

SCRAMBLE FOR AFRICA REDUX: HOW THE EUROPEAN UNION IS STRANGLING AFRICAN AGRICULTURE MARKETS

Logan Roth[†]

Abstract	162
I. The Scramble for Africa	162
II. Introduction to Agricultural Subsidies	163
III. What Are Agricultural Subsidies?	164
A. Why Are Agricultural Subsidies Needed?	164
B. The European Union Agricultural Subsidy Regime.....	165
C. How CAP Works	165
D. Why CAP is Necessary for the European Union	168
E. CAP's Objectives.....	168
IV. How CAP Affects the Rest of the World.....	169
A. CAP's Effects on Food Prices	169
B. CAP's Effects on Food Security.....	172
C. CAP's Effects on African Farmers.....	174
V. Solutions to CAP-Fueled Issues.....	177
A. Limiting European Union Export Dumping in Africa	177
B. Local & Continental Subsidy Regimes	178
C. An African Single Market/Free Trade Bloc	179
D. African Self-Sufficiency	180
E. Elimination of CAP	180
VI. Who Else is to Blame?	180
A. How the United States Subsidy Regime Affects Africa	181
B. Don't Forget About China.....	182
VII. Conclusion.....	183

[†] Logan Roth earned his J.D. from Drake University Law School in May of 2024. He graduated from Oregon State University with a B.A. in Political Science: International Affairs. Logan grew up in Portland, Oregon and enjoys hiking, camping, and playing pickleball. Following graduation Logan will be working for the United States Department of Justice in Texas.

ABSTRACT

Africa's agriculture sector is in a precarious position. External forces penetrate its markets and exploit its people. Africa and its people are no strangers to this; what is happening now is the natural evolution of what began hundreds of years ago when Europeans first started to eye the money that could be extracted from the continent. However, what is occurring now is much different, it is exploitation by subsidization, by export dumping, and by overproduction. The European Union, through the Common Agricultural Policy and as the world's largest agrifood exporter, has abused its position as an exporter and as Africa's neighbor to fill its coffers with wealth extracted from the African consumer. By doing so the trade bloc has wounded the continent by making local agricultural products uncompetitive, by making agriculture itself a less lucrative industry, by driving farmers and their families out of business and into the hands of religious extremists, and by further rendering an entire continent reliant on foreign imports to prevent its own people from starving. However, while the European Union may be the guiltiest culprit, they are not solely at fault. The United States and China also implement heavy subsidization regimes that hurt farmers in the third world in similar ways as the European Union. To combat these crippling effects on the continent, Africa must implement drastic measures to establish greater self-sufficiency such as an African Union modeled after the European Union. Should they fail to do this, or to at least implement piecemeal support systems in individual African states, the likelihood of breaking free from European Union agriculture exploitation is slim.

I. THE SCRAMBLE FOR AFRICA

Approximately 140 years ago, representatives from almost all European states, the Ottoman Empire, and the United States convened one November afternoon in Berlin.¹ The purpose for this meeting could be answered by what was hanging on the wall: a map of Africa.² After 104 days of deliberation an agreement was reached.³ That agreement would see what is now the Democratic Republic of the Congo given to King Leopold II of Belgium as his own private colony to exploit for his personal interests that would establish the rules of the game for the

1. Patrick Gathara, *Berlin 1884: Remembering the Conference that Divided Africa*, AL JAZEERA (Nov. 15, 2019), <https://www.aljazeera.com/opinions/2019/11/15/berlin-1884-remembering-the-conference-that-divided-africa> [<https://perma.cc/CT69-QA4L>].

2. *Id.*

3. *Id.*

imperial partition of the African continent.⁴ This meeting was the Berlin Conference of 1884, and while it was not the beginning of the European Scramble for Africa, it marked its legal beginning and formalization amongst those participating.⁵ However, missing from the conference was a single native of Africa.⁶

What subsequently occurred was nearly the entirety of Africa coming under the dominion of European powers such as France, the United Kingdom, Portugal, and others.⁷ This would remain the status quo until after the conclusion of the Second World War, when a wave of decolonization swept the world between 1945 and 1960.⁸ Even today, portions of North Africa—such as the Spanish territories of Ceuta and Melilla, which Morocco claims sovereignty over—represent the final vestiges of direct European rule of mainland Africa.⁹ While the continent was now mostly free from foreign rule, its status as a land ripe for exploitation would continue.¹⁰ Although this new form of exploitation would not resemble the imperialist exploitation of the past, its effects would still deal a crippling blow to Africans and their prospects for development.¹¹

II. INTRODUCTION TO AGRICULTURAL SUBSIDIES

Africa is facing an agriculture crisis.¹² As the single most important sector of the economy for the continent, the agriculture industry employs most of the working population, constitutes large portions of gross domestic product (GDP),

4. See generally Richard A. Webster, *European Expansion Since 1763*, ENCYCLOPÆDIA BRITANNICA (Feb. 28, 2024, 3:57 PM), <https://www.britannica.com/topic/Western-colonialism/The-Sinai-Suez-campaign-October-November-1956> [https://perma.cc/89YW-S6HZ].

5. Gathara, *supra* note 1.

6. *Id.*

7. Webster, *supra* note 4.

8. *Decolonization of Asia and Africa, 1945-1960*, OFF. OF THE HISTORIAN, U.S. DEP'T OF STATE (Feb. 28, 2024, 4:16 PM), <https://history.state.gov/milestones/1945-1952/asia-and-africa> [https://perma.cc/YV3P-ZMLG].

9. See SAID SADDIKI, *WORLD OF WALLS 57–81* (2017) (ebook), <https://books.openedition.org/obp/4562?lang=en> [https://perma.cc/U8N7-9U2J].

