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New Regionalism and Lessons from the EU

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Introduction

The aim of this scientific paper is to analyze the situation of the regional integration process in Africa, with a particular focus on the recently signed Tripartite Agreement between the Southern Africa Development Community (SADC), East African Community (EAC) and Common Market for Eastern and Southern Africa (COMESA) and lessons to be learned from the EU (European Union) experience. The signing of this legal instrument took place in Sharm El Sheikh, Egypt.

The negotiation of this instrument comprised several stages and corresponded to the need to overcome some constraints resulting from the dual affiliation of member states. This dual affiliation makes it impossible for countries involved in the agreement to achieve the objectives proposed by the regional integration organizations. On the other hand, it demonstrates and represents a major step towards the realization of the Africa Free Trade area envisaged in the various instruments of the African Union (AU).

This new vision of regional integration reflects a new perspective for overcoming the constraints of a process that, among other things, depends on the concrete reality of following the classic model of integration which is inspired by the European Union and other regional integration organizations.

Signed by 26 countries from within the African continent, representing a population of about 600 million people (almost half of the continent) and total Gross Domestic Product (GDP) of approximately US$1.3 trillion (European Parliamentary Research Service, 2015), the Tripartite Agreement is currently the agreement with the broadest regional impact globally and a very significant step in overcoming the constraints faced by SADC during the implementation of its Strategic Indicative Plan for Regional Development (2008-2018), which was revised and updated recently predicting the scope of Economic and Monetary Union in 2018 and other challenges faced by other member states.

The main objective of the COMESA-EAC-SADC Tripartite is to strengthen and deepen economic integration of the southern and eastern Africa region. This will be achieved through the harmonization of policies and programs across the three Regional Economic Communities (RECs) in the areas of trade, customs and infrastructure development.

This mechanism of solving constraints, with originality and a sense of inclusive commitment and accurate solutions, represents a great achievement and an experience to be considered by other integration blocs globally.

This paper addresses the following issues: the historical and factual background of the Tripartite Agreement, a rationale for the existence of the Tripartite Agreement, main aspects of the Tripartite Agreement, lessons to be learnt, and finally asks the question: New Regionalism? Lessons that the Tripartite Free Trade Area (TFTA) can draw from European Union experiences.

The analysis is based on theoretical assumptions that lead the process of regional integration, followed by theoretical and practical analysis of the reality in the region as well as the challenges faced by a process conducted in a region facing many challenges caused by a lack of infrastructure and high levels of poverty.

The Emergence of Integration in Africa and the Tripartite Agreement: An Overview

Africa is flooded with regional economic communities (REC) (Bösl et al., 2009, p.5). Although the regionalization movement in Africa began shortly after the creation of the Organization for African Unity (OAU)[1] in the 60s, economic internationalization through the formation of regional groupings is one of the most intensively discussed models of economic development (Matambalya, 1995, p.34). The African continent was aware of this fact years ago and initiated the process of regionalization as a mechanism of achieving African free trade area and economic development.

Lagos Plan of Action and Abuja Treaty

In April 1958 and June of 1960, African leaders from independent countries held two meetings that recommended the establishment of economic cooperation among all the politically independent countries at the time. It was during the third conference that took place in May 1963 aiming to lay the foundations of the Organization of African Unity (OAU), that the aspect of economic cooperation as a strategic development mechanism was considered one of the OAU principles and objectives.

To cope with the weakness of African economies, poverty and fragmentation of markets, the lack of infrastructures and inability of scientific knowledge to secure the development of economies in an isolated way, African leaders embraced the idea of economic cooperation.

On the fourth OAU summit held in Lagos in the years 1970 and 1979, general guidelines for economic cooperation among the African countries were settled. Therefore, African leaders had a vision that only a strong cooperation and the construction of economic blocks could lead to the establishment of an African Free Trade Zone.

