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AN X-RAY OF REGIONAL ECONOMIC INTEGRATION IN AFRICA: THE PAST, THE PRESENT AND THE FUTURE

Sunday Bontur Lugard*
Ernest O. Ugbejeh**
Izuoma Egeruoh-Adindu***

ABSTRACT

The concept of economic integration in Africa has evolved since the inception of the Organisation of African Unity (OAU), now known as the African Union (AU). Despite some observable improvements in economic growth in recent years, the continent's progress towards inclusive economic integration remains hindered by ineffective policies, including overlapping membership of sub-regional economic blocs, delayed implementation of plans of action, among others. To address this, a continent-wide policy promoting the creation of a single market and facilitating the free movement of goods and people has become imperative. This culminated in the adoption of the African Continental Free Trade Area (AfCFTA) Agreement in 2018. However, realising the objectives of Agenda 2063 for socio-economic transformation requires a thorough examination of past, present, and future economic integration efforts. This paper assesses the journey of economic integration in Africa, aiming to identify and address the challenges hindering its realisation. Through an analysis of integration obstacles and the possibilities presented by initiatives such as the AfCFTA and regional economic communities, this research contends that the linear economic integration model embraced by AU member states has progressed slowly in execution. This model not only fails to deliver the advantages of a unified market but also prevents the continent from fully realising the benefits of comprehensive economic integration. Therefore, the adoption of coordinated economic policies, beyond building a common market, aimed at promoting the collective welfare of the continent's populace as seen in the viable EU approach is a sine qua non *to sustainable economic integration on the continent. Similarly, addressing the overlapping membership of sub-regional economic communities and blocs with far-reaching implications on the implementation of AfCFTA goals is an imperative.*

Keywords: *Regional Economic Integration, Regional Economic Communities, AfCFTA*

1. INTRODUCTION.

The long history of economic integration of the African continent is one developing story that cannot be fully achieved without the political will and drive required. Economic integration is the discriminatory removal of all trade impediments between at least two participating countries and the establishment of certain elements of coordination and cooperation between them.[1] It refers to an arrangement among nations that typically includes the reduction or

* Sunday Bontur Lugard, Ph.D, Department of International Law and Jurisprudence, Faculty of Law, University of Jos, Nigeria, lugards@unijos.edu.ng
** Ernest O. Ugbejeh, Ph.D, Faculty of Law, National Open University of Nigeria and Partner, Lex.Point Solicitors, eo.ugbejeh@gmail.com
*** Izuoma Egeruoh-Adindu, Senior Research Fellow, Nigerian Institute of Advanced Legal Studies Abuja, i.egeruoh@nials.edu.ng.

elimination of trade barriers and the coordination of monetary and fiscal policies.[2] It can take several forms that represent varying degrees of integration. This centres around a free trade area, a customs union, a common market, an economic union, and complete economic integration.[3] Economic integration aims to reduce costs for both consumers and producers and to increase trade between the countries involved in the agreement. It has been a long-standing objective of African political leaders and policy experts in Africa who have for years, emphasised the need for regional economic integration as there is a broad consensus among policymakers that economic integration and increased intra-regional trade have the potential of galvanizing significant growth and development in Africa.[4]

The purpose of economic integration in Africa is for its countries to come together to achieve large markets in on the continent, reap the benefits of economies of scale, and attain a coherent political cooperation. The various theories explaining economic integration are free trade areas, customs unions, common markets, monetary unions, and economic unions. Although some of these theories overlap, most regional groupings in Africa were formed along these lines, and so was African Continental Free Trade Area (AfCFTA). AfCTA seeks to engender economic integration via increase in market efficiency and reduction in the cost of doing business. AfCFTA can potentially ease trade and investment flows and shift the composition and direction of foreign direct investment flows into Africa. However, economic integration is an ongoing process occurring at different stages of the theories mentioned above.[5]

The AU topmost decision-making organ, the Assembly of Heads of State and Government, holds the key to the realisation of the vision for continent-wide sustainable economic integration. The Assembly has demonstrated its commitment in no mistakable terms since the signing of the Abuja Treaty which is intended to midwife and underwrite the pursuit of the goal of the actualisation of this vision through integration at the Regional Economic Communities (RECs) level. This has helped promote conscious effort at upscaling the integration to the continental level as envisioned and captured in the Abuja Treaty which identified six stages for the development of a continent-wide economic integration.[6] The success story (in the area of structures for the actualisation of common currencies at the sub-regional levels, especially West Africa, collaboration on hard

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1 Etem Karakaya and Andrew Cooke, 'Economic Integration: An Overview of the Theoretical and Empirical Literature' <https://www.researchgate.net/publication/237636907_ECONOMIC_INTEGRATION_AN_OVERVIEW_OF_THE_THEORETICAL_AND_EMPIRICAL_LITERATURE> accessed 12 January 2023.

2 Brian Abbott and Will Kenton, 'Economic Integration' <https://www.investopedia.com/terms/e/economic-integration.asp> accessed 25 May 2025.

3 Bella Balassa, The Theory of Economic Integration: An Introduction (Homewood, Illinois, Richard D. Irwin Inc., 1961) 174 <https://ieie.itam.mx/Alumnos2008/Theory%20of%20Economic%20Integration%20(Belassa).pdf> accessed 11 January 2023.

4 Gupta Aatmik, 'Economic Integration in Africa: Past, Present, and Future' (2017) Africa Policy Journal 89 <https://cipit.strathmore.edu/wp-content/uploads/2020/05/PDF-A.pdf> accessed 24 May 2025.

5 Bella Balassa (note 3) above.

6 African Union, 'Governance of Integration in Africa: Challenges and Way Forward' 6 <https://au.int/sites/default/files/newsevents/workingdocuments/26630-wd-issue_paper_on_governance_of_integration_en.pdf> accessed 23 May 2025.

infrastructural development in the area of transport and energy, etc) by some of the existing RECs are ready premises and building blocks for the furthering of the course of full continental economic integration.[7]

The adoption and coming into force of AfCFTA and the setting up of a secretariat as the key soft infrastructure with the mandate of advancing the course of economic integration are key and landmark achievements that position the continent towards actualizing economic integration in Africa, as it is the case in other regions, especially the Euro zone. Though hope blazes in the horizon as the various phases of the integration vision are being realised despite enormous financial, institutional, infrastructural challenges and migration and trade barriers, among others.

This paper, therefore, seeks to examine the efforts made so far towards promoting regional economic integration in Africa. While reference is made to the overall goal of regional integration on the African continent, the focus of this paper is on economic integration (as captured in the AfCFTA) as a sub-stratum of the overall policy of regional integration under the auspices of the African Union. This will be done by examining the past (being the foundation of the policy), and the present (analysing ongoing developments in the pursuit of the realisation of the goal of AfCFTA), while making projections for the future. For detailed research, the paper has been organised into sections. After the introduction is section two of the paper which focuses on past efforts towards achieving economic integration in Africa, section three of the paper x-rays the present nature of economic integration in Africa, while section four analyses the future of integration across the continent by exploring key challenges and opportunities the future may hold for the processes of regional economic integration. The paper will be concluded in section five.

2. ECONOMIC INTEGRATION IN AFRICA: X-RAYING THE PAST

Regional economic integration is the process whereby countries in a geographical region cooperate with one another to reduce or eliminate barriers to the international flow of products, people or capital.[8] Regional economic integration also refers to 'a process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing nation-states.'[9] The term regional economic integration is an aspect of regional integration. Regional Integration and regional economic integration are not necessarily the same concept. Regional integration is a much broader concept based on political, economic, social, cultural, and geographical demarcations; while regional economic integration represents only its economic aspect.[10]

Regional integration in Africa is a stated 'priority' goal of African governments. In the past, it was seen as a potential solution to the various political and economic issues on the continent. African countries embraced regional integration as an important component of

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7 Ibid.