10. Gathara, *supra* note 1.

11. *Id.*

12. Muhammed Magassy, *The EU is Fueling Hunger in Africa*, PROJECT SYNDICATE (Aug. 25, 2020), <https://www.project-syndicate.org/commentary/eu-common-agricultural-policy-hurts-africa-covid19-by-muhammed-magassy-2020-08> [https://perma.cc/8W3F-QVJ7].

and totals 30% of Africa's export value.¹³ While such a critical economic sector for the continent, agricultural use of land represents just 6% of the total land area.¹⁴ Due to the small amount of arable land and inefficiencies in both land distribution and agriculture techniques, Africa's agriculture output is quite low.¹⁵ The continent is capable of producing two to three times more cereal and grains, which would increase the global output by 20%.¹⁶ However, because of this unrealized potential output, African states must import much of the food they need to survive.¹⁷ This is most notable in Sub-Saharan Africa where 80% of food needs are supplied through imports.¹⁸ A leading cause of import dependency stems from a lack of agricultural subsidies for African farmers, especially when compared to their European counterparts.¹⁹ The European Union subsidization program, known as the Common Agricultural Policy (CAP), provides \$50 billion in annual subsidies to European Union farmers.²⁰

III. WHAT ARE AGRICULTURAL SUBSIDIES?

A. Why Are Agricultural Subsidies Needed?

To fully understand how CAP affects Africa, it is important to first understand agricultural subsidies, including both how they work and why they are necessary. Agricultural subsidies are government payments or support provided to farmers.²¹ Governments will offer this financial support when they wish to protect the sector from market instability, incentivize specific production practices, or influence market behavior.²² Agricultural subsidies are necessary for a myriad of reasons.²³ First, ensuring citizens have access to the food necessary to sustain

13. Robert K.A. Gardiner & Akinlawon Ladipo Mabogunje, *Agriculture of Africa*, ENCYCLOPÆDIA BRITANNICA (Feb. 18, 2024, 4:25 PM), <https://www.britannica.com/place/Africa/Agriculture> [<https://perma.cc/ZM4X-69UG>].

14. *Id.*

15. *Id.*

16. Lutz Goedde et al., *Winning in Africa's Agricultural Market*, MCKINSEY & CO. (Feb. 15, 2019), <https://www.mckinsey.com/industries/agriculture/our-insights/winning-in-africas-agricultural-market> [<https://perma.cc/BLM5-J7NJ>].

17. See Magassy, *supra* note 12.

18. *Id.*

19. *Id.*

20. *Id.*

21. *Challenges and Opportunities Surrounding US Agricultural Subsidies*, STRAY DOG INST. (June 2, 2022), <https://straydoginstitute.org/agricultural-subsidies/> [<https://perma.cc/H2Z9-2U2L>].

22. *Id.*

23. See *id.*

2024]

Scramble for Africa Redux

165

themselves is of the upmost importance to any government; thus, governments must ensure unpredictable markets do not jeopardize the health of their citizens.²⁴ An additional reason is to ensure the production of food remains stable enough to keep farmers in business.²⁵ If farming is no longer a stable and profitable business, a nation will be unable to support its own population with domestically produced goods and ultimately become dependent on foreign imports.²⁶

B. The European Union Agricultural Subsidy Regime

The European Union has its own form of agricultural subsidies in the form of CAP.²⁷ CAP began in 1962 as “a partnership between agriculture and society, and between Europe and its farmers.”²⁸ Officially, CAP sets out to:

support farmers and improve agricultural productivity, ensuring a stable supply of affordable food; safeguard European Union farmers to make a reasonable living; help tackle climate change and the sustainable management of natural resources; maintain rural areas and landscapes across the EU; keep the rural economy alive by promoting jobs in farming, agri-food industries and associated sectors.²⁹

CAP is a European Union-wide policy funded from the European Union’s annual operating budget.³⁰

C. How CAP Works

CAP works in three main ways—income support, market measures, and rural development.³¹ Income support comes in the form of direct payments to farmers from the European Union.³² These direct payments aim to: “function as a safety

24. See Farlex, *Agriculture Subsidies*, THE FREE DICTIONARY (Feb. 18, 2024, 4:29 PM), <https://legal-dictionary.thefreedictionary.com/Agriculture+Subsidies> [<https://perma.cc/KZ95-5B4K>].

25. *Id.*

26. *See id.*

27. *The Common Agricultural Policy at a Glance*, EUR. COMM’N (Feb. 18, 2024, 4:09 PM), https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-glance_en#thecapinpractice [<https://perma.cc/VMD7-C7AB>].

28. *Id.*

29. *Id.*

30. *Id.*

31. *Id.*

32. *Income Support Explained*, EUR. COMM’N (Feb. 18, 2024, 4:10 PM), https://agriculture.ec.europa.eu/common-agricultural-policy/income-support/income-support-explained_en [<https://perma.cc/KK7Q-3FSF>].

net and make farming more profitable; guarantee food security in Europe; assist [farmers] in the production of safe, healthy, and affordable food;” and reward farmers for unprofitable activities such as tending to the environment around them.³³

Allocation of funds is determined by the size of the farm, which is measured in hectares.³⁴ All European Union member states must offer payments in the form of a basic payment and a sustainable farming methods payment.³⁵ These payments are not optional for European Union states as they are obliged to pay them due to their member state status.³⁶ Additional payments can be made at the discretion of European Union states which focus on specific sectors such as young farmers, or which support a particular method of farming.³⁷ On December 2, 2021, the European Union adopted a revised version of CAP that contained measures designed to more equitably distribute financial support to farmers.³⁸

Market measures work to stabilize European agriculture markets, prevent the escalation of market crises, boost demand for European Union agricultural products, and help European Union farmers adapt to market changes.³⁹ These market measures are funded through the European Agricultural Guarantee Fund.⁴⁰ One form of a European Union market measure is public intervention.⁴¹ Public intervention is where a European Union member state purchases and stores agricultural products to be sold at a later date in an effort to prevent prices from becoming too low for a particular good.⁴² Further, the European Union can choose to provide financial support to private agricultural actors to store their products for a period of time.⁴³

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

37. *Id.*

38. *Id.*

39. *Market Measures Explained*, EUR. COMM’N (Feb. 18, 2024, 4:11 PM), https://agriculture.ec.europa.eu/common-agricultural-policy/market-measures/market-measures-explained_en [<https://perma.cc/AP7A-3YVN>].

40. *Id.*

41. *Id.*

42. *Id.*

43. *Id.*

Rural development is the final pillar of CAP.⁴⁴ This portion of the program aims to support sustainable rural development with three objectives: “fostering the competitiveness of agriculture and forestry, ensuring the sustainable management of natural resources and climate action, and achieving a balanced development of rural economies and communities.”⁴⁵ Rural development is funded through the European Agricultural Fund for Rural Development (EAFRD).⁴⁶ “The EAFRD budget for 2021–27 amounts to €95.5 billion.”⁴⁷ The EAFRD is implemented by each individual member state through their own rural development programs (RDPs).⁴⁸ The RDPs are co-financed by both the European Union and the implementing member state.⁴⁹

The EAFRD has six priorities which include:

[(1)] [F]ostering knowledge transfer and innovation in agriculture, forestry and rural areas; [(2)] enhancing the viability and competitiveness of all types of agriculture, and promoting innovative farm technologies and sustainable forest management; [(3)] promoting food chain organisation, animal welfare and risk management in agriculture; [(4)] promoting resource efficiency and supporting the shift toward a low-carbon and climate resilient economy in the agriculture, food and forestry sectors; [(5)] restoring, preserving and enhancing ecosystems related to agriculture and forestry; [and (6)] promoting social inclusion, poverty reduction and economic development in rural areas.⁵⁰

For a member state’s RDP to comply with the EAFRD, at least four of these six objectives must be included as a goal in the RDP.⁵¹ Some features of RDPs are microcredit for farmers, payments for farmers who switch to practices more friendly to the environment, or investment in “smart villages,” which aim to reduce unique challenges faced by those that live in rural and agricultural areas.⁵²

44. *Rural Development*, EUR. COMM’N (Feb. 18, 2024, 4:12 PM), https://agriculture.ec.europa.eu/common-agricultural-policy/rural-development_en [<https://perma.cc/MK7J-M9QG>].

