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Pursuing Free Trade or Development?

The Priorities of the European Commission and the European
Parliament during the negotiations of the Economic
Partnership Agreements with ACP countries

By

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Table of contents

| | |
|--|----|
| Acknowledgments | 2 |
| 1. Introduction | 5 |
| 2. Literature Review | 8 |
| 2.1 The Council of the European Union and International Trade | 8 |
| 2.2 The European Commission and International Trade | 9 |
| 2.3 The European Parliament and International Trade | 10 |
| 2.4 The Diplomatic Role of the European Parliament | 11 |
| 2.5 What kind of power is the European Union? | 12 |
| 3. Methodology | 16 |
| 3.1 The Approach to a Critical Discourse Analysis | 16 |
| 3.2 How to Conduct Critical Discourse Analysis | 16 |
| 3.3 Text Selection | 18 |
| 3.4 Limitations | 19 |
| 4. Analysis | 20 |
| 4.1 European Commission and European Parliament Discourse in 2002 | 20 |
| 4.1.1 European Commission Press Release – 9 April 2002 | 20 |
| 4.1.2 European Parliament Report – 5 September 2002 | 22 |
| 4.1.3 European Parliament Resolution – 26 September 2002 | 24 |
| 4.1.4 European Commission Speech by Poul Nielson – 27 September 2002 | 25 |
| 4.2 European Commission and European Parliament Discourse in 2006 and 2007 | 26 |
| 4.2.1 European Commissioner Speech by Peter Mandelson – 19 October 2006 | 27 |
| 4.2.2 ACP-EU JPA Resolution – 23 November 2006 | 30 |
| 4.2.3 European Parliament Report – 27 March 2007 | 30 |
| 4.2.4 European Parliament Debate – 23 May 2007 | 33 |
| 4.3 European Commission and European Parliament Discourse in 2009 | 34 |
| 4.3.1 European Parliament Resolution – 5 February 2009 | 34 |
| 4.3.2 ACP-EU JPA Resolution – 9 April 2009 | 35 |
| 4.3.3 Follow-up by the European Commission – 9 April 2009 | 38 |
| 4.4 European Commission and European Parliament Discourse in 2013 | 40 |
| 4.4.1 ACP-EU JPA Report – 22 February 2013 | 40 |
| 4.4.2 European Parliament Press Release – 16 April 2013 | 41 |
| 4.4.3 European Commissioner Speech by Karel De Gucht – 11 October 2013 | 42 |
| 5. Conclusion | 46 |
| Bibliography | 48 |
| Appendix | 53 |

1. Introduction

The EU is one of the world's largest markets and an important export destination for developing countries. Especially African countries depend on the European market and are greatly affected by its trade policies. Trade relations between the EU and developing countries have existed since the inception of the EU (and its forerunners). For a long period, the EU has focused on the African, Caribbean and Pacific (ACP) countries alone, due to their colonial ties with the EU, disregarding other developing countries. However, since the mid-1990s, the ACP countries have faced the consequences of a shifting paradigm in the EU when it comes to trade policy and development (Young and Peterson 2013, 497).

Until the signing of the Cotonou Agreement in 2000, Europe's trade relations with the ACP countries were defined by the Lomé Conventions I-IV, which granted the ACP countries non-reciprocal access to the European market and therefore the most favourable, and preferential, position in comparison to the rest of the world (Ibid., 500). Since the mid-1990s, however, different developments contributed to a fundamental shift in Europe's trade policies. When Lomé IV reached its expiration in 2000, the Commission argued that the ACP countries had developed unsuccessfully, despite their preferential access to the European market, and therefore the former trade agreement had to be renegotiated (Gibb 2000, 463).

Secondly, Lomé IV turned out to be incompatible with the rules of the World Trade Organisation (WTO), which was created in 1995 (Kennes 2018, 4). The preferential access of the ACP countries to the EU namely discriminated against other developing countries that did not enjoy the same preferential access, simply because they had had no colonial ties with the EU. Therefore, the EU chose to pursue development of the poorest countries instead of the traditional ACP countries.

EU enlargement also influenced this policy change, since countries such as Austria, Finland and Sweden (1995) had no historical ties with the ACP countries and preferred to develop the poorest (Young and Peterson 2013, 501). This paradigm shift was also reflected in institutional changes, as the Commission reallocated the responsibility for trade with the ACP countries from DG Development to DG Trade in 1999 (Ibid., 502). The EU and, at this point, 79 ACP countries had to negotiate new trade relations after Lomé IV expired in 2000 (Chipaike 2017, 368).

The Cotonou Agreement, which entered into force in 2003, formed the basis for the Economic Partnership Agreements (EPAs) with the ACP countries. The EU has been

negotiating EPAs, which can be seen as new free trade agreements (FTAs), with seven ACP regions (West Africa, Central Africa, East and Southern Africa, the Southern African Development Community, the East African Community, the Pacific and the Caribbean) (Chipaike 2017, 355). With the EPAs, the EU eliminated the preferential trade agreements which the ACP countries enjoyed before. Instead, the EU offered to liberalise its market to ACP countries for 100% and in return the ACP countries were expected to liberalise 80% of their markets to the EU within a time period of ten to fifteen years (Jones and Weinhardt 2015, 230).

The ACP countries were, however, shocked by the condition of reciprocity (Kennes 2018, 6). Civil society in ACP countries viewed the EPAs as unfair and unacceptable. The dissatisfaction with the negotiations among ACP countries caused the negotiations to take much more time than the anticipated seven years. Only the Caribbean region signed an EPA by 2008. The Pacific countries were not very motivated to negotiate an EPA, since trade with the EU was limited and most of them are Least Developed Countries that already enjoy unilateral access to the European market via the Everything-but-Arms initiative (Ibid., 7). The negotiations with different regions in Sub-Sahara Africa also moved very slowly and only in 2014 negotiations with three of five negotiation groups were concluded, namely ECOWAS, EAC and SADC (Ibid., 7). While the negotiations were concluded, some countries of the ECOWAS and EAC group still refused to sign or ratify the EPAs, leading to the ratification of interim EPAs with individual countries.

This research will focus on the recent trade relations between the EU and ACP countries. Once the EU wishes to conclude new international trade agreements, such as the controversial EPAs, the European Commission, the Council of the European Union and the European Parliament have important roles, which influence the course of the negotiations. This research will look at the behaviour of the Commission and the EP during the negotiations of the new EPAs between 2002 and 2013. It will, however, not focus on the role of the Council during the EPA negotiations. The reason for this decision will be explained in the next section. This research will therefore ask the following question:

How do the discourses of the European Commission and the European Parliament compare in the negotiations of the Economic Partnership Agreements with the ACP countries?

This question will be answered through a Critical Discourse Analysis of different speech acts from the Commission and the EP in the course of the negotiations. The literature on the power

identity of the EU in international relations is extensive, but speaks about the EU as if it were a homogenous institution. It therefore fails to distinguish the different power identities of the European Institutions. This research will provide an original contribution to existing literature by distinguishing the particular identities of the Commission and the EP in international trade relations, in particular during the EPA negotiations with the ACP countries.

In the following chapter, this thesis will explain the role of the EP and the Commission in the negotiation of trade agreements with third countries, after which it will discuss different theories about normative power Europe and market power Europe. Subsequently, chapter three will set out the methodology used in this thesis, the text selection and its limitations. Chapter four will consist of the analysis that will answer the research question of this thesis, which will be followed by the conclusion in chapter 5.

2. Literature Review

This chapter explains the role of the European Parliament and the European Commission in the negotiation of trade agreements with third countries. Thereafter, this chapter discusses different theories about normative power Europe and market power Europe during trade negotiations which are important to understand the diverging behaviour of the EP and the Commission.

2.1 The Council of the European Union and International Trade

During external trade negotiations, the EU has as its main goal the opening of markets which illustrates the EU's commitment to liberal trade policy (Nugent 2017, 388). Nevertheless, under pressure of the member states in the Council, the EU has also been forced to adopt protectionist measures. Although the EU's trade policy favours liberalisation, it has to prevent possible negative consequences from free trade agreements for the member states as well. The negotiation of international trade deals has for a long time been the exclusive domain of executive powers, such as the Council of the European Union, hereafter the Council, and the Commission (Rosén 2018, 117).

The Council, represents the interests of the member states (Adriaensen 2018, 99). The Council's main task is to make sure that the Commission's proposals and negotiated trade agreements serve the interests of all member states. Because the EU ideally speaks with a single voice in international trade negotiations, the Commission is allowed to negotiate on behalf of the member states (Ibid., 101). Before the official start of the negotiations the Council adopts a negotiation mandate, which indicates the goals and breaking points in the negotiations. Once the Council adopts the mandate, the Commission is allowed to start the negotiations. During the negotiations the Commission consults the Trade Policy Committee of the Council, which consists of representatives of the member states. At the end of the negotiations, the Commission forwards the negotiated agreement to the Council, who, after the EP has given its consent, decides to conclude the agreement (Ibid., 102). While this is the official explanation of the Council's role in international trade negotiations, the balance between member states' control and Commission autonomy can be affected by the degree of (dis)unity (Elgström and Larsén 2010, 205). According to Elgström and Larsén (2010), disunity among member states and the relative unity of the Commission gave the Commission a high degree of autonomy during the

entire process of the EPA negotiations with the ACP countries (Ibid., 206). Denmark, the Netherlands, Sweden and the UK were proponents of development-oriented EPAs (Ibid., 212). Denmark, Sweden and the UK were also in favour of completely opening up the EU market for ACP-exports. Furthermore, France was in favour of protecting the special relationship the EU has with ACP countries. On the other hand, Spain, Italy and Portugal were proponents of protecting certain products of the agricultural sector of the European market. These different preferences provided the Commission with a higher autonomy during the negotiations. Because the Council seemed not to be a united actor during the EPA negotiations, and only had a limited amount of control, as argued by Elgström and Larsén (2010), this research will only look at the discourses of the Commission and the EP in the course of the negotiations.