8 David Dada, 'Regional Economic Integration' 2 <https://www.academia.edu/34056494/CHAPTER_8_REGIONAL_ECONOMIC_INTEGRATION> accessed 8 January 2023.

9 Bella Balassa (note 3) above.

10 Ibid

their development strategies primarily driven by the economic rationale of overcoming the constraint of small and fractioned economies working in isolation. Several pan-African organisations have successively been working towards deepening economic cooperation and integration in Africa.[11]

A number of colonial cross-border arrangements continued to exist post-independence and served the regional integration agenda.[12] Leading examples are related to the previous African Financial Community (CFA) zone, comprising the West African CFA franc and the Central African CFA franc.[13] The West African CFA franc was ultimately integrated to the West African Economic and Monetary Union (WAEMU) in the territory of ECOWAS, while the Central African CFA franc was set up to join the envisioned Economic and Monetary Union of Central Africa (CEMAC) in the Central Africa, Economic Community of Central African States (ECCAS) region. Likewise in Southern Africa, the Southern African Customs Union (SACU) with its associated monetary union, the Common Monetary Area were integrated into the SADC constituency. Various pan-African organisations through different mechanisms were promoting regional integration through their works.[14]

Economic Commission for Africa (ECA) was also established by the Economic and Social Council of the United Nations in 1958 to work towards sustainable development in Africa. In view of that, ECA in the 1960s recommended the creation of sub-regional groupings in Africa to facilitate regional economic integration. Around the same time, the Heads of State and Government of 30 of the 32 independent African nations agreed to establish the Organisation of African Unity (OAU) at the Conference of Independent African States on 25 May 1963. Apart from the liberalisation efforts against colonisation and apartheid, the main objectives of OAU were to promote unity and solidarity among African States; to organise and strengthen cooperation for development on the continent; to protect the sovereignty and territorial integrity of its member States; and to encourage integration of member States.[15]

To promote the economic integration agenda, the African Development Bank Group (AfDB) was established at almost the same time with Organisation of African Unity (OAU). It was formed after an agreement signed by 23 founding member States on 14 August 1963 in Khartoum, Sudan. The AfDB Group, as a financial institution, was created as a response to a need for deeper cooperation among African countries especially in investments of public and private capital projects that are likely to contribute to the economic integration of the continent.[16] The work of the above-mentioned pan-African organisations are founded on treaties, protocols, conventions and other formal agreements entered into by sovereign States

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11 United Nations Economic Commission for Africa, 'History of Africa's Regional Integration Efforts' <https://www.uneca.org/oria/pages/history-africa's-regional-integration-efforts> accessed 23 May 2025.

12 Trudi Hartzenberg, 'Regional Integration in Africa' (World Trade Organization's Staff Working Paper ERSD-2011-14) 20 <https://www.wto.org/english/res_e/reser_e/ersd201114_e.pdf> accessed 10 January 2023.

13 Ibid

14 Ibid.

15 Ibid.

16 African Development Bank, 'History' <https://www.afdb.org> accessed 12 January 2023

and international organisations (pan-African organisations and regional economic communities included) and are thus, binding under international law.[17]

On the continent, the implementation of the plan of regional economic integration has mainly been guided by either the framework of the Lagos Plan of Action, or arrangements that pre-existed it.[18] Before the Lagos Plan of Action, there were pre-existing arrangement in form of Pan-African congress and conferences where leaders, intellectuals and members of African diaspora expressed their views. The Lagos Plan of Action was a critical agreement in the history of regional economic integration in Africa. It was prominently supported by ECA and was adopted in 1980 at the OAU Extraordinary Summit in Lagos, Nigeria, where it was launched as a special initiative of the Organisation. The Lagos Plan of Action itself, followed by the Final Act of Lagos, was borne out of the necessity for continental and national self-sufficiency and the creation of a self-reliant continental economy.[19] Among the decisions taken by the Lagos Plan of Action was the establishment of an African Economic Community in the foreseeable future, the strengthening of existing regional economic communities and the creation of others for integration of the continent. ECOWAS already existed among the West African countries. Southern Africa also had a socioeconomic cooperation arrangement, the Southern African Development Coordination Conference created in the 1980s, which was later replaced by Southern African Development Community (SADC) in 1992. Similarly, Southern and Eastern Africa had established a Preferential Trade Area in 1981, which eventually became Common Market for Eastern and Southern Africa (COMESA) in 1993.[20]

Conversely, ECCAS was created in 1983 by the leaders of the pre-existing Customs and Economic Union of Central Africa. The abovementioned arrangements were expected to function under the framework of the Lagos Plan of Action. The commitments in the Lagos Plan of Action and the Final Act of Lagos were translated into a specific agreement in Abuja, in June 1991, when the OAU Heads of State and Government signed the Treaty Establishing the African Economic Community (the Abuja Treaty). The remaining regional economic communities, Intergovernmental Authority for Development (IGAD) (formed in 1986), Arab Maghreb Union (AMU) (formed in 1989), Community of Sahel-Saharan States (CEN-SAD formed in 1998), and Eastern African Community (EAC formed in 1999) were all recognized as regional economic communities after the Abuja Treaty which is aimed at fostering African economic integration.[21]

One noticeable challenge in the creation and operation of these sub-regional economic blocs and similar organisations is their overlapping membership of some of them. For instance, in the context of West Africa, eight members of UEMOA double as members of

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17 Dinka, T. Kennes, 'Africa's Regional Integration Arrangements: History and Challenges' (2007) <https://ecdpm.org/publications/africas-regional-integration-arrangements-history-challenges/> accessed 23 May 2025.

18 Food and Agriculture Organization, 'Regional Integration in Africa' <https://www.fao.org/3/y4793e/y4793e0a.htm> accessed 25 October 2019.

19 Organisation of African Unity, Lagos Plan of Action for the Economic Development of Africa 1980-2000 (OAU, Adis Ababa) 76 <https://faolex.fao.org/docs/pdf/au213002.pdf> accessed 23 October 2025.

20 Ibid.

21 United Nations Economic Commission for Africa, (note 11).

ECOWAS – with both organisations having similar organs and specialised institutions.[22] CEMAC and ECCAS have this same overlapping membership, and some of whose members are also members of Common Market for Eastern and Southern Africa (COMESA).[23] This complicates the delimitation of Central African sub-region as a preparatory framework for the emergence of a strong continent-wide economic union[24] envisaged and captured in the AfCFTA.

The Abuja Treaty as the most important agreement with regard to economic, social and political collaboration, coordination and convergence in Africa laid out the future of the continent with the establishment of an African Economic Community. The integration process is set to cover a period of 34 years from 1994 to 2028. Following the signing of the Abuja Treaty, the Assembly of Heads of State and Government directed the Committee on the Review of the Charter (established in 1979) to meet and re-examine the OAU Charter with a view to aligning it with the Abuja Treaty. Notwithstanding numerous attempts since 1979, OAU member States could not agree on amendments to the 1963 Charter.

Eventually, at the fourth Extraordinary Summit of the OAU held in Sirté, Libya on 9 September 1999, the Heads of State and Government called for the establishment of an African Union (the Sirté Declaration) in conformity with the ultimate objectives of the OAU Charter and the provisions of the Abuja Treaty. This gave rise to the Constitutive Act of the African Union, in Lome, Togo on 11 July 2000. At the thirty-seventh session of the Assembly of Heads of State and Government, in 2001 in Lusaka, Zambia, a transition period of one year was agreed, while member States and the General Secretariat embarked on intensive consultations before the inaugural launch of the African Union in Durban, South Africa on 9 July 2002.[25]

After several years with lagging regional integration initiatives, the fourth Conference of African Ministers of Integration adopted the Minimum Integration Programme on 9 May 2009. The programme contains an action plan to accelerate coordination, convergence, and collaboration among the regional economic communities so as to achieve the ultimate objective of the African Economic Community which was hinged on economic integration.[26] It identified the impediments hindering the implementation of the Abuja Treaty and laid the roadmap on how to overcome them in the near future. The roadmap will shape both the present and future efforts geared towards regional economic integration in Africa.