45. *Common Agricultural Policy*, EUR. COMM’N (Apr. 2, 2024, 11:42 AM), https://agriculture.ec.europa.eu/common-agricultural-policy_en#:~:text=The%20CAP%20also%20contributes%20to,of%20rural%20economies%20and%20communities [<https://perma.cc/4GJM-SCYH>].

46. *Rural Development*, *supra* note 44.

47. *Id.*

48. *Id.*

49. *Id.*

50. *Id.*

51. *Id.*

52. *Id.*

D. Why CAP is Necessary for the European Union

The European Union, home to approximately 450 million people, is one of the largest markets in the world.⁵³ There is no doubt that to ensure the continued success of the bloc and its people, many measures must be taken to protect its cohesion and ability to provide for itself. Furthermore, the agriculture sector is of prime importance to the European Union and its member states, constituting €184 billion in exports—making it by far the largest agri-food exporter in the world.⁵⁴ Because of the importance of agriculture to the European Union, its member states have found it necessary to provide massive levels of subsidization to the industry.⁵⁵

E. CAP's Objectives

CAP's subsidization is not arbitrary, as there are very legitimate reasons why the European Union has implemented such an aggressive subsidization policy.⁵⁶ First, CAP, set out in the 1957 Treaty of Rome, was a response to food shortages many Europeans experienced during the Second World War.⁵⁷ As the goal of the European Union was to establish a common market that included the free movement of good across borders, the bloc needed a common agricultural policy to facilitate their objective.⁵⁸ Today, European Union farmers have full access to the markets of 27 member states and the almost 450 million people who reside within those states.⁵⁹

The European Union agriculture industry now faces the problem of an aging farmer population.⁶⁰ CAP provides grants and loans specifically to young farmers to make it more viable for younger generations of Europeans to enter the

53. See *European Union*, THE WORLD FACTBOOK, CIA.GOV (Mar. 22, 2024), <https://www.cia.gov/the-world-factbook/countries/european-union/#people-and-society> [<https://perma.cc/Z8FH-7FE8>].

54. *Feeding Europe: 60 Years of Common Agricultural Policy*, EUR. COUNCIL & COUNCIL OF THE EUR. UNION (Jan. 30, 2023) [hereinafter *Feeding Europe*], <https://www.consilium.europa.eu/en/60-years-of-common-agricultural-policy/> [<https://perma.cc/23AM-HKDH>].

55. *Id.*

56. *Id.*

57. ERIC DAVIES, EUR. SOURCES ONLINE, INFORMATION GUIDE: COMMON AGRICULTURAL POLICY 2 (2013), <https://aei.pitt.edu/75450/3/Common-Agricultural-Policy.pdf> [<https://perma.cc/YSZ6-GJ8R>].

58. *Id.*

59. *Feeding Europe*, *supra* note 54; *European Union*, *supra* note 53.

60. *Farming: Profession with Relatively Few Young Farmers*, EUROSTAT (July 19, 2018), <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20180719-1> [<https://perma.cc/J77N-2CWB>].

agriculture industry and to ensure farming knowledge and expertise does not die out with those who currently hold it.⁶¹ This is just one example of the many things that CAP does to help the European agriculture industry.⁶² Altogether, the support that European Union farmers get from their government is substantial.⁶³

IV. HOW CAP AFFECTS THE REST OF THE WORLD

This level of subsidization, however, has its costs.⁶⁴ As such, the impacts are felt far beyond the borders of the European Union.⁶⁵ Due to the European Union's position as the largest agri-food exporter on the planet, their domestic policies not only affect Europe, but the whole world.⁶⁶ In particular, the developing world feels the impact of CAP the most, and among those most impacted are the African states.⁶⁷ CAP has noticeable negative impacts on African food security, food prices, and farmers.⁶⁸

A. CAP's Effects on Food Prices

A significant way in which CAP negatively influences food prices in Africa is through export dumping.⁶⁹ Export dumping is when the price of the product sold in the country it is exported to is less than the price that product is sold for in the exporting country.⁷⁰ Export dumping is a fundamentally unfair practice.⁷¹ Because dumping often involves large quantities of a particular kind of good flooding into

61. *Feeding Europe*, *supra* note 54.

62. *Id.*

63. *Id.*

64. Hans Wetzels, *African Farmers Could Benefit from More Friendly EU Agriculture Policies*, AFR. RENEWAL (June 4, 2021), <https://www.un.org/africarenewal/magazine/june-2021/african-farmers-could-benefit-more-friendly-eu-agriculture-policies> [<https://perma.cc/S5HX-PATD>].

65. *Id.*

66. *Id.*

67. CLAIRE GODFREY, OXFAM, STOP THE DUMPING! HOW EU AGRICULTURAL SUBSIDIES ARE DAMAGING LIVELIHOODS IN THE DEVELOPING WORLD 1, 3 (2002), <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/114605/bp31-stop-dumping-011002-en.pdf?sequence=8> [<https://perma.cc/74QP-PZJ2>].

68. *Id.*

69. *Id.*

70. *Technical Information on Anti-Dumping*, WORLD TRADE ORG. (Feb. 18, 2024, 4:18 PM), https://www.wto.org/english/tratop_e/adp_e/adp_info_e.htm [<https://perma.cc/Y73R-LPE8>].

