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How AfCFTA–regional relations can support continental trade

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As the African Continental Free Trade Area (AfCFTA) process moves to the implementation phase, questions arise about who should do what and how. The AfCFTA secretariat has a clear lead role to play, yet it is often heard that ‘the regional economic communities (RECs) are the ‘building blocs of the AfCFTA’, thus introducing ambiguities about roles and relations.

This paper reviews, discusses and analyses relations between the AfCFTA Secretariat and regional bodies, both on paper and in practice, to identify where and how these might be shaped to jointly benefit both regional and AfCFTA trade. Beyond the ‘building blocs’ ambition stated in the AfCFTA agreement, the paper highlights the need to distinguish between RECs and other economic communities in terms of their integration and wider contexts. It identifies seven different types of AfCFTA–regional relations in the negotiated protocols and annexes of the agreement, ranging from unification to harmonisation, complementarity, subsidiarity, coordination, cooperation and peer-learning.

Given the scale of AfCFTA ambitions and limited resources, the paper argues for the need to link top-down AfCFTA institutional and legal frameworks with bottom-up, agenda-specific problem solving around implementation. It also calls for adaptive, strategic partnerships among the AfCFTA secretariat, member states, regional bodies and other continental bodies and international partners.

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Acronyms

AfCFTA	African Continental Free Trade Area
AfDB	African Development Bank
AIDA	Accelerated Industrial Development for Africa
ATPC	African Trade Policy Centre
AU	African Union
AUC	African Union Commission
AUDA	African Union Development Agency
CEMAC	Central African Economic and Monetary Community
COMESA	Common Market for Eastern and Southern Africa
EAC	East African Community
ECOWAS	Economic Community of West African States
EFTA	European Free Trade Area
ETLS	ECOWAS Trade Liberalisation Scheme
ETTIM	Economy, Trade, Tourism, Industrialisation, and Mining
FTA	Free trade area
GTI	Guided Trade Initiative
IGAD	Intergovernmental Authority on Development
IMFC	Inter-Ministerial Facilitation Committee
MNC	Multinational company
NEPAD	New Partnership for Africa's Development
NIC	National implementation committee
NTB	Non-tariff barrier
PAPPS	Pan-African Payments System
PATIA	Pan-African Trade and Investment Agency
PSC	Peace and Security Council
REC	Regional economic community
RVC	Regional value chain
SACU	Southern African Customs Union
SPS	Sanitary and phytosanitary
TBT	Technical barrier to trade
UEMOA	West African Economic and Monetary Union
UNECA	United Nations Economic Commission for Africa
WACIP	West African Common Industrial Policy
WTO	World Trade Organisation

Executive summary

The African Continental Free Trade Area (AfCFTA) project has made remarkable progress in terms of ratifications, negotiations, and establishing and operationalising institutional structures.

With attention turning from negotiation to implementation and trade there are questions about roles, responsibilities and relations between the AfCFTA Secretariat, African Union Commission (AUC), AU-recognised Regional Economic Communities (RECs) and other regional trade arrangements.

The AfCFTA Agreement recognises the role of existing REC free trade areas (FTAs) as ‘building blocs’ of the AfCFTA (Art. 5) and the need to build on their best practices. But there are ambiguities about what that means in practice.

This paper reviews, discusses and analyses AfCFTA-regional relations on paper and in practice, to identify where and how these might be shaped to jointly benefit regional and AfCFTA trade.

By being explicit about the expectations of different stakeholders and their envisaged role in AfCFTA coordination and implementation, we aim to identify areas where continental and regional agendas and interests align and propose an agenda for moving forward.

On paper....

Article 19 of the AfCFTA Agreement is explicit that the ‘building blocs’ argument of Article 5 relates to FTAs and customs unions that have reached a higher level of integration than the AfCFTA.

Although that gives a clear mandate to the ECOWAS (Economic Community of West African States) Commission, EAC (East African Community), SACU (Southern African Customs Union) and CEMAC (Central African Economic and Monetary Community) Secretariats, ambiguities emerge when one looks at the other AfCFTA protocols and annexes.

We identify 7 levels of AfCFTA-regional relations, each implying different AfCFTA-regional relations: *unification, harmonisation, complementarity, subsidiarity, coordination, cooperation and peer learning.*

Only the AfCFTA Framework Agreement and protocol on investment hint at *unification* under one continental framework. All others combine lower levels of integration, highlighting the need for *sui-generis* AfCFTA-regional relations according to the protocol *and* status of regional organisations.

At the same time, the AfCFTA Secretariat mandate is expanding to include trade facilitation along transport corridors and industrialisation through regional value chains, overlapping with REC agendas.

Within this context, three parallel processes aim to coordinate AU-AfCFTA-REC relations: the AU-REC midyear summits and AU-REC framework paper, and the AfCFTA-REC Coordination meetings.

In practice

The coexistence of regional and continental processes leads to four distinct visions of how the continental and regional bodies *should* relate. These are respectively centred on leadership by: i) the AUC; ii) the AfCFTA Secretariat; iii) the RECs and iv) AfCFTA State parties.

Observers who view the AfCFTA through the lens of the 1991 Abuja Treaty expect the AUC and AU-recognised RECs to play a central role in continental integration and thus the AfCFTA process.

For some of them, the AfCFTA Secretariat is a 'new kid' encroaching on regional mandates. In contrast, the AfCFTA is framed by others as a 'new dawn' for the continent, with a clear need for the AfCFTA Secretariat to lead. The stated objective of the AfCFTA to "resolve the challenges of multiple and overlapping memberships" (Art. 3:h) has led to unease among some for the future of the RECs and their Secretariats, some of whom seek a stronger role than the 'observer' status. At the same time, member states are ultimately responsible for implementation and steering regional and continental decisions and actions.

These four perspectives reflect a complex environment for the AfCFTA Secretariat and its partners to implement the AfCFTA, suggesting a need to combine forces and resources where possible.

Based on stakeholder interviews we discuss how relations have played out in practice:

- *Negotiations process* – Regional **customs unions** (REC and non-REC) Secretariats and Commissions played an intermediary role between the AfCFTA Sec. and member states in negotiations on trade in goods. But other RECs played roles **beyond trade in goods and services**, e.g. COMESA (Common Market for Eastern and Southern Africa) in the competition protocol.
- *AfCFTA-regional coordination* – interviewees acknowledge the importance of the coordination meetings but express a need: to address **overlaps** with AU processes; to avoid focus on cooperation frameworks and 'discussions about actions without actual **progress**'; to address **resource shortages**; to more systematically build on regional '**best practices**', whether for peer-learning among RECs or for scaling up successful regional initiatives.

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- *Regional AfCFTA implementation strategies* raise the risk that regional strategies aggregate national strategies rather than defining where there is added value to a regional approach. Implementation strategies should identify bottlenecks where regional or continental support is needed. Some cite a need for the AfCFTA Secretariat to define its own priorities to guide others.
 - The AfCFTA mandate to focus on *trade and transport corridors* is one way to promote AfCFTA implementation. But overlaps on specific corridors point to the need to connect ‘top-down’ agreements, policies and strategies, with bottom-up, problem-focused efforts.
 - This approach would arguably help to navigate the overlaps in mandates to advance industrialisation through promotion of RVCs, and find REC–AfCFTA complementarities.

AfCFTA–AUC regional relations are also shaped by the personal relations between the two secretariats. As the AfCFTA agenda progresses, strengthening relations between the two secretariats will be essential to deepen cooperation and coordination between the two institutions.

Implications

Recognising the ambiguities of AfCFTA–regional relations and the need for pragmatic ways to implement this vast continental agenda with limited resources we recommend the following:

- Agree on and publish AfCFTA Secretariat Implementation priorities to guide wider efforts.
- Acknowledge the complexity of, and therefore the need to navigate, continental–regional relations according to the level of integration.
- Establish processes to work with each regional organisation according to protocol, annex, corridor or RVC, taking account of their longevity and political legitimacy in specific areas.
- Link top-down AfCFTA institutional and legal frameworks with bottom-up, agenda-specific problem solving around implementation.
- Seek adaptive, strategic partnerships among the AfCFTA Secretariat, member states, regions, other continental bodies and international partners.

Next steps will entail defining a process to narrow down specific AfCFTA implementation issues and define when operating continentally adds the most value, and when operating regionally may do so.

1. Introduction

The African Continental Free Trade Area (AfCFTA) has made much progress since the Agreement was signed in March 2018. After legally entering into force in May 2019, AfCFTA trade could officially commenced on 1 January 2021. As of February 2024 and the 37th Ordinary Session of the Assembly of the Heads of State and Government of the African Union, all foreseen protocols have been negotiated and adopted even if yet to come into force.¹

Progress has also been made in establishing the institutional structures set out in the AfCFTA Agreement. That includes creating and resourcing a highly visible AfCFTA Secretariat, as well as progressing on the five supporting 'operational instruments', including the Pan-African Payments System (PAPSS) and the AfCFTA Adjustment Facility.² The AfCFTA Secretariat has been mandated to establish an AfCFTA Implementation Review Mechanism body (Sebahizi et al. 2023). Although a small number of rules of origin are yet to be finalised under the trade in goods protocol, while trade in services offers are still being approved, and the adopted protocols are still to enter into force,³ some trade has started under the pilot AfCFTA Guided Trade Initiative (GTI). This includes a rapidly expanding number of participant countries from an initial group of 8 countries to an envisioned 31 to participate in the second phase. Such achievements are no mean feat among 54 signatory countries.⁴

Attention is now turning from negotiation to implementation and expanding trade under the AfCFTA, raising questions about mandates, roles, responsibilities and relations among key stakeholders. Those include the AfCFTA Secretariat, the African Union Commission (AUC - ETTIM in particular), the eight AU-recognised Regional Economic Communities (RECs), other regional trade arrangements and organisations, some of which are customs unions, and AfCFTA state parties.⁵

The AfCFTA Agreement formally recognises the role of existing REC free trade areas (FTAs) as 'building blocs' of the AfCFTA (AfCFTA Agreement, Art. 5(b)). But this has created differing

¹ The complete set of Protocols is on: Trade in Goods; Trade in Services; Investment; Intellectual Property Rights; Competition Policy; Rules and Procedures on the Settlement of Disputes' Digital Trade; Women and Youth in trade.

² The five operational instruments are: i) the Rules of Origin, ii) the tariff concessions, iii) the online mechanism for monitoring, reporting and elimination of non-tariff barriers (NTBs), iv) the Pan-African Payments and Settlements System (PAPSS), and v) the African Trade Observatory.

³ According to Art 23 the AfCFTA agreement, the Protocols within the scope of the AfCFTA Agreement shall enter into force 30 days after the deposit of the 22nd instrument of ratification. The Protocols on Investment, Intellectual Property Rights, Competition Policy, Digital Trade, and Women and Youth have not yet come into force though adopted. So in a nutshell the phase 2 protocols are not in force yet though adopted.

⁴ While the AfCFTA Secretariat does not have a 'climate and trade' programme yet - the Secretary General is being requested to engage on this issue in the ongoing global negotiations in the WTO and in the UNFCCC (SG was a panellist in Dubai - COP28).

