthermore, one of the main obstacles to concluding EPAs was the different attitude between the EU and its African partners concerning trade liberalisation. The latter feared for losing financial means gained by import duties and opposed the abolition of non-tariff barriers. African negotiators even held the position that the negative impacts in form of financial “adjustment costs”\textsuperscript{51} of further opening up the African market would outweigh the benefits of trade liberalisation. Both negotiating partners had a firm stance in this regard which explains why the negotiations are fraught with difficulty.\textsuperscript{52}

In order to better adapt the partnership to current challenges a review mechanism was installed leading to adaptions in 2005 and 2010. The first review in 2005 resulted in the EU pushing for strengthening security-related issues.\textsuperscript{53} The second review in 2010 has led to some profound changes. Firstly, a stronger focus on regional integration and cooperation with the AU has been established. Secondly, and quite significantly, the so-called ‘security-development nexus’ has been included into the agreement, referring to a stronger focus on the connection between security issues and development aid.\textsuperscript{54} Moreover, cooperation with national parliaments of the ACP countries was introduced. Additionally, the EU intended to include a provision on the automatic readmission of migrants to ACP countries. This, however, has been rejected by the African counterparts, an issue that is of major importance today.\textsuperscript{55} For Farrell the failure to conclude EPAs as initially envisaged highlights the declining leverage the EU enjoys as a player in Africa.\textsuperscript{56} As of January 2017, only one regional EPA has been concluded with the CARIFORUM group of Caribbean states.\textsuperscript{57} However, on an economic level, regional intra-continental integration is ever more important given the surge in negotiations of large free trade agreements, as a result of the stall of the negotiations in the WTO framework. If the goal of properly including African countries in the world economy is to be implemented, regional integration needs to be promoted.\textsuperscript{58}

To sum up this second part on the strategic EU-Africa relationship, it is important to note that the introduction of the Joint Africa-EU Strategy has been a vital step. Not only has the EU for the first time opted for a continent-wide approach to dealing with Africa, it also exemplifies the strategic importance of a strong EU-Africa relationship. In particular, two of the main

\textsuperscript{50} Stevens, “The EU, Africa and Economic Partnership Agreements,” 181.
\textsuperscript{51} Bilal and Rampa, Alternative (to) EPAs, 45.
\textsuperscript{53} Carbone, “EU-Africa Relations in the Twenty-First Century,” 4.
\textsuperscript{54} European Commission, “ACP - The Cotonou Agreement.”
\textsuperscript{55} Carbone, “Rethinking Acp-Eu Relations After Cotonou,” 5.
\textsuperscript{57} For further information on the current state of EPA negotiations, please see Appendix C.
\textsuperscript{58} Manrique Gil, “Something New out of Africa?,” 20–21.
areas of cooperation concern peace and security as well as trade relations. The former has been driven by strong EU interests to enhance security on the African continent implemented on the one hand by significant financial support to the AU and its APSA framework and on the other hand through extensive capacity-building support. Given the current security situation on the African continent and the implications for European security, this is an area that requires continuous efforts. The second area of cooperation under the JAES is the trade and regional integration dimension. However, the EPA negotiations have proven tremendously difficult. Although there have been signs for an improvement of the EPA negotiation process through recent signatures and provisional applications, one of the main goals of the JAES, promoting regionalism, has not yet been achieved. Thus, in addition to these difficulties, third actors’ involvement in Africa, such as China, all contribute to the new situation to be tackled in Africa. The following chapter will therefore analyse potential scenarios of how to deal with this issue.
3. The EU-Africa-China triangular relationship

While on first sight a trilateral form of cooperation might seem too ambitious to be implemented, there are clear overlaps in the respective partners’ interests. The 2005 EU Strategy for Africa explicitly draws attention to China as an external player in Africa, notably with a view to its foreign direct investment and its need for commodities. Moreover, it points to the fact that China takes a different approach to development aid. This is a significant sign that the EU explicitly lays down on paper its acknowledgement of a possible competition or cooperation with China in Africa. For Stahl, this reflects the important role China played in the drafting of the EU-Africa policy. Moreover, the 2016 Joint Communiqué of the European Commission and the African Union Commission includes an explicit reference to the need to include third parties in the two continents’ strategy in the area of peace and security financing. This serves as a starting point to think of ways to realise a trilateral dialogue between the EU, China and Africa. Thus, before moving on to explore possibilities for EU-China-Africa cooperation, it is vital to look at the existing bilateral relations between the respective actors. However, it is necessary to first briefly outline the 2008 proposal for a trilateral dialogue.

3.1 The 2008 proposal for a trilateral dialogue

In 2008, one year after the adoption of the JAES, the Commission issued a Communication proposing the establishment of a trilateral form of cooperation between the EU, China and Africa. Against this backdrop, it is interesting to note that in 2006, China launched its ‘Africa Policy’, a strategic approach towards the continent and a document that can be likened to the JAES. Men and Barton suggest that the European Commission’s communication on a trilateral dialogue ought to be regarded as a direct consequence of China’s increasing presence in Africa. Faced with the choice to either consider China a competitor and contribute to a negative climate that would not be beneficial to any actors or interests concerned or rather to aim for a more inclusive approach, the EU and its Member States opted for the latter. More specifically, in 2008 the Commission put forward the proposal for a trilateral dialogue in a communication, which was subsequently endorsed by the Council. This Commission Communication proposed three main principles: cooperation with regard to specific projects, inclusion of the respective African partners as well as improving aid effectiveness by the EU and China in order to reduce overlaps. As regards the objectives of the cooperation, peace and

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60 European Commission and African Union Commission, “8th College-to-College Meeting Joint Communiqué,” 2.
security is one of the four identified areas; the others being support for African infrastructure, sustainable management of the environment and natural resources as well as agriculture and food security. However, the explanation for the reference to security is to promote development, thus, a specific link to the security-development nexus. What is more, there is a clear reference to the promotion of **effective multilateralism** in the Commission proposal.\(^{62}\) The Council, in endorsing the Commission Communication, especially emphasised the potential for cooperation in the “sectors of peace, security and sustainable economic and social development in Africa. The Commission’s proposals regarding trilateral cooperation […] tend towards this end.”\(^{63}\) A particular focus is to be given to “strengthening African crisis management capabilities”\(^{64}\). An explicit reference to the development-security nexus is also included in the Council document. With regard to the institutional structure of the potential trilateral cooperation, the Council proposes working together within the established bilateral structures.\(^{65}\)

The approach put forward by the EU institutions leaves, however, space for improvement. Firstly, the trilateral dialogue has been drafted without sufficient consultation of African partners. This has been expressed by the AU by not responding to the EU proposal for a trilateral dialogue.\(^{66}\) Moreover, African countries considered it as an attempt by the EU to undermine their own choices of how to engage with third actors in an attempt to prescribe an African behaviour towards China.\(^{67}\) On a similar note, the Council’s proposal to use bilateral structures for a trilateral dialogue seems contradictory. On the one hand, the Council justifies this approach by referring to the effective implementation of the trilateral dialogue.\(^{68}\) However, taking the existing EU-China mechanisms as an example to cooperate trilaterally, I tend to believe that African actors would most certainly not feel sufficiently represented or heard. Moreover, while there is a sophisticated institutionalisation of the EU-Africa relationship, it seems highly unlikely that China would agree to this approach which would not seem inclusive enough. On the other hand, however, with a view to consistency and effectiveness, establishing a new trilateral structure does not seem like a feasible objective for the time being. There has been, however, a call within academia for the establishment of

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\(^{64}\) Ibid.

\(^{65}\) Ibid.


\(^{68}\) Council of the EU, “Council Conclusions on Trilateral Dialogue and Cooperation between the European Union, China and Africa.”
“trilateral mechanisms” in order to efficiently achieve these goals. With a view to addressing these concerns, a balance needs to be struck in order to sufficiently take into account every partner’s respective interest. However, China’s and the EU’s approaches to dealing with the continent have differed considerably. According to Dittgen et al., China’s relationship with Africa is a more “customised” one, depending on the partner country they are dealing with and the respective issues and interests that are at stake. The EU, in contrast, prefers a regional approach, as reflected in its promotion of regionalism in the JAES and especially the EPA negotiations. The latter, however, have shown the limits this approach has in order to successfully forge partnerships. What is of interest now is to analyse these two ways of cooperation and outline its respective benefits and disadvantages.

3.2 EU-AFRICA security cooperation: from the JAES to implementation

In analysing the previously set out EU-Africa relationship with a view to exploring possible areas for the inclusion of China, it is important to venture further into the area of peace and security. According to Bromley, the reasons for the EU’s growing interest in African security are fourfold: a growing internal focus on EU security and defence, the establishment of the security-development nexus, the launch of the APSA and the emergence of third countries in Africa. Christian Leffler, Deputy Secretary General of the EEAS during the 2016 European Development Days highlighted the strong institutional framework the EU and Africa have already set up. The fact that the two partners have agreed to political, legal and financial commitments provides a strong basis for venturing further into new forms of cooperation. However, issues such as the fact that the EPA negotiations were fraught with difficulties and the subsequent shift of some African countries into the arms of new actors, especially China, need to be taken into account.

3.2.1 Security as precondition for development

While the 2003 European Security Strategy has been a starting point to name the multiple security-related threats inherent in African conflicts and the subsequent dangers these entail for the EU, its value for the implementation of security-related activities in Africa today is

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69 Bernardo Mariani, Challenges and Opportunities for Peace and Security Cooperation, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 67.
73 Carbone, “Rethinking Acp-Eu Relations After Cotonou,” 6, 8.
limited. However, it marks a starting point for the EU to acknowledge the importance of steering more efforts towards conflict resolution and management in Africa. Since 2003, the EU has made considerable progress in becoming a global actor in the sphere of security. Over the last one and a half decades, the EU has realised the importance to tackle new security threats and has developed what has often been referred to as the “security-development nexus”. This combines traditional development cooperation and aid with the EU’s Common Security and Defence Policy (CSDP). In the words of the European Security Strategy, “security is a precondition of development.” This phrase has since then been repeated on multiple occasions. The Commission’s trilateral dialogue communication links the need to trilateral security cooperation in Africa to the security-development nexus. Moreover, the Global Strategy also refers to the interconnectedness of security, development and trade. Two sub-regional policy documents of the EU take a closer look at the implementation of the security-development nexus: Firstly, the ‘EU Policy on the Horn of Africa’ and secondly, and most notably, the EU’s ‘Strategy for Security and Development in the Sahel’.

a. Two regional strategies: the Horn of Africa and the Sahel

In 2011 the Council adopted a document that represented an important milestone in the way the EU approaches the region. The ‘Strategic Framework for the Horn of Africa’ creating more efficient EU involvement “through coherent and complementary use of its instruments, […], and by focusing more clearly on the underlying challenges of the region” Moreover, the Strategy is guided by the principles of regional ownership and mutual responsibility. It does not create new mechanisms, but it provides for strengthening the existing ones such as through the Cotonou agreement, through CSDP missions, notably through capacity-building efforts, and by engaging in and with multilateral and regional fora. The added value of this strategy is the coherent approach the Union seeks to take in the region, as expressed by the creation of the post of a Special Representative for the Horn of Africa. Therefore, the Strategy is an umbrella document that aims at addressing the root causes of instability and conflict in the Horn of Africa.

