

The African Continental Free Trade Area (AfCFTA) and Non-Tariff Barriers to Trade

**Learning Workshop for the Year of AfCFTA Implementation:
Using Good Regulatory Practice to Facilitate Safe Trade in Africa**

Poonam Mohun, Head of Non-Tariff Measures Division, AfCFTA Secretariat

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The AfCFTA NTM

- The Non-Tariff Measures (NTMs) Division is responsible for the implementation of 3 Annexes:
 - Annex 5 on Non-Tariff Barriers (NTBs)
 - Annex 6 on Technical Barriers to Trade (TBT) and
 - Annex 7 on Sanitary and Phytosanitary Measures (SPS).

& their respective *Sub Committees (3)*

Presentation Outline

- ❖ Objectives
- ❖ Institutional Structures for the elimination of NTBs
- ❖ General categorisation of NTBs in the AfCFTA
- ❖ Reporting and Monitoring tools
- ❖ Facilitation of resolution of identified NTBs

Objectives

This Annex provides a mechanism for the identification, categorization and progressive elimination of NTBs within the AfCFTA

Objectives: Art. 2(3)

Build Institutional Structures,

Categorization of NTBs,

Develop reporting and monitoring tools and

Facilitate resolution of identified NTBs.



Institutional Structures



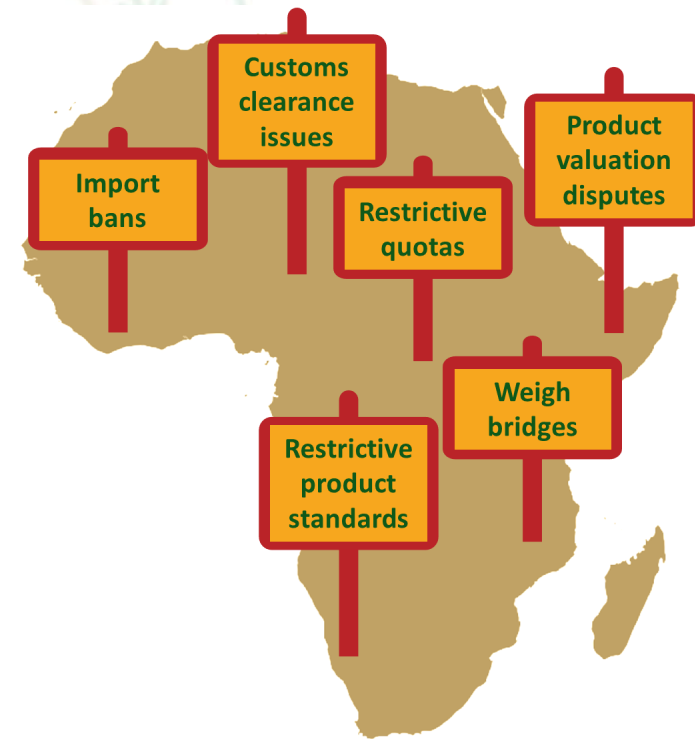
Institutional framework: Art. 4-9:

- ❑ Sub-Committee on NTBs
- ❑ NTB Coordination Unit
- ❑ National Monitoring Committees
- ❑ National Focal Points

General categorisation of NTBs

Categorization of NTBs: Appendix 1

- ❑ Part I: Government Participation in Trade and Restrictive Practices Tolerated by Governments
- ❑ Part II: Customs and Administrative Entry Procedures
- ❑ Part III: Technical Barriers to Trade
- ❑ Part IV: Sanitary and Phytosanitary Measures
- ❑ Part V: Specific Limitations
- ❑ Part VI: Charges on Imports
- ❑ Part VII: Other (Transport Clearing and Forwarding)



Non-Tariff Barriers

- The Secretariat facilitates implementation of Annex 5 with a view to progressively eliminate Non-Tariff Barriers (NTBs).
- 2 meetings of the Sub Committee on NTBs have been held so far
- The NTBs Work Program focus on building institutional structures to eliminate NTBs, and facilitate resolution of NTBs in the AfCFTA.
- The AfCFTA NTB Online Mechanism for reporting, monitoring and eliminating of NTBs was launched in collaboration with UNCTAD as a platform for the private sector to report NTBs

Reporting and Monitoring tools

The AfCFTA NTB Online Mechanism:

- ❑ Art 12.(1): “A *mechanism for identifying, reporting and monitoring NTBs* will be put in place to facilitate the elimination of NTBs [...]”
- ❑ Art. 12(2): “Any [...] *Economic Operator may register a complaint* [...]”

www.tradebarriers.africa

AfCFTA
African Continental Free Trade Area
Non-Tariff Barriers
Reporting, Monitoring and Eliminating Mechanism

