

Balancing Power and Consensus: Opportunities and Challenges for Increased African Integration

by Bruce Byiers and Luckystar Miyandazi

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ABSTRACT

The African Union faces challenges and opportunities in promoting African regional integration. The momentum for continental cooperation seems to be on the rise. This is in addition to achievements at the regional level, both through the eight Regional Economic Communities and other regional organisations. Nonetheless, the benefits of these efforts depend on if and how they are implemented. For instance, implementation, monitoring, and evaluation of Agenda 2063 is up to the individual states. While there is increased traction for cooperation, national politics still largely influence regional processes. COVID-19 has led to calls for greater market integration and joint industrialisation, with the African Continental Free Trade Area (AfCFTA) being presented as Africa's "stimulus package". Progress towards continental and regional integration is undeniable as the AfCFTA is becoming *the* lens through which social and economic development is being framed. Combined with regional and continental industrialisation strategies, the AfCFTA will contribute to creating regional value chains and lowering import dependency. There has also been increased collective action in debt relief calls and procurement efforts in the wake of COVID-19, but the results of such actions depend on how politics play out within and between countries.

Africa | Regional integration | African Union

keywords

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by Bruce Byiers and Luckystar Miyandazi*

Introduction

This paper discusses the challenges and opportunities facing the African Union (AU) in promoting regional integration in Africa. It looks at whether recent developments towards greater integration are likely to be structural, and how this process might affect African agency towards external actors. It argues that, while there is increased traction for integration and cooperation among African countries, and while the AU is increasing its stature on the global stage, institutional forms and reforms are only part of the story. Rather, national politics between and within member states determine which agendas are implemented and how. These are often influenced by crises and external factors, where leadership and legitimacy of key states play an important role. This goes as much for continental agendas as for presenting a common "African position" to the external world. COVID-19 has led to calls for greater market integration and industrialisation efforts, with the African Continental Free Trade Area (AfCFTA) being cited by the AU Secretary-General as "the stimulus package" for Africa post-COVID.¹ There has also been increased collective action in certain areas, for example around debt relief calls and procurement efforts in the wake of COVID-19. However, the results of such actions continue to depend on how politics play out within and between countries, and indeed how state-business relations align with broader development objectives. Reference is made in particular to the infrastructure and energy agendas.

On 25 May 2013, the African Union commemorated its 50th anniversary. To celebrate, African heads of state and government launched Agenda 2063, envisaging "an integrated, prosperous and peaceful Africa, driven by its own

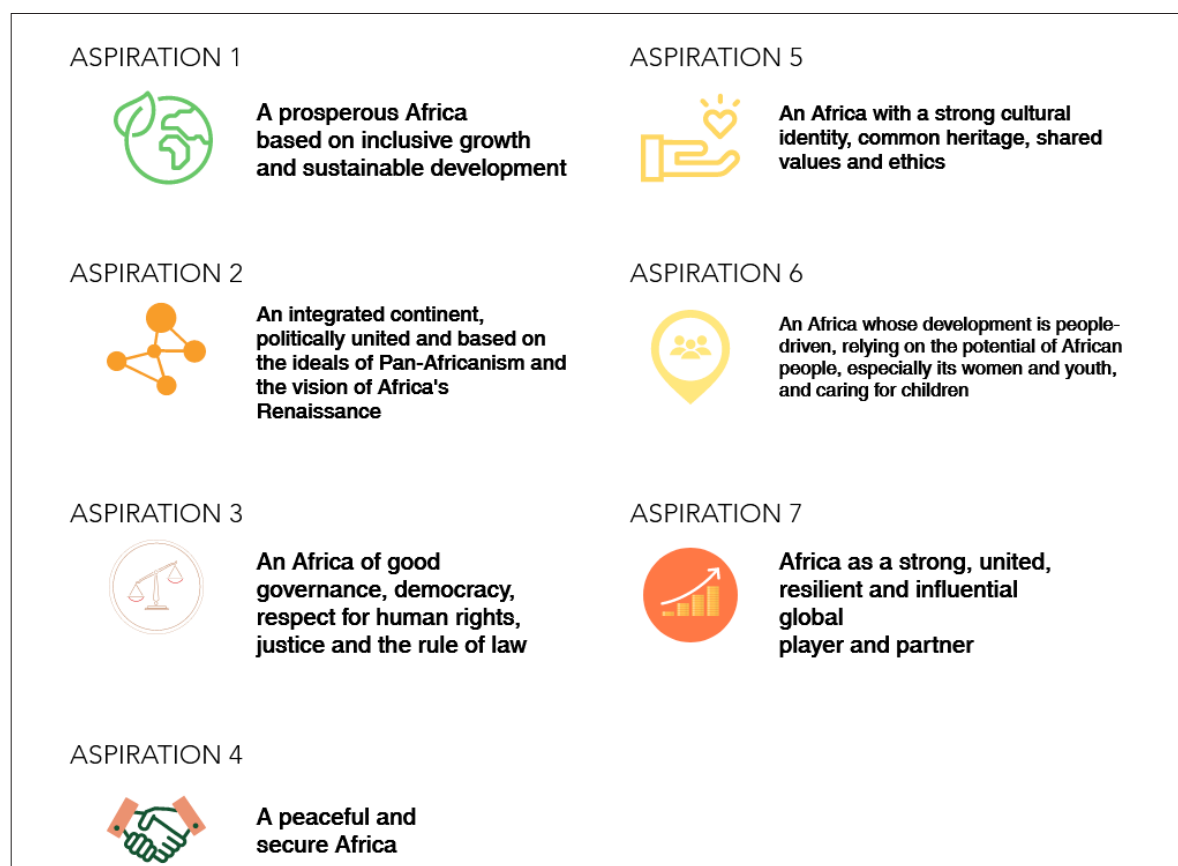
¹ Kingsley Ighobor, "AfCFTA: Implementing Africa's Free Trade Pact the Best Stimulus for Post-COVID-19 Economies", in *Africa Renewal*, May 2020, <https://www.un.org/africarenewal/node/23917>.

* Bruce Byiers is Head of the African Institutions and Regional Dynamics Programme at the European Centre for Development Policy Management (ECDPM). Luckystar Miyandazi was a Policy Officer in the African Institutions and Regional Dynamics Programme at ECDPM at the time of writing.

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citizens and representing a dynamic force in the international arena”.² Beyond restating commitments to continental integration, Agenda 2063 foresees a number of continental flagship projects, several of which are now underway (see Figure 1).³

Figure 1 | Key Agenda 2063 aspirations and flagship programmes



Source: The Agenda 2063 Academy website: *What Is Agenda 2063?*, <http://www.academy2063.com/explaining-agenda-2063>.

In 2016, the AU Commission began a process of internal review and reform under the Chairmanship of Rwanda's President Paul Kagame. The resulting self-critical Kagame Report laid out a series of institutional reforms aimed at helping the African Union refocus, streamline its efforts, increase ownership by member states and ensure financial sustainability.⁴ Since then, a 0.2 per cent levy on imports into

² African Union Commission, *Agenda 2063: The Africa We Want (Popular Version)*, September 2015, p. 1, <https://au.int/en/node/3657>.

³ The flagship projects include a high speed rail network, a continental free trade area, a common commodities strategy, and an African passport to liberate the movement of people. See *ibid.*, p. 2.

⁴ Paul Kagame, *The Imperative to Strengthen Our Union. Report on the Proposed Recommendations for the Institutional Reform of the African Union*, 29 January 2017, <https://www.tralac.org/images/docs/11191/report-on-the-proposed-recommendations-for-the-institutional-reform-of-the-au-kagame-29-january-2017.pdf>.

Africa is being rolled out to raise member state contributions to the AU. In 2019, the AfCFTA officially entered into force, offering the possibility of a continentally integrated market of 55 countries and 1.2 billion people, which will increase to 2.5 billion by 2050.⁵ Implementation was postponed by six months, to January 2021, in the face of COVID-19, under the responsibility of an AU secretariat in Ghana.⁶ The pandemic has also shown an ability by African countries to cooperate continentally and regionally, with the Africa Centre for Disease Control and Prevention (CDC) playing an important role in informing, convening and coordinating African states.⁷

The momentum for cooperation and coordination among African countries, which has been on the agenda for decades, finally seems to be on the rise. This is in addition to achievements at the regional level, whether through the eight Regional Economic Communities (RECs) recognised by the AU,⁸ or through other formal regional organisations. These regional arrangements cover cross-country cooperation on integrating markets and infrastructures and cooperating to improve peace and security, share and conserve natural resources, and resolve unconstitutional changes in government.⁹ This positive trajectory is admirable, not least given the struggles to cooperate among countries elsewhere in the world.

Nonetheless, the benefits of these efforts depend on if and how they are implemented. Implementation, monitoring, and evaluation of Agenda 2063 is up to the individual African member states, even if countries have committed to submit regular reports on core indicators to their respective RECs.¹⁰ The 2017 Kagame Report talks of a “crisis of implementation” associated with continental commitments. As of 16 June 2020, only 17 of 55 member states had implemented the 0.2 per cent levy on imports that was designed to make the African Union more financially self-sufficient.¹¹ Although the AfCFTA is formally a reality, important

⁵ African Trade Policy Centre, *African Continental Free Trade Area. Questions & Answers*, Addis Ababa, UN Economic Commission for Africa (UNECA), 2018, <https://repository.uneca.org/handle/10855/43253>.

