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# The EU and the negotiation of global development norms: the case of aid effectiveness<sup>1</sup>

Simon Lightfoot and Soyeun Kim

## Abstract

The EU is a major donor of development aid, so it can be argued to have a major role in shaping global development norms. By examining the EU normative leadership role in the Busan Forum on Aid Effectiveness using four leadership categories we argue that the EU could be seen to be playing a more subtle leadership role than in previous aid summits, reflecting some issues regarding the ability of the EU to construct and support unified agendas in this field, but also showing some evidence of having learnt from other international summits, such as the Copenhagen climate change summit, and adapting its position towards the emerging donors accordingly. This case study both inform our understanding of the EU's global leadership in development aid but also adds to the growing literature on the EU's relations with the OECD-DAC and the relationship between the DAC and the so-called Non-DAC donors.

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<sup>1</sup> A very early version of this article was first presented at the British International Studies Association and the International Studies Association Joint International Conference Edinburgh 2012. The members of the POLIS reading group, especially Alex Beresford, provided extremely helpful comments to help re-shape the paper into an article and then Jan Orbie, Lonnie Poissonnier, Adam Moe Fejerskov and Niels Keijzer helped us shape it into its current form. The journal referees and editors' comments helped us produce this final piece. All errors remain our own. Simon Lightfoot (corresponding author), School of Politics and International Studies, University of Leeds, Leeds, LS2 9JT. [s.j.lightfoot@leeds.ac.uk](mailto:s.j.lightfoot@leeds.ac.uk); Soyeun Kim, Sogang Institute for East Asian Studies, Sogang University, Seoul, Korea Email [soyeunkim@sogang.ac.kr](mailto:soyeunkim@sogang.ac.kr) Simon Lightfoot is a Senior Lecturer in European Politics, University of Leeds; Soyeun Kim is an Associate Professor in the Sogang Institute for East Asian Studies, Seoul.

## **The EU and the negotiation of global development norms: the case of aid effectiveness**

The Fourth High Level Forum (hereafter Busan or HLF) met in Busan, Korea, November-December 2011 to conclude the Organisation for Economic Cooperation and Development – Development Assistance Committee (OECD/DAC)-led process on aid effectiveness. Aid effectiveness sets out to improve the way that aid is provided in order to ensure it achieves its stated objectives. The Busan HLF was therefore a potentially important milestone and turning point for the global aid effectiveness agenda'.<sup>2</sup> Given that the EU can be argued to be the world's leading donor of development aid<sup>3</sup>, the role played by the EU in this process casts light on its leadership aspirations in the field of development policy. In this article we offer a case study of the EU's actions at the Busan meeting by comparing it to the EU actions in the previous aid summits. Busan's central aim was to carry forward the Paris agenda with its focus on aid effectiveness, a concept that forms the underlying principles of EU development cooperation. This case study both inform our understanding of the EU's global leadership in development aid but also contributes to the growing literature on the EU's relations with the OECD-DAC and the relationship between the DAC and the so-called Non-DAC donors.<sup>4</sup>

The rise of the Non-DAC donors has led to suggestions that EU aid has become less normative and even to questions being raised about the relevance of the EU as a development actor in the global aid architecture. This case study of the EU in the Busan Forum thus adds to this literature given that one of the aims of Busan was to

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<sup>2</sup> S. Kim. and S. Lightfoot, *Does 'DAC-Ability' Really Matter? The emergence of non-DAC Donors: Introduction to Policy Arena*. 23: 5 Journal of International Development 711-721 (2011).

<sup>3</sup> The European Union institutions are separate donors of Official Development Assistance (ODA) to its member states. In 2015 the EU institutions ranked after the United States, the United Kingdom, and Germany in terms of total ODA provided. However, it is more common to view EU collective ODA as the sum of ODA from the EU Member States and the part of ODA provided by the EU institutions. This article takes that position hence the claim that the EU is the largest aid donor in the world, providing over half the global ODA to the developing world and roughly double that of the USA. See Council of the European Union, *Annual Report 2015 to the European Council on EU Development Aid Targets* (Brussels, 26 May 2015).

<sup>4</sup> See L. Chandy and H. Kharas, *Why Can't We All Just Get Along? The Practical Limits to International Development Cooperation*. 23: 5 Journal of International Development, 739–751 (2011).

bring the new donors into the existing DAC-inspired aid architecture. Given that the EU was said to lead the negotiations in previous aid forums, we focus on the potential leadership roles the EU could play during the negotiations in Busan. We identify four potential leadership categories applicable to the actions of the EU at Busan and examine the factors that facilitate or hinder EU leadership. We argue that the EU could be seen to be playing a more subtle leadership role than in previous aid summits, reflecting some issues regarding the ability of the EU to construct and support unified agendas in this field, but also showing some evidence of having learnt from other international summits, such as the Copenhagen climate change summit, and adapting its position towards the emerging donors accordingly.

The article reaches this conclusion by examining the EU priorities for the HLF, how the internal negotiating position was constructed and defended during the HLF, who the main allies of the EU were, and how influential its views were over the outcome of the HLF. Using these categories we analyse the EU's objectives and examine to what extent have these were achieved during the conference and the follow-up meetings. To do this we employ a variety of methods. There is an analysis of official EU position documents for Busan and a comparison with its positions in previous fora such as Paris and Accra. One of the authors was a participant observer at the Forum and could thus witness the way the negotiations played out first hand. In order to support this primary analysis we conducted interviews with key participants from the EU, the DAC and the NGO community during the HLF to ensure our interpretations of events was supported by other participants. This was crucial as some key meetings took place behind closed doors. In addition, we utilized formal DAC documents, key NGO documents, media commentary/blogs and observed follow up meetings via OECD TV.