74 Bromley, “The European Union,” 137.
80 Ibid.
The EU’s ‘Strategy for Security and Development in the Sahel’ is a second crucial document against the backdrop of the security-development nexus. It puts a strong focus on the fight against terrorism and its underlying issues. However, while the strategy is an important document highlighting the tremendous importance of enhancing stability in the region, there is a lack of political action. Due to the current migration trends and the difficulties in properly addressing the challenge on a Union level, curbing migration takes precedence over appropriately dealing with long-term stability in the region.

b. The EU’s Global Strategy and the security-development nexus

The security-development nexus focuses on sustainable solutions with an emphasis on creating an environment for fragile states to recover after times of crises. Against this background, the EU Global Strategy (EUGS), published in 2016, plays an important role. While the above mentioned two regional strategies have been framed beforehand, the 2016 Global Strategy once more underlines their importance. It refers to the need to consider the respective regions, from the Horn of Africa to the Sahel and West Africa, as distinct regions which, however, need to tackle similar security issues. Not only could the EUGS contribute to conflict solution but also to conflict prevention. Therefore, it aims at delivering the necessary inputs to shift the focus towards addressing underlying issues before crisis can erupt.

In this context of the security-development nexus, the concept of ‘resilience’ is an important feature. Venturi et al. point out that a crucial characteristic of the EU Global Strategy is the reference to building resilience, notably in the EU’s surrounding regions. According to them, “resilience represents the ability to withstand shocks, but also supplying the capacity for adaptation and renewal”. It aims at fostering environments in which crises can be surmounted by the local communities themselves by enabling them to do so before they erupt. The EUGS also links the concept of resilience with the Sustainable Development Goals in what is a very ambitious attempt to improve the livelihoods of the EU’s surrounding

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84 Whitman and Haastrup, “Locating the EU’s Strategic Behaviour in Sub-Saharan Africa,” 65.
88 Venturi and Helly, A New EU Strategic Approach to Global Development, Resilience and Sustainability, 5.
regions. Moreover, as has been the case for the Cotonou/EPA framework, trade agreements ought to serve as tools for development.  

3.2.2 EU-AU cooperation in the field of security

From the outset of the JAES, and especially in the two first action plans, the means to deal with security issues in Africa has been through local ownership. This refers to the focus on enabling the EU’s African partners to deal with security threats. The EU’s role is to support and assist, financially and through its expertise, in the development of the African Peace and Security Architecture (APSA), while financial support is provided via the mechanism of the African Peace Facility (APF).  

At this stage it is vital to remember that the APF, which is to contribute to security in Africa, is financed by the EU’s instrument for development. The existing institutional structure under the AU, the APSA and APF frameworks, provide a good basis for enhancing EU-Africa security cooperation. The institutional framework has been strengthened through the exchanges between the EU’s Peace and Security Committee and the AU’s Peace and Security Council. The overall goal of EU-Africa security cooperation is to provide financial support for the genuine enhancement of African capacities in order to better prevent conflicts and enable the EU’s African counterparts to take over more and more responsibility in the provision of security.

During the last Africa-EU summit held in Brussels in April 2014 (the fourth summit after the establishment of the JAES), the Roadmap 2014-2017 has been agreed upon. Most notably, the previous eight priority areas of cooperation have been reduced to five, including peace and security; democracy, good governance and human rights; human development; sustainable and inclusive development and growth and continental integration; and global and emerging issues. Comparing the three-year Roadmap published in 2014 with the document published two years later, in 2016, following the 8th College-to-College Meeting in Addis Ababa between the European Commission and the African Union Commission, there is a clear shift of priorities within the area of peace and security. Focusing first on the topic of peace, justice and reconciliation, the 2014 Roadmap puts a strong emphasis on conflict management. Terrorism is subsequently mentioned as to be tackled as a root cause of various conflicts and

91 Whitman and Haastrup, “Locating the EU’s Strategic Behaviour in Sub-Saharan Africa, 67–68.
mentioned along the lines of transnational organised crime. The two Commissions’ 2016 Joint Communiqué, on the other hand, starts by addressing the area of peace and security with a reference to combatting terrorism together. As an example, the Multinational Joint Task Force, the EU decided to support financially, to fight Boko Haram is mentioned. A subsequent paragraph dedicated to terrorism reflects the shift in priorities in an attempt to adapt to current crises situations.

Moreover, Tardy highlights the need to clearly set European political goals in the support given to the AU through the APF. Only when there is a clear strategic vision on the side of the EU as well as a convergence between the two actors can the EU and Africa enhance their partnership. The upcoming November 2017 Africa-EU Summit ought to be used to tackle this issue. Therefore, in May 2017 the European Commission and the High Representative published a Joint Communication forming the background document for this summit. The document mentions three strategic objectives that ought to be emphasised: Firstly, enhanced international cooperation, implicitly referring to effective multilateralism. Secondly, reinforced efforts to provide security; thirdly, a focus on sustainable economic development. These objectives are to be implemented in two areas: building more resilient states and creating employment opportunities for the youth. In November 2017, the two partners will agree on a new Roadmap addressing the relationship for the next three years.

Keeping in mind the above-mentioned reference to resilience when addressing the issue of security cooperation in Africa, it is vital to take into account the security-development nexus. Tackling root causes clearly presents the best long-term option in fighting violence. This section on EU-Africa security cooperation, together with the previous part’s extract on peace and security cooperation as enshrined in the JAES have aimed at presenting the importance of building resilient local African actors that eventually ought to address a significant amount of security challenges themselves. However, for the time being, outside involvement is absolutely necessary and therefore the need to include emerging actors in Africa, such as China, in the broader picture of cooperation in and with Africa.

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3.3 CHINA-AFRICA relations

China’s foreign policy under President Xi Jinping has shifted towards a more assertive stance in world affairs, ranging from ambitions in the South China Sea, to open threats of trade disputes, or the establishment of institutions such as the Asian Infrastructure Investment Bank (AIIB). Additionally, China moves towards establishing itself as an actor in multilateral fora such as the United Nations (UN). All of these trends exemplify that China is prepared to take on a more visible role in geopolitics.99 With a view to China-Africa cooperation, some institutional initiatives highlight China’s increased political commitment in Africa and its emphasis to boost stability in Africa. First of all, in 2009 China created the post of ‘Special Representative for African Affairs’. Moreover, China opened its permanent mission to the African Union in 2015. Thirdly, China has acquired observer status with the African Union. All three trends highlight China’s closer cooperation with African partners.100

Against the backdrop of this strengthened China-Africa relationship, it is often argued by Chinese academics and politicians alike that China has gone through a similar development path as Africa and therefore found more common ground regarding shared values than the EU. These include non-interference in internal affairs and the importance of state sovereignty.101 This notion of common experiences is also enshrined in China’s Africa Policy of 2006.102 However, one of the areas of cooperation laid down in the white paper on China’s Africa policy is a multilateral cooperation with the AU and the UN. China aims at enhancing its contribution to peacekeeping missions, however, will assist in conflict resolution via “providing assistance within our own capacity”.103

3.3.1 China’s growing involvement in UN peacekeeping

Being one of the five permanent members of the UN Security Council since the establishment of the United Nations in 1945,104 China – referring to the principle of non-intervention – only

104 However, until 1971 the Republic of China (ROC) was represented by Chiang Kai-shek’s Nationalist Party the Guomindang, who fled to Taiwan in the aftermath of the Chinese civil war. In 1971, however, the UN
started participation in peacekeeping by taking part in observer missions in the 1980s. With the advent of the new millennium, China considerably increased its contributions to UN peacekeeping missions, both civilian and military. This can be attributed to China’s growing influence on the world stage, both economically and politically.\textsuperscript{105} As of March 2017, China had deployed more than 2,500 UN peacekeeping personnel, 2,300 of which are military staff.\textsuperscript{106} Therefore, contributing most peacekeepers compared to the other UN Security Council permanent members.\textsuperscript{107} Prof. He notes that the Libyan civil war in 2011 marked a significant turning point for China. At that time, China recognised the importance of peace in Africa for the protection of its own interests.\textsuperscript{108}

However, while China has undertaken a more active role in peace and security in Africa there is still a difference in the European and Chinese conception of how stability is to be delivered to African countries. Alden and Large have framed the phrase “African state building with Chinese characteristics”\textsuperscript{109}, meaning that while China does indeed consider political institutions necessary to achieve this goal, this does not equal democracy promotion as considered by, for instance, the EU.\textsuperscript{110} This policy relies strongly on the doctrine of “African solutions for African problems”\textsuperscript{111}. While it is true that China has significantly increased its involvement in African security through its participation in various UN missions in Africa, until now these missions were considered not the most risk-prone ones. Therefore, Bund and Makocki call for China to further step up its involvement in this regard.\textsuperscript{112} At the 2015 General Assembly gathering, president Xi Jinping announced the support of 8,000 Chinese General Assembly passed a resolution with ground-breaking impact for China’s emergence as an international actor. General Assembly Resolution 2758 confirmed the government of the People’s Republic of China (the Communist Party’s government on mainland China) as the “only lawful representatives of China to the United Nations”. While this resolution stopped short of defining the legal status of Taiwan, the Government of the PRC was now established as the sole interlocutor for most Western nations with regard to China.

\begin{itemize}
  \item \textsuperscript{107} Alberto Turkstra, \textit{Combating Security Threats through Enhanced Sino-European Cooperation in Africa}, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 80.
  \item \textsuperscript{110} Ibid.
  \item \textsuperscript{111} Chung Zhang, \textit{China’s Involvement in the African Security Field}, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 41.
\end{itemize}

personnel to the peacekeeping standby force. If translated into action, this could serve as a major positive contribution for the UN to act more swiftly in times of crises.

