

Designing the Continental Free Trade Area (CFTA): An African Human Rights Perspective

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Executive Summary The African Union has committed itself to negotiating a Continental Free Trade Agreement (CFTA) with substantial trade liberalization commitments coupled with strong adjustment and compensatory mechanisms to attend to potential losses.

Thus CFTA negotiations are premised on the importance of enhanced trade integration and the economic benefits it would produce, on the one hand, with an equally important commitment to equity, justice and fairness particularly where liberalization commitments undermine these values. This scoping study is the result of a screening process that involved consultations with a broad cross-section of stakeholders within the African Union Commission, African Union Member States, the private sector, experts within the United Nations Human Rights System, groups directly affected, such as indigenous peoples and NGOs.

It identifies three potential risks and offers preliminary recommendations to address them. It also identifies three proposals on institutional and structural mechanisms to facilitate monitoring, remedies and social protection. The first potential risk identified is that since agriculture is not explicitly included within the scope of negotiations as a standalone agreement, it is likely that CFTA negotiations will fail to meet food and livelihood security goals.

This would undermine the realization of the right to food as protected by the African Charter on Human and Peoples' Rights and the International Covenant on Economic, Social and Cultural Rights.

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