3. THE PRESENT STATE OF ECONOMIC INTEGRATION IN AFRICA

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22 Bappah Habibu Yaya, 'Inter-regionalism as a Mechanism for the Harmonization of Africa's Regional Integration Projects' in Akinpelu O. Olutayo and Adebusuyi I Adeniran (eds), *Regional Economic Communities: Exploring the Process of Socio-Economic Integration in Africa* (Dakar, CODESRIA, 2015) 12. It should be noted that while this integration at the sub-regional level of ECOWAS was ongoing, Burkina Faso, Mali and Niger have indicated their interest in exiting the sub-regional body and forming the alternative Confederation of Sahel Sates as a result of sanctions imposed on those countries for undemocratic take over of political powers by their military. the impact of this development on the realization of the goals of sub-regional economic integration is still a developing story.

23 Ibid at 13.

24 Ibid.

25 Dinka, T, Kennes, (note 17).

26 African Union, 'Minimum Integration Programme' <https://au.int/en/ea/ric/mip> accessed 23 May, 2025.

The pursuit of economic integration on the continent dates back to the era of attainment of independence by most States in Africa, especially the 1960s. Since then, economic integration has been regarded as a major component of African development strategy. The realisation of the of the huge economic potentials in a single continental market that allows for the free movement of goods and services and people led to the conclusion of several economic integration arrangements at the continental and sub-regional levels. Effort at African economic integration was not limited to collaboration within Africa but with States outside the continent. Historically, the major trade partner of African States has been the European Union. For instance, the Cotonou Agreement[27] which later paved way for the negotiation of the Economic Partnership Arrangement (EPA) reflects this approach.

Giving the changing political and economic priority globally, the need for African economic integration remains potent today as it was in the early 1960s. The vast population of over 1.4 billion people in Africa presents a huge potential for economic integration that can propel economic growth and development of the continent. Also, the burning need for industrialisation of the continent amidst her endowment of rich natural and human resources, and the potentials in a continent-wide single market, free movement of goods and persons are the compelling forces for economic integration in Africa.

Over the years, African continent has been known for her linear market integration model which follows a stepwise integration of goods, labour, capital market and eventually monetary and fiscal integration as well as deeper integration agenda that include services, investment, competition and others which go beyond border issues.[28] This model simply covers free trade, custom union, common market and monetary and fiscal matters. Thus, economic integration of African States can only be effectively examined from continental or regional levels. Since independence of African States, the regional economic integration has been the major development strategy adopted in Africa.[29] The two levels of economic integration in Africa are examined below.

3.1 Continental Approach of African Economic Integration

This economic integration approach or arrangement applies throughout the continent. Such arrangement is contained in AU, AfCFTA and Common passport agreements.

i. African Union

At the continental level, African Union (AU) is a body providing an Africa-wide economic integration. It transitioned from the Organisation of African Unity (OAU) which was established in 1964 to African Union in 2002, taking a form resembling the European Union. In July 2002, the African Union (AU) was officially launched in Durban, South Africa in line with the decision reached in September 1999 by its predecessor (the OAU) to create a new

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27 A treaty between the European Union and the African, Caribbean and Pacific Group of States – known as the 'ACP countries.' It was signed on 23 June 2000 in Cotonou, Benin Republic by 78 ACP countries (except Cuba) and the then fifteen Member States of the European Union. The Cotonou agreement was revised in Luxembourg on 25 June 2005, revised in Ouagadougou on 22 June 2010.

28 Trudi Hartzenbe, 'Regional Integration in Africa' World Trade Organization Economic Research and Statistics Division Staff Working Paper ERSD-2011-14 (October 2011) <https://www.econstor.eu/bitstream/10419/57595/1/669412368.pdf> accessed 23 May 2025.

29 Ibid.

continental organisation to build on its work by refocusing attention from the fight for decolonisation and ridding the continent of apartheid, which had been the focus of the OAU, towards improved cooperation and integration of African states to drive Africa's growth and economic development.[30]

The Organisation of African Unity and its successor, the African Union, have championed continental cooperation since the 1960s, culminating in the signing of the Abuja Treaty in 1991.[31] The African Union (AU) is a continental body consisting of the 55 member States that make up the countries of the African Continent.[32] In 2001, the OAU was transformed to the African Union (AU) under a new instrument called Constitutive Treaty.[33] The change became necessary in order to speed up the process of economic integration and achieve the economic development of Africa. In essence, the AU was established in conformity with the ultimate objectives of the OAU Charter and the Treaty establishing the African Economic Community. Therefore, it is safe to conclude that AU evolved from the OAU and the AEC into one unified institution with enhanced focus on economic integration of the continent. Therefore, the African Union objectives are more comprehensive than those of the OAU. The aims and objectives of the AEC Treaty remain potent and operational under the AU but are subject to the provisions of the Constitutive Act of the African Union. The objectives of AU include acceleration of the political and socio-economic integration of the continent.[34]

ii. African Continental Free Trade Area (AfCFTA)

The AfCFTA is an agreement that creates a single market for goods and services, with free movement of people and investments across 54 countries in Africa thereby redefining trade relations among African States. Report clearly shows that intra-African trade is the lowest globally.[35] Since 2000, least half of the world's fastest-growing economies have been in Africa and by 2030, Africa will be home to 1.7 billion people, whose combined consumer and business spending will amount to $6.7 trillion.[36] Also, the United Nations Economic Commission for Africa reports that AfCFTA has the potential to boost intra–Africa trade by 52 per cent by 2022'.[37] These among others necessitated the negotiation of AfCFTA with the primary aim of aligning the continent with its potential. The AfCFTA, upon completion, will

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30 African Union, 'About the African Union' available at <https://au.int/en/overview> accessed 24 May 2025.

31 Iwa Salami, 'African Economic Integration and Legal Challenges' (Great Insights Magazine, 29 november 2013) 1(1) <https://ecdpm.org/work/boosting-intra-african-trade-volume-1-issue-1-jan-feb-2012/african-economic-integration-and-legal-challenges> accessed 23 May 2025.

32 African Union 'About the African Union' available at <https://au.int/en/overview> accessed 24 May 2025.

33 Constitutive Act of the African Union was adopted on 7th November 2000 and came into force 26 May 2001.

34 Ibid.

35 According to the African Development Bank 'intra-African trade is the lowest of all global regions at approximately 15%, compared to 54% in the North American Free Trade Area, 70% within the European Union and 60% in Asia': African Development Bank, 'Importance of regional and continental integration for Africa's development' <https://www.afdb.org/en/news-and-events/importance-of-regional-and-continental-integration-for-africas-development-18773> accessed 23 May 2025.

