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Britain, the European Common Market and Africa: An Expanding Association?

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BRITAIN, THE EUROPEAN COMMON MARKET AND AFRICA: AN EXPANDING ASSOCIATION?

by TOM SOPER

Commercial and Economic Links

The size and nature of the economic and commercial linkages that already exist between Africa, the EEC and Britain are considerable. To get an exact statistical measurement is not easy, indeed impossible, but enough data is available to give a pretty clear picture of the main magnitudes involved.

What we are talking about is the six European countries of the Common Market: France, Germany, Italy, Belgium, Luxembourg and Holland, with a combined area of 449,000 sq. miles and a combined population of over 180 million people, comprising a group of countries whose individual economies generate well over a quarter of the world's international trade. If you add to this group, Britain you include a country which does not have much to offer in terms of land area (94,000 sq. miles) but at over 55 million people it would become the second largest country of the Six, and adhesion to the EEC would increase the enlarged EEC's population to around 250 million persons. Further, the UK economy, would make the expanded EEC a group whose international trade accounted for about a third of world trade across international frontiers. All in all one is talking about something pretty substantial.

When you look at Africa you also see something pretty substantial. But it is of a very different nature from that of Britain and the EEC. To begin with, instead of the mere seven countries of Western Europe, you have fifty-five, if you include some of the separately administered offshore islands. If you prefer to stick to the mainland of Africa, you can still notch up over forty-five. There is a land area covering a quarter of the land area of the world; indeed, the whole of the EEC plus Britain would fit quite comfortably into the southern half of the Congo or into Kenya and Tanzania. In terms of population, however, Africa, with some 350 million people is certainly larger than Britain and the Six, but not by all that amount and the unsuspecting would, I think, suppose something rather more numerous than this from forty-five separate countries.

It is, however, in terms of comparing the economies of Western Europe with those of Africa that the real contrasts arise. Here I am thinking particularly of those contrasts not in terms of the character of the economies, but in terms of their capacity. The total exports of the whole continent of Africa amount to some £3,000 million per annum. This is less than half the value of total exports from the UK and it represents under 5 per cent of world trade. This may be

compared with 33 per cent of world trade that I have just mentioned generated by Britain and the Six. What is more, half the total of Africa's exports come from one country—the Republic of South Africa. To narrow this picture down to our own immediate environment and looking at British trade with individual countries in tropical Africa the amounts seem ludicrously small; but taking all tropical Africa together, Britain's exports there in 1969 came to £300 million, and this is not to be sneezed at. It is about the same as our exports to the Republic of South Africa or, indeed, the Irish Republic. Even so, one must acknowledge that the economic relationships between Britain and Africa and the Six and Africa are relationships of unequal partners in terms of economic strength and mutual significance.

From the African standpoint however the position, however, is very different. In the case of the Francophone African countries, there is heavy concentration of exports on France—in certain instances as high as 70 per cent or 80 per cent. In the case of Commonwealth Africa, dependence on the British market is far less dominant than that of Francophone Africa on France. Ghana sends 20 per cent of its exports to the UK and over 25 per cent to the EEC; for Nigeria, prior to the civil war, the proportions were 30 per cent (UK) and 30 per cent (EEC); Zambia 25 per cent (UK) and 25 per cent (EEC); Kenya 20 per cent (UK) and 14 per cent (EEC); Tanzania 25 per cent (UK) and 12 per cent (EEC). But the importance of the European Common Market plus Britain to the export products of Commonwealth African countries needs no emphasizing: it is immensely significant.

In addition to the trading relationships between Europe and Africa—or perhaps one should say in association with these relationships—there has grown up a substantial flow of investment capital both from the private and public sectors.