⁵ ETTIM is the AUC Directorate for Economy, Trade, Tourism, Industrialisation and Mining. The eight AU-recognised RECs are those party to the 2008 Protocol on the AU and the RECs signed in 2008: AMU, CEN-SAD, COMESA, EAC, ECCAS, ECOWAS, IGAD, SADC - see interactive map (ECDPM 2017). The 'State Parties' are the signatories to the AfCFTA Agreement, where all 55 AU member states except Eritrea have signed. Currently, 47 countries have ratified the agreement (Tralac 2024).

expectations among stakeholders about what that means in practice. Given the commitment to review AfCFTA progress five years after its entry into force to “ensure effectiveness, achieve deeper integration, and adapt to evolving regional and international developments” (AfCFTA Agreement, Art 28), now is an opportune moment to take stock of these relations.

This paper reviews, discusses and analyses AfCFTA-regional relations on paper and in practice, to identify where and how these might be shaped to jointly benefit regional and AfCFTA trade.

The paper seeks to constructively feed discussions and propose ways to identify where and how regional-AfCFTA relations might support AfCFTA implementation and trade, whether at the continental, regional or member state level. This is aimed at AfCFTA stakeholders at the national, regional and continental levels, as well as partners who support the AfCFTA process and economic integration in Africa more broadly, including through the RECs and other regional organisations.

The following broad findings emerge, discussed in greater detail along with proposed next steps in the final section of this report:

1. A crucial first step before further clarifying regional roles will be for the **AfCFTA Secretariat to define and publish its priorities for implementation** from its vast agenda. This will help guide the wider implementation priorities of other stakeholders.
2. National and regional policy-makers, the AfCFTA Secretariat and their partners will all need to acknowledge the complexity of, and therefore the need to navigate continental-regional relations according to the level of integration – there is no uniform approach to regional roles in AfCFTA implementation given the great heterogeneity among the eight AU-recognised RECs and other regional organisations and customs unions – but also the **different relations foreseen by each AfCFTA protocol and annex**.
3. That implies a need for processes for AfCFTA Secretariat engagement with regional organisations according to protocol, annex, corridor or regional value chain (RVC) for joint priority-setting and fundraising, taking account of their political legitimacy in specific areas.
4. Implementation will necessarily have to **link top-down direction and guidance, from the AfCFTA Secretariat, with bottom-up, ‘problem-driven’ approaches** that combine national, regional and continental players according to AfCFTA protocol or annex, RVC, or corridor.
5. The AfCFTA Secretariat will *need* to seek **adaptive, strategic partnerships** from member states, to regions, other continental bodies and international partners.

By being more explicit about how different stakeholders can play a role in regional-continental coordination and implementation of the AfCFTA, we aim to identify where continental and regional agendas and interests align and propose an agenda for moving forward. These could help to improve trade outcomes on the continent as a whole, whether within or between regional groupings.

The overarching goal of the report is to help realise the AfCFTA's ambitions of an economically integrated continent that can support greater investment, trade, employment and better livelihoods.

The remainder of the report is organised as follows:

- Section 2 analyses regional-AfCFTA relations on paper - in terms of the AfCFTA Agreement and protocols, but also the Abuja Treaty of 1991 that underpins the African Economic Community. This highlights the 'building blocs' problem that creates different expectations around AfCFTA-regional relations.
- Section 3 looks at these relations in practice, based on stakeholder interviews, in terms of how these have played out in negotiations, AfCFTA-REC coordination meetings, implementation strategies and the wider implications for agenda setting and resources.
- Section 4 summarises and makes some recommendations on ways to better combine AfCFTA-regional relations in practice towards achieving greater continental integration and economic transformation.
- Section 5 summarises five concrete next steps.

2. AfCFTA-regional relations on paper

Before exploring AfCFTA-regional relations in practice, this section looks at the AfCFTA protocols and annexes and how they foresee relations between the AfCFTA and regional secretariats on paper. This helps to understand the implications for regional relations of the AfCFTA as a 'deep' rather than 'shallow' integration agenda, going beyond mere tariff reduction to address behind-the-border issues. As the section highlights, different readings of the AfCFTA and wider legal texts on African regional integration have led to different perceptions on how AfCFTA-regional relations should be in practice.

2.1. The AfCFTA as a 'new dawn' vs 'new kid on the block'- the building bloc conundrum

The ambition and logic for integrating African economies is not new. Both were expressed in the Abuja Treaty of 1991, which foresaw RECs integrating to become customs unions before combining to form one continental customs union, a common market and then the African Economic Community. Some interlocutors view African integration through this Abuja Treaty lens, where the AUC and the AU-recognised RECs thus remain *central* to the continental integration project and the AfCFTA.

Though the AfCFTA has gained unprecedented political momentum among heads of state and governments across the continent, and is framed as the best hope for African economies to achieve economic transformation, some see it as a *response to the failures* of the Abuja Treaty process. In this light, the AfCFTA is seen as an innovative approach to achieving the long-

standing African Economic Community goal *outside* the envisaged frameworks of the Abuja Treaty. From interviews, some current AfCFTA-regional relation ambiguities stem from these two differences in interpretation.

Even if leapfrogging certain integration steps from the Abuja Framework, the AfCFTA is a priority flagship project of the AU Agenda 2063. That gave the AUC a key role when negotiations of the AfCFTA were launched in Johannesburg in June 2015. The AUC served as interim Secretariat until the AfCFTA Secretariat was established in 2020. Although some interviewees cite an initial understanding that *the AUC would be the secretariat to the AfCFTA*, the AfCFTA Agreement as negotiated and adopted created a separate Secretariat that now exists as a functionally autonomous institutional body within the AU framework. The Secretariat thus receives funding from the overall AU annual budget, but is autonomous of AUC structures.

This leads some to view the AfCFTA as “the new kid on block” in comparison with the AUC’s ETTIM and RECs which have been engaged for longer in the African trade agenda. While AU-REC relations extend far beyond the realms of economic policy to governance and peace and security cooperation, REC remits include trade and economic policy. The name of the AU Directorate that covers Economy, Trade, Tourism, Industrialisation and Mining (ETTIM), suggesting to some that the AfCFTA is an integral part of the overall AUC agenda.⁶

According to interviews, due to a combination of the investment by states in economic integration through the RECs, the role of these under the Abuja Treaty, and their historical and political legacies, AfCFTA negotiators quickly agreed to retain the RECs as ‘building blocs’ of the AfCFTA’. Thus, Article 5 of the Agreement states that the AfCFTA will be: driven by member states; using the REC FTAs as building blocs; while preserving the ‘acquis’; and building on best practices in the RECs and elsewhere.⁷ Article 19(2) also states that “state parties that are members of other RECs, regional trading arrangements, and customs unions, which have attained among themselves *higher levels of regional integration than under this Agreement*, shall maintain such higher levels among themselves” (AfCFTA Agreement, italics added). This ‘parallelism’, is therefore an inherent part of the AfCFTA architecture, It is further underlined in Article 8(2) of the Protocol of Trade in Goods which allows RECs to maintain and where possible *improve* upon the higher levels of trade liberalisation among themselves, thus adopting the principle of variable geometry to allow for different speeds of integration (Taye 2019).

Despite this, in its objectives, the Agreement seeks to “resolve the challenges of multiple and overlapping memberships” (Art. 3h), creating unease among some for the future of the RECs and their Secretariats. To some, this echoes a past debate around ‘rationalising the RECs’, the subject of a past Assessing Regional Integration in Africa (ARIA II) report (UNECA 2006) that found that “overlapping mandates and objectives, duplicated integration policies, and the multiple memberships by African countries appear to be slowing integration, reducing the regional economic communities’ effectiveness, and stretching thin limited financial resources”.

⁶ The AfCFTA is autonomous but part of Agenda 2063. Not all Agenda 2063 flagship projects are serviced by the AUC.

⁷ The AfCFTA shall be governed by the following principles: “5a (a) driven by Member States of the African Union; 5b): REC’s Free Trade Areas as building blocs for the AfCFTA”; 5f “preservation of the acquis” and 5l “best practices in the RECs, in the State Parties and International Conventions binding the African Union”.

But instead of ‘rationalisation’, pushback from the RECs and their member states led to a search for ‘programme convergence’ and ways to codify AU-REC relations through the likes of the 2008 Protocol on Relations between the AU and the RECs (AU 2008). Discussions to update that protocol continue today.

The above interpretations of agreements and treaties lead to four broad sets of expectations about how the continental and regional bodies *should* relate. While for some, the AfCFTA is something of a ‘new dawn’, with the AfCFTA as a new strong actor in the lead, others perceive the AfCFTA as essentially an AUC-led agenda, making the Secretariat a ‘new kid on the block’ in relation to the historical role and experience of the AUC and RECs which ‘should’ give them more of a role. At the same time, member states are ultimately responsible for implementation and steering regional and continental decisions and actions. Though caricatures, these positions are summarised in Table 1:

Table 1: Different expectations of AfCFTA drivers and regional relations

Perceived AfCFTA driver	Caricature of perceived AfCFTA-AUC-REC relations
1. AUC	‘Build on history’ – the AUC works with Heads of State to design policies that are approved at summits, where the AfCFTA Secretariat coordinates implementation of those considered to be ‘inter-REC’ (multiple interviews), while the RECs address intra-regional trade issues, all under the wider Abuja Treaty project.
2. AfCFTA	‘A new dawn’ – The AfCFTA is a response to the challenges in realising the Abuja Treaty ambitions and an innovative way towards a continent-wide FTA, so <i>should be</i> above the RECs in as much as their regional FTAs will be surpassed by the AfCFTA as it further integrates through time.
3. Regional organisations (REC & non-REC)	‘Build on regional lessons and legitimacy’ – Regional organisations (REC and non-REC) have legitimacy from their member states, greater longevity and (for some cases) greater levels of integration than the AfCFTA, while most intra-African trade is also intra-REC, and thus <i>should</i> have a key role to play as an intermediary between the AfCFTA Sec and their member states in all AfCFTA discussions and implementation issues.
4. Member States	‘Implementation is at national level’ – Member states are at the top of the hierarchy, with multiple memberships of RECs, the AU and the AfCFTA, where these play different roles for member states and are in addition to, rather than above, intra-regional trade arrangements.

Source: Authors, based on interviews for this report

These differing interpretations and expectations shape the way different actors see the AfCFTA and thus represent the complex institutional environment that the AfCFTA Secretariat, regional secretariats, member states and their partners must navigate in pursuing the AfCFTA implementation agenda. That implies identifying a coherent implementation agenda while identifying ways for regional and continental structures to interact that recognise and take account of the above positions, roles and views, as well as the mandates given by their member states.

2.2. Building with diverse ‘building blocs’

RECs and other regional organisations also vary in important ways that affect AfCFTA–regional relations. The now widely adopted notion that ‘the RECs are the building blocs of the AfCFTA’ thus requires closer examination.