36 Landry Signé, 'Global Economy and Development, Africa Growth Initiative' (Brookings, 14 March 2018) <https://www.brookings.edu/opinions/capturing-africas-high-returns/> accessed 23 October 2019

37 United Nations Economic Commission for Africa, 'Continental Free Trade Area Deal Set to Boost Intra-African Trade, says Ambassador Quartey', <https://archive.uneca.org/stories/continental-free-trade-area-deal-set-boost-intra-african-trade-says-ambassador-quartey> accessed 23 May 2025.

be a continent-wide free trade area for those states which have deposited instruments of ratification.[38]

The main objectives of the AfCFTA are to create a single continental market for goods and services, free movement of business persons and investments, accelerate the establishment of a continental customs union, expand intra-African trade through better harmonization and coordination of trade liberalization and facilitation across the RECs in particular and the continent in general, enhance competitiveness at the industry and enterprise level through exploitation of opportunities for scale production, continental market access and better allocation of resources.[39] The AfCFTA agreement came into force on 30 May 2019 for those countries that had deposited their instruments of ratification before this date.[40]

There are many positive outlooks according to observers and report on AfCFTA. It has been argued that it has potential of lifting people out of poverty and invigorating Africa's growth trajectory as well as driving the African private sector.[41] Thus, the 'potential advantages to the private sector include increasing economies of scale and access to cheaper raw materials and intermediate inputs; better conditions for regional value chains and integration into global value chains.'[42]

The present challenge is the task of being able to prioritise and balance economic integration with social, cultural and political integration as well as the overlapping REC membership. There exist at the moment weak enforcement regime of existing treaties and non-tariff barriers continue to hinder free movement of goods, services and persons across borders. There are bilateral and multilateral agreements between African states and the international community that demand urgent review to ensure that existing and future trade and investment arrangements align with regional and continental integration. Another concern is that the AfCFTA must be people-centred, with stronger citizens' partnerships to attain sustainable development in line with Agenda 2030 and 2063.

iii. African Union Passport (Common Passport)

The African Union Passport is a 'common passport document that is set to replace existing nationally issued African Union member State passports and exempt bearers from having to

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38 In essence, even though it is called a 'Free Trade Area' in reality, it is a comprehensive partnership agreement that goes beyond trade in goods to services, investment, competition and intellectual property.

39 TRALAC, 'African Continental Free Trade Area (AfCFTA) Legal Texts and Policy Documents' <https://www.tralac.org/resources/our-resources/6730-continental-free-trade-area-cfta.html> accessed 23 May 2025

40 This was in line with Article 23 of the Agreement, which provides that the agreement will enter into force 30 days after the 22nd instrument of ratification is deposited with the Chairperson of the African Union. On 29 April 2019, Sierra Leone and the Saharawi Republic deposited their instruments of ratification with the depositary, meeting the requirement of Article 23. Only Eritrea is yet to sign the agreement of the 55 AU member States, Nigeria signed 7 July 2019. 28 States have deposited their instruments of AfCFTA ratification with the Chairperson of AU and they are Ghana, Kenya, Rwanda, Niger, Chad, Congo Republic, Djibouti, Guinea, eSwatini (former Swaziland), Mali, Mauritania, Namibia, South Africa, Uganda, Ivory Coast (Côte d'Ivoire), Senegal, Togo, Egypt, Ethiopia, The Gambia, Sierra Leone, Saharawi Republic, Zimbabwe, Burkina Faso, São Tomé and Príncipe, Gabon, Equatorial Guinea and Mauritius.

41 International Trade Centre, *A Business Guide to the African Continental Free Trade Area Agreement* (ITC, Geneva 2018) iii.

42 Ibid.

obtain any visas for all 55 States in Africa'.[43] It was launched on July 17, 2016, by the African Union in Kigali in Rwanda.[44] The passport was planned to be rolled out and ready for use at borders worldwide by 2020,[45] but this has not yet been realised as several technical hurdles are still being worked out. Since January 2018 when the Protocol to the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment was adopted by the AU Assembly, AU and RECs have only recently adopted a joint draft strategy on the operationalization of the African Passport – however, only 33 countries have so far signed the Protocol with only 4 of them ratifying it.[46] The passport represents an important tool for attainment of Agenda 2063 action plan, which emphasises the need for greater continental integration.[47] The issue of freedom of movement has been a priority issue among member States.[48] Commendably though, the use of common passport has already been adopted for some regions on the continent, including ECOWAS, which did so in the year 2000.[49]

The objective of the common passport policy is to facilitate the achievement of an accessible open-door policy. Currently, there are 13 of the 55 African states that do not require advance visas; others have severe restrictions on travel. The African Development Bank has advised, using Rwanda as a case study, that easing entrance requirements would support economic growth. Rwanda's abolition of visa requirements for fellow members of the East African Community in 2011 helped increase intraregional tourists from 283,000 in 2010, to 478,000 in 2013.[50] Another advantage is that it will provide a central record of people in Africa.

Some concerns arising from adoption of common passport include the claim that not all States have the same level of technological capacity required for the biometric system and to register their citizens,[51] possibility of more powerful states overriding smaller members,

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43 Kieron Monks, 'United States of Africa? African Union launches all-Africa passport' (CNN News Updated 1437 GMT (2237 HKT) July 19, 2016; RwandaWire'President Kenyatta arrives in Kigali for AU summit' (Rwanda Wire, 17 July 2016) <http://rwandawire.com/2016/07/16/president-kenyatta-arrives-in-kigali-for-au-summit/> accessed 23 May 2025.

44 Pan Africa News Wire 'AU Heads of State to launch African Union Passport during Kigali Summit' <http://panafricannews.blogspot.com/2016/07/au-heads-of-state-to-launch-african.html?m=1> accessed 23 May 2025; Arnold Kwizera, 'Rwanda Ready to Issue African Common Passport | KT PRESS' (KT Press 14 July 2016 available at <https://ktpress.rw/2016/07/rwanda-ready-to-issue-african-common-passport/> accessed 24 May 2025.

45 African Currier, 'African Union Passports to be Rolled Out by 2020 - The African Courier' <https://www.theafricancourier.de/african-union-launches-all-africa-passport/> accessed 24 May 2025.

46 African Union, 'Draft Continental Strategy on Free Movement Developed' <https://au.int/en/articles/draft-continental-strategy-free-movement-developed> accessed 21 October 2023.

47 The Agenda drawn heavily on vision of Pan-African unity

48 It was a main issue in the 1991 Abuja Treaty.

49 ECOWAS, 'Fostering Regional Integration through NEPAD Implementation' (Annual Report 2002) <https://www.ecowas.int/wp-content/uploads/2024/08/ENG.-ANNUAL-REPORT-2002-OF-EXECUTIVE-SECRETARY-DR.-MOHAMED-IBN-CHAMBAS-ABUJA-DECEMBER-2002.pdf> accessed 26 May 2025.

50 United Nations Conference on Trade and Development 'African tourists emerge as powerhouse for tourism on the continent, says UNCTAD report' **UNCTAD/PRESS/PR/2017/019Geneva, Switzerland, (05 July 2017).**

51 Kieron Monks, (note 40).

visa revenue being an important source of income for some countries and removing it will affect the local economy.[52]

3.2. Regional Approach of African Economic Integration

The establishment of African Economic Community (AEC) is traceable to the failure of OAU in meeting its objectives. On 3rd June, 1991, the OAU Heads of State and Government signed a Treaty establishing the AEC in response to the challenges facing OAU.[53] The AEC Treaty provided that the African Economic Community would be set up through a gradual process, which would be achieved by coordination, harmonisation and progressive integration of the activities of existing and future Regional Economic Communities (RECs) in Africa.[54] By this, the RECs were recognised as pillars and building blocks of the AEC. There are 8 RECs recognised as the building blocks of AEC. Prior to African Union, the AEC operated on the basis of the OAU Charter and the AEC Treaty.

The Economic Commission for Africa (ECA) became the champion of regional economic integration, already in the mid-1960s proposing the division of Africa into regions for the purposes of economic development. The eight recognised RECs are namely: AMU, CEN-SAD, COMESA, EAC, ECCAS, ECOWAS, IGAD and SADC.[55] These RECs are fallout of the AEC agenda and are the building blocks of African Economic Community.[56] There exists overlapping membership of these RECs because of historical, political or economic reasons.[57] These RECs are examined below.

i. Arab Maghreb Union (AMU)

The establishment of this union is traceable to June 1988, when the Algerian, Libyan, Mauritanian, Moroccan and Tunisian Heads of States met in Algiers and agreed on the creation of the Arab Maghreb Union. In February 1989, the Arab Maghreb Union (AMU) was established in Marrakech with the approval of the treaty establishing the Arab Maghreb Union.[58] Member States agreed to coordinate, harmonise and rationalise their policies and strategies to achieve sustainable development in all sectors of human activities. Also, at the Marrakesh Summit member States adopted a Solemn Declaration on the establishment of AMU and its work Programme.[59] The member States of AMU are Algeria, Libya, Mauritania, Morocco, and Tunisia.

ii. Community of Sahel-Saharan States (CEN-SAD)[60]

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52 Ibid

53 Article 1 of the AEC Treaty provides that AEC is established as an organic structure for economic integration of Africa as an integral part of OAU.