## **EU Leadership in global fora**

The EU has ambitions to play a leadership role in a variety of global fora.<sup>5</sup> Given that the regimes and therefore associated costs vary according to the specific nature of the fora under study, this article will focus solely on the role of the EU in a specific global

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<sup>5</sup> D. Thomas, *Still punching below its weight? Coherence and effectiveness in European Union foreign policy.*, 50: 3 *Journal of Common Market Studies* 457-474 (2012); A. Niemann and C. Bretherton, *EU external policy at the crossroads: the challenge of actorness and effectiveness*, 27:3 *International Relations* 261-75 (2013).

development fora that of the OECD-facilitated process on aid effectiveness.<sup>6</sup> A crucial aspect of this fora is that it sits outside the United Nations framework and relies much more heavily on soft law. Manners highlights that the ‘EU is not the only actor in the field of development assistance, with a wide variety of state, international and non-governmental organisations active’.<sup>7</sup> However, he argues that empirical conclusions can be drawn about the EU’s role despite the complexity of the arena. Of specific interest to this article is how the EU acts as a leader in the promotion of global development norms, in this case aid effectiveness. This practice of shaping the “normal” in global politics links into a variety of leadership typologies.<sup>8</sup> To measure leadership, we are trying to measure the impact of EU action upon third parties. To do this when evaluating foreign policy we make judgments based on implicit benchmarks. Our categories are as follows:

- Bodybuilder: based on the work of Vogt<sup>9</sup>, this sees EU leadership as much more about how the EU presents itself at global fora rather than necessarily focusing on results on the ground. In this example, we would see the EU focusing more on rhetoric than practical results<sup>10</sup>
- Bridge-builder: this sees EU leadership as offering a bridge between the developed (or in this case the DAC) world and the developing world. The EU often is presented as a different type of actor and this role is one that is often seen as ideal for the EU. In this role the EU would be seen as bridging the gap between the demands of the developed world and those of the developing world and potentially ‘brokering’ deals as a result.<sup>11</sup>
- Norm consolidator: the EU is portrayed as a normative power in global affairs and one key aspect of this role is the ability to prevent the rolling

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<sup>6</sup> J. Orbie, F. Bossuyt, P. Debusscher, K. Del Biondo, S. Delputte, V. Reynaert and J. Verschaeve, *The Normative Distinctiveness of the European Union in International Development: Stepping Out of the Shadow of the World Bank?* Development Policy Review (early view 2016)

<sup>7</sup> I. Manners, *The normative power of the European Union in a globalised World*. 23-37. (Z. Laïdi (ed.), London Routledge, 2008).

<sup>8</sup> O. Elgström, *Leader, Bridge-Builder or Hobbled Giant: Perceptions of the EU in Climate Change Negotiations* 27-44. (N. Chaban and M. Holland (eds) Palgrave Houndmills, 2014).

<sup>9</sup> H. Vogt, *Coping with Historical Responsibility: Trends and Images of the EU's Development Policy*, 159-80. (H. Vogt and H. Mayer (eds) Basingstoke Palgrave, 2006).

<sup>10</sup> J. Orbie & H. Versluys, *The European Union's International Development Policy: Leading and Benevolent?*, 63-90 ( J. Orbie (ed.) Farnham Ashgate, 2008, 78)

<sup>11</sup> K. Bäckstrand, and O. Elgström, *The EU's Role in Climate Change Negotiations: From Leader to "Leadiator"*, 20: 10, Journal of European Public Policy 1369-86 (2013).

back of agreed norms. This was identified by Mold<sup>12</sup> as one of the key roles the EU should play as a development actor and has been seen in climate change negotiations.

- Norm-maker: linked to the discussion above but with a more positive focus. This role sees the EU as promoting new norms within the global architecture not just defending existing norms. In this example we would expect to see the EU promoting new norms in the global arena.<sup>13</sup>

In reviewing the existing literature we can see that various factors shape the leadership role the EU plays.<sup>14</sup> These include the authority of the EU to act, the degree of autonomy the EU institutions have to negotiate independently, the external recognition of the EU as an actor in the fora and the internal cohesion of the EU and the member states.<sup>15</sup> How these factors influenced the EU in Busan will be explored later but here it is worth noting a particular element of development policy. Clearly the nature of all EU's norms is subject to criticism, with development not immune from the criticism.<sup>16</sup> However, as Michael Smith argues 'other international actors face this challenge, but it may be argued that they have not exposed themselves to it in quite the same way as the EU has due to its proclamations of its distinctiveness in this area and its commitment to a norms based model of development'.<sup>17</sup>

This situation is further complicated by the EU members and the EC Commission working through the OECD DAC. The EU has been a member of the DAC since 1961 and as such has external recognition in this area.<sup>18</sup> The EU and its member states made up a significant percentage of the then 26 members of the DAC<sup>19</sup> and studies

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<sup>12</sup> A. Mold, *Between a Rock and a Hard Place – Whither EU Development Policy?* 237-269 (A. Mold (ed) Amsterdam University Press: Amsterdam, 2007).

<sup>13</sup> I. Manners, *Normative Power Europe: A Contradiction in terms?*, 40: 2 *Journal of Common Market Studies*, 235-58 (2002).

<sup>14</sup> R. Bengtsson, and O Elgström, *Conflicting Role Conceptions? The European Union in Global Politics*. 8:1 *Foreign Policy Analysis*, 93-108 (2011).

<sup>15</sup> E.da Conceição-Heldt, E and S. Meunier, *Speaking with a single voice: internal cohesiveness and external effectiveness of the EU in global governance*, 21: 7, *Journal of European Public Policy* 961-979 (2014).

<sup>16</sup> Bengtsson and Elgström, *supra* n. 14.

