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EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY

REPORT OF THE DELEGATION TO ECOWAS PARLIAMENTARY SEMINAR ON THE AFRICAN CONTINENTAL FREE TRADE AREA (AfCFTA). CHALLENGES AND PROSPECTS OF FREE TRADE IN AFRICA-ROLE OF THE REGIONAL ECONOMIC COMMUNITIES (RECs), IN ABIDJAN, IVORY COAST

FROM 13TH – 15TH SEPTEMBER 2018

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OF KENYA
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Abbreviations

AU	:	African Union
AfCFTA	:	African Continental Free Trade Area
AFTZ	:	African Free Trade Zone
AMU	:	Arab Maghreb Union
CFTA	:	Continental Free Trade Area
COMESA	:	Common Market for Eastern and Southern Africa
EAC	:	East African Community
EALA	:	East African Legislative Assembly
ECCAS	:	Economic Community of Central African States
ECOWAS	:	Economic Community of West African States
NEPAD	:	New Partnership for Africa's Development
RECs	:	Regional Economic Communities
SADC	:	Southern African Development Community
UNIDO	:	United Nations Industrial Development Organisation
UN	:	United Nations
WTO	:	World Trade Organization

1.0 Introduction

The Economic Community of West African States (ECOWAS) Parliament held a Parliamentary Seminar on the African Continental Free Trade Area (AfCFTA) at Sofitel- Hôtel Ivoire in Abidjan/Ivory Coast from 13th – 15th September, 2018.

The Seminar was titled: "*The African Continental Free Trade Area (AfCFTA). Challenges and Prospects of Free Trade in Africa- Role of the Regional Economic Communities (Recs)*". It was attended by Members of the ECOWAS Parliament and other distinguished guests comprised of ECOWAS Commission Officials, other Officials of Community Institutions/Agencies in Ivory Coast, International Organizations and Partner Agencies in Abidjan, Members of Civil Society Organizations in Abidjan, Members of Organized Labour Organizations, Private Sector and Resource persons.

The African Free Trade Zone was announced at the East African Community (EAC)- Southern African Development Community (SADC)- Common Market for Eastern and Southern Africa (COMESA) Summit (also known as the AFTZ Summit and Tripartite Summit) on 22nd October, 2008 by the heads of the EAC, SADC and COMESA. In May 2012, the idea was extended to also include ECOWAS, Economic Community of Central African States (ECCAS) and Arab Maghreb Union (AMU). Three years later, in June 2015, the African Union Summit held in South Africa, launched negotiations to create a Continental Free Trade Area (CFTA) with all 55 African Union states by 2017.

The negotiations culminated in the African Continental Free Trade Area (AfCFTA), a continent-wide free-trade agreement brokered by the African Union (AU) and initially signed on by 44 of its 55 member states in Kigali, Rwanda on 21st March, 2018.

The agreement initially requires members to remove tariffs from 90% of goods produced in the member countries, allowing free access to commodities, goods, and services across the continent. It is expected to boost intra-African trade by 52 percent by 2022. The proposal will come into force after ratification by 22 of the signatory states. To date, 49 of the 55 AU members have signed the free-trade agreement but only 6 have already ratified it.

The African Free Trade Area is the realization of a dream more than a hundred years in the making, a trade zone spanning the length of African continent from Cape to Cairo, from North African Egypt all the way to the southernmost tip of Africa in South Africa (Cape Town), known as the Cape to Cairo dream which was envisioned by Cecil Rhodes and other British imperialists in the 1890s.

The biggest difference in the idea of the original Cape to Cairo zone and its current incarnation is that the African Continental Free Trade Area is the creation of African Countries for the mutual benefit and development of the member countries, their peoples and the whole of continent of Africa rather than a trade zone for the benefit of Great Britain. Ultimately, it is hoped the AfCFTA would serve as a key building block to African Unity and the realization of a united Africa under the auspices of the African Union.

If ratified, the agreement would result in the largest free-trade area in terms of participating countries since the formation of the World Trade Organization (WTO).