54 Salami, (n 19).

55 These regional economic communities are established to serve their member States with the implementation of the regional integration agenda, where the concept of good faith and the resultant observance of treaty obligations are the basis on which member States must make regional integration decisions as well as ensuring their performance and implementation of their agenda and agreements.

56 United Nations Economic Commission for Africa, (n 29).

57 Ibid.

58 UNECA, 'AMU - Arab Maghreb' <https://www.uneca.org/oria/pages/amu-arab-maghreb-union> accessed on 1 May 2025.

59 Ibid.

60 See <ttps://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>accessed 1 May 2025.

The community was established on 4 February, 1998 following the Conference of Leaders and Heads of States held in Tripoli, Libya. CEN-SAD became a regional economic community during the thirty-sixth ordinary session of the Conference of Heads of State and Government of the Organisation of African Unity, held in Lomé, Togo, from 4 to 12 July 2000. CEN-SAD gained the observer status at the General Assembly under resolution 56/92, and thereafter, initiated cooperation agreements with numerous regional and international organisations with the purpose of consolidating collective work in the political, cultural, economic and social fields. At the Conference of Heads of State and Government held in N'Djamena, Chad in February 2013 whose main purpose was to endorse the restructuring and the revival of the Community, CEN-SAD approved a new Treaty prepared from the revision of the first Treaty that established the Community.

The first Treaty Establishing the CEN-SAD was revised with the aim of giving a new focus to the community. The revised treaty emphasised two areas of deepened cooperation, namely: regional security, and sustainable development. The revised Treaty is yet to enter into force, in line with Article 53 that requires fifteen ratifications. Currently, thirteen member States have ratified the Treaty.[61]The member States of CEN-SAD are: Benin, Burkina Faso, Central African Republic, Chad, the Comoros, Côte d'Ivoire, Djibouti, Egypt, Eritrea, the Gambia, Ghana, Guinea-Bissau, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, Sierra Leone, Somalia, the Sudan, Togo and Tunisia.[62]

iii. Common Market for Eastern and Southern Africa (COMESA)[63]

The Common Market for Eastern and Southern Africa (COMESA) was formed in December 1994 to replace the former Preferential Trade Area (PTA) from the early 1980s in Eastern and Southern Africa. COMESA was created to serve as an organisation of free independent sovereign States that have agreed to cooperate in developing their natural and human resources for the good of all their people.[64] The main focus of COMESA has been on the formation of a large economic and trading unit to overcome trade barriers faced by individual States. The objectives include promoting sustainable economic development for member States.

The member States of COMESA are: Burundi, the Comoros, the Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Sudan, Swaziland, Seychelles, Uganda, Zambia and Zimbabwe.

iv. East African Community (EAC)

The East African Community (EAC) was first established in 1967, dissolved in 1977, and resuscitated with the Treaty establishing the East African Community adopted in Arusha Tanzania in 1999. The treaty was signed in 1999 by Kenya, Uganda and United Republic of

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61 They are Mali, Morocco, Niger, Sudan, Burkina Faso, Côte-d'Ivoire, Djibouti, Eritrea, Guinea, Benin, Chad, Senegal, and Togo.

62 Guinea, Kenya, Liberia and Sao Tome and Principe are no longer members of CEN-SAD: See UNECA, 'CEN-SAD - The Community of Sahel-Saharan States' available at <ttps://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>Accessed on 1 May 2025.

63 See <htpps://www.comesa.int>accessed on 25 May 2025.

64 UNECA, 'COMESA - Common Market for Eastern and Southern Africa' available at <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa> accessed on 21 May 2025.

Tanzania. In 2007, Burundi and Rwanda became members while in April 2016, South Sudan became a member.[65] The historical links of Kenya, Uganda and United Republic of Tanzania provided the groundwork for economic integration of the EAC member States. The aim of EAC is to gradually establish among themselves a Customs Union, a Common Market, a Monetary Union, and ultimately a Political Federation of the East African States. The member States of EAC are: Burundi, Kenya, Rwanda, South Sudan, Uganda and United Republic of Tanzania.[66]

v. Economic Community of Central African States (ECCAS)[67]

The journey for the establishment of the bloc was initiated in December 1981 when the leaders of the Customs and Economic Union of Central African States (UDEAC) agreed to form a wider economic community of Central African States. The Economic Community of Central African States was established on October 1983 by members of UDEAC, (Sao Tome and Principe) and members of the Economic Community of the Great Lakes Countries, (Zaire (now DRC),[68] Burundi and Rwanda).[69] The ECCAS remained inactive for several years due to financial constraints, and conflicts within member States.[70] Nevertheless, in October 1999, ECCAS was formally designated into the African Economic Community as one of the eight pillars of the African Union. ECCAS aims at promoting and strengthening a harmonious cooperation and attainment of self-sustained economic development. The member States of ECCAS are: Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and São Tomé and Príncipe.

vi. Economic Community of West African States (ECOWAS)

The Economic Community of West African States (ECOWAS) was established by the Treaty of Lagos by fifteen West African Heads of State and Government signed the treaty on 28 May, 1975.[71] The treaty of Lagos was initially limited to economic cooperation but emerging political events led to its revision and expansion of scope of cooperation in 1993. The vision of ECOWAS is to drive cooperation and integration that will lead to the establishment of an Economic Union in West Africa.[72] The member States of ECOWAS are: Benin, Burkina

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65 South Sudan application for membership was refused in 2011 because of the country's institutional weakness.

66 UNECA, 'EAC – East African Community' <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community> accessed on 21 May 2025.

67 UNECA, 'ECCAS - Economic Community of Central African States' available at <https://www.uneca.org/oria/pages/eccas-economic-community-central-african-states>accessed on 21 May 2025.

68 It was renamed in May 1997 to Democratic Republic of the Congo in May 1997

69 Rwanda left ECCAS in 2008 to concentrate on its membership to the East African Community (EAC) and COMESA. On 18 August 2016, Rwanda officially confirmed its return to ECCAS.

70 Great Lakes area as well as the war in Democratic Republic of Congo where member States (Rwanda and Angola) were fighting on different sides.

71 Cabo/Cape Verde joined in 1976 and Mauritania decided to withdraw in 2000 to join the Arab Maghreb Union.

72 UNECA, 'ECOWAS - Economic Community of West African States' available at <https://www.uneca.org/oria/pages/ecowas-economic-community-west-african-states>accessed on 21 May 2025.

Faso, Cabo Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

vii. Intergovernmental Authority on Development (IGAD)[73]

The Intergovernmental Authority on Development (IGAD) was created in 1996 as a successor to the Intergovernmental Authority on Drought and Development (IADD). IADD was founded in 1986 to deal with issues related to drought and desertification in the Horn of Africa.[74] The mission of IGAD is to assist and complement the efforts of the member States to achieve, through increased cooperation: food security and environmental protection, peace and security, and economic cooperation and integration in the region. The member States of IGAD are: Djibouti, Ethiopia, Eritrea, Kenya, Somalia, the Sudan, South Sudan and Uganda.

viii. Southern African Development Community (SADC)

Southern Africa Development Coordination Conference (SADCC) was created in 1st April 1980 to advance the cause of national political and economic liberation in Southern Africa and in July 1981, its establishment and operations was formalised via an MOU. On 17 August, 1992, the Heads of State and Government decided to deepen the integration and cooperation processes in SADCC in the form of a community and this led the signing of the SADC Treaty that transformed SADCC into SADC.[75] A Declaration 'Towards a Southern African Development Community' signed by Heads of State clearly spelt out the SADC Common Agenda. The objectives of SADC include achieving development and economic growth.[76]

The member States of SADC are: Angola, Botswana, the Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

The purposes of the RECs were to ensure development and economic integration of African States. One will wonder if these goals have been achieved and if not, the extent they will be achieved in the near future. Considering the challenging history and implementation of the plan of economic integration on the African continent, a projection into the future is imperative.

