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EVALUATIONS, ANALYSES, STUDIES

DR. RICHARD SCHMECK¹

SOME ASPECTS OF ISLAMIC FINANCE

Abstract:

The compound expression “Islamic finance” tells a lot about the nature of Islamic finance industry. “Finance” suggests on the one hand that Islamic finance institutions offer traditional banking services. On the other hand, the adjective “Islamic” suggests some fundamental differences between Islamic finance and its conventional counterpart. The former is similar to conventional financing in that Islamic banks are not acting as religious institutions and like other banks they are profit-maximizing entities. But there is one major difference: these institutions face a high degree of reputational risk due to Sharī’a non-compliance. In addition to dealing with the basic principles of Islamic Finance and some financial instruments, the paper looks into the evolution of this industry and touches upon the Islamic Finance in Europe.

Keywords: Sources, schools, principles, prohibitions, financial instruments, modern Islamic Finance

Sources of Islamic law

In Islam, the law emanates from the religion. The term Sharī’a originally means “a path leading to the spring”, but it can be translated in a figurative sense as “the way” or “a path to be observed and followed“. It is legitimate in this regard to differentiate in the realm of religious law between Sharī’a and fiqh (jurisprudence).² Sharī’a, the perfect and immutable divine law was revealed in the Qur’ān and the Sunna, whereas fiqh is the product and efforts of the Muslim scholars, known as ‘ulamā, to interpret and apprehend that law. It follows from this that fiqh is related to human achievements, and can be faulty, uncertain and changing.

¹ The author, holder of MA in Law, English, History and Arabic as well as LL.M Finance degree

² Frank E. Vogel and Samuel L. Hayes, III, *Islamic Law and Finance*, Kluwer Law International 1998, pp. 23-24.

Primary sources

*Qur'ān*³

The Qur'ān, which Muslims believe was revealed from Allah through the angel Gabriel to the Prophet Muhammad is the foundation of the religion of Islam. In its entirety, it represents an amalgam of the two essentially heterogeneous Meccan and Medinese periods that form the infancy of Islam.⁴ The 114 sūra (*chapters*) and 6236 ayāt (verses) are therefore considered to be the word of Allah and are held in high esteem by Muslims. Jurists agree that 500 verses have legal content⁵ and that there are a total of 200 verses related to legal rulings in the Qur'ān: 70 verses on family and inheritance law, 70 verses on obligations and contracts, 30 verses on criminal law, and 20 verses on procedure.⁶

Sunna

The second primary source can be identified as the Sunna, which is the sīra (way of life) of the Prophet Muhammad and stands for the sayings and practices of the Prophet and his companion.⁷ The memorisation and transmission of the Sunna in literary form is characterised as hadīth. The term hadīth (tradition) represents the 'report' of the Prophet Muhammad's sunna, handed down and delivered through a dependable chain of transmitters.⁸ The two largest denominations of Islam, Sunnism and Shi'ism have different sets of hadīth collections, though the Shiites themselves accept part of the Sunni tradition.⁹

The Qur'ān and the sunna, as primary sources of Islamic law define clearly what is true, right and acceptable, what are the expectations of the community vis-a-vis Muslims and determine the right way a Muslim should

³ It derives from the root word qara'a which means to read, recite.

⁴ Ignaz Goldziher, *Introduction to Islamic Theology and Law*, Princeton University Press, 1981, p. 12.

⁵ Sami Zubaida, *Law and Power in the Islamic World*, reprinted in 2005 by I. B. Taurus, p. 12.

⁶ Shaheen Mansoor (ed.), *Sources of Islamic Law, Teaching Manual*, UK Centre for Legal Education, 2011, p. 19.

⁷ While the Qur'ān was recorded within a relatively short time, the recording of the sunna took a much longer period. There is still a lively debate over the authenticity and accuracy of some of the sunna.

⁸ The two major elements of a hadīth are the matn (substance of the Prophet's sayings, deeds or actions), which contains the actual narrative, and the isnad (chain of narrators), which documents the route by which the report has been transmitted. The isnad consists of a chronological list of the narrators, each mentioning the one from whom they heard the hadīth, until mentioning the originator of the matn along with the matn itself.

⁹ All in all, there are six collections of hadīth, that are referred to as authentic sources of the sunna. Most Sunni Muslims accept the hadīth collections of al-Bukhari and Muslim as the most authentic. There are, however, four other collections of hadīth that are also held in particular reverence by Sunni Muslims. The collections are arranged in descending order according to authenticity: (1) al-Bukhari (d. 870), (2) Muslim (d. 875), (3) al-Nasā'i, (4) Abu Dawūd, (5) al-Tirmidhi, (6) Ibn Majā.

behave himself and go about his everyday business. However, the Qur'ān and sunna on their own are not sufficient to offer suitable solutions for those pressing problems and questions, Muslims face nowadays, some 1400 years after the time of the birth of Islam.

Secondary sources

It is therefore unavoidable for the Muslims to turn, in case of uncertainty, to other means for interpretation of the Qur'ān and the Prophet's will. In the classification determined by the Shāfi'i law school, there are two secondary sources of Islamic law: *ijmā'* (consensus) and *qiyās* (analogy). If the legality was not based on an explicit command in the Qur'ān and the sunna, then the jurists turned for explicit commands in *ijmā'* and *qiyās*. As to the secondary sources, many of the Islamic scholars began to consider *ijtihād* (formulating new rules by reasoning) as the third secondary source.¹⁰

Ijmā'

The hadīth of Muhammad which states that "my community (umma) will never agree upon an error" is often cited as support for the validity of *ijmā'*.¹¹ There is disagreement, however, between scholars about the nature of consensus. Some say, for example the school of al-Shāfi'i, that consensus means agreement in the whole community, including scholars and laymen, whereas others attach importance in this regard to consensus of the religious authorities and scholars only.¹²

Qiyās¹³

Analogy can be used in reference to a situation addressed if (a) the solution to a specific issue can not be found in either the Qur'ān or hadīth; (b) *qiyās* does not contradict the principles of Islam; (c) *qiyās* does not contradict

¹⁰ Shaheen Mansoor (ed.), Sources of Islamic Law, Teaching Manual, UK Centre for Legal Education, 2011, p. 27.

¹¹ This statement is narrated by al-Tirmidhi (4:2167), Ibn Maja (2:1303) and others with slightly different wordings.

¹² Ahmad Hasan, The Doctrine of *Ijmā'*, Islamic Research Institute, Pakistan, 1978, 72-82.

¹³ *Qiyās* has four parts. Firstly, there exists the original case (ban on alcoholic due to intoxication). The second is a new case (drugs) and the third is the attribute or effective cause (*'illah*) of the prohibition which present in both cases (both alcohol and drugs can produce intoxication). This commonality allows both to be treated equally (this being the fourth part of *qiyās*), hence drug taking may be prohibited by analogy with the treatment of alcohol consumption under *Sharī'a*.

either the contents of the Qur'ān or the tradition of the Prophet (d) qiyās is strict and is based on the Qur'ān, hadīth, or ijmā'.¹⁴

*Ijtihād*¹⁵

The main purpose of ijtihād is to produce rulings for new incidents or cases, rather than produce new rulings for old issues or cases. Ijtihad can never be exercised against the explicit provisions of Qur'ān and sunna or against what is confirmed by ijmā', and it cannot be based on a purely rational assessment of a given legal situation.¹⁶

In the early Muslim community every adequately qualified jurist had the right to apply ijtihād, mainly ra'y (personal judgment) as a special case of ijtihād. But with the crystallization of legal schools, the Sunnites held at the end of the tenth century that the “gates of ijtihād were closed”¹⁷ and that no scholar could ever qualify again as mujtahid.¹⁸ All subsequent generations of jurists were considered bound to taqlīd¹⁹, the unquestioned acceptance of their great predecessors as authoritative and could, at most, issue legal opinions drawn from established precedents.

Some Principles

Islamic rules and commandments seem to be more rigid and inflexible at first sight than they really are. There are methods and mechanisms through which Islam is able to adapt to new circumstances, if need be, and is capable of adjusting itself to changes so that it fits or harmonizes with even the new challenges of modern economics and finance. The general interest (maslaha) and the overriding necessity (darūra), for instance, increase this accommodation capability of Islam and are often given priority as against theological and legal concerns.

¹⁴ Shaheen Mansoor (ed.), Sources of Islamic Law, Teaching Manual, UK Centre for Legal Education, 2011, p. 32.

¹⁵ It derives from juhd, which means employment of effort or endeavour in performing a certain activity.

¹⁶ Ijtihād is a term that refers to the use of independent legal reasoning in search of an opinion. Ijtihād and qiyās are often used interchangeably although the former represents a more general undertaking. Qiyās is one of the instruments applied in the process of ijtihād.

¹⁷ The common understanding based upon Joseph Schacht that the gates of ijtihād were closed, that is, taqlīd little by little took place of ijtihād has been recently questioned and refuted by one of the prominent scholars called Wael Hallaq.

¹⁸ Those who applied ijtihād were termed mujtahidūna (plural form of mujtahid).

¹⁹ Taqlīd stand for duty to follow, imitation.

Schools of Islamic Law

Islamic law has changed and developed over centuries of thinking. Following the death of the Prophet Muhammad, there have always been differences of opinion on how best to understand the message of God. Four schools or doctrines (madhab) of law emerged in the early centuries as canonical in Sunni Islam, accepted as equally orthodox. These schools were named after their founders:

- Hanafi – Imam Abu Hanifa of Kūfa (d. 767)
- Maliki – Imam Malik bin Anas of Medina (d. 796)
- Shāfi'i– Imam Muhammad b. Idris al-Shāfi'i of Medina (d. 820)
- Hanbali – Imam Ahmad bin Hanbal of Baghdad (d. 855)

Each school has a substantial group of followers in the Muslim world, and the Muslims still act in accordance with the school-specific interpretations on issues relevant to Islamic law.²⁰ All of the schools acknowledge the authority of the Qur'ān and the traditions as the ultimate source of the Islamic law. Only in areas and situations where these two sources are silent, do the four schools use their independent reasoning in which they may differ with each other.



²⁰ Ali Adnan Ibrahim, *The Rise of Customary Businesses in International Financial Markets: An Introduction to Islamic Finance and the Challenges of International Integration* (2011), in *American University International Law Review*, Vol. 23, Issue 4 *Financial Innovations in the Muslim World*, 684-685

The Shi'ism developed its own body of law, with many similarities to and parallels with the Sunni schools.²¹ Since Islamic finance today is flourishing mainly in the countries with Sunni jurisprudence, Shiite Islamic finance practices tend to become similar and identical to the Sunni ones.²²

The basic principles of Islamic finance

As a rule of thumb, all contracts and actions are deemed permissible (halāl) except what is explicitly prohibited in the Islamic law.²³ In the field of finance, Muslims are obliged to be fair and correct in their dealings with one another. A party to an asset-based transaction²⁴ should not do harm to the other party by financially exploiting it. Though the individual's right to ownership is accepted, Islam seeks to reduce the gap between the rich and the poor by encouraging Muslims to participate in the process of zakāt, that is to say, the charitable donation of funds to the poor and needy. It is based on risk-and-profit sharing, that is, parties involved in a financial transaction must share both the associated investment risks and profits. Earnings of profits or returns from assets are permitted so long as the business risks are shared by the lender and borrower.²⁵

Financial institutions offering Sharī'a-compliant products and services must appoint a Sharī'a supervisory board the members of which are versed both in finance and Islamic law. The scholars are involved in examining closely and critically all new contracts, auditing existing contracts and approving new products and services. Their role is all the more important because by issuing a fatwā these boards officially declare that the new product or service in question is Sharī'a-compliant.²⁶ If not, the contract in question may be declared void in a

²¹ Within Shi'a Islam there are two main schools of Islamic law. The Zaydi School is named after Zayd Ibn Ali (d. 740) and the Ja'fari School is named after Ja'far al-Sādiq (d. 765).

²² Mahmoud A. El-Gamal, *Islamic Finance: Law, Economics, and Practice*, Cambridge University Press, 2006), 19-20.

²³ Michael Gassner, Philipp Wackerbeck, *Islamgerechte Finanzanlagen und Finanzierungen*, Bank-Verlag Medien GmbH, 2010, p. 41.

²⁴ Under this principle of Shari'a each financial transactions must be tied to a "tangible, identifiable underlying asset", such as real estate or commodities. Financing in Islam is always based on non-liquid assets which create real assets and inventories. Under Shari'a, money is not considered an asset class because it is not tangible and may not earn a return.

²⁵ Andreas A. Jobst, *The Economics of Islamic Finance and Securitization IMF Working Paper WP/07/117*, August 2007, p. 4.

²⁶ There are situations where religious law is ambiguous as to the accepted way of behaviour or course of action. According to the Qur'ān (16:43), if one is not well-informed about an issue, experts should be consulted. Individuals or a court of law can turn therefore to a qualified Islamic scholar, a mufti, for a legal opinion or

Sharī'a court. In addition, the Sharī'a board oversees the collection and distribution of zakāt.²⁷

Prohibition of ribā²⁸

Ribā means any unjustified excess above and over the capital, whether in loans between creditor and debtor or in trade with similar commodities. It covers not only usury but also the charging of interest and any positive, fixed, predetermined rate of return that are guaranteed regardless of the performance of an investment.²⁹

There are several Qur'ānic verses on ribā³⁰ and the sayings of the Prophet also serve as a point of reference in this regard, but as for the reasons of ribā, the Qur'ān and the Sunna provide no specific guidance.³¹ In contemporary finance, ribā can occur in interest-based lending activities (e.g. all conventional bonds), in transactions where fixed return on deposits in conventional banking is concluded (e.g. designated accounts for receivables of the bonds). In order for the given transaction to be Sharī'a-compliant, the contracts should dispense with the usurious activities mentioned above.

Prohibition of gharār³²

Although there is no specific statement in the Qur'ān forbidding gharār, the hadīth literature does refer to the Prophet's ban on it. According to Ibn Majā's hadīth collection Muhammad has forbidden the sale of the unborn animal in its mother's womb, the purchase of the milk in the udder without measurement.³³ Gharār covers therefore both of the unknown and the doubtful. As business and commercial activities are always associated with a certain degree of risk, gharār is meant to be excessive risk. Islamic law therefore

fatwā. Fatwā is not binding in Sunni Islam, but in Shi'ism it bounds those who have asked for it. These rulings cover a vast array of topics and their interpretation requires special knowledge, expertise and erudition.

²⁷ Kabir Hassan and Mervyn K. Lewis (ed.), *Handbook of Islamic Banking*, Edward Elgar Publishing Limited, 2007, p. 41.

²⁸ Ribā stands for usury, interest; literally it means excess, increase and growth.

²⁹ Andreas A. Jobst, *The Economics of Islamic Finance and Securitization*, IMF Working Paper WP/07/117, August 2007, p. 4.

³⁰ Sūra 30:39, 4:160-161, 3:130, 2:275-281

³¹ Alsadek H. Gait and Andrew C. Worthington, *A Primer on Islamic Finance: Definitions, Sources, Principles and Methods*, University of Wollongong, School of Accounting and Finance Working Paper Series No. 07/05, 2007, p. 8.

³² Gharar signifies risk and uncertainty literally.

³³ Frank E. Vogel and Samuel L. Hayes, III, *Islamic Law and Finance* (Kluwer Law International, 1998), p. 88.

tolerates minor uncertainty, but invalidates contracts containing excessive uncertainty.³⁴

Prohibition of maysīr³⁵

Maysīr is regarded by Islamic scholars as gambling or any games of chance (lotto, casino-typed games, etc.). In these activities the participants share a desire for obtaining return through deliberate risk-taking. Both the Qur'ān³⁶ and the sunna provide statements of ban on gambling.

Prohibition of harām (illegal) activities

The aim of Sharī'a is to promote "ethical" investment. Islamic financial institutions can finance only halāl (legal) activities and should also take care not to contravene the relevant Sharī'a rules in their investments.³⁷ They are not supposed to lend to companies or individuals involved in activities deemed to be detrimental to society or that are illegal under Islamic law. This principle therefore limits transactions to Sharī'a-compliant activities and therefore rules out conventional financial services (banking, insurance, etc.). In addition, Muslims should not invest in firms that produce or sell pork-related products, alcohol, tobacco. Investments in pornography, nightclubs, cinemas, hotels, music and gambling as well as in defence companies and arms industry are also disallowed.³⁸

Islamic financial instruments

According to the precepts of Sharī'a, interest-free transactions are designed for charitable activities, where the lender's aim is to help the borrower altruistically or on humanitarian grounds without claiming back any return over

³⁴ Mahmoud A. El-Gamal, *Islamic Finance: Law, Economics, and Practice* (Cambridge University Press, 2006), pp. 58-59.

³⁵ Maysir is derived from the Arabic root verb yasara which means "lucky chance or ease of obtaining something of value without earning it". Maysir also includes activities that are associated with speculation.

³⁶ 2:219 and 5:90-91.

³⁷ Alsadek H. Gait and Andrew C. Worthington, *A Primer on Islamic Finance: Definitions, Sources, Principles and Methods*, University of Wollongong, School of Accounting and Finance Working Paper Series No. 07/05, 2007, p. 12.

³⁸ Although no universal consensus exists among contemporary Sharī'a scholars on the prohibition of tobacco companies and the defense industry, most Sharī'a boards have advised against investment in companies involved in these activities. Investments in companies involved in unethical business, that is human cloning, usually are also listed as unacceptable.

the principal. As far as the commercial financing is concerned, these transactions are based on profit-and-loss sharing principle because the capital provider advances money to the other party with a view to participating in the profit of the transaction as well.³⁹ However, the amount of this profit is to be agreed upon beforehand. If the transaction yields no profit at all, and the borrowing entity suffers losses, the capital provider is obliged to share the burden of the loss.

For the concept of profit-and-loss sharing, two permissible forms of finance - namely *mudāraba* and *mushāraka* - have been developed since the very beginning of the Islamic commercial law. In contrast to conventional venture capital and merchant banking, profit-and-loss sharing allows a capital-poor entrepreneur to obtain financing. The bank being an investor, as against a lender, has a stake in the long-term success of the venture. Much as profit-and-loss sharing may be the ideal form of Islamic finance, it remains more an ideal than reality. Profit-and-loss sharing makes up about only 5% of the activities of Islamic banks.⁴⁰

Over time, other financial forms - *murābaha*, *ijāra* (leasing), *bai’salām* (special sales contract), *qard hasan* (interest-free loan), *istisnā’* (manufacturing contract), *sukūk* - have gained foothold in the Islamic finance industry. In these cases the transactions are founded on a return as a fee on the basis of the price of the goods that are purchased with the provided funds. The underlying idea is that the Qur’ān disapproves of interest but approves of trade, and in this context profit is not inadmissible.⁴¹ Sharī’a scholars generally accept these fees and mark-ups so long as the capital provider shoulders some of the risks that go hand in hand with the transaction.

Murābaha⁴²

“Mark-up” transactions account for 80 to 95 per cent of all investments by Islamic financial institutions. Only *murābaha*, as the most widely used form for transactions, makes up 80% of the total investments of banks.⁴³

³⁹ Ibrahim Warde, *Islamic Finance in the Global Economy*, Edinburgh University Press, 2000, p. 5.

⁴⁰ Frank E. Vogel and Samuel L. Hayes, III, *Islamic Law and Finance*, Kluwer Law International, 1998, p. 135.

⁴¹ 2:275: “...But Allah has permitted trading and forbidden usury. He that receives an admonition from his Lord and mends his way may keep what he has already earned...”

⁴² *Murābaha* is a cost-plus or mark-up purchase and resale contract.

⁴³ Frank E. Vogel and Samuel L. Hayes, III, *Islamic Law and Finance*, Kluwer Law International, 1998, p. 135.

Murābaha is an instrument for buying and reselling the purchase of goods and commodities by institutions, including banks and firms. Murābaha, in its original form, is a simple sale on cost-plus basis in which the seller tells the purchaser how much cost he has incurred by obtaining the goods and how much profit he is going to charge in addition to the cost. In view of conditions and cases under which the use of mushāraka and mudāraba transactions is circumstantial, the contemporary Sharī'a experts have allowed, subject to certain conditions, the use of murābaha on deferred payment basis as a mode of financing only in cases where the client intends to purchase a commodity. Otherwise, according to Taqi Usmani, its use should be restricted to areas where mushāraka and mudāraba cannot function.

Mark-up schemes are usually criticized on the grounds that the principle of risk-sharing does not apply because the combination of predetermined fixed profit and collateral minimizes the risk taken by the bank and that these transactions are closely associated with the interest-based conventional banking. Many such transactions are comparable to interest-rate transactions: if a borrowing firm needs \$100 million to buy machinery, it could borrow money at eight per cent a year to purchase it, or it could have the bank buy the machinery on its behalf, and pay the bank \$108 million a year later.

The fundamental principles attached to murābaha can be summarised as follows: (1) The client and the institution sign an agreement under which the institution promises to sell and the client undertakes to buy commodities at an agreed ratio of profit added to cost. (2) The institution purchases the commodity from the third party but an agency agreement is needed if the client himself purchases the commodity on behalf of the institution. (3) The client makes an offer to purchase the goods from the institution. (4) The sale is concluded and the ownership along with the risk is transferred to the client.⁴⁴

In this chain of actions the crucial elements distinguishing murābaha from an interest-based transaction are the possession by the institution of the goods and the risks attached to it before the institution sells it to the customer. For a murābaha contract to be Sharī'a compliant, the financier must bear risks associated with owning goods, including the risks of loss and damage and the liability for hidden defects. Murābaha transactions can be used exclusively for

⁴⁴ Muhammad Taqi Usmani, *An Introduction to Islamic Finance*, Kluwer Law International, 2002, pp. 41-44

commodity purchase. Once the price is fixed, it can neither be increased because of late payment, nor decreased on account of earlier payment. Payment may take place immediately, but also at a later date or in instalments. In the case of deferred payments the contract is referred to as bai' muajjal.

Sukūk⁴⁵

Sukūk, in a contractual form, existed in the first century of Islam. Soldiers and other public officials were paid in cash and in kind. The payment in kind was made in the form of „commodity coupons or grain permits“. In other words, this in-kind payment stood for the promised quantity of commodity upon maturity of the coupons or permits. The transferability of these coupons was debated at that time.⁴⁶ Fourteen centuries later, the practice of sukūk was revived when the Kingdom of Bahrain (2001), Malaysia (2002) and Qatar (2003) issued “Islamic bonds”.⁴⁷

Today, sukūk is the most popular Islamic finance instrument and it seems to be attractive not only to wealthy investors from the Middle East, but to non-Muslim Western investors as well. Moreover, issuance is not restricted to Islamic governments and corporations only, but non-Islamic governments also take an interest in this financial instrument. The German state of Saxony-Anhalt issued a 100 million sukūk in 2004 and a number of European countries have made changes to their regulatory framework to create a favourable environment for sukūk issuance.

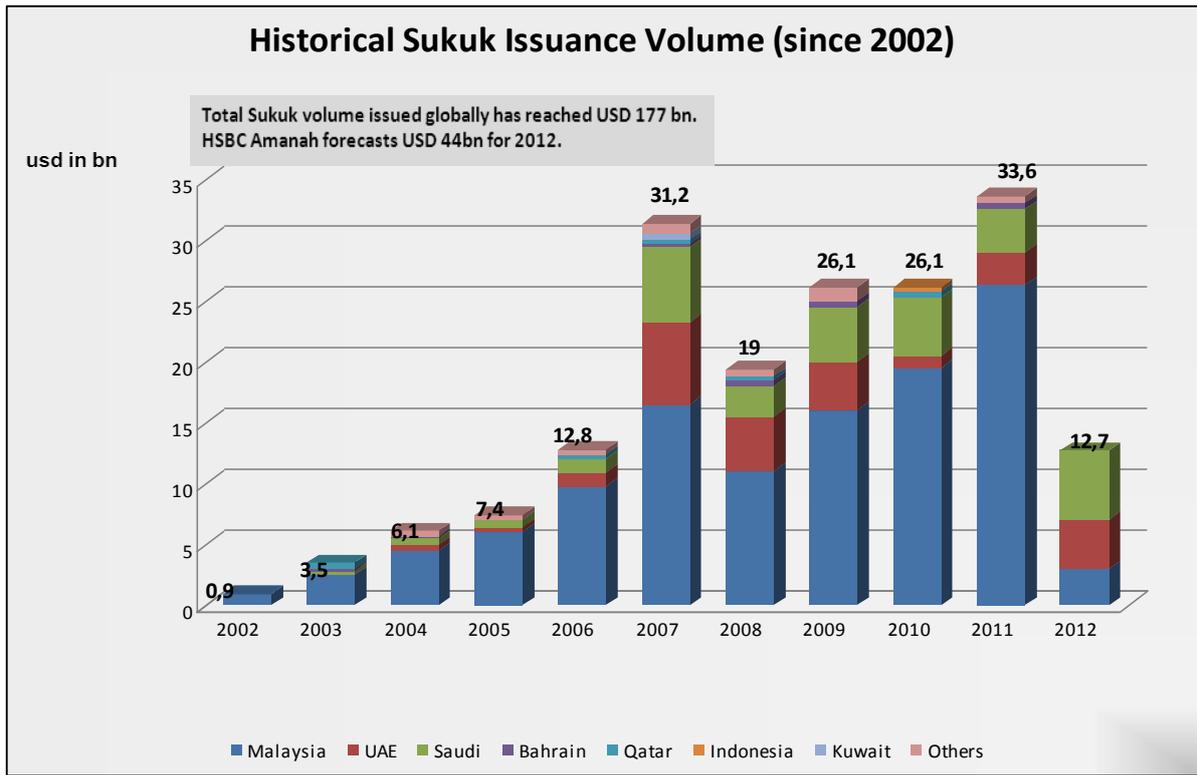
Malaysia is the world's biggest sukūk market with a source of 67% global sukūk issuances.⁴⁸ The next largest sources are the UAE, Saudi Arabia, the Sudan, Bahrain and Pakistan. Most of the sukūk from Malaysia tends to be in the oil and gas sector, while most of the sukūk from Gulf countries is concentrated in real estate.

⁴⁵Sukūk is a plural form of sakk, which means title or investment certificate.

⁴⁶Ali Adnan Ibrahim, *The Rise of Customary Businesses in International Financial Markets: An Introduction to Islamic Finance and the Challenges of International Integration* (2011), in *American University International Law Review*, Vol. 23, Issue 4 *Financial Innovations in the Muslim World*, p. 718.

⁴⁷The conventional bonds are debt-based instrument and are associated with interest payment obligation, whereas no predetermined interest rate is promised on its Islamic counterpart.

⁴⁸HSBC Amanah, *Global Sukuk Market: Current Status & Growth Potential*. Prepared for Conference on the Role of Sukuk in Development, May 18. 2012, p. 8.



Evolution of modern Islamic Finance/Banking

Islamic Finance, far from being a new phenomenon of our latest centuries, originates from the injunctions of the Qur'ān and the Sunna of the Prophet. In the Middle Ages interest-taking and excessive speculation were regarded as illegal and prohibited. However, under the occupation of the Islamic world by the Western powers European-like banking system came into existence in most Arab countries and Western-inspired financial practices took the place of Islamic business rules. Finally, the Islamic and Arab world put an end to the period of colonization after World War II, and these countries, one by one, have declared themselves independent of their former rulers. It is this period from which the beginnings of modern Islamic finance originate.⁴⁹

The first Islamic “credit network” was established in the 1950s in Pakistan to alleviate poor farmers’ hardship. At about the same time, on the initiative of the Malaysian government, funds were raised and then invested in Shari’a-compliant way to help pilgrims gather their savings for the pilgrimage to Mecca. Another initiative was the Mit Ghamr Savings Bank, established by Ahmad al-

⁴⁹ Frank E. Vogel and Samuel L. Hayes, III, *Islamic Law and Finance* (Kluwer Law International, 1998), p. 4 and Patrick Imam and Kangni Kpodar, *Islamic Banking: How has it diffused?*, International Monetary Fund Working Paper WP/10/195, August 2010, p. 5.

Najjār⁵⁰ in 1963 at Mit-Ghamr in Egypt. Other similar institutions were set up by al-Najjār in small towns, but his banks were closed for political reasons by the government in 1967 because Muslim Brotherhood members had become associated with the banks.⁵¹ His initiative was followed by the Nasser Social Bank in 1971.

