A tale of two countries: perspectives from the South on the coherence of EU policies

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Introduction

Coherence of European development policy with other European policies has been in the debate for a series of years. This debate started, as we will see later, with the introduction of the concept in the Treaty of Maastricht. As such it was taken up by some Member States, but also by European development NGOs. At the end of April 1993 for example European NGOs started lobbying against the meat exports to West Africa (or rather the subsidies on such exports). They maintained that these exports could be regarded as dumping and that they therefore disrupted the local meat markets. Over the years it has been in particular the Common Agricultural Policy (CAP) which was in the middle of the debate, strengthened in the last years by criticisms from international development institutions, like the World Bank, and by the Doha-round of negotiations in the World Trade Organisations (WTO), in which groups of producers and exporters of agricultural products filed several complaints against protectionist policies and market distortions of the EU.

In this debate voices from the South are mostly heard indirectly, via NGOs in Brussels or in the capitals of the Members States, via their lawyers in the WTO. It is the intention of this paper to show some Southern perspectives on the coherence of European policies vis-à-vis developing countries. This research started from the question: What kind of incoherencies in European policies with regard to developing countries are identified by important actors in developing countries themselves? It is based on a series of interviews with high ranking officials of government institutions and civil society organisations, like employers’ federations, trade unions, chambers of commerce, women’s organisations and human rights NGOs. Since we are restricted in space in this article, I will in contrast to the larger report in both case studies concentrate the analysis on trade and fisheries.

Policy coherence: Definitions and background

Policy coherence is a relatively new concept both in politics and in the political sciences. There is in fact no mention of it in the standard textbooks on the social sciences. Even in dictionaries on European politics it is absent. To arrive at a

1. The effects of the CAP on export possibilities for developing countries of course has been under discussion from the end of the 1960s, from the beginning of Ton van Naerssen’s academic career, in particular via the cane versus beet sugar campaigns, but only partly under the denominator of ‘policy coherence’.
definition we must therefore first consult the dictionaries. As said these suggest that (in common parlance or philosophy) coherence is synonymous with consistency. Consistency and coherence of thought and statement therefore mean ‘free from self-contradiction’. Policy coherence could therefore be defined as: ‘The non-occurrence of effects that are contrary to the intended results or objectives of this policy’.

For this purpose coherence can be defined either narrowly or broadly (see below). A narrow definition would be that objectives of policy in a particular field may not be undermined or obstructed by actions or activities in this field. And a wide definition would be that objectives of policy in a particular field may not be undermined or obstructed by actions or activities of government in that field or in other policy fields.

The concept of policy coherence gained influence or, to put it more correctly, was introduced into European policies by the Treaty of Maastricht. The Treaty referred to coherence/consistency in its foreign policy in Article C (see below), but for development cooperation policy Article 130U and 130V were in particular important. Article 130 V of Title XVII of the Treaty on European Union - the Maastricht Treaty - states that [CEC/CEC, 1992:61]: The Community shall take account of the objectives referred to in Article 130 U in the policies that it implements which are likely to affect developing countries.

This article could be called the Maastricht Treaty’s ‘coherence article’ in the field of development co-operation. It was sustained in the Treaty of Amsterdam under Title XX as Article 178. Article 130V refers to Article 130U.

There are different ways to classify coherence. We will not go into detail here, but it is important to present a classification to be able to define the different elements of policy coherence and the causes for incoherence. This classification of coherence stems from the perspective of the viewer. Coherence can have a narrow or restricted angle, or a broad one. With regard to policy coherence this means that it can focus on one terrain or field of policy only, or try to make links with other fields or domains of policies. The restricted definition places coherence within one terrain of government policy. We could also call this internal coherence, because the assessment of policy coherence stays here within the limits of the domain of a given policy. At a contrast, the broad definition will look at the way the attainment of a given set of goals of government policies in a certain field are stimulated or hampered by government policy or policies in another field or other terrains.

The restricted or internal type is incoherence between different sets of foreign policy and development co-operation policy, e.g. between trade policies and development co-operation, between security policy and development co-operation, between human rights policies and development co-operation.

The third type is the broad or external one, including incoherence between development co-operation policies and policies in other fields, which can in theory, be all parts of European policy making. In principle it will be those policies most likely to affect also developing countries. In effect this will mean the CAP, CFP, certain consumer protection policies, parts of (global) environmental policies, industrial policies.

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2 For a more detailed overview see. Hoebink (1999 and 2004).

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Notwithstanding the efforts to achieve coherence of policy, incoherence is often a given. First, as government has to deal with many parties and pressure groups, it may well be impossible to find optimal solutions that satisfy all parties concerned and achieve all objectives. This is, of course even more so in the European Union, where the number of stakeholders and parties is much larger than at a national level. Second, government is not a unitary whole, but generally consists of a large number of departments, institutions and corporations. These departments and institutions take a large number of policy measures, monitor their implementation and are quite often faced with conflicting interests. Third, it is difficult to weigh all the factors, interests and parties and their reactions to an initial policy decision and even more difficult to weigh them on prognostics of an unknown future. Consequently, it is often unclear what will be the precise effects or side effects of the policy.

