



Communiqué of the East African Civil Society Organizations Forum-Kenya Chapter on the signing of African Continental Free Trade Area (AfCFTA)

We EACSOF Kenya Chapter join the rest of Africa in welcoming the recent signing of African Continental Free Trade Area (AfCFTA) by 44 African countries on March 21 2018 in Kigali Rwanda during the 10th Extraordinary Session of the Assembly of the African Union (AU) on the AfCFTA. As the most prominent flagship project of agenda 2063, the AfCFTA is complemented significantly by the Protocol on Free Movement of Persons and the African Passport. That the signing of this historic continental treaty took place in the capital of an EAC member state makes it appear to take inspiration from our own EAC treaty and subsequent Common Market Protocol and Customs Union that preceded it at taking a leap of faith to realize the long sort after African unity and prosperity dream.

We support the aim of the AfCFTA to, that is, to create a single continental market for goods and services; free movement of businesses and investments; make Africa the largest free trade area created in terms of the number of participating countries since formation of WTO with potential to create an African market of over 1.2 billion people and a collective GDP upwards of US\$ 2.5 trillion. We wish to emphasise *ab initio* that under the AfCFTA, the African people must not be treated only as a market but be at the core of production and value addition to grow the continent's economy. The participation of citizens in the AfCFTA is therefore of profound importance.

We applaud the 27 countries that freely signed the treaty committing their governments to remove tariffs on 90percent of goods produced in the continent and scrap the rest of the tariffs over time as well as supporting free movement of persons.

We commend the 16 countries that took a more cautious approach by first signing AfCFTA to partially allow free trade but not citizen rights for immigrants. We exhort them to prioritize consultations within their countries to enable comprehensive signing.

We congratulate the 43 countries that supported the deal well above the 22 minimum requirement to make it operational.

We urge the only EAC member state that did not sign to refer more closely to the EAC treaty that it is bound to and follow suit in due course to make the EAC fully compliant.

We recognize that the envisaged positive Implications include: no tariffs or reduced tariffs as well as easing of non- tariff barriers and cumbersome customs procedures on a variety of goods on trade between/ among African states. The AfCFTA should facilitate regional value chains in which inputs are sourced from different countries to add value before exporting - giving more opportunities for trade in raw materials as well as finished value added/manufactured produce.

We expect progressive liberalization of services for AU members to better access markets of all African countries. As members of civil society we especially see this treaty as a milestone in free movement and association of Africans to invest, work and live anywhere in the continent while enjoying similar status/rights guaranteed in EAC, AU and UN protocols in the same manner as citizens of respective countries.

As Kenyans we feel mollified that this happened after the President had earlier in the year declared a policy of free borders allowing travellers from other African countries to acquire visas on arrival with citizens of EAC accorded full citizen rights in Kenya- in a magnanimous gesture not based on reciprocity. We also note with equal exuberance that Rwanda already has a similar policy in place alongside Seychelles, Ghana, Mauritius, Nigeria and Benin that have scrapped visa rules.

The above notwithstanding, we would like to highlight a few challenges AfCFTA may face going by the performance of similar declarations in the past. At the top of the list is fear of influx of emigrants in particular to better- off economies and with it increasing competition for jobs and resources that may work against nationals. Conversely, is the fear that better off economies may take over less developed ones to the detriment of nationals whose “national sovereignty” protection will have been compromised by AU “open borders” policy. General poor physical and trade infrastructure across Africa remains an outstanding impediment but more worrying is the associated fear that weak controls and trade institutions made worse by corruption and possible sabotage may expose weaker economies to unfair competition from dominant players in the private sector as compradors of global business interests particularly from the burgeoning East. Some have already voiced the concern that current institutional arrangements of a considerable number of African countries may not work effectively for AfCFTA and that fast- tracking the ratification and transformational changes needed may face resistance.

EACSOFF Kenya views the concerns above as justified but also as an opportunity for African governments and institutions to openly enter into a tripartite dialogue with, private sector and CSOs to progressively put the interests of all stakeholders on the table while actively pursuing the continental free trade agenda.

We are proposing the EAC Consultative Dialogue Framework (CDF) as a model that could facilitate such continuous discussions. We see CDF as ultimately about all

citizens participating in integration and organised civil society facilitating that process through capacity building and advocacy.

We urge regional and national parliaments/legislative assemblies to ratify the AfCFTA deal within the next 6 months to make it fully effective in all AU member states' jurisdictions.

We call upon fellow EACSOF chapters to join us in mobilizing, educating and rallying our CSO stakeholders to the frontline of evidence based advocacy campaigns for a people centred and rights-based implementation of the AfCFTA.

Signed,

Morris Odhiambo

East African Civil Society Organizations Forum (EACSOF) Kenya Chair

27.03.2018