Looking at public flows, that is to say official aid including technical assistance, Africa received about a quarter of total official bilateral and multilateral aid from OECD countries during the 1960's. On a per capita basis she did rather better than other parts of the world with an annual average of about £2 per head over 1964–8, just twice as much as Asian per capita receipts, and above the overall average of Less Developed Countries, which was some £1 10s. per head. Africa indeed has been of rather special concern to European countries in their aid programmes. As for Britain, over a third of our aid programme is channelled towards Africa, i.e. something like £70 million gross per annum (or about the same amount as for Asia). In the field of technical assistance operations and particularly those concerned with underpinning administrations, Africa is the predominant interest of the British aid programme; there were 10,800 British officers *en poste* in Africa in 1967 under OSAS and similar schemes, out of a total of 15,000 overseas, working under British Government-aided schemes. Also budgetary support is given to certain Commonwealth countries in Africa, and in many Commonwealth African countries Britain is the overall main provider of external assistance.

The French aid presence in Francophone Africa is possibly even more dominant than the British presence in Commonwealth Africa. French aid, as elsewhere, has reached something of a plateau, but it is still substantial in comparison with other aid providers. Total flows of official aid are of the order of £350 million per annum or approaching twice that of the UK; and of these something between £100 million and £150 million goes to tropical Francophone Africa. There is included in this a massive involvement of French technical assistance personnel, including educators.

When we come on to the private sector, one is inevitably dealing with statistics that are as complex, or even more so than official aid. The total value of foreign investment in South Africa has been estimated at nearly £2,000 million, with 60 per cent of the total coming from the United Kingdom. Roughly speaking, British direct investment in Commonwealth Africa, broadly equal direct investments in South Africa, although it is difficult to be precise here.

Britain, of course, is not the only country investing in Africa; France is heavily involved in Francophone black Africa, as also is Germany. Precisely how much French private capital is invested in Africa is extremely hard to judge, or indeed how it can best be calculated when one has to take account of the problem of return flows to Metropolitan France within the *zone franc*. However, in the 1960's one could talk about a flow of private investment, both direct and portfolio, of over £100 million per annum from France into Francophone Africa. That at least is the figures that the French themselves use in their reports to the DAC.

As I said a moment ago, precision on these statistics is notoriously hard. But it is, I think, quite clear that irrespective of any formal associations between Africa, or parts of it, and Europe, or parts of it, the economic linkages that have grown up over the years between Western Europe and Africa through trade, aid and private investment, are substantial. In spite of wars, or rumours of wars, of isolationist tendencies in both Continents, of changed political relationships through the rapid independence of African countries, these links have stood up remarkably well.

Association with EEC under the Treaty of Rome and the Convention of Yaoundé

However, in addition to such links that have been forged through what one might call inadequately, the ordinary business of life, and much of it indeed is very out of the ordinary, there have also been deployed a series of associations of a more formal kind. And here, of course, I am referring to the various arrangements that have been established between the European Common Market and selected African states. The most important of these is the second Yaoundé Convention between the Six and the eighteen Afro-Malagassy states—in the main the French-speaking countries of tropical Africa plus Madagascar which were once dependencies of one or other members of the Six.

The main structure of association is enshrined in the second Yaoundé Convention, which was signed in July, 1969, and which will be in force for a five-year period. Although known as Yaoundé II, it is in fact the third five-year association that has been negotiated between this select group of African countries and the European Common Market. In the Treaty of Rome itself the general pattern of association is set out in part IV of the Treaty, and to this extent the conditions of association as described in the relevant articles, are as immutable as the Treaty of Rome itself, because they are an integral part of it. But the details of the first association, which ran from 1958 to 1963, were set out in an Implementing Convention to the Treaty of Rome, and it was deliberately limited to five years so as to take account of the likely changing conditions in Africa itself and changes between Africa and Europe. The countries associated were at the time all political dependencies of France, Belgium, Italy and Holland and included not just those in Africa, but others in the Pacific and Caribbean.

At the expiration of this convention, Yaoundé I came into being. It was wholly African, or to be very accurate Afro-Malagassy, and was a distinct treaty signed between the Six and eighteen independent states and lasted until 1969. This has now been superseded by Yaoundé II.