71. Adam Barone, *Dumping: Price Discrimination in Trade, Attitudes and Examples*, INVESTOPEDIA (Mar. 24, 2021), <https://www.investopedia.com/terms/d/dumping.asp> [<https://perma.cc/65J9-MY7R>].

a single market, that market's domestic producers of the good can face significant financial difficulties.⁷² The domestic producers often cannot compete with the low price of the good being dumped into their market, thus unfairly harming their profits.⁷³ Under World Trade Organization rules, dumping is a legal practice unless the importing state is able to show with reliability that its domestic producers are facing negative consequences from it.⁷⁴

Unfortunately, Africa is a continent especially vulnerable to export dumping.⁷⁵ Due to the continent's inability to produce enough food to sustain its population, African states have resorted to importing 80% of the food they need.⁷⁶ Just a short distance across the Mediterranean lies the agri-food giant and Africa's largest supplier of food with \$20 billion in sales each year, the European Union.⁷⁷ Many of the European Union goods sold to Africa include wheat, milk powders, and vegetables, which are all products that can be produced locally in Africa.⁷⁸ However, these products are sourced from Europe because of what the United Nations Food and Agriculture Association calls "unfair trade agreements."⁷⁹ These trade agreements ensure tariffs and duties, the primary defenses to export dumping, are not levied.⁸⁰

African states do not arbitrarily impose such restrictions on themselves but rather are coerced.⁸¹ For example, Kenya once was staunchly opposed to such unrestricted access to their markets by heavily subsidized European Union agricultural exports.⁸² However, in order to secure this unrestricted access, the European Union threatened to impose tariffs on Kenya's exports to the bloc.⁸³ In a far weaker bargaining position and in fear of the potential damage to their export sector, Kenya had no choice but to relent.⁸⁴

72. *Id.*

73. *Id.*

74. *Id.*

75. Kristin Palitza, *EU Food Exports Hinder African Agricultural Development*, THE FAIRPLAY MOVEMENT (June 19, 2018), <https://fairplaymovement.org/eu-food-exports-hinder-african-agricultural-development/> [<https://perma.cc/WY98-DNEY>].

76. *Id.*

77. *Id.*

78. *Id.*

79. *Id.*

80. *Id.*

81. *See id.*

82. *See id.*

83. *Id.*

84. *See id.*

Another consequence of export dumping is that it can cause the industries that produce the same goods in the importing country to never materialize, as there is no point to compete when European Union products flood that market at unfair prices.⁸⁵ The disparity in price is perhaps best illustrated in the milk industry.⁸⁶ From 2011 to 2016, European Union milk exports to Africa tripled.⁸⁷ Buoyed by huge subsidies and an excess of milk after Russia banned European Union food imports, the European Union flooded the hungry African markets with milk at rock-bottom prices.⁸⁸ The subsidized European Union milk, with nowhere else to go and at bargain prices below levels necessary to break even, quickly smothered local African producers.⁸⁹ These bargain prices were driven in large part by overproduction, which itself is incentivized by CAP.⁹⁰ The primary milk product exported to Africa is skim milk powder.⁹¹ To illustrate, the price of milk powder fell from €3.30 per kilogram in 2014 to €1.30 in 2016.⁹²

Not only are European Union milk producers flooding African markets with their discounted products, but they are moving into Africa with a physical presence as well.⁹³ Arla Foods, a Danish dairy company, now has facilities in the Ivory Coast, Nigeria, and Senegal; Danone, a French company, has six plants across West Africa; and FrieslandCampina has plants in Ghana, Ivory Coast, and Nigeria.⁹⁴

CAP-enabled export dumping can also be observed in the sugar industry.⁹⁵ Mozambique, an African country, is a major global exporter of sugar.⁹⁶ In 2001, the sugar industry in Mozambique employed 23,000 workers.⁹⁷ Additionally, Mozambique has a very low cost of production for sugar at €286 per tonne.⁹⁸ Yet, despite the European Union being one of the most expensive places in the world

85. *Id.*

86. See generally Emmet Livingstone, *How EU Milk is Sinking Africa's Farmers*, POLITICO (Apr. 8, 2018, 6:00 PM), <https://www.politico.eu/article/eus-milk-scramble-for-africa/> [<https://perma.cc/KB65-9GE4>].

87. *Id.*

88. *Id.*

89. *Id.*

90. *Id.*; see *The Common Agricultural Policy at a Glance*, *supra* note 27.

91. See Livingstone, *supra* note 86.

92. *Id.*

93. *Id.*

94. *Id.*

95. GODFREY, *supra* note 67, at 3.

96. *Id.*

97. *Id.*

98. *Id.*

to produce sugar, the massive subsidies from CAP have enabled the European Union to be the second largest global sugar producer.⁹⁹ The World Bank found European Union sugar subsidies led to a 17% slump in sugar prices.¹⁰⁰ The European Union sugar regime has made Mozambique, a country that should be a major player in African sugar markets, wholly uncompetitive.¹⁰¹

In 2001, the European Union “exported 777,000 tonnes of white sugar to Algeria and 150,000 tonnes to Nigeria.”¹⁰² Having been rendered uncompetitive in African markets and by the global price slump, Mozambique’s sugar industry is not operating at full capacity.¹⁰³ The country is capable of supporting nearly double its current workforce in the sugar industry.¹⁰⁴ However, sugar production facilities will need to be rehabilitated to do so, and until Mozambique can become more competitive, both regionally and globally, there is no reason to pursue this industry rehabilitation.¹⁰⁵

Food prices in African countries will continue to be higher while European Union products will continue to be cheaper if the status quo is maintained.¹⁰⁶ On average, 28% of farmers living in the European Union have an income represented by state support.¹⁰⁷ Drastic change is needed to address the discrepancy between European Union’s high level of support to their states and Africa’s low level of support to theirs.

B. CAP’s Effects on Food Security

Another major way CAP affects Africa is in food security.¹⁰⁸ According to the United States Agency for International Development, food security means “having, at all times, both physical and economic access to sufficient food to meet

99. *Id.*

100. *Id.*

101. *Id.*

102. *Id.* at 3–4.

103. *See id.* at 3.

104. *Id.*

105. *See id.* at 3–4.

106. *See generally id.*

107. Kristian Niemietz, *Abolish the CAP, Let Food Prices Tumble*, INST. OF ECON. AFFS. (Jan. 18, 2013), <https://iea.org.uk/blog/abolish-the-cap-let-food-prices-tumble#> [<https://perma.cc/3G2X-UCYL>].