Morocco and EU Policy Coherence

*Morocco and the EEC after the Treaty of Rome.*
Morocco has a long standing relationship with the EEC/EU. Morocco’s strong historical and cultural links and its economy heavily dependent on the French market, integrated in the Franc zone, should have led to an early association with the Community. Such an early association should also have been in line with the Joint Declaration of Intent to the Treaty of Rome, in which it was promised to start quickly with negotiations with Morocco (and Tunisia) to safeguard traditional trade flows. It nevertheless lasted thirteen years after Morocco’s independence before in 1969 the first limited special association agreement (under Article 238) came into force. This could be seen as symbolic for the relationship between Morocco and the EEC/EU, or even for the incoherent policy of the EEC/EU vis-à-vis the Maghreb/Mediterranean countries.

Cooperation with the Mediterranean countries started with a case by case approach, allowing for full association with Greece and Turkey at the beginning of the sixties and limited association with Tunisia, Morocco (end of the sixties), Malta and Cyprus (beginning of the seventies). Other countries (Yugoslovakia, Israel, Lebanon) however got non-preferential agreements. Morocco and Tunisia were said to be in the midst of the Pyramid of preferences competing with its citrus and olive oil directly with Italian producers. Negotiations were often difficult, in particular with those wine, citrus and olive oil producers, from which Italy feared competition. The Community was thus not able to ‘follow a coherent policy vis-à-vis this important neighbouring area’. The general line was that industrial products could freely enter into the Common Market, what was also in line with the reallocation of European textiles, clothing and shoe production to for example Spain, Tunisia and Morocco, but that agricultural products faced high tariffs or quota limitations. Its is clear that production in the Maghreb countries was and is not complementary to (southern) European production as it is with most ACP countries and thus led to a more protectionist policy from the

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3. Weatherford [1994], emphasises that in the economic literature government is, however, often regarded as a unitary actor.
side of the EEC/EU. This was reinforced with the accession of particular Spain to the EU and has more or less been the line since then. Political elements weighed heavily in the relations what in particular can be read from European reluctance to go into deeper relations with authoritarian regimes in Greece, Spain, Morocco and Turkey. Aid was very limited in this period up to 1979, consisting mainly of loans.

A second phase in this relationship with the Mediterranean began, when in Paris in 1972 the European Council adopted the so-called ‘Global Mediterranean Policy’. ‘Global’ only meant in this case that the treatment of the Mediterranean countries should become more systematic, but this new policy also included cooperation agreements that had a bit broader scope, including next to trade issues also aid. Morocco, Tunisia and Algeria signed more or less identical cooperation agreements in 1976. The negotiations were described as being ‘bitter’, in which the Northern partners were willing to extend more concessions to industrial products, while Morocco and Tunisia were looking for better prospects for their agricultural products. With Greece, Spain and Portugal as newly coming EC-members, it could not be expected that many concessions with regard to agricultural products could be made. It meant that in particular Tunisia and Morocco lost out. It meant also that quantitative restrictions on textiles and clothing imports from Morocco, Tunisia and Egypt were introduced. The trade preferences thus stayed far from the French proposal at that time of establishing a free trade area in the Mediterranean. In the so-called ‘pyramid of privileges’ the southern Mediterranean countries were clearly lower than the ACP countries. A series of Cooperation Agreements though and financial protocols attached to them allowed for a modest increase in technical and financial grants and loans. But due to the economic crisis of the seventies, it meant also that the amounts of aid stayed modest.5

In those years Morocco filed a formal application – after an informal one was rebuffed in 1984 – to become member of the EC in 1987. The Moroccan application was rejected on basis of Article 237 of the Treaty of Rome which is said to reserve membership to European countries.6 At the positive side of this application was that it gave Morocco a better place at the European agenda with a first visit of Jacques Delors in the autumn of 1987.

Europe’s little coherent policy vis-à-vis the southern Mediterranean had a new change in 1989. After the second enlargement which brought the ‘Mediterraneans’ Spain, Portugal and Greece into the Community the focus of the EU was clearly more southward. Added to this was that the economic crisis of the 1980s did hit countries as Morocco, Tunisia and Egypt heavily. Morocco was hit in particular by a strong reduction in aid from the Gulf States and by low phosphate prices on the world market. Europe’s so-called ‘New Mediterranean Policy’ initiated in 1989 should address the problems of youth unemployment, growing poverty and immigration. The new policy aimed at introducing market reform (and in this following at a distance IMF policies), stimulating private investment and giving better market access. At the same time when European

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5 Under the first financial protocol for four years (1978-1981) it was ECU 659 million for eight countries, for a major part EIB loans. Egypt was the main receiver with about ECU 43 million a year; Jordan received ECU 10 million a year. Under the third financial protocol (1987-1991) the total amount grew to ECU 1.5 billion. (Cox/Chapman, 1999: ch.4).

6 Haddadi, 2002, pp.151-152.
Institutions came with quite substantial criticism on European protectionism vis-à-vis the Mediterranean countries (in particular with regard to agricultural products and textiles) however, very little changed in this respect. Aid flows did grow between 1987 and 1991 with 62 per cent, but still clearly lagged behind what was invested in other programmes.

After the Luxembourg Council declaration on human rights (1991) the European Parliament voted in favour of a freeze of development assistance to Morocco on the ground of human rights abuses in the Western Sahara and in Moroccan prisons. The discussion was fuelled by international NGOs and by Gilles Perrault’s book about human rights violations, Notre Ami le Roi, published in 1990. Morocco answered strongly by cutting of the negotiations on a new fishing agreement. It all led to more diplomatic exchange, to more discussions in Europe on its relationship with the southern Mediterranean countries and finally a Spanish proposal to intensify relations with the Maghreb. The Euro-Maghreb Partnership quickly lost momentum but found its way to Cannes and Barcelona. Also at the Moroccan side Hassan II introduced democratic reforms, amongst others creating a Consultative Council of Human Rights.