At the end of 1973, the finance ministers of the Muslim countries declared their intention in Jedda to erect the multinational Islamic Development Bank (IDB). Created by the governments of Saudi Arabia, Kuwait, Libya, Turkey, the United Arab Emirates, Iran and Egypt, the IDB started its operations in Jedda on 20 October 1975. The purpose of the bank is to foster economic development and social progress of member countries and Muslim communities in accordance with Sharī'a principles, through participation in equity capital and providing loans.⁵² The establishment of the IDB played a pivotal role in giving a great encouragement and boost to the evolution of Islamic banking, still in its infancy, by concentrating knowledge and expertise in one institution.⁵³ At the beginning, Islamic scholars spent a great deal of time in determining the basic implementation tools in line with Islamic principles, a period to be followed by innovations, particularly of products like sukūk.⁵⁴

The first oil crisis in 1973-74 suddenly brought an unprecedented abundance of cash-flow to the Middle Eastern world, Arab countries in particular, which helped Arabs develop their own financial institutions. From this period on, a number of Islamic banks were founded, mostly in the Middle East and North Africa.⁵⁵

Though originally concentrated in the Middle East and South-Asia, Islamic finance principles are now present in developing and developed countries as well. In Iran the banking systems are considered to be entirely Islamic. Pakistan and Sudan were looking to transform their banking systems entirely into a fully Islamic system. They have given up their intention recently,

⁵⁰ Najjar was educated in West Germany and was influenced by the savings schemes he discovered there.

⁵¹ Hans Visser, *Islamic Finance, Principles and Practice*, Edward Elgar Publishing Limited, 2009, p. 94.

⁵² Available at <http://www.isdb.org/>

⁵³ Michael Mahlkecht, *Islamic Finance, Einführung in Theorie und Praxis*, Wiley, 2009, p. 51.

⁵⁴ Patrick Imam and Kangni Kpodar, *Islamic Banking: How has it diffused?*, International Monetary Fund Working Paper WP/10/195, August, 2010, p. 6.

⁵⁵ Dubai Islamic Bank (1975), Islamic Development Bank, Jeddah (1975), Kuwait Finance House (1977), Faisal Islamic Bank of Egypt (1977), Bahrain Islamic Bank (1979).

and have a dual system that consists of Islamic and conventional banks.⁵⁶ In Malaysia, Turkey, Indonesia, Bahrain and Jordan both Islamic and conventional banks coexist. In this regard Europe and the United States are not exceptions in that a small number of Islamic financial institutions operate side by side with large conventional banks that have opened Islamic financing windows.⁵⁷

Bahrain has an eminent status on the Islamic finance markets. It profits from being home to a number of important international organisations (Accounting and Auditing Organization for Islamic Financial Institutions, International Islamic Rating Agency etc.) as well as to a number of financial institutions. This fact makes the kingdom an important Islamic finance centre in the region, and contributes to Bahrain being in the forefront of constant financial innovations. The recent Arab spring hit the country and the political unrest did damage to his stature as a secure banking centre. The United Arab Emirates is determined to take advantage of this situation and aspires to become the leading financial centre in the region. Other major Islamic finance markets are Kuwait, Qatar and Saudi Arabia. More recently, Asia (especially Malaysia) emerged as the second-largest hub for Islamic finance.

Nowadays, Islamic Finance is one of the most rapidly growing segments of the global finance industry. The number of Islamic finance institutions worldwide now exceeds over three hundred, with operations in 75 countries.⁵⁸ The global Islamic banking assets have reached USD 1.3 trillion in 2011 and are expected to cross the USD 1.8 trillion mark in 2013.⁵⁹ However, it is far below the potential size estimated based on the population and economies of Muslim countries. The industry has experienced average 21% growth per annual from 2007 to 2010 and is expected to increase growth in the years to come at the CAGR of 25%.⁶⁰

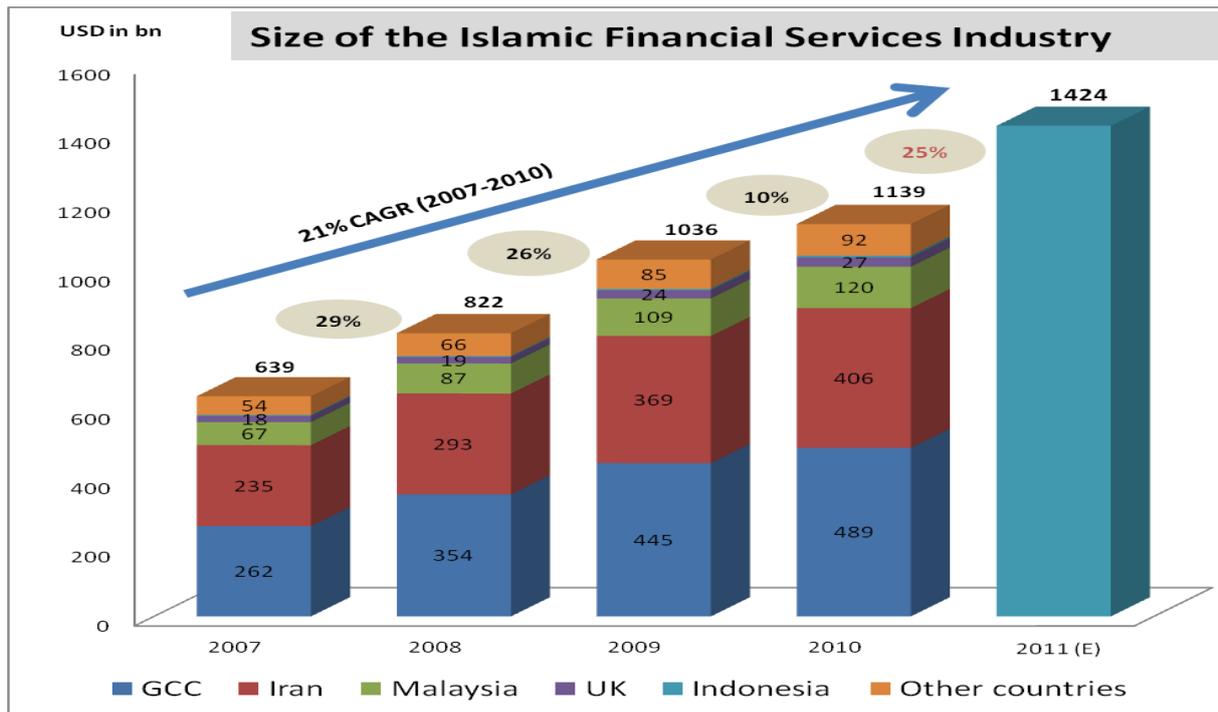
⁵⁶ Patrick Imam and Kangni Kpodar, Islamic Banking: How has it diffused?, International Monetary Fund Working Paper WP/10/195, August, 2010, p. 6.

⁵⁷ Mohammed El-Qorchi, Islamic Finance gears up, Finance and Development, December 2005, Volume 42, Number 4.

⁵⁸ Mohammed El-Qorchi, Islamic Finance gears up, Finance and Development, December 2005, Volume 42, Number 4.

⁵⁹ Ernst & Young's World Islamic Banking Competitiveness Report 2013

⁶⁰ HSBC Amanah, Global Sukuk Market: Current Status & Growth Potential. Prepared for Conference on the Role of Sukuk in Development, 18 May 2012, p. 4.



Beginning of Islamic finance industry in Europe

All over Europe Islamic banks are establishing branches, Western banks are offering Sharīʿa-compliant financial services, and European governments are trying to outperform each other in welcoming them. The Western European governments may be goaded on in their bid to provide their Muslim community with favourable, stable and secure environment by the sole analysis of the Muslim presence in Europe. According to demographic projections of the US-based Pew Research Centre,⁶¹ Muslims today, including the Muslim population of Russia, account for about 6% (44 million) of Europe's total population and by 2030 they are expected to make up 8% (58 million) of Europe's population.

A question may be raised as to whether existing laws in secular jurisdiction allow financial transactions to be governed by Sharīʿa principles. As regards the legal and regulatory framework of the European countries, the practice shows that existing laws are flexible enough to allow the parties involved to specify the governing principles of their contracts and to accommodate new innovations and products as long as they are not too risky.⁶² Regarding the level of supervision of Islamic finance institutions as against its conventional counterpart, the same screening is preferable, though due to its

⁶¹ Available at <http://www.pewforum.org/future-of-the-global-muslim-population-regional-europe.aspx>

⁶² Hesse, H., Jobst, A., Sole, J., Trends and Challenges in Islamic Finance, World Economics, April-June 2008, Vol. 9 No 2, p. 179

profit and loss sharing agreements Islamic banking is deemed to be less vulnerable than the conventional one.

In terms of accommodating Islamic finance in conventional systems the main approach adopted by the European countries can be characterised by minimum changes to the existing laws.⁶³ The European attitude ranges from being enthusiastic (United Kingdom, Luxembourg, France) to being somewhat sceptical (Germany) about the presence of Islamic finance in the European Union.

United Kingdom

Outside the Middle East and Asia, the United Kingdom is viewed as the largest Islamic financial centre in the world. Great Britain, home to approximately 3 million Muslims⁶⁴, has the intention of becoming a global central point of Islamic finance. To this end a number of tax and regulatory changes have been undertaken over the past decade.⁶⁵

In 1995, Sir Edward George, the then governor of the Bank of England, recognized the importance of Islamic finance industry in the Muslim world and its emergence on the international stage. Years later, in 2001, a high level working group was established with a view to identifying the difficulties that Islamic finance faces in the UK. Among those barriers identified were the double stamp duty land tax on the purchase of the property of the bank from the seller, and re-sale of that property to the customer as well as the role of the Sharī'a board and the standardisation of products. As a result, one of the ground-breaking steps taken by the government in 2003 was the removal of the double charge of Stamp Duty Land Tax for murābaha and ijāra. This removal was extended to diminishing mushāraka in 2005. In August 2004, the British financial regulator authorised the Islamic Bank of Britain (IBB), the first wholly Islamic retail bank in the country.⁶⁶ With regard to the Sharī'a-compliance, a

⁶³ Belabes, A., Variété de modèles d'accueil de la finance islamique en droit national, Les Cahiers de la Finance Islamique, Ecole de management Strasbourg, Université de Strasbourg.

⁶⁴ The Arab community in central London is one of the most affluent in the world. London is also the second most important centre for the Arab media after Cairo, with its own Arabic newspapers and magazines, and Arabic satellite television channels.

⁶⁵ HM TREASURY, the development of Islamic finance in the UK: the Government's perspective, December 2008.

⁶⁶ The bank has been operating at a loss ever since its foundation and it had to be saved from bankruptcy by a Qatari bank in 2011.

decision was taken that there will be no central Sharī'a board at the Financial Services Authority, the British financial regulatory entity or at the Bank of England.⁶⁷

There are now five “fully Sharī'a-compliant” banks in the UK while another 17 leading institutions including Barclays, Royal Bank of Scotland and Lloyds Banking Group have set up special branches or subsidiary firms for Muslim clients. The number of banks catering for Muslim clients with Islamic finance products far exceeds that of any other Western country.⁶⁸ London's cityscape has been transformed by Sharī'a deals: the Shard, Chelsea Barracks, Harrods, Olympic Village were all financed in whole or in part by Islamic finance. Because of its status as a top global financial centre, London has attracted a large amount of Islamic business: more than \$34 billion (£22.8 billion) worth of sukūk have been issued to date through the London Stock Exchange.⁶⁹

The British government attaches great importance to the fact that London has been chosen to host the 9th World Islamic Economic Forum in October 2013. This will be the first time that the Forum has ever been held outside the Muslim world. In the wake of the decision, the cabinet launched in March 2013 the UK's first Islamic Finance Task Force to cement London's status as the western hub for Islamic finance. The Task Force, with the ministerial clout of several departments is led by Greg Clark, Financial Secretary to the Treasury and Foreign Office minister Baroness Warsi. The co-chairs are supported by experts from the banking industry and UK Islamic Finance Secretariat.⁷⁰ The Task Force has five specific focuses: supporting the Islamic market; financing infrastructure; regulation; education; and communications. The Task Force will also help shape the World Islamic Economic Forum's themes and represent the UK and raise the profile of the UK Islamic finance industry at the Forum which will host 1,500 business experts from the Islamic world.⁷¹

⁶⁷Ainley, Michael, Mashayekhi, Ali, Hicks, Robert, Rahman, Arshadur, and Ravalia, Ali, Regulation and Challenges in the UK, p. 177 (in Islamic Finance: A Guide for International Business and Investment, 2008).

⁶⁸ Dr Natalie Schoon, Islamic Finance in Continental Europe, in Islamic Finance News 6th March 2009.

⁶⁹ UK government promotes London as Islamic finance hub (Reuters, 11 March 2013).

⁷⁰ UK Islamic Finance Secretariat (UKIFS) was founded on 29 November 2010 with the aim of co-ordinating and promoting the development of Islamic finance in the UK and acting as the primary contact point for UK government bodies. In May 2011, it became integrated into TheCityUK.

⁷¹Government launches first Islamic Finance Task Force (11 March 2013), available at <https://www.gov.uk/government/news/government-launches-first-islamic-finance-task-force--2>

Luxembourg

Luxembourg as an international financial centre which is perfectly suitable to meet the needs of both conventional and Sharī'a-compliant investments funds also aspires to be Islamic finance hub in the heart of Europe. Today, there are 41 Sharī'a-compliant investments funds domiciled in Luxembourg with €4 billion assets under management, which makes up around 7% share of the total funds across the world. As a result, Luxembourg is classified among the top five Islamic funds domiciles in the world and the Luxembourg Stock Exchange is a popular location for listing sukūk.⁷²

Luxembourg intends to provide similar legal and fiscal framework for both the conventional and Islamic financial sectors and products. In consequence, the legal and regulatory framework has been modified in the last couple of years to ensure the equal treatment between Islamic finance and conventional transactions.⁷³ Sharī'a investment funds may be set up under the general legal framework applicable to investment funds in Luxembourg. However, the role and competences of the Sharī'a boards, the members of which assess the compliance of the investments with the Sharī'a principles have to be described in the prospectus. If the board functions in a decision-making role, the identity of its members should be communicated as well.

Both the first Islamic finance institution (1978) and the first Sharī'a-compliant insurance company (Solidarity Takaful SA, 1983) in Europe were set up in Luxembourg. Furthermore, the Luxembourg Stock Exchange was the first to list sukūk in continental Europe in 2002. The Government of Luxembourg set up a task force in 2008 to identify the obstacles to the development of Islamic finance in the country. In 2009, the government asked tax authorities to examine the characteristics of Islamic finance products and to come up with solutions that make Islamic finance on a par with its conventional counterparts.⁷⁴ In 2009 the Central Bank of Luxembourg was the first European central bank to be accepted as an associate member of the Islamic Financial Service Board (IFSB) and in

⁷² Ernst & Young (February 2013), Luxembourg: the gateway for Islamic finance and the Middle East, p. 9.

⁷³The double taxation on the second sale (murābaha) transaction between financier and the end-user was abolished whereas the treatment between the sukūk and the conventional bonds was guaranteed.

⁷⁴Two Circulars issued by the tax authorities of Luxembourg in 2010 pointed out that the tax authorities treat periodic payments made under the sukūk in a way similar to payments made under conventional bonds.

May 2011 it became the first European institution to host the 8th IFSB annual summit in Luxembourg.⁷⁵

France

France is home to the biggest Muslim population in Europe, of approximately 5,3 million. Despite this, Islamic banking and finance has not been long in the forefront of interest of French political and economic decision-makers. France, however, changed her passive attitude towards Islamic banking in the late 2000's after realizing that Islamic finance industry has not been hit too hard by the global financial crisis. Paris's sudden change of policy was also attributable to its desire to attract Gulf-based foreign investment and meet the needs of its large local Muslim population.

Not wanting to lag behind her rivals in quest of foreign Islamic investors and new sources of funding France has launched a campaign in the past few years to facilitate the offering of Islamic financial services and products. The French government trusts that the historical and political links with the Middle East give her the opportunity to hold a unique position in the Islamic finance industry. In a speech, the former minister of economy, currently IMF chief Christine Lagarde, stated in July 2009 that she wishes France to pursue "its effort to develop Islamic finance." She announced that her Ministry would propose a legislative reform aimed at creating a new vehicle to facilitate the issues of sukūk.⁷⁶

A number of reforms have been adopted to promote Islamic finance in France.⁷⁷ In mid-2007, the French Financial Market Authority issued a recommendation for Sharī'a-compliant funds and a year later, it published a statement approving the listing of sukūk in France. In early 2009, France introduced tax status adjustments for Islamic finance contracts on murābaha and sukūk transactions, confirming an equal tax treatment with conventional operations. A sukūk working group was created with lawyers, tax specialists, Sharī'a advisors and many French banks in 2009 to develop a sukūk structure

⁷⁵ Marc Theisen and Sufian Bataineh, Luxembourg: Gaining momentum, February 16, 2012, Islamic Finance News Guide 2012.

⁷⁶ Available at http://www.financeislamiquefrance.fr/useruploads/files/Discours_Europace_jeudi_2_juillet_2009.pdf

⁷⁷ KFH-Research, Paris seeks to become Islamic finance hub in Europe, Apr 17 2012, available at http://www.zawya.com/story/Paris_seeks_to_become_Islamic_finance_hub_in_Europe-ZAWYA20120418054458/

under French law. Paris Europlace⁷⁸ signed an agreement with AAOIFI in 2009 the result of which is the translation of the AAOIFI main Sharī'a standards into French by the end of 2011. This is a very important step to promote and foster Islamic finance in French-speaking financial centres in Europe, Maghreb and Sub-Saharan Africa.⁷⁹ In light of these developments, Islamic Bank of Qatar was the first bank that has applied for license to operate Islamic banking and finance in France.

Germany

Only in the recent past has Islamic finance and investment got into focus of interest and discussion in Germany. With a population of 4,3 million Muslims, mostly of Turkish origin, the country potentially is a big market for Islamic finance. In 2004, the state of Saxony-Anhalt became the first western European government to issue sukūk.⁸⁰ Furthermore, a number of German banks such as Deutsche Bank, Dresdner and WestLB - typically through their branches in London or the Middle East - offer Islamic financial services as part of their product offering.

The Cologne-based Meridio AG in March 2010 launched the Meridio Global Islamic Multi Asset Fund.⁸¹ At the same time the German financial regulator (BaFin) organized a conference on Islamic banking, welcoming Islamic banks to establish offices in Germany. Following the encouragement of the BaFin, the Kurwey Turk Participation Bank, majority-owned by the Kuwait Finance House, was the first bank to operate under Islamic banking principles in Germany.⁸² The second conference on Islamic finance under the aegis of BaFin in May 2012 examined the capital market products and the challenges and opportunities they present in the German regulatory environment.

⁷⁸Paris Europlace, founded in 1993, represents the major players in the financial market and has gained international recognition for its role in promoting Paris as a financial market and co-ordinating all related activities. The membership of the association today includes more than 150 different entities.

⁷⁹Available at www.paris-europlace.net and http://www.paris-europlace.net/files/Press_Release-AAOIFI-Paris_EUROPLACE.pdf

⁸⁰ The State of Saxony-Anhalt issued EUR 100,000,000 worth of sukūk al-ijāra certificates on state-owned real estate, the first Continental European sovereign sukūk issuance. A sukūk denotes the participation of investors via sukūk in a vehicle that acquires assets which generate Sharī'a-compliant income. In case of a sukūk al-ijāra that income is generated from rental income derived from a sale-and-lease-back transaction.

⁸¹The fund made up of Shari'a-compliant equities and sukūk was issued in Luxembourg with the aim of targeting investors in Germany and later in the Middle East and Asia. In spite of the intensive media coverage of the event, the Meridio fund was prematurely liquidated.

⁸² Kuveyt Türk started Islamic Banking in Deutschland, available at <http://www.igmg.de/nachrichten/artikel/2010/01/19/kuveyt-tuerk-startet-islamic-banking-in-deutschland.html>.

It is fair to say that besides purchase and sale all traditional and commonly applied Islamic legal forms of agreement and association, such as *mushāraka*, *mudāraba*, *murābaha*, *ijāra*, *bai al-salām*, etc. find their equivalence, whether individually or by combination, in the contract and association types of the German Civil Code (BGB) or Commercial Code (HGB). Reference is made to the German concepts of purchase (Kauf, § 433 BGB), rental and lease (Miete, § 535 BGB, Pacht, § 581 BGB), contract of service (Dienstvertrag, § 611 BGB) and the provisions of partnership law (§§ 105 et. seq. HGB) The availability of appropriate German legal formats is complemented by the constitutionally supported German law principle of freedom to enter into contracts of any kind, subject only to limitations of mandatory and constitutional law. Limitations (*ribā*, *maysīr*, *gharār*) profit and risk sharing principle as well as due diligence of the target with respect to prohibited activities and leveraging should be taken into consideration. Also, the participation of a *Sharī'a* board in the setting up of the fund vehicle as well as in the approval and monitoring of its acquisitions and operations, faces no insurmountable obstacles under German private, corporate or investment law. However, qualified *Sharī'a* scholars to serve on *Sharī'a* advisory boards need to be brought in from Islamic countries or the United Kingdom or the United States.

In spite of all these encouraging developments Islamic finance in Germany has remained largely unsuccessful. The fact that a number of Gulf-based Islamic banks suffered substantial losses in the current and recent world wide economic environment has a dampening effect on Islamic investing abroad, including Germany, as well. The more so, since highly publicized investments by sovereign wealth funds from the Arabian Peninsula in German DAX-listed corporations (such as Qatar Holding in Porsche, Volkswagen and HochTief, Abu Dhabi's Aabar in Daimler Benz or Saudi Arabian Sabic and IPIC in BASF and Bayer, respectively) have been made on a conventional basis.⁸³

As opposed to general assumptions the failure of the Islamic financial products in Germany is not attributable to lack of support by policy and the authorities but is rather due to the fact that Muslim immigrants are low-income and demonstrate little investment potential. A third of the Turks living in Germany invest in real estate in Turkey, and barely a fourth in German real estate. Not even a fifth admit to having a savings account in Germany. The

⁸³ P + P Pöllath + Partners, *Foreign Investments in Germany*, 2012, p. 47

second underlying reason is the role of the Sharī'a scholars. There are hardly any clear guidelines for fatawā and Islamic legal opinions are contradictory. Scholars therefore must provide transparency about the values of Islamic finance and Sharī'a for the non-Muslim public as well.⁸⁴

Conclusion

In comparison with the conventional finance and banking, Islamic finance industry currently plays a marginal role. Its principles though have the potential to form the basis of a global financial system which does not rely on debt but instead on equity and real economic activity. Islamic finance therefore stands a good chance of capturing a more sizeable share of global finance given its underpinning in relatively non-speculative activity and the fact that it is backed by tangible assets. The subprime and sovereign debt crisis and tendencies towards “ethical” and sustainable investing make Sharī'a-compliant investment structures, designed to provide non-interest based financing and to comply with other limitations that the Quran and the Sharī'a impose, more attractive. It is a common understanding that the Islamic sector, though also affected and hit by the negative effects of the economic downturn, weathered the crisis somehow better than its conventional counterpart. This remarkable power of resistance is attributable, first of all, to the principles and ethical approach of Islamic finance. Yet it is likely to be seen in the years to come as well as a complementary niche market as opposed to global financial industry, rather than as an alternative to conventional finance and banking.

There are challenges as well, however, Islamic finance has to face. Goldman Sachs' registering of a sukūk in October 2011 illustrates the fundamental flaws of Islamic finance. The bank's USD 2 billion sukūk programme met with controversy after some Islamic scholars said it was not Sharī'a-compliant. To make things worse, it was reported that at least three of the eight scholars quoted in Goldman's provisional as endorsing the transaction said they had never seen the document.

The incident highlighted one of the major problems with the current Sharī'a board system. When one group of scholars declares a transaction

⁸⁴Rebecca Schönenbach, *Intrinsic barriers of Islamic finance, Sharia scholars and the low Muslim income*, July 2012.

Sharī'a-compliant and another disagrees, there is no higher authority to appeal to. Islamic finance has a large degree of subjectivity. There is no so-called standard body of Islamic law because this would presume the general acceptance of the guidelines of a specific law school or international institutions, such as AAOIFI or IFSB. What is considered Sharī'a-compliant in one jurisdiction may not be acceptable in other jurisdictions. The diversity of interpretation of Sharī'a principles on the same issue by different schools of thoughts may undermine public confidence.

Unlike the decisions of the executive board, it is also difficult to examine Sharī'a board decisions because they are not made public, minutes are rarely kept, and if they are they are not known. On the other hand, the influence of the Sharī'a boards is so huge that although not accountable to shareholders, the decisions of these boards can overrule those of the executive committee and have a decisive impact on an organisation's strategy. Moreover, more scholars are needed who combine a deep understanding of Sharī'a principles with knowledge of banking and finance matters. Sharī'a boards have been introduced to bring diverse set of skills so that their rulings are not only Sharī'a-compliant but are also compatible with the legal, accounting and financial framework. At the moment, a handful of well-reputed Sharī'a scholars sit on the Sharī'a boards of leading Islamic financial institutions and their excessive workload and tax on them run the risk of compromising the quality of their rulings.

In order for Islamic finance to be more attractive and transparent, the decision-making process of the Sharī'a boards should be reformed and more needs to be done to achieve coherence in conventional and Islamic standards dealing with similar issues, such as accounting and auditing standards, corporate governance standards and risk management. Issues of default or delay in repayment also lead to difficulties in the Islamic Finance industry. The return under some modes of Islamic financing like murābaha and ijāra is based on the predetermined price of the underlying goods or services. The price so agreed cannot be changed in case of delay or default in repayment of financing. A Sharī'a-compatible solution to this problem is still not available.

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CHINA’S ‘SUDAN DILEMMA’¹

Abstract

After the secession of South Sudan in 2011, the previous characteristics of Sudan have changed – and as a result of this, China (also) has to face a dilemma: continuing to support Khartoum against Juba, even if they know that most of the oil reserves now can be found in South Sudan; or support Juba against the al-Bashir-led government, even if they know, Juba is only able to export its oil using Sudanese infrastructure. Beijing has to adapt to this new situation and needs to maintain its interests in both countries. The paper focuses on South Sudan’s secession, on the Western presence in Juba and on China’s past, present and future in Sudan and South Sudan.

Keywords: China, Sudan, South-Sudan, Comprehensive Peace Agreement, energy sector, oil production

The break-up of Sudan

The modern history of Sudan is a story about civil wars, millions of deaths and oil. Right after declaring independence from Anglo-Egyptian Sudan in 1955 (the British Government recognized the independence of the country on 1 January 1956), the First Sudanese Civil War broke out. “The root cause of the identity conflict lies in the British classification of the Sudanese as Arab-Islamic people to be able to ‘divide and rule’ the North. [...] Sudan, like other African countries, inherited its borders from the colonial era and left them alone with this Janus-faced heritage at the time of independence in 1956. This was indeed a messy creation. These borders artificially enclosed historically and ethnically different entities such as Darfur, the central territories, Southern Sudan, Nuba Mountains and Abyei, the far north of the Nubian lands and the Eastern territories. The independent Sudan identified itself as an Arab-Islamic state and neglected the South. This attitude led to an armed uprising of the South. After the ‘mutiny’ started, the rulers of the Sudan changed the Southern agenda to ‘Northernization’. They wanted to solve the ‘Southern Problem’ by force.” (Illés, 2011: 102–103)

¹ This research was supported by the European Union and the State of Hungary, co-financed by the European Social Fund in the framework of TÁMOP 4.2.4. A/2-11-1-2012-0001 ‘National Excellence Program’.

The first conflict lasted from 1955 until 1972 between the northern and southern parts of Sudan. Southern regions demanded representation and more regional autonomy, but the Arab-led Khartoum government refused to give that. More than half a million people died over the 17 years of war. However, the agreement that ended the First Civil War failed to solve the situation, so the north-south conflict reignited during a second civil war.

The Second Sudanese Civil War started² in 1983 and lasted until 2005 between the same actors: the Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A)³. The death toll is one of the highest of any war since the Second World War: based on estimates, nearly two million people died – because of the war, and because of diseases caused by the civil war. Beside the high death toll, millions of people were displaced during the conflict.

The Second Civil War officially ended by the signing of the Comprehensive Peace Agreement (CPA) in January 2005, which was more like a roadmap to peace than a peace itself. The CPA marked a 6-year-long interim period for the two sides to solve the situation and proceed towards the main goal of the agreement until 9 July 2011: the independence of the Southern region.

The road towards secession was long and curvy: the government and the SPLM were unable to decide about the borders and the future of the oil reserves; despite this the referendum took place from 9 to 15 January 2011 in Southern Sudan. The outcome was obvious, but at that time the fear of a Northern military attack was strong. In February the final results were published, and the vast majority voted in favour of independence: “On Monday, the Southern Sudan Referendum Commission announced in Khartoum that 98.83% of the voters had backed independence.⁴ “Those who voted for unity were 44,888, that is, 1.17%. Those who voted for separation were 3,792,518, that is, 98.83%,” commission head Mohamed Ibrahim Khalil said”.⁵

² It was largely a continuation of the First Sudanese Civil War of 1955 to 1972.

³ The SPLM/A was founded in 1983 to re-establish an autonomous Southern Sudan by fighting against the government.

⁴ “While the ballots were suspended in 10 of the 79 counties for exceeding 100% of the voter turnout, the numbers of votes were still well over the requirement of 60% turnout, and the majority vote for secession is not in question.” Sudan Referendum. Viewpoint Africa. <http://www.viewpointafrica.com>

⁵ South Sudan backs independence - results. BBC News. <http://www.bbc.co.uk/news/world-africa-12379431>

South Sudan became Africa's 55th and an independent state on 9 July 2011. The country became a United Nations member state and a member state of the African Union, and was immediately recognized by the United States and the BRICS countries (Brazil, Russia, India, China and South Africa).