108. *Africa Food Crisis: More Than 150 Million People are Going Hungry*, BRIT. RED CROSS (Dec. 7, 2023), <https://www.redcross.org.uk/stories/disasters-and-emergencies/world/africa-hunger-crisis-100-million-struggling-to-eat> [<https://perma.cc/KP4S-GHGC>].

dietary needs for a productive and healthy life.”¹⁰⁹ Someone is food secure when they neither “live in hunger or [in] fear of hunger.”¹¹⁰ Food insecurity is a serious issue with significant long-term repercussions if prolonged.¹¹¹ Prolonged food insecurity leads to malnourishment, which weakens brain development and increases the risk of contracting illnesses.¹¹²

Food insecurity is already a major issue on the African continent and the outlook is quite bleak.¹¹³ Parts of Africa are experiencing their worst food crisis in 40 years.¹¹⁴ The crisis has several causes ranging from climate change to war and has left 346 million Africans in a fragile food situation.¹¹⁵ Crop production in some areas is down as much as 70% below average as farmers abandon their trade and move to larger cities.¹¹⁶ With African states importing 80% of their food, the continent is particularly susceptible to food shocks.¹¹⁷ A food shock is “the loss of a harvest or livestock as a result of a sudden, extreme climate event or a geopolitical crisis.”¹¹⁸ Simply put, Africans are at the mercy of others when it comes to their ability to source the very food they need to live.

The Russian invasion of Ukraine has only made the situation worse as the two countries account for a quarter of the global production of wheat and grain.¹¹⁹ Some African states, such as Somalia and the Democratic Republic of Congo, rely on Russia and Ukraine for the vast majority of their wheat imports while countries like Burkina Faso, Cameroon, Ethiopia, Nigeria, and Sudan rely on Russia and Ukraine for around 20% to 45% of their wheat and grain.¹²⁰ With Africa being in such a fragile and vulnerable position, and the European Union being in a position

109. *Agriculture and Food Security*, U.S. AGENCY FOR INT’L DEV. (Feb. 18, 2024, 4:05 PM), <https://www.usaid.gov/what-we-do/agriculture-and-food-security> [<https://perma.cc/ERG3-4Z2K>].

110. *Id.*

111. *Id.*

112. *Id.*

113. BRIT. RED CROSS, *supra* note 108.

114. *Id.*

115. *Nothing to Eat: Food Crisis is Soaring Across Africa*, INT’L COMM. OF THE RED CROSS (May 30, 2022), <https://www.icrc.org/en/document/food-crisis-soaring-across-africa> [<https://perma.cc/95SD-UGLG>].

116. *Id.*

117. Palitza, *supra* note 75.

118. *Food Shocks, a Growing Threat*, SLOW FOOD (Feb. 12, 2019), <https://www.slowfood.com/food-shocks-a-growing-threat/> [<https://perma.cc/S362-9BT6>].

119. INT’L COMM. OF THE RED CROSS, *supra* note 115.

120. *Id.*

of power over Africa in agri-food related matters, the European Union has significant control of the food security throughout the African continent.¹²¹

C. CAP's Effects on African Farmers

The effects of CAP on Africa are not limited to food security and food prices; effects also extend to African farmers themselves.¹²² Because of the staggering amount of support CAP provides to European Union farmers, African farmers, who do not have similar levels of support, are at a disadvantage.¹²³ One such disadvantage can be seen in the productivity of African farmers.¹²⁴ While 60% of Sub-Saharan Africans are smallholder farmers, there are not enough farmers to come even close to providing enough food for the people living in these places.¹²⁵ Smallholder farmers are those who rear livestock or cultivate crops on a limited scale.¹²⁶ In the developing world, smallholder farmers are family-owned operations that operate on farms up to 10 hectares in size.¹²⁷ However, most smallholders operate farms less than two hectares.¹²⁸ These smallholder farmers are reliant on familial labor for their operation, and they will usually retain a portion of the farm's product for their own consumption.¹²⁹

Sub-Saharan food needs far outpace the ability of Sub-Saharan farmers to meet these needs; thus, 80% of local food needs are met through the importation of food.¹³⁰ The issue of how CAP impacts farmers intersects with the previous issues of food security and food prices, as the inability of African farmers to meet local needs is a root cause of the overarching agricultural problems the continent is facing.¹³¹ These smallholder farmers in Africa are being undercut by artificially deflated prices due to CAP.¹³² Considering that African farmers largely have been

121. *See generally id.*

122. Magassy, *supra* note 12.

123. *Id.*

124. *Id.*

125. *Id.*

126. Aimée Knight, *What is a Smallholder Farm?*, HEIFER INT'L (Apr. 14, 2022), <https://www.heifer.org/blog/what-is-a-smallholder-farmer.html> [<https://perma.cc/3X7J-5M2L>].

127. *Id.*

128. *Id.*

129. *Id.*

130. Magassy, *supra* note 12.

131. *Id.*

132. *Id.*

rendered uncompetitive in local food markets, they are being crowded out by a deluge of cheap European Union products, further declining local production.¹³³

As a result of Africa being in such a precarious situation regarding food shocks, these production declines by African farmers can have potentially devastating consequences.¹³⁴ A World Bank report on West African Agriculture analyzed six African states' respective agricultural production risks, including Burkina Faso, Chad, Mali, Niger, Sierra Leone, and Togo.¹³⁵ The report found that farmers in these countries can lose on average \$700 million per year due to production disruptions impacting their six most important crops: yams, rice, maize, millet, sorghum, and fonio.¹³⁶

When looking at how agricultural production shortfalls perpetuate malnourishment in these countries, the World Bank found a relatively frequent and medium severity shock could send 15 million people into a state of undernourishment.¹³⁷ This 15 million is on top of the existing 17 million people across these countries that are already in a state of undernourishment.¹³⁸ A more severe shock would see the number of additional people sent into a state of undernourishment rise to 18 million.¹³⁹ In total, these six states have a combined population of over 105 million people.¹⁴⁰ A medium severity food shock would

133. *Id.*

134. SLOW FOOD, *supra* note 118.

135. Lung et al., *Acute on Chronic: Managing Shocks in the West African Food System*, THE WORLD BANK GROUP: WORLD BANK BLOGS (Sept. 20, 2022), <https://blogs.worldbank.org/africacan/acute-chronic-managing-shocks-west-african-food-system> [<https://perma.cc/5P46-9XBQ>].