This all is said to have become part of the past in 1995. The European summit in Cannes in June 1995 and the following Barcelona Summit with the Mediterranean countries in December in the same year are in the European Union’s documents described as a ‘watershed’, a major change in which issues as: common security, peace and stability, an ‘area of shared prosperity’, the development of human resources and relations between civil societies are said to be integrated into a broad cooperation. What is clear is that the fear for the upcoming Muslim fundamentalism in particular in Algeria, forced the European Union to take a new position vis-à-vis the southern Mediterranean countries. In the follow-up of the Barcelona Summit negotiations again appeared very difficult. Only small steps were taking into the direction of a free trade area that should be created in 2010. A series of Euro-Mediterranean Association Agreements are replacing the old cooperation agreements. Each of these agreements contains articles on a gradual elimination of custom duties, but for agricultural products special provisions are made. The agreements are thus more comprehensive and covering all areas of the Barcelona Declaration, but are not going very far or deep.

After a Euro-Mediterranean Summit in 1991 and the Barcelona Summit aid commitments and disbursements did gradually grow again in the second half of the 1990s, since the Council in 1995 devoted € 3.4 billion up to 2000 for the special MEDA I budget line, created in October 1996 as a follow up of the 4th financial protocol. The main aid receiver stayed Egypt, with in a second echelon Morocco. Water supply was the main sector for European aid, where it was agriculture in earlier years. Morocco signed its European Mediterranean Association Agreement (EMAA) already in 1996 and thus, with Tunisia, was the first to become part of the European-Mediterranean Partnership (EMP).

The MEDA programme has been substituted by the Neighbourhood Programme and Morocco is by far the biggest receiver in this programme. The

7 Idem, p.153.
8 Also this is seen as an example that the EU is not willing to allow competition in this sector with its southern Member States.
European Neighbourhood Policy Instrument (ENPI) is endowed with €11.9 billion for 2007-2013. For the period 2007-2010 the funds allocated to the Moroccan government amount to €654 million. As the Commission puts it: ‘These funds will be spent in contributing to Morocco’s ongoing economic reform’.

Trade between Morocco and the EU.
The EU is Morocco’s biggest trading partner. In particular the export dependency of Morocco is standing out with between 66 and 75 per cent of its exports directed at the European market. In terms of imports more than half stems from the EU. The balance of trade is still positive at the EU side. Trade between the EU and Morocco did grow fast in the 1990s. EU imports from Morocco grew with 85 per cent between 1993 and 2002 (growing from €3,394 million to €6,265 million). Since 2002 trade stagnated. EU imports from Morocco went up to €7.8 billion in 2007. EU exports to Morocco grew a bit slower with 80 per cent between 1993 and 2002 (from €4,237 million in 1993 to €7,624 million in 2002), but went up quicker after 2002 to €12 billion in 2007.

Morocco’s traditional and main exports to the EU are still food products (citrus fruits, vegetables like tomatoes and fishery products). The export of citrus fruits is more or less stagnant, while fish and crustaceans exports are increasing and vegetable exports are more important than fruits. More recently also flowers became an important agricultural export product, but exports are dwindling. Agricultural products account for a fifth of the EU’s total imports from Morocco, and 6 per cent of its total exports. In 2002, the EU imported agricultural products from Morocco for a value of over €1,318 million, while it exported for a worth of €428 million. Industrial products exported are mainly textiles and clothing, although recently also automotive parts gained in importance. Textiles and garments represent about the same value as agricultural products. Main imports are fabrics for the textile and clothing industries, various types of machinery and equipment, chemicals, and wheat. Industrial products enter the EU duty-free. Agricultural export products are bound to quotas, seasons and duties. Under the Association Agreement the EU and Morocco granted each other some trade concessions for certain agricultural products. In Article 18 of the Agreement it is stipulated that discussions should be held with the objective to come to a further reciprocal liberalisation of agricultural trade.

Problems with Exports
According to the entrepreneurs, the Moroccan economy can potentially profit tremendously from trade liberalisation. They esteem that (internal and external) liberalisation that has already taken place over the past decade has boosted the Moroccan economy, created jobs, and decreased poverty. Main opponents of liberalisation are those with stakes in the former economic state monopolies, which produced low quality products for high prices. Since the internal liberalisation, prices have gone down and quality has gone up. Decreased import tariffs and a reduction of corruption have also had positive effects. The association agreement is positively evaluated as such, but on the condition that its functions well. There are severe doubts on the ‘equity’ principle: Up to now,
concrete policies like agrarian protection, the very difficult circulation of business people, and the de facto low support to increase competencies of Morocco’s labour force (e.g. through education, internships, etc.).

Tariff and non-tariff protection is a problem, but this can eventually be solved through negotiations. EU support for sectors like agriculture is seen as a much bigger problem. However, the most fundamental problem is the lack of competitiveness of the Moroccan economy. Entrepreneurs esteem that it is absolutely necessary to improve competencies of Morocco’s enterprises and labour force. This so-called mise à niveau operation is not only important to increase efficiency of production, but also – and which is equally important – in the interest of the vital process of standardisation. The latter means that Morocco will be able to comply with EU’s quality standards for export commodities (to circumvent non-tariff protection), that management processes comply with ISO standards, harmonisation of commercial law, juridical procedures, and accountancy standards, and mutual recognition of diplomas. This can only be achieved through support from outside and through education and training of Moroccan professionals.