South-Sudan and the Oil⁶

Oil exploration started in Sudan in 1959 when the Italian Agip oil company was granted offshore concessions in the North. After Agip, other Western oil companies moved in to search, but results were meagre and most companies relinquished their concessions.

Chevron, however, was persistent and the American company made the first successful findings in 1978 in Southern Sudan which were followed by further successful drills. The discovered oil-fields seemed profitable, and because of Chevron's successful explorations more and more companies arrived in Sudan in a second wave, and were granted concessions. But the safety issue, the growing number of human rights violations, and sometimes the involvements of the Western companies in the riots adversely affected their reputation. In 1984, Chevron suspended its operations and removed personnel and so did other Western companies. They sold their concessions and the arriving Asian companies – particularly the Chinese CNPC – continued their unfinished explorations. In 1997, the Greater Nile Petroleum Operating Company (consisting of the Asian companies) began to build a 1540-km oil pipeline from the oilfields to a marine export terminal on the Red Sea. In August 1999, the first 1,500 barrels of crude oil travelled through the pipeline to be loaded on to a tanker: oil production had officially led to the first export cargo. Since then oil production and export have increased steadily and new discoveries have been made. In 2003, oil production averaged 270,000 barrels per day but thanks to new discoveries and new pipelines the country's crude oil production almost doubled, making it Africa's fifth producer with more than 434,000 barrels per day by late 2006. Former Sudan had proven oil reserves of 6.4 billion barrels, 32 times more than it was estimated in 1981. The exact locations of the oil fields are shown in the map below.

The territory of the (former) country is divided into blocks but the only producing ones are 1 through 7 of the blocks that Figure 1 shows. Except for the

⁶ Based on the paper: Vörös, 2011.

two offshore blocks in the Red Sea, the remaining blocks look much less promising, even though little or no seismic research has been done. The figure shows us the problematic issues of the oil industry of the former country: most of Sudan's production fields are landlocked and are in the recently formed country, South Sudan: approximately 75% of Sudan's oil production disappeared over one day and became the only income of South Sudan

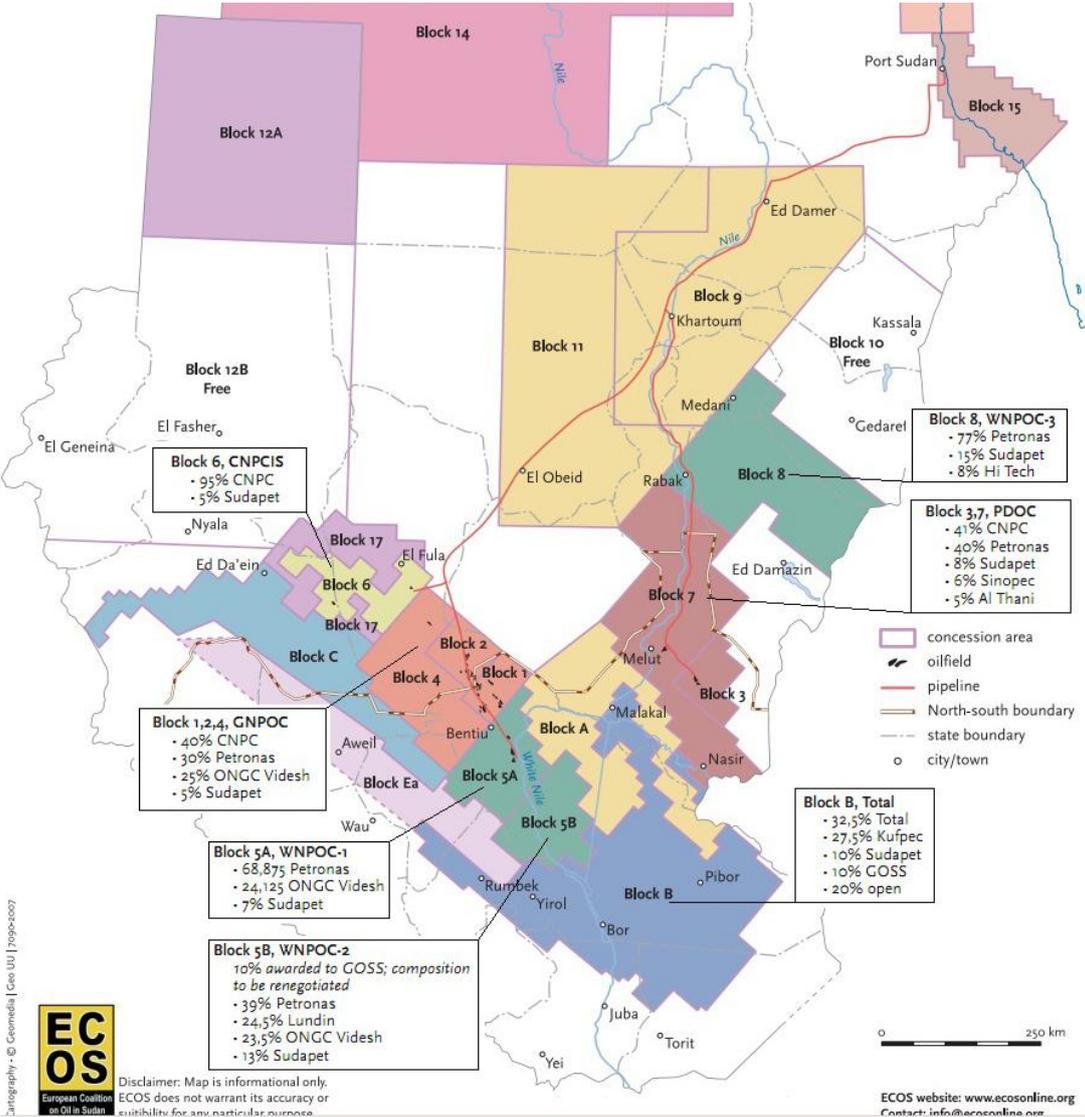


Figure 1.
 Source: ECOS Online

The challenge is for Juba, that the infrastructure and refineries are in Sudan, which made the independence even spicier. Given the landlocked situation of Southern Sudan and its underdeveloped infrastructure Khartoum was in a strong position: there were no contracts about the share of oil incomes and Sudan opposed all the solutions. “Agreement to share control over oil resources and revenues was a central part of the 2005 [CPA], but up to the eve

of South Sudan's secession, north and south had not resolved how to divide the industry or its revenues. [...] South Sudan faces uniquely difficult challenges in relation to its oil sector. The government depends on oil revenues more than does any other country in the world [as approximately 98% of its incomes comes from the oil sector – *comment by Z.V.*]. At the same time, it has an aging oil industry and little time to prepare for managing the oil sector because of the prolonged separation negotiations with Sudan, leading to uncertainty about what share of the existing industry's resources, infrastructure, and revenues South Sudan would hold. In the run-up to independence, there was violent conflict in some of the oil-producing areas. Looking ahead, South Sudan's oil earnings in relation to its population put the country only on the cusp of eligibility for preferential aid as one of the world's least developed countries, even though is highly undeveloped, with 83 percent of the population illiterate and 51 percent living below the poverty line." (USIP, 2011)

South Sudan also had a plan to build an alternate pipeline through Kenya to the coast, but no partners (not even the Chinese) found it profitable. Without the help of a donor-country, Juba had only choice to make an agreement with Khartoum, and in the spring of 2012 made a crucial step: the continuing problems with the negotiations, the accusations of oil theft and arbitrary oil diversion by Sudan, urged Juba to shut down all oil productions. The decision made both the Sudanese and the South Sudanese economy into free-fall. In South Sudan the "inflation soared to more than 80% in May. The government reneged on its promise of free university education as crippling austerity measures were introduced to save money. Making matters worse; South Sudan failed to get any short-term loans from international partners to shore up its dwindling national reserves."⁷

But in 2013, as an outcome of the economic problems of the sides, they started to normalise ties and implemented cross-border cooperation. Moreover, in April 2013 Omar al-Bashir even had a visit to the South, his first trip to the newly born country after the visit in July 2011 at the breakup. Although they decided to discuss common issues, they still haven't agreed terms about the disputed Abyei province and other regions along their 2,000km-long border.

⁷ Viewpoint: South Sudan has not lived up to the hype. BBC News. <http://www.bbc.co.uk/news/world-africa-18550314>

The United States in Sudan and South Sudan

Because of human rights violations and the continuing civil war, the Western states “left” Sudan: the United States imposed economic, trade and financial sanctions on Khartoum and banned all of “their” companies from business in the country. The United States broke all ties with the Bashir-led government but “maintained close ties with the rebels in southern Sudan, and supported the breakaway province’s claim to statehood.”⁸ Their role in the CPA implementation in supporting South Sudan is huge. “The U.S. Government is the largest international donor to Sudan, and USAID has a range of large projects covering humanitarian, recovery and development objectives.” (Harvey, 2009) On the other hand, the United Kingdom, as Illés notes, always had a good relation with Khartoum and London also supported the Southern region. (Illés, 2012) The EU also turned towards Sudan in the end of the 1990s but from time to time asked for some conditions in favour. “The European Commission is funding several large recovery and development programs in Sudan. Its policy is very much one-country, two systems. Most of its programming is therefore national with both a northern and Southern component, with the funding evenly divided between the two.” (Harvey, 2009)

On a USAID conference it was decided that the main countries helping South Sudan implementing the CPA (United States, United Kingdom and Norway) would continue their longstanding programme in South Sudan. They have made “a decision that different countries will take the lead in different areas of work so that [they are] more effectively coordinated. [...] UK leads in health and in anticorruption efforts; the Norwegians lead in helping to support the Republic of South Sudan in managing their oil revenues in a transparent and visible way; and the United States has taken a leadership on agricultural development and private investment.”⁹

China’s Sudan policy: Chinese past, present – future?¹⁰

But beside the United States’ presence and economic plans, we have to investigate China’s intentions.

⁸ South Sudan to Get Aid From China; No Oil Deal. The New York Times.

http://www.nytimes.com/2012/04/26/world/asia/china-to-aid-south-sudan-but-pipeline-efforts-stall.html?_r=1

⁹ International Engagement Conference on South Sudan. <http://www.state.gov/r/pa/prs/ps/2011/12/178674.htm>

¹⁰ Partly Based on the Paper: Vörös, 2011.

The two countries established diplomatic connections already in 1959, three years after Sudan's independence, starting a 50-year long cooperation. Both countries tried to be independent from the two superpowers and wanted to follow their own diplomacy at the time of the Cold War. Later China used the Non-Aligned Movement for its own goals and by establishing the so-called Third Way it became the undisputed leader of the movement which helped it building relationships with the countries of the Global South. At first these steps were motivated by the decaying connections with the Soviet Union but later on proved to be good decisions and were strengthened in the light of the country's economic growth and hegemonic ambitions. It is important to reflect on these relations of China with the countries of the Global South because the Asian country became a trusted partner for them and Beijing could develop connections into strategic partnerships, deeper than the Western states could do. China cultivated the relations even under the USA-dominated one-polar world and by learning from the failure of the Western aid-policy designed a new (or more correctly: continued) own way of assistance: in exchange for grants, credits, and infrastructural developments, Beijing didn't ask for structural changes or better human right records, just vital raw materials. And as István Tarrósy notes, with this method, China is able to reach its (sometimes unclear or unaccepted) goals. (Tarrósy, 2008: 89-90) As an interview with Energy and Mining Minister of Sudan, Mr. Awad Ahmed Al-Jaz, shows¹¹, he praised his Chinese partners for sticking to trade issues and not interfering in internal affairs. "The Chinese are very nice," he said. "They don't have anything to do with any politics or problems. Things move smoothly, successfully. They are very hard workers looking for business, not politics." The Chinese way of helping can be upsetting but we shouldn't forget that nor has Western aid policy been very successful in these countries and it has often caused serious structural problems.

There were two main reasons for the breakthrough that occurred in the relations between the two countries in the 1980's, one from each direction, which helped the interests to cross. Sudan faced serious structural problems, which were rooted in the colonial past. The unresolved problems and ethnic fights led to violence and civil war from the early years of independence, then, to a second civil war from 1983.

¹¹ Goodman, Peter S. 2004. China invests heavily in Sudan oil industry. Energy Bulletin (<http://energybulletin.net/node/3753>)

The first reason was the need of a partner by the Sudanese government because the Western oil companies had been forced by their own governments to leave the country as a result of human rights violations. The companies did not really hesitate and accepted the decision to withdraw their interests from Sudan. Later on, in 1997, the government of the United States imposed economic, trade and financial sanctions on Sudan and banned all of “their” companies from business in the country.¹² Thanks to these decisions, Asian companies could settle and start business on a huge market.

In the vacuum that arose as a result of the withdrawal of the Western companies and the economic sanctions imposed on Sudan, Beijing stepped in. It was not interested in human rights problems and bought the oil fields from the companies that had left Sudan. Nowadays, Asian companies are dominating the Sudanese market and there are three main oil corporations in the country: China National Petroleum Corporation, Malaysian Petronas and Indian ONGC, controlling 90 percent of the oil production.

The second reason was China’s hunger for oil and this is why the country was interested in buying the left oil fields. For fuelling the economy, China turned towards possible oil exporters, including several African countries as well. And the processes in Sudan helped their ambitions.

In pursuit of oil in Sudan China has also got embroiled directly in the complicated and controversial relations between the country’s Arab north and Christian south. China began its Sudanese oil explorations while the country was still involved in a civil war between the North and the South and was always criticised because of financing Khartoum’s wars and their crimes against humanity in Darfur. Hundreds of witnesses reported violations during the civil war. Beijing, however, has put a blind eye to the human sufferings and has instead concentrated its involvement on its own oil-related projects. The Western human rights organizations charge the China National Petroleum Corporation (CNPC) of ignoring the government’s controversial investments.

¹² US sanctions prohibit US companies from doing any business in Sudan, except in the Southern part. As a result, the two countries have no economic relations, except for a few exceptions that are allowed by the US administration: import of gum arabic for Coca Cola, and a large plant in Khartoum that is owned by the same company. US law does not prohibit from investing in foreign multinationals that operate in or sell to Sudan, but a nation-wide Sudan Divestment campaign has managed to chase a lot of US money out of companies that are active in the country. Sudan’s Oil Industry, Facts and Analysis, April 2008. <http://www.ikvpaxchristi.nl/files/Documenten/econ%20PWYP%20nieuwsbrief/dossier%20final%20klein%20web.pdf>

About 60 percent of Sudan's oil flew to China, and Beijing has a close economic and even military relationship with Khartoum. Papers on Africa note that China (beside other countries) has supplied Sudan with small arms, anti-personnel mines, tanks, helicopters etc. and China has even established several arms factories in Sudan so their soldiers and the members of the Janjaweed militia use Chinese-made arms all over Sudan (including Darfur). (Hartung, 2008; Kristof, 2006) That is the reason why Beijing's presence in the country is not favoured by human rights organizations and it is something that calls into question the benefit of the relationship. As for the economy, Sudan is profiting from this relationship not only through blocked UN resolutions but also through a huge economic growth. For over a decade, China has been Sudan's closest economic partner and leading trade partner: Beijing purchases about two-thirds of Sudan's exports, and provides one fifth of its global imports. CNPC is the leading developer of Sudan's oil industry and "a major purchaser of Sudanese oil and has also developed much of the infrastructure of the country and their [Chinese] companies have been assuming a larger role in the agriculture, mining, medicine and education sectors over the past few years."¹³ Trade with China and Chinese investments in the country have helped Sudan to generate a robust double-digit percent economic growth rate before the secession.

The question was the Chinese reaction on the independence of South Sudan and their future attitude and partnership towards Juba. Before the referendum, SPLM officials were optimistic, "China have expressed readiness to recognize an independent South Sudan in case the Southerners opt for separation in the upcoming referendum on self-determination," said Pagan Amum, the Secretary General of the SPLM. But long after the birth of South Sudan, China was quiet about its plans but welcomed and recognized Juba.

As we have already noted, about 60 percent of Sudan's oil flew to China, and their growing economy is desperately seeking more and more sources of oil, even if the Sudanese oil makes up only 4-5% of Beijing's oil imports. Beside this fact, the Chinese oil companies have concessions in South Sudan as well. The dilemma is how to cooperate with the South – if Khartoum is by your side, or how to ignore Juba, if they have the oil you need. The dilemma became even more complicated right after the secession: the two armies started to attack each

¹³ China in Sudan - Having it Both Ways. Save Darfur.
http://www.savedarfur.org/pages/policy_paper/briefing_paper_china_in_sudan_having_it_both_ways/

other and had a bloody fight over an oilfield as well. And as we had already seen: Juba shut down all oil productions.

South Sudan is proposing a new pipeline through Kenya that would take their oil to an Indian Ocean port rather than to Port Sudan in Sudan. And they hoped, the Chinese would finance it. But why Beijing? “China would be a logical financier for such a pipeline,” said Li Xinfeng, a researcher at the Institute of West Asian and African Studies at the Chinese Academy of Social Sciences. But any decision by China would be made on a commercial, not political, basis,” he said.¹⁴ The principle of non-interference is the most attractive feature for an African country, especially which “faces a number of mutually reinforcing structural obstacles that can only be overcome in the long term, such as a lack of basic infrastructure, the weak development of markets, and the lasting legacy of insecurity left by the civil war.” (Lacher, 2012: 5) Juba’s decision to halt the oil production had a disastrous impact on the world’s newest country. “Oil brings in nearly all income [98%] and keeps state salaries and the army – which soaks up 40 per cent of spending in a country wracked by internal conflicts – afloat.”¹⁵ Without the oil, the government is unable to pay anything.

Two events show the real depth of Beijing’s dilemma: “In January, 29 Chinese workers involved in building a \$63 million road financed by the Export-Import Bank of China were abducted by rebels in the oil-rich region of South Kordofan Province in Sudan. [...] In February, South Sudan, angered that China was not sufficiently on its side, expelled the president of the Chinese oil consortium based in Juba, the capital of South Sudan.”¹⁶

In April 2012, Salva Kiir, the president of South Sudan travelled to Beijing to boost up the cooperation between the two sides. “Mr. Kiir’s trip to Beijing was interpreted as an effort, in part, to secure financing for a pipeline that South Sudan would like to build through Kenya to a port on the Indian Ocean. [...] While the visit of Mr. Kiir showed that China was interested in improving its relationship with South Sudan, Beijing did not want to appear to

¹⁴ South Sudan to Get Aid From China; No Oil Deal. The New York Times.

http://www.nytimes.com/2012/04/26/world/asia/china-to-aid-south-sudan-but-pipeline-efforts-stall.html?_r=1

¹⁵ South Sudan fears impact of oil shutdown. Financial Times. <http://www.ft.com/intl/cms/s/0/3c3b50b6-5c92-11e1-911f-00144feabdc0.html#axzz25vTVVKPd>

¹⁶ South Sudan to Get Aid From China; No Oil Deal. The New York Times.

http://www.nytimes.com/2012/04/26/world/asia/china-to-aid-south-sudan-but-pipeline-efforts-stall.html?_r=1

be taking sides by announcing a major pipeline investment as the two countries seemed headed for war.”¹⁷ So, no decision about the pipeline, it seems that China will not finance a project, which leaves Sudan’s infrastructure unutilized. But there was a deal on this meeting, Beijing agreed to loan 8 billion dollars for Juba on major development projects: to build roads, bridges and telecom networks, and to develop agriculture and hydro-electric power.

There are no strings attached to it – said South Sudan’s Information Minister Barnaba M. Benjamin about the loan¹⁸, revealing China’s continuing attitude towards African countries. According to the news, the aid will be provided in the upcoming two years, and, of course, the projects will be implemented by Chinese companies.

Conclusion

Maybe China’s decision and behind-the-scene-mediator-role urged the two sides to make a deal, and continue oil production and transport, or just the deepening crisis made them to agree on oil payments, they finally agreed a deal in the first days of August 2012. The United Nations, the African Union and the United States all assisted the deal and finally the agreement was signed in Addis Ababa with the help of the former South African president Thabo Mbeki. South Sudan has agreed to pay Sudan just over \$9 per barrel to transport oil to its ports.¹⁹ South Sudan has also offered a \$3.2 billion package to compensate Sudan for the loss of most of its oil reserves to the South.²⁰

It will take time to reach full capacity in oil production, but Juba still plans alternate routes as well. Beside the Kenyan Coast, another alternative route could be the “establishment of a new pipeline that will be added to the Chad-Cameroon pipeline with a new project to be undertaken by the World Bank. In this way, the oil of [South] Sudan could be connected to the Cameroon harbour through which the oil is transferred to the world markets.” (Öztürk, 2011)

¹⁷ Ibid.

¹⁸ South Sudan 'agrees \$8bn deal with China'. BBC News. <http://www.bbc.co.uk/news/world-africa-17883321>

¹⁹ Sudan and South Sudan reach 'understanding' over oil. BBC News. <http://www.bbc.co.uk/news/world-africa-19122861>

²⁰ Sudan, South Sudan reach oil deal, will hold border talks. Reuters. <http://www.reuters.com/article/2012/08/04/us-sudan-southsudan-idUSBRE87300520120804>

Beijing has a central role in the two countries, but has to balance between Khartoum and Juba to reach its goal: importing oil. But, as it has been noted several times, as a regional power and as a main actor in Africa, China should take its place as a responsible actor in the global arena more seriously than it has done in the past so far. More sharply: helping both sides with guns, mines, tanks will make the conflict even more difficult. The situation has changed in Sudan and China has to adapt to it.

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CURRENT ISSUES

PÉTER MARTON, PhD

A STALEMATING STRATEGY IN AFGHANISTAN?

Abstract:

The article argues that the West is looking for a stalemate instead of a victory in Afghanistan, even if this statement requires further clarification in the sense of specifying what would happen to the key actors in the conceived stalemated situation. The article first provides an overview of the discourse in West about “stalemate in Afghanistan,” then examines Western strategy in the light of key decision-makers’ statements and noteworthy developments on the ground. It then concludes with an analysis of what sort of stalemate constitutes Western aims in Afghanistan and how it is hoped to be achieved, as well as with an assessment of the enormous difficulties this strategy faces, profoundly questioning its validity.

Keywords: Afghanistan, conflict, stalemate, US foreign policy, Taliban, insurgency, Pakistan, terrorism, al-Qaida

Introduction

A closer meaning of “stalemate” is a situation in which two parties or players deadlock each other. Neither can make a further move. In the game of chess this entails that neither can make a *legal* move, including the player who ought to move. In contrast, in conflict resolution, stalemate usually implies a mutually hurting situation, where the parties may be looking for a Way Out depending on whether they perceive that there is a mutually and sufficiently enticing opportunity, perhaps with the aid of mediation by third parties. In the negotiation process it certainly helps if they have valid spokespersons and it is important that a protracted hurting stalemate must not deepen hostility of the two parties and that they remain sensitive to the hurting nature of their situation. In a nutshell, that is how the moment may become “ripe” for conflict resolution.¹

¹ ZARTMAN, William (2001): *The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments*. In: *The Global Review of Ethnopolitics*, Vol. 1, No. 1, September 2001, p. 8-18.

In Afghanistan, not a single one of the above criteria may be present for a stalemate and a ripe moment for conflict resolution, even if momentarily the situation clearly is hurting for all involved. The puzzle investigated in this chapter is how, in spite of this, there is much talk about a stalemate in Afghanistan, and why, if there is a challenge to this, it comes mostly in the form of a defence of the Afghanistan effort alluding to how the war can still be won, even as the current Afghan government is told it should reconcile and prospectively share power with the Taliban. The reason for what at first sight may seem an odd constellation of affairs is found to lay partly in the realities of the situation in Afghanistan and Pakistan, partly in the mundane world of electoral politics, and partly in the cognitive processes of Western decision-makers.

The discourse on “stalemate in Afghanistan”

Stalemate has become a trending word in the context of the Afghanistan conflict. Google’s search engine was able to retrieve 13,600,000 hits for “Afghanistan stalemate,” while Bing found 861,000 (on 12 September 2012). In the summer of 2012, the *New York Times* has even written of the family feud between Mahmoud Karzai and Shah Wali Karzai, two brothers of President Hamed Karzai, upon the latter’s alleged illicit transfer of \$55 million from the family company funds to his own corporation, as one where “the two sides settled into a bitter stalemate.”² *Google Trends* measures a relative rise of search activity related to the keywords “Afghanistan, stalemate” for the period of June 2009 to May 2012.³

A review of one and a half years’ contents⁴ in the *New York Times*, the *Washington Post*, and various other major newspapers may offer a particularly illustrative sample of references to a stalemate in or related to Afghanistan. It reveals that “stalemate” is usually implied in a vague and varying sense to refer to various different confliction situations between different dyads of actors. Some of the causal mechanisms assumed to play a role in creating these

² RISEN, James (2012): *Intrigue in Karzai Family as an Afghan Era Closes*. New York Times, 4 June 2012. At <http://www.nytimes.com/2012/06/04/world/asia/karzai-family-moves-to-protect-its-privilege.html?pagewanted=all> (downloaded on 14 January 2013).

³ From <http://www.google.com/trends/explore#q=Afghanistan%2C%20stalemate&cmpt=q>, as retrieved on 10 October 2012.

⁴ That is, since the official end of the take-off phase of the U.S. surge effort, and the beginning of troop drawdowns.

stalemates are hinted at, but no systematic attempt can be observed to link up the various different stalemates into a comprehensive assessment of the conflict complex. This may have to do with the *Matryoshka*-doll nature of the war in Afghanistan: it constitutes a set of conflicts within other conflicts escaping a narrow definition by reference to clearly delineated actors and parties.

Frequently it is the conflict between the West and the Taliban that is deemed a stalemate. Most recently, experienced residents of Kandahar, Alex Strick van Linschoten and Felix Kuehn write in the *New York Times*, concerning the designation of the Haqqani faction within the Taliban insurgency as a terrorist organisation, which qualification will not help as “there can be no winner in the current stalemate”. They base this partly on the claim that “the industrial-scale targeting of midlevel Taliban commanders in Afghanistan has led to the rise of a younger, more uncompromising generation of leaders.”⁵ Other observers and pundits add their say, too, to the debate. One source speaks of an impasse in a dynamic sense: gains in southern Afghanistan as a result of the surge of mostly U.S. troops to the war theatre may have pushed the insurgency to other areas.⁶ Another source describes a “perpetually escalating stalemate.”⁷ Yet another one implies stalemate in its conventional, static sense, speaking of “a complete stalemate” on the political front while war is raging.⁸ Meanwhile, former U.S. Ambassador to Afghanistan Ronald Neumann warns that “transition has to be toward a defined goal, not a cliff over which we tumble;” in a circular argument he then claims that therefore negotiations are necessary with the insurgents, hopefully not to be broken by the “current stalemate.”⁹

Contrary to these sources, reacting to press reports in February 2012 in the wake of the leaking of a classified NATO report on the situation in Afghanistan,

⁵ VON LINSCHOTEN, Alex Strick and KÜHN, Felix (2012): *A Pointless Blacklisting*. New York Times, 12 September 2012. At http://www.nytimes.com/2012/09/12/opinion/blacklisting-an-afghan-network-is-pointless.html?_r=1& (downloaded on 14 January 2013).

⁶ SHASHANK, Joshi (2012): *Afghanistan heads towards a messy, unresolved stalemate*. Telegraph, 19 September 2012. At <http://blogs.telegraph.co.uk/news/shashankjoshi/100181834/afghanistan-heads-towards-a-messy-unresolved-stalemate/> (downloaded on 14 January 2013).

⁷ STAR, Alexander (2011): *Afghanistan: What the Anthropologists Say*. New York Times, 20 November 2011. At <http://www.nytimes.com/2011/11/20/books/review/afghanistan-and-other-books-about-rebuilding-book-review.html?pagewanted=all> (downloaded on 14 January 2013).

⁸ KHATTAK, Afrasiab (2011): *Stalemate in Afghanistan*. Dawn, 15 November 2011. At <http://dawn.com/2011/11/15/stalemate-in-afghanistan/> (downloaded on 14 January 2013).

⁹ NEUMANN, Ronald E. (2012): *U.S. troops will remain in Afghanistan beyond 2014*. Washington Post, 13 February 2012. At http://www.washingtonpost.com/opinions/us-troops-will-remain-in-afghanistan-beyond-2014/2012/02/13/gIQA3lxFOR_story.html (downloaded on 14 January 2013).