2.2 The European Commission and International Trade

According to Article 3 of the TFEU (Treaty on the Functioning of the EU), European trade policy, also called the Common Commercial Policy, falls under the exclusive competence of the Union (Schütze 2015, 34). Especially the Commission has an important role as the executive of external trade policy that carries out the negotiations of new trade agreements (Nilsson 2018, 79). The Commissioner for Trade is responsible for the Common Commercial Policy and is supported by the Directorate General for Trade (DG Trade) which acts as the administration of the Commissioner. DG Trade normally takes on the leading role within the Commission. However, other DGs, such as DG Development or Agriculture are involved as well if they have an interest (Nugent 2017, 392). According to Elgström and Larsén (2010), DG Trade is in strong favour of liberalisation, DG development has a liberal approach as well, together with a developmental focus, and DG Agriculture takes a more protectionist stance during trade negotiations (210). Elgström and Larsén researched the Commission's internal cohesiveness during the EPA negotiations with ACP countries. In their study, they found out that there was a high degree of unity aside from some tensions between DG Trade and DG Development in the first years of the negotiations. DG Trade took the lead in the negotiations and DG Development had a limited role in the beginning, because the responsibility for trade with ACP countries had been transferred to DG Trade (Ibid., 212). Only in 2006, DG Development's role became increasingly involved in the negotiations due to the increased attentions for development-oriented EPAs. DG Agriculture on the other hand, wanted to protect European farmers from agricultural competition, but was prepared to compromise since trade

negotiations with the ACP countries posed less of a threat than with other stronger parties (Ibid., 220).

As mentioned before, the EU is generally committed to a liberal trade policy and focuses on the opening of markets in external trade negotiations (Nugent 2017, 388). While the Council can deviate from this liberalisation goal when the interests of individual member states are at play, the Commission, specifically the Commissioner for Trade, who takes the lead in trade negotiations, seems to be predominantly preoccupied with the pursuit of liberalisation (De Ville and Orbie 2013, 162).

2.3 The European Parliament and International Trade

Both the Council and the Commission have been cautious to involve the EP in trade. Even though involving the EP in the conclusion of international agreements would increase legitimacy, since the EP is the only directly elected institution of the EU, it has for a long time been the domain of national and European technocrats (Ibid., 117). Over the years, however, trade policy also began to cover politically sensitive issues which instigated the demands to include the EP in the area of trade. The powers of the EP were finally expanded with the Lisbon Treaty which entered into force in 2009.

Today, external trade policy falls under the Ordinary Legislative Procedure which means that the EP has been given the power to co-legislate with the Council when the Commission proposes new legislation (Ibid., 118). In addition, the EP has been given consent powers for every new trade agreement and must be informed by the Commission during the process of the negotiations. According to Rosén (2018), legitimacy concerns existed long before the Lisbon Treaty and were already an important reason for Trade Commissioner Pascal Lamy (1999-2004) and the Commission to propose an increase of the EP's powers in the EU's trade policy decision-making (121). Under the leadership of Pascal Lamy, the Commission became more wary of legitimacy concerns and wanted to avoid a conflict with the EP on this issue. Before the entry into force of the Lisbon Treaty, the Commission already chose to report regularly to the EP on international trade agreements without any obligation to do so. Therefore, the Commission started to involve the EP more than was necessary according to the Treaties (Ibid., 121).

The Lisbon Treaty finally gave the EP official powers within the realm of Europe's international trade policy, which means that from thereon the EP co-decides on trade legislation, has the right to veto international trade agreements and the right to be informed during the

negotiation process (Ibid., 122). According to Nugent (2017), the EP has used its new powers since the Lisbon Treaty to the maximum, such as with the trade agreements with Colombia and Peru in 2010 whereby the EP demanded human rights, labour rights and environmental protection to be added into the trade agreements (391). Much in the same way, the EP committed itself to protecting labour, environmental and other welfare standards during the TTIP negotiations which started in 2013 (Schulz 2015). Moreover, Crespy (2014) found that the Commission is responsive to the contestation of the EP when it comes to trade policies, which in turn opens discursive spaces for debating public policy (182). Before the conclusion of a trade deal, the EP clearly tries to make sure that certain norms are upheld to protect the rights of European and non-European citizens by holding the Commission accountable. Defending these standards seems to be the EP's first objective before pursuing further trade liberalisation.

2.4 The Diplomatic Role of the European Parliament

The EP is divided into different groups of MEPs with an array of roles. It has a diplomatic role through its standing committees, delegations and assemblies (Delputte, Fasone and Longo 2016). The EP consists of three full committees and two subcommittees with a focus on external action (European Parliament n.d.). Specifically, the Committee on Foreign Affairs (AFET), the Committee for International Trade (INTA) and the Committee on Development (DEVE) play important roles regarding external policies and therefore work closely with the EP delegations. Sicurelli (2010) found that both INTA and DEVE have expressed their concerns contrary to the position of DG Trade in regards to the EPAs after the interim EPAs were presented to the EP in 2007 and 2008 (107). According to INTA, the EPAs were not sufficiently development-oriented. DEVE, in its turn, disapproved of the hasty demand for reciprocity which, according to them, could have seriously negative impacts on the ACP economies.

Delegations hold an important role as EP diplomats and maintain close relations with parliaments of non-EU countries, regions and organisations (European Parliament n.d.). The general aim of delegations is described as to maintain and enhance contacts with foreign parliaments and to promote the values of the EU. Delegations can participate in inter-parliamentary delegations, in joint parliamentary committees, and in multilateral assemblies, such as the ACP-EU Joint Parliamentary Assembly (JPA) (Nugent 2017, 221).

According to Delputte et al. (2016), the inter-parliamentary assemblies wherein MEPs participate, illustrate “the clearest institutional sign of the European Parliament’s external action” (161). The delegations choose topics to discuss which are based on the importance for both groups of countries and appoint two co-rapporteurs. These rapporteurs work together and formulate a report that is debated in economic and political committees. Following the report and debate, resolutions may be adopted.

Delputte et al. researched the involvement of the EP in the EU’s partnership with the ACP countries through the JPA and concluded that the different understanding of development between the EU and ACP countries in the EPA negotiations was an important controversy (Delputte, Fasone and Longo 2016, 178). Moreover, the JPA became an important forum where ACP and EU parliamentarians met with NGO representatives to discuss the impact of EPAs on ACP countries. In its statements and declarations, the JPA urged a stronger focus on development within the negotiations and that the Commission should moderate its stance as it had been critiqued for pressuring ACP countries to sign the EPA (Ibid., 178). The work of the JPA influenced the EP as well, as the EPAs became a discussion topic during plenary sessions and led to a resolution specifically on the development impact of EPAs in 2009. This shows that, as argued by Delputte et al. (2016), the JPA has a role in “improving parliamentary scrutiny towards the executives of the partnership” (173). According to Pace and Stavridis (2010), “parliaments are expected to act as “moral tribunes” in international affairs” and can punish both their own governments and third country governments, since a balance of norms and interests is what ultimately safeguards a democracy (97). This behaviour adds a normative dimension to international affairs where parliaments take on an ethical role. The critique on the Commission for pressuring ACP countries during the EPA negotiations and the different positions between the ACP countries and the Commission on the development dimension of the EPAs, illustrates why it is important that the EP can hold the Commission accountable in negotiating new trade agreements.

2.5 What kind of power is the European Union?

Maull (2005) has tried to analyse the particular European power identity in international relations through François Duchêne’s concept of “civilian power Europe” which dates back to 1972 (778). Since the end of the Cold War, Europe no longer fulfils the role of “junior partner” to the US, but has taken an alternative identity in the global order (Ibid., 776). Maull argues

that in an ideal setting a “civilian power Europe” would simply “strive to ‘civilise’ relations between states along the lines of their own, democratic, domestic politics” (Ibid., 779). In this effort, civilian powers such as the EU would be reluctant to use military power to civilise the world (Ibid., 781). Instead, the EU has been a promotor of democracy, good governance and respect for human rights when it tried to influence other actors since the 1990s (Ibid., 785).

Manners (2002) coined the concept of “normative power Europe” and argued, much in the same way, that the EU defines what is ‘normal’ in world politics (253). This stands in close relation to the idea of ‘civilian power Europe’. When Manners introduced this concept, he referred to Europe’s aim of being a “changer of norms in the international system” and even having the “willingness to impinge on state sovereignty” to accomplish this (Manners 2002, 252). Manners (2002), however, rejects the idea of European norms being “cultural imperialism in disguise” and states that there are no material gains when the EU intervenes based on norms (253). Sicurelli (2016) argues that the EU indeed plays a distinctive role as normative power in world politics and uses soft power tools such as development aid to spread its norms (192). The European values and norms which Sicurelli refers to as “widely considered legitimate” are “economic liberalism, multilateralism, universality of human rights, liberal democracy, solidarity and sustainable development” (193-197).

The EU’s attempts and successes in exporting its norms to other countries does not, however, necessarily mean that its norms are always considered legitimate by the receiving side. We should, therefore, not ignore the fact that this normative behaviour can be deemed unwelcome and sometimes perceived as paternalistic. Since the 1990s the EU has been a promotor of norms which has also been evident in areas such as trade (Sicurelli 2016, 194). Every preferential trade agreement from this period onwards included norms such as human rights and sustainable development. According to Zimelis (2011), the EU was the first entity that used political conditionality in its foreign policy (389). Lomé IV was one of the first multilateral agreements that included, besides trade and aid, political conditions such as respect for human rights, democracy and the rule of law. In addition, it included a legal mechanism that enacted a consultation procedure and enabled to suspend aid when the conditions were violated. This illustrates that next to promoting norms, a coercive style of economic conditioning, and thus the use of Europe’s market power, has been a necessary tool to convince other countries to comply with its values.

Pollack (2016), on the other hand, provides a more nuanced view on the EU as an actor in foreign affairs and states that the notion of “normative power Europe is a platonic ideal” (203). He argues that this concept has created the impression that the EU is a unique

organisation promoting good values in contrast to other powers, such as the United States who supposedly have no ideal of imposing values and have a realist stance towards foreign relations (Pollack 2016, 198). Pollack reminds the reader that it is tempting to see the EU as a unique normative actor because it tends to repeat these norms in all its policies and treaties (Ibid., 200). On the other hand, it is too simplistic to claim that these normative statements are masking its true motives. Pollack states that Europe's normative foreign policy should not be reduced to hidden material interests, but that we certainly can detect mixed motives and also inconsistency in its behaviour (Ibid., 200). While discussing normative power Europe, Pollack does not entirely reject the idea of the EU trying to be normative, but he reminds the reader of the presence of European self-interests in foreign affairs.

