



Creating One African Market

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## **COUNCIL OF MINISTERS RESPONSIBLE FOR TRADE OF THE AFRICAN CONTINENTAL FREE TRADE AREA (AfCFTA)**

ACCRA – GHANA

07 JULY 2022

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### **FINAL**

# **Ministerial Directive On the Implementation of State Parties Schedules of Specific Commitments**

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AfCFTA Secretariat  
Africa Trade House  
Ambassadorial Enclave  
Liberia Road, Accra - Ghana  
Telephone: +233 (0)59 692 1130

## **The Council of Ministers of the Africa Continental Free Trade Area (AfCFTA):**

1. RECALLING the commitment of State Parties of the Agreement Establishing the African Continental Free Trade Area (hereinafter the "Agreement") to establish a Single African Services Market through progressive liberalization and elimination of barriers to trade in services.
2. NOTING the instruments facilitating the actualization of this objective: the AfCFTA Protocol on Trade in Services (hereinafter the "Protocol"), the Modalities for AfCFTA Trade in Services Negotiations (hereinafter the "Modalities") and the Guidelines for Services Negotiations under the Protocol on Trade in Services (hereinafter the "Negotiating Guidelines").
3. FURTHER NOTING that at its thirteenth Extraordinary Session held in Johannesburg in December 2020, the Assembly of the African Union decided to start trading on 1 January 2021.
4. DETERMINED to implement ***the Schedules of Specific Commitments*** in the five (5) priority service sectors, namely: Business Services; Communication Services; Financial Services; Transport Services, and Tourism Services, in the first round of trade in services negotiations, to facilitate and operationalise the start of trading within the African Continental Free Trade Area.
5. AWARE that the **Schedules of Specific Commitments** of State Parties appended as **Annex A** to this Directive, have been verified as being in compliance with the Protocol, the Modalities and the Negotiating Guidelines, justifying their recommendation for adoption by the Assembly of Heads of States and Government.
6. CONSIDERING THAT, once approved by the Assembly, these **Schedules of Specific Commitments** shall be in effect appended as **Annex 1 ('Schedules of Specific Commitments')** of the Protocol.

7. ACTING PURSUANT to Article 11.3 (b) and (c) of the Agreement, according to which the Council of Ministers shall ensure effective implementation and enforcement of the Agreement, including by taking measures necessary for the promotion of the objectives of the Agreement.

## **THE COUNCIL OF MINISTERS HEREBY DIRECTS AS FOLLOWS:**

### **I. Schedules of Specific Commitments**

8. The **Schedules of Specific Commitments** of State Parties appended as **Annex A** to this Directive are recommended for adoption by the Assembly of Heads of States and Government as **Schedules of Specific Commitments in the five (5) priority sectors**.

9. State Parties, as listed in Annex A, shall proceed with the implementation of these **Schedules of Specific Commitments in the five (5) priority sectors**, in line with the principle of variable geometry. The implementation of the preferences in these Schedules of Specific Commitments is for State Parties with Schedules of Specific Commitments. State Parties without Schedules of Specific Commitments will not be eligible for the preferences found in the adopted Schedules of Specific Commitments until such a time that their Schedules of Specific Commitments are adopted by the Assembly of Heads of State and Government.

### **II. Progressive liberalisation of Trade in Services**

10. State Parties shall focus, when implementing their Schedule of Specific Commitments for the liberalisation, on the progressive elimination of the adverse effects of measures on trade in services as a means of providing

effective market access with a view to boosting intra-African trade in services.

### **III. Transparency and Notification**

11. State Parties shall promptly publish / gazette their **Schedules of Specific Commitments in the five (5) priority sectors**, in accordance with their internal procedures, and shall notify the AfCFTA Secretariat in writing of the date and place of publication, where applicable including or sharing the link of their accessibility via Internet, in line with Article 5 of the Protocol.

### **IV. Classification of Sectors in Schedules of Specific Commitments**

12. The AfCFTA Secretariat shall as necessary, prior to the adoption by the Council of Ministers of the **Schedules of Specific Commitments** containing all twelve (12) service sectors, assist State Parties to **transpose in the latest and most appropriate classification**, their commitments in the relevant services sub-sectors in accordance with **paragraph 39 of the Negotiating** Guidelines.

### **V. Monitoring of Implementation of Final Schedules of Specific Commitments**

13. State Parties shall take the necessary measures to implement this Directive and shall notify the AfCFTA Secretariat of such measures.

14. The Committee of Senior Trade Officials is responsible for monitoring the implementation of this Directive and report its findings to the Council of Ministers.

## **VI. Non-derogation**

15. Nothing in this Ministerial Directive shall be read as waiving or otherwise derogating from any right or obligation under the Agreement.

**Done this Day, 7<sup>th</sup> of July 2022**