⁶ Luckystar Miyandazi, “The African Union Should Work on Policy Implementation to Realise Its Ambitions”, in *Africa at LSE*, 2 December 2020, <https://wp.me/p4jHtg-4wY>.

⁷ For more on regional responses to COVID-19, see Alfonso Medinilla, Bruce Byiers and Philomena Apiko, “African Regional Responses to COVID-19”, in *ECDPM Discussion Papers*, No. 272 (May 2020), <https://ecdpm.org/?p=39586>.

⁸ These eight are namely: the Arab Maghreb Union (UMA), Common Market for Eastern and Southern Africa (COMESA), Community of Sahel–Saharan States (CEN–SAD), East African Community (EAC), Economic Community of Central African States (ECCAS), Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD) and the Southern African Development Community (SADC).

⁹ For an overview of the range of regional organisations in Africa, the topics they cover and country memberships, see: Bruce Byiers and Alfonso Medinilla, *The Political Economy Dynamics of Regional Organisations in Africa*, ECDPM, 2017, <https://ecdpm.org/?p=24573>.

¹⁰ The Agenda 2063 Academy website: *What Is Agenda 2063?*, cit.

¹¹ African Union, *Financing the Union. Towards the Financial Autonomy of the African Union*, Status report update, version 4, 16 June 2020, p. 2, <https://au.int/en/node/38739>. The 17 countries are Kenya, Gambia, Congo Brazzaville, Gabon, Rwanda, Cameroun, Chad, Sierra Leone, Djibouti, Côte d’Ivoire,

details such as the tariff schedules and rules of origin are still under negotiation, while meaningful trade under the agreement has yet to truly begin.¹² Furthermore, high non-tariff barriers to intra-regional trade and high transport costs continue to hinder market integration across regions.¹³ According to a recent report by the United Nations Economic Commission for Africa (UNECA), “Africa has the highest average import duties and the highest average non-tariff barriers in the world”.¹⁴

1. African Union dynamics

This section discusses the internal functioning of the AU, the aspirations of Agenda 2063 and the AU reform areas and decision items. It describes current institutional and organisational dynamics within the AU and progress in the process of creating/strengthening African “agency”, where coordination takes place also in terms of relations towards external actors.¹⁵

1.1 The AU structure

The AU has a range of formal mechanisms for decisions, policy-making and oversight. Article 5 lays out the nine organs of the AU: Assembly; Executive Council; Pan-African Parliament; Court of Justice; Commission; Permanent Representatives Committee; Specialised Technical Committees; Economic, Social and Cultural Council; and Financial Institutions. In 2003, the Protocol on Amendments to the Constitutive Act of the African Union amended Article 5 to include the Peace and Security Council as one of the organs of the AU.¹⁶

Guinea, Benin, Sudan, Ghana, Nigeria, Mali and Togo.

¹² Philomena Apiko and Luckystar Miyandazi, “Self-financing the African Union: One Levy, Multiple Reforms”, in *ECDPM Discussion Papers*, No. 258 (September 2019), <https://ecdpm.org/?p=37585>.

¹³ See for instance: Jaime de Melo, Mariem Nouar and Jean-Marc Solleder, “Integration Along the Abuja Road Map: A Progress Report”, in Richard S. Newfarmer, John Page and Finn Tarp (eds), *Industrializing Africa without Smokestacks. Industrialization in Africa Reconsidered*, Oxford, Oxford University Press, 2018, p. 387-410, <https://www.wider.unu.edu/node/160453>.

¹⁴ African Union, African Development Bank and UNECA, *Africa Regional Integration Index Report 2019*, Addis Ababa, UNECA, 2019, p. 28, <https://repository.uneca.org/handle/10855/43774>.

¹⁵ The AU was launched in 2002 as a successor to the Organisation of African Unity (OAU), originally established in 1963. The switch from OAU to AU came in 2001 with the realisation by African leaders that “there was a need to refocus and reprioritise Africa’s agenda from the struggle against apartheid and the attainment of political independence for the continent which had been the focus of the [OAU ...] to [...] inclusive social and economic development, continental and regional integration, democratic governance and peace and security amongst other issues aimed at repositioning Africa to becoming a dominant player in the global arena”. See African Union website: Agenda 2063 Overview, <https://au.int/en/node/34993>. Notwithstanding, the AU Constitutive Act was developed to align with the objectives of the OAU Charter and the provisions of the Treaty establishing the African Economic Community. These documents set out the aims, principles and organs of the AU. See African Union, *Treaty Establishing the African Economic Community*, 24 January 2013 [date of last signature], <https://au.int/en/node/7775>.

¹⁶ African Union, *Protocol on Amendments to the Constitutive Act of the African Union*, 2003, <https://archives.au.int/handle/123456789/6435>.

As the AU's highest policy- and decision-making body, the Assembly gathers all African Heads of State and Government and meets at least once a year. These meetings usually take place during the first quarter of the year. However, under Article 6(3) an extraordinary session is allowed if requested by a member state and approved by a two-thirds majority vote. The 34th Assembly took place via videoconference in February 2021.

The office of the Chairperson of the Assembly is held for one year by a Head of State or Government elected after consultations during the Ordinary Session. In January 2017, as part of the institutional reform efforts, the Assembly decided that a troika arrangement amongst the outgoing, current and incoming Chairpersons would be established to ensure continuity and effective implementation of decisions. In January 2018, the Assembly decided that the Reform Troika would be expanded to include the full Bureau of the Assembly.¹⁷ Since its establishment, the AU has had 17 Assembly Chairpersons. Thus far, none of these has been an African woman Head of State.¹⁸ At the Assembly in February 2021, the President of the Democratic Republic of the Congo (DRC), Felix Tshisekedi, became the 19th chair, taking over from South African President Cyril Ramaphosa.¹⁹

The AU Commission (AUC) performs the AU's executive functions and is the secretariat office, which is based in Addis Ababa, Ethiopia, and is tasked with ensuring coordination, facilitation and liaison (see figure 2). The head of the AUC is the Chairperson, assisted by a Deputy Chairperson, six Commissioners and a dedicated staff.²⁰ The Assembly elects both the Chairperson and the Deputy, while the Commissioners are elected by the Executive Council and appointed by the Assembly. All positions are held for four years, renewable once. As part of the AU's institutional reforms, from January 2021, the number of commissioners shrank from eight to six through the merger of the roles of Commissioner for Peace and Security with Political Affairs and Commissioner for Economic Development with Trade and Industry.²¹

¹⁷ The Bureau of the Assembly is the troika plus the representatives from the other two regions (i.e., it represents all five regions). The other representatives act as vice chairpersons, and the outgoing as the rapporteur. See the *African Union Handbook 2020*, Addis Ababa/Wellington, African Union Commission/New Zealand Ministry of Foreign Affairs and Trade, February 2020, p. 34, <https://au.int/en/node/15638>.

¹⁸ Given that the Chairperson position is rotational based on the five regions and elected by the other Heads of State or Government, a woman could have been elected when her region was holding the rotational chair, e.g., Sirleaf when the Western Africa region held the chair.

¹⁹ African Union, *President Felix-Antoine Tshisekedi Tshilombo, Takes Over as the New Chairperson of the African Union (AU) for 2021*, 6 February 2021, <https://au.int/en/node/39955>.

²⁰ See Constitutive Act, article 20 (2) and Commission Statutes, article 2.

²¹ See African Union Assembly, "Decision on the Institutional Reform" (Ext/Assembly/AU/Dec.1(XI)), in *Decisions of the 11th Extraordinary Session of the Assembly*, Addis Ababa, 17-18 November 2018, <https://au.int/en/node/36422>. The portfolios of the Commissioners will be, Agriculture, Rural Development, Blue Economy and Sustainable Environment; Economic Development, Trade, Industry and Mining; Education, Science, Technology and Innovation; Infrastructure and Energy; Political Affairs, Peace & Security; and Health, Humanitarian Affairs and Social Development. The positions of Commissioner for Social Affairs as well as Commissioner for Human Resources, Science and

The Assembly elects the AUC Chairperson for a four-year term, renewable once.²² The 34th AU Summit in February 2021 saw the re-election of Moussa Mahamat Faki from Chad, having first taken the position during the 28th Ordinary Session of the Assembly of the AU in January 2017 in Addis Ababa. He was assisted by Thomas Kwesi Quartey from Ghana as deputy.

The process leading up to the final voting and selection of the AUC chair and deputy begins at the national and regional levels. The candidatures for the posts of the Chairperson, Deputy Chairperson and the Commissioners are circulated to the member states at least three months before the election.²³ For months, once the nomination process opens, interested member states nominate candidates, and start to lobby other countries to seek their support and votes in the election. While nominated candidates normally make multiple campaign trips to various African countries to develop convenient alliances based on economic, cultural and political interests, and engage in debates on various topics that the next chair should take on, with COVID-19 that was not possible. During the previous election process, almost a week before the elections, the AU headquarters in Addis organised and broadcast an African leadership debate among the final five candidates vying for the post of Chairperson, the first of its kind.²⁴ During this debate, Faki presented a vision for more reliable peace and security policies in Africa, especially countering terrorism during his term as AUC chair. Faki's indication to focus on peace and security might have contributed to his win, as Africa was facing major humanitarian crises in the Lake Chad basin, Somalia and in South Sudan.²⁵ In the final vote, running against Kenyan candidate Amina Mohamed, an informal agreement to avoid sequential chairs from anglophone or francophone countries favoured Faki.²⁶

For the 2021 elections, Faki was able to run unopposed, finally winning the vote with 51 votes.²⁷ This is thought to be a result of his performance with pushing

Technology, which currently exist, will be incorporated into the aforementioned portfolios. Elections and terms, including nomination and selection processes, are governed by the AU Assembly Rules of Procedure, Executive Council Rules of Procedure and the Commission Statutes. A respect for regional balance and equal gender representation has been seen as core to the process. See African Union website: *AUC Commissioners*, <https://au.int/en/node/34944>.