1 The OAU transformed into the African Union (AU) in 2002.

From all these plans, in 1980 a Lagos Plan of Action drafted the idea of bringing together West Africa, Eastern and Southern Africa, Central Africa and North Africa to establish sub-regional economics blocs beginning with a Preferential Trade Area, moving on to a Customs Union, to a Common Market and finally to Economic and Monetary Union. The plan envisaged the eventual integration of the sub-regional economic communities into an African Economic Community by 2000 (Chipeta, 1998, p.37).

But the origins of Lagos Plan of Action itself goes back to March 1977, when the fourth UN Economic Commission for Africa Conference of Ministers established the Multinational Programming and Operational Centers (MULPOCs), whose specific objective was to promote economic cooperation at a regional level in Africa. These regional economic markets would, in turn, develop into the kind of African Common Market envisaged under the Lagos Plan (Mandaza, et al., 1994).

The Integration Movement in Southern Africa and the Emergence of the Economic Blocks

As referred to in the previous discussion regarding continental integration, during the first years of the establishment of the African Union the Southern African region did not escape from that movement of integration blocs that had started in 1910, over the colonial regime with the creation of SACU[2].

Generally speaking, the region is characterized by the existence of three economic blocs, namely, SADC, COMESA and EAC. Although with more connections to Central Africa, the Central African Economic and Monetary Union constitutes another bloc with an impact in Southern Africa, enhancing the challenge of dual membership which in itself is a problem in the region.

2 As the world`s oldest custom union, the Southern African Customs Union (SACU) dates back to the 1889 Customs Union Convention between the British Colony of Cape of Good Hope and the Orange Free State Boer Republic. A new Agreement, signed on June 29, 1910, was extended to the Union of South Africa and the British High Commission Territories (HCTs), i.e. Basutoland (Lesotho), Bechuanaland (Botswana), and Swaziland, South West Africa (Namibia) (Southern African Customs Union, n.d.).

Even with all these movements, SADC represents, for its size and importance in the African Union and, to a certain extent, in the global context, an organization that creates more expectations at the continental level with a view to continental integration vaunted by the African Union. Below, we present the essential aspects of the three blocks, particularly, origin, history and membership.

SADC, COMESA and EAC

SADC

The Southern African Development Community (SADC) started as the Southern African Development Co-ordination Conference (SADCC) which was established in 1980 with nine members namely (Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe). After its independence, Namibia became the tenth member state. South Africa, following the end of apartheid and the general democratic election, became the eleventh member. SADC currently has fifteen member states including Mauritius, Seychelles, Madagascar and Democratic Republic of Congo.

The central reason for the establishment of SADC was the Frontline States composed by Angola, Botswana, Mozambique, Zambia and Tanzania.

The genesis of this group, that was to constitute the vital rear base of the liberation struggle in Southern Africa, is, in itself, an aspect of the process of regional cooperation. The concept of the frontline states was born out of the Organization of African Unity (OAU) and its Liberation Committee, and on the basis of Tanzania's role as the main supporter of the liberation struggle in Southern Africa (Mandaza, et al., 1994).

The main objectives of SADC, as stated in Article 5 of the SADC Treaty (1992) are:

- Achieve development and economic growth, alleviate poverty, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through Regional Integration;
- Evolve common political values, systems and institutions;
- Promote and defend peace and security;

- Promote self-sustaining development on the basis of collective self-reliance, and the inter-dependence of Member States;
- Achieve complementarity between national and regional strategies and programs;
- Promote and maximize productive employment and utilization of resources of the region;
- Achieve sustainable utilization of natural resources and effective protection of the environment;
- Strengthen and consolidate the long-standing historical, social and cultural affinities and links among the people of the Region.