<sup>17</sup> M. Smith, *Foreign policy and development in the post-Lisbon European Union*, , 26:3 *Cambridge Review of International Affairs*, 519–535 (2013).

<sup>18</sup> J. Verschaeve, & J. Orbie, *Once a member, always a member? Assessing the importance of time in the relationship between the European Union and the Development Assistance Committee*, 29 (2) *Cambridge Review of International Affairs*, 512-27 (2016).

<sup>19</sup> The DAC membership has since grown to 29 states.

examining this relationship<sup>20</sup> highlight that the precise dividing lines between the two can be blurred. In practice, the EU aims to act as the 'best pupil in the class' once it has internalized DAC norms into its own practices.<sup>21</sup> This relationship is important in the case study given the DAC role in the aid effectiveness process.

## **The EU: From Rome to Accra**

Our case study examines the so-called Paris process. The Paris Declaration on Aid Effectiveness and the Paris process (together with its follow-up declarations the Accra Agenda for Action and the Busan Partnership for Effective Development Co-operation) represents the most comprehensive framework to date aimed at addressing the issue of aid effectiveness at a global level.<sup>22</sup> In its 2007 peer review of EU development policy the Development Assistance Committee<sup>23</sup> of the OECD identified that the EC has the potential to perform a central role in the achievement of international harmonisation. In addition the EU Consensus on Development, paragraph 32 states that the EU will take a leading role in implementing the Paris Declaration, as the Commission was recognized as a 'knowledge centre' of development best practice. In the run-up to that document the EU set up an 'ad-hoc working party on aid harmonisation' in 2004 which explained why the EU had a rather well-prepared position for the Paris negotiations and was able to push for an ambitious outcome. As Keijzer and Corre<sup>24</sup> argued 'the EU itself has shown a high level ambition throughout the process. In particular the final stages of the AAA showed an EU with a high degree of consensus and 'integration' in the field of development'. They also argued that 'the outcomes of Accra provide the EU with an opportunity to further increase its political profile and leadership role at the global level'. The sections on donor coordination in the 2005 Paris Declaration and the 2008 Accra Agenda for Action were shaped by and

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<sup>20</sup> P. Carroll & A. Kellow, *The OECD* 247-58 (K. E. Jorgensen & K. V. Laatikainen (Eds.), London Routledge, 2012).

<sup>21</sup> J. Orbie. *The EU as an actor in development: Just another donor, European norm maker, or eclipsed by superpower temptations?* 17-36. (S. Grimm, D. Makhan, & S. Gänzle, S. (eds) Palgrave Basingstoke, 2012).

<sup>22</sup> S. Koch, S. Leiderer, J. Faust and N. Molenaers, *The rise and demise of European budget support: political economy of collective European Union donor action*, *Development Policy Review*, early view. A. Bigsten and S. Tengstam. *International Coordination and the Effectiveness of Aid*, 69 *World Development* 75–85 (2015); J. Glennie and A. Sumner, *Aid, Growth and Poverty* (Palgrave London, 2016).

<sup>23</sup> DAC, *European Union Peer Review* (OECD-DAC, Paris, 2007).

<sup>24</sup> N. Keijzer and G. Corre, *Opportunities and Challenges for EU Development Cooperation after the Accra High-Level Forum*, 46: 1 *Politorbis*, 89-97 (2009).

reflected EU common positions.<sup>25</sup> These two documents shaped global norms for development within the DAC and the EU was keen to export them to other donors.<sup>26</sup>

Returning to our leadership typologies and discussions of the EU as a global actor<sup>27</sup> we can see evidence of the EU as a norm maker as the EU could work as a bloc, unlike other DAC members. The internal dynamics of the EU favoured an approach that prioritized unity over division. Any issues related to member state preferences over the future direction and role of the EU in development policy appeared to have been overcome internally, so the position was internally cohesive. The Paris agenda also connected with the positions adopted by some leading member states, especially the Nordic plus group. There were some formal issues around competences in the *acquis* i.e the authority of the EU in this field and not all member states were as close to spirit of the Paris Declaration as others, meaning that states weren't uniform in terms of vested interests and associated adjustment costs. However, the fact that the EU was able to present itself as internally unified with supranational institutions and the member states working in some semblance of harmony, alongside a general agreement that the Commission would act as the EU's collective voice, clearly strengthened the EU's leadership hand in relation to autonomy.<sup>28</sup>

The EU's over-representation within the DAC also gave the EU the platform to be very visible. The geopolitical dynamics also worked in the EU favour, with the other DAC members and the recipient countries, especially in Paris, not yet in a position to fully drive the agenda.<sup>29</sup> Helly<sup>30</sup> argues that 'although the language of the 2007 partnership clearly stressed the willingness of both European and African parties to move beyond aid...it was very much structured along a traditional donor recipient interaction because the EU was supposed to finance most of the envisaged activities through its

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<sup>25</sup> A. Fejerskov and N. Keijzer, *Practice makes perfect?, the European Union's engagement in negotiations on a post-2015 framework on development* (Copenhagen: Danish Institute for International Studies (DIIS) Research Report 2013: 4); M. Carbone, *Between EU actorness and aid effectiveness: The logics of EU aid to Sub-Saharan Africa* 27 *International Relations*, 341-355 (2013).

<sup>26</sup> Orbie, *supra* n. 21 at 25.

<sup>27</sup> da Conceição-Heldt and Meunier, *supra* n. 15.

<sup>28</sup> M. Carbone, *The European Union and international development: the politics of foreign aid* (London Routledge, 2007) 56

<sup>29</sup> E. Mawdsley, E. L. Savage and S. Kim, *A 'post-aid world'? Paradigm shift in foreign aid and development cooperation at the 2011 Busan High Level Forum* 180 *The Geographical Journal*, 27-38 (2013).