136. *Id.*

137. *Id.*

138. *Id.*

139. *Id.*

140. *Togo—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:40 PM), <https://www.cia.gov/the-world-factbook/countries/togo/summaries> [<https://perma.cc/54E4-L2XZ>]; *Sierra Leone—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:41 PM), <https://www.cia.gov/the-world-factbook/countries/sierra-leone/summaries> [<https://perma.cc/2AW4-T4B7>]; *Mali—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:41 PM), <https://www.cia.gov/the-world-factbook/countries/mali/summaries> [<https://perma.cc/L9FD-SVTG>]; *Niger—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:42 PM), <https://www.cia.gov/the-world-factbook/countries/niger/summaries> [<https://perma.cc/BF3L-PNYM>]; *Chad—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:42 PM), <https://www.cia.gov/the-world-factbook/countries/chad/summaries> [<https://perma.cc/H423-NWT9>]; *Burkina Faso—Country Summary*, THE WORLD FACTBOOK, CIA.GOV (Feb. 18, 2024, 4:42 PM), <https://www.cia.gov/the-world-factbook/countries/burkina-faso/summaries> [<https://perma.cc/Z5RY-W4TM>].

result in approximately 30%, or about 32 million people, being in a state of undernourishment.¹⁴¹ A more severe shock would result in approximately 33%, or about 35 million people, being in a state of undernourishment.¹⁴² This data demonstrates that while African farmers account for a relatively small amount of the food production required by Africans, even a mild shock to local production could result in nearly one-third of West Africans being undernourished.¹⁴³ A shock that disturbs both African and European Union farmers alike could be truly devastating to the continent.

One overlooked aspect of African farmers being pushed out of the market, and even the profession entirely, is what these now former farmers are doing as a result. The Sahel is a semi-arid region of Africa sitting between the Sahara Desert in the north and the tropical Savannahs to the south.¹⁴⁴ This region stretches from the Atlantic Ocean in the west to the eastern coast of the Red Sea.¹⁴⁵ It is a region that has been plagued by conflict for decades, with over 2.5 million people forced to flee their homes between 2012 and 2022.¹⁴⁶ Poverty and lack of economic opportunities have been shown to play a role in people turning towards violence and extremism.¹⁴⁷ As African farmers and their children are being forced to look elsewhere for the economic means to sustain themselves, many are turning to extremist groups.¹⁴⁸ The president of the Burkina Faso milk producers' union was quoted as saying: "The sons of pastoralists become jihadists — not out of conviction but because there are no jobs."¹⁴⁹ This is making an already precarious security situation in Africa even worse.¹⁵⁰

141. See Lung et al., *supra* note 135.

142. *See id.*

143. *See id.*

144. *The Sahel: Land of Opportunities*, AFR. RENEWAL (Feb. 18, 2024, 4:19 PM), <https://www.un.org/africarenewal/sahel> [<https://perma.cc/H8WF-RBBH>].

145. *Id.*

146. Boris Cheshirkov, *Decade of Sahel Conflict Leaves 2.5 Million People Displaced*, U.N. HIGH COMM'R FOR REFUGEES (Jan. 14, 2022), <https://www.unhcr.org/en-us/news/briefing/2022/1/61e137ac4/decade-sahel-conflict-leaves-25-million-people-displaced.html> [<https://perma.cc/6YW8-UTEP>].

147. JEREMY CHEVRIER, U.S. AGENCY FOR INT'L DEV., EXPLORING THE CONNECTIONS BETWEEN POVERTY, LACK OF ECONOMIC OPPORTUNITY, AND VIOLENT EXTREMISM IN SUB-SAHARAN AFRICA 7 (2017), https://pdf.usaid.gov/pdf_docs/PA00WQ7X.pdf [<https://perma.cc/66B2-3HHX>].

148. Livingstone, *supra* note 86.

149. *Id.*

150. *Id.*

A study by the United Nations Development Program found the most cited reason for Sub-Saharan Africans to join violent extremist (VE) groups was their need for employment.¹⁵¹ Furthermore, many African youth feel a sense of despair, hopelessness, and cynicism for the current state of their countries.¹⁵² VE groups can offer youth a sense of hope for a better future they feel they cannot get if the status quo remains.¹⁵³ If the hardships African farmers face as a result of European Union subsidies do not abate or even worsen, the already fragile state of security in much of the region will, in all likelihood, deteriorate even further as more and more are driven into a life of extremism through no fault of their own.¹⁵⁴

V. SOLUTIONS TO CAP-FUELED ISSUES

The problems with the status quo in the European Union regarding agricultural subsidies and their effect on Africa have been laid bare. However, all is not lost. Pathways forward to create a more functional and beneficial relationship between the European Union and Africa can be found. Such solutions include but are not limited to: treaties limiting or outright banning the European Union from export dumping in Africa; African states developing their own monetary support system for African farmers; intra-African cooperation and the creation of a single market analogous to the one found in the European Union; removal of reliance on the European Union and any other outside producer of agricultural products; and the European Union restructuring their own agricultural subsidy regime to remove a root cause of the problem.

A. Limiting European Union Export Dumping in Africa

European Union export dumping is a major contributor to the problems Africa is currently experiencing regarding food security and food prices.¹⁵⁵ However, as of now, there is no international treaty between the European Union and any African states that limits or removes the European Union's ability to partake in export dumping.¹⁵⁶ Such a treaty is essential given it is not illegal to engage in such an activity under World Trade Organization rules.¹⁵⁷ As such, the European Union could, in theory, enter into a treaty with the African Union or African states individually that would prevent European Union companies from

151. CHEVRIER, *supra* note 147, at 8.

152. *Id.* at 10.

153. *Id.*

154. *Id.*

155. GODFREY, *supra* note 67, at 1.

156. Barone, *supra* note 71.

157. *Id.*

engaging in this activity or limiting it to an agreed-upon ceiling.¹⁵⁸ While such a treaty would go a long way in improving the situation, it is very unlikely that any agreement of this type will materialize.¹⁵⁹ With the European Union being the largest agri-food exporter in the world with €184 billion in exports, there is not much of an incentive for them to engage in this type of reform beyond charitable outcomes.¹⁶⁰

The European Union exists to advocate zealously for its member states and to do whatever it can to advance its interests by increasing its levels of prosperity.¹⁶¹ Removing such an effective money-making tool absent anything in return makes little sense for the European Union, even when considering how unfair it is for the rich to be exploiting the poor.

B. Local & Continental Subsidy Regimes

Another way African states can counteract CAP is through their own system of monetary support for farmers. These systems will put African farmers on a more level playing field with their European Union counterparts. The African Union, a continent-spanning organization comprised of 55 African states, is the organization most similar to the European Union.¹⁶² Established in 1999 by the Sirte Declaration, the African Union's goals at its inception were "to rid the continent of the remaining vestiges of colonization and apartheid; to promote unity and solidarity among African States; to coordinate and intensify cooperation for development; to safeguard the sovereignty and territorial integrity of Member States and to promote international cooperation within the framework of the United Nations."¹⁶³ The African Union is a far cry from the European Union in terms of the authority it can exert over its member states and the resources at its disposal.¹⁶⁴ However, there is no reason the African Union cannot become an organization

158. *Id.*

159. *See generally id.*

160. *See* AGRI-FOOD TRADE IN 2020, EUR. COMM'N 2 (2021), https://agriculture.ec.europa.eu/document/download/fefdae50-78f3-4f7c-999e-0763b15ccc14_en?filename=map-2021-2_en.pdf [<https://perma.cc/B9RT-L26R>].