COMESA

The Common Market for Eastern and Southern Africa (COMESA) traces its origins to the mid-1960s. The idea of regional economic co-operation received considerable impetus from the buoyant and optimistic mood that characterized the post-independence Africa. The mood then was one of pan-African solidarity and collective self-reliance born of a shared destiny. It was under these circumstances that, in 1965, the United Nations Economic Commission for Africa (UNECA) convened a ministerial meeting of the then newly independent states of Eastern and Southern Africa to consider proposals for the establishment of a mechanism for the promotion of sub-regional economic integration. The meeting, which was held in Lusaka, Zambia, recommended the creation of an Economic Community of Eastern and Central African states (COMESA, n.d.).

The Common Market for Eastern and Southern Africa (COMESA), is a successor to the Preferential Trade Area (PTA) for Eastern and Southern African countries. The treaty establishing the PTA came into force on 30 September, 1982 after it had been ratified by more than seven signatory states as provided for in Article 50 of the Treaty.

The PTA was established to take advantage of a larger market size, to share the region's common heritage and destiny and to allow greater social and economic co-operation, with the ultimate objective being to create an economic community. The PTA Treaty envisaged its transformation into a Common Market and, in conformity with this, the Treaty establishing the Common Market for

Eastern and Southern Africa, COMESA, was signed on 5th November 1993, in Kampala, Uganda and it was ratified a year later in Lilongwe, Malawi on 8th December 1994.

It is important to underline the fact that the establishment of the PTA, and its transformation into COMESA, was in conformity with the objectives of the Lagos Plan of Action (LPA) and the Final Act of Lagos (FAL) of the Organization of African Unity (OAU). Both the LPA and the FAL envisaged an evolutionary process in the economic integration of the continent in which regional economic communities would constitute building blocks upon which the creation of an African Economic Community (AEC) would ultimately be erected (COMESA, n.d.).

COMESA has 20 members namely: in the region of the African Great Lakes: Republic of Burundi, Kenya, Malawi, Rwanda; Region of Southern Africa: Swaziland, Zambia, Zimbabwe; Central Africa: Democratic Republic of the Congo, South Sudan; Horn of Africa: Djibouti, Eritrea, Ethiopia; North of Africa: Egypt, Libya, Sudan; Indian Ocean: Comoros, Madagascar, Mauritius, Seychelles.

Former members of COMESA that later left are: Lesotho, Mozambique, Tanzania, Namibia and Angola. All of them now are members of SADC.

EAC

The East African Community (EAC), is the regional intergovernmental organization of the Republics of Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania with its Headquarters in Arusha, Tanzania. The Treaty for the establishment of the East African Community was signed on 30th November 1999 and entered into force on 7th July 2000 following its ratification by the Original 3 Partner States – Kenya, Uganda and Tanzania. The Republic of Rwanda and the Republic of Burundi acceded to the EAC Treaty on 18th June 2007 and became full Members of the Community with effect from 1st July 2007 (African Union, n.d.).

But, regional cooperation in the East African sub region goes as far back as 1917 when the British Colonies of Kenya and Uganda formed a customs union (Awori, 1992, p.20 cited in Bösl, et al., 2007, p.180). In 1919 they introduced a common currency and later in 1927, Tanganyika joined to the organization. Following the later independence of Kenya and Uganda, the East African Community was established in 1967 as the successor to the East African Common Services Organization (Akiwumi, 1972, p.207 cited in Bösl, et al., 2007, p.180).

Now, the members of EAC are the following countries: Burundi, Kenya, Rwanda, Tanzania, and Uganda. In this group, only Tanzania is also member of SADC.

Table 1: Overlapping Memberships in Regional Integration Initiatives of Southern Africa States

Country	COMESA*	SADC	SACU	Other
Angola	X	X		
Botswana		X	X	
DR Congo	X	X		CEMAC
Lesotho		X	X	
Madagascar	X	X		IOC
Malawi	X	X		
Mauritius	X	X		IOC
Mozambique		X		
Namibia	X	X	X	
South Africa		X	X	
Swaziland	X	X	X	
Tanzania		X		EAC
Zambia	X	X		
Zimbabwe	X	X		

*The other member states are: Burundi, Comoros, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Rwanda, Seychelles, Sudan and Uganda.