Damro (2012) in turn, argues that while the idea of a normative power Europe might seem attractive to describe what kind of power the Union is, the EU, in essence, is a market, and therefore "it may be best to conceive of the EU as a market power Europe (MPE)" (682). The EU's primary focus has, since the launch of the European Coal and Steel Community (ECSC), been based on market integration. This became even clearer with the Single European Act (SEA) in 1986 that established the single market and created a "collective economic weight" (Ibid., 685). According to Damro, the combination of three characteristics, namely the EU's market size, its institutional features and interest group contestation within the Union drive Europe to act as MPE (Ibid., 689). The EU is an economic winner when we consider that it is the most industrialised market and biggest trading bloc in the world. This leading market position enables the EU to influence the world market by externalizing its regulatory standards (Ibid., 686). A large market, such as the EU, will according to its size, intentionally or unintentionally, incentivise other countries outside the Union to change their regulatory standards instead of changing its own (Ibid., 687). The EU's efforts to externalise its economic policies and regulatory standards are mostly intentional, but unintentional externalisation of EU standards happens as well simply because adoption to EU standards can be attractive to those who want access to the EU's large market (Ibid., 690).

Nevertheless, the EU can use "economic coercion" to force others to change their regulatory standards and threaten those who oppose "complete or partial market closure" (Ibid., 687). While Damro emphasises this predominantly neo-liberal and capitalist identity of the EU, he also acknowledges the fact that the EU projects norms and therefore has normative characteristics. Nonetheless, the EU has since the mid-1990s embraced neoliberal trade which has dominated international trade discourse (De Ville and Orbie 2013, 151). Europe started to embrace free trade and to a large extent reject protectionism, except for its agriculture. This

image of Europe fits within the definition of neoliberalism which according to De Ville and Orbie (2013) recommends that “human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets, and free trade” (151). With regards to trade, the neoliberal state aims to open up markets. In their critical discourse analysis, De Ville and Orbie (2013) analysed the Commission’s trade discourse during the global and Eurozone crisis (162). Their findings illustrate that the Commission appears to have a tendency to promote and protect neoliberalism and that it leaves no room for deviating trade policy options. This discourse of neoliberalism having no alternative seems to leave little space for contestation which ensured the persistence of neoliberalism after the crisis (De Ville and Orbie 2013, 163).

Siles-Brügge (2013) comes to a similar conclusion in his constructivist analysis of EU trade policy, as he states that different Commissioners have internalised a neoliberal discourse (599). Siles-Brügge argues that trade commissioners have, since the 1990s, irrespective of their political backgrounds, used discursive strategies to construct the idea that trade liberalisation is not only desirable, but even necessary. This neoliberal discourse has, according to Siles-Brügge, been used to legitimise the Commission’s agenda of opening markets in third countries. After the 2008 financial crisis, trade liberalisation remained a desirable objective despite protectionist pressures. The call for reciprocity was no longer ignored by DG Trade without however, deviating from its neoliberal aspirations (Ibid., 606). Reciprocity therefore became a tool that increases the Commission’s leverage in trade negotiations and its attempts of opening markets in third countries (Ibid., 612). Using this tool was still problematic, since all of the EU’s emerging trade partners fall under the General System of Preferences (GSP) which gives them market access to the EU without any obligation to offer reciprocal market access. According to Siles-Brügge the 2012 reform of the GSP has to be seen in this light, as it excludes high-income and upper-middle-income developing countries from the GSP. Even though the Commission explains that the GSP reform is necessary to focus on the poorest countries, Siles-Brügge questions these moral aims since the Commission is also trying to negotiate reciprocal EPAs with Least Developed Countries (Ibid., 607).

3. Methodology

3.1 The Approach to a Critical Discourse Analysis

This thesis conducts qualitative research and adopts a constructivist approach which is based on an ontological position that claims that social meaning is constantly constructed by social actors (Bryman 2012, 33). The data in this research will therefore be subjected to a Critical Discourse Analysis (CDA) which is linked to constructivism, as it investigates versions of reality that are constructed by social actors (Ibid., 529). CDA aims, in addition, to explore why some versions of reality are taken for granted and other versions become marginalised (Ibid., 538). According to Holt (2011), the advantage of constructivist methodologies, such as CDA, “is that they won’t let us take for granted alleged ‘truths’ about the world” (67). Holt argues that discourse analysts are tasked to question these ‘truths’ which as a result helps them seeing these truths as one of the many possible truths and eventually helps them consider alternative truths in the world.

Thus, to answer the research question to what extent the Commission and the EP have influenced the EPA negotiations with the ACP countries, this research conducts a CDA by analysing the discourses of the Commission and the EP who, according to this methodological approach, “seek to accomplish things when they talk or when they write” (Bryman 2012, 529). CDA is a way to illustrate social and political inequalities constructed by discourse (Wooffitt 2011, 138). According to Wooffitt (2011), the way people talk and write about the world represents ideological assumptions and therefore reflects existing power relations (140). In other words, ideologies are presented as truths by influential groups in a society. Pierce (2011) summarises this simply by stating that “language is political” (282). This theory on discourse and ideology stems from Foucault’s ideas about power and knowledge. Foucault was one of the leading theorists who was interested in how we can uncover ideologies that sustain inequality through discourse (Klages 2006, 142).

3.2 How to Conduct Critical Discourse Analysis

According to Willig (2013), a discourse analyst seeks to identify “significant patterns of consistency and variation” in a text (346). When approaching the discourse of a text, it is therefore useful to have a couple of questions in mind and interrogate both each line of the text

as well as the text as a whole (Ibid., 346). Willig (2013) proposes the following questions to approach a text with:

- i. What sort of assumptions (about the world, about people) appear to underpin what is being said and how it is being said?
- ii. Could what is being said have been said differently without fundamentally changing the meaning of what is being said? If so, how?
- iii. What may be the potential consequences of the discourses that are used for those who are positioned by them, in terms of both their subjective experience and their ability to act in the world?

(Willig 2013, 346)

These questions will be used in this research. However, because there is not one specific framework for conducting a CDA and because it is desirable to include different perspectives, this research will include supplementary tools for carrying out a CDA. These tools, that have been proposed by two other prominent CDA theorists, and which are widely used and complementary, are presented below.

According to Machin and Mayr (2012), a basic manner to carry out CDA is through a lexical analysis of the text by simply asking what vocabulary the author uses and if the author tends to use certain words and avoid others (30). The choice of the author's words indicates certain identities, values or underlying beliefs which are not always made explicit in a text (Ibid., 30). Studying the word content of a text can therefore reveal these implicit meanings. In addition to the questions above, this research will conduct CDA on the basis of the following questions: "What kind of words are used?" and "Is there a predominance of particular kinds of words?" (Ibid., 32). According to Machin and Mayr (2012), this process is useful because the author has chosen to use a certain language in a text based on a certain motivation. Machin and Mayr (2012) give one example through three slightly different news headlines, namely "youths attack local building", "youths attack local addresses", and "youths attack local family homes" (Ibid., 32). The last sentence sounds more serious and tends to provoke greater rejection than the former two because of the word 'family', which is considered to be more sacred than the words 'building' and 'addresses'. Hence, without being explicit about the immoral behaviour of youths, the text producer has formed a sentence that indicates immorality by using the word 'family' which is associated with certain values.

A second way of conducting an analysis of a text is over-lexicalisation which indicates that something is ideologically contested (Ibid., 37). Machin and Mayr illustrate this by giving two basic examples, namely “male nurse”, and “female doctor”. The author of these examples finds it necessary to give job titles a gender because it deviates from the social norm and therefore dominant ideology. In the same way, enemies can be over-lexicalised which creates anxiety and can serve as a means to justify aggressions towards an enemy.

A third way of CDA is by asking what is missing in a text that we could have expected to be included (Ibid., 37). If something we would have expected in a text is excluded, we could ask why the text producer wanted us not to think of a particular subject.

A fourth way of critically analysing a text is by looking for structural oppositions (Ibid., 39). According to Machin and Mayr, we should think of oppositions such as “young-old”, “good-bad”, and “democracy-communism”. A text can also mention opposites less explicitly by only mentioning one of these and leaving out the opposite word. However, this can still imply that the mentioned one has different qualities than the non-mentioned opposite. When for example someone in a text is described as an “extremist”, we imagine that an extremist acts in an opposite way than a “citizen” (Ibid., 39). Machin and Mayr argue that we can talk of “ideological squaring” when oppositions are overtly included in a text.

In conclusion, when carrying out a CDA of the discourse of both the Commission and the EP, this research will include Willig’s questions for approaching a text and Machin’s and Mayr’s four tools, namely a lexical analysis of the text, over-lexicalisation or excessive descriptions, lexical absence and structural oppositions. By asking questions while reading the text as a whole, I will select noteworthy sections and subject them to critical analysis in order to answer the main question of this thesis.

3.3 Text Selection

For this research, a selection of 13 representative speech acts by the Commission and the EP are analysed from the years 2002, 2006, 2007, 2009 and 2013. All these years represent important junctures in EU-ACP relations.

Section 4.1 discusses the year 2002, an important year as it represents the start of the EPA negotiations with ACP countries. For this year a press release from the Commissioner for Trade, an EP report and the ensuing EP resolution and, lastly, a speech from the Commissioner for Development and Humanitarian Aid are analysed.

Section 4.2 discusses the year 2006, the year before the WTO waiver expired, and the year 2007, the expected year for the conclusion of the EPA negotiations. A waiver was granted to the EU by the WTO at the start of the negotiations to maintain the unilateral preferential trade preferences to ACP countries until the expected conclusion of the negotiations in 2007. In this section, a speech from the Commissioner for Trade, a resolution from the ACP-EU Joint Parliamentary Assembly, an EP report and the ensuing EP debate are analysed.

Section 4.3 discusses the year 2009, which is a significant year because the Lisbon Treaty entered into force in this year and increased the EP's powers in trade negotiations. This section analyses an EP resolution, a resolution from the ACP-EU Joint Parliamentary Assembly and the ensuing reaction by the Commission.

Section 4.4 discusses the year 2013, the last year of the negotiations, in which a report for the ACP-EU Joint Parliamentary Assembly, an EP press release and lastly a speech from the Commissioner for Trade are analysed.

3.4 Limitations

As we have seen, discourse analysis is based on the idea that people do not express truth by using language, but use language to express how they wish the world would be (Carver 2002, 50). The discourse analyst is not neutral when analysing texts, since the analyst does not stand outside of these discourses (Ibid., 51). It is therefore increasingly difficult for the analyst to carry out CDA when she/he agrees with the ideas in a text since these reflect her/his own ideology of the world (Machin and Mayr 2012, 47). An important criticism to qualitative research such as this one is therefore that it might be too subjective and difficult to replicate (Bryman 2012, 405). A last limitation to this research is the number of analysed documents. After having read more than 40 speech acts from the Commission and the EP, I have selected the most meaningful speech acts which are valuable to compare their discourse. Although it would have been desirable to include speech acts for the entire period of the EPA negotiations from 2002 to 2014, this would not have been feasible considering the length and time scope of this thesis. However, as this research analyses documents from 2002, 2006, 2007, 2009 and 2013, and no radical shifts in positions are found throughout this period, including more documents is unlikely to change the overall outcome of this research.