<sup>30</sup> D. Helly, *The EU and Africa since the Lisbon summit of 2007: Continental drift or widening cracks?*, 20: 1 *South African Journal of International Affairs*, 137-157 (2013) 142.



European Development Fund or the Development Cooperation Instrument'. The EU's position was therefore either in alignment with those of other actors or the EU was able to exert its influence, showing that the EU was not playing a bridge building role, rather it appeared to be pushing its agenda (even if that agenda was good intentioned).

We therefore see the EU as a norm promoter in the field of aid effectiveness. However, in retrospect we can identify elements of bodybuilding and image building at both Paris and Accra. Carbone argues that the EU's 'implementation record did not match the ambition of the headquarters, which demonstrates that the EU was preoccupied with shaping the direction of international development rather than concerning itself with what was happening on the ground'.<sup>31</sup> Connected to this discussion is the concern within the development field is that there was a disconnect between rhetoric and reality in relation to the EU's relations with the developing world, especially related to policy incoherence.<sup>32</sup>

## **EU Position for Busan**

### **Context**

The EU's position for Busan was informed by the 'operational framework on aid effectiveness' which outlined its planned actions to follow-up on Paris and Accra.<sup>33</sup> This in turn largely influenced the position for Busan, as the Commission's objectives for Busan<sup>34</sup> were mainly focused on reaffirming the Paris Principles; aid effectiveness implementation should be anchored at the country level, the global aid effectiveness governance structure and monitoring should be streamlined and the aid effectiveness commitments should be extended to cover other sources of development finance, particularly climate change finance.<sup>35</sup>

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<sup>31</sup> M. Carbone, *International development and the European Union's external policies: changing contexts, problematic nexuses, contested partnerships*, 26: 3 Cambridge Review of International Affairs, 483-96 (2013) 487.

<sup>32</sup> M. Carbone and N. Keijzer, *The European Union and policy coherence for development: reforms, results, resistance*, 28 (1) The European Journal of Development Research, 30-43 (2016).

<sup>33</sup> Council of the EU, *Operational Framework on Aid Effectiveness, Consolidated text* (Brussels, 11 January 2011 18239/10).

<sup>34</sup> Commission of the EU. *Communication From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions Proposal For The EU Common Position For The 4th High Level Forum On Aid Effectiveness, Busan* (Brussels, 7.9.2011 COM(2011) 541 final, 2011).

<sup>35</sup> T. Abdel-Malek. *The Global Partnership for Effective Development Cooperation: Origins, Actions and Future Prospects* (DIE Bonn, 2015).

These principles were taken forward into the EU Common Position for the Busan Forum, which was adopted in the Foreign Affairs Council (FAC) on 14 November 2011.<sup>36</sup> The EU's position contains key norms, which it sees as key to effective aid and development-the so-called 'beyond aid' approach advocated by EU. There was also a commitment to further improve the effectiveness of the aid the EU delivers, improving the coherence of its internal and external policies and a commitment to a significant contribution of EU aid as in the form of budget support'.<sup>37</sup> The key for the European Commission was to re-assert the existing principles of aid effectiveness over the refashioning aid norms, which was the position adopted by many emerging donors such as China, Brazil, Russia, and India, who argued that existing international agreements regulating north-south cooperation should be viewed separately from those that govern south-south cooperation.<sup>38</sup> Ellmers<sup>39</sup> summarizes that the Busan outcome made some progress on the core aid effectiveness agenda, with strengthened commitments on democratic ownership, using country systems and aid untying. Therefore, the fact that China and other BRICs hesitantly moved towards the existing norms is a key element of Busan, although significant areas of disagreement remained.<sup>40</sup> Given this outcome the article now moves to the core analysis of the EU's role and actions at the HLF.

### **What did the EU achieve?**

It is clear that unlike in Paris or Accra the EU expressed very little desire to lead the discussions at Busan, either before or during the summit. This prompted expected criticism from the NGO community, who as a result of the Lisbon changes in development policy, had high expectations of what the EU might be able to achieve, both in terms of keeping issues on the agenda and driving forward a new global agenda. This appears to be a constant challenge for the EU-ensuring that expectations

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<sup>36</sup> Council of the EU, *EU Common Position for the Fourth High Level Forum on Aid Effectiveness* (Council Conclusions, 3124th Foreign Affairs Development Council Meeting, 14 November 2011, Brussels).

<sup>37</sup> Council of the EU 2011

<sup>38</sup> H. Sohn, *Busan High-Level Forum: From Dead Aid to Better Development?* (New York: Council on Foreign Relations, 2011).

<sup>39</sup> B. Ellmers, *Busan partnership for effective development cooperation: some progress, no clear commitments, no thanks to EU*, available at

<http://www.eurodad.org/Entries/view/4737/2011/12/07/Busan-Partnership-for-Effective-Development-Cooperation-some-progress-no-clear-commitments-no-thanks-to-EU>, accessed 10 sept 2015.

<sup>40</sup> Sohn, *supra* n. 38.

are not raised too high.<sup>41</sup> The next sections examine internal coordination, the changing nature of the global aid architecture and EU strategy to assess EU influence in Busan.

### *Internal Coordination*

Much of the EU preparation for Busan was to produce a 'narrative', a framework for an outline of the Busan outcome document,<sup>42</sup> although unlike for Accra it did not produce detailed plans far in advance. The argument was that this was because of a general view that the Busan agenda was more technical than political, plus the fact that in most EU capitals states were in 'waiting mode' anticipating the proposals from the DAC.<sup>43</sup> However, there were two key divisions between the states within the EU.