4. THE FUTURE OF ECONOMIC INTEGRATION IN AFRICA

The coming into force of the Agreement establishing the African Continental Free Trade Area (AfCFTA) has heralded both positive and doubtful feelings among some stakeholders. This relates principally to its capacity to sustainably inspire the actualisation of a continent-wide economic integration; and not be abandoned as one of the political unfinished businesses that has become a negative decimal of the then OAU's audible projects and

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73 UNECA, 'IGAD - Intergovernmental Authority on Development' <https://www.uneca.org/oria/pages/igad-intergovernmental-authority-development> accessed 21 October, 2019; See <htpps://www.igad.int> accessed 25 May 2025.

74 Usually shortened to HOA. It is a peninsula in Northeast *Africa*

75 Treaty of the Southern African Development Community (Windhoek, Namibia, 1992). Available at <https://www.sadc.int/files/9113/5292/9434/SADC_Treaty.pdfhttp://www.sadc.int/files/9113/5292/9434/SADC_Treaty.pdf> accessed 22 May 2025.

76 UNECA, 'SADC - Southern African Development Community' <https://www.uneca.org/oria/pages/sadc-southern-african-development-community>. Accessed on 21 May 2025.

initiatives. Sounding a note of cautious optimism, Issoufou and Songwe have opined that 'there is much to celebrate with the conclusion of the AfCFTA negotiations, but this is just the first step. Matching ambition with implementation is now the challenge.'[77]

Despite the urge for caution, the zeal shown by the key stakeholders of the continental free trade framework like the AU Assembly, the RECs, the private sector, etc. towards the actualization of the Agreement indicates that the prospect for economic integration in Africa is bright as key drivers of growth and development are in large supply on the continent.[78] This position is hinged on the fact that economic integration presents an opportunity for a win-win cooperation and also holds the key to 'driving efficiency both within the continent and globally' and hence reinforce the continent's competitiveness.[79]

4.1 Key Hurdles on the Navigable Path to Economic Integration in Africa

Nowhere has regional economic integration been successful without teething challenges and subsequent down-the-line issues that give room for the renegotiation of the terms or the restructuring of the legal and institutional framework for such cooperation across national borders. For instance, North American Free Trade Agreement (NAFTA) was recently a subject of renegotiation among US, Canada and Mexico.[80] The Trump administration had proposed that the over twenty-year NAFTA be renegotiated as the agreement was not in the best economic interest of the US. The US proposal was considered by both Canada and Mexico, and it formed the basis for the review of NAFTA and the consequent signing of a new United States-Mexico-Canada Agreement (USMCA) on the 30th November 2018.[81]

Despite the challenges faced by the three-member NAFTA countries, it has stimulated better trading relationship among the three North American countries such that trading among these countries has experienced a three-fold increase because of the implementation of NAFTA.[82] It has however not been all-through a rosy story of growth and development of markets and investments engendered by economic integration. For instance, it has been a story of blessings and curses regarding economic integration in the European zone. The

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77 M. Issoufou, and V. Songwe, 'Africa's Continental FTA, Boost to Growth, Development'(Addis Fortune, 1 January 2018) <https://allafrica.com/stories/201801020225.html> accessed 26 May 2025. See also El-Agraa, AM, 'The Enigma of African Economic Integration" (2004) 19(1) *Journal of Economic Integration* 21.

78 Africa is about the most diverse continent in terms of differences in the sizes of the member States of the AU (the most populous country on the continent is Nigeria with a population of about 200 million, while Seychelles has the least population of about 90,000); economic size by GDP (Sao Tome and Principe has a GDP of less than a billion dollars, while Nigeria has the highest GDP of about $350 billion); GDP per capita disparity - about $20,000 in Equatorial Guinea and about $250 in South Sudan); language barrier, non-tariff berries to trade, insufficiency of hard and soft infrastructure, among others.

79 United Nations Economic Commission for Africa (UNECA), United Nations Conference on Trade and Development (UNCTAD), and Africa Union Commission (AUC), 'Next Steps for the African Continental Free Trade Area: Assessing Regional Integration in Africa IX' (2016)

80 Joseph E. Stieglitz, 'Trump and Globalisation' (2018) 40 Journal of Policy Modelling 515–528<https://www8.gsb.columbia.edu/faculty/jstiglitz/sites/jstiglitz/files/Trump%20and%20Globalization%20Final.pdf> accessed 8 May 2025.

81 US Congressional Research Service, 'NAFTA Renegotiation and the Proposed United States-Mexico-Canada Agreement (USMCA)' (2019) 1-4 <https://fas.org/sgp/crs/row/R44981.pdf> accessed 8 May 2025.

82 Ibid at 3. See also UN Economic Cooperation for Latin America and the Caribbean, 'Trumping the NAFTA Negotiation: An Alternative Policy Framework for Mexican-United States Cooperation and Economic Convergence" < https://repositorio.cepal.org/bitstream/handle/11362/42579/1/S1701227_en.pdf > accessed 8 May 2025.

Single European Act[83] has not delivered the much-anticipated economic outcomes and has even exacerbated the economic woes of some member States. This has consequently resulted in missing some of the anticipated positive impacts/gains created by the adoption of single European zone currency. This was meant to fortify the goal of integration and competition effects of the single market by increasing price transparency, reducing the costs of cross-border transactions, and eliminating the exchange rate risk.[84]

Other challenges that may militate against the economic integration in Africa are: distrust and division among members of the AU and the RECs; dependency on the West or East by member States of AU and RECs; political, economic and social disparities in Africa which arise from the fact that the African Union was modelled along that of the European Union. Steinberg rightly observed that there are overt African disparities which are the recipe for weakening the African Union.[85]Also, conflicts and social unrest in Africa remain a major threat to economic integration of the continent.[86] There can be no economic integration without peace.

There are a thousand and one reasons why the opinion of pessimists of economic integration in Africa should be deserving of a close look. These range from language barrier, non-functionality of a continent-wide custom duty, the lack of soft and hard infrastructure, low level of intra-African trade and free movement of people, monetary and foreign exchange challenges, among others. However, these challenges in themselves are not stone-cast walls on the freeway, but tolls that are navigable if proper toll fees are settled. Having identified challenges that are real hurdles that must be addressed on the way to economic integration of the continent, there is need to review those policies and legal instruments put in place towards addressing them and inspiring hope for the realisation of the dream of a viable and sustainable economic integration in Africa.

4.2 The Future of Economic Integration in Africa

The aspiration for economic integration has spanned over fifty years - the likes of Kwame Nkrumah had envisioned and fought for economic independence of Africa after political independence ('economic decolonisation').[87] A number of hard and soft legal frameworks and policies, and institutional systems have the capacity to engender the realisation of this

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83 Signed in 1986 and came into force in 1987.

84 S Micossi, '30 Years of the Single European Market' (2016) Bruges European Economic Policy Briefings 41 / 2016 <https://www.coleurope.eu/system/files_force/research-paper/beep41.pdf?download=1> accessed 17 May 2025.

85 N Steinberg, 'Background Paper on African Union' (2001) available at <http://www.wfm-igp.org/site/files/AU_background_doc.pdf> accessed 11 May 2025.

86 L. Mushikiwabo, 'The New Threats to Peace and Security in Africa: Lessons Learned from North Africa and Cote D'Ivoire' Speech on 26 April Addis Ababa 2011; S. Govender, Y. Ngandu, 'Towards Enhancing the Capacity of the African Union Mediation' (2010) <http://www.formin.finland.fi/public/download.aspx?> accessed 11 May 2025.

