



Way Forward

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Creating One African Market

tralac Annual Conference

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The AfCFTA—opportunity for Africa

Architecture of the Agreement Establishing the AfCFTA

**Agreement
Establishing the
African
Continental Free
Trade Area**

Protocol on Trade in Goods

9 Annexes and 3 Appendices

Protocol on Trade in Services

Schedules of Specific Commitments

Regulatory Frameworks

Protocol on Investment

Protocol on Competition

**Protocol on Rules and Procedures for
Settlement of Disputes**

Protocol on intellectual Property Rights

Update on the CFTA

Annex 1: Annexes and Appendices to the AfCFTA Legal Instruments

Annexes to the Protocol on Trade in Goods

a. Schedules of Tariff Concessions

- b. Annex 2 on Rules of Origin;
- c. Annex 3 on Customs Co-operation and Mutual Administrative Assistance;
- d. Annex 4 on Trade Facilitation;
- e. Annex 5 on Non-Tariff Barriers (NTB);
- f. Annex 6 on Technical Barriers to Trade (TBT);
- g. Annex 7 on Sanitary and Phytosanitary Measures;
- h. Annex 8 on Transit;
- i. Annex 9 on Trade Remedies.

Annexes to the Protocol on Rules and Procedures on the Settlement of Disputes

- a. Annex 1 on Working Procedures of the Panel
- b. Annex 2 on Expert Review
- c. Annex 3 on Code of Conduct for Arbitrators and Panelists

Appendices to the Annex 2 on Rules of Origin

- a. Appendix I: AfCFTA Certificate of Origin
- b. Appendix II: AfCFTA Origin declaration
- c. Appendix III: AfCFTA Supplier or Producer's Declaration

Guidelines on the Implementation of Trade Remedies

What Happens Post-AfCFTA Launch?

- Additional Signatures and Ratification (Entry into Force)
- Built-in Agenda
- Transitional Implementation Work Programme
- AfCFTA, a component of BIAT
- BIAT Action Plan for Boosting Intra-Africa Trade
- 7 BIAT Clusters: Trade Facilitation, Trade Policy, Productive capacities, Trade related Infrastructure, Trade Finance, Trade Information and Factor Market integration

AfCFTA Transition Implementation Work Programme, from 22nd March 2018 until entry into force

- Legal Scrubbing of Annexes and Appendices
- More Meetings of the AfCFTA – NF and TWGs to:
 - Discuss Schedules of Tariff Concessions;
 - Develop Schedules of Specific Commitment on Trade in Services;
 - Develop the List of Sensitive Products and Exclusion Lists; and
 - Conclude outstanding work on Rules of Origin.
- Workshop on the Schedule of Tariff Concessions and Schedule of Specific Commitments on Trade in Services
- AU Business Council for Private Sector Operators
- Start of Phase 2 Negotiations on Competition, investment and intellectual Property Rights (4th Quarter of 2018)
- Establishment of Relevant AfCFTA Committees

Built-In Agenda

- AfCFTA Secretariat
- Technical Assistance on Ratification and Implementation

Work Programme on BIAT Clusters

- Trade Facilitation Strategy
- African Union Commodity Strategy
- Trade Promotion: Cairo Intra-African Trade Fair
- Pan African Trade Observatory
- AU SME Strategy
- E-Commerce Strategy

Key Points from AfCFTA Business Forum

- Competitiveness of logistics systems (roads, rail, sea, and air)
- Coherence between trade facilitation and investment facilitation: streamline NTMs and NTBs to facilitate movement of goods
- Sensitization is key
- Domestic laws must be able to accommodate implementation of the Agreement
- Governments, Business and Civil Society must engage with each other in the implementation
- Gender equality and equity
- Financial inclusion through mobile payments and mobile wallets
- Africa needs to go through digital transformation and fast. The 7 key things are: connect, educate, demonstrate and promote, innovate, invest and regulate
- Continuous dialogue through Africa Business Council, even country level Public-Private Sector Dialogues

Key Interventions Areas

- RECs are to contribute to the institutional structure of AfCFTA through coordinating implementation at the regional level and, in an advisory capacity, through their respective seats on AfCFTA Committee of Senior Trade Officials
- State Parties are recommended to develop an AfCFTA Strategies in order to exploit the benefits
- AfCFTA is a tool for private enterprise in Africa: Awareness, Partnerships, and Private Sector Involvement

Institutional Arrangements

- The key challenge we need to face is the need for coordination.
- During the next phase;
 - AU Ministers of Trade (mandate for Built In Agenda and Phase 2 Negotiations)
 - Council of Ministers of Trade (State Parties) upon entry into force – Implementation of the Agreement
 - STC Trade Industry and Minerals (policy coherence and linkages). Expansion of the portfolio to include the Blue Economy
 - Continental Task Force – continued collaboration with RECs and partners
 - AU Reform to gather momentum.