161. *Aims and Values*, EUR. UNION (Feb. 18, 2024, 4:22 PM), https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en [<https://perma.cc/8QJM-QJUG>].

162. *See generally AU in a Nutshell*, AFR. UNION (Feb. 18, 2024, 4:23 PM), <https://au.int/en/au-nutshell> [<https://perma.cc/2TMS-JUUQ>].

163. *Id.*

164. Fiona Chandaengerwa, *Regional Integration: EU vs AU*, LINKEDIN (June 10, 2020), <https://www.linkedin.com/pulse/regional-integration-eu-vs-au-fiona-chandaengerwa> [<https://perma.cc/7WN7-SKUE>].

more akin to the European Union over time and develop a subsidy regime of their own. This, of course, would take time, given it would require the African Union to focus on emphasizing integration over individual state sovereignty. However, the European Union can serve as a guide in accomplishing this monumental task.¹⁶⁵

While an African Union-established continent-wide subsidy regime would perhaps be the best way for African states to provide monetary support to their agriculture sector, the individual states comprising Africa could also do this themselves. This piecemeal approach would potentially be less effective because, collectively, the states of Africa would have more resources at their disposal than any one state. However, a piecemeal approach could at least provide some sort of relief for farmers who, as of now, have been left to fend for themselves.

C. An African Single Market/Free Trade Bloc

Another solution to the negative effects CAP has brought upon Africa is the creation of a single market or free trade bloc for the continent to remove trade barriers and increase cooperation between African states.¹⁶⁶ This solution would be most effective if paired with a continent-wide subsidy regime.¹⁶⁷ Together, these two solutions would reinforce each other by positioning Africa more favorably in the global economy, especially in all things agriculture related.¹⁶⁸ This would allow for African farmers to sell their goods wherever there is a demand for them in Africa.¹⁶⁹ There is already a proposal for a system like this known as the African Continental Free Trade Area (AfCFTA).¹⁷⁰ If implemented as proposed, the AfCFTA would be the largest free trade bloc in the world in terms of participating states.¹⁷¹ The 55 member states combined would have a GDP of \$3.4 trillion.¹⁷² While small compared to the European Union's 27 member states combined GDP of \$16.7 trillion, the AfCFTA would still give the continent a hefty GDP to make use of.¹⁷³ If implemented, the AfCFTA is projected to bring 30

165. *Id.*

166. Maryla Maliszewska et al., *The African Continental Free Trade Area*, THE WORLD BANK (July 27, 2020), <https://www.worldbank.org/en/topic/trade/publication/the-african-continental-free-trade-area> [<https://perma.cc/K2MW-BN9X>].

167. *Id.*

168. *Id.*

169. *See id.*

170. *Id.*

171. *Id.*

172. *Id.*

173. *GDP (current US\$) - European Union*, THE WORLD BANK (Feb. 18, 2024, 4:24 PM), <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?locations=EU> [<https://perma.cc/9559-ENPA>].

million Africans out of extreme poverty and raise the incomes of an additional 68 million who live on less than \$5.50 per day.¹⁷⁴ Total African income would see a projected boost of \$450 billion by 2035, increasing global income by \$76 billion.¹⁷⁵ Of the \$450 billion increase in income, \$292 billion would be the result of trade barrier reductions that would allow Africa to better integrate into the global economy.¹⁷⁶ Furthermore, the total value of African exports would see an increase of \$560 billion.¹⁷⁷ The AfCFTA would also be extremely beneficial for African women, whose incomes would jump by 10.5%.¹⁷⁸ This solution would, without a doubt, position Africa best for the future. Specifically, Africa could become a self-sufficient continent whose people are not at the mercy of outside actors to act charitably for their benefit. A solution of this magnitude will take years, but the benefits are clear and convincing enough to make trying worth it.

D. African Self-Sufficiency

Another solution that could free Africa from the negative consequences of CAP is Africa becoming a self-sufficient continent in terms of food production. Because Africa is so reliant on outside food producers to meet food needs, and Sub-Saharan Africans need to import 80% of the food products necessary to meet their needs, a shift to a more self-sufficient model would partially or completely remove the negative food price and security effects created by CAP.¹⁷⁹

E. Elimination of CAP

Finally, the European Union itself can remove the root cause of the CAP-fueled problems in Africa by eliminating or reforming CAP in its entirety. As has been shown, CAP is driving extremely negative and undesirable outcomes in Africa.¹⁸⁰ There would be no better way to eliminate these negative results quickly and effectively than to eliminate CAP entirely or restructure the program in such a way as to rid CAP of its African side effects.

VI. WHO ELSE IS TO BLAME?

It is perhaps unfair to single out the European Union as the sole source of negative effects on the food security and food prices African farmers experience.

174. Maliszewska et al., *supra* note 166.

175. *Id.*

176. *Id.*

177. *Id.*

178. *Id.*

179. Magassy, *supra* note 12.

180. *Id.*

While the European Union is the largest agricultural exporter in the world, they are not the only one and are certainly not the only agricultural exporter whose subsidies hurt Africans.¹⁸¹

A. How the United States Subsidy Regime Affects Africa

While the European Union remains the top dog in agricultural exports, the United States is not far behind, exporting \$177 billion worth of agricultural products in 2021.¹⁸² Like the European Union, the United States agriculture sector receives heavy subsidies from the federal and state governments.¹⁸³ The 2018 Farm Bill was projected to provide \$428 billion in agricultural subsidies between 2019 and 2023.¹⁸⁴

Of course, these monumental subsidies send ripples through global markets and have significant effects on global prices.¹⁸⁵ United States subsidies alone have been found to reduce the total export value of West African cotton by \$250 million.¹⁸⁶ An elimination of cotton subsidies worldwide would see prices rise 10% to 12%, an amount significant to African farmers who depend on cotton production for their survival.¹⁸⁷ Cotton production in the United States rose between 1998 and 2001, leading to a massive excess and reduction in global prices.¹⁸⁸ Like farmers in the European Union, United States cotton farmers found Africa to be a perfect dumping ground for their excess supply of cotton.¹⁸⁹ A World Trade Organization ruling found the United States subsidy regime for cotton was illegal and must end; however, payments to American cotton farmers continued.¹⁹⁰ Not only does the United States undercut cotton prices by making it less profitable and sustainable

181. *Feeding Europe*, *supra* note 54; Richard Mshomba, *How Northern Subsidies Hurt Africa*, AFR. RENEWAL (Sept. 2002), <https://www.un.org/africarenewal/magazine/september-2002/how-northern-subsidies-hurt-africa> [<https://perma.cc/332G-7U3N>].