The first issue was a disagreement between Member States on what should be the focus in Busan—sticking to the present 'aid effectiveness agenda' or 'opening up' this agenda to new actors, interests, funding sources and/or policies. Secondly, we see the emergence of two groups of member states: (1) a group of mainly Nordic+ member states who took the process very seriously and (2) a second group of member states who were either still young in the development cooperation business or worked in a rather autonomous way. The first group was more pro-active than the second group towards Paris and Accra. Towards Busan, though, the first group started to disintegrate more with some of them getting more involved in supporting the private sector (Germany, the Netherlands) and others staying closer to the original agenda (Nordic States). There was therefore more focus on the positions of the member states, which side-lined the Commission's ability to shape the EU's collective voice. Having a mixture of key players not totally committed to all aspects of the EU's agenda weakens the internal cohesion of the EU. Orbie et al note that 'speaking with one voice can increase the EU's international influence'.<sup>44</sup> According to Manrique<sup>45</sup>, this internal fragmentation and the need for inclusion meant that the EU adopted an 'underwhelming position'. This would appear to support the more general findings of

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<sup>41</sup> Mold, *supra* n. 12 at 237.

<sup>42</sup> N. Keijzer, *Offense in the best defense: the EU's past and future engagement in promoting effective development cooperation: ideas for Busan* (Maastricht ECDPM, 2011).

<sup>43</sup> *Ibid.*

<sup>44</sup> Orbie et al, *supra* n. 6.

<sup>45</sup> Manrique, *supra* n. 38.

da Conceição-Heldt and Meunier in relation to the EU in international fora-when the EU is divided it is forced to adopt lowest common denominator positions.

Our analysis shows that at the events the main participation was from the big three member states and that there was not much of EU presence during the HLF itself.<sup>46</sup> This is perhaps unsurprising as aid is at the end of the day state craft and, especially with the financial crisis, donors (delegates and sherpas) were more concerned about their own countries' interests and having their preferences reflected. Unlike the Paris and Accra summits, the Busan summit worked to ensure fair coverage across the nations present, it was agreed that the DAC would get five seats out of 18 in the sherpas group. Two DAC seats were assigned to the USA and Japan, whilst the three were given to the EU, UK and France. The EC and UK were also expected to represent the 'Nordic+' group and thus also promote the interests of Canada, New Zealand and Australia, which can be seen as a 'challenging task for a diplomat'.<sup>47</sup> The French were chosen due to their ongoing chairmanship of the G20 process: 'This meant that the French sherpa saw his role mainly as facilitating agreement between the DAC donors and the providers of South-South Cooperation in order to replicate the consensus-building success of the G20'.<sup>48</sup> It is also suggested that the French donor did not feel bound by the EU's position.<sup>49</sup> The European Commission sherpa was tied by the common EU position and this lead external stakeholders to argue 'that the EU did not negotiate strongly and was fragmented in the sense of not appearing to be led by the joint positions they had adopted'.<sup>50</sup> This is supported by our analysis of the HLF. During the negotiations we saw France and UK participating as EU sherpas, but again also trying to obtain maximum national attention. This was also noted as an issue by the DAC peer review team. They note that 'having agreed on an EU common position did not prevent separate representation by both the Commission and some individual EU members in the "Sherpa group" negotiating the outcome document'.<sup>51</sup>

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<sup>46</sup> One thing we did find interesting was that the EU did not make a speech during the Busan opening and closing ceremony. OECD-DAC, *Busan High Level Forum on Aid Effectiveness: Proceedings*, (OECD: Paris. <http://www.oecd.org/dac/effectiveness/HLF4%20proceedings%20entire%20doc%20for%20web.pdf>), Last accessed 30 September 2015, although we note A. Piebalgs. Closing remarks by European Commissioner Andris Piebalgs at the Fourth High-Level Forum on Aid Effectiveness, 1 December 2011, Busan, South Korea.

<sup>47</sup> Aidwatch, *Making Sense of EU Development Cooperation Effectiveness* (Concord Brussels, 2012).

<sup>48</sup> Ibid at 18.

<sup>49</sup> Fejerskov and Keijzer, *supra* n. 25 at 34.

<sup>50</sup> Ibid.

<sup>51</sup> DAC, *European Union Peer Review* (OECD-DAC Paris 2012).

### *Geopolitical changes in international aid architecture*

EU internal coordination issues must also be seen against a geopolitical context that was markedly different to the situation when the Paris Summit took place. Not only was it a time of economic crisis, the EU was being asked to 'catch up with fast-changing global dynamics in the field of development policies'.<sup>52</sup> Amongst the many challenges for the EU in Busan was the fact that since Accra there had been an increased willingness of the DAC donors to seek ways to include the so-called Non DAC donors into the global aid architecture. 'The road from Paris to Busan has tried to make the agenda more inclusive and avoid a split between traditional and new donors (stretching the tent to make everyone fit in). This is needed to prevent the agenda from becoming irrelevant, but it has led to a dilution in commitments, which risks harming less protected countries and populations'.<sup>53</sup>

Emerging donor countries, especially the BRICS, tend to perceive relations with the developing world in a different way to the EU.<sup>54</sup> Whilst the evidence is unclear as to whether the BRICS represent a unified bloc in these types of international negotiations, what is clear is that the rise of the new donors meant that the DAC was increasingly perceived to lack 'universal legitimacy'. Given the close links between the EU and the DAC this association clearly weakened the EU's external recognition in a *de facto* fashion. Perhaps of most concern is that whilst there is evidence of increasing convergence and cooperation between DAC and non-DAC donors, on many issues the norms are not shared. EU policy incoherence also undermines much of the EU's ability to convince others of its commitment to the very agendas it promotes.<sup>55</sup> Whilst the EU plans to tackle these issues in a variety of ways challenges remain.<sup>56</sup>

#### *What role for the EU?*

The internal coordination issues and geopolitical context meant that in Busan we saw a different type of EU leadership on display. At Busan we saw little evidence of any

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<sup>52</sup> Heely, *supra* n. 30 at 144.