However, there remain certain challenges for a deeper involvement of China in Africa. China ought to find a way to provide security in Africa while keeping in mind two principles: the principles of non-intervention and non-indifference. This implies departing from the principle of non-intervention through the justification that the UN Security Council has the authority to legitimise Chinese engagement in Africa. Moreover, Bund and Makocki go so far as to say that Chinese involvement in Africa might even have negative implications on the security environment in the region. China’s economic activities on the continent have sparked conflicts relating to the resort to Chinese labour instead of employing locals, the infliction of environmental damage or negative impacts on corruption. Thirdly, China continuous to supply small arms to African states which has a detrimental effect on efforts to provide peace and end conflicts. This is still a major obstacle to deepen cooperation between China and the EU.

3.3.2 China’s economic interests in Africa: the FOCAC framework

China’s relations with Africa have been pushed to a formal, political institutional level in 2000 with the establishment of the ‘Forum on China-Africa Cooperation’ (FOCAC). In brief, the FOCAC is primarily used by China to publish its financial support and investment plans for Africa for the subsequent three years. The FOCAC has served as framework for China-Africa relations with Ministerial Conferences between China and the 51 African partners. The current FOCAC Action Plan adopted in December 2015 at the 6th Ministerial Conference in Johannesburg states that China plans to invest USD 100 billion in Africa until 2020. This is an increase of USD 68 billion. This rise is remarkable, since previous summits have usually led to a doubling of Chinese investment, however, this time China has tripled its future investment announcement. China’s strong presence in Africa since the beginning of the new millennium focuses heavily on trade and investment. The Chinese narrative rejects the

113 Charles Clover, “China to Set up 8,000-Strong Peacekeeping Force,” Financial Times (Beijing, 29 September 2015), accessed 7 April 2017, https://www.ft.com/content/a1d5909c-6663-11e5-a57f-21b88f7d973f.
114 Zhang, China’s Involvement in the African Security Field, 41.
115 Bund and Makocki, The EU-China-Africa Triangle, 2.
116 Dittgen et al., On Becoming a Responsible Great Power, 7; Huang and Ismail, “China,” 35.
European approach to development, often criticising the EU’s approach to conditionality. Therefore, there has been a shift from development aid to economic cooperation.\textsuperscript{121} As for financial support in the area of peace and security, China has gradually increased its commitment. Additionally, the recent FOCAC meetings of 2012 and 2015 exemplify how China is getting involved in providing stability in Africa on multiple levels. China and its African partners have launched an ‘Initiative on China–Africa Cooperative Partnership for Peace and Security’.\textsuperscript{122} This framework seems compatible with the EU’s approach to Africa: providing financial assistance to African peace-keeping missions and building military capacities\textsuperscript{123} to strengthen African militaries is well in line what the EU has been committed to in Africa. Therefore, there is a clear overlap in the EU’s and China’s objective to contribute to capacity building in Africa.\textsuperscript{124} However, this Chinese-African initiative launched in the FOCAC framework has not yet been translated into actions. There is a need to formulate more precisely the goals of this cooperation and to truly implement the ideas presented.\textsuperscript{125} This issue is also gaining ground amongst Chinese academia. Zhang, for instance, calls for stepping up financial support to peace and security, and especially enabling African partners to cooperate amongst each other.\textsuperscript{126} Thus, this is in line with the EU’s goal to promote regionalism and intra-regional cooperation in Africa. Therefore, this is evidence for the potential of cooperation between the EU and Africa.

3.4 EU-CHINA cooperation in and with Africa

The relationship between the EU and China has lived through various phases. Currently, issues such as ongoing WTO disputes and the EU’s efforts to adapt its trade defence measures to face China’s recently acquired market economy status, the dispute in the South China Sea and events such as Brexit and the new US administration do all influence the relationship. Against this backdrop, given the EU’s expertise in certain areas as well as its important say in global politics, strong ties between China and the EU are indispensable.\textsuperscript{127} On top of that, China and the EU are major trading partners. More specifically, China is the EU’s second largest trading partner after the USA, accounting for 14.9% of the EU’s total trade. Moreover,

\textsuperscript{121} Manrique Gil, “Something New out of Africa?,” 5.
\textsuperscript{122} Dittgen et al., On Becoming a Responsible Great Power, 2.
\textsuperscript{124} Wheeler, “Tackling the Proliferation of Small Arms and Light Weapons,” 110.
\textsuperscript{125} Alden and Large, “On Becoming a Norms Maker,” 131.
\textsuperscript{126} Zhang, China’s Involvement in the African Security Field, 42.
20% of the EU’s imports are produced in China.\textsuperscript{128} These trade balances need to be taken account of in the following analysis.

\subsection*{3.4.1 Overview of the EU-China relationship}

After the official establishment of first diplomatic relations between China and the EU in 1975\textsuperscript{129}, the legal framework for EU-China relations has been agreed upon in 1985 with the ‘EEC-China Trade and Economic Cooperation Agreement’. While talks about an update of the agreement have surfaced over the years, this agreement still forms the basic legal framework for the relationship. However, several sectoral agreements, such as, for instance, the ‘EU-China Maritime Transport Agreement’, complement this agreement. Article 15 of the 1985 agreement sets up a Joint Committee, however, this committee only has the power to adopt recommendations.\textsuperscript{130} Thus, the agreement’s level of institutionalisation is rather weak, reflecting the agreement’s limited scope. While an EU-China free trade agreement seems far from being realised, negotiations to conclude an investment agreement have been launched.\textsuperscript{131}

The strategic relationship between China and the EU was launched in 2003 with the adoption of the ‘China-EU Comprehensive Strategic Partnership’. However, this relationship has evolved over the years. Internal EU events such as enlargements and treaty revisions but also Chinese policy changes (e.g. more involvement in the UN Chapter VII mechanisms), as well as changes in the global environment have shaped the way the partnership has developed. In addition to the 2003 Strategic Partnership, which includes annual EU-China summits, in 2005 the ‘EU-China High-Level Strategic Dialogue’ was launched\textsuperscript{132}, a sign for a deepening of the political relationship between the partners. This political dialogue deals with topics such as security, human rights and foreign policy. It forms one of the three pillars of the EU-China relationship, the other two being an ‘Economic and Sectoral Dialogue’ as well as a ‘People-to-People Dialogue’.\textsuperscript{133} This pillar structure reflects the developed nature of the relationship on a soft law level. In November 2013, at the 16th EU-China Summit in Beijing, the ‘EU-China 2020 Strategic Agenda for Cooperation’ was adopted. This is a clear sign that both partners aim to deepen bilateral cooperation. In particular, it shows the aim to further

\begin{itemize}
\item \textsuperscript{130} Agreement on Trade and Economic Cooperation between the European Economic Community and the People's Republic of China, 21 May 1985, OJ L 250/2 (entered into force 1 October 1985).
\end{itemize}
institutionalise EU-China cooperation. Moreover, while criticism on the added value of new political forms of cooperation and their failure to deliver tangible outcomes is often voiced, it is nevertheless highly valuable to meet on a regular basis and exchange views. Not only do these forms of dialogue foster mutual understanding, they also continue in times of dispute.\textsuperscript{134}

### 3.4.2 Overlaps in the EU’s and China’s interest in Africa: China’s OBOR initiative

Under the headline of finding common interests on foreign policy and security, the Commission in its ‘Elements for a New EU Strategy on China’ of 2016 considers China’s OBOR strategy and the simultaneous enhanced involvement of China as a global player as a major challenge to be tackled by the EU. In particular, the Commission urges the EU institutions to consider this an opportunity to find common ground for EU-China cooperation on security issues in Africa.\textsuperscript{135}

Recent developments show that the EU and China have overlapping areas of interests. In light of China’s OBOR initiative, a 2015 Clingendael report calls on the EU to formulate a common Union response. It suggests that coordinating EU security interests with that of China against the backdrop of the OBOR strategy would be beneficial for both actors. The EU already has instruments that form the basis of such a move, this includes the EU Maritime Security Strategy (EUMSS). In particular, it provides a policy framework with objectives of interest to China, since the maritime OBOR dimension in the Western Indian Ocean (as well as Wider Indian Ocean region) are covered by the EUMSS.\textsuperscript{136}

\textit{a. The ‘21st Century Maritime Silk Road’ and China’s interest in the Indian Ocean}

China’s new leadership under Xi Jinping announced the launch of the so-called OBOR strategy, short for ‘One Belt, One Road’ initiative, referring to the ancient trade links that have existed for centuries. This policy framework covers two infrastructure routes: one land-based, the Silk Road Economic Belt, leading from China through Central Asia to Europe, and the 21\textsuperscript{st} Century Maritime Silk Road, which travels to Africa via the Indian Ocean to Nairobi and then moves on via the Horn of Africa, through the Red Sea to the Mediterranean.\textsuperscript{137} It is

\textsuperscript{134} Christiansen, “A Liberal Institutionalist Perspective on China-EU Relations,” 11–12.


\textsuperscript{137} See Appendix E for a visualisation of the One Belt, One Road initiative; Anna Katharina Stahl, “China’s New Silk Road Diplomacy: Implications for China’s Relations with Europe and Africa,” ed. Jing Men, EU-China
therefore of relevance to EU-China-Africa relations, since the EU does have considerable interest in the East African region, as expressed in multiple documents such as the Strategy for the Horn of Africa or the EU Maritime Security Strategy.

As for the maritime dimension of the OBOR initiative, China’s and the EU’s interests in the region’s security largely overlap. Firstly, China massively depends on oil imports by sea. While the Indian Ocean has been a major trade and transport route for centuries, it is only with the growing oil demand emanating from China that the Indian Ocean has become the major region for transport of oil imports and exports. In a 2013 analysis, Emerson and Mathur forecast that

“China’s net import requirement could rise from 4.0 million b/d in 2009 to more than 8.0 million b/d in 2020. Assuming that most of the additional imports will come from Africa and the Middle East, this increase in import requirement could add at least two more tanker voyages per day across the Indian Ocean.”