Each of the eight AU–recognised RECs have their own specific histories, mandates, economic trajectories and political legitimacy among member states – and thus differing roles on trade, political and/or peace and security issues among others.⁸ Article 19 of the AfCFTA Agreement is quite explicit about which regional organisations have a concrete role to play in the AfCFTA: those with an FTA or customs union having reached a higher level of integration than the AfCFTA.

Table 2 applies those criteria across regional economic organisations. As customs unions, the ECOWAS Commission, EAC Secretariat and SACU and CEMAC Secretariats (shaded in green) are those with a clear mandate to govern trade and play a role as ‘building blocs’ to the AfCFTA according to Articles 5 and 19. At the same time, SACU and CEMAC are not AU–recognised RECs and other RECs are given a less prominent role to play.

Table 2: AfCFTA regional ‘building blocs’ according to criteria in the Agreement

AfCFTA Condition	Includes	Excludes
RECs with an FTA in place (AfCFTA Art. 5b)	EAC, ECCAS, ECOWAS, COMESA, SADC	AMU, IGAD and CEN–SAD
RECs with a higher level of integration⁹ (AfCFTA Art. 19(2))	EAC, ECOWAS	ECCAS, COMESA, SADC
Customs unions & other regional trading arrangements¹⁰ (AfCFTA Art. 19(2))	SACU, CEMAC	UEMOA, Mano River Union, Indian Ocean Commission, among others

*Note: According to the criteria in column 1, the organisations in green cells have a clear role as ‘building blocs’; those in orange depend on interpretations of ‘level of integration’; those in the red cell do not play a role according to the criteria.

Source: Authors, see [here for a map of all African regional organisations](#)

Understanding the expectations of different stakeholders and textual ambiguities in the AfCFTA agreement are key to understanding AfCFTA–regional relations on paper and in practice. The diversity of existing regional trade arrangements, whether RECs or other regional bodies,

⁸ See for example Byiers et al. 2019.

⁹ “As discussed below, a ‘higher level of integration’ can be interpreted in different ways – to some, ambitions to liberalise *all* trade represents a higher level of integration than the AfCFTA.

¹⁰ In principle the UEMOA customs union in West Africa has been integrated into the ECOWAS customs union, though in practice there is evidence that the UEMOA certificates of origin continue to exist and be applied (see Byiers and Dièye 2022).

further opens up questions about regional roles in implementing the AfCFTA, while path dependency requires actors to take account of the historical legitimacy and trajectory of the regional agendas.

2.3. AfCFTA Texts: Different protocols, different relations

Moving beyond the AfCFTA Agreement, this section discusses the role of regional organisations as laid out in the different AfCFTA protocols and annexes. From this, we identify seven levels of AfCFTA–regional relations spelled out in the different AfCFTA legal texts. These range from: unification to harmonisation, complementarity, subsidiarity, coordination, cooperation and ‘peer-learning’. As Figure 1 highlights, the ‘higher level of integration’ and ‘building bloc’ references in the AfCFTA Agreement arguably oversimplify what has emerged from negotiations around each of the different annexes and protocols.

Figure 1: Seven levels of AfCFTA–regional relations



Source: Author's own based on AfCFTA legal texts

At the higher end of the continuum, regional arrangements are expected to be unified into one continental framework. For many this was the initial goal of the AfCFTA to do away with existing FTAs. Beyond the statement on ‘resolving the challenges of multiple and overlapping memberships’ there are few examples of unification, with most protocols citing lower levels of ambition, as highlighted in Table 3. The implications of each of these levels are different for regional–AfCFTA relations. While ‘unification’ implies the clearest lead role for the AfCFTA Secretariat, at the other end of the continuum, relations based on ‘peer-learning’ between regional and continental regimes arguably imply shared responsibilities between the Secretariat and regional organisations.

Table 3: Examples and implications of the seven levels of AfCFTA-regional relations

Level of integration Sought	Examples	Implications
Unification	The objective of creating a single market and resolving the challenges of overlapping memberships (AfCFTA Agreement Preamble & Art. 3h). AfCFTA Investment protocol (Art. 49) that discusses revising and aligning regional investment agreements. ¹¹	AfCFTA Secretariat-led but may face political resistance.
Harmonisation	Annex 7 on Sanitary and PhytoSanitary standards (that also includes international standards).	AfCFTA Secretariat-led with regional consultation and support.
Complementarity	The trade in goods protocol where tariff offers are made between FTAs and customs unions; the Competition Protocol, Art. 1 refers to issues outside existing regional competition jurisdictions. ¹²	Need for AfCFTA Secretariat-regional consultation according to issue.
Subsidiarity	In the event of conflicts or inconsistencies: between the AfCFTA Agreement and regional agreements (Agreement Art. 19(1) ¹³ ; or if NTBs cannot be addressed nationally or regionally these should be escalated to the AfCFTA level (Annex 5, Art. 11). ¹⁴	REC-led where structures in place, followed by AfCFTA-level where necessary.
Coordination	Coordination between the proposed Pan-African Trade and Investment Agency and RECs to undertake investment promotion activities (Investment Protocol, Art. 6); or capacity building and technical assistance in the protocols on Trade in Goods and in Services (Art.s 29 and Art, 27, respectively).	Active coordination required between AfCFTA Secretariat and regional organisations.

¹¹ "State Parties shall make best endeavours to review and revise relevant existing regional investment agreements adopted by the Regional Economic Communities to achieve alignment with the Protocol within a period between five (5) to ten (10) years from the entry into force of this Protocol." (Investment Protocol, Art. 49).

¹² "Conduct with a Continental Dimension' means any conduct, practice, merger or Agreement that has significant effect on competition in a market of at least two State Parties that do not share the same jurisdiction of the existing regional economic communities" (Comp. Protocol, Art. 1);

¹³ "In the event of any conflict and inconsistency between this Agreement and any regional agreement, this Agreement shall prevail to the extent of the specific inconsistency, except as otherwise provided in this Agreement" (Agreement Art. 19(1)).

¹⁴ State Parties shall, in line with Article 10 above, exhaust existing NTB elimination channels at REC level before escalating a complaint or trade concern to the AfCFTA level (Annex 5, Art. 11, Appendix 2).

Cooperation	Annex 5 on TBTs and cooperation. ¹⁵ The protocol on intellectual property seeks to connect with national laws, but also to encourage “regional cooperation to provide for greater economies of scale and to develop regional value chains.	Information sharing between AfCFTA Secretariat and regional organisations.
Peer learning	Although not expressed as such, the Agreement (Art. 5i) as well as the Protocol on Trade in Services (18(2)) cite the need to build on “best practices from the RECs”.	Mechanism required to share and promote regional best practice experiences, perhaps building on the January 2024 AfCFTA Implementation Strategies: Towards an Implementation Peer Learning Community.

Source: Authors based on examination of the AfCFTA Agreement, Protocols and Annexes

Table 4 goes one step further, and for each protocol and trade in goods annex, highlights which of the seven regimes seem to pertain to the AfCFTA-regional relations, along with the relevant articles. As Table 4 makes clear, each AfCFTA protocol and annex in fact implies a combination of different relation types. While the Agreement itself includes references to unification, complementarity, cooperation and peer-learning, the only other protocol that seeks some form of continental unification is the Protocol on Investment. All others seek some combination of complementarity, subsidiarity or simply coordination. This underlines the need to find an approach that balances clarity with *sui-generis* AfCFTA-regional relations according to the topic *and* status of regional organisations.¹⁶

In principle these could be dealt with under existing mechanisms. Under the AfCFTA Council of Ministers, now an organ of the AU, a series of technical Committees and sub-committees have been established to lead implementation of the different protocols and annexes. Within these, the RECs (and customs unions) are invited in an advisory or observer capacity.¹⁷ Further, the AfCFTA Secretariat has organised three annual AfCFTA-REC Coordination meetings in order to discuss and plan their interactions around the AfCFTA (discussed below). However, the challenge raised in practice relates rather to *how* these interactions take place to ensure the different levels of AfCFTA-regional cooperation can take place.

¹⁵ Annex 6 on TBTs, Article 5L: “– State Parties shall cooperate in the development and implementation of standards, technical regulations, conformity assessment procedures, accreditation, metrology, capacity building and enforcement activities in order to facilitate trade within the AfCFTA.”

¹⁶ Even for ‘new’ topics such as digital trade, some of the RECs are more advanced than others. The ECOWAS data protection act, is reportedly the oldest among RECs see e.g. <https://ccdcoe.org/organisations/ecowas/>

¹⁷ Beyond technical committees for each of the seven AfCFTA protocols, there are sub-committees under the Protocol on Trade in Goods for each of the annexes: rules of origin; SPS; NTBs; TBTs; trade facilitation, customs cooperation and transit; trade remedies. And for services: specific commitments; regulatory cooperation framework; recognition of professional qualifications; trade in services-related issues; trade in services rules.

Table 4: Level of Foreseen AfCFTA–Regional Integration by AfCFTA Protocol and Annex

Document	Level	Relevant Articles
AfCFTA Agreement	Unification	- Art. 3(h) resolve the challenges of multiple and overlapping memberships
	Complementarity	- Preamble RECs as building blocks; - Article 19(2) RECs that have attained among themselves higher levels of regional integration; - Article 5(b) RECs as building blocks
	Cooperation	- Article 12(5) RECs represented in the Committee of Senior Trade Officials, in advisory capacity
	Peer learning	- Article 3(c) contribute to movement of capital & natural persons building on initiatives of state parties and RECs; - Article 5(l) best practices of RECs
Protocol on Trade in Goods	Complementarity	- Article 8(2) RECs, which have attained among themselves higher levels of elimination of customs duties and trade barriers, shall maintain these
	Coordination	- Article 29(1) Secretariat, MS & RECS coordinate and provide tech assistance, capacity building
- NTBs (Annex 5)	Subsidiarity	- Article 12(3) resolve NTBs raised at intra-REC using REC mechanisms; - Article 12(4) AfCFTA mechanism to address NTBs that have not been resolved at REC level, are inter-REC in nature, or are arising from State Parties that are not members of any REC
	Coordination	- Article 7 NTB Coordination Unit, working with inter alia RECs to coordinate the elimination of NTBs; - Article 10(2)
- TBTs (Annex 6)	Cooperation	Cooperation- Article 5 cooperate in development of standards, tech regulations capacity building etc.; - Article 10(3)(b) contribute to the formulation of and participation in the African and RECs Metrology organisations programmes
- SPS (Annex 7)	Harmonisation	- Article 8(1) cooperate in the development and harmonisation of SPS measures based on international standards, guidelines and recommendations taking into account the harmonisation of SPS at the regional level
	Cooperation	- Article 14(1) cooperate in implementation incl on tech assistance; - Article 14(2) collaborate with regional and international SPS bodies
- Trade Remedies (Annex 9)	Complementarity	- Article 12(2) the relevant provisions of RECs relating to trade remedies may apply, where applicable
Protocol on Trade in Services	Coordination	- Article 27(3) Secretariat, MS & RECS coordinate the provision of technical assistance
	Peer-learning	- Preamble: build on achievements in services liberalisation and regulatory harmonisation at the REC level; - Article 18(2) best practices and acquis from the RECs

Protocol on Investment	Unification	-Article 49(3) MS make best endeavours to review and revise relevant existing regional investment agreements adopted by the RECs to achieve alignment with the Protocol within a period between five (5) to ten (10) years from the entry into force of this Protocol
	Coordination	-Article 6(e) MS coordinating with the PATIA and RECs to undertake investment promotion activities; -Article 43(2) the AfCFTA Secretariat working with the PATIA, MS, RECs and partners to coordinate the provision of technical assistance and capacity building
Protocol on Competition	Complementarity	-Article 20(1) Competition Authorities of (RECs) maintain their jurisdiction as building blocks for an integrate competition regime in Africa; -Article 20(2) The Council of Ministers to develop future regulations and procedures to address the concurrent jurisdiction
	Subsidiarity	-Article 2(g) manage the interrelationships of competition regimes and sectoral regulatory laws at the national, regional, and continental levels
	Coordination	-Article 22(3) Regulation establishing a network of national, regional and continental competition authorities to facilitate cooperation and coordination in the implementation of Protocol
	Cooperation	-Preamble: closer cooperation at national, regional and continental levels in the implementation of their respective competition laws; -Article 15(g)(i) Investigative body to cooperate with national and regional competition authorities; -Article 22(1) AfCFTA Secretariat or Authority in cooperation with MS, RECs & development partners, provide technical assistance and capacity building
	Peer learning	-Preamble: central role that national and regional competition agencies will continue to play in promoting fair competition
Protocol on Digital Trade	Coordination	-Article 42(2) MS, RECs, development partners & other stakeholders coordinate to provide technical assistance and capacity building
Protocol on Intellectual Property	Subsidiarity	-Preamble: recognises the achievements of national IP systems, RECs and the regional IP institutions in fostering the development, administration, protection and promotion of IP in Africa; -Article 31(3) AfCFTA Intellectual Property Office to recognise and cooperate with existing and emerging national, regional and international Intellectual Property Offices
	Coordination	-Article 33(2) AfCFTA Secretariat to work with, MS, RECs, regional intellectual property organisations, and relevant stakeholders to coordinate provision of technical assistance & capacity building
	Cooperation	-Article 21(3) MS to ensure regional cooperation to provide for greater economies of scale and to develop RVCs critical for the competitiveness and sustainability of pharmaceutical and vaccines sector
	Peer learning	-Article 23(a) MS cooperate in sharing information and experiences on national and regional intellectual property policies, laws, and institutions

Protocol on Women and Youth in Trade	Harmonisation	-Article 10 harmonisation of National, Regional and Continental Programmes to support women and youth in Trade
	Coordination	-Article 23(2) AfCFTA Secretariat to work with MS, RECs, and relevant stakeholders to coordinate and provide technical assistance and capacity building
	Cooperation	-Article 24(1) MS to promote cooperation to support and enhance the effective participation of women and youth in intra-African trade and their inclusion in regional and continental value chains
	Peer learning	-Preamble: building on achievements of RECs and national gender & youth mainstreaming policies and strategies

Source: Authors, based on AfCFTA Agreement and protocols¹⁸

2.4. Overlapping Corridor and Industrialisation Scopes

Beyond the negotiated protocols and annexes, some express concern about the widening mandate of the AfCFTA Secretariat. This has gone from AfCFTA negotiations and implementation of the agreement to - entirely logically, to some - promoting trade facilitation along transport corridors, sometimes entirely within one REC, and industrialisation through the creation of RVCs. This demands some form of coordination with RECs or initiatives such as the Accelerated Industrial Development for Africa (AIDA) initiative, which involves other AU organs and institutions in its implementation, adding additional layers of cooperation to ensure a cohesive approach to industrial and trade policy integration (AUDA-NEPAD et al. 2024).

In April 2022 the AfCFTA Secretariat announced that it would work on trade along the Abidjan Lagos Corridor (AfCFTA Sec, April 2022). This corridor approach to trade facilitation and implementation of the AfCFTA was endorsed by the Assembly of Heads of Government in February 2022 (Erasmus 2022). The same summit agreed to 'advance the emergence of trading and investment corridors across subregions of the continent' at the 17th extraordinary summit in November 2022 on industrialisation.¹⁹ But the Abidjan-Lagos corridor falls entirely within ECOWAS, with trade at those borders governed by the ECOWAS Trade Liberalisation Scheme (ETLS), part of the ECOWAS customs union. Although creating a risk of 'turf wars', this arguably could encourage stakeholders to find productive ways to draw on the resources of both the AfCFTA Secretariat and ECOWAS.

Similar issues arise with the ambition stated in the AfCFTA of promoting industrialisation through RVCs. AfCFTA SG Wamkele Mene has cited the possible need for a new continental industrialisation strategy to connect with the AfCFTA.²⁰ This coincides with the launch of the AfCFTA Private Sector Strategy, with a focus on four priority sectors "for quick wins, based on

¹⁸ See the AfCFTA Agreement and Protocols on Trade in Goods, Services and Dispute Settlement; the full set of nine Annexes; the AfCFTA Investment Protocol; the Competition Protocol; Protocol on Intellectual Property, (Draft) Protocol on Digital Trade, (Draft) Protocol on Women and Youth.

¹⁹ See AU, 17th Extraordinary AU Summit - DRAFT Assembly Declaration Nov 2022.

²⁰ See Mene speech to the Ugandan private sector in October 2022 (Mene, Speaking Notes - Uganda Private Sector).

the potential for import substitution and existing production capabilities on the continent" (GNA 2022).²¹

Although most stakeholders recognise the importance of industrialisation to make a success of the AfCFTA, for some this falls under the mandate of the AUC-ETTİM Department (e.g. AU 2022a). Heads of State had requested to have an extraordinary summit on industrialisation dating back to the AU Assembly of February 2020 (Alqali 2022). AU Commissioner Muchanga's statement to Ministers of Industry in November 2022 reflects this, recalling that 'the industrial political framework of Africa is the Action Plan for the Accelerated Industrial Development for Africa (AIDA)' (AU 2022b). However, in the same statement he admits that "not very much has been done to implement the AIDA clusters) (AU 2022b)²² with work now underway under AUDA-NEPAD to assess AIDA progress. A recent "Guide for Country Impact Assessments on AIDA and the AfCFTA" may help clarify roles. This has been developed, comprising three comprehensive tools crafted to support policymakers, namely: AfCFTA Potential Impact Assessment; AfCFTA Enabling Environment Monitoring Tool; and the Industrialisation Progress Assessment (AUDA-NEPAD et al. 2024).

Regardless of mandates or the outcomes of that work, through the AfCFTA Agreement, Member States agreed to create and support regional value chains, pointing to the need to rethink how a revised AIDA can better work with AfCFTA for better industrialisation and economic transformation outcomes.²³ As laid out in Byiers (2024), a continental industrialisation agenda would need to take account of the challenges that have been faced at regional levels and, rather than aggregating or duplicating national industrialisation strategies, seek to add value at a continental level.

As discussed below, the RVC platform approach of the AfCFTA Secretariat is useful, but should also coordinate with existing work under ETTİM and the African Mining Development Center e.g. on mining and the current focus on RVCs for critical raw materials. Earlier this year, Commissioner Muchanga announced plans for an African Green Minerals Strategy (AU 2024), which could provide an opportunity for ETTİM and AfCFTA Secretariat to work together on this RVC towards a common goal.

2.5. Parallel Continental-Regional Coordination Processes

Given the underlying AU-REC relations discussed above, in parallel to AfCFTA negotiations and efforts to coordinate and clarify AfCFTA-regional roles, there are three parallel processes that seek to coordinate AU-REC relations, including on trade.

²¹ These are agro-processing, automotive, transportation and logistics, and pharmaceuticals, the latter becoming a key priority after COVID-19, recognising the need to promote pharmaceutical manufacturing in Africa.

²² The same Summit agreed that the AUC should work with UNIDO, UNECA, AfDB, Afreximbank and the ACBF to develop a new industrialisation framework "for the next 20 years" to be presented at the 36th Ordinary Session of the Assembly of Heads of State and Government in 2023.

²³ In fact, as raised in interviews, the same goes for the inclusiveness ambitions of the AfCFTA on women and youth in trade to work existing programmes under ETTİM on this e.g. MSME promotion.

A Revised AU-REC Division of Labour

Under the framework of the Abuja Treaty and the AU Constitutive Act, the AU is mandated to “coordinate and harmonise” the policies between the existing and future RECs for the gradual attainment of the Union’s objectives (AU 2000). These relations are guided by the 2008 Protocol on Relations between the AU and RECs (AU 2008).²⁴ The nature of those relations was highlighted as a key challenge in the Kagame Report on AU Institutional Reforms (2017). As a result, since 2019, 5 annual mid-year coordination meetings (MYCM) between the AUC and RECs have been held.

The Niamey Declaration from the first MYCM in 2019, called upon the Member States, RECs and the AUC to strengthen their collaboration in the implementation of the African integration agenda. At the same time it was decided to update the existing protocol on AU-REC relations to establish a clearer framework for collaboration and division of labour. The 2020 Draft Revised Protocol on Relations between the RECs and the AU (AU 2020a) includes trade issues.

Notably, in comparison to the 2008 Protocol which defines a REC as “a regional grouping of African states organised into a legal entity by treaty, with economic and social integration as main objective”, the 2020 Protocol defines RECs as those recognised by the AU. But as referred to above, other regional groupings play a role in regional integration (including on trade).²⁵ What is clear is that RECs are mandated to facilitate the implementation of continental policies, programmes and projects such as the AfCFTA. They are also responsible for the execution of continental programmes and developing regional frameworks for the mobilisation of resources to implement continental policies and programmes.

As such, at the First AfCFTA-REC Coordination meeting (see below), held in 2021, ETTIM Comm. Muchanga used his speech to underline that the MYCM is the “principal forum for the AU and RECs to align their work and co-ordinate the implementation of the continental integration agenda”. In his words, “the AfCFTA and AUDA-NEPAD which are agencies of the AU dealing with trade, economic and integration issues are expected to work within this framework”.²⁶

AU Framework of Collaboration Among the AUC, AfCFTA Secretariat, RECs

Since the AU’s 2019 *Decision on the Launch of the Operational Phase of the AfCFTA* (AU 2019b) work has been underway to agree on an *AU Framework of Collaboration among the AU*

²⁴ Other AU-REC relations e.g. on peace and security are guided by the Memorandum of Understanding (MoU) on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa.

²⁵ The first MYCM also agreed on the need to define a clear division of labour between the AU and the RECs (AU 2019a) in six main technical areas: policy planning and formulation; policy adoption; implementation; monitoring and information; partnerships; and joint resource mobilisation. Decision Ext/Assembly/AU/Dec.1(XI) of November 2018 mandates the AU Commission, in collaboration with the RECs, AU organs, relevant continental organisations, to develop a proposal on an effective division of labour among the AU, the RECs, the Member States, and other continental institutions, in line with the principle of subsidiarity, for submission to the First Mid-Year Coordination Meeting in June/July 2019.

²⁶ AfCFTA Secretariat, Final Report of the First (1st) Coordination Meeting of the Heads of Regional Economic Communities (RECs) on the Implementation of the African Continental Free Trade Area (AfCFTA) Accra – Ghana 20 September, 2021.

Commission, the AfCFTA Secretariat, and the REC Secretariats for the operationalisation of the AfCFTA. The framework aims to provide an administrative structure for partnership among the AUC, the AfCFTA Secretariat and the REC Secretariats to effectively implement the AfCFTA Agreement and boost intra-African trade, ultimately contributing to the realisation of the African Economic Community foreseen in the Abuja Treaty. Once completed this will become an Appendix/Annex to the Protocol on the Relations between the AU and the RECs (AU 2020b). Again, this is an AUC-led initiative, thus adhering to the 'Abuja-Treaty' focused understanding of AfCFTA implementation.

AfCFTA-REC Coordination

Beyond these *AUC-led* efforts to coordinate the AfCFTA and RECs, the 2020 Johannesburg Declaration on the start of trading under the AfCFTA urges the RECs and the AfCFTA Secretariat to collaborate in the implementation of the AfCFTA Agreement (AU 2020c). This arguably gives *all* the RECs a role in the implementation of the AfCFTA, requiring coordination between the continental and regional levels, regardless of being an FTAs or customs unions, or being active on trade issues at all. Thus, although there is no *formally* defined AfCFTA-REC coordination platform as per the agreement, the AfCFTA Secretariat has initiated a series of annual meetings with the REC Secretariats and other relevant regional organisations to further clarify roles and align agendas.

Under this AfCFTA-REC Coordination platform, an Action Plan for Collaboration was drafted in 2021. This is hoped to encourage more structured monitoring and reporting of AfCFTA implementation, and better tracking of the key achievements. It also envisions facilitating stakeholder feedback on AfCFTA implementation by including key components on private sector engagement – another key actor in the implementation of the Agreement – but has so far not been formally approved, awaiting consultations to be carried out by some RECs.²⁷

As part of the implementation mechanism, the Draft Action Plan proposes the establishment of REC Liaison offices at the AfCFTA Secretariat to coordinate the implementation and a Continental Taskforce for AfCFTA Secretariat-REC coordination “as a low-hanging fruit”. A new REC Coordinator position has been created at the AfCFTA Secretariat, already reflecting the Secretariat’s recognition of the need to engage regionally. Although it is too early to assess its effectiveness, some lessons may be drawn from the experience of REC Liaison Offices at the AU, where the six Liaison Offices of ECOWAS, SADC, COMESA, EAC, ECCAS and IGAD “have profoundly increased the level of cooperation in all areas of integration” (Momodu 2016). For cooperation on peace and security, the Liaison Offices are currently playing an active role in ensuring RECs/RMs participation in the Peace and Security Council (PSC) sessions (Amani Africa 2023).²⁸

The 2nd AfCFTA-REC coordination meeting also discussed the need to develop Joint AfCFTA Secretariat-REC Resources Mobilisation, a point that returns in discussing AfCFTA-REC relations

²⁷ As stated in the AfCFTA Secretariat, Final Report of the Second (2nd) Coordination Meeting of the Heads of Regional Economic Communities (RECs) on the Implementation of the African Continental Free Trade Area (AfCFTA) Arusha – Tanzania, June 2022.

²⁸ The same report also cites practical challenges around communication and the fact that often political rather than technical inputs are needed, again offering lessons for potential AfCFTA-REC liaison roles.

in practice. In particular, the second AfCFTA–REC coordination meeting urged the AfDB and Afreximbank to “integrate the AfCFTA into the Bank’s work programmes and develop tailored funding programmes for AfCFTA Secretariat – REC collaboration in the implementation of the AfCFTA.” They also requested that more resources be dedicated towards the implementation of the AfCFTA at the regional and national levels “using the AfCFTA Secretariat as a vehicle”.²⁹ In addition, the AfDB has now convened three meetings on resource mobilisation with the Heads of Regional and Continental Institutions (AfDB 2024). How these have played out in practice is discussed further below.

In sum, the AfCFTA process does not land on an institutional blank page. Instead, it is faced with different interpretations of roles and mandates at the continental and regional levels. Even on paper, negotiations have led to a wide array of regional–continental relations around AfCFTA implementation and overlapping mandates. As the next section underlines, the wide range of *potential* interactions between regional and AfCFTA stakeholders, as laid out on paper, has led to ambiguities and arguably slowed down progress on defining concrete implementation priorities and roles.

3. AfCFTA–Regional roles in practice

Although legal structures and mandates *should* guide actual implementation and practice, this section presents and discusses the inputs from stakeholders on how AfCFTA–regional roles and relations have taken shape in practice. It does so around five key areas:

1. AfCFTA negotiations;
2. AfCFTA–REC coordination meetings;
3. AfCFTA implementation strategies;
4. Transport corridors, Trade facilitation and NTBs; and
5. RVCs and industrialisation.

While there is broad agreement on the AfCFTA Secretariat’s role in leading negotiations, given the range of foreseen relations that emerge from the AfCFTA texts there is less clarity on the role of regional bodies when it comes to implementation.

3.1. Regional negotiation roles

As discussed above, as the RECs are not state parties to the AfCFTA Agreement, their role in negotiations has been formally limited to that of observers. In practice, they have played different roles, depending on demand from their own member states, but also their own status of integration.

²⁹ *ibid.*

Customs Unions as intermediaries between the AfCFTA and their member states?

As a non-AU-recognised regional bloc, the expectations for AfCFTA involvement from the SACU Secretariat interviewees were low. However, as a customs union, SACU Secretariat was required to play a role in coordinating the tariff offers of its member states, where experience built upon SACU's preceding trade agreements, for example with the European Free Trade Area (EFTA) and with MERCOSUR. Building on this, and continuing to play an observer role in AfCFTA meetings, they have found themselves playing an intermediary role between the AfCFTA Secretariat and their member states. This fits with expectations given their integration status beyond the AfCFTA (Table 2) but also reflects strategic decisions from the SACU heads of state, as reflected in the SACU Strategic Plan (SACU 2022) discussed below, and explicit instructions to prioritise the AfCFTA over other trade agreement matters in day to day work. According to interviewees, the EAC Secretariat has also played this intermediary role to some extent, though the negotiation text reportedly borrowed from the Tripartite free trade area (FTA) text, thus limiting the need for renewed coordination in practice (with similar implications for the COMESA and SADC Secretariat negotiation roles).

In contrast, while the ECOWAS Commission had *expected* to play an 'intermediary role', that has not been the case. Although ECOWAS is a customs union, it coordinated member state meetings on tariff offers, and provided inputs to the investment protocol from a regional perspective, for example, in services, they played a more limited role. Interviewees expressed frustration that ECOWAS is not seen as an intermediary for its member states. To some extent this relates to the formally stated 'observer role' and the practice of the AfCFTA-REC Coordination Meetings (see below), but also the expectation that the AfCFTA Secretariat would be more active in seeking to learn from the RECs' long history and institutional architecture for economic integration, as well as their perceived greater proximity to the member states, an issue that emerges particularly for corridors (see below).

More room for 'best practice' sharing from REC FTAs?

For non-customs unions, their role in negotiations has varied further. While IGAD, AMU and CEN-SAD are represented in meetings, their role in trade issues is limited. Further, the RECs were led by member state demand - according to interviewees, ECCAS initially began elaborating regional goods and services offers, but members chose to go with other RECs - Rwanda and Burundi are in the EAC Customs Union, Angola in SADC, while CEMAC members coordinated their joint offers as a customs union and the DRC (now a member of four RECs) made an individual offer.³⁰

Given the difference in REC integration status, engagement in negotiations from a REC-FTA perspective has been more important in the areas *beyond* goods and services. That is, the protocols agreed reflect REC strengths, with the COMESA Competition Authority given as an example in interviews of having played an important role in that protocol. As a revenue-generating regional body, it remains of interest for COMESA member states to retain its strong role, thus resulting in the 'complementarity' relationship between the continental and regional levels in the AfCFTA Competition Protocol. Investment Promotion - categorised as

³⁰ See ECDPM (2017) Regional Integration map tool on REC and other regional memberships.

'harmonisation' above - was a compromise, between those like COMESA with an existing and active [COMESA Regional Investment Agency](#), and those without, thus going beyond 'complementarity' by proposing a 'best endeavour' to align around common continental investment policies.

A related issue is the need for a more explicit, systematic mechanism such as an AfCFTA Committee on regional trade mechanisms to capture and build on regional 'best practices', as stated in the AfCFTA Agreement.³¹

3.2. AfCFTA-REC coordination meetings

Parallel to the AU-REC coordination process discussed above, the AfCFTA-REC coordination meetings have been established as a key "collaboration mechanism that brings together the Secretariats of RECs and Regional Business Councils to ensure effective implementation of the Agreement" (Sebahizi et al. 2023).

Three AfCFTA-REC coordination meetings have been held to date. The first was held in Accra in 2021 and emphasised the importance of collaboration between the AfCFTA Secretariat and the RECs to ensure effective implementation of the AfCFTA (see above), as well as the role of the private sector, arguing for their active participation and not just as observers. June 2022 saw the second meeting in Arusha, where the Draft *Action Plan* was proposed for discussions for AfCFTA-REC collaboration in the implementation of the AfCFTA. In his report to the Permanent Representative Committee of the AU in November 2022, AfCFTA secretary-general Mene suggested that an additional Committee on RECs 'would be useful in addressing complementarities and divergences between the AfCFTA and REC regimes' (Mene 2022).

Although most interviewees acknowledge the importance of the coordination meetings, they express some frustrations.

- These relate to **overlaps** with AU processes as discussed above, leading to a strong focus on developing frameworks for cooperation.
- Although the Draft Action Plan reflects progress in clarifying roles, for some it results in 'discussions about actions without actual **progress**'.
- **Resources** for AfCFTA implementation represent a continual issue and REC interviewees all cite that while they see the need for coordination, their limited human and financial resources are stretched for regional agenda items, before looking continentally, where there are also concerns on limited joint funding. Next steps might build on the series of meetings being hosted by the AfDB with Heads of Regional and Continental Institutions to strengthen collaboration for mobilising capital for regional investments and deeper integration.³²
- But as raised above, a key REC concern is that of building on regional '**best practices**' - whether for peer learning *among* RECs, or for scaling up successful regional

³¹ At present RECs are represented in the Committee of Senior Trade Officials, in an advisory capacity.

³² See AfDB (2024) for more details.

initiatives. The example given was that of the COMESA Transit Guarantee scheme, where this may be scaled up due to an interest from Afreximbank – which is cited as positive – but without a more systematic approach or mechanism for scanning the full range of existing regional transit mechanisms and their pros and cons as well ensuring political buy-in.

Overall, the AfCFTA-REC coordination meetings are an important and useful innovation from the AfCFTA Secretariat to engage with the RECs and other regional organisations. Meetings have been hosted by the AfCFTA but with a rotating REC chairperson for each, further building ownership of the agenda. Going forward, a more targeted agenda around where different aspects of the AfCFTA and regional strategies and agendas align and ways to build upon these may offer some direction, as well as practical discussions about human and financial resources for this agenda and follow up on agreed-upon actions.

3.3. AfCFTA implementation strategies

Although interviews for this report focused on regional and continental actors and partners, the role of state parties themselves also comes into play in discussing AfCFTA Implementation Strategies. ECA has supported 44 countries and five Regional Economic Communities in the development of national and regional implementation strategies. GIZ has supported one national strategy, while UNDP has supported three strategies.³³ They have also provided capacity building for AfCFTA implementation to over 15 countries that have completed and validated their strategies” (UNECA 2024). Although this report cannot go into national details, some examples help illustrate the link between regional and national ambitions and commitments.

Sebahizi et al. (2023) discuss the Ghana National AfCFTA Coordination Office (NCO), established in March 2020 to coordinate AfCFTA strategic and operational responses.³⁴ It includes an Inter-Ministerial Facilitation Committee (IMFC), itself comprising numerous actors including ministers of trade and industry, foreign affairs and regional integration, among others. As highlighted by a recent UNECA (2024) study, most national AfCFTA Implementation Strategies either link AfCFTA Implementation strategies horizontally to other national development strategies (e.g. Namibia), or at least express a need to seek to coordinate national and sectoral strategies in the context of AfCFTA (e.g. Tunisia), but this does not include regional plans. Reportedly only Guinea Bissau made it a *requirement* for vertical consistency between the commitments it has made within the AfCFTA framework and those made within the RECs to which it is a member (UEMOA and ECOWAS) (UNECA 2024).

While the national strategies may help align national and regional commitments, several RECs are in the process of preparing or approving a Regional AfCFTA Implementation Strategy. In general this is intended to build upon the National AfCFTA Implementation Strategies of Member States. Indeed a key point made by stakeholders (e.g. participants in the UNDP-

³³ As of January 2024, ECA had facilitated the validation of 35 National Strategies and two Regional Strategies (IGAD and ECOWAS). A further three regional and nine national strategies are at different stages of development.

³⁴ Ghana was a front-runner in setting up its national AfCFTA implementation committee and strategy.

UNECA-AfCFTA Secretariat Implementation Strategies Meeting in Nairobi 2023; or UNECA 2024) is the need for regional strategies to *harmonise* national strategies, and in some cases, REC Secretariats are awaiting completion of national strategies before preparing a regional strategy. Some regional strategies e.g EAC, are being revised to include additional new REC members and issues addressed in the phase 2 protocols (Interview 2024). One of the related challenges cited is a lack of coordination in sequencing the development of regional and national strategies and the extent to which validated national strategies are “consistent with the mandates and goals identified in the regional strategies” (UNECA 2024).

Looking at the example of the draft ECOWAS AfCFTA Implementation Strategy, summarised in Table 5, some of the objectives aimed at improving the effectiveness of the regional integration framework are *intra*-REC focussed. These relate to how the AfCFTA process can boost/facilitate internal processes, politically or otherwise, thus reflecting a legitimate ambition to use the AfCFTA to support their regional mandate and reflecting the possibility of mutual gain between intra and inter-REC cooperation around the AfCFTA.

Table 5: Objectives and specific objectives of the ECOWAS AfCFTA implementation strategy

Objective	Specific objective
1. Improve the effectiveness of various components of the regional integration framework	<ul style="list-style-type: none"> - Increase the pace of ongoing regional reforms and program implementation and strengthen the regional integration framework - Adapt the institutional regulatory, and policy frameworks according to AfCFTA provisions - Put greater focus on cities as integration nodes
2. Harmonise and coordinate member states’ national AfCFTA implementation strategies	<ul style="list-style-type: none"> - Establish and operationalize the ECOWAS regional AfCFTA Committee - Support the development and implementation of national AfCFTA strategies - Lead the remaining phases of AfCFTA negotiations and assist national adaptation to the rules of the AfCFTA - Further popularise the AfCFTA provisions - Monitor and evaluate the regional implementation
3. Strengthen productive and trade capacities of the region, under the framework of WACIP	<ul style="list-style-type: none"> - Improve the regional business environment - Help improve agricultural productivity - Improve the incentive structure for trade with the rest of the continent - Further facilitate cross and youth-led businesses activities - Promote ECOWAS export products - Contribute to the financing of producers and traders - Contribute to the promotion of innovation and technology adoption - Better address climate change issues of regional scope - Promote economic and inclusion
4. Engage in strategic African trade policy	<ul style="list-style-type: none"> - Develop the framework for economic diplomacy targeting African markets - Implement the economic diplomacy strategy
5. Make the AfCFTA an opportunity for women’s economic empowerment and youth	<ul style="list-style-type: none"> - Contribute to positive gender and youth impact of AfCFTA through women and youth employment and Social Protection - Contribute to positive gender and youth impact of AfCFTA through informal cross-border traders

Source: Draft 2021 ECOWAS AfCFTA Implementation Strategy

Nevertheless, there are some explicitly AfCFTA-tailored objectives. For example, the strategy suggests adapting institutional regulatory, and policy frameworks according to AfCFTA provisions; establishing and operationalising the ECOWAS regional AfCFTA Committee; and making the AfCFTA an opportunity for women's economic empowerment and youth. The latter is important as it fits in the inclusivity objectives of the AfCFTA, especially with the recent adoption of the Protocol for Women and Youth in Trade at the February 2024 AU Summit. In fact, the UNECA 2024 study found that of the 33 AfCFTA implementation strategies analysed, 18 aim to provide entrepreneurial support tailored to women and youth entrepreneurs. As such, AfCFTA national and regional implementation strategies could be an avenue to push meaningfully for this inclusivity agenda (at least on paper).

In a different approach, rather than an AfCFTA Implementation Strategy, the SACU Strategic Plan (2022-2027) for the regional integration agenda overall, includes a *specific pillar about the AfCFTA*. This was reportedly demanded by SACU Heads of state, reflecting an integrated approach to addressing AfCFTA-regional relations from a regional perspective.

Overall, the regional AfCFTA implementation strategies raise questions about their ambitions. As expressed above, there is a concern that regional strategies aggregate or harmonise national strategies without instead seeing how to complement these by identifying where there is a clear *regional value added to national implementation strategies*. Some note that an AfCFTA Secretariat implementation strategy or clear prioritisation from its broad agenda would provide guidance on national and regional implementation priorities.

Corridors and RVCs would be two key areas where regional coordination would be beneficial, and where there may be economies of scale in sharing national AfCFTA implementation burdens across states. As stated by Commissioner Muchanga, "as part of the process of creating 'an AfCFTA Implementation Peer Learning Community', let us be pragmatic and also avoid being distracted in the implementation of the Agreement and Protocols establishing the AfCFTA" (AU 2024).

3.4. Corridors, trade facilitation & NTBs

The AfCFTA Protocol on Trade in Goods has nine annexes³⁵, but many of the implementation issues therein relate to non-tariff barriers at borders. As such, the AfCFTA Secretariat mandate to focus on trade and transport corridors is seen by many as responding to a demand from traders, retailers, regional multinational companies (MNCs), and logistics and transport companies who see the AfCFTA as a way to address barriers faced every day in terms of customs, SPS, TBT, etc. Interviewees highlight the frustration of manufacturers in some African countries at the lack of trade laws, regulations and institutions (such as trade remedies and effective border control or competition laws) to manage unfair trade and illicit trade between

³⁵ These are: Schedules of Tariff Concessions • Rules of Origin • Customs Cooperation and Mutual Administrative Assistance • Trade Facilitation • Non-Tariff Barriers • Technical Barriers to Trade • Sanitary and Phytosanitary Measures • Transit • Trade Remedies: Guidelines on implementation of Trade Remedies.

countries. This again represents the AfCFTA as a response to past failures to meet regional and continental integration objectives.

At the same time, the need for AfCFTA-regional coordination around corridor interventions was raised at the 2nd AfCFTA-REC Coordination meeting, on top of existing coordination fora, within and outside RECs (including with corridor authorities).

On the other hand, some interviewees suggest that the AfCFTA Secretariat's focus on, for example, the Abidjan-Lagos Corridor, may in fact be stimulating additional interest by the affected states and by ECOWAS, which is now making renewed efforts to improve the corridor through work with the AfDB. Further, the work by ECOWAS in promoting the hard infrastructure of the Abidjan-Lagos Corridor can be complementary to AfCFTA support on trade facilitation.

Although interviewees point to the importance of member states in defining i) their priorities and ii) if and how they engage at the regional and continental levels around a corridor, the broader point raised is how the AfCFTA Secretariat might better engage in a multistakeholder process, ideally driven by the private sector, to identify key challenges for governments to solve at a national and sub-regional level. These stakeholders should include retailers, logistics companies, MNCs in the food processing sectors and manufactured goods sector such as Nestle, Unilever, Coca-Cola, and the Trade Unions, etc. Overall, the corridors examples underline the need for:

- Aligning (complementary) regional and continental approaches around corridors;
- Being clear about what aspects regional bodies or the AfCFTA secretariat seek to address and how;
- Getting clarity on how to address 'inter-REC' corridors, including around the resolution of inter- REC NTBs.³⁶

The discussions on AfCFTA-regional relations around corridors and trade facilitation point in particular to the need to connect the 'top-down' agreements, policies and strategies, with more bottom-up, problem-focused efforts that identify specific bottlenecks to intra and inter-regional trade, and thus identify which regional or continental actors should and can best provide support in national efforts to implement and benefit from the AfCFTA.

3.5. RVC promotion - multi-level sectoral platforms?

RVCs are consistently mentioned in the various AfCFTA protocols and annexes, as well as the AfCFTA Implementation Strategies and Regional Strategic Plans. RVCs are also the basis of pre-existing regional industrialisation strategies (see Byiers et al. 2021). Regardless of overlapping (or complementary) industrialisation agendas through AIDA and the AfCFTA and current work

³⁶ Article 10(3) of Annex 4 on NTBs comes to mind i.e. "RECs NTB Monitoring mechanisms shall support the NTB Coordination Unit at the Secretariat in the resolution of inter-REC NTBs."

on carrying out continental RVC diagnostics,³⁷ the RVC agenda seems broad enough to benefit from multiple continental and regional approaches.

As a UNECA (2021) study puts it:

“Continental and regional value chains... would link operators in different regions through trade in the parts of a commodity. Regional value chains can combine the competitive advantages of contiguous countries, enhancing productivity and competitiveness, transforming products, expanding markets and increasing investment. Africa’s small but growing participation in global value chains is dominated by forward integration to Europe and Asia, mostly from Southern and Northern Africa. Low intra-African trade relative to Africa’s trade with the rest of the world indicates inadequate regional value chains.”

Pharmaceuticals, baby food, apparel and textiles as well as automobiles were identified as priority sectors for investment in the AfCFTA (AU 2024). In particular, the cotton, textiles, apparel and retail regional value chain platform that the AfCFTA Secretariat and the Nelson Mandela School have initiated provides valuable insights on how to build regional value chains in Africa, as part of the work of the AfCFTA Trade and Industrial Development Advisory Council. This ongoing experience will be able to offer lessons for initiating other similar RVCs, such as: critical minerals/batteries and electric vehicles (EVs); Agro-processing, Food Staples/Cassava and Horticulture. Renewable Energy, Pharmaceuticals and the Digital Economy regional value chains are also high priority with potential to attract investment for continental value chains.

As these efforts remain new, the key questions for AfCFTA-regional relations revolve around coordinating public and private investments to *drive regional trade integration* and transformative industrialisation. The platform approach, connecting RVC actors from the private and public sectors may be a way to build on existing ‘problem-driven’ approaches used to address policy issues elsewhere in the world (e.g. Andrews and Harrington 2023).

3.6. AU-AfCFTA Individuals and hierarchies

The perceived overlaps in AU-REC and AfCFTA-REC coordination fora and discussions on cooperation framework(s) have led to some tensions. This is reflected above in the speech from Comm. Muchanga to the AfCFTA-REC coordination meeting held in 2022/23, but also in interviews where REC-based individuals have a *personal* sense of the greater legitimacy of the REC or AfCFTA agendas, thus affecting how relations play out in practice.

As suggested in interviews, the AfCFTA was created under the current ETTIM commissioner, and on the initial understanding that an AfCFTA Secretariat would operate under ETTIM’s direction. The subsequent decision by Heads of State to make the Secretariat an autonomous AU institution reportedly came as a disappointment to some AUC staff. This gave a sense to some that this was a mandate that had been taken away from their control. Others point to the fact that within the AU hierarchy, the AfCFTA Secretary General is considered to be at the same level

³⁷ The AUC is currently cooperating with the International Trade Centre, the European Union, GIZ of Germany and UNIDO in producing one such study in addition to other RVC studies by OECD, UNDP and other development agencies.

as the AUC Deputy Chair, so 'above' sectoral Commissioners, and reporting to the AfCFTA Council of Ministers of Trade the Summits of Heads of State rather than to the Commissioner of ETTIM, as some had planned or expected.

Other interviewees point to the need for the AfCFTA Secretary General to be able to 'show progress' amidst long-running negotiations processes, and thus the urge to begin trading under the GTI and show progress on trade facilitation along the Abidjan-Lagos Corridor. Relatedly, having secured a second term, this may alter AfCFTA-regional dynamics towards further positive cooperation, while AU elections will replace the ETTIM Commissioner, creating a new dynamic of collaboration with the AUC.

Beyond these high-level relations, interviewees also point to the different interpretations of regional and continental roles and relations, cited in Table 1, according to working background. While some AfCFTA Secretariat staff previously served the AUC, others were previously staff of REC Secretariats, national trade negotiators or representatives at the WTO (World Trade Organisation). Though somewhat anecdotal, even this aspect reportedly shapes individual starting points in discussing regional-AfCFTA relations around AfCFTA implementation.

4. Conclusions and recommendations

As stated at the outset, the AfCFTA is a hugely ambitious project, and the progress so far is to be commended and celebrated. This study contributes to one angle through which AfCFTA Implementation might be further advanced - the relationship with the regional trade agreements and secretariats.

Although 'the RECs are the building blocs of the AfCFTA' has become a common refrain, backed by Articles 5 and 19 of the AfCFTA Agreement, this oversimplifies the range of different relationship levels foreseen between the AfCFTA and the regional organisations in the AfCFTA protocols (and annexes). Overall, as one interviewee put it: the Abuja Treaty provides the objectives, and the AfCFTA provides the instrument. That is perhaps a good starting point towards being more focused on where and how different regional bodies and the AUC can play a role.

Based on the above discussion, analysis and interviews, we offer five broad recommendations in order to realise positive outcomes from AfCFTA-regional relations, followed by concrete next steps.

4.1. Agree on an Implementation Strategy for the AfCFTA Secretariat

Although state parties and regional organisations are currently defining AfCFTA Implementation Strategies, a recurring point is the potential benefit of having clear priorities communicated by the AfCFTA Secretariat itself from the broad implementation agenda. With negotiations nearly complete, and a vast agenda to implement the long list of protocols and annexes, it will be important to have a sequenced roadmap that defines immediate priorities,

according to potential biggest impact, before moving on to the other issues. This would allow state parties and regional actors to i) align with and support their implementation within their own jurisdictions, ii) avoid duplication of efforts, iii) find ways to usefully complement those approaches and iv) strategically mobilise resources for programmes/projects to meet AfCFTA objectives.

In this regard, the following key issues arise for the AfCFTA Secretariat to deliberate and provide guidance to member states, regional and other stakeholders in the coming months:

1. Define the strategic priorities for the implementation of the AfCFTA and how the AfCFTA Secretariat can drive or steer the implementation process.
2. Clarify and define how the AfCFTA Secretariat should guide/enable/coordinate the implementation of the AfCFTA at the National Level.
3. Explore what capacity support is needed for implementation of the different AfCFTA protocols and annexes at different levels.
4. Clarify with regional and national stakeholders how development partners can best support such an implementation programme.
5. Further clarify how the AfCFTA Secretariat can build on the *differential* roles of the RECs and regional secretariats in the implementation of the AfCFTA. These will need exploration according to issue, requiring interviews and dialogue involving the AfCFTA Secretariat and the key officials from the regional bodies.

4.2. Accept and establish processes to navigate complex institutional relations

Based on the above discussions, it may be necessary to create new forms of cooperation between the AfCFTA Secretariat and regional organisations. Each region and issue may require different AfCFTA-regional relations. In addition to the efforts to provide broad cooperation frameworks, whether through the AU Division of Labour process or the AfCFTA-REC Coordination meetings, each AfCFTA Secretariat-regional relations would arguably benefit from having a *sui-generis* form. That is:

1. Different issues, regions, protocols and annexes will demand different AfCFTA Sec-Regional relations. These can be discussed at AfCFTA-REC Coordination meetings if there are commonalities among more than one regional bodies (e.g. the customs unions secretariats; the REC FTAs; the 'non-trade RECs'), otherwise on a REC/CU by REC/CU basis.
2. The different histories, trajectories and region-state relations will require an approach that is less what each regional actor '*should*' do, but what *can be done* together towards AfCFTA implementation and achieving the AfCFTA ambitions.
3. Navigating the regional level might build on existing National Implementation Committees (NICs) at a regional level, drawing lessons from existing case studies (e.g. see Sebahizi et al. 2023) and sharing experiences with other RECs with peer-reviews (as was initiated in

January 2024 with the UNECA/ATPC-UNDP-AfCFTA Secretariat Implementation Strategy Peer Learning workshop in Nairobi).

4. Member States (and indeed Heads of State) remain at the centre of REC, AUC, AfCFTA mandates and legitimacy and so will remain key in breaking down the AfCFTA implementation agenda, beyond what is written into National Implementation Strategies.
5. Resources are and will remain key, perhaps requiring renewed shared thinking between AfCFTA-RECs, but also their partners such as the AfDB and AfreximBank, building on on-going discussions at the AfCFTA-REC Coordination meetings.

4.3. Engage with regional organisations according to topic

Beyond the possibility of liaison offices and perhaps in support of specific AfCFTA-regional relations, we see the following three options for AfCFTA-regional relations:³⁸

1. *Regional Intermediaries* - Customs Union trade departments serving as intermediaries between the AfCFTA Sec and the customs union member states;
2. *AfCFTA Staff in Regional Secs* - Trade departments of REC Secretariats with FTAs integrated into the AfCFTA staff pool and work agenda as the FTA is gradually absorbed into the AfCFTA (i.e. where *not* more integrated than the AfCFTA), with shared burdens;
3. *Regional poles* - AfCFTA- relevant regional *organs* assigned specific roles to coordinate AfCFTA activities by protocol/annex (e.g. on investment, competition etc.).

These different modes might be applied to the different RECs according to their level of advancement.

This would arguably require the following:

1. Explicit agreement that “more advanced integration” does not include other FTAs;
2. Clarifying that AfCFTA RoOs can and will be applied and accepted for trade within AND between REC FTAs, thus facilitating harmonisation of the REC and AfCFTA FTAs;
3. Joint priority-setting and fundraising and resource distribution around AfCFTA initiatives around specific corridors and RVCs and to support regionally based AfCFTA staff;
4. Continued support to and work by the newly-appointed REC Coordinator at the AfCFTA Sec, building on the experience of REC liaison officers at the AUC and how effective they can be in bridging the bi-directional relationship between levels;
5. Review the role of different regional secretariats in decision making, i.e from ‘advisory capacity’ to a Committee of Heads of State on RECs building e.g. CAHOSCC etc.;

³⁸ UNECA (2021) study proposed the following three, which we adapt based on the above discussion, and in as follows particular that on the role being played (on paper and in practice) by customs unions: i) RECs trade departments serving as sub-secretariats of the AfCFTA secretariat; ii) RECs’ relevant organs assigned specific roles to coordinate AfCFTA activities within a framework of a well-articulated division of labour, and iii) REC-FTAs integrated into the AfCFTA.

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6. Establish a Continental Task Force for AfCFTA Secretariat–regional collaboration, as suggested by the 2nd AfCFTA–REC coordination meeting, drawing lessons from the continental task force that previously existed during the negotiation phase.

4.4. Link ‘top-down’ with ‘bottom-up’

The above recommendations and analysis point to the need to combine ‘top-down’ frameworks and strategies, whether from the AfCFTA or regional Secretariats, with ‘bottom-up’ implementation approaches, whether by country, protocol/annex, corridor or sector/RVC.

Although institutional mechanisms are in place for much of the AfCFTA Agreement, with Committees and sub-Committees for each of the protocols, the vastness of the endeavour will require more focused, ‘problem-driven’ approaches to addressing implementation bottlenecks around specific implementation issues. Each of the AfCFTA protocols will require research on how best to domesticate, harmonise, build and connect continental institutions to assist member states in implementation. Some regional organisations will have a major role in supporting the Secretariat in this task.

Whether as part of national or regional implementation strategies, this will require:

1. National identification of key cross-border/multi-country barriers to implementation of annexes, corridors or RVCs, to be discussed with the AfCFTA Secretariat to define – the nature of the issue in terms of relevant AfCFTA protocols and annexes, and the relevant actors needed to convene to discuss and address the problem.
2. In being ‘**problem driven**’ different stakeholders in the above implementation areas (of protocols, corridors or RVCs) must find ways to explore:
 - Key priorities for achieving AfCFTA trade impacts
 - Current challenges to achieving these
 - The key actors expected or necessary to lead/play a role (by mandate and/or political role), including key private sector actors
 - The different interpretations or incentives faced around key issues
 - Identification of what ‘success’ will look like
3. In areas such as **corridors**, stakeholders will need to identify the cross-border hard infrastructure needs to facilitate intra-regional trade, building on successful experiences in building Trade and Development Corridors such as in Maputo Corridor; the Northern Corridor and beyond. Within these the key priority cross-border corridors need identification and fast-tracking by the AfCFTA Secretariat and regional MDBs. These could include; the Abidjan to Lagos corridor; the North–South Corridor, etc. but also focus on emerging corridors that link with RVCs, for example the Lobito Corridor.
4. Similar efforts will be required for **specific RVC sectors**, replicating and expanding the cotton and textiles platform discussed above to other value chains, such as those linked to critical raw materials and other key products. Similarly, regional and continental actors can

engage on the major opportunities for Services trade and how can the Services Protocol be implemented effectively. A review of the current requests and offers being made by member states will need to be made with a view to gaining insights on the priority sectors, the challenges of implementation and how to share these lessons with other member states and build capacity.