4. Analysis

This chapter consists of a critical discourse analysis of selected speech acts from the Commission and EP in 2002, 2006, 2007, 2009 and 2013. All selected speech acts will be analysed according to Willig's questions on assumption, phrasing and potential consequences of the discourse together with Machin and Mayr's supplementary tools of lexical analysis, over-lexicalisation, lexical, absence and structural oppositions.

4.1 European Commission and European Parliament Discourse in 2002

This section will analyse four successive speech acts from 2002, namely a Commission press release from Trade Commissioner Pascal Lamy, an EP report on the negotiations of EPAs with the ACP countries and the ensuing EP resolution and, lastly, a speech from the Commissioner for Development and Humanitarian Aid, Poul Nielson.

4.1.1 European Commission Press Release – 9 April 2002

On 9 April 2002, the Commission published a press release on the negotiation strategy of the new EPAs with ACP countries. In this press release, Trade Commissioner Pascal Lamy, who is affiliated to the French Socialist Party, explains the significance of the EPAs from the Commission's perspective.

My proposal, agreed with Poul Nielson, has the unanimous backing of the College. It is based on our belief that the record shows past EU/ACP trade cooperation to have been a failure. (Lamy 2002)

The first thing that stands out is his claim that the negotiating directives are agreed with Poul Nielson and unanimously backed by the entire Commission. Even though it seems more likely that DG Trade and DG Development disagree on certain issues, it is important to Lamy to present a united Commission at the start of the negotiations in his phrasing. By claiming this at the beginning of his statement he seems to be trying to leave other actors with little room for doubting the negotiation directives. The latter sentence is also telling wherein he states that past EU-ACP trade relations have been a failure. Lamy could have described past trade relations in

a more moderate tone, but chooses not to frame it that way. Describing past trade relations as being a failure is a way to indicate a structural opposition, namely to present the new agreement to be negotiated as a future success, or at least an agreement that will do much better. After calling ACP-EU trade relations to have been a failure, Lamy gives some facts on ACP-EU trade:

The ACP countries' preferential access to the European market has not prevented either the erosion of their share of the EU import market from 7% in 1970 to 4% today or a stagnation of inward investment: the ACP countries together currently account for less than 2% of the EU's FDI. While the EU is not doing badly in comparative terms - it takes 67% of Africa's exports, as opposed to the United States' 27% - this is not enough to provide a basis for development. (Lamy 2002)

In Lamy's formulation, he insinuates that ACP countries have failed to use their preferential access in the past and that it might be better to eliminate something that does not benefit ACP countries. Lamy creates the impression that eliminating preferential access is not in the interest of the EU. As we have seen before, the new EPAs should eliminate the preferential access to the EU market and introduce a trade agreement based on reciprocity to abide by WTO rules, which is certainly in the interest of the EU. In addition, the introduction of reciprocity is not a logical solution to this problem of access to the European market. Instead, improving preferential access to the European market might be a better solution for ACP countries than eliminating it in its entirety.

The comparison made by Lamy between the EU and the US is also notable. Lamy overtly opposes the EU and the US by comparing the amount of African exports to both countries. By making this unnecessary comparison whereby the EU wins from the US, Lamy intends to portray the EU as the best trading partner for ACP countries. By adding that this is still not enough for the development of ACP countries, he also creates the impression that the EU is not a trading partner with its own interests, but instead a benevolent trading partner with the best interests for ACP countries in mind.

Later in his statement, Lamy presents the Commission's three-pillar strategy for the new EPAs in which the Commission proposes a bargain to the ACP countries, namely additional access to the European market in exchange for "development-friendly policies" (Lamy 2002). By calling these policies development-friendly, the reader might ignore the fact that this proposal has a colonial tendency. The Commission is namely trying to determine which policies

are development-friendly policies. The Commission's three-pillar strategy also calls for a "real commitment to regional integration processes" from the ACP countries (Lamy 2002). This over-lexicalisation of the ACP's commitment indicates the Commission's doubtfulness towards the ACP's commitment towards forming integrated regional communities similar to the EU.

In the second part of the three-pillar strategy, Lamy states that the Commission, in the opening up of ACP markets, will ensure flexible and asymmetrical agreements in an attempt to convince the unwilling ACP of the Commission's benevolent free trade agenda. Lamy is overtly using a neoliberal discourse, but claims to take into account the ACPs vulnerability while the ACP countries are reluctant to open up their markets. This benevolent rhetoric is strengthened in the third part of the proposal, whereby Lamy states the Commission "intends to help the ACP countries derive the fullest benefit from the agreements" (Lamy 2002). Since the EPAs are trade agreements, it is interesting to see that the Commission claims to have no interest of its own but is only pursuing the development of the ACP countries. The Commission finds it important to mention that they are not forcing ACP countries to do anything since this will probably lead to allegations of neo-colonialism. Instead, the EPAs are meant to help ACP countries with their development. In the entire statement, Lamy tries to explain that development in ACP countries will be a logical consequence of trade and opening up markets along the lines suggested by the Commission.

4.1.2 European Parliament Report – 5 September 2002

On 5 September 2002, a report was drafted by two EP committees: the Committee on Development and Cooperation (DEVE) and the Committee on Industry, External Trade, Research and Energy (ITRE), which ultimately formulated the EP's recommendations to the Commission on the negotiation of the EPAs with ACP countries (Boudjenah and Titley 2002). The President of the EP asked DEVE to draw up a report on the issue. DEVE, in its turn, appointed Yasmine Boudjenah as rapporteur. It is important to note here that rapporteurs are not neutral, since they are members of the EP. It is therefore interesting to mention that Boudjenah was a MEP from the European United Left/Nordic Green Left and a representative of the Communist Party in France, which partially explains her strong advocacy for a development-oriented EPA in the entire report. However, Gary Titley, a centre-left MEP from the Socialists and Democrats group and representative of the British Labour Party, elected by ITRE, was also asked to formulate his opinion on the report, which was ultimately written in a similar voice.

Finally, the report led to a resolution that was unanimously voted for by MEPs from across the political spectrum who expressed their concerns on the negotiations. In her explanatory statement, Boudjenah is surprised with the proposed solution from the Commission to increase free-trade with the EU by stating the following:

The rapporteur finds this proposal quite astonishing, since tariff barriers to entry into the EU are not really an obstacle to ACP products whereas EU exports to the ACP countries constitute a genuine threat to their economies, to their integration on a regional basis and to their social cohesion. (Boudjenah and Titley 2002, 13)

The first thing that stands out in this quote, is the strong resistance against the EPAs as presented by the Commission. Boudjenah finds the call from the Commission to increase liberalisation to be “quite astonishing” and a “genuine threat”. This over-lexicalisation indicates that the EP regards the Commission’s proposed EPAs with suspicion. According to Boudjenah, the EU should focus on eliminating non-tariff barriers for ACP products, since these have prevented ACP exports to enter the European market under the preferential agreement (Ibid., 13). Furthermore, she asserts that the ACP countries should be encouraged to process raw materials locally and enhance South-South trade to accomplish their integration objectives instead of continuing to export raw materials to the North (Ibid., 13). Lastly, she points to the structural adjustment programs from the IMF and the World Bank together with the debt burden and claims that these negative factors have contributed to the failure of the Lomé Conventions (Ibid., 14). Boudjenah seems to believe that every trade agreement should be based on “genuine development” and not on uncontrolled trade liberalisation which will have detrimental effects to ACP economies (Ibid., 14). Despite her call for a development-oriented EPA, in much the same vein as the Commission, Boudjenah points to the existing flaws within the proposed agreement and emphasises the need to research the effects of greater liberalisation to ACP countries before starting to put this in effect. This illustrates that the EP tries to hold the Commission accountable at the start of the negotiations already, and that it intends to protect the ACP countries by taking on an ethical role.

4.1.3 European Parliament Resolution – 26 September 2002

On 26 September 2002, the EP adopted the final resolution based on the previous report in which it made recommendations to the Commission for the negotiation of EPAs. In the first paragraph the resolution already stipulates that:

...the purpose of the EU-ACP partnership is to promote and accelerate the economic, cultural and social development of the ACP countries, that economic and trade cooperation must be regarded as one of the means of achieving that purpose...
(European Parliament 2002)

The EP's resolution takes an even more activist tone in favour of the ACP countries when it calls on the Commission and the Member States to make a "formal commitment at the start of the negotiations [...] that no ACP state will be worse off" from a new trade agreement (European Parliament 2002). The resolution also takes into account the great effects reciprocal trade agreements could have on ACP countries by stressing that:

...the principle of genuine partnership requires that account should be taken, in the negotiations, of levels of development and of the huge socio-economic impact which introducing a form of reciprocity in trade relations with the EU will have on the ACP countries' embryonic industries, employment and government revenue in particular...
(European Parliament 2002)

Furthermore, the EP recognises that the EU and ACP countries have extremely asymmetrical economies and that it therefore prefers to see trade obstacles, such as subsidies for European products, lifted prior to the opening up of ACP markets. Additionally, the EP finds it necessary to face structural obstacles such as weak local markets, before ACP countries start to liberalise their markets and begin a new trade system based on reciprocity (European Parliament 2002). The EP even promotes protectionism by stating that the only way ACP countries can manufacture and start to export finished products to the European market is by increasing trade within Africa and by introducing "specific, temporary selective protection measures" (European Parliament 2002). These examples illustrate that the EP does not neglect nor avoids speaking about the difficulties arising from such an EU-ACP trade agreement, but actually indicates that it shares the concerns with ACP countries who reiterate the negative

effects an EPA could have on their upcoming industries, on the creation of jobs and on governments' revenue collected from import tariffs. We can moreover extract that the EP believes it to be important to guard the cohesion between the ACP countries since it warns the Commission and the Member States “that no obstacles should be placed in the way of the unity and integration processes” (European Parliament 2002). According to the Parliament, the EPAs should be instruments that support regional integration in ACP countries and absolutely should not do the contrary, as they call on the Commission and the Member States “to ensure that EPAs support regional integration efforts in the ACP and do not compete with or undermine them” (European Parliament 2002).