<sup>53</sup> Manrique, *supra* n. 38 at 7.

<sup>54</sup> U. Wissenbach and E. M Kim, *From polarisation towards a consensus on Development ? EU and Asian approaches to development and ODA*. 436- 450 (T. Christiansen, E. Kirchner & P. Murray (eds) Basingstoke Palgrave, 2013)

<sup>55</sup> Carbone and Keijzer, *supra* n. 32.

<sup>56</sup> See L. Mah, *Reshaping EU Development Policy: collective choices & the new global order*, 58 (2) *Revista Brasileira de Política Internacional*, (2015).

body builder role for the EU, as it appeared that the EU had learnt lessons from previous summits and toned down the rhetoric, adopting a different type of negotiating style as a result. We argue that just because the EU was not visible does not mean it did not have an impact, as the specific context of the HLF must also be considered. There was a sense that donors, the DAC donors especially, were reluctant to be seen to be forcing the agenda for fear of this leadership being seen as 'West knows best'. The Busan agenda was targeted at a broader actor base and had to take a more positive tone, which may require a different negotiation approach.<sup>57</sup> The crucial aspect of the forum appeared to be the need to keep the Non DAC donors on board, so DAC donors, including the EU, were treading softly. It then becomes easy to see how the EU can be accused of being "sidelined" at the conference or even being seen as a 'ghost at the summit'.<sup>58</sup> Getting China to agree to even limited commitments on global aid standards was seen as a 'great step forward', especially given the experience of the EU during the Copenhagen Climate Negotiations.<sup>59</sup> Whilst this can be portrayed as a defensive role in relation to norms, it also shows another example of the EU playing a more subtle role in international negotiations-that of 'leadiator'.<sup>60</sup> Finding common ground and mediating between DAC donors and emerging (non-DAC) donors to broaden the scope of partnership and to make the existing aid architecture more inclusive could be seen to be as a result of quiet EU diplomacy.

During the Busan conference the feeling on the floor was that it was EU who got Latin American countries on board and that keeping the Chinese in the room was more EU drip drip than Mitchell's more dramatic style.<sup>61</sup> 'The emerging economies – in particular China – played the star role at the HLF, simply by threatening absence. That reflects the changing patterns of international development finance, as well as of geopolitics'.<sup>62</sup>

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<sup>57</sup> M. Tran, *New aid effectiveness indicators agreed at post-Busan meeting*

<http://www.theguardian.com/global-development/2012/may/23/aid-effectiveness-indicators-agreed-busan>

<sup>58</sup> CONCORD, *AidWatch reaction to the European Commission's Communication Proposal for the EU Common Position for the 4th High Level Forum on Aid Effectiveness, Busan* (CONCORD Brussels, 2011)

<sup>59</sup> Keijzer and Fejerskov, *supra* n. 25; G. De Cock, *The European Union as a Bilateral 'Norm Leader' on Climate Change vis-à-vis China*, 16 (1) 1, *European Foreign Affairs Review* 89–105 (2011).

<sup>60</sup> Bäckstrand and Elgström, *supra* n. 11.

<sup>61</sup> Interview B, Busan 2011; Andrew Mitchell, the UK's then Minister for International Development, flew into Busan at quite a late stage and attempted to obtain credit for keeping the Chinese on board-the famous line "I have brought Chinese back"

<sup>62</sup> Ellmers, *supra*. N. 40. The complexity of the negotiations is brilliantly captured in Mawdsley et al *supra* n. 29 and Abdel-Malek, *supra*. N. 35.

However, there were also comments like ‘the EU is a funny donor though - one of the biggest, and yet my impression of them is that they are always one of the more ‘hands off’ ones. They struggle with this (as they too want to be “seen”) but many consider them to be one of the more influential despite this’.<sup>63</sup> There was also a sense that the inclusion of Civil Society in the Busan Outcome Document owed much to the actions of the EU.<sup>64</sup> Being able to broker a deal to reflect your policy preferences (a mediator role) in this case contributes more to the EU preventing the role back on global norms. This protects the EU as it meant that the *acquis* would be unaffected and therefore the Busan consensus has not negatively impacted the EU’s formulation of development policy.

However, fighting a defensive action and preserving some degree of internal unity, prevented the exporting of EU norms into the international sphere by making sure they were reflected in the final document. NGOs felt that the EU should have committed to go beyond the broad Busan principles by pledging to implement the Paris Declaration by 2015, thereby placing the EU ‘as a global reference on the new development scenario’.<sup>65</sup> However, the lack of policy coherence and its failure to achieve its aid targets, amongst other things, weakens the EU’s position in the eyes of the developing world. Rhetoric such as the Commission being labelled as a ‘knowledge centre’ of development best practice shows that the EU expresses a higher level of ambition than other DAC members. As we have seen, reshaping the international development thinking at Busan was never a stated goal of the EU and reinforces the view that the EU changed the way it negotiates in global development summits.<sup>66</sup>

As we see from many global agreements the devil is in the detail. The key details from the Global Partnership for Effective Development Cooperation were left from the final document. This shows how tough the negotiating positions were as in effect the commitments have soft law status. ‘Despite the deliberately vague language of the Busan outcome document, intended to keep non-DAC donors in. China, Brazil and

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<sup>63</sup> Interview A, Busan, 2011.

<sup>64</sup> interview B, Busan, 2011

<sup>65</sup> Manrique, *supra* n. 38 at 7.