4.5. Seek adaptive, strategic partnerships

Although there is a tendency - among policymakers and international partners alike - to seek hierarchies, frameworks and divisions of labour in order to support the AfCFTA agenda through clear strategies of the member states and regional secretariats, implementing such a vast agenda will require multiple approaches at different levels, engaging different actors where there is political traction and capacity.

1. **Financial and human resources** are key to AfCFTA implementation, as also reflected in the AfCFTA-REC Coordination meeting call for more resources for implementation of the AfCFTA at the regional and national levels "using the AfCFTA Secretariat as a vehicle".³⁹ Achieving this will require further analysis of the means to more systematically raise funds, ideally without relying on international partners.
2. Nonetheless, how **partners** are further engaged in the AfCFTA process will be key, along with Africa's Bilateral Partners (EU/US/China) and the MDBs and Global Agencies. There is no shortage of additional agencies that the AfCFTA can call upon - including the AU, UNECA, AUDA-NEPAD, AGRA etc. to implement the AfCFTA - but top-down coordination alone is bound to fail without bottom-up 'demand' or 'ownership'.
3. The above issues will require additional **research and brainstorming** to identify the key strategic priorities and the modalities and approaches to implement the AfCFTA. The AfCFTA Secretariat should initiate engagement with its closest knowledge partners: TBI, ODI, ACF, EU etc on the above priorities for implementation of the AfCFTA and how to pool limited resources for collaboration.
4. The AfCFTA Secretariat has identified **Capacity Building** of its own staff, the member state negotiators and policy makers and other stakeholders, including the private sector and the trade unions as being critical for the implementation of the AfCFTA. In this context the Secretariat has created a senior position and directorate of capacity building in the Secretariat. A clear and more strategic perspective in the Implementation Strategy of the AfCFTA designed and led by the AfCFTA Secretariat (recommendation 1 above) will provide guidance for the prioritisation of the foundational courses in the proposed AfCFTA Academy.
5. The AfCFTA Capacity Building Programme and the proposed **AfCFTA Academy** can become the spearhead of the AfCFTA - raising awareness about the role of the AfCFTA and its programmes, building capacity of public policy officials, negotiators, private sector interest groups and institutions, NGOs, academics, journalists etc. In addition, the Academy can help to build a common perspective on the policies and prioritised implementation

³⁹ See Final Report, 2nd AfCFTA-REC Coordination Meeting cited above.

issues of the AfCFTA Secretariat across the Continent, including the RECs. The Academy could also work in close collaboration with REC Secretariats: in Rabat (AMU); N'djamena/Tripoli (CEN-SAD); Abuja (ECOWAS), Lusaka (COMESA), Arusha/Nairobi (EAC); Libreville (ECCAS); Djibouti (IGAD); Gaborone (SADC) in terms of identifying and supporting capacity building in region-specific and relevant areas, again according to expected impact.

6. **Experiences** gained from implementing the AfCFTA should be institutionalised by building Implementation Hubs within the RECs and the AfCFTA Secretariat, and Universities and Think Tanks on the Continent to build expertise and support member states and the RECs: in a) building RVCs; b) Addressing NTBs; c) Domestication and Reform of Laws, regulations and Institutions. Best practices such as the COMESA Annual Research Forums, held since 2014, aim to bring together the academia, think tanks, government officers and the private sector to discuss emerging topical issues in regional integration.

Beyond the above broad recommendations, pragmatic next steps should entail defining a process to narrow down specific AfCFTA implementation issues to define i) when operating *continentally* adds most value, and ii) when operating *regionally* may be more effective.

Overall the study highlights that while there are a wide range of relations and roles for the AfCFTA Secretariat and regional bodies, on paper or in practice, there is a need to pragmatically find ways to implement the different elements of the AfCFTA agenda, learning from experience and building on comparative advantages.

Beyond the mapping in Table 4 of foreseen AfCFTA-regional relations by protocol we propose the following as ways to build on this study.

1. Seek ways in which the material from this study can support **dialogue(s) between the AfCFTA Secretariat and the different regional organisations** around the implications of its findings.
2. Building on the **Guided Trade Initiative for goods**, explore how national-regional-continental cooperation might be used to expand the GTI to a regional level according to regional characteristics.
3. Given that phase 2 issues are now complete, some of the above issues might be explored for the **Investment or Digital Trade protocols** in terms of the stated relations in the protocol (summarised in Table 4) and what this means in practice, for example looking at 1 or 2 key regional blocs.
4. Building on the push to promote **trade facilitation along different corridors**, analyse in more depth the comparative advantage of working locally, regionally and/or continentally and building on existing tools to facilitate trade under the auspices of the AfCFTA, looking at the added value of operating at the AfCFTA or REC level for example on transit regulations and procedures.

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5. Building on ongoing **RVC platforms** linked to the AfCFTA Secretariat and the Industrial Advisory Council on textiles, explore the different added values of operating continentally, regionally and nationally in fostering continental value chains.

References

- AfDB. 2024. *Annual Meetings 2024: African Development Bank to convene meeting of Heads of Regional and Continental Institutions*, African Development Bank Group.
- Alqali, A. 2022. *When industrialization became a centrepiece of Africa's agenda*, African Newpage.
- Amani Africa. 2023. *Beyond Subsidiarity: Understanding the Roles of the AU And RECs/RMS in Peace And Security In Africa*, Special Research Report, Addis Ababa: Amani Africa Media and Research Services.
- Andrews, M. and Harrington, P. *Facilitating learning and discovery-oriented industrial policy in Albania*, CID Faculty Working Paper Series 2023.431, Cambridge: Harvard University.
- AU. 2008. *Protocol On Relations Between The African Union (AU) and The Regional Economic Communities (RECs)*. Accra: African Union.
- AU. 2000. *Constitutive Act of the African Union*, Lome: African Union.
- AU. 2019a. *Division of Labour Between AU Commission, Regional Economic Communities And Member States African Union*, First Mid-Year Coordination Meeting, Addis Ababa: African Union.
- AU. 2019b. *Decisions and Declaration*, Assembly of The African Union, Twelfth Extraordinary Session, 7 July 2019, Niamey, Niger, African Union.
- AU. 2020a. *Draft Revised Protocol on Relations between the African Union and the Regional Economic Communities*, Addis Ababa: African Union.
- AU. 2020b. *Creating One African Market*, Report submitted to the 13th Extraordinary Session of the Assembly on the African Continental Free Trade Area (AfCFTA) on 5th December 2020 by His Excellency Mr. Issoufou Mahamadou, President of the Republic of Niger, Leader and Champion of the African Continental Free Trade Area (AfCFTA) Process.
- AU. 2020c. *Decisions and Declaration*, Assembly of The African Union, Thirteenth Extraordinary Session, Johannesburg, African Union.
- AU. 2022a. *Africa must industrialize: 10 key points that African leaders committed to at the just concluded summit on industrialization and economic diversification*, press release, Addis Ababa: African Union.
- AU. 2022b. *Statement by Amb. Albert Muchanga, African Union Commissioner, Economic Development, Trade, Tourism, Industry and Minerals at the Meeting of the Senior Official of Ministries in charge of Industry and Economic Diversification*. Delivered at the Joint Meeting of the Senior Official of Ministries in charge of Industry and Economic Diversification in Preparation of the 17th Extraordinary Session of the Assembly of the African Union on Industrialization and Economic Diversification held in Niamey, Niger on 3rd November.
- AU. 2024. *H.E Amb Albert Muchanga's speech at the Conference on AfCFTA Implementation Strategies*, African Union.
- AUDA-NEPAD, AUC and AfCFTA Secretariat. 2024. *Guide for Country Impact Assessments on Accelerated Industrial Development for Africa (AIDA) & the African Continental Free Trade Area (AfCFTA)*.

-
- Byiers, B. 2024. *Towards a continental industrial policy?* Chapter 10 in a book *Consolidating the African Continental Free Trade Area* by Mangeni, F. and Gor, S. O.
- Byiers, B., Woolfrey, S., Medinilla, A. and Vanheukelom, J. 2019. *The political economy of Africa's regional 'spaghetti bowl' – Synthesis report*, Maastricht: ECDPM.
- Byiers, B., Apiko, P. and Karkare, P. *The AfCFTA and industrialisation: from policy to practice*, Discussion paper 314, Maastricht: ECDPM.
- Byiers, B., and Dièye, C. T. 2022. *Regional integration in West Africa: Wasteful overlaps or necessary options?* Discussion paper 322, Maastricht: ECDPM.
- ECDPM. 2017. *Interactive map: Mapping regional organisations in Africa*, Maastricht: ECDPM.
- Erasmus, G. 2022. *African Union Assembly Decision of February 2022 on Trade in Goods under the AfCFTA*, Blog, Tralac.
- GNA. 2022. *AfCFTA Adjustment Facility sets in motion*, news article, Accra: Ghana News Agency.
- Mene, W. 2022. *Report of the Secretary-General to the Permanent Representatives' Committee (PRC)*, Accra.
- Momodu, R. 2016. *New AU-RECs relationship needed for integration*, Great Insights magazine, Volume 5, Issue 4, Maastricht: ECDPM.
- SACU. 2022. *Strategic Plan 2022-2027 for the Southern African Customs Union (SACU)*, Windhoek: SACU Secretariat.
- Sebahizi, P., Habte, M., Noor, H., Chitanda, Y., Semedo, J. T., te Velde, D. W., Abudu, D., Agarwal, P., Mendez-Parra, M. 2023. *AfCFTA National Implementation Committees: scoping options and support mechanisms*, ODI Research Report. London: ODI.
- Taye, S. D. 2019. *Variable Geometry of African integration and its implication on AfCFTA*, Reaserach paper, Hatfield: University of Pretoria.
- Tralac. 2024. *Status of AfCFTA Ratification*. Infographics, Tralac.
- UNECA. 2006. *Assessing Regional Integration in Africa II: Rationalizing Regional Economic Communities*, Addis Ababa: Economic Commission for Africa and African Union Commission.
- UNECA. 2021. *Governing the African continental free trade area–regional Economic communities interface*, Addis Ababa: Economic Commission for Africa.
- UNECA. 2024. *AfCFTA Implementation Strategies*, Synthesis Report, Addis Ababa: Economic Commission for Africa.

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