4.1.4 European Commission Speech by Poul Nielson – 27 September 2002

On 27 September 2002, Poul Nielson, Commissioner for Development and Humanitarian Aid and affiliated to the Social Democrats in Denmark, gave a speech in Brussels at the first ACP-EC Ministerial Meeting on the Negotiation of Economic Partnership Agreements. At this meeting, he spoke to ministers and ambassadors about a “historic moment” for ACP countries and EU relations (Nielson 2002). According to Nielson the EPAs will have, if done well, “enormous development potential”. The EPAs sound very promising as he states the following:

I would like to underline right from the start that EPAs are first and foremost an instrument for development of the ACP countries, an instrument to improve the prospects for the whole population in the ACP States. These are not empty words. They will have practical implications. (Nielson 2002)

These benevolent words already indicate that the EPAs are wholeheartedly in the interest of the underdeveloped ACP countries. Nielson gives the impression that the EPAs are not in the material interest of the EU and that if the EU has an interest, it is only to develop the ACP countries.

Afterwards, Nielson asserts that it is the first time in the ACP-EU relationship that “regional integration is put forward as the primary objective”, which will “maximise the impact of trade on development” (Nielson 2002). This speech aims to convince the listener that trade and development are intrinsically linked. In addition, Nielson emphasises that exporting to rich

countries is important to the ACP, but that market access to these countries has only benefitted the narrow elite rather than the wider population.

According to Nielson, local and international trade are important to the ACP, but increasing regional trade is more important which can be achieved through a new trade agreement with the EU. Remarkably, the Development Commissioner claims that a new trade agreement with the EU is the answer to regional integration in the ACP States. All these objectives are clearly presented as being in the interest of the ACP countries and that the EU merely plays a facilitating role in the negotiations. Nielson promotes the EPAs as being developmental trade agreements whereby trade with the EU is not the primary objective. The following excerpt of his speech confirms this stance:

Let me be 100% clear on one point. We are not trying here to force open developing countries markets for European exports when it does not make economic sense for developing countries to do so. What matters here is opening your markets to each other. (Nielson 2002)

Similarly to the previous statement of Lamy, Nielson underlines that the Commission is not trying to force ACP countries to open up their markets, seemingly to prevent neocolonial allegations as well. The Commissioners seem to be on the same page in their speeches, as they equally present the EPAs as trade agreements, which will help develop ACP countries. This stands in contrast with Elgström and Larsén's study, wherein they argued that DG Development had a limited role in the beginning of the negotiations and DG Trade was in strong favour of liberalisation. Before ending his speech, Nielson tries to make sure the audience does not perceive all what he has said as being paternalistic by making clear that "help from outsiders can only be effective if you yourselves are convinced and determined" (Nielson 2002).

4.2 European Commission and European Parliament Discourse in 2006 and 2007

This section will analyse four successive speech acts from 2006 and 2007, namely a speech from Trade Commissioner Peter Mandelson, a resolution from the ACP-EU Joint Parliamentary Assembly on the review of the negotiations, an EP report and lastly the ensuing EP debate on the report.

4.2.1 European Commissioner Speech by Peter Mandelson – 19 October 2006

On 19 October 2006, Peter Mandelson, Trade Commissioner and affiliated to the British Labour Party, addressed the European Socialist Party Conference on EPAs at the European Parliament. In his speech, a sense of anger can be discerned. According to Mandelson, the Commission's benevolent intentions to link trade and development in the EPA negotiations have not been welcomed by everyone. Mandelson's exasperation becomes evident in the following quotation:

The Commission has been subjected to a fair amount of criticism over the last few months on EPAs. We've been accused of not listening. We've been accused of ignoring ACP concerns again and again. The very same people who organised this conference today chose to sell it to the media yesterday as a "clash" between myself and "poor countries". Well, that's an insult to the process and to the very goals we are trying to achieve. (Mandelson, 2006)

It is clear that Mandelson does not understand why the Commission is being criticised so much on its negotiation tactics and rather than rebutting these critiques, he rejects them altogether. He will not accept the allegation that the Commission does not listen to the concerns of ACP countries, because this is a clear contradiction of what the EPAs should stand for. Mandelson uses this speech to convince his audience that the EU and ACP countries are in this together, and not against each other:

We are partners, the ACP and the EU, not combatants. This is a partnership. There's no monopoly of wisdom. There is shared experience: and a duty to listen to each other, and learn from each other. I'm ready to address genuine anxieties. I always have been. I'm ready to listen and respond to genuine concerns. I'm tired of rhetoric and bored with slogans, and politicians who seem to care as much about playing the gallery as they do about the real arguments. (Mandelson, 2006)

It is noteworthy that Mandelson overtly mentions the structural opposites "partners" and "combatants" to convince the reader that the ACP and EU have a good relationship and the negotiations are proceeding in an equal and friendly manner. According to Mandelson, the EU holds no monopoly of wisdom and has a duty to listen and learn from the ACP countries as

well. Mandelson tries to uphold an idea of equality within an asymmetrical partnership. It seems that the Commission truly believes that it has been listening and responding to the concerns during the EPA negotiations. However, the Commission is accused of doing the opposite. In addition, Mandelson says he will not address every anxiety or concern around the EPA negotiations, but only those that are “genuine”. He is also tired of listening to politicians who do not raise the “real” arguments. This over-lexicalisation of anxiety, concerns and arguments creates the impression that Mandelson and his Commission indeed hold the monopoly of wisdom within the negotiations, as they decide which concerns or arguments are worth listening to. Mandelson eventually links the Commission’s neoliberal discourse with development:

The response of some is to blame globalisation and encourage ACP countries to shake their fists at it. Or to blame trade, as if trade is something you are exploited by, rather than benefit from. Yet trade drives economic growth and lifts people out of poverty. It is the only sustainable road to development. (Mandelson, 2006)

It is noteworthy that the Commission reiterates the importance of developing the ACP countries with this new trade agreement and does not mention any EU interest. This seems to indicate that the Commission has a moral duty to help its weaker trading partners. This makes one wonder if the Commission really believes to behave in a different way in trade negotiations with developing countries, or that it is trying to mask its neoliberal intentions in its speeches to avoid more criticism. Subsequently, the Commissioner points out that he acknowledges the asymmetry between the EU and ACP countries:

There obviously won’t be full reciprocity – I’ve said that. These aren’t FTAs – not in the way anyone understands that term. They are development tools. (Mandelson, 2006b)

Again, the Commission points to the benevolent character of the negotiations and that its aim is to exclusively help the ACP countries with development tools instead of free trade agreements. Mandelson reinforces this benevolent rhetoric by explicitly using the words “help”, “flexibility” and “careful” in the following sentence:

While we can and must set out to help open these economies within a regional customs union and behind a regional tariff, there will be all the flexibility appropriate for

industries that need a careful transition to exposure to wider competition. (Mandelson, 2006b)

According to Mandelson, the Commission is helping the ACP countries open their markets, instead of forcing them. This opposition is overtly included in the text:

Those who dismiss the EU's position in these negotiations as 'forcing open' these markets to unwanted EU investment, or accuse the EU of 'peddling a corporate agenda' not only misrepresent the EU's intentions, but are wilfully misrepresenting the economic evidence. The only force being applied is by those closing the door to investment that Africa urgently, urgently needs. (Mandelson, 2006)

As in the beginning of the speech, Mandelson does not hide his annoyance against critics that accuse the EU of not having a benevolent agenda at all in the EPA negotiations. According to Mandelson, Africa “urgently” needs European investment. This over-lexicalisation of Africa’s urgent need of European help has a neo-colonial tone, since it indicates that Africa is extremely dependent of the EU for its development. Lastly, Mandelson mentions the slow progress of the EPA negotiations in the SADC region:

In the SADC region, for example, we're disappointed by the lack of willingness so far to talk about these issues. In other regions, we see more openness. Again, the choice lies with the regions themselves. But I'm not going to shy away from the intellectual arguments on this. I can live with criticisms from a few NGOs if this is the price to pay to help genuine progressiveness and reformers in the ACP who want to put in place the conditions for investment and growth. (Mandelson, 2006)

It is noteworthy that Mandelson first reiterates that no force is being applied and that the ACP regions have their own choice to go ahead or not with the negotiations. However, according to Mandelson, the ACP regions should go on with the negotiations as they are based on “intellectual” arguments. Mandelson believes that the Commission brings the correct arguments, which will “help genuine progressiveness”, while others are non-“intellectual” and unworthy of listening to. This rhetoric shows that the Commission believes it is the only genuine actor that is helping ACP countries develop through the liberalisation of ACP markets.

4.2.2 ACP-EU JPA Resolution – 23 November 2006

On 23 November 2006, the ACP-EU Joint Parliamentary Assembly adopted a resolution on the review of negotiations on EPAs. In this resolution, the JPA states that it understands the new EPAs are necessary to make trade relations between the ACP and the EU compatible with the WTO rules, but also calls on the Commission to not forget that this aim “does not take precedence over the overall aim of sustainable development”. This indicates that the parliamentarians from both ACP countries and the EU believe the Commission is prioritising the compatibility of WTO rules over the development aim of the EPAs in the negotiations. In this resolution, the JPA calls on the EU not to exert undue pressure on the ACP countries in the process of the negotiations and to “ensure that, in the event of negotiations not being completed by 1 January 2008, existing ACP exports to the EU are not disrupted until a final settlement is reached” (ACP-EU Joint Parliamentary Assembly 2006). This demonstrates the existing concerns among ACP countries and EU MEPs that the Commission is exerting pressure on the ACP countries to conclude the agreements without sufficiently taking into account remaining concerns.