CIA Director David Petraeus denied that this report described a stalemate in Afghanistan: “We did a word search for the word ‘stalemate’ (...) it is not in there,” he said,¹⁰ even as he tried to maintain a semblance of objectivity related to the US intelligence community’s own assessment of the Afghan conflict, similarly referring to a deadlocked situation (in a National Intelligence Estimate or NIE).¹¹ “Twice I thought the assessment was too negative... Two other times, I felt that the community was actually too positive,” Petraeus related.¹² Similarly to him, Secretary of Defence Leon Panetta also attempted to counter the notion of a stalemate in the NIE, calling 2011 a “significant turning point [for the better].”¹³

As seen here, in these instances stalemate may be both *political* and *military*, *static* as well as *dynamic*, and either *mutually hurting* or *hurting to a more general collective* of e.g. “Afghans.” Three of the above sources speak of a dynamic military stalemate (“insurgent leaders are replaced with ones even more committed to the fighting”; “insurgents pressured in one area merely move to another area”; “hostilities escalating and the number of violent incidents as well as combatants on both sides growing, without a change of outcome”). One source speaks of a static military stalemate whereby negotiations are necessary to bring about lasting results (“if you take the military out and there is no deal in the meantime, transition leads nowhere”), while another focuses on the political impasse (“they do not negotiate, and Afghan blood is being spilt in the meantime”). At the same time, decision-makers with personal stakes in producing military victory (Petraeus or Panetta) seek to deny that there may be a stalemate as any non-winning situation is inconvenient for them to acknowledge, even in the face of opposition to a relatively upbeat assessment by other voices within U.S. government.

Notably, this proliferation of utterances of a stalemate comes in the wake of long years throughout the course of which phrases such as “we are winning every battle, but we cannot win the war” [stalemate] and that “we have our

¹⁰MILLER, Greg (2012): *Petraeus, with plenty of practice, sticks to message*. Washington Post – Checkpoint Washington, 3 February 2012. At http://www.washingtonpost.com/blogs/checkpoint-washington/post/petraeus-with-plenty-of-practice-sticks-to-message/2012/02/03/gIQA8kwJnQ_blog.html (downloaded on 14 January 2013).

¹¹IGNATIUS, David (2012): *Panetta suggests earlier Afghan withdrawal*. Washington Post – Post-Partisan, 1 February 2012. At http://www.washingtonpost.com/blogs/post-partisan/post/panetta-afghanistan-withdrawal-begins-and-ends-with-politics/2012/02/01/gIQAmoaliQ_blog.html (downloaded on 14 January 2013).

¹²MILLER, 2012, *op. cit.*

¹³IGNATIUS, 2012, *op. cit.*

watches, but the Taliban has time” [a losing situation] have long become common parlance. In various locales across Afghanistan, from Now Zad in Helmand province to the Korengal valley in Kunar province, different military units have come to lethal *local* stalemates with insurgents: being able to take terrain temporarily but unable to hold all of it with less than enough men, experiencing stalemate primarily in terms of (missing) mass of manpower.¹⁴ Other, distinct sources focus on the structure of Afghan politics and speak of a longer-term impasse in the sense of “structural anarchy” (as e.g. Reyna uses the term¹⁵), where “no one is truly in charge” because although “local power brokers might possess wealth, honor, a reputation for piety, abundant weaponry or powerful allies, but they [lack] the means or the will to convert those gifts into decisive authority,”¹⁶ a constellation studied in general within the “failed state” literature.

“Stuck in a stalemate” has in the meantime become a recurring expression to describe the state of affairs facing the Pakistani military in Pakistan’s borderlands,¹⁷ where in the words of one of the sources just quoted “a witches’ brew of militants” may be holding Pakistani forces at bay.

Such understanding of the difficulties faced by Pakistani troops stands in contrast with varying open talk of conflict with Pakistan itself. Especially in the wake of the November 2011 Mohmand incident where soldiers of Pakistan’s Frontier Corps were killed in a NATO/US airstrike and Pakistan decided to close its land borders to ISAF supplies into Afghanistan, the press regularly talked of “bitter stalemate”¹⁸ related to “countless matters” of which the November 2011 incident was but one. The structural flaws or incompatibilities

¹⁴PHILLIPS, Michael M. (2009): *Stalemate*. Wall Street Journal, 23 May 2009. At <http://online.wsj.com/article/SB10001424052970203771904574179672963946120.html> (downloaded on 14 January 2013).

¹⁵REYNA, Steve (2002): *Imagining monsters : a structural history of warfare in Chad (1968-1990)*. In: Friedman, Jonathan, ed.: *Globalization, the State and Violence*. Walnut Creek, Altamira, 2002.

¹⁶STAR, 2011, *op. cit.*

¹⁷ See e.g. SCHMITT, Eric (2011): *U.S. Prepares for a Curtailed Relationship With Pakistan*. New York Times, 26 December 2011. At <http://www.nytimes.com/2011/12/26/world/asia/us-preparing-for-pakistan-to-restrict-support-for-afghan-war.html?pagewanted=all>; and SCHMITT, Eric (2012a): *Lull in Strikes by U.S. Drones Aids Militants in Pakistan*. New York Times, 8 January 2012. At <http://www.nytimes.com/2012/01/08/world/asia/lull-in-us-drone-strikes-aids-pakistan-militants.html?pagewanted=all>; both downloaded on 14 January 2013.

¹⁸ See e.g. DEYOUNG, Karen (2012): *United States, Pakistan appear to have reached a stalemate on key issues*. Washington Post, 14 June 2012. At http://www.washingtonpost.com/world/national-security/united-states-pakistan-appear-to-have-reached-a-stalemate-on-key-issues/2012/06/14/gJQAF0EYdV_story.html; and SCHMITT, Eric (2012b): *Clinton’s ‘Sorry’ to Pakistan Ends Barrier to NATO*. New York Times, 4 July 2012. At <http://travel.nytimes.com/2012/07/04/world/asia/pakistan-opens-afghan-routes-to-nato-after-us-apology.html?partner=rssnyt&emc=rss>; both downloaded on 14 January 2013.

of the relationship have been addressed with various telling terms such as “red lines [need to be drawn]” or that “recalculating [is needed].” Pakistani and U.S. sources have been quoted as saying that “Both countries recognize the benefits of partnering against common threats, but those must be [continuously] balanced against national interests as well” and that it may be “better to have a predictable, more focused relationship than an incredibly ambitious out-of-control relationship,” respectively.¹⁹ From the Pakistani part, demands for an all-weather partnership encounter the selective momentary interest in cooperation on the part of the United States. Reminiscent of the end of the 1980s war against the Soviet Union and its allies in Afghanistan in the wake of which Pakistani officers likened their treatment by the U.S. to being “a condom that can be flushed down the toilet,” a Pakistani Muslim League (Q) politician is quoted as saying that Pakistan feels “like a rainy-day girlfriend [of the United States].”²⁰ Needless to say, these existing structural tensions of the relationship are aggravated by those countless other matters mentioned above, most importantly the drone campaign which is, however, key to the U.S. policy in the region: serving as it is the elimination of al-Qaida and its bases in Pakistani areas.

A further and final strand of discourse in the press about stalemate relates to the latter, pivotal conflict which itself triggered U.S. and Western involvement in the region post-9-11. The clash with radical Islamists may have produced a major degradation of the capabilities of al-Qaida, impeding it in functioning as a key node for Jihadi networks globally, but we may still be far from a similarly reassuring condition on the global level, looking across the entire Islamic world – turbulent as the latter is as a result of the “Arab Spring” and the complicated times that followed it. As a result, Ian Bremmer and David Gordon speak, with special regard to the West’s uncertain attitude towards rebels in Syria, of a stalemate there that makes “rhetorical or military support for the Syrian opposition from the United States, Turkey or Saudi Arabia very difficult.”²¹

In contrast to the widespread use of the term in the press, one does not encounter the word stalemate as particularly often used in academic literature. Only a few journal articles use the word at all in some context related to

¹⁹ SCHMITT, 2011, *op. cit.*

²⁰ *Ibid.*

²¹ BREMMER, Ian and GORDON, David (2012): *Battling the Qaeda Hydra*. New York Times, 28 March 2012. At <http://www.nytimes.com/2012/03/28/opinion/battling-the-qaeda-hydra.html?pagewanted=all> (downloaded on 14 January 2013).

Afghanistan. Tondini uses the term in its most common military context and sense, while Chaudhuri and Farrell refer to a stalemate in Indo-Pakistani relations.²² Roberts' article stands out as one addressing the issue of a *possible* stalemate in Afghanistan in more depth. He calls for alternative policies, seeing no prospect of a "clear victory [for the Kabul government]." He refers to "combining fighting and talking" as a strategy possibly leading to a stalemate which is not necessarily as bad as it is difficult in his view: given the Taliban's perception that they are in a position of future strength.²³

This does not mean that the existing scholarly literature on Afghanistan has failed to deal with the problems of conflict resolution. To the contrary, and this speaks of the impracticality of framing the current situation as a stalemate in the sense of two parties keeping each other indirectly in check regardless of how much decision-makers and the media use the term. Providing a less than full inventory here: Bapat (2010) warns of moral hazards in the negotiation process on the side of Hamed Karzai's administration who may not be interested in seeing the U.S. leave;²⁴ Giustozzi (2007; 2008), MacGinty (2010) and others write of the conflict relationship between the West and the Kabul government on the one hand, and the up-to-this-day powerful commander-politicians from the former Northern Alliance on the other;²⁵ Nixon and Ponzio (2007) and Fänge (2010) among others address the troubled relationship between local and centralising forces in Afghanistan;²⁶ Tadjbakhsh (2010) as well as Schmeidl and Karokhail (2009) address the disadvantages of the neoliberal paradigm of state-building and cultural and institutional sources of resistance to it locally;²⁷

²² TONDINI, Matteo (2008): *From Neo-Colonialism to a 'Light-Footprint Approach': Restoring Justice Systems*. International Peacekeeping, Vol. 15, No. 2, pp. 237-251; CHAUDHURI, Rudra and FARRELL, Theo (2011): *Campaign disconnect: operational progress and strategic obstacles in Afghanistan, 2009–2011*. International Affairs, Vol. 87 (2).

²³ ROBERTS, Adam (2009): *Doctrine and Reality in Afghanistan*. Survival, Vol. 51, No. 1, pp. 29-60.

²⁴ BAPAT (2010).

²⁵ GIUSTOZZI, Antonio (2007): *War and Peace Economies of Afghanistan's Strongmen*. International Peacekeeping, Vol. 14, No. 1, pp. 75-89; GIUSTOZZI, Antonio (2008): *Bureaucratic Façade and Political Realities of Disarmament and Demobilisation in Afghanistan*, in: Conflict, Security and Development, Vol. 8, No. 2, pp. 169-192; MAC GINTY, Roger (2010): *Warlords and the liberal peace: state-building in Afghanistan*. Conflict, Security & Development, Volume 10, Issue 4, pp. 577-598.

²⁶ NIXON, Hamish and PONZIO, Richard (2007): *Building Democracy in Afghanistan: The Statebuilding Agenda and International Engagement*. International Peacekeeping, Vol. 14, No. 1, pp. 26-40. FÄNGE, Anders (2010): *The State of the Afghan State*. Afghanistan Analysts Network, 8 January 2010. At http://aan-afghanistan.com/uploads/20100108AFaenge_paper_website_version.pdf (downloaded on 29 May 2012).

²⁷ TADJBAKHS, Shahrbanou (2009): *Conflicted Outcomes and Values: (Neo)Liberal Peace in Central Asia and Afghanistan*. International Peacekeeping, Vol. 16, No. 5, pp. 635–651; SCHMEIDL, Susanne and KAROKHAIL, Masood (2009): *"Prêt-a-Porter States": How the McDonaldization of State-Building Misses the Mark in Afghanistan – A Response*. Berghof Research Center, April 2009. At http://www.berghof-handbook.net/documents/publications/dialogue8_schmeidl_karokhail_comm.pdf?q=damaged (downloaded on 29 May 2012).

Marton and Hynek (2011) investigate conflicts within the state-building and security-assistance coalition itself;²⁸ while others such as van Bijlert (2009) or Foschini (2010), to name but a few examples, have written extensively about the extremely complicated web of local conflicts in locales such as Uruzgan and Baghlan provinces, in the south and the north of Afghanistan, respectively – including conflicts in the insurgents’ own ranks and between their various factions.²⁹

Needless to say, to this list of complications of the conflict *with as well as within* Pakistan be added. The latter seals the deadlock of the conflict complex, and in fact “stalemate” as a description may best fit to the U.S.-Pakistani relationship as such – the inherent constraints to what the U.S. can do in Afghanistan mean that the U.S. has to operate with certain extra-legal moves (such as plausibly deniable drone strikes and unauthorised special forces raids) at least sometimes, but choosing the timing and treading very carefully on such occasions. Notably, in these cases it is acting primarily not for the sake of a victorious resolution of the Afghan conflict but rather in the framework of its conflict with the global Jihadi movement – targeting al-Qaida as well as the faction regarded as one of its key local allies, the Haqqani faction.

Western decision-making and strategy: in the hope of constructive stalemating

President Obama made one of his key decisions about Afghanistan policy on 11 November 2009, the occasion of the eighth meeting of the Afghanistan war review process he had initiated. He pushed the curve showing planned troop-level changes to the left on the time axis, on a graph he and his team had studied and contemplated exhaustively by then. Inbound troops would first elevate the overall number of troops in the Afghan theatre and then reach a reversal or inflection point whereby it would start diminishing in the wake of the beginning of troop withdrawals, over the span of eighteen months altogether – a period the President was interested in sliding forth in time. The decision was a

²⁸HYNEK, Nik and MARTON Péter (2011): *Statebuilding in Afghanistan: Multinational contributions to reconstruction*. Routledge: London and New York.

²⁹VAN BIJLERT, Martine (2009): *Unruly commanders and violent power struggles: Taliban networks in Uruzgan*. In: Giustozzi, Antonio, ed.: *Decoding the new Taliban*. Columbia University Press: New York, 2009, 155-178; FOSCHINI, Fabrizio (2010): *Campaign Trail 2010 (2): Baghlan - Divided we Stand*. Afghanistan Analysts Network, 7 July 2010. At <http://aan-afghanistan.com/index.asp?id=886> (downloaded on 29 May 2012).

calculated gamble, described as early as in December 2009 as “betting that a quick jolt of extra forces could knock the enemy back on its heels enough for the Afghans to take over the fight.”³⁰

By this time, the guerrilla war in Afghanistan had consistently deteriorated on a year-on-year basis since the very beginning of the Afghanistan mission. 2005 saw significant escalation as a result of a number of factors and saw the introduction of the mass use of tactics familiar from the Iraqi guerrilla war: IEDs and suicide bombings. The trend in all kinds of incidents was pointing clearly upwards. Seasonality made these curves bend up and down following the rhythm of the guerrilla season, with a relative drop in violence over the winter periods. Yet these low points registered higher and higher as time progressed. Insecurity was growing in all parts of the country, even in hitherto relatively safe, peaceful districts.

Obama inherited *this* war from the Bush administration, faced with the task of stemming the tide. More importantly, however, he had a realistic chance of dealing a decisive blow to al-Qaida, the organisation that triggered U.S. involvement in Afghanistan in the first place. The means to this end was now available in the form of drone strikes which first significantly escalated over the last year of the Bush administration. Obama himself came to office with a right-of-centre foreign policy position, with a pledge to be firm on national security issues, including the possibility of putting more pressure on Pakistan and pursuing terrorists there.

Without quite understanding how or why this would work, the brunt of the surge effort was eventually directed to southern Afghanistan, with a lesser focus on eastern Afghanistan. This may not have been an ideal allocation of forces, but over the course of the following two years the insurgency’s rise was eventually arrested. Violence did remain at very high levels (higher than pre-surge levels in fact), but in some dimensions even a decrease could be observed, including in the crucial category of direct-fire incidents, possibly one of the best measures of an insurgency’s vitality. Enemy-initiated attacks showed year-on-year monthly decreases from 2011 to 2012 in the crucial regions of south,

³⁰ BAKER, Peter (2009): *How Obama Came to Plan for ‘Surge’ in Afghanistan*. New York Times, 6 December 2012. At http://www.nytimes.com/2009/12/06/world/asia/06reconstruct.html?pagewanted=all&_r=0 (downloaded on 14 January 2013).

southwest, and east.³¹ Insurgents have, however, adapted to the changed circumstances with shifts in the focus of their activity, and began efforts at destabilising from the inside the very Afghan armed forces that were being built up against them, orchestrating *green-on-blue* incidents with the strategic aim of undermining “partnered” ISAF-Afghan military operations. In this, they have achieved remarkable success, even as NATO claims that perhaps only as much as 25 percent of these attacks may be truly insurgent-organised.³² This is happening parallel to continuing defections, including straight into the insurgency’s ranks,³³ and to mounting losses of the Afghan army which may have suffered fatal casualties in the order of 1,000 in 2012, a 20% increase over 2011.³⁴

The dubious achievement of turning the trends in other incident categories came upon a 33,000-strong troop reinforcement by the Obama administration: 47,000 less than what the U.S. military was originally requesting.³⁵ The eventual decision about the surge came on 23 November 2011, and was in favour of “Option 2A” on the table, informally dubbed “Max Leverage.”³⁶

As part of a strategy of “fight, build, and talk”, the leverage of an increased fighting force offered no better hope than an elongated time frame over which the Taliban could be engaged in negotiations, would perhaps feel the pressure to do so, but would still have the ultimate strategic advantage of its staying power in the face of the overwhelming but at the same time transient phenomenon of U.S. and coalition military presence. In the best-case, but certainly not the most realistic, scenario, the Taliban’s and other insurgent groups’ capabilities would be degraded sufficiently to force them to agree to a

³¹ISAF Monthly Data – Trends through August 2012. 24 September 2012. At http://www.isaf.nato.int/images/stories/File/20120924_NIU_ISAF_Monthly_Data-Release%20%28Final%29.pdf (downloaded on 14 January 2013), p. 4.

³²DOHERTY, Ben and WELCH, Dylan (2012): Green-on-blue: death's colour. *The Age*, 31 August 2012. At <http://www.theage.com.au/opinion/political-news/greenonblue-deaths-colour-20120830-253kj.html> (downloaded on 14 January 2013).

³³MOI Downplays Security Forces Joining Insurgents. *Tolo News*, 24 January 2013. At <http://www.tolonews.com/en/afghanistan/9195-moi-downplays-security-forces-joining-insurgents> (downloaded on 25 January 2013).

³⁴BESANT, Alexander (2012): Afghan soldier deaths record level in 2012. *Global Post*, 30 December 2012. At <http://www.globalpost.com/dispatch/news/regions/asia-pacific/afghanistan/121230/afghan-soldier-deaths-reach-record-level-2012> (downloaded on 14 January 2013).

³⁵LAKES, Lara (2009): Gen. McChrystal Wants Up to 80,000 More Troops, Even As He Warns About Afghan Corruption. *CNS News*, 14 October 2009. At <http://www.cnsnews.com/news/article/55442> (downloaded on 19 August 2010).

³⁶BAKER, 2009, op. cit.

binding agreement, including a pledge not to work with al-Qaida and other global jihadi organisations in the future, so strategists seemed to hope.

Pakistan's role was and is equally seen as crucial in this respect. A classified report last year leaked to the BBC showed that Western intelligence services, based partly on interrogations of Taliban personnel, continue to see the ISI as "thoroughly aware of Taliban activities and the whereabouts of all senior Taliban personnel." Furthermore, according to their information "Senior Taliban representatives, such as Nasiruddin Haqqani, maintain residences in the immediate vicinity of ISI headquarters in Islamabad, Pakistan" while "The Haqqani family, for example, resides immediately west of the ISI office at the airfield in Miram Shah."³⁷ The hope in this respect seems to be that if the West offers Pakistan the prospect of lasting cooperation, i.e. no full abandonment upon the exit from Afghanistan, Pakistan may be interested in making sure that the Taliban, or the Haqqanis for that matter, are separated from the global jihadi movement and Afghanistan does not become the latter's base once again. In fact, the designation of the Haqqani faction as a terrorist organization already seems to point in the alternative direction of threatening Pakistan with being designated as a state sponsor of terrorism, should it not find cooperation with the West good enough a deal – although U.S. officials deny this publicly.³⁸ Naturally, for Pakistan calculations include not only the U.S.-Pakistan-Afghanistan triangular relationship but a view to the South Asian security complex and for example the growing U.S.-India partnership as well, making this a complicated choice for them.

With regard to such complications, U.S. strategy "has to keep the gunpowder dry." Besides intentions to maintain a strong Special Operations Forces presence in Afghanistan for the foreseeable future, a particularly telling aspect of preparing for coming eventualities is the way some officials talk of the Prompt Global Strike (PGS) program. The latter is a dubiously feasible plan involving, in its most simple version, the use of ballistic missiles with conventional or other non-WMD warheads which could provide for the capability of striking a target within a short amount of time ("promptly," almost). Feasibility is questionable given how such missiles would fly on a

³⁷In quotes: Excerpts from Nato report on Taliban. BBC, 1 February 2012. At <http://www.bbc.co.uk/news/world-asia-16829368> (downloaded on 14 January 2013).

³⁸ U.S. not designating Pakistan as state sponsor of terrorism following Haqqani terror tag. ANI, 9 September 2012. At <http://in.news.yahoo.com/u-not-designating-pakistan-state-sponsor-terrorism-following-072419648.html> (downloaded on 9 September 2012).

trajectory over other nuclear powers' territories, risking unwanted consequences. A 2009 article in *International Security* nevertheless reckoned with the possibility of taking out "emerging, time-sensitive, soft targets, such as exposed WMD launchers, terrorist leaders, and sites of state transfers of WMD to terrorists or other states within roughly one hour of a decision to attack," unlike in the case of the 1998 strikes at training camps in Afghanistan (in the wake of the East African Embassy bombings) which took far more time to prepare and execute.³⁹ Others have made similar points.⁴⁰ The assumption has become so commonplace that in a 2010 piece the New York Times introduced PGS simply as "Called Prompt Global Strike, the new weapon is designed to carry out tasks like picking off Osama bin Laden in a cave, if the right one could be found."⁴¹ In the same article, Air Force general Kevin P. Chilton is quoted as saying: "to strike a target anywhere on the globe that range from 96 hours to several hours maybe, 4, 5, 6 hours. (...) That would simply not be fast enough if intelligence arrived about a movement by Al Qaeda terrorists."⁴² The preparation for such a hazardous use of military power continues to maintain the unceasing stalemate with the jihadi movement as well as with Pakistan.

In the meantime, Valid Spokespersons hardly seem to exist on the side of any of the parties involved but the United States. Hamed Karzai, in one of his interviews referred to the multi-faction insurgency by saying that one "cannot talk to an adversary whose only address is that of a suicide bomber's."⁴³ Taliban negotiators in Qatar, for their part, speak of Hamed Karzai's government as a party to be excluded from the first, "external" dimension of talks (with the U.S.), only to be included in the second, "internal" phase as but one of many Afghan "factions."⁴⁴ At the same time, the High Peace Council appointed by Hamed Karzai negotiates not so much on behalf of his government as such, with the predominantly Pashtun Taliban, but on the part of many of the former Northern

³⁹SUGDEN, Bruce (2009): Speed Kills: Analyzing the Deployment of Conventional Ballistic Missiles. *International Security*, Vol. 34, No. 1, 113-146.

⁴⁰ U.S. not designating Pakistan as state sponsor of terrorism following Haqqani terror tag. ANI, 9 September 2012. At <http://www.fas.org/sgp/crs/nuke/R41464.pdf>, p. 28.; <http://csis.org/blog/case-conventional-prompt-global-strike>, downloaded on 14 January 2013.

⁴¹ SANGER, David E. and SHANKER, Thom (2010): U.S. Faces Choice on New Weapons for Fast Strikes. *New York Times*, 23 April 2010. At http://www.nytimes.com/2010/04/23/world/europe/23strike.html?_r=0, (downloaded on 14 January 2013).

⁴² Ibid.

⁴³ KHATTAK, 2011, op. cit.

⁴⁴ Exclusive Interview with Top Taliban Leaders. NHK World; the full text of the interviews made exclusively by NHK; some parts were originally broadcast in "Today's Close-Up" on 6 September 2012 in Japan and on 11 September 2012 on NHK WORLD TV, in English. At <http://www3.nhk.or.jp/nhkworld/english/tv/todayscloseup/index20120911.html> (downloaded on 14 January 2013).

Alliance's elements. Former Afghan President Burhanuddin Rabbani became the default, least opposed choice of a leader for the body at the time when the Council was set up in 2010 – and he was then murdered on 20 September 2011 by assailants coming from Pakistan who claimed to be peace envoys sent by the insurgents. His was one in a series of high profile assassinations that year of major figures opposed to the Taliban. Also questioning the usefulness of talks with insurgents is how there have been occasions in the past when false negotiators were assumed to be valid spokespersons, such as the infamous alleged shopkeeper from Quetta,⁴⁵ or when elements within the Taliban have in the past themselves denied the legitimacy as deal brokers of those who negotiated supposedly on their behalf. Meanwhile, Pakistan continues to play a dubious role, well illustrated by the incarceration of Mullah Baradar, the former military commander of the Taliban, who had earlier reportedly been involved in direct talks with Hamed Karzai⁴⁶ – and the dubiousness of Pakistan's role in turn itself stems from the difficulty of locating where the country's real power centre is (within the key military and other segments of its establishment) and how much control it exactly has over its own actions.

The Western concept of conflict resolution in Afghanistan

That talks are underway in accordance with U.S. intentions may stem on the part of the Taliban out of instrumental calculations about winning inevitably, but on the part of the U.S. they are nevertheless a logical consequence of what the U.S. feels it can and cannot do towards four key actors in the region: al-Qaida, Pakistan, the Taliban, and the Afghan government. If we portray this in a simple scheme, U.S. options relating to these actors' interests and preferences could be denoted as "D" (denial), "C" (change) and "S" (satisfy).

The United States is interested in decisively incapacitating al-Qaida (D), in containing radical Islamism in Pakistan (C), in neutralising or eliminating sources of support for jihadi organisations there (D), in offering strategic reassurance to Pakistan that it be not interested in seeking the alliance of jihadi

⁴⁵ CAVENDISH, Julius (2010): *Nato 'duped by impostor who posed as Taliban negotiator.'* The Independent, 24 November 2010. At <http://www.independent.co.uk/news/world/asia/nato-duped-by-impostor-who-posed-as-taliban-negotiator-2142105.html> (downloaded on 14 January 2013).

⁴⁶ NELSON, Dean and FARMER, Ben (2010): *Hamid Karzai held secret talks with Mullah Baradar in Afghanistan.* Telegraph, 16 March 2010. At <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/7457861/Hamid-Karzai-held-secret-talks-with-Mullah-Baradar-in-Afghanistan.html> (downloaded on 14 January 2013).

organisations again (S), in stopping the Taliban from violently overthrowing the current Afghan government (D), as well as in possibly changing the Taliban into a force ready to compromise in political affairs and perhaps better respect universal human rights (C), at the same time as it expects better governance from the current Afghan government, the Government of the Islamic Republic of Afghanistan [GIROA] (C). This is in response to the threat of terrorism by al-Qaida, support by Pakistan to Jihadi organisations, support by Pakistan to actors (e.g. the Taliban) supporting Jihadi organisations, and support by the Taliban to jihadi organisations.

The current talks with the Taliban, combined with military pressure, can be claimed to support all of these objectives. The U.S. may be willing in the course of this to trade D for C vis-à-vis the Taliban: to stop fighting them if they change in key respects – primarily by no longer working with al-Qaida and secondly by agreeing to better respect human rights. Thinking in terms of Johan Galtung’s notion of the conflict triangle, this could address one of the key Pakistani incompatibilities with U.S. intentions by making D selective in their case: they will not be denied the chance to try to assert and protect their interests through the Taliban in Afghanistan, as having a non-hostile government in Kabul is important related to fears in Pakistan’s military establishment of strategic encirclement by an Indian-Afghan alliance; this of course would leave D in place as far as jihadi organisations are concerned. This constellation would in an ideal world subsequently lead to the accomplishment of C in the case of the Afghan government, and would at the same time be compatible with the accomplishment of D in the case of al-Qaida.

The trade with both the Taliban and Pakistan is a difficult one, however, and it is made more difficult by the limited time available for the U.S. to put pressure on them. But even if the vague quid-pro-quo would be possible, question marks would still remain concerning whether C in the case of the Afghan government would lead to acceptable results – both in terms of human rights and, clearly more importantly from a U.S. perspective, in terms of its compatibility with denial of sanctuary to al-Qaida.

Out of the relevant dyads in the above scheme, the U.S. faces a stalemate mostly with Pakistan (it is beyond the limitations of this chapter to address al-Qaida’s strategic prospects on the global level, but the U.S. is largely winning

against al-Qaida-Central and is incapable of winning against the Taliban). U.S. drone strikes provided a major part of the solution to the primary challenge the U.S. was facing when it became involved in Afghanistan: al-Qaida's elimination. This, however, seems to reproduce the problem of incompatibility with Pakistan. Thinking once again in terms of Johan Galtung's conflict triangle, with incompatibilities on top, attitudes on the left and behaviour on the right, a circular interaction of the elements of the triad may be at the works. Drone strikes work to resolve the key U.S.-Pakistani incompatibility related to the presence of directly anti-U.S. jihadi organisations in the region, but they cause casualties, create resentment, and thus reinforce both a negative image of the U.S. in Pakistan and provide a beneficial milieu for anti-U.S. jihadi organisations within Pakistani society and within the Pakistani state and its military establishment.

