

# **A gender analysis of the Cotonou Agreement And its implementation**

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## **Introduction: What is the Cotonou agreement?**

The Cotonou Agreement succeeds Lome Agreements, which guided African Caribbean and Pacific (ACP) countries' relations with the European Union (EU) member countries for 25 years from 1975. It was signed on 23 June 2000 in Cotonou the capital of Benin, (in West Africa). Unlike its predecessor which focused only on trade and development, precisely one directional preferential trade flows from ACP to EU countries, the latter agreement links trade to other issues considered critical for trade. Thus the Cotonou agreement is three dimensional with "political", "economic and trade cooperation" and "socio-cultural relations" as interconnected dimensions (The ACP-EU Courier 2000). It also emphasizes 'aprtnerships and reciprocal preferential trade arrangements through what are termed Economic Partnership Agreements (EPAs) which are established through negotiation between ACP and EU partners. Nonetheless, the preferential trade remains until 2007 by which time ACP countries should be ready to be fully "integrated" in the global economy. Within this new orientation, the Cotonou agreement emphasizes the involvement of non-state actors or civil society both the not-for-profit and the for-profit (or business) sectors as players with vested interests in EU and ACP agreements and in development issues in their respective countries.

The Cotonou agreement was signed at a time when the impact of neoliberal socio-economic dispensation was under the spotlight. Namely there was (there still is) growing concern with negative development such as increasing poverty and inequality, with women and children globally at the receiving end. In ACP-EU relations, it was realized that despite the preferential trade fostered by the Lome Conventions, ACP countries' market share in the EU has declined over the years (ACP-EU Courier 2000). This does not augur well for Southern Africa dominates. Trade with the EU has remained largely agricultural and dominated by Nigeria and South Africa.

Globally the concern with growing poverty was registered in UN 1990s conferences in which many commitments to eradicate poverty through the respect of human rights, eco-friendly production, gender equality, to mention a few issues, were highlighted. Rich countries (many of whom are EU members) were urged to make resources available to the needy and resource short Third World in the face of pervasive "aid fatigue" and increasing poverty. However action towards the realization of these promises, pledges and commitments remains to be seen and aid fatigue does not seem to have waned. If anything aid conditionalities are becoming more commonplace than previously. In other words, aid is no longer given on the basis of need alone but on the basis of meeting donor

defined criteria. This trend is cruelly observed in the aiding structural adjustment programs where conditionalities have led to policies whose effects have been hurtful to the poor.

The emergence of the World Trade Organisation (WTO) which regulates international trade relations complicates issues with its emphasis on “free trade” and “open markets” in an uneven playfield with unequal players playing under similar rules. Again pressure has been brought to bear more on poor countries than on the rich. Thus the Cotonou Agreement was born in an environment in which strong anti-neoliberal sentiments coexist with pro-neoliberal sentiments. The latter are the rich who have enjoyed previous efforts at neoliberalism and want more of it to increase profits while the former is associated with those who lost in previous efforts of neoliberalism. These tensions run through Cotonou making its effectiveness for meaningful change in ACP countries rather askance on account of different economic and political clout of players involved.

### **Aims and objectives of the Cotonou Agreement**

To put these simply, the agreement seeks to reduce poverty and eventually eradicate it by capacitating ACP countries to be better players in the global market and to transform and development key institutions in politics, trade and economic development. (This is an EU obligation expressed in agreements in its formation). This will be done through ACP-EU partnerships (and EU funds) guided by the need for sustainable development strategies which ensure protection, restoration of the natural environment, full participation of individuals and organizations in development and gender sensitive approaches to development thereby ensuring good governance and democracy.

However Cotonou does not seem to take cognizance of processes that produced the poverty it seeks to address. As will be shown below the impact of neoliberalism (Structural Adjustment Programs etc) is not acknowledged as such calls for more neoliberalism are at variance with reality on the ground. Further while the role of good governance and democracy as prerequisites for real development is debatable, the connection between access and control of resources as key ingredients for democracy are lost in a neoliberal dispensation. One can conclude that Cotonou reads like a child’s wish list of goodies but fails to put these wishes in a well conceived socio-economic, political and historical context.