Moreover, there are multiple political gains for China to be identified. Not only can China enhance its navy’s operational capacities and experience while protecting vital economic interests, it also serves – as for other actors in the region – as a way to show that China’s global commitment and bi- and multilateral cooperation outside Asia is about to increase significantly. Additionally, the surge in Chinese citizens living in Africa has made it an inevitable responsibility for China’s navy to get involved.

The Chinese OBOR initiative is not, however, a coherent policy framework to address all these interests. It is rather a loosely defined concept that aims at funding infrastructure projects to facilitate trade along the defined routes. Apart from strengthening economic relations between China and Africa, the OBOR strategy is also in line with China’s increased commitment in the field of security. Moreover, while in 2013 it was still largely assumed that China’s navy was focused on its immediate vicinity and lacked considerable capacity to

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140 Erickson and Strange, No Substitute for Experience, 5–6, 19.

extend further to the Indian Ocean, recent increases in China’s PLAN (People’s Liberation Army Navy) have pointed towards a strengthening of China’s naval activities. Not only is there a surge in Chinese personnel capacity, the Chinese navy is also increasingly present in waters further away from its coastline. In addition, the launch of the construction of China’s first overseas military base in Djibouti in summer 2016 is a crucial sign of China’s growing involvement in the field of security in the Horn of Africa region. While some people tend to claim that this is an attempt to provide a secure environment for Chinese investment and people in the region, also against the backdrop of the OBOR strategy – undoubtedly a major factor in the establishment of the military basis – it is at the same time a sign of China’s growing commitment to become an international actor. Additionally, the growing number of Chinese citizens abroad and recent evacuations are also significant factors in this regard. Therefore, whether or not one considers China a competitor or not, China has arrived in Africa and emerged as an important security provider. China is increasingly active in Africa, as can be seen in the building of a train line from Djibouti to Addis Ababa and is now starting to construct a railway route from Nairobi to Mombasa in Kenya, with the plan to subsequently extend it to Kampala (Uganda) and Kigali (Rwanda).

b. The EU’s interest in the Indian Ocean: the EU’s Maritime Security Strategy

Adopted in 2014, the EU Maritime Security Strategy (EUMSS) is a comprehensive security strategy reflecting the Union’s increasing awareness of the need to step up its efforts in the maritime domain. Implemented through action plans, the EUMSS is complemented by regional strategies, notably the EU’s Strategy for the Horn of Africa and the Gulf of Guinea Strategy. Against this backdrop, the 2016 Global Strategy on multiple occasions emphasises the need to become more active in the domain of maritime security. It moreover names the EU a “global maritime security provider”. The EUMSS takes a wide approach

dealing with cross-cutting issues ranging from capacity building to enhancing maritime security.¹⁴⁹

A maritime security strategy is significant for the EU for multiple reasons. Firstly, the EU has an interest to ensure maritime security given the EU’s dependency on fisheries as well as to ensure energy security. In numbers, the EU’s Member States account for more than 80,000 fishing vessels globally.¹⁵⁰ Furthermore, the EU depends on massive trade flows via sea, more specifically from the South China Sea, via the Malacca Straits to the Indian Ocean and via the Gulf of Aden. A strategy for this area is therefore of tremendous importance to the EU.¹⁵¹ Additionally, it aims at mitigating the factors that pose risks to these EU interests at sea.¹⁵² Just like on land, a stable maritime environment is a key element to boost the economies and living standards of coastal states.¹⁵³ With piracy presenting a higher income than other employment opportunities in Somalia, maritime security is of paramount importance to boost the economies to create jobs in the country. This goal ought to be achieved both through foreign investment as well as through the possibility to revive the Somali fishing industry.¹⁵⁴ While still far from realistic, it is nevertheless the end-goal of a stable maritime environment. Lastly, the EUMSS reflects the EU’s realisation that other international actors are active in areas such as the Indian Ocean. It is therefore an important goal for the EU to build up its position in the region in order to compete as well as cooperate with players such as China.¹⁵⁵

To sum up, a stronger EU response to the Chinese OBOR strategy is vital. However, in reality, internal difficulties such as diverging national interests and competence issues sometimes prevent the EU to act most efficiently. Moreover, the OBOR strategy might seem to involve countries too distant as to formulate a more active EU response. Given the EU’s current internal challenges as well as tremendously urgent issues to deal with in the EU’s immediate neighbourhood this is understandable. It should not, however, lead to inaction of the EU, since the OBOR strategy does have major impacts on EU countries and, therefore, the European economy. While the EU and China have touched upon the issue of closer

¹⁵⁴ Vines and Soliman, “The Horn of Africa,” 86.
¹⁵⁵ Behr, Aaltola, and Brattberg, Maritime Security in a Multipolar World, 8.
cooperation in light of the OBOR strategy, real political will to drive more interest for OBOR can be expanded.156

3.4.3 EU-China cooperation in the field of security

The EU Global Strategy aims at shifting EU foreign policy from an economic-centred approach to a more security-driven one.157 In the EU’s relationship with China, this is reflected in the creation of a ‘Dialogue on Defence and Security policy’ between the EU and China as well as joint training exercised that have been conducted.158 Moreover, in the ‘EU-China 2020 Strategic Agenda for Cooperation’, peace and security are of utmost importance. There is an explicit reference to “enhance consultations on Africa” and other regions of interest to both players. On top of that, without explicitly mentioning the term, there is a reference to promoting effective multilateralism through enhanced cooperation at the UN level and prior “coordination before major meetings”. As for security, there is a call to establish a dialogue on defence and security matters in order to “advance towards more practical cooperation”.159

The extent to which this has been implemented leaves room for enhancement. Therefore, in June 2016 the European Commission in a Joint Communication to the European Parliament and the Council proposed ‘Elements for a New EU Strategy on China’. There are multiple references to Africa in this document and it explicitly states that “Africa offers the best opportunity for EU-China security co-operation, both at sea and on land. Anti-piracy co-operation off the Horn of Africa should continue”.160 More specifically, Casarini calls for the potential of Chinese support to CSDP missions and an enhanced dialogue between the militaries of the two partners, especially through the introduction of a military attaché post at the EU delegation in Beijing.161 The former would be mutually beneficial as China could expand the PLA’s (and PLAN’s) experience through cooperating with European militaries. In addition, Chinese involvement would, albeit only to a limited extent, allow for some leverage over EU actions. As far as the EU is concerned, a Chinese contribution is of interest due to its vast pool of personnel resources, especially in light of Brexit, which will diminish the EU’s military resources. Secondly, a Chinese participation would be a confirmation that the EU is a

158 Kirchner, Christiansen, and Dorussen, EU-China Security Cooperation in Context, 1.
159 European Union and the People’s Republic of China, “EU-China 2020 Strategic Agenda for Cooperation.”
161 Casarini, The EU-China Partnership, 4.
responsible global player capable of undertaking a leading role. However, I tend to believe that a Chinese contribution to the EU CSDP operations is not entirely realistic. China will want to undertake a leading role as well, as opposed to merely subordinating itself to the EU.\footnote{Thierry Tardy, \textit{CSDP: Getting Third States on Board} (EU Institute for Security Studies, 2014), 2–4, accessed 21 April 2017, http://www.iss.europa.eu/uploads/media/Brief_6_CSDP_and_third_states.pdf.} Thus, cooperation under multilateral institutions or a trilateral partnership might seem more appealing to China. Moreover, the establishment of the Djibouti military base will lead to more cooperation between the EU and China in providing security at sea.\footnote{Mariani, \textit{Challenges and Opportunities for Peace and Security Cooperation}, 64.} What is more, the evacuation of civilians from conflict areas is one specific project where the EU and China have already started cooperating. The EU has assisted China in the evacuation of more than 30,000 Chinese citizens from the threat of the Libyan civil war\footnote{Turkstra, \textit{Combatting Security Threats through Enhanced Sino-European Cooperation in Africa}, 82.} More recently, in 2015, China has for the first time assisted in the evacuation of foreign citizens from crisis zones in Yemen. This reflects China’s attempt to create its image from an often criticised actor focused solely on economic interest to a more benign power taking into account humanitarian issues.\footnote{Ankit Panda, “China Evacuates Foreign Nationals from Yemen,” \textit{The Diplomat}, last modified April 2015, accessed 6 April 2017, http://thediplomat.com/2015/04/china-evacuates-foreign-nationals-from-yemen/.}

The above mentioned trends show that cooperation is feasible. Taking Mali as an example, China is contributing to the UN mission in the country. This could open possibilities for practical cooperation with European countries, such as for example, Dutch troops.\footnote{Duchâtel, \textit{Into Africa}, 6.} However, challenges remain for a further cooperation since the lack of experience in cooperation between Western and Chinese military hampers cooperation. While NATO Members can draw on extensive experience as regards coordination, there is still a lack of this component between China and the European militaries involved.\footnote{van der Putten, \textit{China’s Evolving Role in Peacekeeping and African Security}, 12.} Nevertheless, if the current trend of rising Chinese security involvement is to be continued, any experience in cooperation is to be appreciated, especially given the EU’s focus on the Sahel region in its strategy. However, in order to effectively cooperate on a multilateral basis, and especially with a view to increasing cooperation with China, the EU ought to take a realistic approach. Against the backdrop of terrorist threats, actual action in crisis regions by UN troops varies. Therefore, in regions where national interests are at stake, these troops tend to be significantly more willing to resort to risk-prone involvements.\footnote{Duchâtel, \textit{Into Africa}, 7.} Thus, in regions where China and EU Member States have overlapping interests, cooperation should be launched.
a. Case study: the EU in Somalia and the potential for EU-China cooperation

