

An aerial photograph of a port area, showing rows of colorful shipping containers (red, blue, green, yellow) stacked in neat rows. In the background, there are industrial buildings and a blue-roofed structure. A semi-transparent white rectangular box is overlaid on the left side of the image, containing text. The text is in a dark red, serif font. The background image is a high-angle shot, looking down at the port.

# International Trade Law and Policy for Africa's Development

tralac Certificate Course

April - June 2021



The Trade Law Centre (tralac) is an independent non – profit think tank with more than 15 years’ experience in research, thought leadership and capacity building, supporting Africa’s pursuit of improved trade to support development.

For more information visit the tralac website:  
[www.tralac.org](http://www.tralac.org)

## Contents

Course introduction .....	1
Learning Modalities.....	2
Learning Outcomes .....	2
Fees and scholarships .....	2
How to apply for the course .....	2
Course Outline .....	3



# International Trade Law and Policy for Africa's Development Certificate Course

The Trade Law Centre (tralac) is pleased to present the 2021 Certificate Course – International Trade Law and Policy for Africa's Development. The course consists of three modules and provides comprehensive coverage of International Trade Law and Policy in the 21st Century, from an African perspective.

## Who should attend the course?

- Mid-level and senior trade policy officials and lawyers from Africa's national governments, regional and continental Organisations
- Experienced trade policy and law practitioners from non-state organisations

The tralac certificate course is offered at a time of uncertainty about future trade governance trajectories. The devastating effects of the COVID-19 pandemic, and specifically the restrictive response measures adopted to curb the spread of the virus, have severely impacted international trade, but also highlighted the important developmental role of trade. The World Trade Organisation (WTO) is facing significant challenges – the appetite for multilateral trade governance solutions remains very weak. The recent appointment of the new Director General – the first African and the first woman to be appointed to this position – is important. Fundamentally, the systemic challenges of the WTO require urgent collective action by the member states.

Although trade has in recent decades lifted many millions across the world out of poverty, inequality and exclusion are still defining features

of global trade and economic development. A serious rethink of the trade policy narrative and possible future international trade governance pathways is necessary.

Trade policy connections to other areas of economic policy (including industrial, fiscal, labour market, education and macroeconomic policies) have to be considered for their contribution to promoting inclusive growth and equitable distribution of gains and losses. This course aims to build capacity for trade law and policy making to support development outcomes for Africa. This means focusing on marginalised and excluded groups, including women, youth, informal cross-border traders and many other groups.

Despite these global trade governance developments there is renewed interest in trade and regional integration in Africa. The African Continental Free Trade Area (AfCFTA) has entered into force, and trade under an 'interim arrangement' was launched on 1 January 2021. Tariff concessions and rules of origin, as well as specific commitments for the priority services sectors are, however, still being negotiated. Phase 2 of the negotiations, covering investment, competition and intellectual property, and Phase 3 on e-commerce are to be completed this year.

This course will focus specifically on issues relevant to the AfCFTA and Africa's broader trade and integration agenda. Focus on Africa's global trade relations will also be studied. These relationships remain important given that more than 80 % of Africa's trade is still with global partners.

## Learning Modalities

Interactive, participatory learning processes, which are the foundation for adult learning modalities, are followed in this course. Debates and discussions are actively encouraged; exploration of complex trade law and policy problems will facilitate collective learning as we engage the new developments on Africa's trade and integration agenda. Participants are encouraged to share experiences, trade policy challenges and success stories.

The course consists of three modules and an *inter-modular* e-learning program. Before the first module participants will be required to complete a preparatory online work program (6 hours of work will be required, and a short assignment will be submitted and assessed – feedback will be provided to each participant). This pre-course program is designed to support active and informed engagement.

Between modules 1 and 2, and again between 2 and 3, participants will continue the inter-modular program. Each of these blocks in the inter-modular program will require 6 hours of work for the submission. At the end of module 3, there will be an oral exam – each participant will have a 30 minute slot. Participants who successfully complete the course will receive a tralac certificate, and be invited to join the tralac alumni network.

## Learning Outcomes

Participants who successfully complete the course will:

- Have an understanding of the principles of international trade law and policy – applicable, in a global context, and specifically as they apply in an African context

- Have an understanding of the complexity of trade and trade-related policy linkages, and of the trade-development nexus
- Have acquired tools to analyse trade data-related data, trade performance and trade law and policy developments
- Be able to review and appraise current trade law and policy developments, factoring in the complexity of trade and trade governance in the 21st century
- Be able to contribute to the development and implementation of a trade policy and regional integration strategy for your country to support development outcomes

## Fees and scholarships

tralac has limited scholarship funding from our donors. Applicants who wish to be considered for a scholarship will be requested to provide a motivation to receive funding support. In our selection, we will consider specifically access for women and participants from least developed countries. Scholarship funding will not be available to participants in the private sector.