Besides the quest for “integration” is also misleading because ACP Southern Africa for instance is already integrated but is at the margins. Moving into the eye of the vortex has no guarantees of increasing benefits. If anything it threatens more harm than good. The Cotonou has many feel good intentions which might fool us in the ACP Southern Africa is we do not put our experiences into context and question our relations with EU and the EU’s operations as we have experienced them to date.

### **Gender provisions under the Cotonou Agreement**

Specific provisions on gender are highlighted in Article 31 where it is emphasized that gender issues should be a cross cutting theme and concern in all programs, projects and activities in political, economic, cultural and social spheres of cooperation. (see ACP-EU

Courier 2000). This concern is further elaborated by provisions which underline the need for a “gender sensitive” approach to development cooperation and the need to ensure that women participate in all activities including politics and decision making; the emphasis on women’s access to key production resources namely land, credit and also employment. Women should have access to social services such as education; health and family planning. Where there are emergencies and humanitarian catastrophes women should be given due considerations in aid that is given and in rehabilitation operations. In addition there should be support to women’s organizations. Article 20 also mentions the need for gender mainstreaming in all activities and programs while Article 26 on the need to include the youth (and children) in all matters of development, also mentions the need to consider the rights of “girl children”.

### **European Union Policy on gender**

The founding agreements (treaties) of the EU underscore the importance of equality between male and female Europeans at law and in other spheres of life whether political, economic, etc. Gender equality remains an important aspect of EU foreign policy and its quests for the respect of human rights. The EU demands convincing gender sensitivity on all applications for EU funds from countries or corporate bodies at home and abroad. Project/program monitoring and evaluation is also guided by gender equality expectations. Gender considerations are some of the criteria for Sustainable Impact Assessment (SIAs) on whose basis cooperation will be evaluated.

### **The situation of women and gender issues in Southern Africa**

Southern Africa is among the last regions to gain independence. As such it can be defined as a post conflict region since most countries gained independence after bitter armed struggles and many had to face civil unrest after independence. Women suffered as victims of war, rape, war widows and refugees. There are also many children who have been displaced and children who were involved as child soldiers in Angola and Mozambique. The displacement and high mobility which comes about as a result of war has made it possible for HIV/AIDS to spread at the rate that it is. This disease places a disproportionate burden on women to care for the sick in the face of limited access to healthcare facilities in the region. The region is also in the throes of neoliberal economic reforms of one form or another. Generally they are funded by World Bank although in South Africa this is not the case. The result has been more poverty and reduced access to education and healthcare. Between HIV/AIDS, natural disasters (in the form of droughts and floods) and neoliberalism the region has suffered reversals of human development. Women have suffered more because of prevailing cultural practices which emphasize their rural residence and predominance in an agricultural sector rendered inefficient by the vagaries of nature. Many governments in the regime subscribe to the rhetoric of gender equality but end there. Real commitment is lacking despite “democratic’ or gender sensitive Constitutions. Transformation of relations between men and women remains a pipe dream and an uphill struggle.

There is raging debate on the likely efficacy of NEPAD (New Partnership for African Development) which is basically an effort at Africanizing neoliberalism. This policy

proposal is hailed in the west as a likely saviour of Africa but will simply entrench neoliberalism. This policy is not as gender sensitive as one would expect and therefore its celebration raises more questions than answers.

