

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

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ASSEMBLY OF THE UNION  
Tenth Extraordinary Session  
21 March 2018  
Kigali, RWANDA



Ext/Assembly/AU/Dec.1(X)

DECISION

**DECISION ON THE DRAFT AGREEMENT ESTABLISHING THE AFRICAN  
CONTINENTAL FREE TRADE AREA (AfCFTA)**

Doc. Ext/Assembly/AU/2(X)

**The Assembly,**

1. **TAKES NOTE WITH APPRECIATION** of the Report of H.E. Mr. Issoufou Mahamadou, President of the Republic of Niger, the Leader of the AfCFTA, and the recommendations thereof on the progress achieved on the establishment of the African Continental Free Trade Area (AfCFTA);
2. **TAKES NOTE** of the Recommendations in the decision of the Executive Council on the draft Agreement Establishing the African Continental Free Trade Area, the Protocol on Trade in Goods, the Protocol on Trade in Services and the Protocol on Rules and Procedures on the Settlement of Disputes;
3. **RECALLS** its Decision Assembly/AU/Dec.394 (XVIII) adopted in January 2012, which mandated the Commission to fast-track the establishment of the Continental Free Trade Area and Decision Assembly/AU/Dec.666 (XXX) adopted in January 2018 on the Continental Free Trade Area;
4. **COMMENDS** the African Union Ministers of Trade (AMOT), Specialized Technical Committee (STC) on Justice and Legal Affairs and the African Union Commission for their efforts to conclude and finalize the AfCFTA legal instruments;
5. **ADOPTS** the Agreement Establishing the African Continental Free Trade Area, the Protocol on Trade in Goods, the Protocol on Trade in Services and the Protocol on Rules and Procedures on the Settlement of Disputes, with amendment to Article 13 of the Agreement related to the Secretariat;
6. **LAUNCHES** the African Continental Free Trade Area;
7. **STRONGLY URGES** all Member States of the African Union to sign and ratify the Agreement establishing the AfCFTA in order to usher its entry into force as expeditiously as possible;
8. **REQUESTS** the Commission to submit any annexes of the Agreement to an Extraordinary Session of the Specialized Technical Committee (STC) on Justice and Legal Affairs for consideration and submit the same to the Assembly through the Executive Council scheduled on January 2019, for consideration;
9. **REAFFIRMS** its commitment to implement the Action Plan on Boosting Intra-African Trade, and Fast-Tracking the Establishment of the AfCFTA, in accordance with Decision Assembly/AU/Dec 394 (XVIII) and in order to realise the vision of Africa's economic emancipation, structural transformation

and the meaningful participation of all its citizens, especially women and the youth in the continental and global trading system;

10. **WELCOMES** the presence of African Business Leaders in this historic Summit, and **UNDERTAKES** to establish with them an enduring partnership with a view to garner their active involvement and relevant contribution in the implementation of the legal instruments establishing the AfCFTA;
11. **FURTHER COMMITS** to undertake broad-based national awareness campaigns so that all stakeholders such as ordinary citizens and business people across Africa own the AfCFTA;
12. **DIRECTS** the AU Ministers responsible for Trade to:
  - i) submit the Annexes to the Protocol on Trade in Goods, Annexes to the Protocol on the Rules and Procedures on the Settlement of Disputes, and the List of Priority Sectors on Trade in Services to the July 2018 Session of the Assembly for adoption;
  - ii) submit the Schedules of Tariff Concessions, and Schedules of Specific Commitments on Trade in Services in line with agreed modalities to the January 2019 Assembly for adoption;
  - iii) conclude the negotiations on Competition Policy, Investment and Intellectual Property Rights, and submit the draft legal texts to the January 2020 Session of the Assembly for adoption through the Specialised Technical Committee on Justice and Legal Affairs.
13. **REQUESTS** the Commission to facilitate the conclusion of the outstanding issues (Built-In Agenda) in Phase I, and to continue to support Phase II of the negotiations on Investment, Intellectual Property Rights and Competition Policy to be undertaken under the institutional framework which was adopted by the Assembly in June 2015;
14. **REQUESTS** the AfCFTA Leader, H.E. Mr. Issoufou Mahamadou, President of the Republic of Niger to submit a progress report on the AfCFTA at its July 2018 Summit.