Of the five actors accounted for above, the Afghan government is most deprived of autonomous agency. It depends on U.S. willingness to promote its role for access to the negotiation process –one of the sticking points in talks with representatives of the Taliban. In the wake of the 2009 elections, imperfect as they were, and with generally negative Western attitudes towards a government perceived as highly corrupt, President Karzai's administration is often targeted with surreal impulses from the West. It is often blamed for the conflict overall, and presented as a stubborn obstacle in the way of peace.

On other occasions, Karzai is offered various analogical perspectives on conflict resolution (from Tajikistan to Bosnia) to realise how he cannot be too adamant in insisting on concessions or gestures from insurgents. For example, during a September 2012 visit by politicians from Northern Ireland, UK Ambassador Richard Stagg and unionist MP Jeffrey Donaldson offered him the following insights: “you can change things, just as France and Germany did in 1945. However ghastly, however bloody, however deep the feuds, the hatreds, a moment can come, does come, when they can be addressed” (Stagg) and “You don't make peace with your friends. You have to be able to talk to the Taliban” (Donaldson).⁴⁷ Stagg and Donaldson on this occasion were also trying to create the impression that they were not interested in selling a Northern Ireland analogy as such from the point of view of neutral outsiders – with questionable

⁴⁷ HOPKINS, Nick (2012): *Northern Irish politicians to advise Afghan government on peace talks*. Guardian, 23 September 2012. At <http://www.guardian.co.uk/world/2012/sep/23/northern-irish-politicians-afghan-talks?newsfeed=true> (downloaded on 14 January 2013).

credibility, and more as mere formality. In the end, their comments were reminiscent of Foreign Minister William Hague's immediate reaction to Burhanuddin Rabbani's assassination in September 2011, a development indicative of the dubious use of negotiations. Hague essentially formulated a response on behalf of the Afghan government, saying: "we are confident that this will in no way reduce the determination of the government of Afghanistan to continue to work for peace and reconciliation."⁴⁸ Arguably, the example of the British sources cited here also highlights the distinct calculations of coalition partners on the side of the U.S. Even a staunch ally like the UK is more eagerly looking for a tolerable exit than the U.S., and this makes the quest for "C" vis-à-vis the Afghan government the more pronounced, even if this may not necessarily be the best route to the kind of destination envisioned above.

Conclusion

The blaming of the Afghan government and the regularly recurring utterances towards it of how it is supposed to find itself in a mutually hurting stalemate where everything must be done for conflict resolution right away may also function as convenient excuse for not trying too much to achieve lasting success in Afghanistan. If even "our Afghans" cannot function as agents of good governance – how could one have any hope in efficiently assisting Afghanistan? This seems to be the question implied and it is a message that resonates conveniently with sceptical domestic audiences. What is lost is that good governance is understood as one conceives it in a Western sense, within the current Afghan institutional framework created under decisive U.S. and Western influence, and in the face of violent challenges to the Afghan leadership's authority.

Tolerable exit for the U.S. and Western countries can, however, only be assured if the forces on the side of the Afghan government are built up to be strong enough for truly stalemating the conflict with the insurgents once they will be left largely on their own. To this end, their integrity will also have to be preserved in the face of various subversive challenges. On this hinge, the success of Western efforts at manufacturing a stalemate whereby they could escape the Afghan battlefield with a good enough deal, even as high-ranking

⁴⁸*Rabbani death will not hurt Afghan reconciliation bid: Hague.* AFP, 20 September 2011. At <http://www.google.com/hostednews/afp/article/ALeqM5jjGxKPjIUZQz603ZqegKUdQbsKtw?docId=CNG.a8a1185f4a08d2928999ea8643dc5bd9.401> (downloaded on 14 January 2013).

military officers are in fact not optimistic about this. The New York Times recently reported that “American generals and civilian officials acknowledge that they have all but written off what was once one of the cornerstones of their strategy to end the war here: battering the Taliban into a peace deal.”⁴⁹ Apparently, the hope held by many now is this: “American officials say they hope that the Taliban will find the Afghan Army a more formidable adversary than they expect and be compelled, in the years after NATO withdraws, to come to terms with what they now dismiss as a “puppet” government.”⁵⁰

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⁴⁹ ROSENBERG, Matthew and NORDLAND, Rod (2012): *U.S. Abandoning Hopes for Taliban Peace Deal*. New York Times, 2 October 2012. At http://www.nytimes.com/2012/10/02/world/asia/us-scales-back-plans-for-afghan-peace.html?pagewanted=all&_r=0 (downloaded on 14 January 2013).

⁵⁰ *Ibidem*.

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CONSULTATION

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ISSUES OF SUB-SAHARAN MIGRATIONS

Abstract:

In today's discussions, worldwide migration is a main issue. In this publication we would like to give a picture about the sub-Saharan migration in the first decade of the 21st century. The study focuses on internal migration in sub-Saharan Africa and external migration to the North (Europe). It analyses the African tendencies with examples.

The study based on three parts. First part is an introductory; it is about the general issues of international migration. Second part is about the internal migration in sub-Saharan Africa, with three country case (Zimbabwe, South Africa and Namibia). The third, last part, is about sub-Saharan migration to Europe. In this part the pushes and pulls of sub-Saharan migration are introduced (driving force, migration methods and ways, target countries with details, etc).

This publication does not try to give us an answer to where the globalised and accelerated international migration leads to. Nevertheless, it tries to give a better insight in the topic.

Keywords: emigration from Africa, illegal migration, immigration to Europe, immigration, internal migration in sub-Saharan Africa, migrants, migration methods, migration routes, migration, migration target-countries in Europe, Southern Africa, sub-Saharan Africa, sub-Saharan migration

Europe's migrant dilemma was revived and got into focus after the disaster of a fishing boat full of asylum-seekers heading across the Mediterranean from North Africa. On October 3, more than 300 Eritrean and Somali migrants drowned when their boat caught fire and sank a few miles from the Italian island of Lampedusa.

However the problem of illegal migration is not a recent question, for that reason the aim of this paper is to merely try to give an idea about the trend of migration in the sub-Saharan region.

What is international migration?

*“In today's discussions about migration and its consequences many politicians and others seem to suffer from severe amnesia”*¹ as they using international migration as a new global threat. At the start we should put it right that international migration is not a recent phenomenon. People have been on the move to better their material or social conditions and improve the prospects for themselves or their family since time immemorial. Furthermore the cultures as we know them nowadays are the consequence of centuries of worldwide migrations.² Mobility was always an element of mankind, and even nowadays. At the same time as threat to life, pauperism and unemployment, conflict and persecution, quest for fortunes may force people to move abroad, no group of people has ever engaged so massively in worldwide migration as did the Europeans.³

Earlier in history the reasons for ethnical, political, and religious migrations could have been described clearly. Nowadays the drives for migrations have mainly mixed motivations. Hence the most certain methods of grouping the causes of migrations today are the examination of push and pull factors. The examination of push and pull factors are accepted by numerous social science approaches. Thus the push factors determine the causes why migrants leave their home – lack of jobs, over population, drought, and war. And the pull factors mean the attractive circumstances of the destination – chance of better job, education, standard of living. Nevertheless the result which leads to migration is steered by the common effects of push- and pull factors.⁴

The complex issue of the international migration is continuously on the agenda of the policy-makers from the European Union. Furthermore it is also part of the national, regional and global development strategies. Each of the EU member states is involved in international migration, besides the fact that each member states could be separately transit and target country or as well as at the same time. The drive of international migration has numerous causes but in general the main motivations are poverty, unfavourable and negative economic and social development prospects, high unemployment, and financial crisis.

¹ SCHROVER, Marlou: Migration: A historical perspective

² BESENYŐ, János: Nyugat-Szahara és a migráció, pp. 34.

³ ASIEGBU, Martin F: African migrants in spite of “Fortress” Europe: An essay in philosophy of popular culture

⁴ CSERESNYÉS, Ferenc: Migráció az ezredfordulón

Beyond these natural disasters, diseases and wars could also effects migration. Thus due to climate change more and more people forced to leave their home in hope of finding better conditions.⁵

Often the reason of migration is the absence of democracy and democratic institutions, social inequalities, widespread corruption, failures of governments and crushing fundamental freedoms along with human rights. People living in such an environment – in general not the poorest ones – due to their hopeless situation often leave their homeland in hope of new opportunities and a better life.⁶

International migration requires a multi-dimensional approach, for example to mention between the root causes of migration that the increase in Earth's population is much faster than the growth of economic development. Since 2006 the world's population was progressively grown about 75 million per year. According to United Nations forecasts the world population in 2011 amounted to 7 billion.⁷ Furthermore in 2050 it might reach to 9 billion, and the boost would be limited almost entirely to the poor countries, particularly in Africa and South Asian area. According to estimates by the UN, the whole world population projection predicts that the speed of population expansion will slow down for the second half of the century; however the world's population by 2100 is still likely to exceed 10 billion people. According to UN figures, in 2005 approximately 191 million people – it is about the 3% of the world's population – lived outside their country of birth. Moreover 60% of them lived in developed regions and most of them – around 64 million people – lived in Europe.^{8,9}

Migration in Southern Africa

Spatial mobility is a fundamental social and historical aspect of life in Africa, and colonial systems reinforced the present-day demographics, flows and patterns of migration in the region. Trade and migrant labour systems between neighbouring countries as well as cultural affinities generated movements across frontiers.¹⁰

⁵ KAPONYI, Erzsébet: A közös európai menekültügyi rendszer és az alapvető jogok védelme

⁶ Ibid

⁷ Ibid

⁸ Word doc International Migration and Human Rights

⁹ KAPONYI

¹⁰ ADEPOJU, Aderanti: Internal and international migration within Africa

Following their independence many African countries' governments chose to preserve limited employment opportunities in their own countries for their own nationals, therefore they have adopted various measures to reduce the inflow of migrants and only limit entry to authorised immigrants with special skills.¹¹

The majority of Southern African countries are characterized by young highly mobile populations and leaky borders and almost all countries are either post-conflict or economically and/or politically unstable. However, in Southern Africa, cross-border and internal labour migration has historically been a common way of life for many people in the region. Human trafficking for both sexual and labour exploitation is rife but the greatest concern for governments is the increasing brain drain phenomenon, particularly that of health workers, engineers and teachers.¹²

Few countries in the region have specific policies or development strategies, which pay adequate attention to migration realities. The prevalence of HIV and AIDS is high in many countries in the region, and access to health care and treatment for mobile populations continues to be a major challenge. Communicable diseases such as cholera, H1N1 influenza and multi-drug resistant tuberculosis are also emerging concerns. The region also faces other humanitarian challenges, as well as recurrent natural disasters such as floods.¹³

Zimbabwe

Zimbabwe is a landlocked country located between the Zambezi and Limpopo rivers. It is bordered by South Africa to the South, Botswana to the West, Zambia to the North and Mozambique to the East. Zimbabwe's total population is 12 million. Furthermore the life expectancy for men was 37 years and the life expectancy for women was 34 years of age, the lowest in the world in 2006.¹⁴

Zimbabwe currently faces a number of migration challenges, including significant brain drain and irregular emigration flows. Yet the migration of

¹¹ Ibid

¹² International Organization for Migration

¹³ ADEPOJU

¹⁴ World Health Organization: The World Health Report 2006

Zimbabwean nationals offers opportunities that might benefit not only migrants and their families, but also the Zimbabwean society at large. However, the capacity of the Government to minimize the negative consequences of migration while maximizing its positive effects is constrained by the lack of a comprehensive and coherent legal framework for controlling migration. These limitations are exacerbated by the lack of adequate data and analysis that highlights the factors driving migration. In light of these problems, a Draft National Migration Management and Diaspora Policy have been developed, and the International Organization for Migration (IOM) has supported the Government of Zimbabwe and other stakeholders in the establishment of the Zimbabwe Migration Profile, a repository of migration information for Zimbabwe.¹⁵

In 2002, Zimbabwe had a population of 11.6 million. This number is projected to have reached 12.2 million in 2009. But given that the de facto population was enumerated, the 2002 population's number might have been underestimated, since many Zimbabweans migrated to neighbouring countries or overseas in response to the economic difficulties of the past decade.¹⁶

Since the mid-1990 Zimbabwe has not been performing well economically. Thus the poverty level was increasing in the past decade, such as Total Consumption Poverty Line rose from 61% in 1995 to 72% in 2003. Between 2000 and 2007 the country's GDP declined by 46%. An unstable economic environment was characterized by hyperinflation in 2008. The economy experienced severe shortages of many basic commodities and consumer goods.¹⁷

Nowadays Zimbabwe has largely become a country of origin and, to a limited extent, a transit and destination country for migrants. Through colonial times, Zimbabwe was a major target country, with migrants from the United Kingdom and all over Europe settled and established their new home in the country. A huge number of immigrants from Malawi, Zambia and Mozambique recruited to work in the mine and commercial farm industry also settled in Zimbabwe. There was noticeable immigration especially at the time of Independence in 1980, mostly of homecoming Zimbabweans. There were 2,964

¹⁵ Migration in Zimbabwe

¹⁶ Ibid

¹⁷ Migration in Zimbabwe

immigrants in 1990 and in 1997 there were 2,483 ones; but in 2003, there were only 643 immigrants coming into Zimbabwe. In 2006 this figure rose to 1,367 after the new boost it has dropped to 752 in 2007.

In contrast, Zimbabwe has experienced a progressive increase in emigration since 2000, and the majority of the emigrants left for the Southern African region. Emigration motives have been complex, by an increase in informal cross-border movement, migration of highly skilled Zimbabweans and survival migration of the broke and impoverished. In 2005 there were 11,620 emigrants, mostly to other African countries.¹⁸

The number of refugees in Zimbabwe declined from 4,563 to 4,039 between 2007 and 2008, and the figure has dropped to 3,826 refugees by 2009. The majority of refugees are from the Great Lakes Region, such as the Democratic Republic of the Congo (64.3%), Rwanda (16.6%) and Burundi (14.5%). It is also worth noting that Zimbabwe witnessed growing numbers of day trippers mainly in South Africa and Botswana in post-2000. The number of day trippers increased from 651,703 in 2005 to 629,387 in 2006. The figure declined to 431,951 in 2007. In general 71 foreign nationals were deported from Zimbabwe, while 114,848 Zimbabwean nationals were sent home in 2008.¹⁹

Remittances are positive advantages to the country if they are transferred through official channels and invested in productive economic activities. Zimbabweans abroad continued to support their families back home by financial and/or in-kind remittance transfers during the economic decline of the past decade. However, the majority of transfers were through informal channels because of regulatory bottlenecks. Even so remittances have not brought their positive benefits because their transfers did not go through via formal channels. According to the International Fund for Agricultural Development's estimation, formal remittances to Zimbabwe have reached USD 361 million in 2006, contributing 7.2% to the country's GDP.²⁰

Undoubtedly the economic situation in Zimbabwe continues to be a major factor driving the emigration of highly skilled and low-skilled inhabitants. Migration policies in Southern African Development Community (SADC) countries favour the entry and stay of highly skilled rather than low-skilled

¹⁸ Ibid

¹⁹ Ibid

²⁰ International Fund for Agricultural Development: Sending Money Home

workers, eventually resulting in the irregular migration of low-skilled Zimbabwean workers into countries of destination. This is compounded by the fact that huge numbers of Zimbabweans do not hold passports because of the difficulty in acquiring them. On the other hand, Zimbabwe also takes part in international and regional instruments and policies, including bilateral agreements, for the regulation and management of migration and protection of the rights of migrants.²¹

Republic of South Africa

South Africa is the 25th largest country in the world. Its inland neighbours are Namibia, Botswana and Zimbabwe to the North, Mozambique and Swaziland to the East, while Lesotho is an enclave surrounded by South African territory. It is the world's 24th most populous country with over 48 million people.

In South Africa migration dynamics and linkages between internal and international migration are in some respect dissimilar from those of the rest of Africa. During the time of apartheid, the regime systematically attempted to programme the source and composition of immigration into the country and effectively restricted Africans from moving freely between rural areas and designated urban agglomerations.²²

After the end of apartheid in 1994, thousands emigrated just before and soon after the political change. Those were mostly skilled whites and their families who were sceptical of Nelson Mandela's Rainbow Nation and of prospects under black majority rule and frightened of rising crime in South Africa.²³

Nowadays South Africa becomes a preferred destination for diverse categories of migrants. Thus, it faces a host of migration-related challenges, including, irregular migration, unaccompanied minors; inappropriate migration management policies, border management difficulties, rising xenophobic sentiments that in some cases turn into real aggression against migrants, high prevalence of communicable diseases such as HIV and AIDS and tuberculosis

²¹ Migration in Zimbabwe

²² ADEPOJU

²³ Ibid

and continued brain drain due to the emigration of skilled nationals. As a consequence, the need for an improved and harmonized migration management policy therefore it is a critical priority for the Government of South Africa.²⁴

Republic of Namibia

Namibia is a southern African country situated on the Atlantic coast. Its inland neighbours are Angola and Zambia to the North, Botswana to the East and South Africa in the South. As a largely semi-arid country, drought is endemic to Namibia, yet at least 60% of the population live in the rural areas.²⁵

Namibia has a very mobile population migrating within the country as well as to neighbouring countries. In Namibia the two most common forms of migration are cross-border cyclical migration and internal cyclical migration.²⁶

The post-colonial experience for communities on either side of the border also followed a different path. As a result of anti-colonial and civil wars, the Angola-Namibia border became extremely unstable after 1966 and the beginning of the long war of independence from South Africa. Much of this war was fought in the border zone which became highly militarized as a result. Angola was a recipient of many Namibians who fled the country to join the liberation struggle to fight the colonial regime that ruled Namibia at that time. After independence, the border continued to be a zone of instability as the civil war in Angola raged on. Namibia's "unstable northern frontier" was constantly destabilized by military operations and refugee movements.²⁷

Between 1999 and 2003, there were a total of 1,321,365 arrivals from Angola and 780,050 departures from Namibia. The arrivals are dominated by foreign citizens (86%) but consist of 189,432 Namibians returning from Angola.²⁸ The mass migration was caused by the civil war in Angola. Many people will have left during 2004, particularly as refugees have begun to return home in growing numbers. Second, it is possible that some of these people returned home through other border posts. Overall the data does seem to indicate

²⁴ International Organization for Migration

²⁵ CRUSH, Jonathan: Mobile Namibia: Migration trends and attitudes

²⁶ BESENYŐ – MOLNÁR: A namíbiai vihársarok

²⁷ NANGULAH, Selma M W – NICKANOR, Ndeyapo M: Northern gateway

²⁸ NANGULAH – NICKANOR

that a large number of foreign citizens who crossed into Namibia from Angola are probably still in the country.²⁹

Internal migration takes place primarily from the northern regions to the major urban centres, mostly in an attempt to find work. The high migratory rate into Windhoek increased when the Municipality started to accommodate squatters, due to political pressure. The latter meant that existing squatter laws were deliberately not being enforced by the Windhoek Municipality. The population of Windhoek has been growing at an annual rate of 15% to 20%. In 2001, the population of Windhoek was about 224,000, which represented almost half of all urban residents in Namibia. No other country in southern Africa has such a large percentage of its urban population living in the capital. It is estimated that the population of Windhoek will double between 2000 and 2015. Of the total migration to the city of Windhoek between 1990 and 2000, more than two-thirds targeted Windhoek's township, Katutura. The traditional philosophy of humanism and the availability of space for squatters led to the rapid growth of Katutura. Since 1990, new informal and formal settlements in Windhoek were established on the side-line around the old core of Katutura.³⁰ Since its independence, Namibia is a typical target country in the region. Due to its geographical location, secure political and economical situation, these days Namibia (as well as South Africa) is the favoured target for different categories of migrants. Namibia also faces a host of migration-related challenges. It has to find solution to internal and external migration, consequently there is a high safety and security threat – such as HIV and AIDS.

African Migration to Europe

The number of international migrants as a share of Africa's population has tended to decrease over time. Thus, while in 1960 and still in 1980, international migrants constituted over 3% of Africa's population, by 2005 their share had dropped to 2%. On average, African migrant stock increased by 1.39% between 1960 and 2005. On the other hand, the total number of international migrants in Africa rose from 9 million in 1960 to 17 million in 2005. In 2005, the 17 million international migrants in Africa accounted the 1.88% of the African population.³¹ Thus the main migration boost took place between 1960 and 1980,

²⁹ Ibid

³⁰ MOLNÁR, Erik: Namibia migration, food and health security

³¹ Word doc International Migration and Human Rights

when the figure of international migrants in Africa rose from 9 million to 14 million.³²

In addition, international migrants are not distributed homogeneously among the regions of Africa. Western Africa generally had higher numbers of international migrants than the other regions of the continent. Since 1960 it has experienced a quite significant increase in the number of international migrants. Migration from Africa is a reflection of its socio-economic dynamics over time. In the past decades, the number of refugees from conflict regions in Africa increased dramatically.³³ Between 1993 and 2002, 27 out of 53 (now there are 54 countries since the independence of South Sudan in 2011) African states' inhabitants have suffered from violent conflicts. 18% of all African migrants were refugees at the end of 2005. This proportion is far above the global average, since African refugees constitute about one third of the global refugee population. This may explain, why nearly half (47%) of the 16.7 million cross-border migrants in Africa were women and children in 2005.³⁴

Apart from push factors, like violent conflicts, gross human rights violations, population pressure, degradation of natural resources, and poverty, the major part of current migration is due to external pull factors.

Notably young people are threatened by unemployment and lack of perspectives in their home country. So they are eager to try their luck in their imaginary new "Paradise", Western Europe. With utter disregard of the involved risks, they struggle to reach Europe, and if they do it is mostly illegally. But let there be no misunderstanding, the extreme poor ones do not even consider this alternative, as migration to overseas destinations involves considerable cost (for example circa USD 2,000 per person for the transit from the Western coast to the Canary Islands). Furthermore this type of crossing needs good health condition, a minimum amount of risk tolerance, and integration in viable trans-national social networks.³⁵

Most African migrants with overseas destinations live in Europe. According to 2005 estimates of the IOM, there are about 4.6 million recorded Africans living in the EU, compared with 890,000 in the USA. The major

³² ZLOTNIK, Hania: International Migration in Africa

³³ BESENYŐ, János: Nyugat-Szahara és a migráció, pp. 37.

³⁴ KOHNERT, Dirk: African Migration to Europe

³⁵ KOHNERT

reasons for this unequal distribution are the comparative advantages with relation to transfer cost, and the established cultural and socio-economic links of African Diasporas to the former colonial powers, England, France, Portugal, Spain, Germany and Italy. According to IOM-census figures, about two-thirds of Africans in Europe are from Northern Africa (Algeria, Morocco and Tunisia). A smaller, but steadily increasing part arrived from Sub-Saharan Africa (SSA). The latter overwhelmingly stay in France (274,538) and England (249,720), and – on a smaller scale – in Germany (154,564) and Italy (137,780).³⁶ However, these figures are probably grossly underestimated, as they do not take account of the majority of unauthorized Africans living in the EU.

According to estimates of the Migration Policy Institute, there are some 7 to 8 million irregular African immigrants living in the EU, mostly in its southern parts. The actual number fluctuates in accordance with the regularisation programs of member states, notably of France, and more recently of Italy and Spain. However, many of the officially recognized migrants fall back into illegality when their limited visas expire or if they fail to meet other conditions for recognizing their legal status.³⁷

West Africans constitute by far the largest share of SSA-migrants in Europe. They came mostly from Ghana, Nigeria and Senegal. In general, Francophone Africans are more likely to migrate to France because of its special socio-cultural post-colonial relations with its former colonies and due to the language problem, whereas Anglophone Africans, notably Ghanaians and Nigerians showed more flexibility in selecting their destination.³⁸

However, the attraction of the EU for SSA migrants increases from year to year. According to IOM estimates, between 65,000 and 80,000 migrants crossed the Sahara annually in their striving for unrecorded entry into the EU12 in the past five years. One of their major transit countries was Morocco which recorded a tenfold increase of SSA migrants between 2000 and 2005. Subsequently the authorities in Rabat, assisted by the EU, reinforced their borders, surrounding the Spanish enclaves of Melilla and Ceuta, as well as along the Atlantic coast, which contributed to the recent reorientation of the flow of migration.³⁹

³⁶ Ibid

³⁷ Ibid

³⁸ Ibid

³⁹ KOHNERT

Trans-Saharan turns to Trans-Mediterranean Migration

Like in other parts of Africa, there is evidence of a considerable degree of pre-colonial mobility in West Africa.⁴⁰ Throughout known history, there has also been intensive population mobility between both sides of the Sahara through the trans-Saharan caravan-trade, conquest, pilgrimage, and religious education. The trans-Saharan trade connected North and West Africa economically, politically, religiously, and socially. It was only with the advent of colonialism, which drew borders where there had been none and created modern states, that trans-Saharan mobility and trade collapsed.⁴¹

However, soon after independence, the foundations were laid for the contemporary trans-Saharan migration system. After the 1973 oil crisis, Libya and Algeria witnessed increasing immigration of labourers from their southern neighbours to their sweltering Saharan hinterlands, where oil wells are located although inhabitants often refuse to work.⁴²

In the 1990s, this picture drastically changed. A progressive change in Libya's foreign policy contributed to a major surge in trans-Saharan migration to Libya. The 1992-2000 UN embargo prompted Libya to intensify its relations with sub-Saharan countries. As part of these renewed "pan-African" policies, Libya started to welcome sub-Saharan Africans to work in Libya. Traditionally a destination for migrants from Arab North African countries including Sudan, Libya became a major destination for migrants from West Africa and the Horn of Africa. In the early 1990s, most migrants came from Libya's neighbours Sudan, Chad, and Niger, which subsequently developed into transit countries for migrants from a much wider array of sub-Saharan countries.⁴³

In addition to Libya's new immigration policies, growing instability, the (civil) wars, and the associated economic decline in several parts of West and Central Africa also contributed to increasing trans-Saharan migration from the mid-1990s onward. Moreover, the outbreak of civil war in 1999 and the associated economic decline and the increasing xenophobia in Côte d'Ivoire prompted hundreds of thousands of migrants to leave the country. Although

⁴⁰ BESENYŐ, János: Western Sahara, pp. 28, 37.

⁴¹ DE HAAS, Hein: Irregular Migration from West Africa to the Maghreb and the European Union

⁴² Ibid

⁴³ Ibid

many of these migrants stayed or returned to Côte d'Ivoire, the country lost most of its former attraction to West African migrants. Confronted with the lack of alternative migration destinations within the region, this prompted increasing numbers of West Africans to migrate outside the region, to countries such as South Africa, Gabon, Botswana, and Libya.⁴⁴

Initially, most West Africans made the trans-Saharan crossing in order to work in Libya. Even so the presence of sub-Saharan migrants in Morocco and Tunisia remained largely limited to the quite lower numbers of students, traders, professional workers, and some refugees from the Democratic Republic of Congo, Liberia, and Sierra Leone. The trans-Saharan overland migration to these countries was relatively rare.⁴⁵

However since the late 1990s Algeria, Morocco, and Tunisia started witnessing an increase in migration from an increasingly varied range of sub-Saharan countries.⁴⁶ These changes in migration patterns have probably been reinforced under the influence of mounting xenophobia in Libya after the violent clashes between Libyans and African workers in 2000 (in 2011 this xenophobia returned during the time of revolution and civil war in Libya, because Gaddafi used to have sub-Saharan mercenaries). This led to more restrictive immigration regulations and regular forced expulsions. This has presumably contributed to a diversification and partial westward shift of trans-Saharan migration routes towards Algeria, Morocco, and Tunisia. Nevertheless, migration to Libya continued because of the persistent need for immigrant labour, although this migration has become increasingly irregular as a consequence of its restrictive immigration regime.⁴⁷

Around 2000, the next fundamental shift in migration patterns occurred when sub-Saharan migrants started to join Maghrebians in their attempts to enter the Spanish enclaves of Ceuta and Melilla illegally or to cross the Strait of Gibraltar to Spain or from Tunisia to Italy (Lampedusa, Pantalleria, or Sicily) by fisher boats. Maghrebians had started doing so since Italy and Spain introduced visa requirements for North African workers in the early 1990s. This increase was so strong that since sub-Saharan Africans have now taken over North

⁴⁴ DE HAAS

⁴⁵ Ibid

⁴⁶ BESENYŐ, János: Nyugat-Szahara és a migráció, pp. 39.

