

GENERAL AGREEMENT ON TARIFFS AND TRADE

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AFRICAN COMMON MARKET

There is attached hereto the text of the Treaty Establishing the African Common Market.

This Treaty is submitted by the Government of Ghana to the CONTRACTING PARTIES for their information and examination in accordance with paragraph 7(a) of Article XXIV of the General Agreement.

TREATY

ESTABLISHING THE AFRICAN COMMON MARKET

The Governments of:

The Republic of Algeria,
The United Arab Republic,
The Republic of Ghana,
The Republic of Guinea,
The Republic of Mali,
The Kingdom of Morocco,

moved by the desire to achieve sustained economic growth including full and rewarding employment of human resources and monetary stability and in order to realize the most favourable conditions for promoting and regulating trade among them in conformity with the spirit and principles of the Casablanca Charter, have agreed to establish amongst them an AFRICAN COMMON MARKET open to all independent African States on the following basis:

1. Liberalization of trade for national commodities and products.
2. Free movement of establishment rights, labour and employment for the practice of economic activities.
3. Freedom of transport, transit and utilization of all means of communication, ports and civil airports.

SECTION ONE

The Means

Article 1

In order to achieve the above-mentioned objectives, the Contracting Parties have agreed:

1. To establish a customs union among them and to co-ordinate all customs tariffs, rules, and regulations applicable thereon.
2. To co-ordinate the import and export policies and all rules and regulations related to trade between them, and to adopt a common policy regarding basic commodities.
3. To unify the customs regulations as regards specification and classification of products.
4. To co-ordinate the policies of trade in fuel and power.
5. To harmonize their social legislations.
6. To establish the various organs for the implementation of this Treaty.
7. To take all necessary measures for the realization of the above-mentioned objectives.

SECTION TWO

The Provisions of the Treaty Customs Tariffs

Article 2

Each Contracting Party shall, within five years from the date of the coming into force of this Treaty, abolish all customs duties on its imports from the other member countries by a gradual reduction of the import levies on all products imported from member countries. This reduction shall be 25 per cent during the first year. The percentage of reduction during the successive four years shall be determined by the Economic Committee of the Charter.

The reduction shall apply to the duties existing on 31 March 1962. After that date any member State which shall raise its duties shall not apply the increase to the rates applicable on the goods originating from other member States.

In order to safeguard their trade interests in certain manufactured products, two or more member States can conclude provisional bilateral agreements. A list of such manufactured products shall be decided on by mutual agreement.

Article 3

The reduction in customs duties, mentioned in Article 2, shall be made on all customs duties (fiscal and protective) levied on the imports of goods from member States of which goods are exempted if they are of local origin.

Article 4

A product shall be deemed of Common Market origin, benefiting from the reductions mentioned in Article 2, if it is either harvested or won from the soil of the Common Market countries or manufactured in them. A manufactured product shall be considered as national product of a member country if it undergoes in that country concerned a process of transformation amounting to at least 50 per cent of its total cost of production.

Article 5

Each Contracting Party shall, by a progressive reduction, and within five years from the coming into force of the Treaty, abolish all restrictions on imports and exports of goods originating from the Common Market. This reduction shall be 25 per cent during the first year.

Article 6

The Contracting Parties shall grant each other the most-favoured-nation treatment as regards trade among them.

Article 7

The Contracting Parties shall give priority to the imports of goods from member countries.

Article 8

The Contracting Parties undertake to prohibit the re-export of both basic and manufactured goods to non-member countries unless otherwise agreed upon by the country of origin.

Article 9

Each Contracting Party shall facilitate the transit of goods from member countries through its territory, subject to the laws, rules and regulations of its transit trade.

SECTION THREE

Administration

Article 10

The Contracting Parties shall establish a permanent body to be named "The Council of the African Common Market", herein after referred to as the "Council". The Council shall be entrusted with the implementation of this Treaty. Its functions and powers shall be determined by the provisions of the present Treaty.