In general industrial products have a duty-free access to the European market, but the exceptions are in sectors that are of particular importance for Moroccan industries. High tariffs, in comparison with ACP-countries, still prevail on textiles, apparel, and footwear. Duties are double in comparison with ACP-countries. The ‘production-complementarity’ with the southern European states also in these sectors plays a negative role as seen from the Moroccan perspective.

No cases of unfair competition from European imports were reported. The general fear of ‘rough’ competition from China is much more prevalent among officials and employers, but also from the side of independent economic analysts.

Fisheries

Most probably the most contested dossier in the relation between Morocco and the EU are the fisheries agreement or, better formulated, the negotiations on the fisheries agreement. It is a general feeling among Moroccan officials as well as Moroccan NGOs and entrepreneurs that during the negotiations ‘the door was slapped in the Moroccan’ face’, because it was more lucrative in the final end for Spain not to come to an agreement. Spain then would be able to look for financial compensation in Brussels. From the other side the general statement is that Moroccan demands were too high to being fulfilled by the Union. But the issue is so sensitive and delicate that for example officials from DG Fisheries hardly dare to touch it. What is clear, is that a compensation of about € 72 million a year was already paid in 2000 to Portuguese and (mainly) Spanish fishermen.

The third Fisheries Agreement between Morocco and the European Community expired on 20 November 1999. Under this agreement nearly 500 vessels in total and more than 400 Portuguese and Spanish vessels were fishing in the Moroccan waters. The financial went to € 500 million over the life of the agreement, making it the most important and most costly fishing agreement. These agreements could be seen as an extension of the agreement Spain had with
Morocco before. In discontent with the results of the agreements the Moroccan
government tried to get a larger compensation at the same time reducing the
number of European (Spanish) vessels in the Moroccan waters. Therefore a first
agreement was concluded already in 1988. In the 1990s Morocco ‘absorbed
about 40 per cent of the EU budget for third countries agreements and accounted
for about 54 per cent of the total value of catches. Of the 477 vessels allowed to
fish in Moroccan waters 404 were Spanish, coming mainly from Andalusia,
Galicia, and the Canaries). With the second agreements of 1992 compensation
were already increased with 50 per cent. The negotiations on a new agreement
were already very difficult in 1995 and nearly collapsed. In the third fisheries
agreement financial compensation took a new height and € 145 million were
added for projects of scientific research, training and co-operation.

During 1999 and 2000 continuing negotiations took place in Brussels as well
as in Rabat. The Moroccans offered several options to the Union. The first was
an agreement at cost of € 90 million a year with increased landings and a reduced
number of European vessels. The second contained an agreement with 100
percent landing obligations in Morocco. The third and the fourth offered fishing
rights only on non-sensitive species with proportional or no financial
compensation at all. It was in particular the high financial compensation that was
seen as disproportionate by the Community. It was suggested that on the number
of vessels, landing obligations, fishing zones and biological rest periods
agreement could be reached. In line with Morocco’s discontent on the low level
of cooperation and landings in Morocco, it offered the Community a choice
between a high compensation and a low level of cooperation or limited and
largely reduced access. Finally the negotiations went into a deadlock in March
2001. According to Commissioner Franz Fischler ‘the Moroccan expectation
went far beyond any reasonable evaluation’. It was stated that the EU was keen
to conclude an agreement which would also take account of Moroccan interests
and was also willing to accept that most EU vessels would have to land their
catches in Moroccan ports.

A main point of divergence was said to be the fishing levels (vessels,
biological rest periods, gear) for ‘key commercial fisheries, notably cephalopods
and shrimps’. Morocco wanted a reduction for these species of 60 to 80 per cent.
It was concludes that what Morocco was offering, was ‘not interesting to major
sections of the fleet’, e.g. Spanish vessels. Under the earlier agreement 113
shrimp trawlers and 86 cephalopod vessels did have access to Moroccan waters.

Two opinions can be heard on the collapse of the negotiations. One states that
Morocco negotiated too hard and overplayed its hand. It now lost as well the
compensation as well part of the landings. It is said that Morocco misses the
economic and technical capabilities to operate a large scale fishing fleet. Now
Japanese, Korean and Russian ships are seen fishing in the Moroccan waters.
Some state partly illegally because the Moroccan marine is not able to control
the Moroccan fishing waters, but at least with little financial compensation to
Morocco. Recent figures of the Ministry show that in particular catches of
crustaceans and cephalopods have gone down in recent years.
Another observation most heard in Rabat and Casablanca states that it was the EU, in casu Spain, which blocked the negotiations. Moroccan officials all indicate that they were disillusioned with the three earlier agreements in the light of the limited development benefits they brought to Morocco. The agreements were seen as exploitative alone, offering European vessels the richness of the Moroccan waters for just a financial compensation not on a basis of cooperation for development. The fear was underlined that Morocco would sell the riches of its seas and that it would end being overexploited and empty as the Mediterranean.

What struck the Moroccans hardest – and is seen as the ultimate example of the hand of Spain in these negotiations – that as a result of the collapse of the negotiations also fisheries projects were ended. If these projects are part of the development cooperation relation between Morocco and the EU, why then would they be suspended, if negotiations on a commercial agreement can not be concluded, is the question most commonly asked. If the EU is serious about the support of 200,000-250,000 small fishermen why then stop the technical support? Why stop the support for research on fish stocks?