Against the backdrop of the EU’s and China’s involvement in African security, the case of Somalia ought to be addressed. As the first naval operation the EU undertook by itself, the EU Naval Force (NAVFOR) Atalanta, launched in 2008, marks something like an approximation between the EU and China in the security field.169 Established by EU Council Joint Action 851 following various UN Security Council resolutions, the mandate of this EU military mission in Somalia is strictly naval. More precisely, its first goal is to protect ships of the World Food Programme, delivering humanitarian aid to the Somali population, which have previously been subject to pirate-attacks. Secondly, Atalanta is to fight piracy off the Somali coast and to protect vessels in this area.170 Even though piracy in Somalia still merits attention, Operation Atalanta and other international efforts have largely managed to reign in most piracy activities. This is reflected in the current deployment of merely two military vessels (one Italian and one Spanish) as well as two Maritime Patrol and Reconnaissance Aircraft (Spanish and German).171 However, while piracy off the coast of Somalia has been cut back significantly, recent reports of a captured oil freighter show that the struggle for maritime security in the Gulf of Aden is far from over.172 The International Chamber of Commerce cited a recent IBM report stating that, while most pirate attacks in Africa have recently occurred in the Gulf of Guinea, attacks on commercial vessels still pose a threat off the Somali coast.173 In addition to EU NAVFOR Atalanta and with a view to the EU’s Horn of Africa strategy, Council Decision 2012/389/CFSP established EUCAP Nestor (later EUCAP Somalia). Its initial intention was to serve as a civilian mission in the whole Horn of Africa region. However, in late 2016 it was replaced to only focus on Somalia. Its mandate is to train local authorities in law enforcement matters, especially concerning fisheries inspections and the fight against piracy.174

The land-based AU mission AMISOM in Somalia serves as an example for increasing ownership by African security actors. The AU mission there is different to the EU’s and other

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actors’ involvement in Africa. It is what Tardy calls a “coercive operation”, thereby forcing a peace in the fight against violent extremism as opposed to peacekeeping or peacebuilding as exercised by the EU and UN. AMISOM is one crucial example of how the EU enabled the AU to undertake substantive efforts in the form of an African operation via support by the APF. Moreover, the EU supports AMISOM through its training mission EUTM Somalia, focusing on capacity building by training the police as well as through providing financial support. However, the success of this mission has been questioned and has been deemed as merely a sign that the EU is a responsible global actor.

With a view to exploring possible areas for cooperation, the case of Somalia reflects China’s increasing willingness to get engaged multilaterally in order to provide security where it deems its interests at stake. In addition to serving as a crucial example for addressing the security-development nexus, the case of Somalia also reflects successful EU-China security cooperation. In 2008, China stationed military vessels to the Gulf of Aden in an attempt to contribute to the fight against piracy. This Chinese naval engagement in Somalia has large impacts in a geopolitical sense. With a view to the ongoing conflicts in what China considers its sphere of influence in Asia, the South China Sea and the Taiwan strait, Somalia serves to test and develop China’s naval capabilities and is therefore of importance not only to Africa. Therefore, China’s participation in the fight against piracy in Somalia clearly reflects the country’s willingness to participate in security issues via multilateral channels, both on a diplomatic and an operational level. In recent years, there has been growing exchange between the EU’s and China’s navies. A growing number of visits between Operation Atalanta and the Chinese Commander of the Escort Task Group in late 2016 reflect the willingness or at least the necessity of working together. It has nevertheless been suggested that while it is to be welcomed that increasing Chinese investment has contributed to supporting the AU mission, it at the same time leads to a weaker role of the EU in terms of influence. However, in comparison, the EU’s and China’s involvement still differ both

175 Tardy, *The EU and Africa*, 1.
177 Vines and Soliman, “The Horn of Africa,” 85.
178 Whitman and Haastrup, “Locating the EU’s Strategic Behaviour in Sub-Saharan Africa,” 65.
181 Wheeler, “Tackling the Proliferation of Small Arms and Light Weapons,” 110. 
when it comes to military and financial support, with the former providing more assistance in both spheres.\textsuperscript{184}

### 3.5 Potential for a trilateral dialogue

The above mentioned cooperation experiences can be used to build upon and strengthen further cooperation. Firstly, given China’s and the EU’s previous experience in cooperating in Somali piracy and first contacts between Chinese and European troops in terms of peacekeeping there are possibilities for an intensification of cooperation. Secondly, China’s OBOR initiative creates some space for overlaps of EU and Chinese interest, especially in the maritime domain which should be further addressed. However, as for a trilateral dialogue it is vital to fully include African partners in this process. Past experiences have shown that the failure to sufficiently address this issue does not lead to tangible results.

Due to the overlaps in rhetoric, objectives and approaches in the EU’s and China’s respective Africa policies, cooperation between the three actors is feasible. To this end, Wissenbach introduces the concept of “functional cooperation” between the three partners. According to this approach, particular areas of cooperation could be defined in order to achieve common objectives. Other areas, where a convergence of views is not possible, do not have to be touched upon. Moreover, the existing institutional framework would be used as opposed to the creation of new institutions. Therefore, peace and security represents one such area of functional cooperation.\textsuperscript{185} This approach seems compatible with the proposals made by the European Commission in 2008. Referring to the possibility to define specific projects to cooperate on, this could be a starting point for cooperation acceptable for all actors. Moreover, the 2016 Global Strategy refers to cooperation with Africa not only on the basis of cooperation with regional institutions but also in the form of functional cooperation.\textsuperscript{186} Wheeler points out that as opposed to starting with the introduction of a trilateral dialogue on the highest political level, “small-scale practical projects” might present a more effective way to start cooperation. This is due to the fact that smaller, more specific projects usually lead to more immediate and tangible results with possible spill-over effects to other, eventually broader areas.\textsuperscript{187}

As for specific areas of cooperation, the following chapters are going to focus on two distinct examples. First of all, previous experiences in the area of capacity building on land ought to

\textsuperscript{187} Wheeler, “Tackling the Proliferation of Small Arms and Light Weapons,” 120.
serve as a basis for reinforced efforts, especially via a closer coordination between China and the EU. Secondly, with a view to maritime interests, cooperation in the field of maritime security might pave the way for some form of cooperation.

### 3.5.1 Enhancing African security: capacity building

As addressed in previous chapters, a trend towards increasing security involvement by China in Africa, as well as a commitment in EU documents to enhance its position as a security provider in Africa have surfaced. A trilateral form of cooperation in the area of capacity building presents one way for EU-China-Africa cooperation.

Enhancing Chinese involvement in the APSA framework could be one way forward. Given that both China and the EU have agreed to assist the African Union in its goal to “eliminate violent conflict by 2020” as laid down in its Agenda 2063, this can be a starting point to launch a trilateral dialogue on security issues in Africa. Moreover, Alden and Large argue that China’s military involvement in Africa relies heavily on the promotion of regional organisations (most notably, the AU) as local security providers. Therefore, China seeks to ensure that states, as members of the AU, retain their sovereignty over decision-making in the area of security in Africa. This approach, however, does not significantly differ from the way the EU tackles security issues in Africa. While certain EU Member States are involved in UN missions themselves, the EU, especially through its APSA framework, puts significant emphasis on the need to cooperate with the AU.

As for the African partners, the AU aims to seek new and more partners to finance its APSA framework. With the EU currently being heavily involved via the APF, this is a clear sign that the AU is looking towards actors such as China to secure more peace and security funding. The fact that the financial constraints of the APSA render the AU dependable on the EU and China (as well as other actors) has been labelled the weakness of the mechanism. Moreover, considerable efforts still need to be undertaken in order to enhance the APSA to fully live up to its purpose. The Managing Director of the EEAS highlights that while the APSA was created to promote African ownership, there is still little potential for the

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mechanism to deliver stability by its own means. This heavy reliance by the African military forces under the APSA on outside actors is consistently leading to conflicts between the partners involved.\textsuperscript{193} Most notably, the African Standby Force (ASF) needs to be continuously improved. Established under the APSA, the ASF is the umbrella construction for a number of military commands to react in crisis situations. However, when it comes to interventions, the ASF has not yet lived up to its purpose. Therefore, a more equal burden-sharing must be set up. This includes more financial commitment by African countries themselves in addition to the current capacity-building framework through which outside actors are engaged. Moreover, the call for a further integration of more external actors is a positive sign for a prospective trilateral dialogue.\textsuperscript{194} However, the extent to which African actors are able and willing to increase their financial contributions is questionable. Thus, financial assistance by outside actors will remain significant in the foreseeable future. What is more, African Regional Economic Communities and Regional Mechanisms (RECs and RMs) ought to be stronger implicated. This requires efforts from all sides. ECOWAS and the SADC are the two Regional Economic Communities (RECs) with the most potential to participate in peace and security activities in Africa. African actors often argue that this regional approach to give African actors the means to act in their own security interests would be the most suitable approach to this end. However, an obstacle to effectively implement this goal is the above mentioned lack of sufficient financial contributions by African countries. On top of that, what complicates this task is the fact that there is some friction between the responsibilities of the AU and the respective RECs and RMs.\textsuperscript{195}

Moreover, Chinese troops themselves are interested in learning from the EU’s expertise concerning peacekeeping in Africa.\textsuperscript{196} Duggan confirms this as a feasible approach to trilateral cooperation. Joint peacekeeping training sessions by the EU not only for African, but additionally, for Chinese troops could be a starting point for closer cooperation between the three actors.\textsuperscript{197}

Against this backdrop, the most recent Communication of May 2017 addresses these issues. More specifically, in the area of security, the EU suggests to “set up a collaborative platform bringing together European and African partners as well as the UN and international actors to

\textsuperscript{193} Koen Vervaeke, The EU’s Commitment to Peace and Security in Africa: Adapt to Stay Credible, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 14.
\textsuperscript{195} Ibid., 33–35.
\textsuperscript{196} van der Putten, China’s Evolving Role in Peacekeeping and African Security, 12.
\textsuperscript{197} Niall Duggan, What Future for EU-China Security Cooperation in Africa?, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 77.
build stronger resilience”.198 Thus, this is a reference to *effective multilateralism* combined with one crucial concept in line with the EUGS, the concept of resilience. Therefore, it shows the EU’s continued support for the need to cooperate in capacity-building, cooperation with the APSA framework and the specific need to do this in an attempt to include third parties.

### 3.5.2 Maritime security and cooperation

With a view to the above-mentioned overlaps in the EU’s and China’s respective interest in Africa and the OBOR strategy, cooperation in maritime security is another possibility. Since maritime multilateralism is one of the objectives of the EUMSS, the 2014 Action Plan refers to the development of a “dialogue with regional and international stakeholders”.199 The ‘EU-China 2020 Strategic Agenda for Cooperation’ lists under one of its points of action “cooperation on maritime security, including on counter-piracy, and conduct joint counter-piracy exercises” as well as “Develop joint activities to promote maritime safety and security; share expertise in relation to relevant international law”200.