Source missing.

As can be seen in table 1, only Mozambique belongs to one regional integration organization, which is SADC. Other countries are part of other than these three regional organizations, such as SACU[3]. Those countries are: South Africa, Botswana, Lesotho, Swaziland and Namibia.

Other SADC member states belong to CEMAC[4] which is the case for the RD Congo. But as we pointed out before, Africa is full of overlapping membership.

The Idea of the Tripartite Agreement

Historical and Factual Background of the Tripartite Agreement

The three blocks under analysis in this article are considered, by the founders, as part of the effort to pursue African development and growth through economic blocks, an effort initiated from as far back as 1968.

The member states of COMESA, the EAC and SADC agreed in October 2008 to negotiate a Tripartite Free Trade Area (TFTA). A revised Draft Agreement and Annexes were finalized in December 2010. On 12 June, 2011, the Heads of State and Government of the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Southern African Development community (SADC) met and signed a declaration launching negotiations for the establishment of the COMESA-EAC-SADC Free Trade Area (FTA).

3 As the world`s oldest custom union, the Southern African Customs Union (SACU) dates back to the 1889 Customs Union Convention between the British Colony of Cape of Good Hope and the Orange Free State Boer Republic. A new Agreement, signed on June 29, 1910, was extended to the Union of South Africa and the British High Commission Territories (HCTs), i.e. Basutoland (Lesotho), Bechuanaland (Botswana), and Swaziland, South West Africa (Namibia) "*was a de facto member, since it was administered as part of South Africa*" before it became a de jure member. The primary goal was to promote economic development through regional coordination of trade. The SACU Secretariat is located in Windhoek-Namibia (Southern African Customs Union, n.d.).

4 Central African Economic and Monetary Community. The Central African Economic and Monetary Community (CEMAC) is made up of six States: Gabon, Cameroon, the Central African Republic (CAR), Chad, the Republic of the Congo and Equatorial Guinea. With a total population of about 37 million, it covers a total surface of around 3 million km2. Together with the larger Economic Community of Central African States (ECCAS) and the mainly inactive Economic Community of Great Lake Countries (CEPGL), CEMAC presents one of the Central African regional Communities established to promote cooperation and exchange among its members (International Democracy Watch, n.d.).

The Common Market for COMESA-EAC-SADC comprises 26 countries with a combined population of nearly 600 million people and a total Gross Domestic Product (GDP) of approximately US$1.3 trillion. The main objective of the COMESA-EAC-SADC Tripartite is strengthening and deepening economic integration of the southern and eastern Africa region. This will be achieved through harmonization of policies and programs across the three Regional Economic Communities (RECs) in the areas of trade, customs and infrastructure development (SADC, n.d.).

The COMESA-EAC-SADC Memorandum of Understanding (MoU) underpins the legal and institutional framework for the tripartite process.

For political, economic and strategic reasons many countries belong to more than one regional economic bloc. The multiplicity of RECs and the concomitant multiple state memberships have created a complex patchwork that complicates decision making for states, community officials, individuals and business. In what is, to date, the only detailed continent-wide empirical study into the effect of the twin phenomena of many RECs and multiple memberships, the United Nation Economic Commission for Africa (UNECA), concluded that the phenomena impact negatively on the achievement of the goals of African Economic Community (AEC) (Bösl, et al., 2007, p.5). The example of SADC, COMESA and EAC, demonstrates the so called '*spaghetti bowl effect*' which is one of the main reasons why the Tripartite Agreement was signed by these three organizations, to overcome some of the problems raised by overlapping membership.

As mentioned above, on 12 June, 2011, the Heads of State and Government of the three regional economic communities (RECs) met and signed a declaration launching negotiations for the establishment of the COMESA-EAC-SADC Free Trade Area (FTA)[5], which was finally signed in June 2015 in Egypt, after a long process of negotiations.