**Senegal and the EU**

*Senegal, the Treaty of Rome, and the Lomé and Cotonou Conventions*

Senegal has been part of the Yaoundé and Lomé Conventions from the beginning. It was already part of the group of Associated African and Malagasy States (AAMS) consisting mainly out of French and Belgian colonies in Africa (in total 18 states in 1963), which together with the Overseas Territories were the negotiating body with the Community after the signing of the Treaty of Rome. With the independence of several African states at the end of the 1950s and the beginning of the 1960s, Articles 131-136 of the Treaty of Rome were not binding them anymore. Negotiations started on new forms of association with the EC. Senegal became independent in 1959 and is said to be also one of the very active members of the group in these negotiations which finally resulted in the Convention of Yaoundé of July 1963 (with 18 African states) and six years later to Yaoundé II, which was mainly a copy of Yaoundé I. Unilateral association thus became ‘negotiated association’ (Grilli 1993:19) and Senegal’s Leopold Senghor, as one of the more moderate African leaders played an important role in it.

Since the 18 of Yaoundé I, mainly former French and Belgian colonies, did not have to fear the competition of former British colonies yet, aid levels and access to the European market remained more or less unchanged. It did put the AAMS group of countries in a privileged position. In exchange European access to their markets and rights of EC citizens put the EC in a favourable position. Senegal

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9 It has to be noted that Spain received € 170 million (Portugal € 24) in 2000 and 2001 alone as compensation for fishermen and vessel owners affected by the non-renewal of the Morocco agreement.

10 One of the sensitive issues at stake here is of course the fact that most of the artisanal fishermen fish in the coastal waters of the Western Sahara.
took part in all this, as also in all the structures (Association Council, Parliamentary Conference) that were created alongside.

Senghor also played a pivotal role in the negotiations on Lomé I in the beginning of the 1970s. Under his leadership and that of the Nigerians the AAMS group quickly found themselves in a ‘cohesive and aggressive negotiating group’ (Grilli 1993:27) of ACP-countries. It led to an inclusion of the export revenue stability instrument Stabex financed by the Community and the abandonment of reciprocity in trade relations between the ACO and the EC. Furthermore the Sugar Protocol, making a first small inroad in European agricultural protectionism was part of these ‘aggressive’ negotiations.

The privileged position of West-African, Sahel and other Francophone countries however changed little after in 1975, when in Lomé I Eastern and Southern African countries were integrated. Aid per capita, also to Senegal, stayed on average four times higher. Lomé II and Lomé III also brought only minor changes in this position. This became even more obvious in the second half of the 1980s when Senegal (and Ivory Coast) were hit by economic recession. Both countries, which economically did quite well since independence, then suffered from their integration in the Franc zone, weakening their position in the international commodity markets. As a consequence direct EU aid to Senegal in that period increased tenfold, from $ 6 million to $ 65 million in 1988.

In the line-up for the negotiations on the Cotonou Convention also criticisms on Senegalese economic policies grew. It was indicated that Senegal lost a fifth of its export markets since the 1980s, because its exports made no progress at all.\(^{11}\) It was one of the signs that trade preferences in the Lomé Conventions only worked for a small number of states. The Economic Partnership Agreements are one of the new instruments of the Cotonou Convention to foster trade between the EU and the ACP-countries and among regional groups themselves. New Country Strategy Papers should also in the case of Senegal in anew format plan for old and new instruments and be a monitoring instrument to follow progress. Several local participants, among which Civil Society organisation should take part in the process of the formulation of the new CSPs.

There is also quite some discussion on the EPAs. One of the issues put forward is about the necessity of the institution of an EPA, when there is already a WTO which is already covering issues as reciprocity and market access. Some NGOs also indicate that there are two types of countries in the region, Least Developed Countries and others, and that, if the LDCs get a better access to the European Market, this might lead to dislocation of a certain set of activities to these LDCs. Whereas cooperation between these countries is a major goal of the EPAs this could lead to collisions. The situation in West-Africa is seen as even more complicated as one has to deal also with differences between Anglophone and Francophone countries (apart from Arab phone) with all the differences in culture attached to it.

Also the philosophy behind the EPAs is criticised. It suggests that free trade leads to more economic growth and that thus what African countries are going to gain by it will be more than they are going to loose by the termination of the Lomé.

\(^{11}\) Statement of the EU-delegate Manuel Lopez Blanco, Le Soleil, 5 June 2004. It is important to note that Lopez Blanco was the main architect of the trade paragraphs of the EU Green Paper containing the EU’s proposals for the renegotiation of Lomé.
trade preferences. This philosophy is qualified as dubious. What African countries might win on some products, they are certainly going to lose on others. These losses might be compensated within the EPA, but this is at the level of the state and is not a compensation for producers and labourers. In this respect in particular European protectionism in agriculture is under criticism, with which we will deal later.