#### a. Existing programmes in the Horn of Africa and the Western Indian Ocean: the Critical Maritime Routes Programme (CMR)

Even though the most imminent threats stemming from a surge in Somali piracy have been reigned in, the Gulf of Aden and the Horn of Africa still require maritime security action. Operations such as EU NAVFOR *Atalanta* and NATO’s Operation Ocean Shield have provided a more secure environment in this area through patrolling a corridor for commercial ships to pass.201 In addition to the existing Union missions in the Horn of Africa (especially EU NAVFOR *Atalanta*, EUTM Somalia and EUCAP Somalia) the Critical Maritime Routes Programme (CMR) has been a tool to promote maritime security in the Western Indian Ocean region.

In order to implement the objectives of the EUMSS, the Critical Maritime Routes Programme (CMR) of the EU is of paramount importance. Funded by the Instrument contributing to Stability and Peace (IcSP), the 2014 successor of the Instrument for Stability (IfS), the CMR consists of six different projects in regions such as the Western Indian Ocean and East

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200 European Union and the People’s Republic of China, “EU-China 2020 Strategic Agenda for Cooperation.”

Africa. Its objective is to enable countries in the region to “develop a regional approach to tackling common maritime issues”. These projects focus on capacity building in order to provide for a more secure marine environment. Taking the CRIMLEA project in East Africa as an example, this initiative aims at providing training to law enforcement authorities in order to address threats stemming from piracy. In addition, the MARSIC project (2010-2015) in the Western Indian Ocean was established to support regional actors in the Western Indian Ocean in the fight against piracy through the Djibouti Code of Conduct. Moreover, MARSIC has supported the establishment of three information-sharing centres (ReMISC in Sana’a, RMRCC in Mombasa and MRCC in Dar-es-Salaam). Additionally, the Djibouti Regional Maritime Training Centre (DRTC) has been set up. The purpose of the ReMISC Regional Maritime Information Sharing Centre in Sana’a is to coordinate information in form of alerts directly transmitted from ships and to subsequently use this information to take preventive measures. This initiative was foreseen to be expanded to extend to South East Asia. Therefore, in 2015 the CRIMARIO project took over, focusing on the Wider Indian Ocean region and especially including islands such as Madagascar and Mauritius. More specifically, it was set up to “increase awareness about potential risks or threats in the Indian Ocean rim (known as maritime situational awareness)” More specifically, the project relies on three pillars: Firstly, the information-sharing centres. Secondly, capacity building, and thirdly, improving maritime governance. The training centres are examples for successful cooperation and open potential for further integration when it comes to effectively providing maritime security in the Indian Ocean on a long-term basis.

b. Maritime security cooperation: a trilateral maritime dialogue?

In November 2016, the European Commission and the High Representative for Foreign Affairs and Security Policy adopted a Joint Communication on “International Ocean Governance”. According to the High Representative Federica Mogherini, “this is also a concrete example of how the EU Global Strategy for foreign and security policy delivers in

204 European Union, “Critical Maritime Routes.”
206 France Expertise Internationale, “MARSIC Leaflet.”
208 Ibid.
practice". Of the three pillars this communication consists of, the first one named “Improving International Ocean Governance framework” merits special attention. Against the backdrop of the “Our Oceans” conference which will be hosted by the EU in November 2017, the EU sets out for stronger international cooperation. The key Union documents which form the basis for this approach are the Union’s Global Strategy and the EU Maritime Security Strategy.

Due to the above-mentioned reasons, cooperation among multiple actors in the Indian Ocean is necessary. In this context, the EUMSS refers to “maritime multilateralism” as one of its four guiding principles. On top of that, it specifically refers to cooperation not only with the UN and NATO, but also with the AU and ASEAN. The latter shows that the Indian Ocean region is significant in this regard. Furthermore, the 2017 Communication refers reinforced efforts in “maritime awareness, information networks and police and judiciary networks” to enhance African maritime security; thus, a deepening of current initiatives. Moreover, Chinese actors have called for cooperation in the region, too. According to Wang Yiwei, China actively seeks EU-China maritime security cooperation and even goes as far as to propose a trilateral “Marine Cooperation Organisation” for cooperation between the EU, China and Africa. Therefore, in order to deliver long-term stability for safe transport routes in the Indian Ocean, a greater institutionalisation of the region is necessary. Stronger multilateral cooperation would also be welcomed by Indian Ocean island nations such as the Seychelles and the Maldives, who are exposed to environmental threats and global warming.

A further implication of the EU in Indian Ocean security is therefore necessary. While Member States might not be willing, however, in light of crises in its immediate neighbourhood that require their attention, to spend plenty of resources in the faraway waters of the Indian Ocean, a focus on increasing international cooperation could provide a solution to this problem.

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210 Ibid.
215 Albert, Competition in the Indian Ocean.
c. Enhancing maritime security via information-sharing

In addition, information exchange between the partners would be an important measure to enhance capabilities. Landman explicitly refers to the need to draw from the EU’s experiences in the Horn of Africa and extending it to the Wider Indian Ocean region. In this context, he suggests the drafting of a code of conduct dealing with issues such as “unplanned encounters at sea.”

In the area of information-sharing, on the EU-China bilateral level, the EU Member States and China have already cooperated in the past. This is a vital aspect to be expanded, since an overlap in efforts can neither be in the interest of the EU nor in that of China. The fact that the more imminent piracy threat has shifted from the Horn of Africa to the Gulf of Guinea has led to drawing from lessons learned in the former and potentially applying them in the latter region. Most importantly, enabling not only naval but also commercial ships to access information in centres specifically established to promote information-sharing has considerably increased the security of the vessels.

On a multilateral level, in late 2008, UN Security Council Resolution 1851 established the Contact Group on Piracy off the Coast of Somalia (CGPCS). The Contact Group is not a highly integrated multilateral organisation. On the contrary, it is rather a lose mechanism that enables countries to work together in the fight against piracy, since it is an area of international cooperation where multiple stakeholders truly share the same objective. It is a vital political tool in order to avoid overlaps between the different actors. The Contact Group focuses on international cooperation in the following five areas: capacity building, strengthening legal mechanisms to cope with piracy, counter-piracy operations, public diplomacy and limiting piracy actions on land. One crucial element of the CGPCS is the Shared Awareness and Deconfliction (SHADE) mechanism, a forum for information exchange between international militaries operating in the Gulf of Aden. China has


Larik and Weiler, “Going Naval in Troubled Waters,” 94.

Henk Swarttouw and Donna L. Hopkins, “The Contact Group on Piracy off the Coast of Somalia: Genesis, Rationale and Objectives,” in Fighting Piracy off the Coast of Somalia: Lessons Learned from the Contact
participated in the SHADE programme set up by the three main actors in the Gulf of Aden: NATO, the EU and the USA.\textsuperscript{225} The main results of this cooperation mechanism included the setup of one single transit corridor for military ships in the Gulf of Aden which defined the area for protection of merchant ships as well as a shared communication system for the SHADE participants as well as information-sharing.\textsuperscript{226} However, SHADE includes cooperation with private and non-governmental actors\textsuperscript{227}, which makes it a valuable mechanism for cooperation. The specificity of SHADE is that it is an “unprecedented multi-stakeholder cooperation mechanism that has brought together naval representatives from countries that traditionally would not be sharing information around the same table”\textsuperscript{228}. The added value of this mechanism is not only the fact that scarce resources can be saved by avoiding overlaps but also getting acquainted with each other’s naval forces and explore areas for future cooperation.\textsuperscript{229}

To conclude, while information-sharing would increase the efficiency to combat piracy, it is unclear to what extent this is realistic in reality. Past activities such as China’s participation in the SHADE programme, as well as more exchanges between European and the Chinese navy show that there is an increased willingness to cooperate. In order to avoid overlaps in efforts, and to reduce the common threats of piracy, some degree of cooperation is necessary.
4. Concluding remarks on the implementation of a trilateral dialogue

When it comes to setting up a trilateral dialogue it is vital to define the scope and the feasibility of such an attempt. In order to do so, this paper aims at delivering the necessary background, starting with the EU-Africa relationship and moving on to address the respective bilateral frameworks before suggesting ways for trilateral cooperation. Shifting geopolitical realities on the African continent and beyond merit the EU’s attention and have to some extent been reflected in the difficult negotiating procedures for the EPAs. What is more, new actors in Africa, most importantly China, assert increasing influence on African decision-makers. It is up to European actors to decide how to engage with this reality. This is why a trilateral dialogue has been contemplated. However, the initial proposal published in 2008 by the EU institutions has not yet led to any results and has been largely rejected. Therefore, this paper aims at addressing the issues that have led to this failure with a view to rendering a trilateral dialogue feasible.

There are, thus, several opportunities as well as challenges to be surmounted to render a trilateral dialogue feasible. This is, however, only advisable if there is an added value for all actors involved and especially if it addresses concerns of African countries. With the overlaps in interests between the EU and China, and the strong bilateral ties between the EU and Africa, as well as increasing Chinese economic as well as security implications in Africa, some form of cooperation would be mutually beneficial. The question triggering the research for this paper, whether such a dialogue would be of added value to the respective actors, and if it can deliver stability, ought thus to be answered in the affirmative. As for specific areas of cooperation under a trilateral dialogue in the area of security, two conclusions can be drawn from this research: cooperation in the area of maritime security cooperation and capacity building.

- **Maritime security:** As for cooperation in the field of maritime security, the need for cooperation stems from the overlaps in interest between the partners, particularly in light of China’s OBOR strategy. In this context, efforts to counter piracy need to be further reinforced jointly, as expressed in the ‘EU-China 2020 Strategic Agenda for Cooperation’. However, on a trilateral level, African partners need to be included. The various initiatives under the CMR programmes, such as information-sharing and especially capacity building actions could offer possibilities to work together to provide maritime security. Given that both, the EU and China have called for maritime cooperation on a multilateral basis, and the EU in particular in its Maritime Security Strategy, this leaves room for hope that these calls will eventually be translated into further action. Previous cooperation under the SHADE programme show how sensitive areas such as
information-sharing can nevertheless be addressed if mutual interests are at stake.\textsuperscript{230} The added value of such cooperation is to bring together the different countries’ navies with a view to expanding future cooperation. While it remains to be seen whether China as well as European countries are willing to further embark on information-sharing cooperation, past cooperation such as the above mentioned as well as naval exchanges and a Chinese activity in the fight against piracy in Somalia offers signs for this to be possible.