²² Among the various powers and functions of the Assembly as stipulated under article 9 are the appointment of the Chairman of the Commission and his or her deputy or deputies, along with Commissioners of the Commission, and determining their functions and terms of office.

²³ This is indicated by Chapter II of the rules of procedure of the Assembly and Executive Council, articles 6 and 10 of the Statutes of the Commission as well as Modalities for the Election of Members of the Commission, which govern the elections and terms. See African Union, *Nomination Process Re-opens for Next AU Commission Election*, 10 August 2016, <https://au.int/en/node/31256>.

²⁴ Bushy Sekhu, "African Leadership Debate – Mjadala Africa 2016", on YouTube, 18 January 2017, <https://youtu.be/23h6yYYP8So>.

²⁵ Crisis Group, *Twelve Points for the New African Union Commission Chairperson*, 13 March 2017, <https://www.crisisgroup.org/node/5383>.

²⁶ South Africa's Nkosazana Dlamini-Zuma, stayed in post an extra six months as leaders had failed to agree on a candidate in July when this should have happened. Ed Cropley, "Chad's Foreign Minister Secures Top Post at African Union", in *Reuters*, 30 January 2017, <http://reut.rs/2jL01S>.

²⁷ This was reported by Faki himself via Twitter: "Deeply humbled by the overwhelming

forward partnerships, such as that with the European Union (EU), and his proactive coordination at the AU level with the response during COVID-19. Given the gender balance rule introduced for these elections, the Deputy Chairperson had to be a woman, with Monique Nsanzabaganwa from Rwanda garnering the most votes.²⁸ Two commissioner posts were left vacant, to be filled at a later date, due to the gender and regional representation rules that disqualified all remaining candidates given the positions already voted upon.²⁹

Figure 2 | New African Union Commission structure



Source: Luckystar Miyandazi and Philomena Apiko, "Election Watch: The Race for African Union Top Posts", in *ECDPM Briefing Notes*, No. 124 (November 2020), p. 4, <https://ecdpm.org/?p=41326>.

and historic vote of confidence...", 6 February 2021, https://twitter.com/AUC_MoussaFaki/status/1358105152327139332.

²⁸ Collins Mwai, "Rwanda's Nsanzabaganwa Is New AU Commission Deputy Chairperson", in *The New Times | Rwanda*, 6 February 2021, <https://www.newtimes.co.rw/node/890819>.

²⁹ See Désiré Assogbavi, "Highlights from the ongoing African Union Summit, 6-7 Feb 2021", in *Assodesire*, 6 February 2021, <https://wp.me/p4ywYV-vq>.

The AU's Executive Council comprises the Ministers of Foreign Affairs or other ministers of all member states, who meet at least twice a year in ordinary session. The same member state that chairs the Assembly chairs the Executive Council and serves for one year.³⁰ The Executive Council has six core functions, including preparing the Assembly session agendas and drafting decisions for its consideration; electing the members of the Commission for appointment by the Assembly; promoting cooperation and coordination with the RECs, African Development Bank (AfDB), other African institutions and the UN Economic Commission for Africa (UNECA); determining policies for cooperation between the AU and Africa's partners; considering and making recommendations to the Assembly on the Commission's; structure, functions and statutes; and ensuring the promotion of gender equality in all AU programmes.³¹ The Executive Council works through various smaller Committees responsible for different issue areas, for example the Ministerial Committee on the challenges of ratification/ accession and implementation of the AU Treaties, which was formed in 2015 to advocate for the ratification, domestication and implementation of AU treaties by all member states.

The Permanent Representatives Committee (PRC) conducts the day-to-day business of the African Union on behalf of the Assembly and Executive Council. All member states are represented on the PRC at the level of Permanent Representatives (ambassadors) who meet at AU Headquarters at least once a month and hold an ordinary session two times a year in closed sessions.³² An increasingly important role for the PRC has been considering the AU's programme and budget as well as the Commission's administrative, budgetary and financial matters, and making recommendations to the Executive Council, monitoring the implementation of the AU budget, and proposing the composition of AU organ bureaus, ad hoc committees and subcommittees.³³ The PRC works through subcommittees which hold sessions in Addis based on their theme. Currently, there are about 14 subcommittees, including one looking at Africa's strategic multilateral partnerships with the rest of the world.

Other institutional structures include a Committee of Ten Ministers of Finance (F10) from member states, formed in 2016. This was later expanded to a Committee of Fifteen Ministers (F15) to provide oversight over the AU budget and finances as part of the Kigali Financing Decision.³⁴ These ministers work with the executive council and the PRC.

³⁰ Under articles 10 and 13 of the Constitutive Act, the Executive Council is mandated to coordinate and take decisions on policies in areas of common interest to member states, such as in foreign trade, energy, industry and mineral resources, environmental protection, humanitarian action and disaster response and relief; transport and communications; education, culture, health and human resources development; science and technology; nationality, residency and immigration matters among others. It also considers issues referred to it and monitors the implementation of Assembly policies.

³¹ African Union, *African Union Handbook 2020*, cit., p. 43.

³² Ibid., p. 52.

³³ See article 21 of the Constitutive Act and Rule 4 of the PRC Rules of Procedure.

³⁴ Philomena Apiko and Luckystar Miyandazi, "Self-financing the African Union", cit., p. 9.

As reflected in Figure 2, the AUC is organised to deliver around key sectoral areas, an important one being infrastructure and energy. These then operate through different continental programmes according to sector. In 2012, the AU Assembly agreed on the Programme for Infrastructure Development in Africa (PIDA), consisting of 51 trans-frontier infrastructure development initiatives in Africa, covering energy and transport infrastructures among others, building on regional and continental plans and strategies to attract public and private domestic and foreign capital. These 51 programmes represented more than 470 smaller projects with a combined investment portfolio of 68 billion US dollars.³⁵ Although coordinated by the AUC, PIDA is a joint initiative with NEPAD (now NEPAD-AUDA) and the African Development Bank (AfDB).

PIDA is in many ways the implementation strategy of Aspiration 2 of Agenda 2063, which underlines the need for Africa to develop world-class infrastructure to improve both physical and digital connectivity.³⁶ Agenda 2063 infrastructural flagship projects include the Integrated High-Speed Network as well as the Grand Inga Dam project, also part of PIDA, to ensure availability of infrastructure and energy, hence underpinning the trade and industrial development agendas.³⁷ The second phase of PIDA was launched in 2019, to be adopted in early 2021 and to run until 2030.³⁸ This is to be centred around an “integrated corridors approach” as developed by the AU Commission, in collaboration with AUDA-NEPAD, the AfDB and UNECA – it will also focus on fewer projects to try and improve on the “limited” implementation record of phase 1.³⁹ The second phase of PIDA is reinforced by the Africa Renewable Energy Initiative which aims to support African countries in leapfrogging to renewable energy systems that support their low-carbon development strategies while enhancing economic and energy security.⁴⁰ Other related initiatives include adoption of DotAfrica (.africa), the African Geographical Top-Level Domain, an initiative in need of support from member states and private sector organisations to enable African citizens, governments and organisations to associate their services with Africa and its people.

However, as will be discussed below, while these continental programmes provide a useful coordination and framing, what is agreed on at the AU level often faces

³⁵ Jan Vanheukelom, “Understanding the African Union. How to Become Fit for Purpose?”, in *PEDRO Background Papers*, 2017, <http://ecdpm.org/wp-content/uploads/African-Union-Background-Paper-PEDRO-Political-Economy-Dynamics-Regional-Organisations-Africa-ECDPM-2017.pdf>.

³⁶ African Union, *Senior Leadership of the AU Commission : The Commissioner, Infrastructure and Energy (I&E)*, 13 July 2020, <https://au.int/en/node/38820>.

³⁷ Ibid.

³⁸ African Union, *About PIDA and PIDA-PAP 2*, <https://pp2.au-pida.org>; African Union, *The Integrated Corridor Approach – “A Holistic Infrastructure Planning Framework to establish PIDA-PAP 2”*, 27 February 2020, <https://www.au-pida.org/download/analytical-report-pida-pap-2-integrated-corridor-approach-and-selection-criteria>.

³⁹ African Union, *The Integrated Corridor Approach*, cit.

⁴⁰ Philomena Apiko, Sean Woolfrey and Bruce Byiers, “The Promise of the African Continental Free Trade Area (AfCFTA)”, in *ECDPM Discussion Papers*, No. 287 (December 2020), <https://ecdpm.org/?p=41388>.

implementation challenges when multi-state coordination is required. Regional organisations and energy power pools exist to facilitate cooperation and connect infrastructures, but often run up against competing interests and incentives among member states.