Article 11

1. The Council of the Common Market shall be composed of one permanent representative for each State assisted by advisers.
2. The Permanent Seat of the Council of the Common Market shall be at Casablanca and the Council may hold its meetings in any other place of its choice.
3. The term of office of the President of the Council shall be one year. The Contracting Parties shall appoint a President to the Council by rotation.
4. The Council shall convene periodical meetings each six-month period. It may whenever necessary hold extraordinary meetings.
5. The decisions of the Council shall be taken by unanimous vote, each member country having one vote, unless the matter is referred to the Economic Committee of the Casablanca Charter.

Article 12

The Council shall carry out its functions with the assistance of permanent or temporary committees. The Council may however, entrust experts from among the nationals of the Contracting Parties with carrying-out studies or researches on specific questions.

Article 13

1. The Council shall enjoy financial and administrative autonomy and shall have its own budget supplied by the member States.

The Council shall submit annually a draft budget to the Permanent Secretariat of the Charter which shall be entrusted with providing the necessary funds.

2. The Council shall, at its first meeting, lay down its own rules of procedure.

Article 14

The Governments of the Contracting Parties shall appoint their representatives at the Council within a maximum period of one month from the date of the coming into force of this Treaty. The Council shall carry out its functions upon its formation.

Article 15

The Council shall carry out the functions and exercise the powers provided for in this Treaty and its annexes as well as other prerogatives which may be deemed necessary for the successful implementation of the provisions of this Treaty, with special regard to the following:

1. The implementation of the provisions of this Treaty and annexes as well as all decisions taken in application of the present Treaty and annexes.
2. The supervision of the work of its committees and subsidiary organs.
3. The recruitment of the personnel and experts responsible to the Council itself, in conformity with the provisions of the present Treaty.
4. Co-ordination of the foreign trade policies of the member States.

Article 16

The Council shall submit a report on its activities to the Economic Committee of the States of Casablanca Charter at each meeting of the latter.

SECTION FOUR

Transitory Provisions

Article 17

When assuming its responsibilities, the Council shall take into consideration the special circumstances prevailing in some member countries.

Article 18

Two or more Contracting Parties may conclude closer economic agreements than those prescribed in this Treaty.

Article 19

Any member country desiring to conclude an agreement with any economic bloc or customs union outside the Casablanca Charter should first consult with the other Contracting Parties. Under no circumstances must an individual agreement prejudice the interests of the African Common Market.

SECTION FIVE

Ratification and Admission

Article 20

This Treaty shall be ratified by the Contracting Parties on 1 October 1962 at the latest, in accordance with their respective constitutional procedures. The instruments of ratification shall be deposited at the headquarters of the Permanent Secretariat of the Casablanca Charter. Records shall be kept of the deposit of each instrument of ratification and notification sent to the Contracting Parties.

This Treaty shall take effect on 1 July 1963.

Article 21

Any African State joining the Casablanca Charter in the future shall, at its request, be admitted as a Contracting Party to this Treaty.

Any African non-member State may adhere to this Treaty or associate itself with it according to the procedure to be determined by the Council of the African Common Market.

Any application by a non-member State for integration or association shall be examined by the Economic Committee of the Charter, and submitted to the Political Commission for approval.

Article 22

This Treaty shall come into force one month after the deposit of the instruments of ratification by two of the signatory States. This Treaty shall be applicable to other States one month after the deposit of their instruments of ratification or of admission.

In faith thereof, the under-mentioned plenipotentiaries have placed their initials at the end of this Agreement on behalf of their Governments and in accordance with the powers vested in them.

Done in Cairo, on 1 April 1962, in three original copies in the Arabic, English and French languages each copy being equally authentic. The three original copies shall be deposited at the Permanent Secretariat of the Casablanca Charter. A certified true copy shall be delivered to each Contracting Party and to any State which shall subsequently accede to this Treaty.

For the Governments of:

The Republic of Algeria:

The United Arab Republic:

For the Republic of Ghana:

For the Republic of Guinea:

For the Republic of Mali:

For the Kingdom of Morocco: