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Mindful of the consequences of a possible phasing out of the African Growth and Opportunity Act (AGOA) in 2025, Kenya has already entered into negotiations with the aim of establishing a free trade agreement with the United States. By reenergizing existing commitments, such as those attained through COMESA and the EAC, or those envisaged under the Tripartite Agreement between SADC, COMESA, and the EAC, the AfCFTA will provide the perfect framework to achieve that goal. However, it would be preferable, wherever possible, that national policy is aligned and that the regional blocks move together. Figure 1. A second challenge is peculiar to the East African Community. Table 1. However, for the reasons explained above with respect to rules of origin, it is better to avoid totally disparate approaches to third-party negotiations. On the one hand, Ethiopia retains a fairly protectionist tariff policy, with high tariff peaks in particular sectors. Despite previous efforts to deepen economic relations, the volumes of bilateral trade between the two remain exceedingly low. With the Treaty of Abuja in 1991, the Member States of the Organisation for African Unity (OAU) agreed on a road map for the creation of a common African market. The project advises the AUC Trade Commissioner on strategic policy and advocacy issues by seconding a regional trade policy advisor to DTI's structures. With a global trade share of less than 3 per cent, export diversification has yet to be achieved, as many African countries still rely on rents from extractive exports, whilst falling behind on industrialisation efforts. Against this backdrop, intra-African trade remains below its potential, accounting for about 17 per cent of the total African trade volume in 2017. It also supports the AfCFTA Negotiation Unit by seconding a customs cooperation and trade facilitation expert for the preparation of the negotiations. Accompanying regional programs to the AfCFTA, like the African Union's Action Plan for Boosting Intra-Africa Trade (BIAT), should help accelerate the progress. Phase II is to cover investment, competition policy and intellectual property rights. Results The African Continental Free Trade Framework agreement has been signed by 52 African Member States and is operationalised with the necessary 22 ratifications after only three years of free trade negotiations. In principle, the implementation of the AfCFTA will pave the way for a rapid dismantling of such impediments to cross-border trade. Africa is still heavily reliant on commodity and agricultural exports while importing capital goods or food products predominantly from outside the continent. This shared challenge will be particularly tough as the negotiations in areas like services and those in phase II such as competition and intellectual property policies will inevitably be quite complex and highly technical. Out of 55 Member States of the AU, 44 signed the Agreement in March 2018 at the AU Extraordinary Summit in Kigali, Rwanda. In fact, total bilateral trade did not even reach \$70 million in 2019, accounting for just 0.5 percent of Ethiopia's total exports and 0.09 percent of Kenya's, and consisting principally of food and live animals and some manufactured goods (Table 1). Bilateral Ethiopian/Kenyan trade, 2015-2019 (millions USD and %) Source: IMF Direction of Trade Statistics The reasons for this neglect so far of these neighboring markets are fairly clear and go beyond the usual considerations of prevailing low per capita incomes. Thus far, it is true that only five countries in Eastern Africa have deposited their ratification of the AfCFTA. This stands for a huge diplomatic and political success given the short timeline, the ambitious liberalisation goals set and the heterogeneity and large number of 55 Member States negotiating the Free Trade Area. The course is now set to actively change, reform and agree on new framework conditions, regulations and agreements likely to foster and boost Intra-African trade, investment and employment in the intermediate term. The AU comes into force with the 22nd ratification deposited at the AU. At the same time, the Kigali summit kicked off the ratification process of the AfCFTA, with an increasing number of AU Member States ratifying the Agreement in their national parliaments. The reason is that Ethiopia has not yet acceded to the COMESA Free Trade Area, and, hence, relatively high tariffs are still imposed on bilateral trade. From January 1, 2021, Djibouti, Ethiopia, Kenya, Rwanda, and Uganda will all begin a reduction in their tariffs—starting with a linear reduction on 90 percent of tariff lines—leading to the elimination of tariffs on intra-regional imports over a period of five years (10 years in the case of countries classified by the United Nations as "least developed countries"); by the standards of regional trade agreements, this pace of liberalization will be quite rapid. While the COVID-19 crisis has undoubtedly complicated the picture, the East Africa region is actually well-placed to implement the AfCFTA. Non-tariff barriers such as uncoordinated bureaucratic procedures, long waiting times at the border or lengthy and cumbersome export requirements raise trade costs on the continent. The Kenya-U.S. free trade agreement has been particularly controversial, but perhaps unduly so: In principle, there is nothing impeding countries in East Africa from negotiating with third parties. A similar problem impacts Burundian, Rwandan, and Ugandan trade with neighboring Democratic Republic of the Congo (DRC)—all are members of COMESA, yet the DRC has yet to accede to the FTA. In a rapidly changing Africa, a trade agreement that reflects current socioeconomic realities is needed to provide a solid foundation for economic integration across the continent. Svenja Ossmann svenja.ossmann@giz.de Svenja Ossmann svenja.ossmann@giz.de As a result, Africa has integrated with the rest of the world faster than with itself. Because the regional block of the EAC is a customs union and, consequently, has a common external tariff (CET), without further ratification of the AfCFTA by the other three member states, problems for the integrity of the CET will arise. Of the six members, only three have so far ratified the AfCFTA. Outstanding issues of Phase I such as tariff schedules, rules of origin and specifics on trade in services are yet to be completed. East Africa has already made some progress in this area by, for example, installing 25 one-stop border posts, significantly reducing the time taken for goods to pass through customs. In contrast, North American intracontinental trade accounts for 51 per cent of exports, 49 per cent in Asia, and 22 per cent in Latin America, while among West-ern European countries this number reaches 69 per cent. Despite the skepticism expressed in some quarters about the ability of countries to get the landmark trade agreement up and running, there are strong reasons for optimism. In short, to move forward decisively with AfCFTA implementation, East Africa needs to be better integrated both internally and with the wider African economy. This could thereby reduce the benefits derived from the AfCFTA. The AU Commission (AUC), specifically AUC's Department of Trade and Industry (DTI) is in charge of coordinating in BIAT and AfCFTA related activities. The implementation stage of the African Continental Free Trade Area (AfCFTA) is due to begin in under three months. Alongside the removal of tariff barriers, the AfCFTA will also focus attention on outstanding nontariff barriers (NTBs), an important step toward increased trade in the region as studies consistently show that NTBs constrain intra-regional trade as much as or even more than tariff barriers. Although some Regional Economic Communities (RECs) have achieved improvements in trade integration through tariff reductions, the African market remains fragmented. The AfCFTA has since been a flagship programme of the AU and AfCFTA negotiations were launched in June 2015. Project description Title: Support to the African Continental Free Trade Area (AfCFTA) Commissioned by: German Federal Ministry for Economic Cooperation and Development (BMZ) Country: Member States of the African Union Lead executing agency: African Union Commission (AUC) Overall term: 2020 to 2024 Although growth in Africa is forecasted at an average of 3.6 per cent for 2019–20, with the world's fastest growing economies being on the continent, there is still much to be done. Rules of origin in principle may limit this problem, but their liberal application will lead to greater bureaucratic overheads and increase the risk of trade diversion (whereby trade is diverted from a more efficient exporter toward a less efficient one because of the differential tariffs being applied). However, it is not the number of countries that counts but the fact that a regional block of contiguous countries—representing around three-quarters of regional GDP—is coalescing. Related Books A third related question is how to manage future trade negotiations with third parties. The cooperation with ITC's SheTrades Initiative aims to embed a gender sensitive approach into the negotiating process. Joint efforts with the United Nations Economic Commission for Africa (UNECA) and the Trade Law Centre (TRALAC) are aimed at raising awareness and disseminating information. Phase I of negotiations covers trade in goods, trade in services and dispute settlement. Outstanding negotiation issues of Phase I for trade in goods and trade in services are being supported by a range of mechanisms, e.g. by providing tailor made technical consultancy expertise, by organising trainings, seminars and workshops or by selectively rendering financial support. In addition, GIZ is cooperating with a number of institutional partners on specific AfCFTA related topics. But East African Community (EAC) members like Kenya (and not Ethiopia) also currently impose a high common external tariff on imports of Ethiopian goods in spite of the fact that both countries are members of regional grouping the Common Market for Eastern and Southern Africa (COMESA). To accelerate the implementation of the Treaty and strengthen regional integration, the African Union (AU) Trade Ministers agreed to establish an African Continental Free Trade Area (AfCFTA). East African countries that have deposited the ratification of the AfCFTA with the African Union, September 2020 Source: TRALAC, 2020 One of the big boons for the region from the AfCFTA will be unlocking the trade barriers between Kenya and Ethiopia—the two largest economies in eastern Africa. Furthermore, a close cooperation with the RECs East African Community (EAC), Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) is envisaged to ensure the continental and the regional levels are linked. The programme is targeting AfCFTA related topics such as stakeholder involvement, industrialisation, Special Economic Zones, Green Econ-omy or eCommerce. Eager to establish new trade deals after its departure from the European Union, the United Kingdom is also approaching a number of countries in the region. To be sure, East Africa will continue to face a number of challenges, including one shared by all countries on the continent: the need to rapidly finalize the tariff offers and outstanding negotiations on the rules of origin as well as the schedules on services trade offers. Objective The AU is coordinating the ongoing free trade negotiations and the transition to implementation of the African Continental Free Trade Area (AfCFTA). Thus, the greater the degree of harmonization of trade policy regimes within East Africa, the better, as this will facilitate deeper regional economic integration and pave the way for the eventual formation of an African-wide customs union, as contemplated under the AfCFTA agreement. Accompanying and seconding policy documents such as the African Union Trade Facilitation Strategy or the AU Services Sector Development Programme have been developed to set continental-wide guiding standards for further rolling out strategies translating them on to regional and national levels in terms of actual implementation.

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