4.2.3 European Parliament Report – 27 March 2007

On 27 March 2007, the Committee on International Trade (INTA) released a report on the EPAs. Robert Sturdy, a right-wing MEP from the European Conservatives and Reformists Group and representative of the British Conservative Party, was the rapporteur of this report and tabled a motion for a resolution on the EPAs with an explanatory statement. The EP report served as a reminder to the Commission of the approaching negotiation deadline on 1 January 2008, which had not advanced as they should have at this stage of the negotiations. According to Sturdy, the reason for this delay has been the different convictions between the negotiators:

Much of the debate concerning trade and development is polarised. Years of argument about the merits of liberalisation and free trade have not helped negotiations advance. (Sturdy 2007)

The Commission tries to convince the ACP countries that the EPAs and the extent of trade liberalisation it recommends will lead to development. This has, however, not been convincing enough for the ACP countries who have a different perception of development:

Negotiations of EPAs have been characterised by mistrust and disagreement about how trade should be made a "development tool". Mistakes have been made in approaches to, and the undertaking of, negotiations which are wide ranging and ambitious in their scope. The voices of those who will be affected by EPAs have not always been adequately heard nor the impacts of EPAs on ACP countries fully quantified. (Sturdy 2007)

Sturdy explains that the ACP countries and the Commission have different ideas about the link between trade and development. Delputte et al. already mentioned this problem in their article, wherein they argued that different understandings of development at each side of the negotiation table were an important controversy in the process. Sturdy mentions another problem, namely that the negotiations have not sufficiently taken into account the voices in ACP countries. The ability of these countries to act in the negotiations is limited compared to the Commission. It is therefore important that Sturdy acknowledges that mistakes are made by the European side during the negotiations:

The inability of the Commission to make the "development dimension" sufficiently central to EPA negotiations has been a significant barrier to progress in EPA talks. The inability of the ACP to be detailed in what exactly it wants in the "development dimension" beyond uncoded requests for additional financial support has made it difficult for interested stakeholders to hold the Commission to account when calling for "pro-development EPAs". Particularly as the instruments set up to ensure that EPA negotiations are "pro-development" have either not worked or lacked credibility. (Sturdy 2007)

However, Sturdy states that the ACP-side was at times also at fault, since it had not made clear what was missing in the development dimension except for extra funding. This is an interesting turn compared to the EP report of 2002, whereby the ACP were positioned as victims in the EPA negotiations. In this report, the EP still lays most of the blame on the Commission with regards to the failing negotiations, but is also critical of the ACP's

involvement in the process. These problems have mainly been caused by communication problems between the negotiators according to Sturdy, who described the partnership as a “dysfunctional marriage” (Sturdy 2007). Sturdy is cautious in taking a position when discussing the disagreements between the ACP and the Commission. Instead of stating that the ACP concerns are genuine, he chooses to say that the ACP do not “believe” the development friendly rhetoric of the Commission, and have the “impression” that the EU is forcing FTA’s. Sturdy even hinges to the benevolent character of the EU as he mentions how the EU is doing a lot already to support the ACP countries in their development. In contrast to the Commission’s discourse, however, Sturdy acknowledges the doubts of the ACP countries:

The ACP is right to question whether the Commission's proposals will contribute to their development in the manner that they want it to and whether promises of additional financial assistance really are additional. However, if EPAs are to be successfully concluded there must be more engagement and ownership of the result of EPA negotiations than there has been of the process. (Sturdy 2007)

In addition, Sturdy makes clear that he wishes the EPAs to be successfully concluded. This illustrates that the EP still believes the EPAs are desirable, even though the negotiations have reached a stumbling block. According to Sturdy, the EPAs need to be concluded, but cannot be imposed on ACP countries:

While it is in no one's interests to have a forced agreement, focussing on another WTO waiver will not solve the underlying problems that have made progress in EPA negotiations so difficult from the beginning. (Sturdy 2007)

Sturdy believes the EPAs should have a deadline or liberalisation schedule, but not be forced upon ACP countries. Again, he refers to both the responsibility of the Commission and ACP countries, since the Commission seems to be in a hurry and the ACP countries seem to be stalling the negotiations. In the end, the EPAs are meant to be development tools, according to Sturdy, and a forced agreement is not desirable, nor will it have the development impact that is aimed for.

4.2.4 European Parliament Debate – 23 May 2007

On 23 May 2007, a resolution based on this report was adopted. Debates between MEPs from across the political spectrum were held on 22 and 23 May, which gives a good impression of their positions in the negotiations. Almost all the different MEPs who engage in the debates, give priority to the development dimension of the EPA instead of the opening up of the ACP markets, as can be seen in the examples¹ below:

MEPs who give priority to the development dimension of the EPAs

Tokia Saïfi, on behalf of the PPE-DE group (centre-right):

“I would emphasise this **development dimension**: these agreements cannot be reduced to mere free trade agreements under the WTO and must be instruments **servng economic and human development**. Therefore, the EPAs will also be as asymmetric and progressive as possible.”

(European Parliament 2007a)

MEPs who point to the Commission’s use of pressure

David Martin, on behalf of the PSE group (centre-left):

“I have heard the Commissioner say in this Chamber that the European Union has no offensive trade objectives with ACP countries. But again, when we hear from negotiators, their perception is that the Commission is **pushing them very hard** to open up our services markets and to make other market-opening offers.”

(European Parliament 2007b)

MEPs who point to the EPAs as a threat for the ACP countries

Vittorio Agnoletto, on behalf of the GUE/NGL group (left/far left):

“...the economic partnership agreement negotiations as conducted by the Commission with the backing of the Council are **threatening** the economic and food sovereignty of the ACP countries and **jeopardising** any remaining possibility for these countries to consolidate their own productive sectors...”

¹ For more examples, see the Appendix.

(European Parliament 2007b)

Similar examples can be found in the appendix. Some MEPs find meeting the deadline of the negotiations an equally important aim as to guarantee development, while others believe the Commission should find an alternative solution if the ACP countries fail to meet the deadline. In addition, it is noteworthy that some MEPs find the Commission to exert undue pressure on ACP countries during the negotiation process, while others go as far to say that EPAs form a threat to the ACP economies. Finally, it is interesting to note that none of the MEPs in these debates actively support the Commission, but rather hold it under scrutiny with regard to the process of the negotiations.

4.3 European Commission and European Parliament Discourse in 2009

This section will analyse three successive speech acts from 2009, namely an EP resolution, an ACP-EU Joint Parliamentary Assembly resolution and the ensuing follow-up by the Commission.

4.3.1 European Parliament Resolution – 5 February 2009

On 5 February 2009 the EP adopted a resolution on the development impact of the EPAs. In this resolution the EP urges the Council, the Commission, the member states and ACP countries “to re-establish an atmosphere of confidence and dialogue in so far as it has been damaged in the course of the negotiations” (European Parliament 2009). This illustrates that the negotiations are proceeding in a bad atmosphere, and implies that all parties have a role in this. In addition the EP asks the Council, the Commission and the member states “to recognise the ACP states as equal partners in the negotiation and implementation process”, which suggests that the ACP states have not been taken seriously (European Parliament 2009). Moreover, the EP stresses that “signing an EPA is not imposed as a precondition to receive Aid for Trade Funds”, clearly demonstrating its dismay on this type of conditionality (European Parliament 2009). The EP also insists that the EPA are instruments to development and reminds the Council and the Commission that “neither the conclusion nor the renunciation of an EPA should lead to a situation where an ACP country may find itself in a less favourable position”, which shows that the EP tries to protect the ACP countries from EPAs that will not lead to development

(European Parliament 2009). Furthermore, the EP refers to regional integration efforts of ACP countries and states that some of the concluded EPAs “run the risk of undermining regional integration” (European Parliament 2009). This is an undesirable outcome according to the EP as it calls on the Commission to “recalibrate its approach taking account of this risk, and ensure that concluding EPAs does not endanger regional integration” (European Parliament 2009). Lastly, the EP underlines that “all agreements must respect the asymmetry in favour of the ACP countries regarding both the range of products targeted and the transition periods” (European Parliament 2009). It is clear that the EP does not worry about European interests, but is at all times worried about the possible negative outcomes of the EPA negotiations and tries to defend the interests of the ACP countries.

4.3.2 ACP-EU JPA Resolution – 9 April 2009

On 9 April 2009 the ACP-EU Joint Parliamentary Assembly adopted a resolution on EPAs and their impact on the ACP countries in Prague. This resolution, drafted by both ACP and EU parliamentarians, highlights the development dimension of EPAs, as has been seen in previous resolutions. The resolution also reminds the EU institutions that an ACP country may not find itself “in a less favourable positions than it was under the trade provisions of the Cotonou Agreement” (ACP-EU Joint Parliamentary Assembly 2009). The strong rhetoric on development by the ACP-EU JPA shows that the MEPs who take part in this assembly are driven to defend the ACP countries during the negotiations with the Commission. The ACP-EU JPA informs the EP and tries to convince it to act in favour of the weaker ACP economies, as can be seen in the following recommendation of the resolution:

The ACP-EU Joint Parliamentary Assembly [...] recommends that the European Parliament wait for the opinions of the ACP parliaments on the outcomes of the EPA negotiations wherever possible and that it take these into account before issuing its assent. (ACP-EU Joint Parliamentary Assembly 2009)

It is interesting to see how straightforward it seems for the ACP-EU JPA that the EP should also act as a representative for ACP citizens while being a European Institution that acts in the interest of EU citizens. While the EP did not react to this specific request by the JPA, it is safe to say that the JPA’s recommendations have a notable influence on the resolutions of the EP. The fact that MEPs form part of this assembly and that the EP has indeed defended the ACP

countries, as we have seen in the previous sections, shows that Pace and Stavridis (2010) were correct in claiming that parliaments are expected to act as moral tribunes in international affairs. Not only can the EP, therefore, defend the interests of the EU, but of third country governments as well.

A lexical analysis of the resolution also shows the over-lexicalisation of the ACP-EU JPA on the use of pressure by the Commission. This is interesting because the Commission has repeatedly denied that it uses any kind of pressure during the negotiations. The ACP-EU JPA, however, tries to make clear several times that the Commission should not impose anything on the ACP countries. The following text box illustrates this repetition.

“The ACP-EU Joint Parliamentary Assembly [...] stresses the fact that signing an EPA is **not imposed** as a precondition for receiving Aid for Trade funds;”

(ACP-EU Joint Parliamentary Assembly 2009, 5)

“Urges the European Union also **not to tie the release of funds under the 10th EDF or Aid for Trade to the signing of a full EPA;**”

(Ibid., 5)

“...**opposes any kind of conditionality linked to EPAs** in the matter of granting European aid, and calls on the Commission to guarantee that access to funds under the 10th EDF is kept separate from the outcome and pace of the negotiations;”

(Ibid., 6)

“... stresses in particular the importance of reflecting the concerns of the partner countries and their parliaments, local authorities and civil society in the framework of the negotiations on full EPAs, which **should not be concluded under pressure or in haste;**”

(Ibid., 6)

Jones and Weinhardt (2015) compared the issue of coercion during the EPA negotiations to the colonial era. They argue that power asymmetries have been prevalent because of the Commission’s coercive tactics. According to Jones and Weinhardt, many African politicians have referred to the colonial era during the EPA negotiations because the EU would have been coercive (235). While it is not strange that this behaviour of the Commission reminds African

governments of the colonial era, it is important to point to out that this situation is very different, since the EU is not using military power to control ACP economies, as it has done in the past, and because it is not surprising that the EU is using economic power during trade negotiations (Ibid., 238).

In addition to the ACP-EU JPA's emphasis on coercion within the resolution, it repeatedly points to the necessity of re-establishing trust in the process of the negotiations. This over-lexicalisation shows that the negotiations are proceeding in a bad atmosphere a year after the negotiations should have been concluded. This second emphasis, which can be seen in the text box, indeed sounds like a dysfunctional marriage, as pointed out by an MEP previously in this analysis.