Now in spite of some contrary views, it has always seemed to me that Yaoundé II was a direct successor of Yaoundé I, which in its turn was a direct successor of the original Implementing Convention to the Treaty of Rome. In the process of evolution certain characteristics have been sloughed off and other new characteristics acquired. But as the years slip by one can see a clear and continuing, familial relationship. The great difference between the Implementing Convention and Yaoundé I and II is that the original association was imposed on dependencies—that is not to say it was necessarily a resented imposition, but imposed it was. On the other hand, Yaoundé I and, even more obviously, Yaoundé II, were negotiated settlements among twenty-four sovereign states. Hardly surprising, with twenty-four states involved, not everyone has experienced the same degree of enthusiasm for the association. Certainly, among the Six themselves, Germany and Holland have consistent and deeply felt doubts. It is not so much on points of detail, but with regard to the whole concept of an exclusive special relationship with a particular part of a particular part of the underdeveloped-world—Francophone Africa. The régime of association indeed appears to be from the point of view of perhaps five of the Six, something that is of special concern and benefit to the French, but not really to the other members of the EEC. Why then has it come about at all? The question of association did not come up until very late in the negotiations prior to the signing of the Treaty of Rome in 1957; it was accepted because it was apparent that France would not be a party to the Treaty of Rome and the setting up of the Common Market unless this particular package was taken on board. It was not regarded by the other five as necessarily so desirable in itself, but as part of the general parcel of costs and benefits that made up a desired European

settlement. The second association under Yaoundé I, was agreed to because it was confidently expected at the time that Britain would soon be a member of the EEC, following the Heath negotiations and this obviously would have had considerable influence in widening it and hence making it less exclusive. When in the event Britain did not make the European club, extreme irritation was felt in certain parts of the Six; and Holland refused in the first instance to ratify the Yaoundé convention.

The second Yaoundé convention recently signed, seems to have been less affected by European factors. But there is again now a real possibility that UK adhesion to the Treaty of Rome will take place, and another five years of association is seen as a small price to pay for general accord among the Six who have more important matters to be battled over. Anyway, there it is, a third slice bringing the total association arrangements into a fifteen year span, and this is a not inconsiderable time during which new links can be forged.

So far as the associates themselves are concerned, just as within Europe, there are mixed feelings. The first association was, as we have seen, worked out in the context of a Colonial system. Before it had run its course the African associates had become independent, but understandably enough, they elected to continue within the association until it completed its five-year stint. They then negotiated Yaoundé I and have subsequently negotiated Yaoundé II. Of all the original associates, Guinea is the only one that has opted out. So no one can say that the Afro-Malagassy countries have not asked for more. They have in fact asked for more twice! What then is it that they appear to be unhappy about?

Their main worries seem to be as follows:

(i) They would like more aid. As things stand at present, under bilateral arrangements the majority of the associates get more aid per head even than other countries. Common Market Aid under association is just over 1,000 million units of account or £400 million for the five-year period, i.e. £80 million per annum. This is an increase on what was being received under Yaoundé I, which itself was an increase on what was being received under the Implementing Convention. But the associates hoped for more, and if expectations exceed fulfilment, there is invariably disappointment.

(ii) The disappointment, however, was not simply based on unfulfilled hopes. Increased aid, under association was hoped for particularly because of the abolition of the *surprix* and as compensation for this. Under this system farmers in French-speaking African countries received a guaranteed market and a guaranteed price for their exports to France, at prices which were considerably higher than the world market price. The French-dependencies had indeed experienced this advantageous position for many years. All farmers like high prices and guaranteed markets. The *surprix* system was extended to include exports to the other members of the EEC under the Implementing Convention of the Treaty of Rome. But under Yaoundé I it started to be phased out and

under Yaoundé II this has been confirmed. Not surprisingly farmers are feeling the pinch with this pillar of support removed.

(iii) The hoped for increase of trade between the eighteen and the Six has not taken place as dramatically as was anticipated. Indeed there have been greater increases of trade between the Six and those African countries not associated. As the associates have free access into the European markets and the non-associates have to face tariffs, low it is true on primary products but considerably higher when any processing is done, this inability to compete is worrying. So worrying, indeed, that under Yaoundé II there is to be a special trade promotion drive to encourage the marketing of products by the associates in the Six.