**Trade**

**Exports**

Senegal’s exports are highly concentrated in the primary sector and primary products represent 90% of export income. Its exports consist mainly of groundnut, phosphate and fisheries. Of them fisheries is the most important, contributing between 35 and 40% to export income. Fisheries exports even contributed 56% to total exports in 1995. In the first five 1990s there was only a very slight growth of exports of manufactured goods, concentrated in a very limited number of firms and a negligible impact on employment.¹²

Over the years since independence Senegal lost considerably in market share. Its per capita exports are among the lowest in the world. In the 1990s there was even a drop in export incomes of about 2 per cent per year, while at the same time other SSA countries saw a growth of on average 5 per cent per year.¹³ This drop was in particular caused by the high and unrealistic exchange rate of the CFA. In money terms exports regained from 1995, after the devaluation of the CFA. But in the second half of the 1990s in particular reduced prices and reduced volumes of phosphate, vegetable oils, shrimps and lobster caused a new slide in exports. Fisheries exports fell dramatically again in 2000 and 2001, good prices however kept income more or less stable. Also the groundnut (oil) exports did relatively well.¹⁴

Traditionally 40-45% of the Senegalese exports have Europe as destination. But exports to the EU are going down in relative terms and are less than 30% at the moment. This is mainly due to the fall of fisheries exports. Main European importers are France, Italy and Greece. About 30% of the exports are going to African countries, mainly to the ‘Hinterland’, countries in West-Africa. The market of the Americas is negligible and collects not more than 1% of the exports. Senegal’s exports to the EU were thus reduced from € 453 million in 2001 and € 521 million in 2005 to € 372 million in 2007. 78% of these exports in 2007 were still agricultural products. The EU exports to Senegal were € 1.8 billion in 2007.

Groundnuts are the most important product for cash income for the rural population. Whereas more than half of the Senegalese population is considered to be poor, 75 to 80% of the rural households were poor. Growth in agriculture is stagnating and also is the production of groundnuts, although since the devaluation of the CFA franc (1994) is slight increase occurred from 1997 to 2001. Half of primary sector output comes from agriculture. Since the

¹⁴ Ibidem.
millennium there was strong growth of agricultural production, but this growth is seen as very fragile and with little effect on rural poverty yet. In 2000 agriculture contributed 21% to exports and 17% to Senegal’s GDP, while half of the labour force was employed in agriculture. Senegal is the 6th producer on a world scale behind China, India the USA, Nigeria and Indonesia. Its share in world production however was more than halved between 1970 and 2000, from 5.5% of world production to 2.3%.

It is a general feeling under Senegalese producers that European agricultural policies need to be restructured. This holds for the problems Senegalese producers are confronted with when European products are ‘dumped’ on the Senegalese market (see below), but also with regard to the access for Senegalese (African) products to the European market. Access of agricultural products might be without problem ‘off-season’, but they are directly confronted with high tariffs at moments that European products are harvested and brought onto the market. Senegalese tomatoes (and Moroccan beans) are quoted as examples.

Phyto-sanitary regulations are a second problem here. The EU-regulation of aflatoxin is quoted as the main example here. The EU regulation allows for much lower levels of aflatoxin than the Codex Alimentarius. It has been argued that maximum levels set in the Codex stem from a deliberate legislative process of weighing by international health experts in the FAO and WHO, while European levels were set as an average of levels set by the Member States.15 These higher levels cause serious problems for producers of nuts, groundnuts and dried fruits. In the legislative process the EU did not take did not take their interests into account, not in terms of what are reasonable maximum levels, neither in granting developing countries a transitional period. Senegal, as an important producer of ground nuts, is one of the victims. Of course reducing aflatoxin levels is a matter of training and improvement of agricultural practices of Senegalese farmers, but changes in these practices, as has been concluded in the quoted study on this case, take time and a huge effort of extension services. It is suggested that the EU could have been more complaisant. The introduction of the new phyto-sanitary regulation by the General Food Law coming into force from January 2006 show the same lacunae as those observed in the aflatoxin case.

Imports

There are a series of imports stemming from Europe which are said to be incoherent with European policies. The two main incoherencies indicated are: 1 that import hamper or even destroy local Senegalese production; 2. that some imports are bad for the environmental conditions in Senegal. In both cases NGOs and employers federation state that the Senegalese government has not the will or the power to regulate these imports better. It is said to be under pressure of WTO trade-rules or that it does not want to complicate relations with the EU and thus not is able or wants to counteract on these imports.

To the first type of imports belong in particular imports of agricultural products. Some stem from Asia. The liberalisation of the world market also for food products makes competition with rice imports from Asian countries very difficult for producers in the Fleuve region. Import surges from Europe, in

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particular from the Netherlands, most recently have created serious problems for Senegalese producers. They were reported not only by some NGOs but also in the Senegalese newspapers. Most strongly brought forward is the case of chicken legs. Other cases appearing in the local press in Senegal are onions and potatoes. Other products quoted, but not sustained with case material, are milk powder and wheat.

In the 1990s food imports in Senegal more than tripled. One of the main reasons is said to be the general reduction of import tariffs by the successive implementation of structural adjustment programmes. Tariffs on poultry meat imports were thus in several steps lowered from 55% to 20%. The Senegalese government requested the WTO for a waiver to maintain a system of reference prices for a series of 20 food products, including poultry and milk powder. This request was partly granted. While imports of poultry meat were negligible at the mid 1990s they grew to more than 11,000 tonnes in 2003, mainly consisting of frozen cuts (legs) from the Netherlands (about two thirds) and Belgium. At the same time local production declined. Imports thus grew from only 1% of local consumption to 19% in 2002, according to the FAO statistics. A similar pattern can be established with the imports of milk powder (from France), but here local production remained fairly stable. Producer organisations indicate that 70% of broiler farms around the urban areas have closed and that the sector is in a crisis. A spokesman of the Ministry of Agriculture reports a production decline of 30%.

Up to mid-2003 small export restitutions were given by the EU on about a third of the total volume exported in the last seven years. The Senegal case, together with similar cases from West-Africa (Benin, Burkina Faso, Cameroon and Ivory Coast) served as an example in a campaign of French and Belgium NGOs under the title ‘L’Europe plume l’Afrique’.