“The ACP-EU Joint Parliamentary Assembly [...] urges the Council, the Commission and the governments of the EU Member States and ACP countries to do their utmost to re-establish an **atmosphere of trust, mutual respect and security** insofar as this has been **damaged** in the course of the negotiations”

(ACP-EU Joint Parliamentary Assembly 2009, 5)

“Urges the institutions and governments of the EU Member States to do their utmost to re-establish **an atmosphere of confidence and trust** in so far as it has been **damaged** in the course of the negotiations”

(Ibid., 7)

“Highlights **the need to restore trust** between the ACP countries and the EU countries, **which was shaken during the EPA negotiations**, in the spirit of the partnership that binds them”

(Ibid., 8)

While the Commission might be convinced it acts in the best interest of the ACP countries during the negotiations, as we have deducted from its rhetoric before, it seems that its benevolent intentions have not convinced the ACP countries. Jones and Weinhardt (2015) argue that even when the Commission negotiators were driven by good intentions to help reduce poverty in the ACP countries, the Commission's choice to ignore their concerns and its conviction of understanding trade policies better than its ACP partners has led to much criticism from their side (Ibid., 244). The Commission would not allow ACP countries to

control their own trade policies which has been one of the reasons the ACP countries chose to stall the negotiations (Ibid., 244).

4.3.3 Follow-up by the European Commission – 9 April 2009

The Commission released a short statement addressing the ACP-EU JPA, in reaction to its resolution of 9 April 2009. It is interesting to see in this statement that the Commission does not explicitly deny the accusations from the ACP-EU JPA of using pressure or damaging the relationship between the EU and ACP countries. Instead, the Commission chooses to pretend nothing unusual has happened by repeating that it takes the concerns in ACP countries into account:

The Commission has been working actively with the Council and its ACP partners **to address ACP concerns**, whether related to the substance or the process of the EPA negotiations.

(European Commission 2009)

The Commission reacts to the accusations of coercion as well, by repeating many times that the Commission will not use pressure, haste nor conditionality during the negotiation process and by guaranteeing that the ACP countries decide for themselves as sovereign states. This is illustrated in the table below.

“The Commission remains committed to negotiating comprehensive regional EPAs tailored to the needs, capacity and development context of each region, including services and trade-related issues where appropriate, but **without undue pressure from the EU**. This is not so much a question of WTO compatibility but of **seeking adequate solutions for ACP development.**”

(European Commission 2009)

“The Commission considers that **it is up to the ACP partners themselves to decide** which type of trade-related rules they want to negotiate at this stage and to what extent.”

(European Commission 2009)

“The Commission and its staff are, of course, ready and willing to offer support and advice to the ACP negotiators during the negotiating process, **without undue pressure or haste**. Whilst pointing out that **this is a sovereign ACP decision**, the Commission agrees that ACP national parliaments, local authorities and non-state actors should be involved in the negotiations and implementation of EPAs.”

(European Commission 2009)

“The Commission welcomes the Joint Assembly's support to the regional Aid for Trade packages and fully shares the Assembly's view that Aid for Trade **should not be conditional on signing an EPA.**”

(European Commission 2009)

The Commission has promised these conditions several times since 2002. It seems that these promises are worth little if the negotiating practice of the Commission has not changed since the beginning, as has been made clear by the ACP and MEPs. If the latter are wrong about the Commission's intentions, the diverging statements of the Commission and ACP-EU JPA would then clearly be a matter of grave miscommunication. A last point that can be made regarding

the text in the text box is that the Commission emphasises the independence of the ACP countries by pointing to their sovereignty. The ACP countries, according to the Commission, can make their own decisions without being pressured. This indicates that the Commission is decidedly trying to protect itself from neo-colonial allegations.

4.4 European Commission and European Parliament Discourse in 2013

This section will analyse three successive speech acts from 2013, namely a report from the ACP-EU Joint Parliamentary Assembly on the process of the negotiations, an EP press release and lastly a speech from Trade Commissioner Karel De Gucht.

4.4.1 ACP-EU JPA Report – 22 February 2013

On 22 February 2013, co-rapporteurs Edwin Banda from Malawi and Patrice Tirolien, a MEP from the Progressive Alliance of Socialists and Democrats and representative of the socialist party in France, published a report on the EPAs and the process of the negotiations on behalf of the ACP-EU Joint Parliamentary Assembly. The report highlights that from the outset the EU and ACP “entered the negotiations with different expectations” (Banda and Tirolien 2013). While the Commission aimed for the liberalisation of goods, investments, government procurement and trade in services, the ACP countries aimed for the liberalisation of goods alone, whereby strengthening their economic capacities for their development was considered a priority. This illustrates why the Commission’s neoliberal agenda presented a stumbling block in the negotiations and little progress was made. In 2007, many ACP countries, except for the CARIFORUM region where negotiations were progressing successfully, called for alternative solutions to the EPAs and an extension of the WTO-waiver. This led to the initialling of seven interim EPAs by 21 ACP countries at the end of 2007. According to the report the negotiations only became more complex after 2007:

...the interim EPAs had been negotiated in haste under great time pressure ACP countries felt did not reflect their development interests and that they wanted to amend.

(Banda and Tirolien 2013)

It is notable that haste and time pressure are recurrent problems and over-lexicalised during the negotiations. The fact that ACP countries feel the negotiations do not reflect their development interests is problematic as well, since this is one of the most important aims of the EPAs.

The report also mentions the Commission's proposal to withdraw preferential market access from ACP countries that have not taken the steps to ratify the EPAs before the end of 2013. By the end of 2007, the Council adopted Market Access Regulation (MAR) 1528/2007 to ensure that the ACP countries that started the negotiations but had not signed nor ratified an EPA could still enjoy preferential market access to the EU and would not be subjected to the disruption of trade (European Parliament 2013, 16). However, on 30 September 2011, the Commission submitted a proposal to amend this regulation to withdraw the countries that had not taken the necessary steps towards ratifying the EPAs from 1 January 2014 on. While the Council supported this amendment, the EP amended the date of entry into force on 13 September 2012 from 1 January 2014 to 1 January 2016, which in turn was not accepted by the Council. The ACP-EU JPA shows its dissatisfaction with the Commission's proposal as well:

The Commission's proposal to amend MAR 1528/2007 again puts ACP countries in a situation where they are under pressure to accept EPAs not on their development merits. But to avoid the interruption of their exports to the EU. Such pressure does not sit well with the principles of partnership of the Cotonou Agreement. (Banda and Tirolien 2013)

The ACP-EU JPA considers the amendment to be another form of pressure by the Commission which does not take into account the development aim of EPAs. Since the beginning of the negotiations, undue pressure by the Commission has been a point of criticism from both the ACP-EU JPA and the EP time and again. This illustrates the latter's commitment to support the ACP countries and their development interests in the negotiations with the Commission.

4.4.2 European Parliament Press Release – 16 April 2013

In a short press release published on 16 April 2013, the EP stated that the eight ACP countries that were affected by the MAR 1528/2007, would have until 1 October 2014 to ratify the EPAs (European Parliament 2013):

The deadline was extended by 9 months under pressure from Parliament and voted on Tuesday. (European Parliament 2013)

While the EP tried to amend the date to 1 January 2016, thereby extending the deadline with two years as we have seen before, the Council did not approve as it was in favour of 1 January 2014, the date set by the Commission. It is therefore noteworthy that the EP accomplished to extend the deadline with 9 months, which again shows their commitment to help ACP countries in the negotiations and secure development-oriented EPAs. It is clear that the EP wishes to evidence its support by overtly phrasing that it used pressure to influence the deadline. MEP David Martin, affiliated to the Progressive Alliance of Socialists and Democrats, says the following about this:

I can agree that unlimited and unconditional preferences are not a sustainable option and the time has come to set a deadline. At the same time, some of those ACP countries considered the initially proposed expiry date of 1 January 2014 to be an ultimatum to push them into unsatisfactory agreements. This is not a trade and development relationship the EU seeks to have. (Martin 2013)

Indeed, the EP has not voted against the EPAs as a whole, which shows that it believes the EPAs are necessary. Nevertheless, it disagrees to “push” ACP countries into agreements they are unsatisfied with, and would damage the relationship between the ACP and the EU. This illustrates the important role the EP wishes to play in the negotiations, namely holding the Commission accountable for ignoring the ACP’s concerns and pushing an agreement without first securing its development goals.

4.4.3 European Commissioner Speech by Karel De Gucht – 11 October 2013

On 11 October 2013, Trade Commissioner Karel De Gucht, affiliated to the Open Flemish Liberals and Democrats, gave a speech to the ministers of the EU-ACP Ministerial Trade Committee on the state of play and future perspectives of the EPAs. During his speech, De Gucht was very positive about the negotiations, which is in stark contrast to what the ACP-EU JPA and the EP had been saying:

On the whole, I would say that EPA negotiations have clearly made much progress over recent years. In several regions, they have advanced so much that most technical issues

are being settled and only a handful of politically more sensitive issues remain open.

(De Gucht 2013)

It is striking that the Commission does not mention any of the concerns ACP countries have with the EPAs, which have been voiced by both the ACP as EU parliamentarians. The Commission simply chooses to ignore these existing concerns by painting a rosy picture of the negotiations. Instead, De Gucht starts to spell out the steps the ACP countries have to take in the year to come:

Countries concerned have until 1 October 2014 to sign and/or ratify and implement their existing interim agreements and maintain their free access to the EU. Meanwhile, on-going EPA negotiations may continue as long as they have the prospect to bear fruit. I take the opportunity to repeat once again that there is no deadline for EPA negotiations in progress since 2007. (De Gucht 2013)

By stating what the deadline is for ACP countries, the Commission uses its powerful position which leaves ACP countries with little bargaining room. This illustrates that the Commission uses its market power muscle at this last stage of the negotiations, since it can decide who is allowed to have free market access to the EU which is more valuable for the ACP countries than the ACP market is to the EU. That the Commission is aware of its stronger position becomes clear again in the following quote, where it places ACP countries under time pressure:

I want to be clear on one point: there will be no new bridging measure. The whole purpose of the amendment was to regularise the status of the older EPAs. [...] The only possible third way could be a regular comprehensive free trade agreement, but in such a set up EU market access is far less generous than the 100% duty and quota free access we offer in EPAs which were specifically designed to offer the best possible trade conditions to less developed but justifiably ambitious economies. Growth and a stronger position in world markets is what you all deserve. (De Gucht 2013)

The consequence of this red line from the Commission for ACP countries, is that they are left with little to choose from since they are the weaker trade partner. It is noteworthy that the Commission combines its strong rhetoric with benevolence. The Commission wants to make clear what the remaining options are for the ACP countries thereby seemingly deciding the

course of the negotiations on the one hand, but it also tries to convince the ministers that the offered EPAs are very generous on the other hand. By stating that these generous agreements are designed to offer the best trade conditions to the ACP economies and asserting that these agreements are all the ACP countries deserve, the Commission is trying to convince the ministers that the Commission only had the best interest of the ACP countries at heart all this time. Lastly, De Gucht reiterates why the EPAs are the best agreements offered to the ACP countries:

We continue to see EPAs as the most promising means to use trade for growth, jobs and development. Openness to trade has been a key element of successful growth and development strategies. (De Gucht 2013)

According to De Gucht, it is the use of trade and specifically trade openness that will gear ACP countries towards development. The Commission is convinced that free trade will have much development potential for the ACP countries which it regards as difficult to contest, even though concerns have been raised frequently by the ACP countries themselves.