87 M. Desta., G. Gerout and J. MacLeod, 'Safeguarding the African Continental Free Trade Area from Externally Imposed Threats of Fragmentation' (2019) <http://www.afronomicslaw.org/2019/03/14/safeguarding-the-african-continental-free-trade-area-from-externally-imposed-threats-of-fragmentation/> accessed 26 May 2025. See also A. Adedeji, 'The Monrovia Strategy and the Lagos Plan of Action for African Development— Five Years After' (1984). United Nations Economic Commissioin for Africa, 'Lagos Plan of Action and Africa's Future International Relations: Projections and Implications for Policy-Makers' (presented at the ECA/Dalhousie University Conference on the 2–4 November 1984 <https://repository.uneca.org/handle/10855/21348?show=full> accessed 26 May 2025.

vision, if implemented to the latter. Some of these are: the Abuja Treaty, the Agreement, AU Vision 2063 - which are key frameworks for the actualisation of this enduring dream that was passed from the generation of independence fighters to the current generation of African leaders.

i. Abuja Treaty

This instrument sets the agenda for the actualisation of the dream of economic integration on the continent. It maps out a six-phase approach to economic integration of the members States within a maximum timeline of 34 years.[88] As captured in Article 4 of the Treaty, the promotion of economic, social and cultural integration of African economies can suitably be attained on the premise of an established framework for the mobilisation and utilisation of human and material resources of Africa which would enhance the standard of living of its people. In order to achieve a structured attainment of this enormous goal, the Abuja Treaty mainstreams the role of regional economic communities (RECs) as the building blocks for the realisation of the common vision of economic integration on the continent and the commencement point for the promotion of joint investments, harmonisation of policies that impact on trade. It also provides for trade liberalisation through the abolition of custom tariffs regarding trade among members States in order to pave way for establishment of Free Trade Areas (FTAs) at REC levels, which would serve as a springboard for the continent-wide FTA as subsequently encapsulated in the Agreement; the establishment of a common market; and removal of obstacles that hinder migration and rights of the people to residence and establishment and free movement of goods and services.[89]

Article 6 of the Treaty stipulates in clear terms the specific obligations of member States in the pursuit of the goal of economic integration. With specific timeline on each stage, the realisation of this vision is well underway. The first stage of this integration encourages the establishment of RECs (or the strengthening of existing ones) which is to rightly commence at the RECs level and to last within 5 years of the coming into force of the Treaty. Since this Treaty came into force in 1994, this phase ended in 1999. The continent currently has eight RECs recognised by the AfCFTA.[90]

In furtherance of this plan of a continent-wide economic integration, the second phase, spanning a period of eight years (i.e., 2000 to 2007), sets the stage for regional stabilisation in tariffs and non-tariffs trade barriers, custom duty and internal tax stabilisation. This stage also set the pace for sectoral integration of trade, agriculture, money and finance, transport and communication and industry and energy.

The third phase covering a period of ten years (2008-2018) is the phase for the setting up of the free trade area. This goal was achieved in 2018 with the signing of the Agreement and its coming into force the same year. The fourth stage covering two years (2019-2020) is the current phase for the actualisation of the goals of the Agreement through the of tariffs and

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88 Abuja Treaty, art. 6.

89 Abuja Treaty, art. 4(2).

90 These are: the Arab Maghreb Union (UMA); the Common Market for Eastern and Southern Africa (COMESA); the Community of Sahel-Saharan States (CEN-SAD); the East African Community (EAC); the Economic Community of Central African States (ECCAS); the Economic Community of West African States (ECOWAS); the Intergovernmental Authority on Development (IGAD) and the Southern African Development Community (SADC). See article 1 of the Agreement.

non-tariff systems among RECs with a view to setting up a continental customs union which would adopt a common external tariff.

The fifth stage billed to cover a period of four years will see the establishment of the African Common Market through: adoption of common agriculture policy, communication, transport, etc; and the harmonisation of monetary, financial and fiscal policies; and the enforcement of the policy on free movement of persons, goods and services and their rights to residence and establishment.[91] The final state (stage six) will cover a period of five years and revolves around the consolidation and strengthening of the African Common Market and other goals set out in stage five. It further envisions sectoral integration, establishment of a single domestic market, and African and Monetary Union, the continental central bank and a common currency. The bold vision encapsulated in this treaty is still being pursued and the prospect for its realisation is not lost on the premise of weak enforcement mechanism for dealing with erring member States who breach terms of treaties and protocols. Asides this and other challenges, the goal of economic integration is being realised in bids.

ii. Agreement Establishing the African Continental Free Trade Area

The Agreement Establishing the Africa Continental Free Trade Area[92] (the Agreement) is one of the trending initiatives of the AU which sets out to actualise the goal of economic integration of member States, having already used the RECs as building blocks for same. In recognising the potentiality of the AfCFTA to stimulate trade liberalisation and economic growth on the continent, the IMF in its review of the AfCFTA, commented thus:

> Once fully implemented, the AfCFTA is expected to cover all 55 African countries, with an estimated combined current GDP of US$2.5 trillion, and a population of over one billion, 60 per cent of whom are below the age of 25 years. Even without this free trade agreement, the African continent has in recent times been recognised as a land of vast unexploited opportunities. The AfCFTA can support the realisation of the continent's economic promise. It has the potential to raise Africa's low productivity and promote higher investment, thereby helping to increase income levels and reducing poverty.[93]

The legal framework for continental free trade on the continent, AfCFTA, has underscored the goal of trade liberalisation and integration in Africa. It presents three phases of regulation,

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91 Abuja Treaty, art. 6(2)(e).

92 It was adopted by the 10th extraordinary session of the Africa Union (AU) Assembly in Kigali, Rwanda on the 21st March, 2018 and it entered into force on the 30th May, 2019 after meeting the threshold for its bindingness. At present, 54 out of 55 African countries have signed the Agreement (with the exception of Eritrea) and 27 of these countries having already ratified the Agreement. Nigeria, South Africa, Tunisia and Tanzania, among others have not yet ratified the Agreement. See Africa Union, 'List of Countries which have Signed, Ratified/Acceded to the Agreement Establishing the African Continental Free Trade Area" <https://au.int/sites/default/files/treaties/36437-sl-AGREEMENT%20ESTABLISHING%20THE%20AFRICAN%20CONTINENTAL%20FREE%20TRADE%20AREA.pdf> accessed 8 Mahy 2025.

93 L. Abrego, et al, 'The African Continental Free Trade Agreement: Welfare Gains Estimates from a General Equilibrium Model' (2019) IMF Working Papers, 3 <https://www.imf.org/~/media/Files/Publications/WP/2019/WPIEA2019124.ashx> accessed 8 May 2025.

namely: framework agreement, protocols to the agreement, and a third layer, annexes, guidelines, list of schedules to the protocol.