(iv) Linked to this is the fact that tariffs to non-associates i.e. the Common Market MFN Tariff, which is applicable to all third countries, have been considerably reduced since the original association and thus the advantages that the associates had in the early stages have been to some extent whittled away, as the margin of preference has been reduced. Indeed it has been asked whether the Six had the legal right to reduce the Common Tariff on those products which competed with similar products from the associates without first consulting the eighteen.

(v) Then there are the reciprocal reverse preferences that the eighteen grant the Six in their own markets. This cuts across UNCTAD resolutions, but provides the association itself with the characteristic of being a free-trade area and thus enables it to conform to the conditions of the GATT. The Six maintain that they are not setting up a new preferential area, but are simply creating a free-trade area between themselves and each of the eighteen.

(vi) The associates still find their economies closely meshed with that of France. This, in terms of economic independence is somewhat unhealthy. And this is so in spite of the fact that they now have free access to the whole of the market of the Six, and in spite of the fact that each of the Six has equal rights of establishment for business, enterprise and investment in the eighteen; and also in spite of the fact that purchases of equipment under the European Development Fund are open on equal terms to all the signatories of the Yaoundé Convention.

But, although there is some dissatisfaction among the eighteen associates, one must assume—unless one considers that the leaders of the Afro-Malagassy countries are mere puppets and do not know what is good for them—that the balance of advantages outweigh the disadvantages. What are these advantages?

Now it seems to me that the advantages of association are as follows:

(i) Duty-free preferential access to markets in the Six is worth having, even although the margin of preference is being eroded. I take it that even some preference is better than no preference at all.

(ii) An extra £400 million of aid over a five-year period is also worth having, even although you might have hoped for more. Particularly when one considers

too that it is over and above existing bilateral aid arrangements. Also it is not simply a question of the size of the aid package under the European Common Market arrangements, but the form it takes. Much of it is in direct grants, which recipients like, although the Pearson Commission would have us believe otherwise, and it is set for a five-year period and thus there is removed the bother, worry and uncertainty of yearly allocations.

(iii) The institutional machinery of the association, starting if you like from the original negotiations leading up to Yaoundé II, the workings of the parliamentary assembly, the council of ministers, the association committee, and the association judiciary, provides scope for participation on trade, aid and private investment decisions, by the less-developed countries in a way that other organisations whether bilateral or multilateral simply do not have.

(iv) There is a very valuable mixture of trade and aid in a single agreement. Far too often trade matters and aid matters are kept in watertight compartments and the way the Yaoundé conventions have linked the two is a model of its kind.

(v) Not least, the terms of association come up for reconsideration every five years and there is thus the chance of modifying it to make it more suitable to the associates in the light of the changing conditions of the time. This inbuilt flexibility is very important and there have been significant developments within the framework of association since it was first created.

(vi) Finally, and looking at the picture in rather hard-boiled terms, the alternative to association is non-association, which means losing all these benefits. And if life is a bit difficult with association it would be that much more difficult without it.

Association under the Treaties of Lagos and Arusha

Many changes have also taken place with regard to EEC links to Commonwealth countries in Africa. Here one thinks especially of the Nigerian association and East Africa. For Nigeria it is the Treaty of Lagos which is the basis of association. Not surprisingly it is in a state of some confusion so far as its entry into force is concerned. The original agreement was signed in 1966 and was due to expire in 1969 at the same time as Yaoundé I. In the early days of euphoria there was some expectation that the association arrangements following the expiration of Yaoundé I and the Treaty of Lagos would result in a single association comprising both the Francophone African countries and Nigeria. But, before the Treaty of Lagos was ratified by the twenty-four parliaments Nigeria entered into a phase of instability arising out of the civil war. I am not an international lawyer and have no idea what its present legal status is. But in laymans language the Treaty has in a sense been in abeyance before entry into force. But the terms of the agreement are clear. It is a trade association, not an aid one. It provides for free access of Nigerian exports to the Six, although four sensitive exports; cocoa, palm oil, ground-nut oil and plywood, are subject to

quotas, albeit expanding ones. Also Nigeria conceded, somewhat reluctantly, the principle of reciprocity. Here the agreement was that certain imports from the Six should be allowed into Nigeria at preferential rates. Twenty-six imports were selected and I realise some of the commodities, such as macaroni and sparkling wine and brandy were not those likely to cause British exporters any acute embarrassment. But others seem to me to be more relevant. But, quite aside from specific details, the principle of the preferences is there, and Nigeria was among that group of African countries—the others being Sierra Leone, Ghana, Kenya, Tanganyika, Zanzibar and Uganda—who never offered Britain reciprocity in return for their preferences in the British market.