⁴⁷ DE HAAS

Africans as the largest group intercepted by European border guards. In addition, sub-Saharan migrants in Libya have increasingly tried to cross to Europe directly from the Libyan coast, transforming Libya from a destination country into a destination and transit country.⁴⁸

In this way, sub-Saharan migrants forged a vital connection between the resurgent trans-Saharan and the already established Euro-Mediterranean migration systems. The increasing presence of West Africans in the Maghreb, the persistent demand for migrant labour in (southern) Europe, where salaries and living conditions are much better than in Libya, and the already well-established networks of smugglers helping Maghrebians to cross the Mediterranean all contributed to this fundamental shift in the African-European migration landscape.⁴⁹

Migration Routes and Migration Methods

Migrants use numerous land, sea, and air routes to reach their desired destinations in North Africa and Europe. The more and more restrictive immigration policies and strengthened migration controls in Europe have led to a growing reliance on overland routes, although migrants who can afford it make at least part of the journey to North Africa by airplane. The trans-Saharan journey is usually made in several stages, and might take anywhere between a month and several years. Migrants on their way often stay for short term in towns placed on migration hubs to work and put away as much money as necessary for their onward journeys, usually in large trucks or pick-ups.⁵⁰

While huge number of trans-Saharan routes exists, the majority of overland migrants entered the Maghreb from Agadez in Niger.⁵¹ Agadez is the largest city in northern Niger. It lies in the Sahara and is the capital of the traditional Tuareg-Berber federations. The city was founded before the fourteenth century and gradually became the most important Tuareg city. Agadez is located on a historical crossroads of trade routes that now extend deep into West and Central Africa.⁵² From Agadez migration routes splits into the Sabha oasis in Libya (many of its inhabitants are economic migrants from Niger,

⁴⁸ *ibid*

⁴⁹ DE HAAS

⁵⁰ *Ibid*

⁵¹ BESENYŐ, János: Nyugat-Szahara és a migráció, pp. 39-40.

⁵² WERNER, Louis: Agadez, Sultanate of the Sahara

Chad and Sudan) and into Tamanrasset in southern Algeria (it is the centre of the Algerian Tuareg, and it was originally established as a military outpost to protect the trans-Saharan trade routes). From southern Libya, migrants move to Tripoli and other coastal cities or to Tunisia. From the coast migrants travel by boat to either Malta or the smaller Italian islands (Lampedusa and Pantelleria), and Sicily.⁵³

From Tamanrasset migrants move to the northern cities or enter Morocco. And from Morocco migrants either try to enter the EU by crossing the sea from the north coast or entering the Spanish enclaves of Ceuta or Melilla or else move to Rabat and Casablanca, where they settle down at least temporarily. The tougher policing at the Strait of Gibraltar have led to a general diversification in attempted crossing points since the end of 1990s. Migrants started crossing the Mediterranean Sea from more and more eastern places on the Moroccan coast or Algeria to mainland Spain, from the Tunisian coast to the Italian islands, and from Libya to Italy and Malta. Since the early 2000s migrants in Morocco have increasingly moved southward to the Western Sahara in order to get to the Canary Islands, a Spanish territory in the Atlantic Ocean.⁵⁴

In a likely response to increased border controls and internal policing in the Mediterranean and North Africa, on the western edge of the continent there has been a recent increase in migrants avoiding the trans-Saharan crossing to the Maghreb by sailing directly from the Mauritanian, Cape Verdean, Senegalese and other West African coasts to the Canary Islands on traditional wooden fishing canoes.⁵⁵

In addition, migrants from China, India, Pakistan, and Bangladesh have also started to migrate to the Maghreb overland via Saharan routes in recent years.⁵⁶ Migrants are generally shown as passive sufferers of immoral human traffickers and cruel criminal-run smuggling networks. In contrast, available empirical evidences based on researches among the migrants concerned strongly suggest that trafficking is unusual and that the majority migrate on their own initiative.⁵⁷ However it is rather a desperate response to impoverishment; most migration is generally a deliberate choice and an investment by reasonably

⁵³ DE HAAS

⁵⁴ DE HAAS

⁵⁵ Ibid

⁵⁶ Ibid

⁵⁷ BESENYŐ, János: A nyugat-szaharai válság - egy magyar békefenntartó szemével, pp. 113, 245, 256

prosperous households and families to enhance their future livelihoods. Migrants on average pay for one difficult leg of the journey, typically concerning a border crossing. More often happens that smugglers are former nomads, fishermen, and immigrants who operate relatively small and loose networks. These smugglers often cooperate with local police, border officials, and intermediaries.⁵⁸

Migrants spend hundreds of dollars in the process of crossing the Sahara to North Africa. They spend it mostly on bribes, smugglers, transportation, and daily necessities.⁵⁹ It was estimated that approximately a boat crossing from Morocco to Spain cost from USD 200 for adults to USD 500 to USD 800 for Moroccans and up to USD 800 to USD 1,200 for Francophone and Anglophone sub-Saharan Africans in 2003. The Libya-Italy crossing seems to be done more or less by for the similar prices. Noticeably safe and secure crossings tend to be much more expensive.⁶⁰

Every year, large numbers of migrants die or get seriously injured while trying to enter the EU. In 2005, at least 368 people died while crossing to Spain. Even though the actual number is might be two or three times higher because many bodies are never found. Between 1997 and 2001 3,285 dead bodies were found on the shores of the Straits of Gibraltar alone.⁶¹

While the media focuses on “boat people”, many migrants use other ways: tourist visas, false documents, hiding in ships with or without the consent of the crew, scaling the fences surrounding of Ceuta and Melilla or attempting to swim around them. As an effect of increased restrictions, border and police officials tend to charge higher bribes, and migrants increasingly use alternative, often more dangerous, routes through the desert.⁶²

Migrants preferably try avoiding to enter Europe by risky crossings on fisher boats. In 2002 only 10% of the irregular migrants’ population in Italy entered the country illegally by sea. Empirical evidence suggests that most irregular West African migrants enter Europe legally and subsequently overstay their visas.⁶³ According to one survey, about one-third of irregular Senegalese

⁵⁸ Ibid

⁵⁹ BESENYŐ, János: Nyugat-Szahara és a migráció, pp. 43.

⁶⁰ DE HAAS

⁶¹ DE HAAS

⁶² Ibid

⁶³ International Migration Outlook

and Ghanaian immigrants in Spain and Italy, respectively, have entered the country illegally, compared to two-thirds of overstayers.⁶⁴

The target countries

Spain

Of the 3,022,000 foreigners possessing a Spanish residence permit in December 2006, 709,000 were of African origin. An approximate number of 107,000 migrants were West African, or 4.6% of all non-EU immigrants living in Spain.⁶⁵

Africans account for 12% (91,000) of Spain's irregular migrant stock of about 765,000, of which half were Moroccans. It is estimated that yearly immigration to Spain has been remarkably stable over the 2001-2006 period at a level of 650,000 per year, that there has been no major pull effect and that total irregular migration has been around 447,000 in 2005.⁶⁶

Taking into consideration that African migrants account for 12% of the total number of estimated irregular migrants, and assuming that this reflects their share in current migration flows, it can be estimated that the total number of Africans successfully entering Spain in an illegal way hover around 54,640 per year. During the 2005 legalization campaign, West Africans only accounted for 28% of the total African population. If we apply this to the above estimates, this would correspond to an annual net irregular immigration from West Africa of 15,000 each year, suggesting that three-quarters of the 20,500 yearly increases of West Africans are through irregular migration. Because this figure also includes overstayers, the actual number of irregular entries into Spain should be lower.

Furthermore, many migrants migrate onwards from Spain to other destinations in Europe. The gross irregular immigration movement into Spain is likely to be substantially higher than the net irregular immigration. It is therefore important to look also at the migration of African populations to other important destination countries.

⁶⁴ Ibid

⁶⁵ DE HAAS

⁶⁶ International Migration Outlook

Italy

Italy is the other main port of entry to Europe. Moreover, sub-Saharan citizens form a relatively small but rapidly expanding population in Italy. It has been estimated that the total irregular migrant population is 700,000.⁶⁷ Moroccans dominated during the 1980s and early 1990s, but this position was taken over by Albanians and Romanians in late 1990s and early 2000s. The only sub-Saharan African country appearing relatively mainly in the Italian regularizations is Senegal, which is the biggest immigrant group from the region.⁶⁸ In Italy, there has been an increase in the number of regular West African citizens from 141,000 in 2003 to 211,000 in 2006, an increase of 23,000 per year.⁶⁹ Although this only includes the legally residing population, the total West African immigrant population in Italy is significantly higher than in Spain.

Portugal

According to regularization data, the total irregular migrant population living in Portugal has been estimated at 185,000. In 2006, the migrants holding African nationalities were mainly from the former Portuguese colonies: Cape Verde (56,000), Angola (28,000) and Guinea-Bissau (21,000). The combined population of nationals from these countries has increased from 83,450 in 2000 to 105,388 in 2006; it was an average increase of 3,660 per year. In the Portuguese regularizations of 1992-1993 and 1996, Angolans and Cape Verdians were among the main beneficiaries, but this position was taken over by Ukrainians and Brazilians in the 2001 regularization, mirroring increasing migration from Latin America and Eastern Europe to Spain.⁷⁰

France

The number of sub-Saharan migrants has increased from 376,000 in 1999 to 570,000 in mid-2004. It was an increase of 35,000 per year, of which 70% came from former French colonies. The growth in absolute number of the sub-Saharan population between 1994 and 2004 has been slower (21,000 per year on average) than the growth of the Maghrebi population (37,000 per year). Sub-

⁶⁷ International Migration Outlook

⁶⁸ Ibid

⁶⁹ Ibid

⁷⁰ International Migration Outlook

Saharan immigration has remarkably increased since 1996, with the sharpest increases from Côte d'Ivoire, Cameroon, and Senegal.⁷¹

United Kingdom

Data from the UK shows an increase trend in West African immigration over the past 15 years. These figures only include migration from the main origin countries of Ghana (30,495 immigrants between 1991 and 2004), Nigeria (55,835), and Sierra Leone (10,365). In recent years, total immigration from these counties has been around 10,000 annually.⁷²

The Netherlands

Data from the Netherlands suggest a substantial yearly increase in the number of West African-born immigrants since 1996. This increase is averaging 5,000 per year, which is faster than the increase of the Moroccan-born immigrants. It is quite remarkable that immigration of West Africans has been roughly equal to that of Moroccans, a striking change compared to previous migration, where the latter group clearly dominated. Corroborating earlier evidence, there was an increase in West African immigration after 1999. Yet there has been a notable reduce in legal immigration after 2002. And after 2004 the sub-Saharan population has even decreased in total mass. This seems to be a sign of nation-wide trends of decreasing immigration and increasing emigration in the Netherlands, where hardened policies towards immigration and immigrants have incited immigrant groups (such as Ghanaians and Somalis) to move to other European countries.⁷³

Conclusion

This paper shows some of the trends and actions in connection with the migration situation in Africa. It is important to count with the fact that the circumstances of migration are very complex and fluid, and unfortunately there is a lack of available quality facts and figures to measure the phenomenon and help guide successful migration policies in the region.

⁷¹ International Migration Outlook

⁷² Ibid

⁷³ Ibid

Moreover, migration has hitherto been viewed as problematic, thus – along with the relevant policies – was accordingly formulated to restrict the entry of the so-called unwanted migrants to the North. In sub-Saharan Africa, migration has been primarily intra-regional, but globalisation and internal and external factors have prompted migration of skilled and unskilled migrants, male and female, to the North, in regular and irregular situations.

The key message that migration is inherent and inevitable in an interconnected world is at last starting to get through to all concerned. Thus, on the one hand, there are the potential benefits of migration to migrants and to countries of origin and destination as well. On the other hand, North (Europe) is struggling to maintain its own social welfare (nowadays it seems this concept does not hold water in the long run, European governments are losing battles to play a key role in the protection and promotion of the economic and social well-being of its citizens). And so the arrivals of skilled and unskilled migrants nowadays are leading to xenophobia along with political and economic uncertainty.

So it is also important to recognise that success in managing migration must be anchored in collaboration between sending, transit and receiving countries, as well as in reducing the push factors which are the driving forces of migration.

But there are challenges which can be solved solely with a global migration policy. Such challenges are the ageing of populations in the North and the spiralling growth of populations – and hence of labour force – in SSA.

The journey so far has been tortuous, but the deliberations and conclusions of the most recent series of regional and international dialogues on migration and development give a glimmer of light at the end of the tunnel.

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LIMITS OF “THE BORDERLESS CITY”

What has actually remained of the first European Capital of Culture (ECOC) programme in Hungary? Is it really another bad example for incompetence and another failure story of money spent in an intransparent way or shall we agree with those who consider the Pécs ECOC programme as a success story, talking of a motorway built, high quality events, new facilities of international standard and a city made more liveable? Is it meaningful, anyway, to make an accurate balance only after just more than a year and a half following the programme year? Short term balances can surely be made. The present essay is an attempt, partly based on the author’s own empirical survey based on questioning more than a thousand respondents in Hungary in 2011 and 2012. The essay is the continuation of the article in Volume 2012/1 of *Tradecraft Review*.¹

Facts and figures about the event year - 2010

As a preliminary fact we have to make it clear that the events have been implemented, and the continuous offer of programmes resulted in a good number of participants day by day. This was promoted by the construction of the motorway right to Pécs, and the investments realised. Although success propaganda has begun, we cannot hush up opinions criticising the programme series for the lack of character, the gradual depreciation and quality loss – also, many believe that the fragile and short-time success is only due to the originally low expectations coming from disappointment accumulated through the years.

In such a large scale event, it is of course impossible to make a complete list of achievements, even for the short-term ones. It is only a few facts and figures about the event year that we want to demonstrate, about the programmes implemented, the international relations, tourism and the new investments. In the framework of the European Capital of Culture series, more than four thousand programmes were realised in Pécs, from which approximately 2,700 were subsidised cultural initiatives.² The total of the resources used by the programmes reached 1.847.000.000 HUF (6,4 million €), and during the year

¹ Koltai Zoltán (2012)

² P. Müller Péter (2011)

2010 the programme organisers invited artists and participants from 56 countries of the world. The events of Pécs were realised in 230 venues, with the active participation of almost 200 stakeholders.³

As regards the enrichment of the international relations of Pécs, the cooperation's with Germany are of special importance. In addition to the co-organiser city of Essen, it was, among others, Stuttgart, Karlsruhe and Berlin with whose cooperation almost fifty programmes were organised. The winning bid of Pécs also resulted in successful cooperation with the countries of the southern cultural zone, with Croatia in the first place but also with Serbia and Bosnia and Herzegovina as well. The programmes jointly implemented with these countries took place in the framework of both national, provincial or city level cooperation. The strengthening of the cultural activity of the cities of Krakow and Arad is worth mentioning, as is the successful implementation of the exhibition from the works of the famous Hungarian painter, Csontváry in Istanbul. On the whole there were over a thousand articles mentioning Pécs in the major foreign media.⁴

The number of visitors arriving at Pécs grew by a considerable 25.7%, the increase of guest nights spent in the city was an even more spectacular, exceeding by 27.5% in 2010 the figure of the previous year. Over a quarter of the visitors to Pécs (27.8 %) came from abroad; they spent no less than 32.65% of all guest nights realised in the city.⁵

As regards the touristic attraction of Baranya county, we can report short-term success too, as there was a 12% increase in the number of tourists and a 9% growth in the number of guest nights in the county in the ECOC year. The increase was more significant among the foreign visitors (26%, as opposed to the 9% growth in the number of domestic visitors). The largest numbers of guests arrived at Baranya County from Germany, Austria and the United States. The growing interest on the part of the southern neighbour states is indicated by the fact that in the first ten months of the year, the number of visitors from Serbia and Slovenia showed the most dynamic growth.

³ Pécs 2010 Európa Kulturális Fővárosa, 2010. évi programok értékelése

⁴ Ágoston Zoltán (2011)

⁵ Pécs 2010 Európa Kulturális Fővárosa, 2010. évi programok értékelése

If we add that in 2010 the number of guests and guest nights decreased in South Transdanubia, while the growth at national level was just 2%, the favourable figures of the county and the city are to be appreciated even more.⁶ The touristic impact of the ECOOC after the year of the event – more precisely, the lack of such impacts – is reflected by the number of guests in the city in 2011 and 2012.⁷ The figures show a significant decline in the number of guests already in 2011, the decrease by 20% (which was even larger, 30% for foreigners) resulted in a return to the numbers in the year before the event, 2009. A decline of similar magnitude can be observed if we look at the number of guest nights spent in the city of Pécs (an almost 15% fall as regards domestic guests and an over 25% decline for foreigners).

Let us return for a while to the key projects of the winning bid of Pécs. The programme of the renewal of public squares and parks is successful all in all, as the urban spaces and parks were revitalised in more than 31 hectares, offering a suitable location for the planned new uses of space. What might be missing though is the programme of wells, fountains and playgrounds. As regards the renewal of the public spaces, 94% of the respondents were satisfied with this.

The thirteen thousand square metre, modern building of the Knowledge Centre is deservedly popular with the visitors. The project offered a framework for the complete service integration of the three libraries of the city, the knowledge centre function is completed by research rooms and internet workstations, while the uppermost level houses the children's library, connected to the roof garden. In 2013, the number of registered users is over 26 thousand, of whom almost 21 thousand can be taken as active readers.⁸

The Zsolnay Cultural Quarter and the Kodály Centre together resulted in the birth of 44 thousand square metres of new cultural space.⁹ The outer and inner design of the Kodály Centre and the technical solutions of the building all deserve recognition. The complex includes a state-of-the-art concert hall of international rank and a conference centre on over 11,000 m² area.¹⁰ At the 131 events organised in 2012 a total of 79,368 visitors were registered, which is over

⁶ Rappai Gábor (2011)

⁷ Tájékoztatósi Adatbázis

⁸ www.tudaskozpont-pecs.hu

⁹ Kovács Katalin (2011)

¹⁰ www.kodalykozpont.hu

the figures expected in the European Union bid (which is 50,000 paying guests throughout the whole year).¹¹

The Zsolnay Cultural Quarter hosted a total of 1100 events in 2012. Of the more than 245,000 visitors, almost 205,000 were paying guests (the expected number of paying guests specified in the European Union bid is 150,000 persons).¹²

Research preliminaries, hypotheses

The question is how these developments were experienced by the citizens of Pécs. What has been achieved from one of the major expectations against the ECOC title, i.e. that the series of programmes as a large community making experience would strengthen local identity and would make a positive contribution to the image of the cultural capital city. Is it possible that the disappointment of the stakeholders resulted in processes just opposite to what had been expected?

We sought the answer to the following questions in 2011:

- How closely is the expression ‘ECOC’ related to the city of Pécs?
- How did the assessment of Pécs change in the year of the programme series?
- What positive and negative impacts can be felt in the city as a consequence of the series of events?
- On the whole, what is the judgement of the programme series like?

The following hypotheses were stated prior to the processing of the questionnaires:

- 1) The expression ‘ECOC’ has become part of the image of the city both locally and at national level.
- 2) The judgment of Pécs has somewhat improved over the last one year. A positive change is experienced both in the city and in the country. In Pécs there is an even larger proportion of those who think that the image of the city has improved a lot.

¹¹ www.zsokkft.hu

¹² www.zsokkft.hu

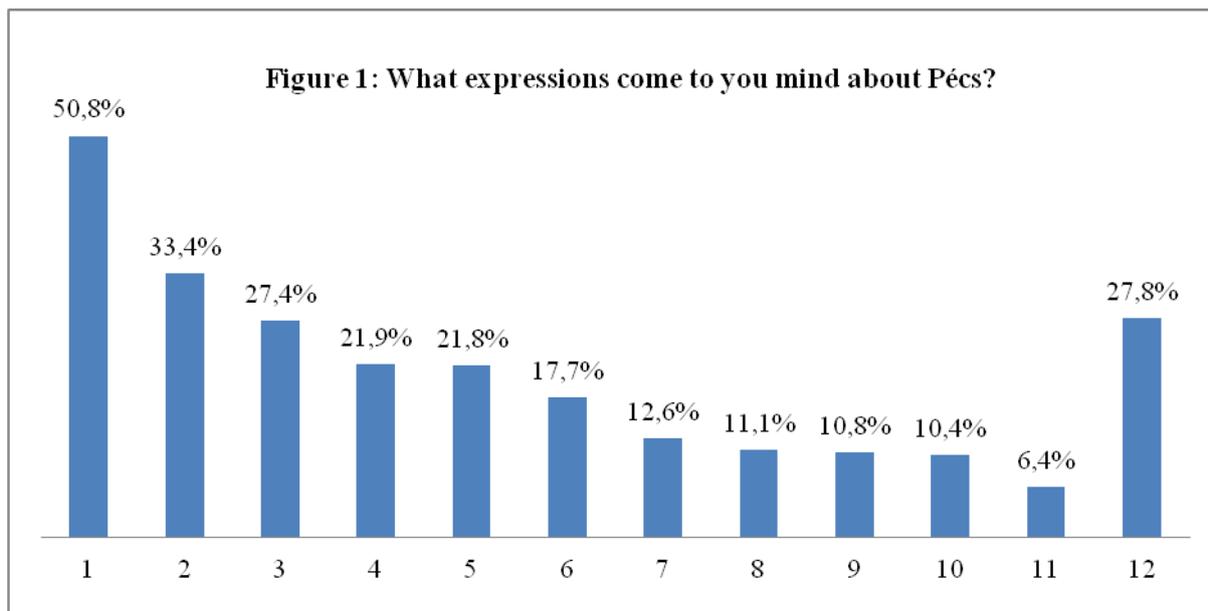
- 3) Among the achievements of the event series, most people mention the development of tourism, the improvement of infrastructure, the better domestic and international judgement of Pécs, the more liveable city and the more open people because of the event, the more positive attitude towards culture and the birth of adequate cultural institutions. The frequently mentioned negative consequences include the growing indebtedness of the city, and the further penetration of corruption.
- 4) On the whole, the programme series of European Capital of Culture – Pécs 2010 was more positively experienced by respondents.

Research findings

1. Appearance of the ECOC in the image of Pécs

To the question of what expression comes to their mind when they hear the name of Pécs, 21.8% of respondents mentioned the ECOC. This is the fourth or fifth most frequent mention (see in Figure 1), but if we calculate with the expression “European Capital of Culture” and the category “culture, museums, theatre” as one common category, the frequency of mentions is almost 50%. Our first hypothesis, i.e. that the expression ‘ECOC’ has become part of the image of the city, is justified.

As we can see in the figure, what comes to the mind of most respondents when hearing the name Pécs are the famous buildings, the historical places, the University of Pécs, and also the natural beauties and the Mediterranean atmosphere of the city.



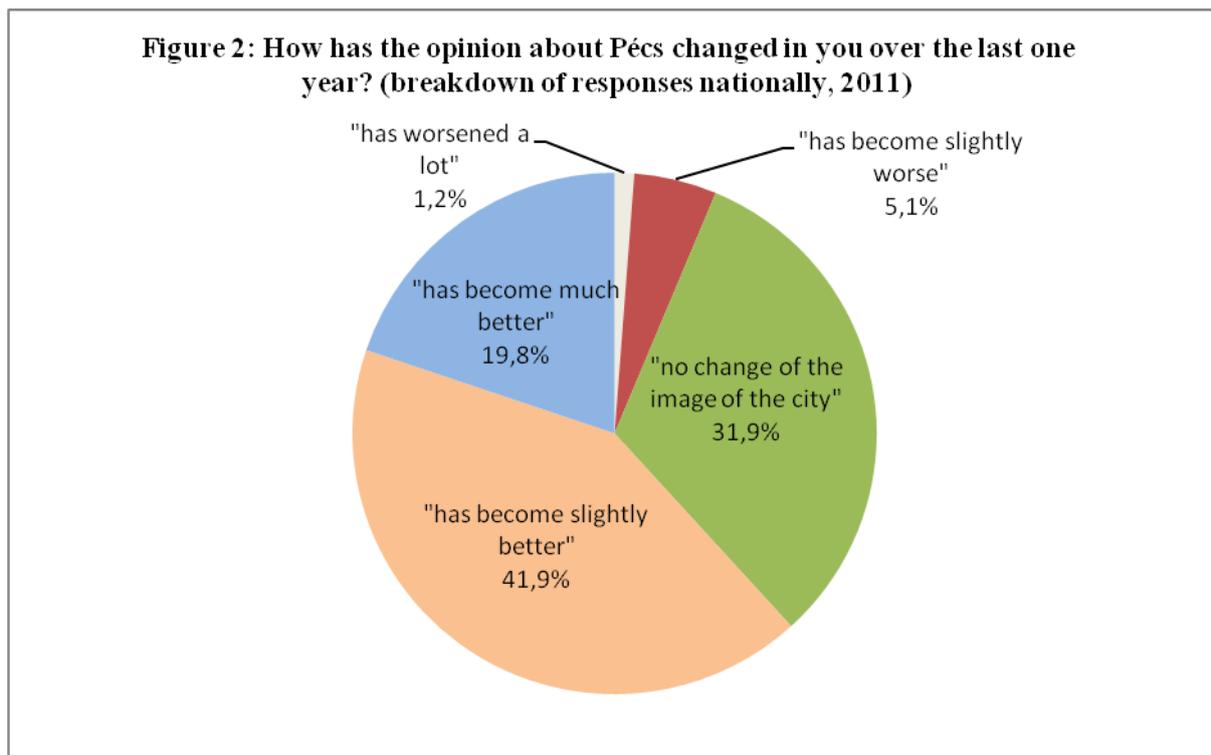
Source: Questionnaire survey of the author (2011).

Legend: 1 = sight of interest in Pécs (Djami, TV tower, Cathedral, Széchenyi Square),
 2 = University of Pécs (student city),
 3 = culture (museums, theatre, National Theatre Days of Pécs),
 4 = Mecsek (zoo),
 5 = ECOC,
 6 = Mediterranean atmosphere (a milieu),
 7 = Zsolnay,
 8 = public services (clinics, public administration, shopping centres),
 9 = locations of the industry of Pécs (mining, brewery, tobacco factory),
 10 = entertainment and fun,
 11 = sport life of Pécs (women's basketball, PVSK),
 12 = other

2. *Changing of the judgement of Pécs*

Our survey revealed an improvement in the judgement of Pécs both locally and nationally as a result of the year 2010 (see in Figure 2). As opposed to the 61.7 percent of the local residents believe this.

Not surprisingly, there is a more positive image in the participants of the events of the ECOC than in those who did not take part in any form in the series of events in 2010.



Source: Questionnaire survey of the author (2011).

Our hypothesis has not been verified inasmuch as the most favourable attitude (5 = has become much better) is a little less frequent among the responses given in Pécs than nationally (16.1% and 19.8%, respectively).

3. *Achievements of the event series*

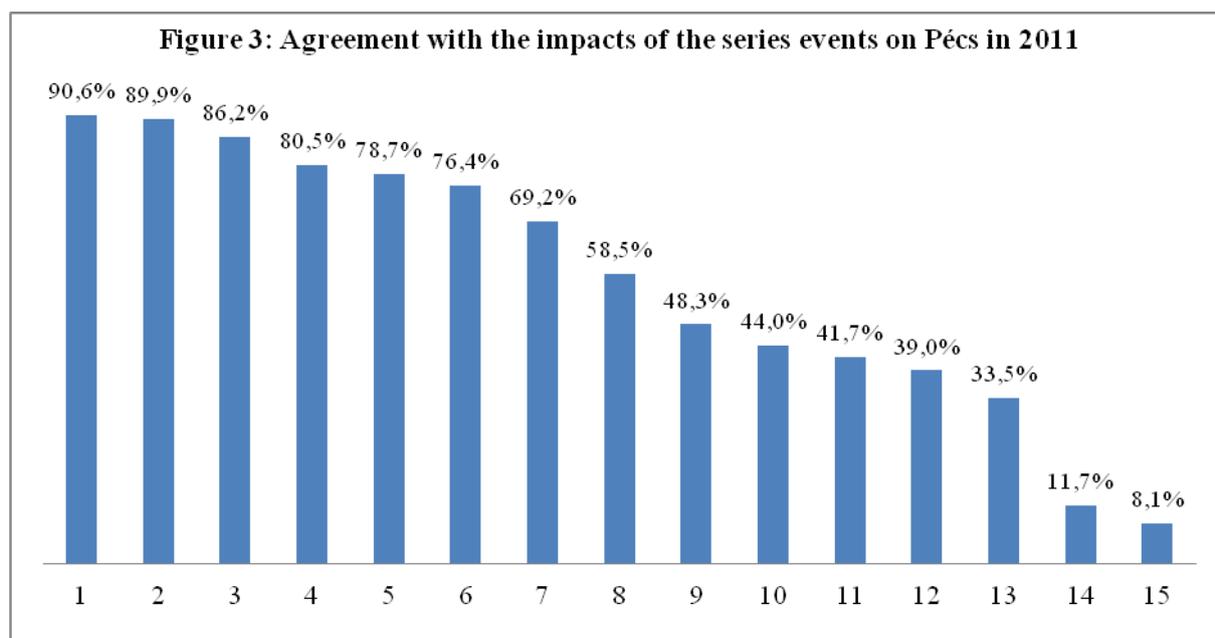
With our question about the impacts of the ECOC – Pécs 2010 we partly repeated our previous data survey, conducted in 2008-2009.¹³ The most frequently mentioned results were the growth in the tourism sector, the birth of new cultural institutions, the positive change of the image of the city, the development of infrastructure, the more positive attitude of people towards culture, the development of Pécs into a regional cultural centre by international standards, and in general, the fact that the city became more liveable. (See in Figure 3)

The figures of 2011 are even more appreciated in the light of the values registered in 2008, considering that there was a significant, 15-45 per cent growth in the values. The fact that the “city is more liveable” was mentioned by three times more respondents after the event than the number of people who had previously expected it. The reason why our hypothesis was only partially verified is that the negative consequences (growing indebtedness, penetration of corruption) were less frequent than had been expected among the responses.