The Tripartite Agreement is a good contribution and a way towards the establishment of an African Economic Community as agreed to in the 1980 Lagos Plan of Action and the Final Act of Lagos. The TFTA is another big

5 Signed in Sharm El Sheikh (Egypt), in June 2011.

milestone that will see an expanded market for member states to trade and increase investment flows (SADC, n.d.).

The main vision comprises the following objectives: Market Integration; Infrastructure Development; and Industrial Development. These objectives coincide with the priorities established by the revised SADC RISDP 2015-2020[6].

Mozambique did not sign the final document of the Tripartite Agreement. However, it has signed the Sharm El Sheikh declaration that, among other objectives recommends the continuity of efforts aiming at market integration, infrastructure development for improving communication in the continent and industrial development.

The decision not to sign the agreement is linked to the need to continue with its internal work, particularly regarding the need to check the impacts that the agreement would generate on the national economy. On the other hand, there are issues that, under the agreement, need to be analyzed. One of these issues concerns the origin of imported products in relation to their selection, those that after engagement to the Agreement may be liberalized or those whose liberalization can be gradual. All this has to be done so that the growth of industry will not be prejudiced by Mozambique membership[7].

Rationale for the Existence of the Tripartite Agreement

As we have been referring to in this study, despite the integrationist movement in Africa and with every positive impact this may produce, the issue of dual membership continues to be a major "Achilles heel" of these processes. As such, it is harmful to the process and becomes more important when it comes to the matter of customs union as a fundamental step towards the desired integration of markets.

6 SADC RISDP 2015-2020 establish four priorities including Trade/Economic liberalization and development, Infrastructure in support of regional integration, Peace and security cooperation and Special programmes of regional dimension.

7 Official declaration of the Mozambican Government representative after the decision of not signing the document.

The EU vs. Tripartite Agreement Cooperation

The EU vs. SADC Cooperation as an Example

The EU has been closely associated with SADC since the very early days. A number of key personalities and institutions in the European Communities were keenly interested in the region. However, the fact that Mozambique and Angola joined the socialist Eastern Europe soon after its independence has meant that Germany placed conditions on a large extent of the European Union's cooperation with SADC, delaying the Angolan Mozambique process to adhere to the Treaty of Lomé.

Years later, after overcoming these issues of a political nature, Germany strengthened its role in supporting regional projects and in the current context Germany supports the reform agenda and management structures of SADC institutions through GIZ[8].

The German influence is shown by the fact that the EU and SADC started their political dialogue in Berlin in 1994, with the so-called "*Berlin initiative*" to foster

8 On behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), GIZ is advising the SADC Secretariat on the implementation of the complex and politically sensitive SADC reform following the period of centralization. Building on an organizational analysis, this support focuses on the development of transparent, performance-based management to push forward the regional integration. Among other measures, the following activities are supported by the project: Development of an organizational structure for the Secretariat, oriented toward the thematic priority areas adopted by the Heads of States and Government of the SADC Member States. Development of an administrative structure which supports professional interactions between individual directorates and the work of the Secretariat. This structure includes, for example, human resources management and development, a document management system, and reporting and information flows. Development of a planning and monitoring system that is used to organize the implementation of SADC's long-term regional development plan and measure the progress achieved. Some results were achieved for instance: the decades of bilateral cooperation between GIZ and many of the SADC Member States with the resulting contacts at national and regional level have generated a spirit of trust that now improves the collective efforts of the 15 Member States toward regional integration. SADC has developed into a regional think-tank for integration topics. In collaboration with leading researchers and policy makers, experts at the Secretariat devise a range of proposals for the Member States, which will help them to work together in addressing challenges such as climate change. In the course of a policy dialogue involving all the countries, which is supported by GIZ, these topics are prioritized and then prepared as regional protocols for legislation (Deutsche Gesellschaft für international Zusammenarbeit, n.d.).

peace, democracy and sustainable development in the Southern African region. The meetings' venues alternated between Europe and Southern Africa. The 8th Ministerial meeting took place in 2008 in Brussels under the French Presidency of the EU. South Africa led the SADC side.