1.2 AU reform momentum: Beyond an institutional process

Although the AU draws inspiration from the EU's structure and institutional arrangements, with similarities between the AU Constitutive Act and the Treaty on European Union, the AU and EU are quite different.⁴¹ That is, "the development of 'thick' institutionalism" based on institutional blueprints drawn from the European experience has "yet to be matched by prescribed transfers of sovereignty or the implementation of common policies".⁴² In the AU, African regional integration is built around an intergovernmental logic, where African leaders have so far avoided empowering supranational organisations and maintained the notion of non-interference in states while nonetheless consenting to the need for the AU to improve its effectiveness. As such, the AU still faces challenges with its reform agenda, especially maintaining political traction, aligning issue areas with the interests of member states and defining the areas in which it can deliver on continental objectives and development outcomes.⁴³ The Kagame Report summarises these challenges as follows: "the chronic failure to see through African Union decisions has resulted in a crisis of implementation".⁴⁴

The decision to introduce yet another round of AU reforms in 2016 was in response to this challenge in particular. Other reform areas include focusing on fewer priority areas with continental scope; realigning the AU institutions; connecting the AU to citizens; managing the business of the AU efficiently and effectively; and financing the AU sustainably. To achieve this, the January 2017 reform decision recommended, among other things, the changes to the AUC structure discussed here. Having strong and effective AU institutions is key to managing inter-African affairs but also important for African countries to ensure a strong representation at the multilateral level.

⁴¹ At the July 2001 OAU summit in Zambia that dealt with the transition from the OAU to the AU, several references were made to the AU being loosely based on the EU model. See Olufemi Babarinde, "The EU as a Model for the African Union: The Limits of Imitation", in *Jean Monnet/Robert Schuman Paper Series*, Vol. 7, No. 2 (April 2007), p. 8, <http://aei.pitt.edu/8185>.

⁴² Daniel C. Bach, "Thick Institutionalism versus Lean Integration: 'New' Regionalism in Africa", in Candice Moore (ed.), *Regional Integration and Social Cohesion: Perspectives from the Developing World*, Brussels, P.I.E. Peter Lang, 2013, p. 93-106.

⁴³ For an overview of the African Union reform process see: Kesa Pharatlhathe and Jan Vanheukelom, "Financing the African Union. On Mindsets and Money", in *ECDPM Discussion Papers*, No. 240 (February 2019), <https://ecdpm.org/?p=35265>; and Philomena Apiko and Luckystar Miyandazi, "Self-financing the African Union", cit., looking in particular at the financing of the AU.

⁴⁴ Paul Kagame, *The Imperative to Strengthen Our Union*, cit., p. 4.

In 2016 the Executive Council made recommendations to improve implementation of current and previous AU decisions.⁴⁵ Examples include setting a limit of three decisions to be proposed by the Commission per department, and verifying full implementation within the reporting period before another decision is taken on the same subject matter. Other moves were made to rationalise the agenda of the Summit and decisions to address strategic rather than administrative issues, improve AUC recruitment procedures, strengthen monitoring and evaluation, facilitate ratification by member states of treaties and protocols, and ensure that member states make their contributions to the Union in a timely manner to allow for implementation of decisions. The same decision also requested the Commission to expedite finalisation of the integration of NEPAD Planning and Coordination Agency into the AU structures and processes, with a view to avoiding programme overlap and duplication, resulting in the African Union Development Agency, AUDA-NEPAD, further discussed below.⁴⁶

Following a decision in 2018, the Assembly Bureau started holding a coordination meeting with the RECs, with the participation of the REC Chairpersons, AU Commission and Regional Mechanisms. The first coordination meeting was held on 8 July 2019 in Niamey, Niger,⁴⁷ and the second was scheduled to be held via video conference on 28 July 2020 but was postponed.⁴⁸ Decisions taken by the Assembly are by consensus, failing which they are taken by a two-thirds majority. Decisions on matters of procedure are by a simple majority of states.⁴⁹ Decision-making by consensus is quite common even within EU institutions, for example within the European Council. However, the quest for consensus or a two-thirds majority amongst the 55 AU member states has continued to be its Achilles' heel, especially when it comes to agreeing on and pushing common African positions at the multilateral level.

Other challenges facing the Commission concern perceptions.⁵⁰ The AUC is perceived by some AU member states as ineffective, unaccountable and untrustworthy.⁵¹ The Kagame Report recommended that changes be made on how the selection process for top Commission leadership is conducted. Among other things, making recruitment of the Deputy Chairperson and Commissioners

⁴⁵ African Union Executive Council, *Twenty-Eighth Ordinary Session Decisions* (EX.CL/Dec.898 - 918(XXVIII)Rev.1), Addis Ababa, 23-28 January 2016, p. 4, <https://au.int/en/node/29513>.

⁴⁶ *Ibid.*, p. 16.

⁴⁷ African Union Assembly, *Decisions, Declarations and Resolution of the Assembly of the Union Thirtieth Ordinary Session*, Addis Ababa, 28-29 January 2018, <https://au.int/en/node/33908>.

⁴⁸ African Union website: *Second Mid-Year Coordination Meeting*, <https://au.int/en/taxonomy/term/1498>.

⁴⁹ Article 7(1).

⁵⁰ Paul Kagame, *The Imperative to Strengthen Our Union*, cit., p. 12.

⁵¹ For example, see opinion article by Neil Cole, "Recruitment for African Union Positions Should Be Transparent and Favour Best Candidates", in *News24*, 28 July 2020, <https://www.news24.com/news24/columnists/guestcolumn/opinion-recruitment-for-african-union-positions-should-be-transparent-and-favour-best-candidates-20200728>.

more competitive, taking account of gender and regional diversity, enhancing the managerial responsibilities of the AUC Chairperson and reviewing the structure and staffing needs of the AUC were suggested.

During its 11th extraordinary session in November 2018, the Assembly decided to implement various changes touching on the selection and election of senior leadership positions at the AUC, implemented for the 2021 elections.⁵² These changes include having clear terms of reference specifying the roles of each position and guided by five key principles: equitable regional representation and gender parity; predictable inter- and intra-regional rotation; attracting and retaining Africa's top talent; accountable and effective leadership and management; and transparent and merit-based selection. To follow up on the implementation of this decision, a team of ten recruitment experts selected from Africa's five regions (North, West, Central, East and Southern Africa) was appointed to support the AUC in developing and revamping its recruitment system.⁵³ The AU assembly also established a Panel of Eminent Africans composed of five distinguished personalities, one per region. The panel developed the job profiles and competency requirements for the positions of Commissioners and prepared the shortlist for each position based on the approved criteria.⁵⁴ Dealing with the management challenges facing the AUC is also important as the secretariat is responsible for drafting AU common positions and coordinating member states' actions in international negotiations, managing the AU budget and resources, and elaborating, promoting, coordinating and harmonising the AU's programmes and policies with those of the RECs.⁵⁵

Part of the logic of these reforms is to promote efficiency in decision-making and implementation, but also to improve the level of ownership on the part of member states. It also relates to the potential for the AU to present a single African voice in its multilateral relations, discussed in the following section.

1.3 A single AU voice?

Aside from strengthening its institutional setup to increase the level of ownership on the part of member states, the AU aims to broaden external relations and position Africa in global fora.⁵⁶ The Kagame Report included prioritisation of "Africa's global representation and voice" as one of the key recommendations to improve the AU's

⁵² See African Union Assembly, "Decision on the Institutional Reform", cit.

⁵³ African Union, *Recruitment Experts to Help Develop and Revamp the AU Commission's Recruitment System*, <https://au.int/en/node/37140>. As well as the RECs, for representation purposes the AU works with the five geographical regions of North, South, West, East and Central Africa. See Sahel and West Africa Club, "The Six Regions of the African Union", in *Maps & Facts*, No 45, November 2017, <http://www.west-africa-brief.org/node/516>.