<sup>66</sup> Bäckstrand and Elgström, *supra*. n. 11.

India threatened to abandon negotiations and finally only endorsed the new Global Partnership's principles, not specific commitments. The price to pay is an agreement that lacks not only a concrete timetable, but more importantly, objectives and measurable indicators'.<sup>67</sup> Therefore, as the UK government argued 'there remains significant work to do in the coming months to agree the details of the partnership, including the future governance and monitoring arrangements'. The UK government 'expects the EU to play an important role in determining future arrangements'.<sup>68</sup> The EU itself argued that 'we can go away from Busan confident of seeing the Global Partnership for Effective Development Co-operation blossom fully in the months and years ahead'.<sup>69</sup>

Putting the Partnership into practice involved agreeing indicators and targets for monitoring, working arrangements and membership.<sup>70</sup> These could be seen to be the tricky political issues. Post Busan we see the agenda being set by the UK and Rwanda. These two states pushed forward an 'agreement on the 10 indicators', which covered areas such as untied aid, transparency, mutual accountability, the role of the private sector, and women's empowerment'. The UK's prominent role is being supported by the EU and other member states, notably Germany<sup>71</sup>. Viewing the meetings via OECD TV we clearly identified the EU representative there and the EU was quite vocal in amending, and proposing the draft. Once again, the overriding objective appeared to be keeping the Chinese on board, as it appeared that elements of the Chinese delegation wanted all references to agreements made at Busan removed. In reality, we saw a microcosm of the EU's development policy, with member states taking their own lead and then working as part of the EU. At this meeting we see divisions within the EU emerge again, with Germany wishing to tie its technical cooperation for example.

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<sup>67</sup> Manrique, *supra*. N 38 at 7..

<sup>68</sup> UK Government. *Balance of Competences Review: Development Policy* (London FCO, 2011).

<sup>69</sup> A. Piebalgs <http://aidwatch.concordeurope.org/blog/post/blog-from-development-commissioner-andris-piebalgs/>, accessed June 8 2012.

<sup>70</sup> Manrique, *supra*. n. 38.

<sup>71</sup> According to OECD-DAC (07/Ma7/2012 page 6 -- (Revised) Summary of the 2st PBIG meeting) 'the following members volunteered to join Rwanda and the UK in taking this work forward before the next meeting: g7+, Honduras, World Bank, UNDG, NEPAD/AUC, BetterAid, Bangladesh, Germany, Canada and EU



Part of the issue is the change in membership of the coordinating group. The Global Partnership on Effective Development Cooperation that replaced the DAC Working Party on Aid Effectiveness mainly consisted of the same Sherpa group who had negotiated Busan. The key changes were that Germany replaced France, Sweden joined as representative of Nordic+ and Canada represented the group of Canada, Australia and New Zealand. The European Commission also represented the EU in the Steering Committee of the new Global Partnership.<sup>72</sup> Germany could be seen to be a more EU minded representative than France, plus the inclusion of the Swedish and Canada sherpas took the pressure off the UK. Indeed, it can be argued that the fact that these negotiations occurred off-camera meant that there was more alignment in the actions of the EU and the member states. However, we also see the soft law nature of the agreements reached at Busan with the Global Partnership that emerged from Busan not being signed by two EU states, Estonia and Lithuania.<sup>73</sup>

Overall, it is also clear that the geopolitical shifts that have produced new donors have also weakened the EU's potential for explicit leadership in this field. The need to engage the Non DAC donors with the DAC appeared to have been the overriding objective for the EU-getting emerging donors to buy into the aid effectiveness agenda.<sup>74</sup> The EU could however not make that an explicit objective during the negotiations, or the emerging countries would have simply said no. Basically emerging donors were asked to join a train that left the station in Paris in 2005 without having much say over the destination. Thus we could see not only a role for the EU in preventing role back but some evidence of taking the norms forward. The fact that non DAC donors signed up to Outcome Document reaffirms the aid effectiveness norm. As Commissioner Piebalgs argued that the EU has 'kept to our ambitions and been a leader on this agenda throughout – especially in helping to bring together and build consensus amongst all stakeholders, culminating in the forum in Busan'.<sup>75</sup> Continuing that role in the highly political post summit negotiations about the detail also reinforces

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<sup>72</sup> N. Keijzer and A. Fejerskov, *Post 2015: What can the European Union learn from past international negotiations?* (German Development Institute Bonn, 2013).

<sup>73</sup> See <http://effectivecooperation.org/about-list.html>

<sup>74</sup> It appears as the first objective on this website of the French MFA: <http://www.diplomatie.gouv.fr/en/french-foreign-policy/development-assistance/principles-of-french-development/article/aid-effectiveness>

<sup>75</sup> Piebalgs, *supra*. n. 69.

the view that quiet 'leadiating' is a role more suited to the EU than other more abrasive leadership styles. We saw some evidence of this at First High Level Meeting of the Global Partnership for Effective Development Co-operation in Mexico City on 15-16 April 2014 where the EU adopted a low profile.<sup>76</sup> In part, it is clear that whilst progress on implementing the Busan development effectiveness commitments has been good in places, the overall assessment highlights that performance is 'linked to donors' political will to address those commitments'.<sup>77</sup>