### **Implications of gender provisions of Cotonou for action**

1. The Cotonou agreement sends signals and is strong of rhetoric but is silent on the “how tos”. It is not clear how gender should be mainstreamed despite the existence of literature and advice on ideal practices in many quarters. Gender mainstreaming ideally means changing organizational culture and the way organizations discharge their duties so that relations between men and women are transformed and based on equality and equity. Gender mainstreaming should not be a belief to which people pay lip-service but a practice with visible results based on clearly set targets. Painter and Ulmer (2002) argue that the EU as an organization has not been consistent in its understanding and practice of gender mainstreaming. In trade, foreign policy and security where the pursuit of profit and political expedience take precedence, gender considerations have suffered. It seems policy makers in these areas still see these sectors as gender neutral. Gender neutrality of course is a harbinger of male bias. The ambiguity of gender mainstreaming at the level of practice will have an impact on Country Strategy papers of Southern African countries.
2. The Cotonou Agreement seems to use “women”/”girls” and “gender” interchangeably rather than emphasizing a nuanced analysis of relations between men and women within their cultural contexts. When one reads the agreement, it is possible for governments to get away with head counts of women and no change of relations between men and women. Emphasis is laid more on involving and including women when it should be on changing relations, changing institutions and changing attitudes and beliefs about men and women which are the reason why there is discrimination and exclusion of women and girls. These are practically much harder to do than head counts which most of our governments are good at. The presence of women in higher levels of administration and decision-making per se does not translate to gender transformation since it is easy to choose women who are passive for purposes of PR. The view that “including” women *per se* is important has been disastrous in previous years under the Women in Development (WID) approach of the 1980s. It did not take cognizance of women’s marginalized, trivialized and invisible inclusion in the global economy as a product of (global and local) culture, economics and politics.

The Agreement is also silent on masculinities as part of gender despite their harmful role in sex tourism, the trafficking of women and children and especially HIV/AIDS in Southern Africa. “Including” women in socio- economic development when masculinities are not changing implies that men have no problem and that the gender dynamics we are trying to address are somehow connected to women only. This conceptualization creates problems for the

realization of real gender equality. In society femininity is not created without reference to masculinity.

As noted by Painter and Ulmer (2002), the language of “including” women in the development process echoes the 1980s “efficiency approach” where women were seen as a pool of untapped labour. Thus women had to be mobilized in order to ensure more efficient use of society’s labour resources. However this is also the ethos of neoliberalism that has led to impoverishment and discrimination of women in the ubiquitously resource short environments that southern Africa especially finds itself in. Because of neoliberalism, women’s access to education, healthcare and other previously publicly funded services has shrunk as a result of rationalization at household level. At the same time women’s involvement as gap stoppers in the home has increased. Precisely, when one looks at health, privatization (broadly defined) and cost recovery have seen healthcare costs spiraling leading to the sick delaying hospital visits and women picking up the tab as home carers. Unfortunately the reality is such that this has not increased efficiency but has intensified women’s workloads.

3. The agreement does not problematise current modes of integration of women in the global economy and therefore to challenge them. If anything it seeks to entrench them and thereby entrenching current problems. Integration *per se* does not transform gender relations but in fact draws on existing gender stereotypes to expropriate women’s labour. As long as women’s current roles are not recognized we have a problem. If this agreement is taken at face value then we might be institutionalizing female invisibility in the global economy by intensifying their workloads and not changing the global and local structures which reproduce female marginality. Since this integration of women comes of the back of the profit incentive it cannot be efficient for gender equality. Profits need relations of inequality. Equality makes it impossible for people to be exploited at levels implied by Cotonou.
4. Gender mainstreaming though noble can also be abused as a PR tool on paper. Feminist scholars have shown for years that the institutionalization of gender concerns is often seen as “extra work” left for women often at the risk of these women being marginalized as fringe feminists (see del Rosario 1997). This sentiment is echoed by Painter and Ulmer (2002) who observe that within the EU, despite the existence of structures whose mandate is to ensure the inclusion of gender, commitment to gender mainstreaming remains uneven. There are still limited numbers of personnel with expertise while training workshops are not well attended. (It is not clear whether this is also attributable to “chilly climates” which might cause high turnover of gender experts). It is important to find out why the EU is not able to retain gender experts as an indicator of the organizational culture it fosters.