This Nigerian model of a trade association has been largely repeated by Kenya, Uganda and Tanzania, who under the Treaty of Arusha, have signed an agreement with the Six giving their exports to Europe preferential access—again with certain sensitive commodities limited by quota—and with reciprocity on certain commodities bought from the Six.

With regard to rights of establishment, both Nigeria and East Africa have articles dealing with this in their respective treaties. The essence here is one of non-discrimination in relation to the member states of the EEC. So far as the Yaoundé African states are concerned, French rights of establishment in them had traditionally been preferential in comparison with the rights of establishment enjoyed by other European countries in Francophone Africa. Thus in the context of the philosophy of the Treaty of Rome, certain changes had to be made so that the other five member states of the EEC would not be at a disadvantage in relation to France. In practice, although there is *de jure* equality, there is still *de facto* preference for many French business houses for obvious and understandable reasons. One need only mention the French language, an understanding of French commercial and administrative laws and methods of business, and personal and direct contacts between Paris and the capitals of the Francophone African countries. We might expect the same situation to apply to Commonwealth African countries and Britain. It is true that many of the historical ties just mentioned in the case of France and Francophone Africa, do also exist so far as Britain and Commonwealth Africa is concerned, but traditionally such ties have never been quite so exclusive as they have been in the case of France and her former overseas dependencies. Just as most Commonwealth African countries did not offer specific preferences to British exports to them, so there were no special privileges for British investments. Foreign exchange regulations of Commonwealth Africa too have always been more liberal in application than those in force in the *zone franc*. Therefore, all that really was required under the association agreements for Nigeria and East Africa was for a guarantee that the associates would treat each member of the Six as liberally as anyone else was treated.

Both the Nigerian and East African models of association, although not as comprehensive as Yaoundé, are formal associations nonetheless. The Nigerian

one at one stroke doubled the population of those countries associated. The East African one put on an extra 50 per cent over and above the population of the Francophone countries. So over the twelve years of life of the Treaty of Rome, association in one form or another in Africa has increased from the original 50 million of the Francophone associates to 130 million people covering now both Francophone and Commonwealth African groups. And if there is a wider East and Central African internal Common Market, encompassing Somalia, Zambia, and Ethiopia, then this may well trigger off the formation of further linkages with the EEC.

What is quite clear is that many Commonwealth African countries have experienced a marked shift of opinion in their attitude towards the EEC association arrangements from the days when Doctor Nkruma saw nothing but neo-Colonialism in the provisions of the association. To him, and many of these thoughts were echoed elsewhere, such an association perpetuated the colonial links, forcing African countries to continue as producers of primary products and supplying European needs on unsatisfactory terms. He felt that industrialisation would be inhibited and also that the formation of wider regional groupings in Africa with the ultimate aim of Panafricanism would be thwarted. In Commonwealth Africa too there was the feeling that having an association based on a treaty with reciprocal rights and obligations was an unsatisfactory way of arranging one's affairs. Here I think one sees an interesting difference between the approach of those countries that had experienced a French culture in distinction to those countries that had experienced an Anglo-Saxon culture. For France and French-speaking Africa, articles of agreement, setting out conditions with mutual rights and obligations seemed a wholly appropriate way to clarify complex issues. The Commonwealth African countries were worried about this. How could they get out of it if they found it was not quite as written down? Could not these matters be settled much more pragmatically?

However, there now seem to have come about a considerable change in attitudes and certainly both Nigeria and East Africa have been happy in coming to an agreement under two separate treaties with the EEC.