## Conclusion

The agenda for Busan could be seen as revolving around the continuation or roll back of DAC norms.<sup>78</sup> The crucial element for this article is the role of the EU in protecting and exporting the Paris 'norms'. Compared to the influence the EU had over the global development agenda in Accra and Paris, the outcome of Busan was less clear cut. Expectations were high as can be seen by this NGO critique: 'the EU failed to leave a visible mark even on a field on which it has climbed the highest'.<sup>79</sup> Carbone sees the EU marginalized by the US, China and the developing countries themselves.<sup>80</sup> He contrasts the EU approach in Paris and Accra, where it had a clear agenda and plans for deliverables, with the approach in Busan where it could not speak with one voice<sup>81</sup> due to internal divisions and had few deliverables. In Busan we saw the late finalisation of an EU position; Member States presenting unilateral positions in advance; and the EU unable to choose one representative to advance EU position during the forum. Therefore we see that although the Commission has continued to represent joint EU positions at global development events, as the aid effectiveness agenda has become more political, the Commission has been 'sidelined by member states pushing national positions or seeking national visibility'.<sup>82</sup> Therefore the EU's common position at Busan was 'primarily an intergovernmental position taken by EU member states', with the

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<sup>76</sup> Council of the EU, *Council Conclusions on the EU common position for the First High Level Meeting of the Global Partnership for Effective Development Co-operation* (FOREIGN AFFAIRS Council meeting, Brussels, 17 March 2014)

<sup>77</sup> Commission of the EU, *The Busan Commitments: An Analysis of EU Progress and Performance* (Brussels, 2016).

<sup>78</sup> Kim and Lightfoot, *supra* n. 2.

<sup>79</sup> Manrique, *supra* n. 38 at 7.

<sup>80</sup> Carbone, *supra* n. 31.

<sup>81</sup> Although we acknowledge that speaking with one voice does not necessarily give the EU influence.

<sup>82</sup> T. Bodenstein, J. Faust, and M. Furness, *European Union Development Policy: Collective Action in Times of Global Transformation and Domestic Crisis*. *Dev Policy Rev.* early view 2016.

authority and the autonomy of the Commission questioned in Busan, in part due to the Euro crisis.<sup>83</sup>

Drawing on our on the ground analysis of the EU's actions at Busan, we see that the big 3 development actors, Germany, France and the UK were only willing to stick to the EU position only when it agreed with their own. As Mah argues 'this is particularly clear in the bloc's leading countries that run their own foreign policy, with still significant differences in their approaches to the new and challenging global order and a dominant tendency to return to the principle of "national interest" rather than that of convergence in the EU foreign policy'.<sup>84</sup> This once again highlights the weakness of a model of policy that promotes 'shared parallel competences', which can continue to fragment responsibilities.<sup>85</sup> The outcome of the HLF therefore highlights the increasing importance placed by member states on development aid, especially given the need to demonstrate 'value for money' in these times of austerity. As the OECD-DAC peer review states for the EU to show strong leadership 'would require stronger cohesion between the EU institutions and the Member States, in the context of a complex legal and institutional system'.<sup>86</sup>

In Busan we saw the potential for the EU's position to be out of alignment with the new donors. As Smith argues 'the net result of this changing landscape is that the EU's setting itself up as not only the most desirable partner for developing countries, but also a 'different' type of power with distinctive norms and approaches to partnership has come under pressure, and that its status as the external power will increasingly be questioned'.<sup>87</sup> This view sees these internal issues impact on external credibility, supporting the work of scholars who argue that there is a mismatch between rhetoric and reality in the EU's dealings with the developing world.

However, it is also clear that the EU cannot be written off as totally irrelevant. It was able to prevent agendas being rolled back. Whilst this may not appear to be as exciting as pushing agendas forward, in many ways it is more important in the new global aid

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<sup>83</sup> CONCORD, *Making Sense of EU Development Cooperation Effectiveness: On the post-Busan development effectiveness agenda* (AidWatch Special Report Brussels, 2012).

<sup>84</sup> Mah, *supra* n. 56 at 16.

<sup>85</sup> I. Tannous, 'The Programming of EU's External Assistance and Development Aid and the Fragile Balance of Power between EEAS and DG DEVCO' (2013) 18 *European Foreign Affairs Review*, Issue 3, pp. 329–354.

<sup>86</sup> OECD-DAC, *supra* n. 51.

<sup>87</sup> Smith, *supra* n. 17 at 529.

architecture. As one interviewee said government x 'does not expect much more than a recommitment of what already has been committed at Accra and in the Paris Declaration. It does not sound very ambitious, but their thinking is that what was committed then takes time to put into practice, and that others - the "new actors" - need to come on board'.<sup>88</sup> If the EU is committed to its norms then it must fight to protect them. This norm consolidator role is significant and often overlooked in the analysis of the EU as an actor. Given the overriding agenda for the HLF was to bring new donors onboard, any norm-maker role would be likely to fail. The main spin put on the outcome by the EU was that the success of Busan was to 'enlarge the tent' of development cooperation to the BRICS.<sup>89</sup> 'What is striking about the Paris/Accra/Busan agenda is that it succeeded in getting a very large and diverse group of actors to commit to common principles, rules and monitoring mechanisms in order to solve a common problem'.<sup>90</sup> By downsizing its objectives it could play the 'leadiator' role, a leader-cum-mediator that worked with, rather than against the changing geo-political context of aid effectiveness. Learning the lessons from Busan may also allow the EU to play a role shaping the post 2015 development agenda. If it can ensure internal unity it might even be able to lead the process. Further research is needed to see whether the EU as a 'leadiator' quietly pushing norms whilst building bridges is visible within other policy fields but within the more soft law international development it would appear to be the most successful strategy for the EU to adopt.

7961 words inc abstract, acknowledgments and footnotes.

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<sup>88</sup> Interview C

<sup>89</sup> Fejerskov and Keijzer, *supra* n. 25.

<sup>90</sup> G. Ashoff and S. Klingebiel, *Transformation of a Policy Area: Development Policy Is in a Systemic Crisis and Faces the Challenge of a More Complex System Environment* (DIE Discussion Paper 9, 2014), 14