- **Capacity building**: Secondly, as already proposed in the Commission’s 2008 trilateral dialogue communication and repeated in the most recent 2017 Joint Communication, the area of peace and security ought to be built upon. Notably the area of capacity building offers significant possibilities for cooperation. This is due to the EU’s expertise in the field and China’s personnel capacities. Past experiences in Somalia have shown that cooperation is definitely feasible. Since China’s personnel as well as financial commitment to contribute to the security environment in Africa have considerably increased, there are undoubtedly options to cooperate. This increasing involvement is on the one hand due to the growing economic interconnectedness and on the other hand due to China’s aim to project itself as a global player. As addressed in chapter 3.5.1, the AU serves as foremost interlocutor in this regard. Direly needed financial support to provide a more stable security environment in various regions in Africa require the continuous assistance of the EU. A call by the AU to diversify this funding base could offer possibilities for more Chinese financial involvement. The success of EU financial contributions, as for example delivered via the APF in enabling African actors to tackle security issues (e.g. AMISOM) shows that this is a valuable instrument. While some commentators fear a decreasing leverage of the EU if third actors are to be increasingly involved, in light of the persisting need for financial support and a decreasing willingness by some EU Member States to live up to this need this seems a mutually beneficial approach. Moreover, including China in the APSA framework is one way forward. Continuing capacity building efforts for African militaries as well as in the sector of the judiciary and police enforcement is necessary to eventually establish stable environments. Given that both the EU and China consider the AU the crucial actor in peace and security cooperation in Africa, this is a feasible approach.

In order to build upon the above mentioned initiatives, several issues need to be taken account of when rendering a trilateral dialogue feasible in reality:

To begin, in order to implement a trilateral dialogue along the lines of the suggestions outlined above, it is of paramount importance to adopt an inclusive approach, especially

taking into account African interests. Although one of the objectives of the 2008 Commission proposal, lessons need to be drawn from the failure to implement this properly but especially from the subsequent Council endorsement calling for cooperation along the lines of established bilateral structures.\textsuperscript{231} This approach, as noted in Chapter 3.1.2, has met considerable criticism by the African partners. Stahl concludes in her research that the failure of the EU to truly shift towards an equal partnership concerning both China and Africa is the main impediment to a trilateral dialogue.\textsuperscript{232} This, however, was at the outset of the EU-Africa relationship, trying to establish an equal partnership with the Lomé Conventions. Therefore, it is striking is that the May 2017 Communication in each chapter refers to the “African vision” before addressing the respective EU priorities. It refers to reports drawn up by African leaders\textsuperscript{233} which shows that the EU has realised the need to shift its rhetoric and subsequently also its actions towards a more Africa-centred approach if it wants to cooperate successfully. What is more, it has been criticised that the trilateral dialogue as proposed by the EU aimed at getting China to adhere to the European concept of dealing with Africa. This is what Liu calls the approach of “socialisation”. However, this approach was largely rejected by China.\textsuperscript{234} Chinese scholars have in the past considered a trilateral dialogue as an attempt to strengthen “cooperation with China concerning African issues [that] will restrain China’s behaviour and increase the EU’s capacity in global security and governance through the development of effective multilateralism.”\textsuperscript{235} However, the extent to which African countries would appreciate a more coordinated approach, and therefore a stronger one, with regard to Africa is also somewhat unclear. A stronger cooperation between China and the EU might spark fears to lose leverage over the individual players. It is therefore necessary to put forward incentives for a trilateral dialogue. African actors seem to be wary of the impact of increased involvement of outside actors in African security. Although they do support a stronger engagement of the EU and Africa in African peace and security, there are increased calls for a stronger involvement of African actors themselves in order to retain a certain degree of control.\textsuperscript{236} This is also reflected in the APSA Roadmap 2016-2020, calling for the need to clearly define the notion of partnership, in order for all actors to be on the same page.\textsuperscript{237} Since this is understandable, a trilateral dialogue could serve this purpose. Through equally involving all three partners, no one would be excluded and a more open and transparent as

\textsuperscript{231} Council of the EU, “Council Conclusions on Trilateral Dialogue and Cooperation between the European Union, China and Africa.”

\textsuperscript{232} Stahl, "Hic Sunt Dracones", 271, 278.


\textsuperscript{235} Jianbo Luo and Xiaomin Zhang, “Multilateral Cooperation in Africa between China and Western Countries: From Differences to Consensus,” Review of International Studies 37, no. 4 (October 2011): 1797.

\textsuperscript{236} Wheeler, “Tackling the Proliferation of Small Arms and Light Weapons,” 119; Avezov, Van der Lijn, and Smit, African Directions, 28.

well as efficient way of cooperation could be established. However, African countries face major internal impediments in order to implement a stronger African involvement, including financial constraints, rampant corruption and sometimes even lacking government structures, which render this a highly ambitious goal.

Moreover, the security-development nexus ought to be an important dimension of the trilateral dialogue. The concept of comprehensive security is significant in this regard. Firstly, the word comprehensive refers to a broad approach, specifically tackling underlying issues that lead to security problems in the first place. These include environmental issues, poverty and state fragility.\(^{238}\) It is evident that certain issues, such as for instance piracy in Somalia, can only be eradicated on a long-term basis if a comprehensive framework of cooperation is adopted. Thus, tackling the root causes (conflict, poverty, humanitarian issues, lack of economic prosperity, illegal fishing) as opposed to merely fighting the consequences (piracy).\(^{239}\) The EU has addressed the connection between security and development in various documents, most recently the EU Global Strategy and the regional strategies concerning the Sahel and the Horn of Africa regions. The fact that Chinese scholars call for the establishment of a link between development and security\(^{240}\) proves that there are, albeit limited and with differing interpretations, increasing overlaps between the EU’s and China’s approach to Africa.

In addition, the JAES goal of regionalism needs to be respected. More precisely, the actors concerned should strive to achieve a better allocation and management of operations on the appropriate levels, such as the UN, the AU or the EU.\(^{241}\) However, the lack of a shared strategy among African countries could also undermine a trilateral dialogue. Although having established a common institution, the African Union, to enhance intra-African cooperation, it is doubtful whether this organisation has the necessary capacities to produce shared opinions on the various issues dealt with by a possible trilateral dialogue.\(^{242}\) Moreover, taking the Inter-Governmental Authority on Development (IGAD) as an example for regionalism in the Horn of Africa, similar deficiencies can be observed. The IGAD is a relatively weak organisation that is not yet capable of effectively adding to the security situation in the region. In order to render it truly functional, increased efforts ought to be undertaken in order to enable the IGAD both financially and organisationally to play a significant role in the region. This is of crucial importance since a mere transfer of responsibility to African partners without ensuring

\(^{238}\) Christoffersen,\textit{ China and Maritime Cooperation}, 2.
\(^{241}\) Avezov, Van der Lijn, and Smit, \textit{African Directions}, vii.
they are truly capable of handling the various issues could be tantamount to the stability of the affected states.\textsuperscript{243} This could also be a point of entry for China. The Beijing Declaration, adopted on the occasion of the 5\textsuperscript{th} FOCAC Ministerial Conference, explicitly refers to the promotion of regional integration. Together with the AU, empowering the IGAD to address the problems of the region on its own could be a trilateral project.\textsuperscript{244}

Therefore, if these issues are properly addressed, some of the above mentioned concrete areas of cooperation might be feasible to implement. However, with recent enlargement rounds the EU has moved to a Union of (still) 28 Members. Moreover, some of its Member States do not seem keen to increase their financial involvement in Africa. This trend has been reinforced by the 2008/09 financial crisis, especially with regards to security expenditure the willingness of the EU Member States to increase spending in this field has been far from generous.\textsuperscript{245} On top of that, the impact of Brexit on security cooperation needs to be taken into account; given the UK’s military strength as well as relative political influence on the continent. Additionally, the EU’s number of permanent seats on the UN Security Council will be reduced from two to one.\textsuperscript{246} The entire magnitude of the UK leaving the EU on geopolitical relations will only gradually become clear. Nevertheless, while the success of a trilateral dialogue relies heavily on the active engagement of all three sides, the Chinese OBOR initiative is a reality that needs to be addressed by both the EU and Africa. It is therefore necessary to not only commit to the concept of equal partnership, as enshrined in the JAES, on paper, but to truly make it live up to its purpose. While there are of course multiple obstacles to this aim, such as diverging African interests, China’s rejection to a trilateral approach due to the perceived “socialisation” attempt of China by the EU\textsuperscript{247} as well as the often-cited lack of the EU to speak with one voice, in order to motivate African and Chinese partners to cooperate, it is of foremost importance to adhere to the equal partnership concept. Large sees a chance for EU-China security cooperation in Africa provided that the EU agrees to focus on a strong involvement of African partners and the AU.\textsuperscript{248} Given that the above-mentioned Council endorsement highlights the need for operating within existing structures in a possible trilateral dialogue, this seems to be a feasible approach. Therefore, cooperation with the AU is the most fruitful starting point all actors could agree on, since it would be in line with the EU’s goal of

\textsuperscript{246} Mariani, Challenges and Opportunities for Peace and Security Cooperation, 63.
\textsuperscript{247} Liu, The EU and China’s Engagement in Africa, 30.
\textsuperscript{248} Daniel Large, China’s Changing Involvement in African Security, Europe, China and Africa: New thinking for a secure century (Brussels: Friends of Europe, 2016), 59.
enhancing effective multilateralism and seems to be compatible with China’s approach to international relations. In particular, trilateral cooperation involving multilateral institutions will ensure the most effective outcome of this cooperation in line with established principles of international law.\footnote{Manrique Gil, “Something New out of Africa?,” 18–19.}

To conclude, the strategic partnership between the EU and Africa is a tremendously valuable instrument since it includes the entire African continent in one policy document. However, it is not in itself sufficient in order to address challenges on the African continent, especially in the area of security. Mutual interests and common concerns on security threats in Africa and the Wider Indian Ocean region are important to all three actors. Therefore, a trilateral dialogue holds the potential to address these mutual concerns and deliver benefits to mutual interests. In this shared interest ought to be the aim to enhance the resilience of African states and fragile regions on the continent. Building environments that offer more stable conditions for development than this is currently the case is vital. Capacity building will thus remain of utmost importance. A trilateral form of cooperation does not aim at setting up yet another international organisation. It is rather an attempt to tackle common concerns in areas of shared interests via loose channels of cooperation. This is also emphasised in the most recent Joint Communication of May 2017 on the way forward of the EU-Africa relationship. Such a mechanism can work if all three actors have an incentive to do so, which is, as outlined above, the case when it comes to security in Africa. The EU has multiple foreign policy instruments and documents dedicated to this issue. In particular, the Global Strategy in conjunction with its strategic partnerships serve as tool to install a trilateral mechanism. It is now up to the EU institutions and the Member States to approach China and African actors in order to find mutually acceptable ways to work on specific issues.
## Appendix A