182. *U.S. Agricultural Trade at a Glance*, U.S. DEP'T OF AGRIC. ECON. RSCH. SERV. (Jan. 31, 2024), <https://www.ers.usda.gov/topics/international-markets-u-s-trade/u-s-agricultural-trade/u-s-agricultural-trade-at-a-glance/> [<https://perma.cc/A6R2-DFJT>].

183. *Farm Bill Spending*, U.S. DEP'T OF AGRIC. ECON. RSCH. SERV. (Feb. 7, 2023), <https://www.ers.usda.gov/topics/farm-economy/farm-commodity-policy/farm-bill-spending/> [<https://perma.cc/6KXN-RD8X>].

184. *Id.*

185. Mshomba, *supra* note 181.

186. *Id.*

187. Jason Beaubien, *U.S., European Subsidies Undercut African Farmers*, NAT'L PUB. RADIO (Oct. 13, 2006, 12:00 AM), <https://www.npr.org/2006/10/13/6256274/u-s-european-subsidies-undercut-african-farmers> [<https://perma.cc/5TAS-N3NQ>].

188. *Id.*

189. *Id.*

190. *Id.*

for African cotton farmers, but United States manufacturers also dump excess low-priced cotton clothing in Africa.¹⁹¹ By doing this, United States manufactures further hurt local cotton farmers and textile producers.¹⁹² From 2012 to 2022, United States cotton farmers received an average of \$700 million per year (\$7 billion total) in subsidies.¹⁹³

On the other hand, the United States has taken measures to help African farmers.¹⁹⁴ There are calls from organizations on both sides of the aisle fighting to reduce the massive amounts of money spent on agricultural subsidies each year.¹⁹⁵ The African growth and Opportunity Act of 2000 (the Act) was designed to help Sub-Saharan African farmers by giving them preferential access to the American market in the form of duty-free treatment of their exports to the United States.¹⁹⁶ The Act, currently still in effect, is authorized until 2025.¹⁹⁷ Some critics of the Act claim the benefits are not enough to outweigh the damage done to African farmers by the United States subsidy regime.¹⁹⁸ However, there is no consensus nor an abundance of empirical data to support this assertion with any reasonable certainty.¹⁹⁹

B. Don't Forget About China

Perhaps one of the least talked about culprits of the poor state of African agriculture is China. Considered one of the largest price distorters, China has a strong commitment to its protectionist policies.²⁰⁰ While getting reliable data on China's agricultural subsidies can be difficult, we do know that in 2016 alone China spent \$212 billion on agricultural subsidies, far more than any other

191. *Id.*

192. *Id.*

193. Alexander Jelloian, *Agricultural Subsidies in Wealthy Countries Hurt African Producers*, HUMAN PROGRESS (June 28, 2022), <https://www.humanprogress.org/agricultural-subsidies-in-wealthy-countries-hurt-african-producers/> [<https://perma.cc/KPF3-2Z7M>].

194. *Id.*

195. Mshomba, *supra* note 181; Jelloian, *supra* note 193.

196. Mshomba, *supra* note 181; *African Growth and Opportunity Act (AGOA)*, U.S. CUSTOMS & BORDER PROT. (Sept. 11, 2023), <https://www.cbp.gov/trade/priority-issues/trade-agreements/special-trade-legislation/african-growth-and-opportunity-act> [<https://perma.cc/WLK2-X73F>].

197. *African Growth and Opportunity Act (AGOA)*, *supra* note 196.

198. Mshomba, *supra* note 181.

199. *See id.*

200. Jelloian, *supra* note 193.

country.²⁰¹ Subsidies are so important to Chinese agriculture that they constitute significant portions of Chinese farmers' income.²⁰² Subsidies make up 38% of revenue for wheat farmers, 32% for rice farmers, and 29% for corn farmers.²⁰³ By comparison, subsidies in the United States comprise 8% of revenue for wheat farmers, 2% for rice farmers, and 4% for corn farmers.²⁰⁴ While still significant, comparable figures for United States farmers are many times lower than their Chinese counterparts.²⁰⁵

Like CAP, the Chinese subsidy regime also incentivizes overproduction.²⁰⁶ The Chinese regime aims to boost local production, which both displaces foreign imports and lowers the global price of the good, hurting the poorest farmers, especially Africans.²⁰⁷ In the past decade, the Chinese government has spent more than \$41 billion on just cotton subsidies.²⁰⁸ Coupled with high subsidy spending, China, unlike the United States, places high import tariffs on foreign cotton to prevent African cotton from being competitive in the domestic Chinese cotton market.²⁰⁹

A further factor that prevents African cotton from being competitive in Chinese markets—which depresses the global price—is that the majority of Chinese cotton is produced by the Uyghur people in Xinjiang Province.²¹⁰ These Uyghurs are coerced into cheap labor by the Chinese government in an effort to exert control over the minority population.²¹¹

VII. CONCLUSION

In sum, the status quo of massive subsidies by the world's largest agricultural economies is not sustainable. This must change if the developing world is to be given a fair shot to catch up to the developed world. The European Union is not

201. Kristen Hopewell, *The WTO Just Ruled Against China's Agricultural Subsidies. Will This Translate to a Big U.S. Win?*, THE WASH. POST (Mar. 4, 2019, 6:00 AM), <https://www.washingtonpost.com/politics/2019/03/04/wto-just-ruled-against-chinas-agricultural-subsidies-will-this-translate-big-us-win/> [https://perma.cc/QW4U-CNQD].

202. *Id.*

203. *Id.*

204. *Id.*

205. *Id.*

206. *See id.*; Livingstone, *supra* note 86.

207. Hopewell, *supra* note 201.

208. Jelloian, *supra* note 193.

209. *Id.*

210. *Id.*

211. *Id.*

solely at fault for the way things are, there is plenty of blame to go around between the European Union, United States, China, and the African states themselves. However, the European Union, as the largest agricultural exporter in the world and next-door neighbor to Africa, is best positioned to make the necessary changes to kickstart positive progress. Should the European Union fail to take action, it will be the primary culprit in the continued degradation of Africa's agriculture sector.