Article 3 of the Agreement sets out its goals of attaining the following:

a) To guarantee the free movement of persons, goods and services. Recent statistics show that about 70.0% of sub-Saharan African migrants stay within the continent[94] and in particular, has the highest recorded cases of intra-continental migration of about 52% in 2009.[95] AU, in furtherance of converting migration from liability to asset column has set in place policy frameworks on migration (African Common Position on Migration and Development, and the Migration Policy Framework - both adopted in 2006)[96]. These frameworks focus on nine key areas, including, labour migration, forced displacement, data on migration and development, the human rights of migrants, among others. In addition, air, rail, and ground transport infrastructure is in dire need on the continent as a connecting infrastructure for movement of people, goods and services. Currently, the movement of persons and business transactions among the different sub-regional bodies in Africa is at a low level. For instance, for one to travel from Abidjan (Côte d'Ivoire) to Dares Salam (Tanzania), one would have to go through two or more countries.[97] Despite Africa constituting 12% of the world's population, it merely accounts for about 2.5% of global travels.[98] IATA projects that Africa would be the fasted developing aviation region in the world in the next twenty years with trade liberalisation and coming on board of new airlines on the continent.[99]Aviation in Africa has the potential to fuel economic growth, several barriers exist. Weak infrastructure, high ticket prices, poor connectivity and lack of liberalisation rank amongst the many challenges.[100] Liberalisation of the aviation industry, private sector involvement in operation of the sector would drive investment that would create jobs, develop local expertise in aviation transportation management, aeronautics engineering, among other benefits to the economies of these countries. Asides the aviation sector, building of intra-African roads, modern rail system like the one in Europe would open up the space for mass movement of persons across states that share land borders. The presence of these challenges is a testimony of the inability of the Abuja Treaty[101] signed since 1991 to redress them. Going forward, there is need to improve on the following:

b) To attain agricultural development and food security. The agricultural sector is the largest contributor to the general GDP of the continent and employs about half of its

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94 M. O. Ibrahim Foundation, *Africa's Youth: Jobs or Migration?* 2019 Ibrahim Forum Report <http://s.mo.ibrahim.foundation/u/2019/04/05104303/2019-Executive-summary-EN.pdf> accessed 1 May 2025.

95 H. Klavert, 'African Union Frameworks for Migration: Current Issues and Questions for the Future' (2011) European Centre for Development Policy Management discussion paper No. 108, June 2011, 1-2 <https://ecdpm.org/wp-content/uploads/2013/11/DP-108-African-Union-Frameworks-Migration-Issues-Questions-Future-2011.pdf> accessed 18 May 2025.

96 Ibid, 3.

97 H. El-Hooury, 'Unlocking Africa's Aviation Potential' (2018) OECD Development Matters <https://oecd-developmen t-matters.org/2018/10/29/unlocking-africas-aviation-potential/> accessed 17 October 2019.

98 Ibid.

99 Ibid.

100 Ibid.

101 Abuja Treaty Establishing the African Economic Community, Chapter , article 43.

workforce.[102] The sector is bedevilled by poor infrastructure, inadequate tools, and low investment,[103] among other challenges. However, with the use of technology, there is hope in the horizon for the industry and the young farmers on the continent. This sector holds the key to Africa's growth as it has the potential to increase its total contribution to the GDP of the continent to about $1 trillion by 2030[104] and to open up huge employment opportunities along the agricultural value chains for the growing youth population (ages 15-35) which constitutes about 60% of the entire population.[105]

Other objectives of the Agreement include:

c) To foster industrialisation and structural economic transformation of member States;
d) To ensure the provision of adequate infrastructure;
e) Eliminate tariffs and non-tariff barriers to trade and investment among member States, inter se;
f) Good governance is a building block for international security, democracy and the rule of law;
g) Eliminate barriers to trade, liberalise trade in services, facilitate cooperation on investment, intellectual property rights and competition policy, among others.

This phase of the Agreement also sets up the soft infrastructure (institutional framework) for the implementation and administration of the AfCFTA.[106] The Agreement's second layer comprises of the protocols to the Agreement: Protocol on Trade in Goods; Trade in Services; Investment, Intellectual Property Rights, Competition Policy, Rules and Procedures on the Settlement of Disputes. These Protocols constitute the operative and substantive parts of the Agreement,[107] while the third layer contains the annexes, guidelines, lists and schedules to the protocols which provide for the details of the protocols.

Supporting the legal framework for the realisation of the vision of economic integration on the continent, the major institutional framework for the actualisation of this goal is the Secretariat of the AfCFTA. It is in realisation of the need for sustainability that the Agreement provides for an institutional framework to the Agreement (the Secretariat) to be an autonomous body conferred with distinct legal personality. Article 13(3) of the Agreement specifically provides that the 'Secretariat shall be a functionally autonomous institutional body within the African Union system with an independent legal personality', even though its funding would come from the AU[108] and its responsibilities are to be set out by the Council of Ministers of Trade of AU.

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[102] Alliance for a Green Revolution in Africa, 'Africa Agriculture Status Report: Catalyzing Government Capacity to Drive Agricultural Transformation' (2018) 6 <https://agra.org/wp-content/uploads/2018/10/AASR-2018.pdf> accessed 18 May 2025.

[103] E. Raynolds, 'How technology is helping African farms to flourish' CNN News (London, 18 October 2019) <https://edition.cnn.com/2019/10/18/business/smart-farming-africa-tech-intl/index.html> accessed 18 May 2025.

[104] The World Bank, 'Growing Africa: Unlocking the Potential of Agribusiness' (2013) AFTFP/AFTAI Report (Washington) quoted in T. S. Jayne, F. K.. Yeboah, C. Henry, 'The Future of Work in African Agriculture: Trends and drivers of change" ILO Working Paper No. 25 <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms_624872.pdf> accessed 18 May 2025.

[105] Ibid.

[106] Agreement Establishing the African Continental Free Trade Agreement, art. 4(g).

[107] UNECA, et al (note 79) at 43.

[108] The Agreement, article 13(4).

Asides the hard legal framework which stimulates the prospect for economic integration in Africa and forms the premise for the realisation of the dream of economic integration in Africa, there are a couple of soft law instruments that support the course. Key among these is the Agenda 2063 of the AU. Agenda 2063 is a policy document of the African Union Commission the main goal of which is an 'integrated continent with free movement of people, goods, capital and services and infrastructure connections' with a view to realisation of the 21st Century as the African Century.[109] The well-captured goal sets out to address some of the key challenges already mentioned in this work, especially in the area of soft and hard infrastructure, free human mobility, and of goods and services. This is a huge statement of intent that must be matched with commitment of the various blocs on the continent and member States' commitments and contributions.

Aspiration 2 of the Agenda 2063 framework document envisioned an 'integrated continent, politically united, based on the ideals of Pan Africanism and the vision of Africa's Renaissance: accelerating progress towards continental unity and integration for sustained growth, trade, exchanges of goods, services, free movement of people and capital through: (i) establishing a United Africa; (ii) fast tracking of the CFTA; (iii) improving connectivity through newer and bolder initiatives to link the continent by rail, road, sea and air; and (iv) developing regional and continental power pools, as well as ICT.'

The African Agenda 2063 has therefore laid down a roadmap through a 50-year master plan that will fast-track African economic integration in the near future and also transform Africa into the global powerhouse of the future. [110]

5. CONCLUSION

It has been stated earlier that the concept of economic integration in Africa is as old as the OAU, now AU and Africa have gone through different phases in its economic integration efforts since the formation of OAU and through regional arrangement. Despite past and present efforts, Africa is yet to achieve full economic integration, this mis due to some challenges currently facing some African countries such as lack of basic infrastructure; weak political will; weak enforcement regime; overlapping RECs membership; disparity, distrust and insecurity among AU members, dependency on the west and east, slow development and poverty. Though these challenges can be surmounted in the near future, it however requires strong political will among African leaders and a call to duty by the African Union. The present efforts towards regional economic integration reveal the strong hope for the future especially with AfCFTA in the forefront to drive this integration. The overlapping RECs membership should be regulated. AU should find African solutions to African problems. Also worthy of mention is the African Agenda 2063 which is a 50-year blueprint that seeks to prioritise inclusive social and economic development, continental and regional integration, democratic governance and peace and security amongst other issues aimed at repositioning Africa to becoming a dominant economic player in the global arena. AU member States should indeed prioritise the practical implementation of the Agenda 2063 and the AfCFTA

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[109] Africa Union Commission, 'Agenda 2063: The Africa We Want' (2015).

[110] African Union, 'Agenda 2063: The Africa We Want' <https://au.int/en/agenda2063/overview> accessed 25 May 2025.

agreement as well as the recommendations in this paper to attain an effective economic integration on the continent.