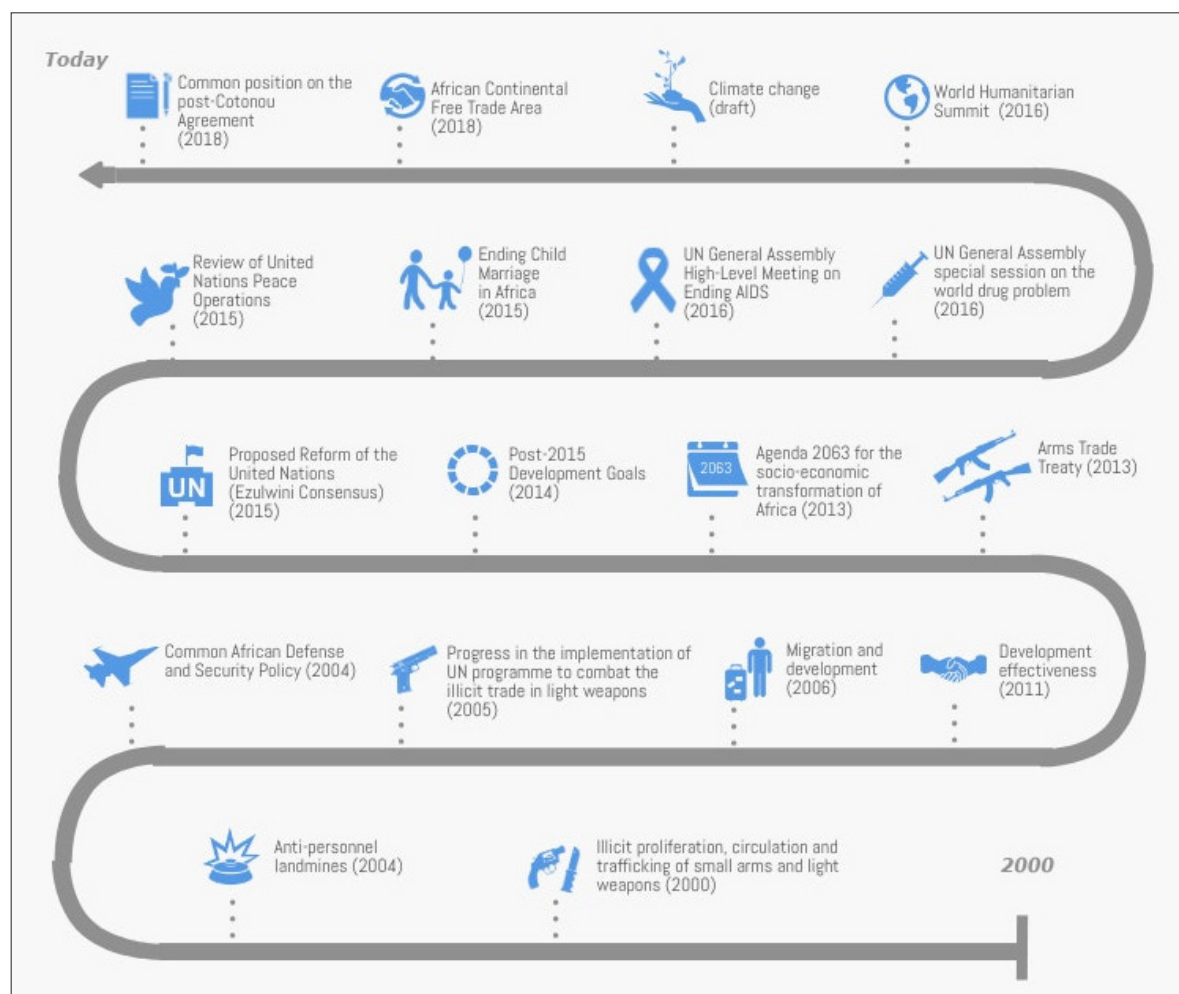
⁵⁴ For Chairperson, Deputy Chairperson and Commissioner role profiles see African Union, *The Structure and Portfolios of the Senior Leadership of the AU Commission*, 7 July 2020, <https://au.int/en/node/38828>.

⁵⁵ African Union, *African Union Handbook 2020*, cit., p. 95.

⁵⁶ African Union website: *About the African Union*, <https://au.int/en/node/34613>.

focus. Further, the potential role of the AU continues to rise with global challenges to multilateralism such as climate change, fragility and related instability and the need to shape a collective, coordinated regional response to the global COVID-19 pandemic.

Figure 3 | Common African positions 2000–2018



Note: This excludes the Common African Position on Asset Recovery (CAPAR)-2019.

Source: Philomena Apiko et al., *The African Union: What Role in Tackling Africa's Challenges?*, ECDPM, February 2021, <https://ecdpm.org/?p=41850>.

Based on Article 3(d) of the AU's Constitutive Act, the AU has in the last 18 years served as a platform to arrive at a common African voice on global issues. This is reflected in the number of joint statements and Common African Positions (CAPs) for outcome documents that the AU has facilitated, summarised in Figure 3.⁵⁷ For example, at the multilateral level, in 2014 the CAP on the post-2015

⁵⁷ ECDPM, *The African Union: What Role in Tackling Africa's Challenges?*, October 2016, <https://bit.ly/2DFJ6oh>.

Development Agenda, based on the priorities and aspirations of Agenda 2063, provided significant input during the consultation process for the United Nations Sustainable Development Goals.

When it comes to partnerships with third countries, the AU's longest and most strategic international partner has been the EU. African-European relations have gone through many phases in history that have shaped current engagements in political, economic and policy dialogues. Today, the EU remains Africa's largest trading partner while Africa as a whole is the EU's third-largest trading partner after the United States and China. The AU and EU define their cooperative relationship through joint agreements and declarations on key areas during the Summits of EU and AU Heads of State and Government (held every three years since 2000, alternating between Africa and Europe). The AU-EU partnership is currently the only one where the AU Commission also has a critical agenda-setting role, leading it to challenge its own member states and the EU in 2018 on the continued relevance of the African, Caribbean and Pacific Group of States as a channel for securing African interests vis-à-vis the EU.⁵⁸

2020 started with both sides indicating readiness to establish a stronger and more interest-driven EU-Africa partnership.⁵⁹ The two sides pledged to negotiate a new joint strategy, expected to be endorsed as an outcome document during the sixth EU-AU Summit, originally planned for October 2020 and now postponed to 2021 due to the complications of organising such a high-level virtual Summit.⁶⁰ The new strategy will define the future direction for cooperation between the two Unions.

However, the AU-EU partnership has yet to overcome the long-standing power asymmetry between the two. This is evident in the donor-client nature of the relations, and criticism from the African side that the EU designs approaches and sets the agenda for the partnership without African involvement. For example, under the Juncker Commission, the Alliance with Africa was reportedly prepared with little to no discussion with the African partners. At the political level, the African side seeks structural solutions to the migration and mobility issue that has been a divisive area in the partnership for several years, asking for the expansion of legal pathways for mobility and labour migration, particularly in the sectors of business and education. But political sensitivities in Europe make this a hard sell. When it comes to value- and governance-related issues there are also major stumbling blocks with Africa and Europe still very distant on issues such as human rights of lesbian, gay, bisexual, transgender and intersex people; sexual and reproductive health rights; the International Criminal Court; and the broader value, rule of law, human rights and governance agendas. The EU has for a long time

⁵⁸ Alfonso Medinilla and Chloe Teevan, "Beyond Good Intentions: The New EU-Africa Partnership", in *ECDPM Discussion Papers*, No. 267 (March 2020), <https://ecdpm.org/?p=38799>.

⁵⁹ Ibid.

⁶⁰ Geert Laporte, "The AU-EU Summit Didn't Prove Immune To COVID-19 – But That May Be a Blessing in Disguise", in *ECDPM Commentaries*, 14 September 2020, <https://ecdpm.org/?p=40622>.

focused on a partnership along the lines of peace and security although economic transformation is increasingly the priority in Africa's strategies, as evidenced by the AfCFTA now being at the centre of AU efforts, leading to questions about how the EU can support this through investments in infrastructure, manufacturing and the diversification of exports, as well as what is being termed the fourth industrial revolution.⁶¹

The power asymmetry may relate to the greater ease of channelling the diverse interests of 27 EU member states than 55 AU members. The AU lacks both the process experience and institutional power to convene its member states around a partnership as dense as the one with the EU. Further, AU priorities are already outlined in Agenda 2063, even if not specifically targeted to its relationship with the EU.

The effects of the COVID-19 global pandemic reveal uncertainty for the EU-Africa partnership. On the one hand, the focus of the long-term partnership is at risk of being overshadowed by the short-term needs related to the pandemic. Thus we are seeing, for instance, a resurgence of unilateralism and the traditional donor-recipient relationship between the EU and Africa when it comes to financing of economic recovery.⁶² On the other hand, the growing uncertainties of COVID-19 make the EU-Africa partnership even more important and might provide an opportunity for fostering new ideas and approaches to the partnership in, for instance, multilateral cooperation, global health, financing and digitalisation and research and innovation. However, one challenge in the leadup to a new joint strategy remains aligning the interests of the two continents, in areas such as multilateral cooperation, financing, Green Deal, investment and migration, where there is no explicit agreement to help build compromises.

Beyond the EU, African countries are increasingly engaging with other international partners, with China prominent among them. For instance, China and African leaders held a virtual "Extraordinary China-Africa Summit on Solidarity Against COVID-19" on 17 June 2020. Thirteen African leaders took part in this event, including South Africa's President and then African Union Chairperson Ramaphosa, and AUC Chair Mahamat.⁶³ Although widely perceived as preferring to work bilaterally with AU member states, China became more proactive and engaged with regional organisations following African calls to better respect local priorities, while the AU Commission has been a full member of the Forum on China-Africa Cooperation (FOCAC) since 2011. Relations between China and the AU are positive and, arguably, increasingly visible, not least with the gift of the AU headquarters in Addis Ababa from the Chinese government, but the real political and economic engagement takes place through bilateral discussions with member states. The

⁶¹ Ibid.

⁶² ECDPM, "How to Avoid the Aid Trap in the AU-EU Strategic Relationship", in *ETTG Blog*, 15 June 2020, <https://wp.me/p9qfAP-Cl>.