Similar problems are reported on onions and potato imports. Imports of onions have surged to 30,000 tonnes in the last years, 50% more than in 2002. In principle Senegal is self sufficient with a production of 100,000 tonnes and a consumption of 70,000 tonnes. Post-harvest losses however are rather high. Imports of potatoes have increased to more than 10,000 tonnes. In the case of potatoes local production stagnated and there were also problems with conservation. Urban consumers in these cases seem to prefer the quality of imported potatoes and onions, because prices of these are reported to be 25% to 50% higher than those of local products, according to the season. Recent reports indicate that local products show a better resistance to foreign imports.

The second incoherence is addressing the import of second hand cars and computers. Total imports of second hand cars were around 24,000 a year


17 According to the FAO study it was 16,600 tonnes. Other figures indicate 11,950 tonnes in 2003. This last figure seems more reliable, looking at the national production of about 25,000 tonnes in 2003.

between 2000 and 2004. A decline has been reported in 2004, due to new legislation on imports.\textsuperscript{19} Senegalese NGOs indicate that these imports create enormous environmental problems in particular in Dakar. They see it as dumping of European of European garbage in African countries. The Senegalese government is preparing a law which should stop the import of second hand cars that are more than five years old, but at the other side these imports are generating quite some custom revenues for the Senegalese government. Custom revenues on second hand cars were estimated at more than a quarter of total customs income of the Senegalese government in the first three years of the new millennium.\textsuperscript{20}

**Fisheries**

‘The Fisheries Agreement is a commercial agreement and those who state that it isn’t, is not honest’, is a statement one can hear from fisheries officials in Dakar: ‘Europe has bought itself access to Senegalese fishing waters for its vessels’. They also stress that there is a total incoherence between the agreement and its goals at the one side, and the goals of conservation of fishing resources and of development at the other side. Senegal has limited possibilities to control foreign vessels. Even the money that the EU offers in return for the access is seen as a danger, since the Ministry of Fisheries now had to fight with the Ministry of Finance for every penny to develop the sector and for conservation. It is then easy to conclude, stresses a spokesman from the Ministry that there is a total incoherence between the official discourse and the practice.

The situation in the Senegalese fisheries is very complex. To describe it as a competition between Senegalese artisanal fishermen and modern Spanish vessels, as is sometimes done, is a clear simplification. There are several actors involved and a series of species that are not all overexploited. Its is important to keep in mind that one out of 6 active Senegalese tries to earn his money in fisheries.

The demand from Europe is growing not only for the noble species, but also for other fish to be reproduced into fish meal and to be integrated into cattle feed. All this is said to create heavy pressure on the Senegalese resources. All Senegalese actors indicate that it should be the central goal of Senegalese fisheries policy to enlarge the added value and to have landings and transformation to take place in Senegal as much as possible.

The export conditions for the Senegalese fisheries are rather difficult. The Senegalese position in the international competition is not very strong, since production costs are high, due to the high level of employment and low per capita production. 600.000 people work in the fisheries sector. Production costs are also high because, the Senegalese banks are not fit to finance this sector and thus are loans expensive. Interest rates are high and high bank guarantees are needed to get finance. Furthermore prices of electricity and water make it difficult for the Senegalese fisheries to compete. Also in this sector there is a general feeling that Senegal has much to loose with the institution of an EPA.


\textsuperscript{20} \textit{Le Quotidien}, 8 April 2003.
Now Senegal is in the advantage, since Asian producer have to pay a 24% customs tax and Senegal nil. It is afraid of loosing this advantage.

Phyto-sanitary regulations present another problem. European regulations are rather strict, but clear. They are not tested under the conditions of a tropic country though. Beside that the way the regulations are put into practice in the Member States might differ quite substantially. Member states should comply with the norms and standards of Brussels is the general feeling. The European Commission itself does not have a control bureau in Senegal. France is quoted to have supported projects in this sector to make it easier to comply with norms and standards.

The negotiations on a new agreement in 2001-2002 were depicted as ‘very tough’. Nine rounds of negotiations were necessary to come to an agreement. The EU started the negotiations by demanding a 60% increase in tonnage compared with the former agreement. The Senegalese from their side wanted a reduction in tonnage and fishing zones and no fishing rights for European vessels for some socially sensitive (sardinelles) or overexploited species. Other sensitive issues in the negotiations were technical matters as duration of the licences, fishing gear, biological rest periods, boarding of fishermen and controllers, and fishing zones. The negotiations were blocked during six months over Senegalese propositions to change the fishing zones. For the first time Civil Society organisations as organisations of fishermen and of the fish industry took part in the negotiations. This strengthened the negotiating position of the Senegalese, forced the EU to several concessions and led to an agreement on several technical matters. But in the last negotiation round as well the negotiator of the Ministry of Fisheries was substituted and the Civil Society organisations were not welcome anymore. There are suggestions that the EU forced the Senegalese government to change negotiators, as happened later, in 2004, also in the negotiations with Mauritania.

The agreement was finally signed in June 2002 for the period July 2003 until 30 June 2006. It gives 68 European vessels, of which 45 tuna trawlers, the right to fish in Senegalese waters. Additionally some 84,000 tonnes per year of demersal species could be fished, of which a small part should be landed in Senegalese ports. Compensation paid for the agreements amount to 16 million per year (from €12 million in the former agreement). This was far less than what Senegal originally demanded. €3 million of that amount is reserved for special activities to foster sustainable fisheries (€500,000), for security in artisanal fisheries (€500,000), for research (€500,000) and for inspection and control (€700,000).