Following the invitation extended by Rt. Hon. Moustapha Cissé, Speaker of the ECOWAS Parliament, Rt. Hon. Karoli Martin Ngoga, Speaker of EALA attended the Seminar. He was accompanied by Hon. Kennedy Kalonzo Musyoka and Dr. Anatole NAHAYO, Senior Research Officer, representing the Clerk of EALA. The EALA Delegation was in Abidjan, Ivory Coast from 12th – 14th September, 2018.

2.0 Objectives

The general objective of the seminar was to allow participants to take ownership of developments on the African Continental Free Trade Area (AfCFTA) and acquire better understanding, with a view to facilitating its implementation.

The specific objectives were as follows:

- i. To enlighten participants, on the African Continental Free Trade Area (AfCFTA), and discuss a collaboration strategy that would lead to effective application of the initiative.

- ii. To ensure understanding of the challenges and prospects of the AfCFTA.
- iii. To understand the role of the Regional Economic Communities (RECs) in the AfCFTA.
- iv. To understand the role the ECOWAS Parliament can play in facilitating the application of the AfCFTA.

3.0 Official Opening Statements and Speeches

The opening ceremony commenced by observing a minute's silence for the passing of Mr. Kofi Annan, former Secretary -General of the United Nations (UN).

Rt.Hon. Moustapha Cissé Lo, Speaker of the ECOWAS Parliament, gave the welcome address. He expressed gratitude to the Government and Parliament of the Republic of Côte d'Ivoire for hosting the seminar. He recognized the contributions of His Excellency, late President Félix Houphouët-Boigny to Pan Africanism. The Rt.Hon. Speaker recalled that the seminar was the 3rd in a series, following those held in Lomé and Dakar. He underscored the aspirations of the citizens for a borderless continent and called upon the Parliament to play its role in facilitating the implementation of the AfCFTA.

Other opening remarks were delivered by Hon. Mamadou DIAWARA, Deputy Speaker of the National Assembly of the Republic of Côte d'Ivoire, representing the Speaker, Rt.Hon. Guillaume Kigbafori Soro and Mr. Tei Konzi, ECOWAS Commissioner for Trade, Customs and Free Movement, representing the President of ECOWAS Commission, H.E Jean-Claude Kassi BROU.

Rt. Hon. Martin Karoli Ngoga, also addressed the gathering on behalf of the East African Legislative Assembly (EALA). He expressed gratitude for the invitation to attend the seminar. He described the AfCFTA as one step in the right direction as the signing of the agreement marks a new step in Africa's march towards greater integration and unity, from which everybody stands to benefit. He shared the experience of the EAC where EALA has discharged its mandate in putting in place legislations that facilitate free trade in the region. He charged Parliamentarians to play their legislative and

oversight roles diligently to ensure that African leaders do not bequeath poverty to the next generation.

The Seminar was officially opened by the Vice-President of the Republic of Côte d'Ivoire, Mr. Daniel Kablan Duncan. He highlighted the challenges the ECOWAS region and the African Continent are facing with respect to intra-continental and international trade and commended a continental approach to addressing these challenges through the AfCFTA. He also underscored the vital role of the RECs in its implementation and the Parliament in enacting enabling legislation.

4.0 Presentations and Discussion

During the seminar, the following presentations were made by dignitaries and experts who helped shed light on the challenges and prospects of the AfCFTA and the role that RECs should play to make it a success:

- i. *"The African Continental Free Trade Area (AfCFTA); Challenges and Prospects of a borderless Africa"* made by Dr. Bebila Amadou Yaro, Director -General of the National School of Financial Management -MINEFID-BURKINA FASO;
- ii. *"Strategies for effective implementation of the AfCFTA- Perspective of Civil Society"*, made by Mr. Ousmane Sy Ndiaye, an independent Expert and Representative of the Civil Society;
- iii. *"Côte d'Ivoire's contribution towards regional integration"*, made by Mr. Ally Coulibaly, Minister of African Integration of Côte d'Ivoire;
- iv. *"Role of the Regional Economic Communities (RECs) in the implementation of the AfCFTA"*, made by Prof. Mélégué Traore, Former Member of ECOWAS Parliament;
- v. *"The role ECOWAS Parliament can play in facilitating the application of the AfCFTA"*. Made by Prof. Mélégué Traore;
- vi. *"The African Union, Objectives and Achievements"*, made by Prof. Deji Adegunle, Girector- General of Nigerian Institute of Advanced legal Studies;

- vii. *"Translating Economic Policies of the ECOWAS Community into Legislation: Role of the ECOWAS Parliament in the Enactment Process"*, made by Prof. Deji Adekunle;
- viii. *"NEPAD, the journey so far"*, made by Hon. Babacar Ba; and
- ix. *"AfCFTA, the fate of ECOWAS Trade Policy"*, made by Dr. Gbenga Obideyi, ECOWAS Director for Trade.