¹³ Koltai Zoltán (2012)

4. Evaluation of the ECOC – Pécs 2010 programme events

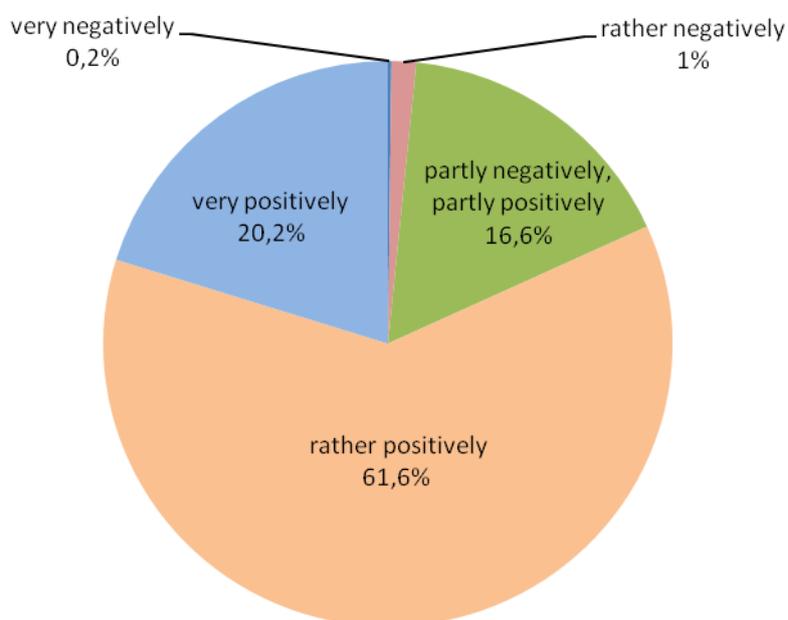
The last question of our questionnaire survey sought the answer to how respondents saw the event on the whole, after its closing. The breakdown of the responses received clearly shows that almost 82% of respondents experienced the programme as a positive phenomenon (See in Figure 4). The result on a five-grade scale (4.0) supports our last hypothesis.



Source: Questionnaire survey of the author (2011)

- Legend:
- 1 = many tourists came as visitors,
 - 2 = the city was enriched by adequate cultural institutions,
 - 3 = the domestic and international assessment and image of the city has improved,
 - 4 = infrastructure has developed,
 - 5 = a more positive attitude of people towards culture,
 - 6 = the city has become a regional cultural centre by international standards,
 - 7 = the city has become more liveable,
 - 8 = local patriotism has strengthened,
 - 9 = economic progress has taken place, new jobs have been created,
 - 10 = increasing ticket prices,
 - 11 = traffic within the city has become more problematic,
 - 12 = the indebtedness of the city has increased,
 - 13 = corruption gained further ground,
 - 14 = a bad image of the city in Hungary and abroad,
 - 15 = no positive impact has taken place at all

Figure 4: How do you assess the programme series European Capital of Culture – Pécs 2010 on the whole?



Source: Questionnaire survey of the author (2011)

For a final conclusion

Before anyone expects me to make a balance of the ECOC – Pécs 2010 programme series, I must admit that now, after more than a year and a half following the event, it is still not possible to do it objectively.

Does it make sense to talk about a clear success or failure? I do not think it does. Could have been realised more from the original ideas of the winning bid? Probably yes. Was the programme year less successful than it had been previously expected, leaving a lack in almost all of stakeholders? It certainly was.

Do not forget, however, the statement of József Takács who described the bid of Pécs as a convincing fiction, sort of putting the ways and depth of implementation into the hands of the citizens of Pécs.

“The ECOC created the foundations for the further steps.”¹⁴ The development potential is given and although the change of cultural scale that had been dreamt of has not yet been achieved, by a shift of scale in our thinking we may get closer to the so attractive ideal and the already weakened spirit of “The

¹⁴ Kovács Katalin (2011), 113.o.

borderless city”, perhaps implementing this way a real cultural decentralisation.¹⁵

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¹⁵ A határtalan város

FORUM of PhD CANDIDATES

BENCE HAUSEL, PhD aspirant

THE STRATEGIC COOPERATION BETWEEN THE AFRICAN UNION AND THE EUROPEAN UNION

Abstract:

The author of this article explains the development of partnership between the African states and the European Union from the establishment of the African Union Organization (AUO) in 1963. It was in 2002 when the successor of the AUO, the African Union was established and immediately opened a tighter relationship with the European Union. The problems appeared on the African continent (like peace and security issue, the underdeveloped economic and health system, the oppression of human rights) made it necessary both for the European Union and for the African Union to raise their partnership to a higher level. The African states and the EU had the opportunity for establishing gradually an expansive partnership by making use of the Cairo Summit, the Cotonou Treaty, and the New Partnership for Africa Development (NEPAD) program, the European-African agreement for speeding up the development of Africa, the strategic partnership between the European Union and Africa and the Lisbon Summit. However, there are still actual problems which cause difficulties for both parties.

Keywords: African Union, European Union, strategic partnership, Cairo Summit, Cotonou Agreement, NEPAD, Lisbon Summit, Millennium Development Objectives (MDOs), AIDS

Introduction

The African regional organization was established on the conference held between 22 and 25 May 1963 by thirty-two independent African states in Addis Ababa¹ (capital of Ethiopia) and it was named as African Unity Organization (AUO).² The main purpose of the AUO was to create the African unity. The

¹ Often spelled Addis Abeba

² Besenyő János: Az Afrikai Készenléti Erők–Honvédségi Szemle, 64. évfolyam, 1. szám, 2010. január, pp. 7-10

basic document of the organization contained the importance of the total windup of the colonial system on the African continent and emphasized further targets such as the sovereignty of the member states, to foster the solidarity and unity of the African states, to urge the economic, cultural, educational and international cooperation among the member states.³

In July 1963, the European Economic Community and the African Association States and Madagascar (AASM) signed a commercial and supporting treaty in Yaoundé (capital of Cameroon), namely, the Yaoundé Agreement which gave effect in 1964. In commerce the quantity limitations were gradually abolished and in financial deals customs tariffs and equal basis were guaranteed. As at the time of signing of the treaty it was said that they were going to use a five years of validity period limitation, therefore they negotiated again in 1969 and they signed the renewed 2nd Yaoundé Treaty in July 1969 which came into effect in 1971 and it was in force until the signature of the 1st Lomé Convention in 1975.

The privy of the Yaoundé Treaties, the Lomé Conventions was concluded also for 5 years in Lomé (capital of Togo).⁴ The European Communities⁵ and the seventy-eight African, Caribbean and Pacific Ocean countries (ACP countries) signed the first Lomé Convention which was a comprehensive treaty on commerce and financial assistance through the European Development Fund and through the European Investment Bank.⁶ These treaties were renewed every five year until 1990 and in that particular year it was signed for a period of 10 years.⁷

For the establishment of the African Union it should be mentioned as an instant preliminary that there was an AUO Summit in Sirte⁸ in 1999 where they declared the African Union and the need for the formation its institutes (such as

³ In the UN Founding Document (1st chapter, 1st article, 3rd paragraph) and according to the Universal declaration of human rights (22nd article)

⁴ Lomé: capital of Togo Republic, that is the centre of the country's industrial and administration. Lomé is in the Gulf of Guinea.

⁵ European Community: it is a summary name of the followings: from 1967 until 1993 it was European Coal and Steel Community (ECSC), the European Economic Community (EEC), the European Atom Energy Community (Euratom)

⁶ A lot of African countries got financial aid in this system for various purposes. For example Chad, more on this: Besenyő János: Csád gazdasági élete, in: Szakmai Szemle, 2010/3. pp. 126-153.

⁷ Lomé Conventions in chronological order: 1975-1980 (1st Lomé Convention), 1980-1985 (2nd Lomé Convention), 1985-1990 (3rd Lomé Convention), 1990-1995 (4th Lomé Convention), 1995-2000 (4th Lomé Convention and its revised version)

⁸ Sirte: also spelled Sirt, Surt, Sert or Syrte, is a city in Libya. It is on the south coast of the Gulf of Sidra.

African Development Bank, Central African Court, Pan-American Parliament⁹). In July 2000, the foundation document of the African Union was accepted on the subsequent summit organized in Lomé. The foundation document came into effect in the following year, namely, in 2001. The leaders of the member states established as the successor of the AUO the African Union on the summit on 9 and 10 July 2002 organized in Durban¹⁰

About the African Union in General

“An integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in global arena.” – the vision of the African Union

The African Union’s Foundation Document declared as its preliminary targets the following principles: to create the unity and the cohesion among the African countries and peoples of Africa; to protect the sovereignty; the territorial integrity and independence of the member states; to ensure the peace, the security, the democratic principles and institutes, and furthermore to ensure the emergence of the human rights; to speed up and coordinate the political, social and economical integration of the continent for reaching a higher standard of living for the African peoples; to abolish all forms of colonisation and to increase national cooperation. These principles were phrased in the 2nd and the 3rd articles of the Foundation Document. Now, with the exception of Morocco all of the African countries are the member of this organization.^{11,12} The most important institutes of the African Union are the followings: General Meetings of the Leaders and Presidents of the member states; the Executive Council; the African Court; the Committee; the Economic, Social and Cultural Committee; and the Peace and Security Committee.¹³ The most influential financial institutes of the African Union are as the follows: African Central Bank, the African Monetary Fund and the African Investment Bank.

⁹ Its current headquarter is in Midrand, in the Republic of South Africa. Midrand town is the part of Johannesburg metropolis

¹⁰ Besenyő János: Az Afrikai konfliktusok és kezelésük sajátosságai, a békefenntartó műveletek során szerzett tapasztalatok – Felderítő Szemle, VII. évfolyam, 3. szám, 2008. szeptember, pp. 5-15.

¹¹ Member of the African Union http://www.au.int/en/member_states/countryprofiles (Opened on 18 September 2013)

¹² Kingdom of Morocco left AUO, when the Saharawi Arab Democratic Republic got its membership in the organization. - Besenyő János: Western Sahara, p. 126

¹³ It was created on 12 June 2003 by the General Meeting. The basic regulations and process of the Council follow a similar principle like the Council of the United Nations.

The Road from Cairo to Lisbon

The Cairo Summit

The first common milestone between the European Union and Africa originated from the Cairo Summit held in April 2000. The Cairo statement which was signed then and the Cairo act scheme emphasized the following six comprehensive areas: 1. integrate Africa into the world economy, 2. create within Africa regional economic cooperation and integration, 3. respect and secure the human rights, the democratic disciplines and institutes, the constitutional state and the responsible governance, 4. keep always in mind the peace issue, and finally, 5. fight against poverty on the area of education, health and food security. From the Cairo Summit the leader officials and the ministers are frequently having meetings together.

Cotonou Agreement

On 23rd June 2000 the Cotonou¹⁴ Agreement was signed which was a partnership covenant between on one hand, among the African, the Caribbean and Pacific states and on the other hand, between the European Community and its member states. The main objective of the agreement was to reduce and wind up the poverty in long term, to reach permanent economic increase, to support developments for democratic social and market economy operation, and to foster the ACP states gradually integrate them into the world economy.¹⁵¹⁶ Additionally, it should be mentioned that in behalf of the implementation of their partnership frame objectives, the ACP states with entire sovereignty decided their own development strategies for their economies and their society, and furthermore, the 9th clause of this partnership agreement mentions the importance, the respect and the promotion of human rights.

Events between 2001 and 2003

A statement was issued after the terrorist attacks in the United States of America on 11th September 2001 that the African states and the European Union will step up together on global level for winding up terrorism.

¹⁴ Cotonou: economic capital of Benin and at the same time the biggest city. It lays in south-east coastal of Benin, between the Atlantic Ocean and the Lake Nokoué.

¹⁵ The 2000/483/EC agreement, ie. the Cotonou Agreement came into force in 1st April 2003

¹⁶ Further information available about the agreement on the following link [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22000A1215\(01\):HU:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:22000A1215(01):HU:NOT) (Opened on 20 September 2013)

In Brussels the first summit was held where the representatives of the African Union and the European Union were presented on 11th October 2001. Also in this year, the New Partnership for Africa Development (NEPAD) was established, in which Africa has decided the political future of the continent according to its own conception. In this program there is an opportunity for the African countries to build a closer relationship with the other involved countries and to cooperate together more effectively with their different international partners.

The establishment of the African Union in 2002 played an important role in the life of the African countries since it strengthened their participation on the international forums. The AU (African Union) became the spokesman as the representative of the entire African continent and became an indispensable pillar in the creation of partnership between the European Union and Africa.

In June 2003, a Committee announcement was released for promoting the dialogue between the European Union and Africa. The main aim of this announcement was to foster the political and economic relationships between the EU and Africa and to support the development of human rights, democracy and the African legal system. During 4 - 12 July, the African heads of state and the heads of government gathered at a meeting in Maputo (Mozambique) for their first meeting after establishing the African Union. At this meeting, the European Committee was also represented with the aim that the EU was ready to support the African Union.

After the Maputo summit, the European Union made and launched a financial mechanism to support the African Union within the framework of the European Regional Development Fund and in this way this organization will have more capacity to start the African peace maintenance operation.¹⁷

Millennium development objectives

An announcement¹⁸ was released by the European Committee on 12th April 2005 which emphasizes the need for Africa to reach the Millennium

¹⁷Further information are available about the distribution of the financial support: http://ec.europa.eu/europeaid/where/acp/regional-cooperation/peace/index_en.htm (Opened on 05 October 2013)

¹⁸ Legal measure: The Announcement of the Committee to the Council, to the European Parliament and to the European Economic and Social Committee – To foster the march towards the millennium development objectives (MDOs) – The permission of the European Union {SEC(2005) 452} {SEC(2005) 456}. Legal

Development Objectives (MDOs), and that the EU would like to focus its efforts on different areas of the African continent, especially on the Sub-Saharan African territories. The Committee indicates in its announcement as a very important provision to improve the way of the African government to connect the African commercial networks and support efforts for implementing the rightful social system, for ensuring the access to the services to everyone, for maintaining the trustworthy work and environmental conditions, and for promoting peace and security.

Improvement of the administration in Africa

In favour of improving the governance in Africa, the EU has to develop the capacity of the African Union which could be implemented as a financial support by the EU. In addition, with regard to the whole African continent, the emphasis must be on the respect of human rights. To boost the importance and the effect of their partnership, the EU institutions have to quest the opportunities of the African twin-partnership with the proper institutes – I mean here for the Economic, Social and Cultural Committee, for the Pan-African Parliament and for the Peace and Security Council.

Foster peace and security

Although the African Union has a proper instrument to handle this question, namely, the African Union Peace and Security Council, however the EU has to provide a financial support for resolving conflict and to ensure peace making measures as there cannot be a successful strategic connection between two countries until the involved participants have done everything to support, to foster and to maintain peace and security.¹⁹ As the African continent, its countries and its people are not yet in such state of development like the member states of the European Union are, therefore in this case there must be much more emphasis on security and peace issues of Africa.

Linking the African infrastructure and commerce

There is a need for Africa to increase and make the African commerce competitive, and for the African exporters to speed up the build of the Sub-

measure is available here: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0132:HU:NOT> (Opened on 10 October 2013)

¹⁹ Besenyő János: Új trend az afrikai békefenntartásban - Sereg Szemle, VII. évfolyam, 2. szám, 2009. április-június, pp. 54-62

Saharan infrastructural networks and services, and there is also a need for supporting the network maintenance which has already been accomplished. The European Committee advises in these above mentioned announcements to develop further the infrastructural connection between the two parties which would help the different African regions on the continent to build up connections more easily and would prevent different infrastructural ruptures. Furthermore, steps have to be done to facilitate commerce and to create more favourable economic and commercial terms.

The maintenance of the rightful society, the access to the services, to fair work and environment

Apropos of a permanent and consistent economic development and the abolishment of poverty, it is crucial for the African people to ensure proper workplaces, to achieve equality between women and men and to ensure efficient workforce. Additionally, everything must be done to increase the standard of living of the poor. The European Union has to ensure such provisions that focus on fostering the African society and in the meantime taking care of the environment protection. These services are the followings: primary and higher education, health provisions, different educational programs, medicines and essential social and public services.

Towards a Euro-African pact to accelerate Africa's development

In October 2005 the European Committee released an announcement²⁰ on the EU's Africa related strategy in which the EU emphasis the following three important principles equality, partnership and own responsibility.

The key of the partnership success is to strengthen the relationship between the two continents in political and economic fields. It is an important component of their relationship the earlier mentioned twin-institute program, namely, the support of the twinning program where the African and European universities, parliaments, schools, cities, local governments, trade unions, NGOs, enterprises and museums start to cooperate with each other.

²⁰ Legal measure The Announcement of the Committee to the Council, to the European Parliament and to the European Economic and Social Committee The Africa strategy of the EU – European-African Treaty for foster the development of Africa {SEC(2005) 1255} Legal measure is available here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0489:HU:NOT> (Opened on 08 October 2013)

The essential of the principle of the own responsibility is that a given African country must define its own political concept and its own development strategy and it should not to be defined under outside pressure. The main purpose of this Africa strategy of the EU has to hasten the implementation of the UN's millennium development objectives (MDOs) in those African countries where this has not yet been reached. In these countries the EU has to provide support and focus on the implementation of those tasks that help reaching the MDOs, the establishment of a suitable economic environment. The European Council accepted the Africa strategy at the summit on 15&16 December 2005, aimed at speeding up the development of Africa.

The strategic partnership between the European Union and Africa

After the approval of the EU's African strategy in 2005, the EU and Africa redefined their partnership connection in 2007, so the time has come that the EU-Africa strategy be replaced with a tightened bilateral agreement.²¹ It should be mentioned that that time EU had not been connected with only Africa as China became quickly one of the most important commercial, financial and aid partners. In the light of the Chinese expansion on the African continent it was really important for the European Union to raise its partnership level with the African Union if the EU wishes to remain an emphasised partner of the AU, otherwise it may lose its significant priority on the African continent.

The strategic partnership between the EU and Africa strengthened their political cooperation and founded their long term partnership. The four elements of this partnership are the followings: 1. the players of this new connection became equal political partners and they extended their cooperation to all their common problems and with common political issue in which both parties were involved. 2. The partnership not only focuses on the African continent and on Europe, but focuses on other parts of the world as well. 3. To improve the commercial connection in the favour of the economic integration. And the fourth (4.) and the last essential element is that this partnership points over the African and European institutions as it is their important target that there must be more countries who are concerned in this partnership and that partnership must contribute to the development of civil society.

²¹ Legal measure The Announcement of the Committee to the European Parliament and to the Council – From Cairo to Lisbon – The strategic partnership of the EU and Africa {SEC(2007) 855} {SEC(2007) 856} Legal measure is available here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0357:HU:NOT> (Opened on 11 October 2013)

The Lisbon Summit

After 7 years of the Cairo Summit, the EU and Africa held its second²² common summit in Lisbon (capital of Portugal) on 8 and 9 December 2007 where the heads of state and heads of government of Africa and the European Union member states participated. On this summit, the 52 member states of the African Union, Morocco, the African Union Committee, the 27 member states of the European Union, the European Committee and the Secretariat of the European Council signed the Lisbon statement by representing 1.5 billion people. Additionally, the leaders of the EU and Africa approved a common strategy as well which was a short, compressed, target-focused version of the EU-Africa strategic partnership issued in 2007. This common recommendation set itself the following four objectives.²³ One point of the document is about to strengthen the partnership between the EU and Africa which main aim is that the involved parties have to be equals. In addition, it contained to foster in Africa peace and security, commercial, regional and continental integration, governments, human rights, and other significantly important development matters. This document also mentioned the common efforts to solve global problems and promote a comprehensive and extensive partnership for those countries that are involved in this partnership.

The political initiations of the Lisbon Summit

Energy partnership

Both on the African and the European continent, energy security is vital to ensure the access to energy services and to handle these services in an effective way. Although Africa owns energy sources in a big volume, the use of these sources is at a very low level. The previously mentioned urgent problems are to be solved; the partnership connection should be deepened, maintained and developed. The political energy dialogue between the EU and Africa has to be boost up for reaching the energy sources in a secure way and using the sources in a more variable way. The parties currently emphasise the need for the people to easily reach energy services in a favourable price with a clean and productive accessibility. Within the energy partnership it is also vital to increase the energy development in Africa for maintaining the suitable financial and human sources

²² There should have been the second EU-Africa Summit on 5th April 2003 but it was postponed.

²³ European Union legal source: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0357:HU:NOT> (Opened on 11 October 2013)

and to involve new players into investments (like international institutes and public sector). The further objectives of this partnership can be the followings: to support of renewable energy sources, to raise the investments in the energy infrastructure and to build the prevention of climate change into the development cooperation.

The partnership of the European Union and Africa on climate change

Today one of the most dangerous problems is the climate change which affects nearly all of the countries in the world but in an oddly and in a most serious way it has impact on the less developed and developing countries. On the African continent, the desertification, the water level decrease of the rivers and lakes or their total shrivelling, the lack of freshwater and the water supply problems which come from it, and the extreme weather conditions (ie. drought) are all the consequences of the previously mentioned phenomenon, and these have a great effect on the continent and on the people who live there. The objective of the partnership is to reduce the risk of catastrophes, to restrain the forest obliteration, to support the presence on the global coal market of the developing countries, to assist to create environmental friendly technologies and to start tracking in a more effective way the environmental effects of the climate change.

The partnership of the European Union and Africa about migration, mobility and employment

The European Union and Africa cooperate in several areas regarding the migration. Here can be mentioned the effort to improve legal migration, the common steps against illegal migration and furthermore advances can be seen about the fight against human trafficking. The EU and Africa came to an understanding that they are going to create together observation posts in Africa, which help them in handling the migration issues; and both parties have to designate the posts that provide help, both for the migration country and the target one. One of the biggest problem in Africa is that the number of the workplaces (compared to big size of the population) is especially low, therefore the increase of the employment should be placed in the focus of cooperation and in this way has to ensure suitable workplaces mainly for women and young people and there is also an area where the development is vital, namely, the equality between the gender. Creating trustworthy workplaces could also be a tool against the illegal work.

The partnership of the European Union and Africa about the commerce and regional integration²⁴

To create a bigger and integrated market for the entire African continent there has to be emphasised in a more effective way the development of the regional integration as this is vital in reaching the earlier mentioned integrated markets. During the development of the private sector there is a need for boosting up social responsibility of the companies, and there must be ensured a better access to loans; and the African investment and business environment must be also improved, creating a better condition for the business activities. To improve the infrastructural development, it would be important for the continent that the different regions be linked. In addition to accelerating the development, the security and the protection of the ports and airports and other facilities need serious mobilization forces.

The commercial integration ensures the harmonization of the commercial, customs and industry policies. To update the African agriculture, it is important to meet the international health and plant health standards, and therefore the African commerce must get more opportunity in participating in the international markets. Changes have to be made in the pharmaceutical industry and the pharmaceutical regulations which may reconcile with the international standards, and the illegal pharmaceutical industry has to be constrained. The spread of the environmental friendly technologies has to be supported as well.

The partnership of the EU and Africa about democratic government

The EU and the AU has to make discussions about the democratic governance in a more purposeful and in a more comprehensive way. They have to do their best to support the international and regional standards for the spread of the democratic election on the whole continent. There is a need for creating a government forum with the participation of non-state players, national and continental parliaments, local governments and different regional organizations for increasing the discussion among the parties on human rights, on democratic principles, on the reform of the security sector and on the constitutional state. The EU tries to find in its new strategy to involve more and more liquid assets of

²⁴ Legal measure: The common document of the Committee and the main Secretariat of the Council: Over Lisbon – Operation of the EU-Africa partnership Legal measure is available: [http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=SPLIT_COM:2007:0357\(02\):FIN:EN:PDF](http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=SPLIT_COM:2007:0357(02):FIN:EN:PDF) (Opened on 17 October 2013)

the community and more member states to foster in an effective way the Pan-American government structure.

The common political and institute structure of the EU and Africa

The European Committee emphasises the need for fostering the connection between all the institutes of the EU and the AU especially between the Pan-African Parliament and the European Parliament (EP) and between the African Union Committee and the European Committee. In certain cases the EU and the AU should organise common ministry summits and furthermore they could work out different infrastructural mechanisms for political discussion. They have to commit themselves that they are going to organise a summit every two years which would be organized by rotation (ie. once in the EU and once in Africa). Additionally, they should elaborate an action plan about their most important common issues and in this action plan they should mention such a short-term common activities which infers considerable commitments for both parties and ensure the implementation of the common tasks for the forthcoming two years period.

Other very important improvement issues (like MDOs, education, health, equality)

It is an indispensable precondition for the efficient EU-African cooperation to implement the Millennium Development Objectives (MDOs). However, to reach these objectives Africa needs to provide a considerable development mainly in area of the education and health. As regards the quality of education, it is of a very low level. On the continent there are very few schools with few teachers and the people who live in Africa do not have too much opportunity to learn. It is an important and a serious problem that people do not think that education is important therefore there is a need for strengthening all level the educational system. It is also vital to reform the African health system and make it understand that AIDS is the most concerned illness in the world and its most victims live in Africa. According to figures issued in 2012 by UNAIDS,²⁵²⁶ there are 35.3 million HIV infected people living in Africa and referring to the below map, there are terrible circumstances and conditions in

²⁵ UNAIDS: „the Joint United Nations Programme on HIV/AIDS” – The program of the UN related to HIV/AIDS disease

²⁶ Further information, data, statistics are available: <http://www.unaids.org/en/> (Opened on 18.10.2013)

case of AIDS (2nd graphic). To prevent and cure the HIV infection, the EU and Africa have to emphasise and explain the HIV's effect on women and children.

The future of the strategic partnership between Africa and the EU

The 3rd EU-Africa Summit²⁷ was held in Tripoli (capital of Libya) on 29 and 30 November 2010, whose objective was to tighten the cooperation in the favour of deepening the relationship between the parties on the following topics: 'investment, economic growth and job creation'. The participants confirmed the common EU-Africa strategy which was earlier accepted in the Lisbon Statement and according to this they approved also the action plan for 2011 and 2013, which focuses on the following areas similarly to the earlier accepted agreements: peace and security, democratic government, human rights, regional integration, development of commerce and infrastructure, energy issue, climate change and environment protection, migration, mobility, employment, science, information technology and space research. The European Parliament (EP) kept in mind the future of the strategic partnership between the EU and Africa, and greeted the strategic action plan for the years of 2010 and 2013, and believes that the strategic principals have to be worked out in such a way to the step up against poverty and to ensure reasonable wages and livelihood as the sustainable needs of the developing countries can be supported and the ultimate human rights (such as social, economical and environmental rights) can also be patronized in this way.

Hungary and Africa

Hungary's new foreign affairs strategy was issued as a closing event of the Hungarian EU presidency in 2011²⁸ and its title was 'Hungarian foreign policy after the European Union presidency'.²⁹ With the use of the results and the experiences of the Hungary's EU presidency, Hungary has decided to update its foreign policy.

²⁷ The commitment of the European Parliament: The future of the strategic partnership between Africa and the EU after the 3rd Africa-EU Summit. Legal measure is available: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:169E:0045:0049:HU:PDF> (Opened on 19 October 2013)

²⁸ Between 1st January and 30th June 2011 Hungary attended its serial Presidency of the European Union's Council under the course of the second Orbán-government.

²⁹ http://eu.kormany.hu/download/4/c6/20000/kulpolitikai_strategia_20111219.pdf (Opened on 19 October 2013)

North Africa

Hungary's presence is extensive in the North African territory with embassies and consulates, our bilateral connections are effective and well-structured, our political consultations are frequent. The main target of our foreign policy for North Africa is to consolidate peace and security in that area, to boost sustainable development and respect for the human rights, to support democratic procedures and expand our foreign economic connections to that score area, as well as to strengthen our energy security. Relating to the exploded Arabic spring³⁰ movement in 2011, Hungary managed to provide help during the Libyan conflict.

From the point of view of Hungary's foreign policy, the consolidation of the peace and the security in these areas is essential as without it the handling of the political conflict is impossible and this is the interest of our security policy to roll back the global terrorist threats. Furthermore, the cooperation with that area is also important for us because the considerable source of South Europe's gas supply comes from the north part of the African continent. The Hungarian based multinational company MOL is also present in the area so that is why it is our strategic interest to support their activity there as well.