Criticisms on the agreement focus on four aspects. The first is that the compensation that the EU pays is only for a small part reserved (€3 million) in the fisheries sector in research and training. The ‘décaissement’ of these projects is very slow, because there are rather strict rules on counterpart funds. The Ministry of Finance is said to use the existence of these special funds to curtail the Ministry of Fisheries organisation complain that two years after the signing of the agreement the Senegalese government did not start any project yet for the development of the fisheries sector. Several organisations indicate that the Senegalese government lacks a strategy for the development of the sector.

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Organisations of fishermen and industrialists indicate that in their opinion a major part of the compensation that the EU pays, should be invested in the fisheries sector. The EU does finance also, together with the French AFD, the project PAPA Sud which is meant to promote a better quality of fish products.

The second point of critique is that the agreement also gives access to fishing grounds and species which are overexploited, like most wanted species as the thiof. These are species which are of interest in particular for Senegalese fishermen and are in majority exported to France to be consumed by African immigrants. Access to the coastal zone for European vessels is thus seen as incoherent with European development cooperation policy but also with those of sustainable fisheries. These zones should have been left for artisanal fisheries to have these more involved in the export game.

The so-called ‘compagnies mixtes’ are seen also as a way to transfer overcapacity in Europe to a developing country. But the situation is complex here also, since it are not alone European ship-owners which create this type of companies. Also some Koreans are reported to be involved, in particular in the ‘bateaux de rammassage’, which go out with a number of pirogues on their deck to fish also in Mauritanian waters.

In general, by all Senegalese actors, the fishing agreement is seen as a commercial agreement, with little to no comprehension for the sustainability of Senegalese fisheries or for development goals. It is indicated however that the ‘pauses biologique’ in September and October in the Senegalese case are well defined, but at the same time people interviewed pointed at the Mauritania Agreement in which after quite some pressure from the European side the biological rest period is October and November, with the effect that European vessels can stay in the region to fish. It should be noted that the biological rest period in the former agreement was only optional. The more general comment here is that it is still very difficult for Senegal, with its limited technical capabilities, to control European (and other third countries’) vessels.

The general conclusion then is that the European Commission is forced by the European Parliament which follows this dossier quite closely, to use a ‘langue du bois’, when it present the fisheries agreements. The Commission promotes them as ‘partnership agreements’ while in effect and on basis of a closer analysis they are purely commercial and negotiated in an intransigent way.

Conclusions

Policy coherence is a relative new concept both in political science as well as in the formulation and implementation) policy itself. It is defined in this article as ‘the non-occurrence of policies or the results of policies that are contrary to the objectives of a given policy’. You don’t need to be a visionary or utopianist thinker to assess that there are many causes for incoherencies to exist. One of the most important ones is that the interests of important producer groups or consumers are at stake and that these have a heavier weight in the formulation and implementation of policies then the interests of producers in developing countries.

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22 It is said that there is only one plain for surveillance, but that this is not functioning.
In Morocco incoherencies that were presented by the respondents dealt in particular with external coherence issues. Incoherencies that were put forward in most obstinate form were in the fields of migration, market access and fisheries. In its relations with the EEC/EU Morocco has in the last 48 years been a victim of a lack of complementarity in production structures with Southern European member states. Morocco had to try to get access for a series of the same products (citrus fruits, vegetables, textiles and clothing) for which old and new member states were looking for protection in Brussels. From this perspective European policies vis-à-vis Southern Mediterranean countries like Morocco and Tunisia have not been very coherent giving priority first to member states’ interest at cost of old trade links and the development of these with Morocco and Tunisia.

In particular Europe’s agricultural policies did hamper the development of the agricultural sector in Morocco, giving all the chances to citrus production in Spain, not leaving any space for Morocco’s production to develop and extend its export. Since Morocco stayed most of the time in the midst of Europe’s trade preferences pyramid, clearly behind the ACP countries, the EU was also not very coherent in its own stated goals with regard to Article 138 of the Treaty of Rome, safeguarding old trade relationships, neither to its regularly stated objectives of creating a zone of peace and prosperity in the Mediterranean.

Fisheries is one of the most sensitive dossiers in the European-Morocco relationship. The Moroccan side sees a clear incoherence here between the stated objectives of Europe’s Mediterranean policy and the way the EU gave preference to Spanish interests. A second hotly debated theme is immigration. It is generally felt in Morocco that the EU connects immigration too much with security and ignores the development issues that are at stake also.

In Senegal respondents put forward a mix of Internal and External coherence issues. Again fisheries and migration issues, but also ‘calendar incoherence’ (long time delays) and problems with dumping of agricultural produce. The Senegalese fisheries sector is very complex with a large number of actors on the stage. The depletion of fisheries resources, of some species, is clearly at stake. Since Senegal is one of the few African states with a huge fishermen population and an important position of fish in the daily diet, the EU should not have allowed – an in this sense its policy is incoherent - that under the Fisheries Agreement European ships again got access to fishing grounds close to the coast.

Senegalese producers clearly suffer from import surges of agricultural products from Europe, leftovers of a ‘spoilt’ market and dumped in Africa. Most cited examples are onions, potatoes, and chicken legs. The latter are sold in Dakar’s supermarkets in plastic bags, frozen without any specification of country of origin and limit of consumption dates. If the EU at the same time tends to foster agricultural development in Senegal, its policies could be considered as incoherent when it subsidizes these exports in direct or indirect ways.

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