⁶³ San Bilal and Lidet Tadesse, "The China-Africa Summit on COVID-19: Geopolitical and Economic Considerations", in *ECDPM Blog*, 22 June 2020, <https://ecdpm.org/?p=40006>.

growing influence of China in Africa has included the adoption of China's African Policy and increased participation of African heads of state and government at the FOCAC: just four African presidents attended the first ministerial conference of FOCAC in 2000, whereas 51 African leaders did in 2018.⁶⁴ From 2010 to 2016 more than 320 embassies were opened in Africa – Turkey alone opened 26 – and Russia has signed more than 20 military deals with African governments, generally emerging from the multiple summits that have been held in recent years.⁶⁵

The AU still faces challenges when it comes to developing common positions. These challenges include divergent political interests at the national level that shape the interests of AU member states, thus undermining cohesion in AU activities; difficulties in coordinating between the AU and RECs to ensure consultations take place promptly to identify and agree on these CAPs; lack of resources, i.e., financial resources to organise consultations, and capacity; and in some cases external interference from donors and more powerful countries that results in proposed CAPs not gaining the necessary full support from AU member states.⁶⁶

The AU reform process provides an opportunity to deal with some of these challenges, not only on the institutional side but also on the technical and cooperation sides. The Kagame Report suggested that summits convened by external parties should be "reviewed" to increase effectiveness. Specifically, "Rather than all countries, Africa could be represented by: Chairperson of the African Union, Previous Chairperson of the Union, Incoming Chairperson of the Union, Chairperson of the African Union Commission, Chairperson of The Regional Economic Communities (RECs)".⁶⁷ In fact this is a reiteration of a long-standing problem – in 2006 in Gambia, the AU adopted the Banjul formula, whereby the AU itself would choose 15 African leaders, including the heads of the continent's five regions, to attend partner summits.⁶⁸ This, along with a moratorium on summits, was undermined by the Russia–Africa summit held in Sochi on 23–24 October 2019, working with the AU chair at the time, Egypt, rather than the AUC.⁶⁹

The AU can only act in those areas where its member states have authorised it to do so via the AU Constitutive Act and, in some instances, the Assembly decisions.

⁶⁴ For China's Africa policy see Chinese Ministry of Foreign Affairs, *China's African Policy*, January 2006, <https://www.fmprc.gov.cn/zflt/eng/zgdfzcc/t463748.htm>; Abdi Latif Dahir, "Twice as Many African Presidents Made It to China's Africa Summit than to the UN General Assembly", in *Quartz Africa*, 5 October 2018, <https://qz.com/africa/1414004>.

⁶⁵ On the scramble for Africa narrative see Folashadé Soulé, "'Africa+1' Summit Diplomacy and the 'New Scramble' Narrative: Recentring African Agency", in *African Affairs*, Vol. 119, No. 477 (October 2020), p. 633–646.

⁶⁶ For more information see webinar discussion: Institute for Security Studies, *Common African Positions: Achievable Goal or Wishful Thinking?*, 22 July 2020, <https://issafrica.org/events/common-african-positions-achievable-goal-or-wishful-thinking>.

⁶⁷ Paul Kagame, *The Imperative to Strengthen Our Union*, cit., p. 12.

⁶⁸ PSC Report, "How to Rationalise Africa's Many Partnerships?", in *PSC Insights*, 13 December 2019, <https://issafrica.org/pscreport/psc-insights/how-to-rationalise-africas-many-partnerships>.

⁶⁹ Ibid.

This has limited the power of the AU in representing and speaking on behalf of its member states to strengthen their influence in developing international norms and positioning on multilateral issues. Further, member states continue to prefer attendance at partner summits to being represented by the AU, not least due to competition for foreign investment, with many countries presenting themselves as stable regional economic hubs at the same time as they aim to have a common voice through the AU.⁷⁰ The same strategy carries over to the political realm and diversification of political allies: "Partner diversification not only offers several opportunities to reduce dependency but also to get better deal conditions by pitching these traditional and non-traditional powers one against the other". The AU common voice can therefore only go so far in meeting national interests, regardless of how these are shaped.

2. Regional connections and member state interests

The AU is taking on a growing role, with greater assertiveness and legitimacy, both through internal reforms and on the global stage, but its agendas are primarily implemented at the country level. AU member states are concurrently members of multiple RECs and other regional organisations with their own agendas, often on similar themes, creating a need for clarity on how this rich regional institutional architecture plays out in practice.

2.1 From AU to RECs to ROs

Although the eight AU-recognised RECs are considered part of the AU architecture, suggesting a clear hierarchy, the "division of labour" between the AU, RECs and member states remains unclear in practice. Observers cite challenges such as the degree of member state commitment to implementing mandates from the Peace and Security Council; the varying level of REC capacities to take up the operational role expected of them; and issues of political legitimacy: Who has the authority to intervene? At times this has also led to tension between the AU and RECs.⁷¹ Since 2007, all RECs have the possibility of having a liaison officer based in Addis Ababa to follow AU processes – although initially focused on peace and security, this was expanded to the full REC mandates in 2009, helping improve communication. Nonetheless, the level of discussion remained technical, not political, while the offices were almost entirely funded by the EU.⁷² The AU-REC relationship was thus

⁷⁰ "Senegalese president and his ministers attending most 'Africa+1' summits and seeking investment, whether these be with traditional partners such as the USA, EU countries or non-traditional partners as Turkey, Korea, the UAE." See Folashadé Soulé, "Africa+1 Summit Diplomacy and the 'New Scramble' Narrative", cit.

⁷¹ ECDPM, *Why Do We Need the African Union? Conference Report*, October 2016, <https://ecdpm.org/?p=24642>.

⁷² Raheemat Momodu, "New AU-RECs Relationship Needed for Integration", in *GREAT Insights Magazine*, Vol. 5, No. 4 (July/August 2016), p. 21-23, <https://ecdpm.org/?p=23219>.

raised in the Kagame Report as an area in need of reform, where a clearer division of labour would allow the AU (and indeed the RECs) to better prioritise and focus efforts. At the 34th AU Summit in February 2021, he again highlighted that this was overdue.⁷³

As a result, one of the annual Heads of State summits has been replaced by an AU-REC mid-year summit, in addition to one ordinary summit of the Heads of State. The first of these was held in July 2019 in Niamey, where proposals were made on how to improve the AU-REC division of labour through clearer rules of subsidiarity, but leaving many issues pending further analysis and discussion.⁷⁴ Requested inputs to that meeting aimed to consider joint mobilisation of resources between the AU and RECs, propose a partnerships strategy “between the AU, RECs and RMs” [regional mechanisms] on one hand and external parties on the other; and to review existing monitoring and review arrangements.⁷⁵ That was clearly an ambitious exercise given the scope of work of the RECs.

The outcomes of discussions showed some progress but, understandably given the complexity of the issues, fell short of establishing clear defining lines. Discussions identified six areas in which to define better roles: policy planning and formulation; policy adoption; implementation; monitoring and information; partnerships; and joint resource mobilisation. The 2019 summit also proposed annual update meetings on the implementation of the African Peace and Security Architecture or the African Charter on Democracy, Elections and Governance, for example, to take stock of progress and challenges.⁷⁶ Although this was in itself an important step, the coordination meeting was reportedly overshadowed by the launch of the AfCFTA at the same time.⁷⁷ One clear challenge raised around AU-REC-state coordination is the lack of data on the implementation of continental and regional policies, as is expected of them under the new tripartite coordination arrangement. However, this faces resistance as it depends on the “goodwill of states”,⁷⁸ or as political economy analysis would rather frame it, on the incentives and interests to engage transparently. Domestic political concerns tend to trump regional commitments, meaning that regional agenda implementation works when in line with political

⁷³ Paul Kagame, *Progress Report on the Institutional Reform of the African Union and on Domestic Health Financing*, Statement at the 34th African Union Summit, 5 February 2021, <https://au.int/en/node/39953>.

⁷⁴ African Union, *First Mid-Year Coordination Meeting between the African Union, the Regional Economic Communities and the Regional Mechanisms*, Niamey, 8 July 2019, <https://au.int/en/node/37635>.

⁷⁵ The terms of reference for the study presented in Niamey provide more detail: African Union, *Terms of Reference for the Recruitment of a Consultant...*, November 2019, <https://au.int/en/node/37789>.

⁷⁶ PSC Report, “Defining AU-REC Relations Is Still a Work in Progress”, in *PSC Insights*, 1 August 2019, <https://issafrica.org/pscreport/psc-insights/defining-aurec-relations-is-still-a-work-in-progress>.

⁷⁷ Liesl Louw-Vaudran, “Is the AU Becoming More Efficient?”, in *ISS Today*, 13 August 2019, <https://issafrica.org/iss-today/is-the-au-becoming-more-efficient>.

⁷⁸ PSC Report, “Defining AU-REC Relations Is Still a Work in Progress”, cit.

goals.⁷⁹ This put the member states at the centre of the nexus between the AU and the RECs. The second AU-REC coordination meeting was intended to take place in July 2020 but was postponed due to the COVID-19 outbreak.

But how the AU works with the RECs also varies by policy area. As UNECA reports in its integration index, "Africa is poorly integrated on the productive and infrastructural dimensions. This is true also for all RECs".⁸⁰ Although PIDA has been in place since 2012, ultimately trans-frontier project "successes" such as the East African Central Corridor (involving Tanzania, Rwanda and Uganda), Maputo Corridor, the Abidjan-Lagos Coastal Corridor or the Grand Ethiopian Renaissance Dam relied less on AU or REC involvement, and more on individual countries or regional subgroups alongside support from the African Development Bank and AUDA-NEPAD.