The 10th European Development Fund (EDF) allocated €116 M to EU-SADC Regional Strategy Paper/Regional Indicative Programme (RSP/RIP) for 2008 – 2013. The program consists of two focus sectors. The largest (80% of the amount earmarked) is Regional Economic Integration, Trade and Economic Partnership Agreements (EPA's). The second area (20%) will support capacity building in the context of regional governance, peace and stability (European External Action Service, n.d.).

The relationship between EU-SADC can be seen from many perspectives. But these perspectives are all related to the support given by EU in the context of EU-African partnership and in line with the Millennium Development Goals.

For our purpose in this paper, the most relevant dimensions are:

- Development Cooperation and
- Economic Cooperation

Development Cooperation

The EU framework for development cooperation with SADC is based on the European Development Fund (EDF). The strategy of the EU-SADC development cooperation is laid down in a Regional Strategy Paper and the Regional Indicative Plan by the EU. The RIP was developed before the RISDP was adopted but is nevertheless compatible to it in most of its development objectives, especially the economic integration timeframe (Kösler, 2007, p.24). Compatibility between the RIP and the RISDP is now a hot topic to be considered since the SADC renewed the RISDP and established a new deadline and priorities. In fact, the RISDP as presented today, represents a challenge to understand if the initial timeframe is in some way coherent with the objective of following the classic method and phases of regional integration. As we can see, the RISDP now looks seriously to the conditions to be filled by the region in the process of trying to achieve the customs union, common market and lastly the monetary and economic union.

Within this line of cooperation for development between the EU and SADC, several projects including areas such as transportation and communications, agriculture, food and natural resources, human development, training and education among others, were designed and implemented.

Basically, the EU supports SADC particularly by strengthening the organization towards fulfilling its mission and in strengthening the SADC institutions.

Thus, development cooperation between SADC and EU helps deepen integration through assistance in addressing the socio-economic problem that SADC has to face. But it also deepens integration directly through the support of regional integrations capacities (Kösler, 2007, p.25).

Economic Cooperation

Since SADC adopted its Regional Indicative Strategic Development Plan (RISDP), economic integration has become a high priority on the regional agenda. Thus, economic cooperation has even become a more relevant aspect than it was before, not only from the point of view of financing, but also in the sense of learning to be acquired from other economic blocs. Regional integration, and especially the economic cooperation agreements, ensures access by the country members to a world with an increasingly globalized economy.

Economic cooperation is an important pillar of SADC-EU relations since the EU is the most important trading partner of the SADC region (Kösler, 2007, p.28). Thus, the European Union becomes an important partner for SADC in terms of economy and trade.

There is a long history of economic cooperation since the Cotonou Partnership Agreement[9]. Recently, six Southern African Development Community (SADC) countries concluded in July 2014 an Economic Partnership Agreement (EPA),

9 The Cotonou Partnership Agreement of 2000, is the successor of the Lomé Agreements that was established for fostering of smooth and gradual integration of the ACP countries.

with the EU[10]. The EPA aims to create a new trade regime compatible with the rules of the World Trade Organization (WTO), as well as to support the regional integration of the ACP countries and to facilitate the gradual and harmonious integration of these countries into the world economy. Angola is also one of the 3 countries out of 15 - together with the Democratic Republic of Congo and the Seychelles – that have not signed the SADC Trade Protocol (European Commission, n.d.).

Since its conception, the Cotonou Agreement considers cooperation with regional integrations organizations an important element for the enhancement of the production, supply and trading capacity of the ACP countries as well as their capacity to attract investment (Bilal and Rampa, 2006, p.14; Kösler, 2007, p.29). Since the arrangements under the Lomé Agreement did not increase the competitiveness of the ACP countries substantially, the Cotonou Agreement provides for a new type of regional trading arrangements known as Economic Partnership Agreements (EPAs)[11].