**EU Trade with Africa and China**

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<tr>
<th></th>
<th>China</th>
<th>ACP Africa</th>
<th>ACP total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total EU Trade in Mio € (2016)</td>
<td>514,779</td>
<td>133,157</td>
<td>146,685</td>
</tr>
<tr>
<td>Share in EU Trade</td>
<td>14.9%</td>
<td>3.8%</td>
<td>4.2%</td>
</tr>
</tbody>
</table>

### Share in EU trade in % (2016)

- **China**: 14.9
- **ACP Africa**: 3.8
- **Other**: 81.3

### Total EU Trade in Mio € (2016)

Appendix B

Background on EU Strategic Partnerships:
legal framework and objectives

The legal basis for the EU’s Strategic Partnerships is enshrined in Title V of the Treaty of the EU. More precisely, the title covers the “general provisions on the Union’s external action and specific provisions on the Common Foreign and Security Policy”. Article 21 (2) TEU clearly refers to the establishment of “relations and partnerships with third countries, and international, regional or global organisations”. Moreover, Article 22 TEU mentions the European Council as the institution to “identify the strategic interests and objectives of the Union” in the field of external action. Therefore, in light of analysing the EU’s foreign policy, it is essential to keep in mind the leading role of the European Council, and thus, the Member State-driven approach this field of policy is subject to. However, this does not preclude the conclusion of agreements as foreseen under Article 217 TFEU, but is rather seen as a separate method of establishing (legally non-binding) relations with the EU’s partners. Thus, the Strategic Partnerships are soft law instruments for the EU to deepen political cooperation with certain countries, regions or organisations it deems particularly important.

As for the aims of the EU’s Strategic Partnerships, Renaud identifies the objective as maintaining global influence in the wake of emerging actors and a changing global order. The added value of the Strategic Partnership lies in the possibility to define new joint objectives through these soft law instruments. As often seen in international relations, the deepening of the relationship between two or more global actors starts by setting a political framework, expressed in various soft law instruments, which give guidance for enhancing integration between the two sides and can subsequently develop into legally binding instruments. As a specific tool for the implementation of Strategic Partnerships, Cîrlig identifies joint action plans.

With regard to the EU’s Strategic Partnerships it has been suggested that there is a lack of a true strategic vision behind these partnerships. This has also been recognised by various EU actors themselves, most notably, as expressed by the former president of the European Council Herman Van Rompuy and his famous words: “Until now, we had strategic partners,

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253 Renard, “The Treachery of Strategies,” III.
now we also need a strategy!”254 One element that could serve to counter this criticism is the EU’s aim to promote effective multilateralism via its Strategic Partnerships. This is a key element of the EU’s Strategic Partnerships. Promoting what is called effective multilateralism goes beyond the notion of multilateralism; it includes a convergence of views in multilateral fora. To this end, the EU aims at forging partnerships in order to pursue and implement common objectives within multilateral institutions.255 Ujvari highlights that the EU’s European Security Strategy of 2003 was the starting point for the doctrine of effective multilateralism. He defines it as “support for legally binding commitments agreed upon by the largest number of nations possible through strong multilateral institutions”256. However, the notion of effective multilateralism put forward in the updated version of the ESS, the EU’s Global Strategy, slightly differs. The new approach leaves more room for a flexible way of engaging with international partners. This can be exemplified by taking the establishment of the Asian Infrastructure Investment Bank (AIIB) as an example. While the fact that leadership in this institution does not lie with European countries anymore could be perceived as a threat, it is nevertheless a welcome development if it serves positive purposes.257 As for Africa, the African Union serves as main partner representing the African continent in the EU’s strategy to forge a partnership under effective multilateralism.258

255 Balazs Ujvari et al., The EU Global Strategy, 9.
256 Ibid.
258 Whitman and Hastrup, “Locating the EU’s Strategic Behaviour in Sub-Saharan Africa,” 64.
Appendix C
Current status of the Economic Partnership Agreement (EPA) negotiations

CARIFORUM (Caribbean)
The EU-CARIFORUM EPA currently serves as the only regional EPA which has been signed in 2008 (EP approval 2009) and has been applied by all countries except for Haiti (pending ratification).

West Africa
The regional EPA with West Africa is a special agreement since the EPA was concluded between the EU and 16 West African states as well as the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU). Negotiations were concluded in 2014 and it is currently awaiting signature by all parties. Therefore, two stepping stone EPAs have been concluded with Côte d'Ivoire and Ghana, signed in 2008 (EP approval 2009) and 2016 (EP approval 2016), respectively. The stepping stone EPA was signed in 2008 (EP approval 2009). Both agreements have been ratified by the respective parliaments in August 2016, allowing the EPA with Côte d'Ivoire to enter into force in September 2019 and the one with Ghana in December of the same year.

Central Africa
As the only country in the region, Cameroon signed an interim EPA in 2009 (EP approval 2013). It was ratified by Cameroon in 2014 and has been provisionally applied since. According to the Commission’s DG TRADE, negotiations with the other African countries in the region are in progress. Until substantive progress is made towards a regional EPA, the remaining Central African countries are covered by the Everything But Arms (EBA) system, covering non-reciprocal trade relations with LDCs.

ESA (Eastern and Southern Africa)
Signed in 2009 by Mauritius, the Seychelles, Zimbabwe and Madagascar, an interim EPA has been provisionally applied between the EU and these countries since 2012 (EP consent 2013). A regional EPA including all countries of the region remains the objective.

EAC (East African Community)
The EPA negotiations with the Eastern African Community (EAC) have been concluded in 2014 and the agreement has thus far been ratified by Kenya and signed by Rwanda in September 2016. Negotiations on signatures by the remaining countries of the region are ongoing.
SADC (Southern African Development Community) EPA Group
First of all, not all SADC members are part of the SADC EPA; some countries are included in the Central African and ESA EPA process. However, a regional EPA has been signed with the SADC, including South Africa in 2016. After the EP’s consent, the EPA has been provisionally applied since October 2016. The ratification process by all EU Member States is ongoing.

Pacific
Two countries, Fiji and Papua New Guinea, have signed an interim EPA in 2009 (EP consent 2011). Papua New Guinea has ratified the agreement in 2011 and Fiji has provisionally applied it since 2014. Negotiations with the other countries of the region are ongoing.


Additional information deducted from DT TRADE fact sheets on the EPAs with West Africa, Central Africa and SADC.259

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Appendix D

Overview of the EU’s foreign policy framework

In order to understand the EU’s approach to security in Africa and security cooperation, it is essential to understand the unique legal framework of the Union’s foreign policy. In 1993 the Treaty of Maastricht (Treaty of the European Union) established the Union’s pillar structure with one supranational and two intergovernmental pillars. One of these intergovernmental pillars was the Common Foreign and Security Policy (CFSP). Although abolished with the Treaty of Lisbon, the CFSP remained a specific field of policy.\(^{260}\) This is enshrined in Article 24 TEU, stating that CFSP decision-making is done by unanimity, adoption of legislative acts is excluded, the CJEU (Court of Justice of the European Union) does, subject to two limited exceptions, not have jurisdiction and the main actors are the Member States and the High Representative and the European Council and the Council. The Union’s Common Security and Defence Policy (CSDP) forms one part of the CFSP and is laid down in Article 42 TEU. The CSDP was established to get involved in “peace operations and the development of international crisis-management capabilities”\(^{261}\). More specifically, the military and defence dimension of the EU’s foreign policy was developed to be able to tackle two distinct challenges: Firstly, the turmoil in the Balkans in the 1990s and the EU’s inability to respond appropriately and secondly, in order to provide security in Africa, driven by the consideration to reign in migration to Europe. An issue already in EU decision-makers minds at the end of the 1990s.\(^{262}\) The basis of the CSDP formed the Western European Union’s ‘Petersberg tasks’, military tasks in the field of humanitarian, peacekeeping and crisis management operations. The Treaty of Amsterdam included them in the Treaty framework. With the Treaty of Lisbon, apart from a number of new initiatives, the Petersberg tasks have been extended to additionally include conflict prevention, joint disarmament operations, military advice and assistance, and post-conflict stabilisation.\(^{263}\) As regards financing, Article 41 TEU clarifies that operating expenditure of civilian missions is covered by the EU budget whereas military operations are undertaken by national budgets. In order to deploy a civilian or military mission, two Council decisions by unanimity are necessary. The first one “establishes the operation” and the second one “launching” it. Additionally, according to international law, the


\(^{261}\) Bromley, “The European Union,” 133.

\(^{262}\) Larivé, Unlocking EU-Africa Security Tensions, 29.

missions ought to be based on a Chapter VII Security Council mandate or alternatively, an invitation by the host state.\textsuperscript{264}

Given that the EU is a supranational organisation, cooperation in the military field is limited. This is due to the nature of the EU competences. However, certain security challenges present opportunities for cooperation.\textsuperscript{265} Vervaeke considers the fact that “support for security is not rooted in the European Union’s DNA”\textsuperscript{266} one of the major hurdles to effective EU involvement in Africa. The fact that Member States have not given more competence to the EU in the field of defence and security issues has impacts on the ability to speak with one voice in this regard.\textsuperscript{267} Lehne calls this “fragmentation of policies” the biggest impediment to a coherent and more efficient involvement of the EU internationally.\textsuperscript{268}


\textsuperscript{266} Vervaeke, \textit{The EU’s Commitment to Peace and Security in Africa}, 12.

\textsuperscript{267} Mariani, \textit{Challenges and Opportunities for Peace and Security Cooperation}, 63.

Appendix E
A Visualisation of the One Belt, One Road initiative

MERICS China Mapping
One Belt, One Road: With the Silk Road Initiative, China Aims to Build a Global Infrastructure Network
Projects completed and planned: December 2015

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Documents issued by other Institutions


Websites