For infrastructure, although the policies are in place through the likes of PIDA, they face multiple challenges in promoting multi-country cooperation. Financial challenges, beyond the question of raising the necessary sums, relate to difficulties in getting participating countries to agree on sharing risks, on costs and benefits and on who is to implement the agreement, as well as how costs and benefits are to be shared across countries. Technical challenges include the difficulties in aligning different technical standards as applied in different countries. A telling example is the differences in rail gauge between African countries, largely a result of the preferences of European colonisers. Regulatory challenges include the need to create agreements to be able to take advantage of power pools, for example.⁸¹ Even if such agreements are in place there is still the issue of implementation, which in multi-country settings often requires effective regional organisations. Governance-related challenges can also be hard to overcome when they relate to unaligned national agendas with diverging degrees of political, technical and financial support. So, country ownership is an important condition, but even when such country commitment to a particular infrastructure programme is demonstrated at the beginning of the programme cycle, it may fade due to changes in government. The continental approach provides a useful coordinating and financing framework for infrastructures that would not necessarily be built taking a purely national approach. Such a continental approach builds on regional consultations, including with the RECs, where countries or cross-border infrastructures can in fact relate to more than one REC, not least given overlapping memberships.⁸²

⁷⁹ Bruce Byiers et al., "The Political Economy of Africa's Regional 'Spaghetti Bowl' – Synthesis Report", in *ECDPM Synthesis Reports*, May 2019, <https://ecdpm.org/?p=36935>.

⁸⁰ African Union, African Development Bank and UNECA, *Africa Regional Integration Index (ARII) 2019 - Technical Report*, May 2020, p. 10, <https://au.int/en/node/38554>.

⁸¹ Alfonso Medinilla, Bruce Byiers and Karim Karaki, "African Power Pools: Regional Energy, National Power", in *ECDPM Discussion Papers*, No. 244 (February 2019), <https://ecdpm.org/?p=35519>.

⁸² African Union, *Regional Consultation Workshop for East African Project Selections for the PIDA PAP2*, 11 March 2020, <https://au.int/en/node/38236>.

Insights into AU-REC relations can also be drawn by looking across other sectors. Some studies have pointed to the appropriateness of an adaptive, “muddling through” approach such as is frequently seen in the field of peace and security. In this mode, the AU, RECs and other regional mechanisms and organisations flexibly adapt roles according to context, and are more agile in response to rapidly changing and evolving conflicts than rigid siloes and guidelines.⁸³

During the COVID-19 crisis, the AU’s CDC has played an important role in communicating and coordinating country responses. The AU has provided a platform for common procurement among member states, thus creating greater buying power. In the Economic Community of West African States (ECOWAS), the West Africa Health Organisation has also played an important role, liaising with the AU-CDC and with ECOWAS member states. As the health setup for other RECs varies in strength and experience, the AU-REC relations around COVID also vary, as indeed do the REC responses themselves, from information sharing and sometimes managing to coordinate, to coordinating collective action among states in seeking debt relief and access to medical and safety equipment.⁸⁴

The way the AfCFTA will affect AU-REC relations differs yet again. Negotiation is between countries and regions not currently covered by a free trade agreement, so between RECs and other RECs in some cases, but also between RECs and individual member states. The Southern African Development Community (SADC) group contains the Southern African Customs Union (SACU) countries, which must negotiate as a bloc to maintain their union and which therefore must negotiate with other customs unions, the East Africa Community (EAC) and ECOWAS, as well as with separate individual countries.⁸⁵ As such, once the AfCFTA is being implemented, the RECs will continue to play a role in shaping intra-regional trade with the AfCFTA only coming into play, at least in the short run, for extra-REC trade within the continent (though in a second phase issues such as competition, intellectual property and investment will come into play).

Finally, it is worth further explaining the role of AUDA-NEPAD in the context of AU-REC relations. AUDA-NEPAD is the African Union Development Agency, emerging out of the recent AU reforms as an adaptation of NEPAD Planning and Coordination Agency, the New Partnership for African Development, an initiative begun in 2001.⁸⁶ Beyond its prominent role in PIDA implementation, AUDA-NEPAD is tasked

⁸³ Jan Vanheukelom and Sophie Desmidt, “Regional Peace Architectures in Africa: A Reality Check”, in *ECDPM Discussion Papers*, No. 249 (March 2019), <https://ecdpm.org/?p=36008>.

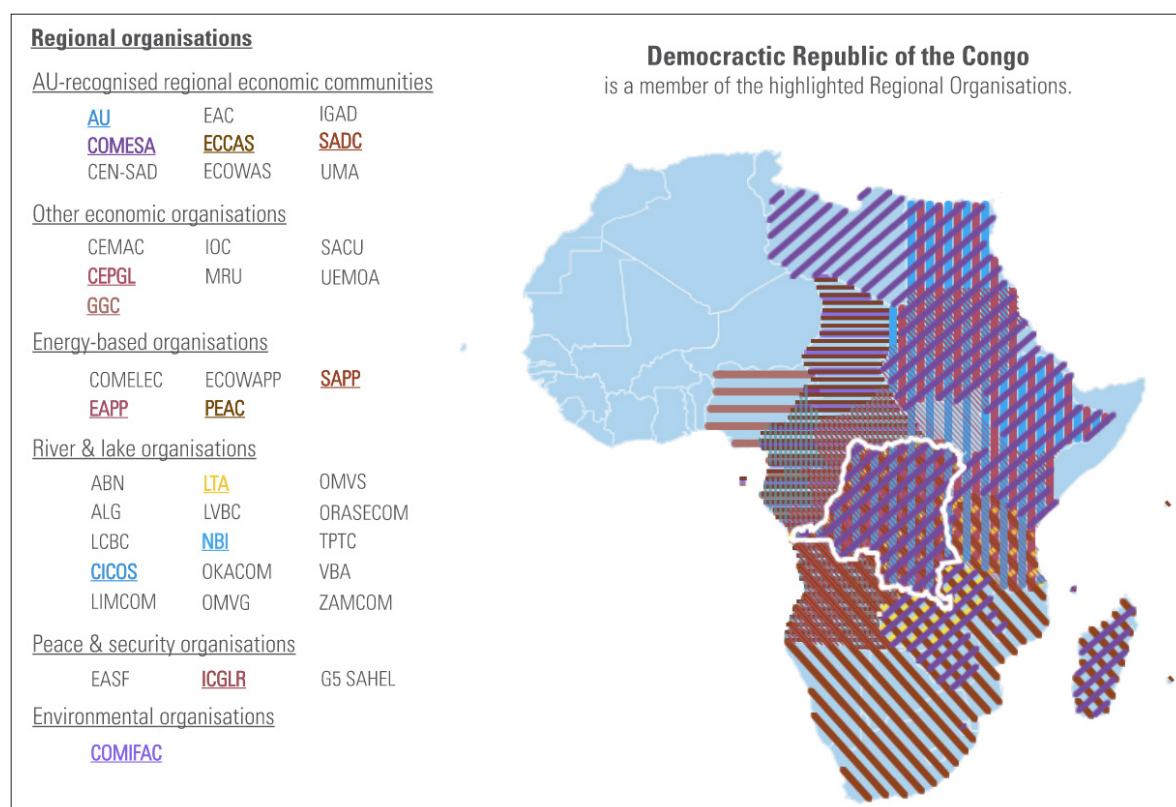
⁸⁴ Alfonso Medinilla, Bruce Byiers and Philomena Apiko, “African Regional Responses to COVID-19”, cit.

⁸⁵ TRALAC provide a useful summary of who is negotiating with whom: Trade Law Centre (TRALAC), *African Continental Free Trade Area: Who Is Negotiating with Whom? SACU and the EAC*, June 2020, <https://www.tralac.org/resources/infographics/14695-african-continental-free-trade-area-negotiations-who-is-negotiating-with-whom-sacu-and-the-eac.html>.

⁸⁶ For more see: UN Office of the Special Advisor on Africa (OSAA) website: *New Partnership for Africa’s Development (NEPAD)*, <https://www.un.org/en/africa/osaa/peace/nepad.shtml>.

with coordinating and executing regional and continental programmes towards realisation of Agenda 2063.⁸⁷ Its mandate includes technical and implementation support to RECs, with innovations including creation of Africa Union Development Agency–NEPAD Compacts with RECs, such as the Intergovernmental Authority on Development (IGAD), to try and help boost implementation of regional agendas.⁸⁸

Figure 4 | Regional organisation memberships of the DRC



Note: For more information on the different regional organisations mentioned here see: Bruce Byiers and Alfonso Medinilla, *The Political Economy Dynamics of Regional Organisations in Africa*, cit. Source: ECDPM, *Regional Organisations in Africa – Interactive Map*, <https://indd.adobe.com/view/f49ac87d-7aa3-4cf7-822e-841d674bbc92>.

Beyond these sectoral differences, it is also important to note that the RECs only represent a small number of the multiple regional organisations. As Figure 4 shows, a country like the DRC is a member of some 14 different regional fora, including the AU and three RECs, but also regional organisations covering energy, river basins

⁸⁷ The Agency implements its mandate through six broad thematic areas, namely: i) Economic integration; ii) Industrialisation; iii) Environmental Sustainability; iv) Technology, Innovation and Digitisation; v) Knowledge Management; and vi) Human Capital and Institutions Development. See AUDA-NEPAD website: *Who We Are*, <https://www.nepad.org/node/14302>.