At individual levels gender training is not seen as critical in career development. This means that even as the powerful partner, the EU itself has no capacity to ensure gender mainstreaming at its headquarters in Brussels and its delegations. Essentially, the EU might demand gender mainstreaming at all its cooperation

agreements with the ACP, it can not give guidelines of what this mainstreaming should be.

5. There does not seem to be political will at EU level for real gender transformation because the EU also says that it is up to national governments to ensure that there is gender transformation. This enables the EU to dodge questions about whether it is as fully committed to gender as it is to trade and political reform (see Painter and Ulmer 2002).
6. International trade policy and debates in the wake of WTO have remained a male dominated domain. The nature of trade is also very masculine; it is acquisitive, brutal and harmful to the weak and to nature. Thus it is hurtful to women, children and ethnic minorities. It is based on a do-or-die attitude. Cotonou pays lip-service to a new way of doing things by emphasizing eco-friendly and gender sensitive production again with no clear indications of how this could be done. While it is important for women to understand the policies in order to critique them, it is also important to bring in more humane and kinder forms of trade which are more people-centred as opposed to being concerned only with the profit motive.
7. The focus of trade in Cotonou is more on 'big business' and not so much on smallscale businesses which are more likely to be female owned. In Southern Africa especially women are entrepreneurs involved in crossborder trade among others. It is not clear how big business should relate to small-scale businesses in liberalized markets. If anything this opening up might squash the small entrepreneurs thereby pushing women into deeper forms of poverty and more to the margins of the global economy as businesses compete for space. ACP-Southern Africa cannot protect these businesses since WTO rules will not accommodate protectionism.
8. In view of the fact that most of Southern Africa's economies are agro-based, it is not clear how equal access to and control of production resource as spelt out in the agreement should be translated and implemented. At face value, it means women and men should control land, and connected institutions and resources. Yet Southern Africa lives with the legacy of colonial land alienation. Land reform is undoubtedly a very thorny issue and a gender sensitive land reform is rendered impossible by prevailing customary laws. Land reform affects ACP-EU relations in the Southern African context because a lot of land is owned by absentee landlords of European origin with mining and farming concessions. Silence on this critical issue also renders real reform impossible or subject to the whims of any government.
9. While the involvement of civil society is commendable, it is not clear which ones are critical. Is it religious groups of any nature; sports clubs; women's organizations etc? How should they organize themselves in order to carry the views of their constituencies effectively? It is worrying that businesses are also partners under Cotonou when it is big business which has been abusive of women and children. Business is likely to have a better voice in EU-ACP negotiations than women because of the profit incentive.

In addition, this envisaged involvement assumes that there is widespread knowledge of the workings the EU and the ACP-EU work by these non-state actors. Learning about these issues might take time and minimize effectiveness of contributions.

It must also be acknowledged that relations between states and non-state actors vary in Southern Africa and this might work against effective participation. As Cotonou stands, it is not clear HOW the non-state actors participate. Some seem to be doing by invitation by the government, others through their own independent initiatives, in other cases the EU is behind civil society efforts to participate. These modes may yield different results.

10. The language of partnership is a language of cooptation and is disempowering. It gives the impression of comradeship, in the fight against poverty-comradeship with actors who have benefited from impoverishing the poor. It is a deceitful comradeship because despite its discourse it does not translate to changed relations between the partners but entrenched inequality. It neuters the radicalism of the dispossessed and should be challenged.
11. The fallacy of this language is made clear by the fact that Cotonou says needy ACP countries will not be given assistance on the basis of need alone but meeting set performance criteria. At the same time the document says that different ACP countries have to set their own agendas for development. It is not clear how far country programs will determine the content of cooperation. So, even women contribute in the authoring and content of Country Strategy papers, there is no guarantee that this will drive the cooperation agreement if “other” unspecified issues are at stake. (My own hunch is that trade issues will take precedence over women’s concerns and might be the deciding factors in cooperation agreements).
12. In addition the inclusion of consumer rights as important for relations between ACP-EU countries has to be taken seriously as threat rather than a boon. Consumer rights might be reducible to “the right to access affordable goods” which might privilege cheap European imports at the expense of local production. This is a threat to the right to meaningful employment and the protection of local industries. It is a nod to market liberalization. These calls are paradoxical for women.
13. Finally, WTO rules are continuously being negotiated which means that women and gender activists in ACP countries have to follow these negotiations closely in order to deal with their implications for gender equality and for ACP Southern Africa-EU cooperation.