Even though this research focuses on the discourse of EU parliamentarians and Commissioners, it is interesting to add that several member states have disagreed with the Commission's negotiation strategy, and prioritised development-oriented EPAs as well. In December 2012, a French delegation shared a written statement to the Council wherein it stated that the deadline of the EPAs was "too early" and that it agreed with the EP to set the deadline to 2016 (General Secretariat of the Council 2012). According to France, the ACP countries must be allowed "to prepare as well as possible for the entry into force of the EPAs" (General Secretariat of the Council 2012). A year later, on 5 December 2013, Denmark, France, Ireland and the Netherlands sent a joint letter to the Commission, wherein they shared their concerns on the EPA negotiations. The member states stated that they have always supported "development-oriented EPAs" and that the current situation still "raises concerns" since the negotiations "face significant difficulties" (Petersen, et al. 2013).

The member states show a softer stance towards ACP countries as they are in favour of more flexibility, a development-friendly conclusion and to preserve trust between the EU and ACP countries. Elgström and Larsén (2010), as discussed before, already argued that countries such as Denmark, the Netherlands, Sweden, France and the UK were proponents of development-oriented EPAs while also favouring the liberalisation of trade. This shows that some member states place emphasis on greater flexibility by the Commission and that they

believe it to be desirable to value the concerns of the ACP countries over a rapid conclusion of the negotiations.

5. Conclusion

This thesis has applied a Critical Discourse Analysis to answer how the discourses of the European Parliament and the European Commission compare in the negotiations of the Economic Partnership Agreements with the ACP countries.

In 2002, the Commission presented the EPAs as a future success, whilst past trade relations were described as a failure. Until the end of the negotiations, the Commission created the impression that the EPAs were in the best interest of the ACP countries and not in the interest of the EU. We have seen that the Commission presented itself as a benevolent partner with the best interests for ACP countries in mind. The Commission overtly used a neoliberal discourse by reiterating the advantages of trade and the opening up of markets for ACP countries. At the same time, however, it tried to convince the ACP partners that the Commission took the ACP's vulnerability and development interests into account. We have also seen that the Commission tried to avoid allegations of neo-colonialism by repeatedly mentioning that it was not trying to force ACP countries to accept the EPAs. In 2006, when the Commission was subjected to a fair amount of criticism, it rejected the allegations and decided which concerns were worth listening to. In 2009, however, the Commission stated that it was working actively to address ACP concerns in a reaction to the ACP-EU Joint Parliamentary Assembly. This seemingly new approach is interesting since this is a sign that the negotiations had not been proceeding as positively as the Commission had claimed all this time. Nevertheless, at the last stage of the negotiations, the Commission overtly used its market power by clearly stating what the deadline for concluding the negotiations was to ACP trade ministers. This shows that the Commission did not shy away from using its stronger position in the negotiations. At the same time, the Commission still reiterated that the EPAs were in the best interest of the ACP countries and would help ACP countries develop economically.

The EP, on the other hand, was clearly in favour of a trade agreement based on genuine development and disapproved of uncontrolled trade liberalisation. The EP preferred to see the EU removing trade obstacles for ACP countries first, before asking those countries to open up their markets to the EU. The EP was critical about the negotiations and believed that it was important to research the effects of liberalisation before putting the EPAs in effect. It held the Commission accountable by asking it to ensure that the ACP countries would not be worse off after signing an EPA and that the EPAs would support regional integration instead of undermining it. It is clear that the EP did not avoid speaking about the difficulties arising from

the negotiations and shared the concerns of the ACP countries, in contrast to the Commission. In 2007, the EP stated that the Commission had not sufficiently taken the concerns of ACP countries into account and was clearly not afraid to publicly state that mistakes were made by the European side during the negotiations. At the same time, the EP was also critical about the ACP countries, because they had not been clear enough in what was missing regarding the development dimension of the EPAs. In the last year of the negotiations, however, the EP still tried to support the ACP countries by making sure that the deadline of ratification was extended.

Concluding, we can state that the EP prioritised the concerns of the ACP countries during the negotiations and emphasised the need for development-oriented EPAs. The EP clearly challenged the arguments and negotiation tactics of the Commission, which shows that it did not agree with the course taken and intended to hold the Commission accountable. Moreover, it illustrates that the EP took on the task to represent not just EU citizens, but ACP citizens as well. The Commission, on the other hand, prioritised the opening up of ACP markets, which it claimed would lead to development, and the swift conclusion of the negotiations. The Commission avoided discussing the concerns raised by the ACP countries, tried to convince others of the positive atmosphere during the negotiations, and repeatedly claimed to only have the best interests at heart for ACP countries.

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Appendix

MEPs who give priority to the development dimension of the EPAs

Margrietus van den Berg, on behalf of the PSE group (centre-left):

“... the debate on the economic partnership agreements should not, in the first instance, be about acquiring free-trade agreements, but rather about concluding **development contracts.**”

(European Parliament 2007b)

David Martin, on behalf of the PSE group:

“At times it has seemed as though **development considerations** have not been foremost in the Commission’s thinking on EPAs.”

(European Parliament 2007a)

Alain Hutchinson, on behalf of the PSE group:

“... is the Commission able to guarantee the ACP countries that, once signed, the agreements will provide them with **development conditions** that are more favourable than the ones from which they benefit today?”

(European Parliament 2007b)

Marie-Arlette Carlotti, on behalf of the PSE group:

“For them to become **development agreements**, we need to go much further... I believe that that is the price to be paid if the EPAs are to serve as a matter of priority **the development of Africa**, and not just that of Europe.”

(European Parliament 2007b)

Kader Arif, on behalf of the PSE group:

The aim is development, not reciprocity when it comes to opening up markets.”

(European Parliament 2007b)

Fiona Hall, on behalf of the ALDE group (liberal-centrist):

“... the January 2007 review of EPAs by the United Nations Economic Commission for Africa was clear. This external and independent review concluded that there was **a failure of the**

negotiations to have a development focus and an excessive focus on trade liberalisation alone. Given this external UN assessment, I do not see how the Commission can keep on maintaining that the EPA negotiations have a positive dynamic and that everything is rosy.”

(European Parliament 2007b)

Sajjad Karim, on behalf of the ALDE group:

“... I urge the Commissioner to demonstrate the Commission’s flexibility and commitment to the ACP’s concerns by undertaking a genuine exploration of **development-oriented alternatives** to EPAs...”

(European Parliament 2007b)

Carl Schlyter, on behalf of the Verts/ALE group (green/progressive):

“Economic Partnership Agreements must exist to promote their **development**, not to increase our profits.”

(European Parliament 2007b)

Bart Staes, on behalf of the Verts/ALE group:

“This report is right to strike a critical note. It is of essence that the Commission should negotiate the EPAs with **due consideration for the level of development of the ACP countries**.”

(European Parliament 2007a)

Pedro Guerreiro, on behalf of the GUE/NGL group (left/far left):

“What is needed is an entirely different agenda, one that will promote effective cooperation, solidarity, **independent development** and social justice.”

(European Parliament 2007a)

Gabriele Zimmer, on behalf of the GUE/NGL group (left/far left):

“I call on you, then, to suspend all negotiations on matters over and above customs tariffs and use your power to get the WTO reordered so as to take more account of **the demands of development**.”

(European Parliament 2007b)

Jean-Pierre Audy, on behalf of the PPE-DE group (centre-right):

“In line with the spirit of Cotonou, we need constantly to point out that the EPAs must not amount to mere free trade agreements, under the World Trade Organisation, but must represent a genuine partnership, making it possible to develop a new intervention framework that is conducive to **the development of the ACP countries’ economies...**”

(European Parliament 2007b)

MEPs who point to the Commission’s use of pressure

Frithjof Schmidt, on behalf of the Verts/ALE group (green/progressive):

“... negotiations are now entering upon a crucial stage, and they must not be allowed to fail, but it is also clear from what we are constantly told that **the great pressure of time** is proving too much for the weaker ones among our partner countries.”

(European Parliament 2007b)

Carl Schlyter, on behalf of the Verts/ALE group:

“We must not, therefore, engage in **compulsion**. If they do not wish to open up a market, we **must not force** them to do so.”

(European Parliament 2007b)

Johan van Hecke, on behalf of the ALDE group (liberal-centrist):

“... Mr Sturdy has written a balanced report which also accommodates the fair criticism voiced by the ACP partners to the effect that, during the negotiations, **the EU does not listen enough to their complaints and is instead far too ready to impose things unilaterally.**”

(European Parliament 2007b)

Fiona Hall, on behalf of the ALDE group:

“The ACP countries insist that **they are being put under pressure** to negotiate on the Commission’s terms and they are particularly concerned that the Commission has failed to give time for proper impact assessments and has dismissed any assessments that were not in line with its own position. On the other hand, strangely, the Commission has maintained throughout that no one is complaining or asking for alternatives to EPAs.”

(European Parliament 2007b)

Gabriele Zimmer, on behalf of the GUE/NGL group (left/far left):

“I, for one, repudiate the idea of **forcing our partner countries** to accept conditions of the kind that the radical free market elements have not managed to get accepted even within the EU. No pretence is made that your regulations for public contracts are anything other than means towards the **wedging open of the market; you may be putting two boxers in a ring, but one of them weighs 100 kg more than the other.**”

(European Parliament 2007b)

MEPs who point to the EPAs as a threat for the ACP countries

Kader Arif, on behalf of the PSE group:

“**Europe is perceived as seeking to impose at any price free trade areas on countries that are among the poorest in the world,** and under its conditions. The relationship of trust with the ACP countries is now at stake.”

(European Parliament 2007b)

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