These EPAs are WTO (World Trade Organization) compatible and envisage the creation of larger economic areas with stable, predictable and transparent regulatory frameworks (SADC Secretariat, n.d., p.81). They are the dominant issue in EU-SADC trade relations at the moment (Kösler, 2007, p.29).

Although, as Ariane Kösler well wrote, it is difficult to assess which impact the EU-SADC trade relations have on deeper integration in SADC. On the one hand EPAs are seen as capable of fostering regional integration because an internal SADC free trade area is needed for the implementation of a common free trade agreement with the EU (Kösler, n.d.; SADC Secretariat, 2005, p.28). On the other hand, the EPAs implementation needs for fast-track implantation of the trade protocol in order to prepare the member states' economic, social

10 That group comprises Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland. Angola has an option to join the agreement in future. The other six members of the Southern African Development Community region – the Democratic Republic of the Congo, Madagascar, Malawi, Mauritius, Zambia and Zimbabwe – are negotiating Economic Partnership Agreements with the EU as part of other regional groups, namely Central Africa or Eastern and Southern Africa (European Commission, n.d.).

11 EPAs are trade and development agreements between regional groups of ACP countries and the EU. The ACP countries decided themselves on the regional groupings for EPA negotiations (Delegation of the European Union to Guayana, Suriname, Trinidad and Tobago and for the Dutch Overseas Countries and territories, n.d.).

and institutional infrastructures to adequately cushion the expected adjustment impacts associated with the EPA's (Kösler, 2007, p.30).

Another relevant aspect to be considered is the fact that some countries belong to more than one EPA group which makes it difficult to fulfill the objectives agreed.

Even with these challenges and difficulties, there are some aspects which are generally considered positive. In the first phase, the trade preferences – special tariff rates for selected goods – of the ACP-EU Cotonou Agreement have not helped ACP countries to strengthen their industries and integrate into the world economy. Furthermore, as these trade preferences were extended unilaterally by the EU to the ACP countries in a way that discriminates between those and other developing countries elsewhere in the world, they were not in conformity with WTO rules and therefore challenged by others. That is why it was agreed, in the Cotonou Agreement, to replace the Cotonou trade preferences by WTO compatible trade arrangements. The EPAs meet this requirement. With the conclusion of EPAs, trade relations between the EU and ACP countries are now safe against legal challenge at the WTO (Delegation of the European Union to Guyana, Suriname, Trinidad and Tobago and for the Dutch Overseas Countries and Territories, n.d.).

Tripartite Free Trade Area: New Regionalism? Which Lessons Can the Tripartite Agreement Gain from the EU Process?

Not all European countries immediately joined in the process of regionalization[12]. The EU took almost 50 years to become a bloc as it is today. Even with generally considered political stability, the process was not easy. Recognizing the economic, social, political and cultural challenges, the Southern Africa

12 The European Union (EU) is an economic and political union of 28 countries. It operates an internal (or single) market which allows free movement of goods, capital, services and people between member states. Switzerland is neither an EU nor EEA member but is part of the single market - this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals (Government of the United Kingdom, 2015).

region has commenced an integration process whose ambitions are clearly unattainable, at least in terms of deadlines.

Europe largely followed the classic model of integration because it was understood that most of the barriers that were imposed would be overcome by the gradual implementation of joint conflict resolution mechanisms. On the other hand, Europe has always had some countries like France and Germany that have actively from the beginning taken on the leadership of the process either from the economic point of view or on the perspective of setting goals to be attained[13].

Nevertheless, challenges and problems were encountered during the integration process. Very recently, and with effects on demand, it was not possible to solve the immigration problem. There were three opposing views regarding the acceptance or rejection of migrants on the continent[14]. The issue in Africa, does not have the same dimension nor scope. The problem for Africa has been Africa itself. We have to solve our internal problems so that the processes we designed may also be successful[15].