The Sub-Saharan Africa³¹ and The Sahelian Zone³²

Connections of Hungary with the states of 'black' African area are mainly of economic kind. During our EU accession in 2004, there was a need for re-evaluating and renewing the Hungarian-African relations, with due consideration to the cooperation between the EU and Africa. Our foreign policy was highly influenced by our accession to the European Union. We have achieved improvements during the Hungarian EU serial presidency as we had the opportunity to take part in such events where the ACP countries were present as well. In the resolution of the problems of the Sahelian zone³³, Hungary has to participate in it as Hungary's foreign policy has to improve its inter-

³⁰ Anti-government demonstration series which exploded in North-Africa (mainly in Tunisia, in Algeria, in Jordan, in Egypt, in Libya, in Yemen and in Syria). More on this: <http://www.kul-vilag.hu/2011/04/besenyó.pdf> and Besenyő János: The first anniversary of the „Arab Spring” – What kind of change have taken place since then - Tradecraft Review, Periodical of the Military National Security Service, 2012, 2. Special Issue, pp. 5-16

³¹ Sub-Saharan Africa (other name 'Black Africa'): the south part from the Saharan Desert on the African continent

³² Sahelian zone: it can be found on the south from the world's biggest desert, the Saharan desert

³³ The spread of the Islamic radicalism

governmental connections in the Sub-Saharan and Sahelian Zone, as without it we cannot actively take part in the EU's common foreign and security policy, until Hungary has an own Africa policy. Therefore, we have to participate in a more remarkable way in the policy between the EU and Africa and we have to integrate into the EU projects to be implemented in this area. In addition, it would be important to open a Hungarian embassy or consulate in Addis-Ababa which is the headquarters of the African Union. Last but not least, it should be also mentioned that Hungary does its best to ensure the African cultural variegation which was prevented by the civil wars, regional conflicts and the deterioration of the environmental conditions.

Summary: Whether the future will be like?

Although the partnership between the EU and Africa has gone through considerable changes from the 1960s, it is important to mention that the objectives of the partnership have not been reached yet, and many problems have remained unsolved. The different conferences, summits and dialogues between Africa and the EU tried to find a solution mainly to the same problems (like the following issues: peace, security, hygiene, democratic government, regional integration, employment, energy and climate change.) Therefore, a question may come up, namely: whether will the International Community and the EU be ever able to eliminate all the problems in all of the African areas? Furthermore, I am just wondering whether it is worth for the European Union to take the risk to boost its African partnership in the future. Taking into consideration the examples and experiences of the previous years, we have to raise the question: which is the right way to give an efficient impulse to our strategic partnership with the African continent?

There is also a need for the EU to use all its sources to reach success on the African continent for solving the problems there (even if, the solutions will lead to the creation of new problems). The EU has to decide whether it would be appropriate to decrease its influence in the area and leave it to the African Union to significantly increase its influence? In addition, there is also another question; whether would it be worth involving into the partnership non-European countries like China³⁴? Whether could the European Union reach the objectives

³⁴ In October 2008 the European Committee proposed a sign of a trilateral agreement between the European Union, Africa and China

of its African strategy with the help of China? Regarding these questions, the future of the strategic partnership will be determined in the forthcoming years, and hopefully we are going to get answers to the above mentioned but unanswered questions at the 4th EU-Africa Summit in Brussels in 2013.

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CULTURAL TOURISM AND POVERTY REDUCTION IN AFRICA

Abstract:

The paper aims to underline the potentiality of the developing tourism sector in Africa and to look at the correlation among cultural tourism and poverty reduction on the continent. It introduces an approach through a 'proposed tourism model' that can respond to the critics of tourism in Africa and point out how poverty reduction and intangible heritage conservation through tourism in Africa could be addressed.

Keywords: tourism in Africa; cultural tourism and poverty reduction; tourism and intangible heritage conservation; tourism in Congo; tourism in Senegal

Tourism in Africa – a brief introduction

Many developing countries in Africa consider tourism as an important and integral part of their economic development strategies (Sinclair, 1998). The consequences and benefits could be seen at both macro and micro level. “At the first level, tourism is expected to foster economic growth through foreign exchange earnings and an increase in state revenue and, at a second level, an improvement in the people's well-being in the areas of job creation, revenue/income distribution and balanced regional development”¹.

Tourism in Africa stands with a 5% share of global tourism, but promises dynamic increase in this sector in the following decades. Its growth is 2% per year; therefore it grows faster than anywhere else in the world. The sector employs 7.7 million people on the continent². Due to the UN World Tourism Organization (UNWTO), there were 37 million tourist arrivals in 2003, 52 million in 2012, which will increase to 134 million visitors by 2020³. Although

¹<http://fama2.us.es:8080/turismo/turisonet1/economia%20del%20turismo/turismo%20zonal/africa/DELOPIN%20TOURISM%20IN%20AFRICA.PDF>

² <http://www.un.org/africarenewal/magazine/august-2012/tourism-africa-slowly-coming-age>

³ Speech of Taleb Rifai, UNWTO Secretary-General, UNWTO, 31 January 2013, Investour Opening Ceremony, Madrid, Spain

the industry is growing, the number of arrivals is still insignificant compared to the 980 million tourist arrivals globally. Tourism – where practiced – is seen as a significant factor in African countries’ economy. 50% of the Gross Domestic Product is created by the tourism sector in Seychelles, 16% in Gambia, 30% in Cape Verde Islands. The World Bank reports that tourism accounts for 8.9 per cent of East Africa’s GDP, 7.2 per cent of North Africa’s, 5.6 of West Africa’s and 3.9 per cent of Southern Africa’s. In Central Africa, tourism contributes just 1 per cent so it still has a very low share.⁴ The African continent has a lot to offer in terms of tourism, but it needs to develop its roads and touristic infrastructure. The most discussed point for development is safety issues, stability, governance and promotion. In-continent flights network and visa facilities remain another challenge to face.

In the Congo, tourism industry is still in its infancy. Although rich in natural and cultural attractions, National Parks, mountains, rivers and waterfalls, the Democratic Republic of Congo is generally considered as a “no travel zone”. Besides its diverse landscape, abundant wildlife, and the Earth’s second biggest rainforest after the Amazonas, cultural diversity offers a great scale of attractions in the country. Instability, bad governance, corruption and continuous armed conflicts in the Eastern Congo make it very difficult to build tourism industry. There are a few tour operators only in the world who offer tours to this waste country which is 25 times bigger than Hungary and has a population of 70 million people. The Belgian owned Go Congo⁵ offers boat trips on the Congo River from Kisangani to Mbandaka and back. Asteria Expeditions⁶ is also managed by a Belgian lady. It organizes cultural explorations to several Provinces in the country such as Bandundu, Katanga and Bas-Congo. Foundation for Africa⁷ in the frame of it’s Humanitarian Tourism initiative also makes tours in the DRC. Undiscovered Destinations⁸ focus more on Kinshasa and the Eastern part of the Congo approaching the region from Burundi and Rwanda.

In Senegal, tourism industry is more developed and rapidly growing. As a peaceful, safe and easy-to travel country with good infrastructure and a significant French Diaspora, Senegal is suggested for those who first experience the African continent. The slogan of the country, ‘Teranga’ means Hospitality in

⁴ <http://www.un.org/africarenewal/magazine/august-2012/tourism-africa-slowly-coming-age>

⁵ www.gocongo.com

⁶ www.congoexpeditions.com

⁷ www.afrikaert.hu

⁸ <http://www.undiscovered-destinations.com/>

Wolof language which is considered true. Travellers meet charming, opened and kind people during their travel. Known for its mild climate, attractive beaches and great fishing, Senegal has long been highly regarded by European tourists, mostly French and Belgians. Tourists from the United States of America are increasing in numbers, drawn in particular by the historic slave trading post of Goree Island. In 2008, Senegal's foreign tourist visitors had reached one million, attracted to luxury beach resorts, natural and historic sites. The return rate for visitors stood at around 30% in 2008.⁹

Cultural development related to tourism

There is a continuous debate and changing paradigms in the field of international development and humanitarian assistance since the II World War. “Developed” countries tried several methods and tools to eliminate poverty in the so-called Developing countries, where most of the countries in Africa stand. Humanitarian Assistance Programmes, International Development Strategies, Agencies and Policies, Local and Inter-continental Non-Governmental Development Organisations (NGDO-s) form a significant, complex and powerful global network. After decades of supporting developing countries with classical International Development tools and Humanitarian Assistance Programmes, there is a great scepticism regarding the effectiveness of them. New sub-themes arise in the international development debate. Programs that could be implemented with the maximum involvement of locals, and the less dependency remain the targets of these new initiatives. From lessons learnt in development debates, a new sub-area, Cultural Development is getting more importance. The significance and understanding of Cultural Development could be seen from two angles.

From a theoretical point of view, it is agreed that “Placing culture at the heart of development policy constitutes an essential investment in the world's future and a pre-condition to successful globalization processes that take into account the principles of cultural diversity.”¹⁰ Therefore culture is considered as an important factor in development planning and it is high-time for decision makers to take this fact seriously and factor it into their decision-making process. UNESCO further states „as demonstrated by the failure of certain projects underway since the 1970s, development is not synonymous with

⁹ Senegal's fading tourism dreams. Julian Bedford, BBC World Service. 13 March 2009

¹⁰ <http://www.unesco.org/new/en/culture/themes/culture-and-development/>

economic growth alone. It is a means to achieve a more satisfactory intellectual, emotional, moral and spiritual existence.”¹¹

From a practical point of view, Cultural Development or Cultural Projects for Development are seen as a development tool, where the various cultural assets directly contribute to the economic development of the community. Under the Development and Cooperation body of the European Union (EUROPAID), culture is defined and distinguished as a specific area. Grants and projects are funded to “Strengthen capacities of cultural actors for the development of a dynamic cultural sector contributing to economic growth and sustainable development.”¹² Cultural heritage, customs, cultural tourism and creative industry are seen as products and services that could be turned to economic profit in a real way. Religious rituals, initiation, traditional methods of living can attract visitors and can generate income for the local communities. It is important to be conscious about the shortcomings of this practice at the same time. UNESCO defines cultural tourism “a discerning type of tourism that takes account of other people’s cultures”, and further adds that “it is a well-known fact that tourism can be a deadly foe as much as a firm friend in the matter of development”¹³. Development projects and cultural tourism could be only managed successfully in line with careful planning and professional management as it can affect cultures both positively and negatively.

Pro-poor tourism

Pro-poor tourism (PPT) is an approach that seeks to utilize tourism as strategic tool to alleviate poverty among the marginalized communities. This definition comes from the African Pro-Poor Tourism Development Centre in Kenya, whose aim is “to make tourism work for the poor in Africa”. PPT is an overall approach to tourism development and management aiming at unlocking opportunities for the poor to obtain benefits from tourism. Marginalized communities should take a bigger share in Africa’s tourism sector because:

- tourism is a massive and growing industry already affecting millions of the poor, so a marginal improvement could generate substantial benefits;

¹¹ <http://www.unesco.org/new/en/culture/themes/culture-and-development/>

¹² <http://ec.europa.eu/europeaid/what/culture/>

¹³ http://portal.unesco.org/culture/en/ev.php-URL_ID=36700&URL_DO=DO_TOPIC&URL_SECTION=201.html

- tourism is a very diverse industry which increases the scope for wide participation (e.g. informal sector);
- in tourism, the customer comes to the product, offering opportunities to make additional sales;
- tourism is more labour-intensive than many other sectors, such as manufacturing, and employs a higher proportion of women;
- tourist products can be built on natural and cultural resources which are often some of the few assets that the poor have.¹⁴

The Proposed Model

The ideal tourism Model relies on the following key elements. In this specific Model, participants:

- Would like to get to places that would be impossible or very costly to reach by them. Tours of the proposed Model targets undiscovered, non-popular tourist destinations. Rituals, feasts, communities and activities, which are impossible to approach without in-sight knowledge and good relations with leaders of the local communities.
- Are sensible to cultural tourism with specific regard to Intangible Cultural Heritage. In the Model, Intangible Heritage Cultural assets are linked to tourism.
- Like the approach of cultural tourism linked with cultural development initiatives. Each tour targets a special program linked to Intangible Cultural Heritage and directly or indirectly contribute to a cultural project for development.
- Are not afraid of jumping into a different culture and be a real part of it, not just see it from the outside. Participants take part, try and experience the everyday duties of locals including activities related to Intangible Cultural Heritage such as mask fabrication, traditional methods of making food or traditional medicines etc.
- Prefer to be travellers, not tourists. Although the tour elements are carefully designed and planned, travellers are aware that due to infrastructure difficulties, the climate and some unforeseen happenings, the

¹⁴ http://www.propoortourism-kenya.org/what_is_propoortourism.html

itinerary of the tour and programs might change. Travellers are flexible with these changes and prioritize experience, adventure and learning new skills than having comfortable accommodation or tasty food.

- Intrigued by all the adventures, challenges, explorations and lessons that the journey has to offer. A cultural tour to such a “different” culture might teach new things, and show new values and thoughts to participants that will affect their way of thinking.
- Would like to get to know Africa better, and by doing so learn more about themselves as well. African societies stick more to traditional values such as solidarity or respect of the other elders. African people in general are very sensitive to spirituality and can teach Western participants new philosophies about life, attitude towards problems, or sicknesses for example.
- Are pleased with the idea that while travelling and enriching their experiences, they also bring work opportunities to locals and their extended families including women and marginalized groups.

Does tourism really benefit the Third World?

Besides the various positive impacts of tourism in the world, there is a continuous debate about the negative impacts of the industry on local cultures. A very strong critic on tourism in the ‘third world’ in particular comes from scholar, writer and teacher Anita Pleumarom, coordinator of the Bangkok-Based Tourism Investigations and Monitoring Team. She studies and classifies the negative consequences of tourism from all aspects. The proposed Model deals with many of them and offers solutions for the negative impacts that are taken into account by her. She starts her criticism stating that “tourism discourses are full of high-sounding rhetoric, liberally peppered with such terms as ‘poverty reduction’, ‘sustainability’, ‘fair trade’, ‘participation’, ‘good governance’, ‘corporate social responsibility’, and ‘peace-building’. Moreover, concepts of ‘new tourisms’, such as community-based ecotourism, are projected as ways forward to reform mass tourism, which is increasingly dreaded because of its negative impacts.” She further finds that “Most travellers would not want to wake up to the fact that they are just feeding a multi-billion-dollar industry and contributing to unsustainable patterns of consumption and production. And there is little awareness that as always, it is the poor who have to pay for the

social and environmental costs of excessive tourism”¹⁵. In the following chart, many of the major reasons are collected and responded by the ‘ideal Tourism Model’.

Pleumarom’s critics	Respond of the Model
<ul style="list-style-type: none"> - as ecosystems and natural resources are more likely to be protected by tourism, the more the environment is destroyed due to the construction of tourism facilities 	<ul style="list-style-type: none"> - eco-friendly tourism facilities are favoured - awareness raising about the sustainable protection and use of the environment is incorporated in the program
<ul style="list-style-type: none"> - tourism is seen as a force for peace and understanding, but in fact there is an ongoing war in tourism-sector 	<ul style="list-style-type: none"> - no issue yet, tourism sector is in its infancy in the chosen destinations
<ul style="list-style-type: none"> - human-right abusing dictatorships, such as Burma, use tourism to change their bad image 	<ul style="list-style-type: none"> - the “real life” of locals are showed to tourists during the tours including the bad and the good sides of life - media communication introduces objectively the visited countries
<ul style="list-style-type: none"> - unfair economic liberalization deepens the gap among poor and rich 	<ul style="list-style-type: none"> - small and medium scale or family businesses are chosen as services and partners during tours (guest houses, restaurants, guides, tour operators)
<ul style="list-style-type: none"> - creates unhealthy mass concentration of people and mass activities 	<ul style="list-style-type: none"> - number of participants in the group is low
<ul style="list-style-type: none"> - tourism turns everything- even the sacred- into commodities 	<ul style="list-style-type: none"> - travellers participate and learn about local culture to a limited extent. Sacred knowledge and objects remains hidden - local artists are encouraged to produce artefacts that does not touch the sacred domain

¹⁵ Pleumarom, Anita: The World Resurgence 207/208, Nov-Dec 2007. Does tourism benefit the third world?

	<ul style="list-style-type: none"> - rituals, even it is performed in the frame of a festival or a tourist program are encouraged to be continued in their traditional function and environment
<ul style="list-style-type: none"> - positive statistics in tourism justify expensive infrastructure development that primarily benefit the rich 	<ul style="list-style-type: none"> - tourist infrastructure development do not require big capital, local and community initiatives are favoured - lodges with traditional huts made from local materials are favoured
<ul style="list-style-type: none"> - local residents do not have a fair share partly because investors are foreigners 	<ul style="list-style-type: none"> - partners are locals and business owned by locals
<ul style="list-style-type: none"> - tourism is a dependant, high-risk and vulnerable industry 	<ul style="list-style-type: none"> - could not be responded, very true in the Congo
<ul style="list-style-type: none"> - tourism-related jobs are uncertain, seasonal and part-time 	<ul style="list-style-type: none"> - could not be responded
<ul style="list-style-type: none"> - women in tourism are found to have the most dehumanizing and the worst-paid jobs 	<ul style="list-style-type: none"> - women gets the same amount of salary as men - women are valued contributors to the proposed Model - women are trained for guiding and to offer quality services (alimentation, accommodation)
<ul style="list-style-type: none"> - tourism boosts the sex industry wherever it takes root, and can increase the number of HIV/AIDS cases 	<ul style="list-style-type: none"> - participants of tours are controlled, program elements does not allow participants to organize their own programs - participants receive information and awareness raising on appropriate attitudes and health risks including sexually transmitted diseases which are of great importance especially in Africa

<ul style="list-style-type: none"> - The erosion of culture and traditional values is visible in all tourist destinations driven by over-commercialization. 	<ul style="list-style-type: none"> - in the appropriately managed Model, traditions are re-valued, the importance of the safeguarding of traditions is seen as a priority - locals understand and find important the continuity of local traditions can maintain tourists interest
<ul style="list-style-type: none"> - Tourism - including 'ecotourism' - also exploits indigenous and local communities and their cultures, turning them into mere exhibits for tourists' entertainment 	<ul style="list-style-type: none"> - Local cultures and people are seen and threatened just like any other human being, during the tour the 'normality' of their cultural traditions in the local context is explained in details - Lectures and knowledge exchange to facilitate cultural understanding is considered as an important element
<ul style="list-style-type: none"> - tourism contributed to urbanization processes and traffic therefore to air pollution 	<ul style="list-style-type: none"> - rural areas and rural traditions are preferred

Intangible Cultural Heritage and Tourism

Africa is richer in intangible cultural heritage than other types of cultural heritage. Although it has world heritage sites and National Parks inscribed to the UNESCO World Heritage List, it has more to offer in terms of intangible cultural heritage. Africa is rapidly changing. Globalization reaches every corner of it. There is a mass migration from rural to urban regions. Villages, customs, traditions disappear. The gap between the desires and cosmology of generations are bigger than ever before. This is the reason UNESCO sees Africa as a sector with priority in its work to safeguard intangible and tangible cultural heritage. UNESCO pays "particular attention to the promotion of languages and multilingualism in Africa. In the field of cultural and creative industries, policy advice and capacity-building are strengthened to foster the emergence of local,

viable markets and to enhance access to international networks, notably in the museum, music, craft and textile industry sectors.”¹⁶

Intangible cultural heritage is embodied in those practices, expressions, knowledge, and skills, as well as in associated objects and cultural spaces, that communities and individuals recognise as part of their cultural heritage. Transmitted through generations and constantly recreated, it provides humanity with a sense of identity and continuity.¹⁷ Tourism development and intangible cultural heritage could be related in six areas:

- handicrafts and the visual arts
- gastronomy
- social practices
- rituals and festive events
- music and the performing arts
- oral traditions and expressions, and
- knowledge and practices concerning nature and the universe.

Intangible cultural heritage can be shaped to touristic products in various ways in all of the previous mentioned areas. For example, raffia cloths making in Central Congo is an ancient form of textile making. Cloths are made from the fibre of the raffia palm tree and used as ceremonial skirts and decoration. It is a similar method as the Bark Cloth Making Practice in Uganda inscribed to UNESCO’s list for Intangible Cultural Heritage¹⁸. In tourism, tourists can visit an art atelier, can observe the method of raffia bark cloth production and learn about the symbolism of the various geometric patterns.

As a social practice, Milonga (palaver) is a traditional justice system among the Bambala People, in Bandundu Territory. All disputes are made in public in the form of a social ritual where the judges are the elders of the community. In tourism, Milonga could be seen as an interesting social attraction, where tourists can learn about the traditional justice system of locals and understand community sanction and the strength of the traditional social order which is strong in the DRC up to now.

The use of intangible heritage for tourism purposes can provide new employment, help alleviate poverty, and nurture a sense of pride amongst community members. Tourism can also support the preservation of intangible cultural heritage, as the revenue it generates could be channelled back for

¹⁶ <http://www.unesco.org/new/en/africa/priority-africa/culture/>

¹⁷ Tourism and Intangible Cultural Heritage, UNWTO, 2012, pp 10

¹⁸ http://www.unesco.org/culture/intangible-heritage/40afr_uk.htm

safeguarding purposes. At the same time, it can lead to the commoditization of culture and changes of local culture. In case, for example, local people understand that the Milonga ritual entertains tourists, and they can earn money from it, they will try to organize Milonga-s in a non-authentic context. It might be modified, simplified and shortened, and exposed by non-authentic participants. (For example, judges will be young people or women etc.) The Milonga will become a piece of social theatre, it will lose value. Therefore, a social practice should be only used in tourism only if carefully planned.

The preservation of intangible cultural heritage in Africa through tourism can only be effective if stakeholders from the sector of tourism and cultural heritage understand each other's methods, principles and approaches and work together. Therefore, a cooperation and knowledge exchange need to be established among them. At the same time, knowledge exchange must be done planned among tourists and locals to avoid misunderstandings and the creation of stereotypes. Cultural acts should be so different from the original culture of the tourists, that they might require detailed explanation. At the same time, it is extremely important and always useful in Africa to underline the diversity of culture on the continent. Africa is so rich in customs that it varies from sub-region to sub-region. It is hardly possible to find something that could be considered as universal, not even within the border of a single country.

Tools for the promotion of ICH related to tourism:

- training and capacity-building initiatives to assist destinations in promoting ICH at travel fairs;
- destination marketing at fairs;
- policy-making tools such as creation of Tourism Strategic Plan which includes an Action Plan for the development of products based on intangible cultural heritage, or an Intangible Heritage Development Plan, or the Development Plan of Tourism Products and Cultural and Heritage Events/Festivals (for example in Saudi-Arabia);
- development of capacity-building programmes geared at improving the business skills of ICH stakeholders including authenticity, historical sites, sustainable tourism, cultural diversity, community support, and capacity building for locally-based tourism businesses.

Prospects

There are enormous possibilities in the tourism sector in Africa, and the following decades will globally show an increased activity in this regard. As an UNWTO research has found: “The tourism industry, intergovernmental organisations, and international, national and local tourism authorities are increasingly concerned with creating viable ICH tourism products that retain and enhance destinations’ cultural diversity to enrich its tourism offer and ensure product diversification. Most are beginning to acknowledge that tourism’s economic benefits are more likely to be enjoyed in the long-term, if, for instance, money is reinvested into community projects and training programmes.¹⁹”

The proposed Model itself could be used in several African countries. Appropriate travel destinations could be: Gambia and Senegal combined; Ghana and Burkina Faso or Ghana-Togo-Benin; Namibia; Zimbabwe-Zambia etc. As road and telecommunication infrastructure is continuously developing on the African continent, and the leading firms in the tourism sector advocate for better tourism circumstances, it is expected that it will be easier and easier to organize tours to Africa. The most crucial point is to find the right guides at the destinations. The success of these special tours relies on personal field experience and contacts.

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¹⁹ Tourism and Intangible Cultural Heritage. World Tourism Organization (UNWTO), Spain, 2012, pp 12

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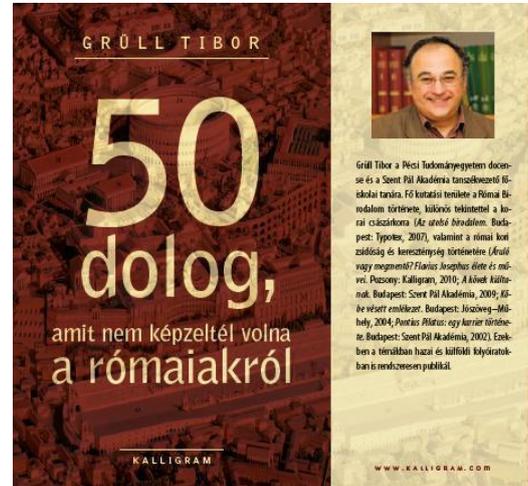
NEWS, EVENTS, INFORMATION

Lt. Col. Dr. János Besenyő (PhD), MH GEOSZ

REVIEW ABOUT “Rome Is Eternal - 50 Things You Would Never Think of the Romans” written by Tibor Grüll

When Ancient Rome comes to our mind, we mostly think of emperors, the senate, the great military conquests or maybe the gladiator fights. Hip contemporary notions, such as hyperinflation, tourism, smog, soil contamination, analogue computer, women's emancipation, mall, window-glass, celebrities, Barbie, refrigerator, paleontology, denture, prosthetic limb, ball-bearing, daily paper or chemical warfare, are not evoked. We would assume that these expressions meant nothing to the people of those ages, yet whilst reading the book, we find information on every page, that is of novelty even for those who are familiar with history. This is not a surprise, if one knows the author, since Tibor Grüll, reader at the Department of Ancient History, the Institution for History at the University of Pécs, has been dealing with these interesting topics in his books. His main area of research is the history of the Roman Empire, with special emphasis on the earlier periods of the imperial age, and the history of Jews and Christians in those times. Yet again, he has not let us down, and composed an entertaining book about Roman "peculiarities".

This scientifically grounded, 300 pages book upholds the reader's attention, and if it were to decay, one of the humorous stories should make you laugh. Whilst reading the book, and even after finishing it, one is driven to rethink the "fossilized" concepts and prejudices about ancient times. We find that some technological solutions had been already used by the Romans, which we thought to be new. For instance in Emperor Caligula ships, there were found ball-bearings resembling those that were patented in Europe, at the end of the 18th.century. Or in 1900, off the shores of Anticythera, a small island in the



Aegean Sea, there were found an analogue computer¹, a design of the famous Archimedes that holds surprises even for modern day scientists. Also, Romans were familiar with activities such as plastic surgery, confirming this; they have conducted prosthetic dentistry and used prosthetic limbs. When reading this, we have to agree with the author's assertion that the Roman Empire established the most developed civilization prior to the invention of steam-engines, electricity and combustion engines.²

We get acquainted with numerous interesting pieces of information concerning everyday life. For example, Romans, and not only the wealthy, used plate-glass in wooden frames to cover the windows, and sometimes even colored them, while in many countries of Europe, they used paper for the same purpose up until the 19th century. Nowadays, popular shopping malls also existed back then, of which Trajan's Forum was the most well-known, where more than 150 shops awaited customers, who could acquire basic provisions, wine, luxury goods, silk, spices of the orient, and tooth-powder from Arabia, among many rarities.

I personally found the chapters concerning military and technological topics to be the most interesting ones. In these, the origins of a soldier's tradition unraveled, when they sent their "best wishes" to the enemy by writing on shells and bombs. I found the war of Mithridates VI, who was termed by scholars as "great", to be equally interesting, since it lasted for 40 years, and was accompanied by terrorist actions to retain Rome. The chapters explaining ancient chemical warfare or the brilliant engineering work Trajan had done at the Iron Gates, signaled by aqueducts and bridges, similarly prove to be exciting.

I could continue praising the book endlessly, yet it is enough to say that the 50 chapters encompass politics, culture, technology, ecology, religion, economy, geography and everyday life. Alongside the entertaining stories, the author raises important questions, relevant in modern societies, which include

¹The ancient "hi tech laptop" had 82 parts, of which 30 were handmade bronze spur wheels and riggers, and the largest had 27 sprockets. The contraption had 2000 Greek astronomical labels. (sic!) Scientists suggest that the device known as the world's earliest computer was used for the prediction of astronomical phenomena. This came as a shock to the scientific world, as until the appearance of the 13th century artificer clocks, there is no sign of such a technically developed mechanism, and even these prove primitive compared to the complexity of the Anticythera mechanism. Grüll, Tibor (2013): *50 dolog, amit nem képzeltél volna a rómaiakról*, p 53.

²Ibid (2013): p 13.

child labour, anti-semitism, the status of women and slavery. For easier reading, the author omitted the over usage of data, which may be irrelevant for the reader, yet for those wanting to delve deeper into the topics, he assembled a detailed bibliography. The reader is also helped by a comprehensive chronology and a vocabulary of foreign words and terms. To my delight, the author listed the exact places of the ancient quotations. The only downside is that another 50 chapters could have been included. Hopefully, the author is going to continue to publish similar books in accordance with his research.

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