It may be that the attitude of parts of the Six towards Nigeria in the civil war will affect Nigeria's relations with the EEC and could cool Nigeria's ardour for further association. Support for the secessionist eastern region was not confined to France, and many of the young in other members of the Six, particularly Germany, tended to be on the side of the former Biafra. Indeed, the role played by Britain in supporting Federal Nigeria was at one stage taken up by some of the youth inside the Common Market as a reason for opposing British membership of the Common Market. So far as Nigeria is concerned, my own guess would be that the importance of the European market to Nigeria is such that the Federal government is unlikely to allow past disagreements with the EEC, and in particular France, over the civil war, to effect its future economic relationships. Memories tend to be short on these matters and with some 30 per cent of

Nigeria's exports going to the Six and nearly 30 per cent of its imports coming from the Six, I would have thought that the trading advantages through association were such as to make it desirable and sought for.

Britain and the EEC

The big question of course is Britain and Europe. We are on course for membership, but we have been on course before. What is clear is that whether Britain joins the Six or not, African countries can and will make their own decisions about association with the EEC. This is very different from the situation at the time of the Heath negotiations. And, indeed, on actual experience we have seen that Commonwealth African countries are prepared as the price to pay for EEC association to grant preferences to countries outside the Commonwealth if it suits them. I am not blaming them for this and Britain may well find that the price for her membership of the EEC is also considerable modifications to past Commonwealth links. It seems that if Britain joins the EEC on the basis of the Treaty of Rome she must accept the common tariff and this means putting a tariff on the importation into the United Kingdom of goods that had previously come from Commonwealth Africa duty-free. At the same time she will be obliged to allow the entry into the UK on a duty-free basis of exports from French-speaking African associates. As to reciprocity, we would be in certain difficulties here, as our general line on this is non-reciprocal arrangements with developing countries, but this means that our partners in the Six, with whom we would be competing in fierce economic rivalry both in Europe and in other markets of the world, would have an advantage over us in the countries associated.

If the intention is that Britain should accept the obligations of the Yaoundé Convention, as well as the Treaty of Rome—and part IV of the Treaty of Rome implies that some such obligations are required—then Britain would also have to contribute to the European Development Fund. It is unlikely that this would be at lower rate than that in force for Germany and France, which means a subscription of something of the order of £100 million over a five-year period, i.e. £20 million a year. We should, therefore, have to consider whether we increased our overall aid programme by that amount or took it from some other part of the present aid programme.

Conclusion

But, to return to the title of my talk, the short answer to the question 'Britain, the EEC and Africa—an expanding association?', is 'yes'. The original form of association has expanded in terms of content, type of aid, trade relations, institutions, etc. There has been expansion too outside Yaoundé with the special arrangements under the Treaty of Lagos and the Treaty of Arusha for Nigeria and East Africa. With Britain as a member of the EEC I suggest it is likely that more Commonwealth African countries, such as Ghana, Sierra

Leone, the Gambia will seek association. But, as I mentioned earlier, the wider the association becomes, or to put it another way, the more it expands, the less advantageous and exclusive are the benefits to those who are members of it. Indeed, expansion means erosion.

Of course, it is not a foregone conclusion that African countries will seek this closer association with Europe. And the key factor here is not what Europe thinks but what Africa does. It is possible that some will look in on themselves and reject the strengthening of links with Britain and the Six. It may be that trading patterns will change and alternative sources of raw material supply may be built up, substitutes produced within Europe itself may become more and more significant and in this way Africa will not have the same economic significance to Europe as it has had in the past. Where, for example, do African sugar producers come into the picture if Britain joins the EEC and accepts the agricultural policy with its implications for sugar beet? It may be too that investment opportunities in tropical Africa seem too uncertain for European investors with alternative opportunities elsewhere. It may be that with the climate for official aid still far from buoyant and unlikely to change radically during the present decade that the somewhat liberal share that Africa has so far received will certainly not expand and possibly be reduced.

Of course, one does not know the answers. But what is known is that there possibilities are not wild nightmares, but real possibilities and if one does feel that the European/African links are worth keeping, in terms of what we in Europe can give to Africa and what Africa can give to us, then these links should not be taken for granted as something immutable. What is needed is continual vigilance to ensure they do not wither and decay.

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