

# International Trade Law and Policy for Africa's Development

tralac Certificate Course 2022  
April – June 2022





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

The Trade Law Centre (tralac) is pleased to present the 2022 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.

The course is designed for:

- Mid-level and senior trade policy officials and lawyers from Africa's national governments, regional and continental organisations. A limited number of scholarships are available – see [below](#).
- Experienced trade policy and law practitioners from non-state organisations. Fees available on application.

The Trade Law Centre (tralac) is offering this course in the wake of the indefinite postponement of the World Trade Organisation's (WTO) Twelfth Ministerial Conference (MC12), following the identification of a new, fast spreading COVID variant – omicron. Prospects for a successful MC12 did not look promising, but this development is a reminder that we find ourselves in uncertain times. The appetite for multilateral governance solutions remains weak at a time when global cooperation in many spheres is badly needed. On 2 December 2021, Heads of 67 WTO delegations which have been engaged in the Joint Initiative on Services Domestic Regulation announced

that they had successfully concluded negotiations to reduce administrative costs and create a more transparent environment for service providers doing business in foreign markets.

This development may well be the precursor to other such plurilateral initiatives, while multilateral agreements remain elusive.

Trade has in recent decades lifted many millions across the world out of poverty, yet inequality and exclusion are still defining features of global trade and economic development, and trade policy remains seriously contested. Rethinking the trade policy narrative and application of trade policy instruments is especially important at a time when rather blunt trade policy instruments are applied to curb the spread of the COVID virus.

Trade policy connections to other areas of economic policy (including industrial, fiscal, labour market, education and macro-economic 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; to ensure that trade works for all, including marginalised and excluded groups, including women, youth and informal cross-border traders.

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 launch-



ed on 1 January 2021. This has not happened, and to date no trade has taken place under the AfCFTA. The basic elements of the AfCFTA are still being negotiated. Tariff concessions and rules of origin, as well as specific commitments for the priority services sectors are still on the negotiating table. Phase 2 and Phase 3 negotiations covering investment, competition and intellectual property, and e-commerce are in the early stages. A very welcome development is that a Protocol on Women, Youth and SME development has been added to the agenda.

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 – 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. Only applicants from Africa's national governments, regional and continental organisations are eligible for scholarship funding.

Please provide a motivation for scholarship funding (no more than 300 words), together with your application. In our selection we will consider specifically, applications from women and representatives from least developed countries.

**Deadline for Applications:**

**25 March 2022**

Applicants will receive a response by

**8 April 2022**

**How to apply for the course?**

To apply for this course, please click on the following link:

› [Online application form](#)

**Training Course Outline**

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

**Dates** 25 - 29 April 2022

**Topics** **International trade: defining features**

- 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
- Intra-Africa trade and investment overview

**Foundations of international trade policy**

- Theoretical foundations of international trade policy: Absolute Advantage, Comparative Advantage & Competitive Advantage, New Trade Theory (rationale for international trade, trade and development matters)
- 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)

**Foundations of international trade law**

- Introduction to public international law: sources of international law, sovereign states, international trade and investment agreements, domestic

	<p>implementation of agreements (constitutional provisions) – country case studies</p> <ul style="list-style-type: none"> <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 and Africa’s global trade relations</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, climate change, youth</li> </ul>
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<b>Module 2: A comprehensive International Trade Law and Policy agenda</b>
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<b>Dates</b>	16 - 20 May 2022
<b>Topics</b>	<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>

<b>Module 3: Africa’s trade and integration agenda – the African Continental Free Trade Area (AfCFTA), Regional Economic Communities and bilateral relations</b>
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<b>Dates</b>	13 - 17 June 2022
<b>Topics</b>	<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> </ul>

- Regional Economic Communities (trade integration and broader development agenda) and the AfCFTA
- Tripartite Free Trade Area and the AfCFTA
- 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 concessions, rules of origin, specific commitments for priority services sectors), Phase 2 negotiations (Investment, Competition, Intellectual Property), Phase 3 negotiations (E-commerce, Women, Youth and SME Development)
- 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)
- Trade remedies and safeguards: how can we advance our industrialisation and economic development agendas, while complying with international legal obligations?
- 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?

## Who we are

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.

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