A copy of each of the above-mentioned presentations is hereto attached and made available in the EALA Library.

5.0 Courtesy Call on Rt.Hon. Moustapha Cissé Lo, Speaker of the ECOWAS Parliament

On Friday 14th September, 2018, Rt. Hon. Martin Karoli Ngoga. Speaker of EALA paid a courtesy call on Rt.Hon. Moustapha Cissé Lo, Speaker of the ECOWAS Parliament. The two leaders appreciated the amicable relationship between ECOWAS and EALA. They further discussed the role of Regional Parliaments in the new Continental economic drive and the need for RECs partnership on matters of mutual interests, such as revitalizing the Regional Speakers 'Forum.

6.0 Key Observations

The following observations were made:

- i. A great number of members of ECOWAS Parliament and African experts support the recently concluded agreement on the AfCFTA.
- ii. However, the participants have expressed some concerns that need to be addressed for the African free trade area to materialise. These concerns include the existing obstacles hampering free trade in all RECs within their limited territories, questioning therefore the readiness of the Africa region for a continental-wide free trade area.
- iii. The implementation of the AfCFTA should incorporate the lessons learnt in establishing free movement of goods, services and capital within the RECs. Furthermore, the RECs should play the crucial role of its inclusive and transnational implementation.

- iv. However, RECs have limited role to play because they are not signatories to the African free trade agreement but member States are.
- v. There is need for all members of the same REC to consolidate their positions in the AfCFTA negotiation so as to collectively sign and ratify the AfCFTA to avoid potential disintegration.
- vi. There is need for Parliamentary support to diligent and inclusive implementation of the AfCFTA.
- vii. Regional Parliaments need to advocate for the participation of the private sector which is a large employer and other stakeholders in the implementation of the AfCFTA.
- viii. Industrialisation is the essential prerequisite to the creation of the AfCFTA; Parliaments should therefore support the initiatives of the UN towards the industrialisation of the 3rd Decade which implementation was piloted by the AU and United Nations Industrial Development Organisation (UNIDO).
- ix. The AfCFTA is placed in the context of the AU's Agenda 2063 and forms part of the intelligence of the continent's march towards the ultimate goal of African Unity.

7.0 Lessons Learnt

The East African Legislative Assembly needs to appreciate that Regional Parliaments have great tasks coming along with the dream of African continental free trade bloc, such as to inform Parliamentarians of the provisions of the Agreement and to look towards the monitoring and evaluation of its implementation as they discharge their oversight function. The Parliament needs also to enact enabling legislation. In this respect, seminar such as this held by ECOWAS Parliament are very important to ensure that Parliamentarians take off from a well-informed base.

Regional Economic Communities in Africa and their respective “legislative” branches are at different stages of integration. Thus, the need to share learning experience in terms of best practices that can be emulated in other regional blocs. In addition to sending delegates to participate to experience sharing fora, EALA should consider organizing and hosting similar seminars for capacity strengthening to benefit the entire Assembly.


8.0 Conclusion

The ECOWAS Parliamentary Seminar on the AfCFTA was timely held. It provided member of the ECOWAS Parliament and all other participants a golden opportunity to be enlightened on the challenges and prospects of the new African Continental trade Bloc. Participants were also acquainted with the role the ECOWAS Parliament and other Regional Parliaments can play in facilitating the application of the AfCFTA. The East African Legislative Assembly took part in this important discussion and shared the experience of EAC in realizing the free movement of goods, services, capital, right of establishment and right of residence as well as the development of key regional infrastructure necessary to facilitate these freedoms.

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