⁸⁸ The following provides a recent call for tenders for such an exercise: AUDA-NEPAD, *Request for Expressions of Interest (REOI) - Advertisement. Consulting Services - Firms Selection*, 27 June 2020, <https://www.nepad.org/node/14294>.

and forestry.

As this suggests, there are multiple structures bridging the AU, member states and the RECs, while other bodies such as the AfDB, UNECA and AUDA-NEPAD play a role. But ultimately, all implementation of continental and regional initiatives depends on implementation at the state (and indeed local) level. The political economy dynamics *within* states and how they relate to cross-border and regional dynamics are therefore fundamental. As a former ECOWAS liaison to the African Union has put it: "It has become imperative for Africa to answer the question 'what is the value of protecting national sovereignty with poor economies, conflict ridden societies and weak global influence?'"⁸⁹

2.2 Member states and regional and continental integration

The rich institutional framework of regional and continental bodies and initiatives suggests strong interest from African states to integrate and cooperate regionally. The fact that the DRC is a member of 14 regional organisations reflects various factors.⁹⁰ It may reflect geography – countries with many boundaries will always be on the edge of other arbitrarily defined regions. Beyond this, countries seek different benefits from different regional fora. Common Market for Eastern and Southern Africa (COMESA) membership allows Kenya to use anti-dumping measures against Uganda to protect its sugar market, which it cannot do under the East African Community (EAC), of which both are members. Kenyan interests in Intergovernmental Authority on Development (IGAD) are more related to peace and security in the Horn of Africa, rather than the economic agenda, although IGAD is also a Regional Economic Community (REC).⁹¹ Similarly, when Rwanda re-joined the Central African Economic Community (ECCAS) in 2013 after leaving in 2007 to focus on integration with the EAC, it was less about economic integration than politics, peace and security.

But multiple and overlapping memberships come with a cost, and arguably constitute a reason for weak implementation. Although membership in two or more RECs (and their associated free trade agreements) is not necessarily incompatible, the multiple objectives of integration beyond trade imply a dispersion of limited resources across multiple regional initiatives, undermining potential progress. Other costs are financial through membership contributions. While ECOWAS has an import levy, a model later replicated by the AU, such levies are not the norm among regional bodies, meaning most regional organisations are dependent on external financing. As implementation is not closely monitored, regional membership and regional commitments become relatively low-cost commitments

⁸⁹ Raheemat Momodu, "New AU-RECs Relationship Needed for Integration", cit., p. 21.

⁹⁰ Bruce Byiers, "Regional Organisations in Africa: Mapping Multiple Memberships", in *ECDPM Talking Points Blog*, 15 September 2017, <https://ecdpm.org/?p=28780>.

⁹¹ Bruce Byiers, "IGAD: High-Level Summitry and Pragmatism in a Region of Persistent Turbulence", in *ECDPM Policy Briefs*, December 2017, <https://ecdpm.org/?p=29756>.

for states to make. The AU financing levy is intended not only to raise finances, but to thereby also increase member state ownership of the AU and its agenda. However, progress has been mixed, in some cases due to fears of the impact on state coffers, but in others simply due to other priorities, or concerns about how the AU spends its money which translates into reluctance to hand over money (and power) to the continental organisation.

There is therefore often a gap between policy and practice. Although continental and regional agreements are a result of negotiation among states, these same states are the source of the “implementation crisis” cited by Kagame in his 2017 report. His observation that of “more than 1,500 resolutions” passed by the AU there was “no easy way to determine how many of those have actually been implemented” might suggest “lack of capacity” – a traditional fallback for slow implementation. But he also points to a lack of commitment by states, which may in fact not always see the value of implementing continental decisions: “As a result, we have a dysfunctional organisation in which member states see limited value, global partners find little credibility, and our citizens have no trust.”⁹²

Analysis of the political economy of a range of regional organisations also underlines the role of key people or states in leading or blocking regional reforms or initiatives. The AU itself emerged under the auspices of South Africa’s President Thabo Mbeki and Nigeria’s President Olusegun Obasanjo, despite previous failures to reform the Organisation of African Unity (OAU), the AU’s forerunner continental organisation.⁹³ The AU reform process starting in 2016 was clearly driven by President Kagame of Rwanda while Niger played a key role in the AfCFTA process. But while these more individually led efforts seem to have had some success, this does not always translate to country leadership in regional or continental agendas.

Sometimes referred to as “swing states” or in some cases “hegemons”, the large states can affect progress (and indeed holdups) in regional processes. ECOWAS has this in Nigeria, where the common external tariff was only agreed on after including a higher tariff band to appease Nigeria. South Africa plays a similar role in SADC and indeed in the AfCFTA negotiations, where the domestic political economy of powerful unions plays an important part in defining the scope of negotiations, e.g., agreeing on rules of origin, where South Africa was pushing for stricter, product-specific rules. Ethiopia is arguably the peace and security champion for IGAD, playing a strong supporting and guiding role, out of recognition of its role in the region but also self-interest, although taking a more bilateral approach to its economic relations with neighbouring countries. In all of these instances, regional progress does not take place without these countries being onboard

⁹² Paul Kagame, *The Imperative to Strengthen Our Union*, cit., p. 5.

⁹³ Earlier attempts at reforming the OAU had failed, but in 1999 Olusegun Obasanjo became president of Nigeria, and Thabo Mbeki became president of South Africa. Both were agile and well networked political leaders of two emerging democracies, with relatively powerful economies and with converging interests in a major overhaul of the OAU.

and supportive. This was arguably part of the reason for nominating Nigeria to lead AfCFTA negotiations as a country exhibiting long-term trade liberalisation scepticism. However, even here, Nigeria was unable to immediately sign the agreement that it had helped design, due to domestic resistance raised at the last minute, not least from key private sector operators who used informal channels to express their opposition. Perhaps Kenya is the country to have most aligned its domestic development plans with regional integration, not least through its business sector which is often also politically connected but where the regional market has allowed it to expand considerably.⁹⁴

In spite of the increasing rhetoric around regional and continental integration, the success of the AfCFTA will depend on member states agreeing to and managing to implement it. What is currently emerging is rather a subgroup of AfCFTA-ratifying countries that will move ahead with implementation in 2021, with the hope that other signatories will slowly start to join as the benefits begin to flow. As of February 2021, the number of ratifying countries stood at 36.⁹⁵ While in line with the principle of variable geometry, in effect this creates a further new regional grouping to add to the additional sets of regional and continental frameworks.

Concluding thoughts

Although, on paper, the AU's institutional structure may look similar to that of the EU, in practice it is quite different, and with reason. Apart from the sheer difference in scale between a 55-member organisation and one of 27, the different working dynamics of the AU also derive from a reluctance by member states to hand over sovereignty to a supranational body. It is not clear to what extent member states would like the AU to take on an EU-like role. The search for a "common African voice" is a difficult balance between a changing AU that is gaining legitimacy and efficiency, and member states with allegiances to their RECs but also clear unilateral interests vis-à-vis international partners.

Although recent dynamics suggests that (sometimes narrow) national interests remain key in regional processes, this is not to deny progress towards continental and regional integration. While the effect of agreeing on and implementing the AfCFTA may take much longer to be felt than some suggest, it is nonetheless quickly becoming the lens through which social and economic development is being framed on the continent. In the wake of the COVID-19 pandemic, this framing includes suggestions that the AfCFTA *combined with* regional and continental industrialisation strategies will be necessary to create regional value chains and lower the level of dependency on goods that can be produced and traded within

⁹⁴ For more on these points see Bruce Byiers and Alfonso Medinilla, *The Political Economy Dynamics of Regional Organisations in Africa*, cit.

⁹⁵ See TRALAC, *Status of AfCFTA Ratification*, last updated: 8 February 2020, <https://www.tralac.org/resources/infographic/13795-status-of-afcfta-ratification.html>.

the continent.

The AfCFTA also provides a framework for infrastructure investment and foreign direct investment (FDI). Even if the COVID-19 pandemic has slowed FDI, the expanded markets offered by the AfCFTA offer greater potential for FDI than ever before, especially when combined with continental commitments to the free movement of people, even if progress here is also uneven across regions. The relaunch of PIDA within the framework of the AfCFTA is another way in which the continental and regional priorities can be aligned and more focused, also as a response to criticisms of past frameworks. The focus on corridors is also fortuitous given the need to look beyond creating transport corridors towards more integrated spatial development around these, to promote investment and employment creation. Nonetheless, even corridor development must take account of the actors and interests in place, within and between countries, whether for or against these reforms.⁹⁶ While many stand to gain, if those who stand to lose have enough power, well laid plans can easily founder.

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⁹⁶ For more on corridor dynamics see for example: Bruce Byiers, Poorva Karkare and Luckystar Miyandazi, "A Political Economy Analysis of the Nacala and Beira Corridors", in *ECDPM Discussion Papers*, No. 277 (July 2020), <https://ecdpm.org/?p=40230> (on Mozambique-Malawi links); Bruce Byiers and Jan Vanheukelom, "What Drives Regional Economic Integration? Lessons from the Maputo Development Corridor and the North-South Corridor", in *ECDPM Discussion Papers*, No. 157 (February 2014), <https://ecdpm.org/?p=9408> (on the North-South corridor linking South Africa to Tanzania).

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I-00186 Rome, Italy

T +39 06 6976831

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