Successful applicants will be requested to make a set contribution of **ZAR 2000** towards the course.

## How to apply for the course?

To apply for this course please click on the following link: [Online application form](#)

**Deadline for Applications: 25 March 2021**

Applicants will receive a response by **8 April 2021**.

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For more info on this course, please visit the tralac website: <https://www.tralac.org/elearning.html>

## Training Course Outline

### Module 1: International Trade Policy and Law in the 21st Century – foundational disciplines

<b>Dates</b>	19 - 23 April 2021
<b>Topics</b>	<p><b>International trade: defining features</b></p> <ul style="list-style-type: none"><li>▪ Global trade and investment trends: Key indicators and metrics: trade in goods (commodities, industrial goods), tariffs, non-tariff barriers, trade in services (review of restrictiveness indices for specific sectors), investment flows</li><li>▪ Intra-Africa trade and investment overview</li></ul> <p><b>Foundations of international trade policy</b></p> <ul style="list-style-type: none"><li>▪ Theoretical foundations of international trade policy: Absolute Advantage, Comparative Advantage &amp; Competitive Advantage, New Trade Theory (rationale for international trade, trade and development matters)</li><li>▪ Practical international trade policy matters: Trade Policy Management in the 21st century; scope of a 21st century trade policy strategy; intra- governmental coordination, role of non-state actors in the trade policy process; institutional architecture for trade policy making; trade negotiations and implementation of international trade agreements (country case studies by participants)</li></ul> <p><b>Foundations of international trade law</b></p> <ul style="list-style-type: none"><li>▪ Introduction to public international law: sources of international law, sovereign states, international trade and investment agreements, domestic implementation of agreements (constitutional provisions) – country case studies</li><li>▪ The multilateral trade system and its institutions</li><li>▪ Regional Trade Arrangements</li><li>▪ Dispute resolution and trade remedies</li></ul> <p><b>Current Issues in international trade governance</b></p> <ul style="list-style-type: none"><li>▪ The political economy of international trade negotiations</li><li>▪ The future of multilateral trade governance (US-China trade wars and bilateralism, Brexit, a future World Trade Organisation)</li><li>▪ Africa’s integration agenda: from regional economic communities to continental integration and the African Continental Free Trade Area (AfCFTA)</li><li>▪ Role of value chains and servicification of production (implications of technology developments for jobs etc) – implications for trade governance</li><li>▪ Digital economy developments (including fintech and e-commerce)</li><li>▪ Trade transaction costs and trade facilitation; trade remedies and safeguards</li><li>▪ Trade and development: distributional issues, gender, environment, and climate change, youth</li></ul>

## Module 2: A comprehensive International Trade Law agenda

Dates	10 - 14 May 2021
Topics	<ul style="list-style-type: none"><li>▪ Trade in goods: tariffs, rules of origin, non-tariff barriers</li><li>▪ Trade facilitation (including, customs and border management, non-tariff barriers)</li><li>▪ Standards (SPS and TBT) and quality infrastructure</li><li>▪ Trade in services: market access; domestic regulation, regulatory reform and harmonisation (focus on key sectors and sectoral regulation e.g. financial services, transport, communications)</li><li>▪ Competition Policy</li><li>▪ Investment</li><li>▪ Intellectual Property Rights</li><li>▪ E-commerce</li><li>▪ Dispute resolution</li></ul>

## Module 3: Africa's trade and integration agenda – the African Continental Free Trade Area (AfCFTA), Regional Economic Communities and bilateral relations

Dates	31 May - 4 June 2021
Topics	<ul style="list-style-type: none"><li>▪ African integration: origins, substantive focus, achievements and challenges</li><li>▪ Role of Institutions (African Union, Regional Institutions)</li><li>▪ Regional Economic Communities (trade integration and broader development agenda) and the AfCFTA</li><li>▪ Tripartite Free Trade Area and the AfCFTA</li><li>▪ African Continental Free Trade Area: analysis of the Agreement establishing the AfCFTA, Protocol on Trade in Goods, Protocol on Trade in Services, Protocol on Dispute Resolution, ongoing negotiations in Phase 1 (tariff phasedown, rules of origin, specific commitments for priority services sectors), Phase 2 negotiations (Investment, Competition, Intellectual Property), Phase 3 negotiations (e-commerce)</li><li>▪ The AfCFTA and Africa's global trade agenda: Economic Partnership Agreements with EU and UK; AGOA; US-Kenya; China–Mauritius; WTO (Doha development agenda and current developments, including Joint Statement Initiatives)</li><li>▪ Trade remedies and safeguards: how can we advance our industrialisation and economic development agendas, while complying with international legal obligations?</li><li>▪ Implementing the AfCFTA: what happens now that the agreement has entered into force, but Phase 1 negotiations (tariff concessions, rules of origin, sector commitments for services) are still ongoing? How do Phase 2 and Phase 3 enter into force?</li></ul>

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