Generally, and in view of the findings set aside on this little reflection, our view is that the region, in particular, and the African continent generally should integrate in an “African” way. However, this does not mean moving away from the classic model of integration but, rather to establish attainable goals and objectives in light of challenges and difficulties.

For example, some of the requirements for successful regional integration are: peace, security and infrastructure[16]. Now, in the region as a whole, the climate of instability in Congo is long- standing and despite various regional efforts, is a major challenge to the success of the Tripartite Agreement, the regional

13 Looking dispassionately at SADC, there seems to be no leadership that can even approach to what Germany and France demonstrated and continues to show in the context of European integration.

14 Some accepting the quotas of immigrants, others rejecting and others maintaining themselves far from the problem.

15 When we have, for example, xenophobia problems in South Africa exactly because people have no idea of solidarity in the region, it is more than enough to conclude that there is more to be done in terms of advocacy for regional integration.

16 SADC, in a very particular way, establishes two conditions on its recently revised Regional Integration and Indicative Strategic Plan to complete during the period 2015-2020.

infrastructure plan itself, represents a large challenge to the success of the process. Some specific challenges have been identified for the TFTA. Fears have been voiced that, despite the TFTA being an African project meant to boost Africa's own production, the real big winners will be multinational corporations from outside the continent which have settled in big cities and would be provided with easy access to a multitude of markets (European Parliamentary Research Service, 2015).

On the other hand, if we look from the subscription or rectification point of view of integration instruments by member states, we can easily see that this has not been the great embarrassment to the success of economic blocs. It is the implementation and domestication mechanism of the instruments in order to ensure full performance of the reason such instruments were approved.

We should also consider the effectiveness of compliance with the decisions issued by regional bodies but also and particularly, its effective functioning in the European Union remains a major challenge in the African region. In this particular aspect, the direct effect model of the instruments adopted by the organization is central to the SADC in regard to the instruments themselves, as well as in the process of implementation or domestication.

Another aspect of no less importance and that often hinders the negotiations in the region is concerned with unanimous decision making[17]. In SADC, the decisions are to be adopted by consensus and the European decision making model is more dynamic.

Finally, considering the great peculiarities of the member countries in the region from the institutional point of view and historical past, the European model although presented as an inspiration for African integration, we emphasize that integration in reality, must respect all these components as with the Tripartite Agreement which is in fact demonstrates recognition for the practical challenges for integration in an environment of spaghetti bowl.

The region has to find an approach to integration appropriate to its concrete situation, and capable of meeting their specific needs, taking into account past

17 This mechanism results from the history of the organization that, as known, was always based on "*camaraderie*" and the spirit of solidarity among the peoples.

experiences as pointed out by President Samora Machel of Mozambique on the launch of SADCC in 1980 and also taking account the new circumstances.

Conclusions

The Tripartite Agreement is a graceful exit to the great difficulties for the advancement of SADC in the context of the dual membership which characterizes African regional integration. Although it has been recognized by the African Union in the early days of its inception that economic blocks would be the way to improve the economic situation of African countries, this challenge remains modern.

SADC and the other African economic blocs have not succeeded in achieving the results that they proposed. Among various reasons, notable for the issue of the actual understanding of the scope of the integration process, which although accompanied by pro-integration political speeches, the reality has shown otherwise. There has been no clear leadership in order to achieve results, no compliance in general by the institutions created to operate within the integration, while the principle of the democratic rule of law is in all of the fundamental documents of the blocks, the plans have been mostly demagogues and the issue of infrastructure to support the integration is still a major “Achilles heel”.

In this respect resides the big difference with the European Union and it is on these and other aspects which the integration blocks of the continent should focus upon in order to achieve the desired results. However, we must not ‘bite of more that we can chew’, in the sense that one must look at the actual reality, and because of this make decisions according to the constraints characterizing each bloc.

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