### **Opportunities for strengthening gender justice and advocacy on gender by civil society in Southern Africa**

For Southern Africa, the Cotonou Agreement has to be understood within a global capitalist system which seeks to entrench itself deeper than it has so far. It has to be understood that as capitalism deepens so has poverty and dispossession. However opportunities for uprooting capitalism do not seem to be available but perhaps we can call

for a more humane capitalism if ever there can be one. Economic justice for women in the region remains a challenge in this context. At the same time it is important to deal to buoyed by the signals sent by Cotonou and push for their realization.

1. **Regional networking:** There is need to form a region-wide gender and trade network perhaps within the auspices of SADC which will not only feed into the SADC system but also can liaise with the similar networks in the Caribbean and Pacific in order to present a united front to feed into ACP-EU decision-making processes. Such a network has to represent women's interests and perspectives for development in Southern Africa and their prospects in the face of Cotonou.
2. **National networking:** There are opportunities to create gender economic justice networks and lobbies within countries. Given the spirit of Cotonou there are resources set aside for capacity development and institutional building. However accessing these in the face of shrinking and changing development assistance rules might take time. These networks are very urgent in order to beat the 2007 deadline.
3. **Developing gender sensitive development indicators:** Women's groups can develop regional and national indicators for gender justice in the provision of services and the allocation of resources. These indicators could be useful in guiding development cooperation programs as well as evaluating them.
4. **Gendered policy debates and analyses:** Women and gender activists have to increase their presence and voice in trade negotiations and policy debates, decisions making since decisions makers ultimately participate in policy making and also increasing activism around women and girls' human rights (broadly defined).
5. Women should also join the lobby for debt restructuring and increased aid flows, which are necessary if real development is to be realized bearing in mind that women bear the brunt of negative development.
6. Women should be at the forefront of critically debating the role of culture in development in order to agree on those cultural aspects that negate gender sensitive development and to celebrate those that are not offensive to the letter of Cotonou and the UN conferences. The land reform process is a case in point here but so are other issues.

### **Summary and recommendation for action under the Cotonou framework**

Despite the challenges mentioned above, the only way forward for women is through constructive engagement with the Cotonou process, problems of its WTO compatibility and the rhetoric of change that it envisages. There is a lot of "on the job learning" to be done given the limited time left before the post2007 era is ushered in by Cotonou. Southern African women have to learn the jargon of Cotonou and understand its implications. Networking nationally and regionally is VERY urgent so that Southern Africa can input into Cotonou debates at par with women in the Caribbean and European women through WIDE.

## References

Bilal,S and K van Hove-2002-“ An overview of the ACP-EU agreement: issues and timeframe” CTA International Seminar series

Del Rosario, V O-1997- “Mainstreaming gender concerns: Aspects of compliance, resistance and negotiation” in Goetz, A M(ed) ....

Stevens, C-2002-“The WTO and its implications for the negotiations in agriculture in an ACP-EU trade agreement: current status and prospects” CTA International Seminar series

Hazard, E-2002-“ Farm trade and poverty reduction: West African cotton” CTA International Seminar series

The ACP-EU Courier-2000- The ACP-EU agreement signed in Cotonou on 23 June 2000 (Special supplement)

Painter G and Ulmer K-2002- “Everywhere and nowhere: Assessing gender mainstreaming in European Community development Cooperation” APPRODEV-One World Action

[www.acp-eu-trade.org](http://www.acp-eu-trade.org)

[www.genderandtrade.net](http://www.genderandtrade.net)