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Home About ▾ Complaints ▾ Documents ▾ Links Contacts Language ▾ Login ↗

Report an NTB online Report an NTB via mobile FAQs

Complaint Statistics

4 Registered complaints
3 Resolved complaints
1 Unresolved

Partners | Glossary | Help

Facilitation of resolution of identified NTBs

Process of resolution: Art. 11 and Appendix 2

- ❑ Resolution within reasonable time depending on the type of NTB reported
- ❑ Stage I: Exhaust REC Level Resolution if its between State Parties in one REC
- ❑ Stage I: For Inter-REC Resolution, proceedings should not exceed a total of 60 days
- ❑ Stage II: Appoint a Facilitator, mutually agreed solution within 45 days

Critical Points to Consider

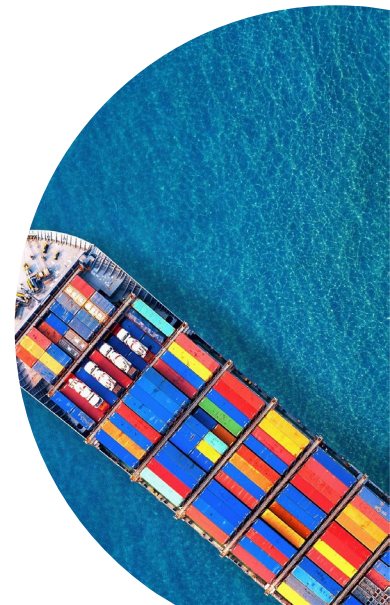
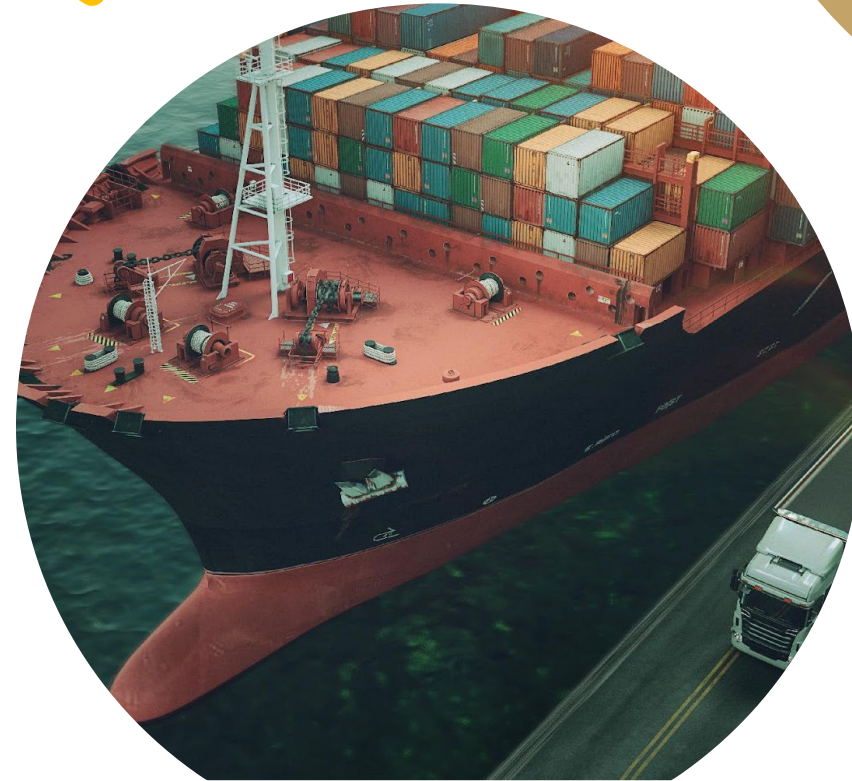
Beneficiaries of NTB resolution are the Private Sector, especially SME in the context of Africa.

If not addressed NTBs will sabotage expected gains of any Trading Regime.

Resolution of NTBs are dependent on effective timely response from government.

Capacity and competence of relevant institutions and personnel.

More strategies and approaches are needed for widespread identification of NTBs, even at remote borders posts



AfCFTA NTB Resolution Process

NTB REPORTING MONITORING AND RESOLUTION PROCESSES: INSTITUTIONAL ARRANGEMENT



SENIOR OFFICIALS & COUNCIL OF MINISTERS

COMMITTEE OF TRADE IN GOODS

SUBCOMMITTEE ON NON-TARIFF BARRIERS

NATIONAL FOCAL POINTS

NATIONAL MONITORING COMMITTEES

REC NTB UNITS

work closely with
all national &
continental
institutions

National Focal
Point: work in
consultation with
the National
Monitoring
Committees



THANK YOU

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