

MEMORANDUM OF UNDERSTANDING ON COOPERATION FOR TRADE AND INVESTMENT BETWEEN THE AFRICAN CONTINENTAL FREE TRADE AREA SECRETARIAT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

PREAMBLE

The African Continental Free Trade Area Secretariat (AfCFTA) Secretariat and the Government of the United States of America (hereinafter referred to as “the Participants”):

Noting the adoption and entry into force of the Agreement Establishing the African Continental Free Trade Area (AfCFTA Agreement) and the operationalization of the AfCFTA Secretariat as an autonomous entity within the structure of the African Union (AU);

Seeking to exchange experiences and promote cooperation on the development and implementation of sustainable digital trade for AU Member States, taking special consideration of the interests of workers, micro-, small-, and medium-sized enterprises, women-owned businesses, and underserved groups;

Desiring to promote more effective cooperation through a regular and robust exchange of information on best practices and lessons learned, and organize other joint activities;

Recognizing the mutual interest in the promotion of inclusive sustainable development, and the continental integration goals of African economies;

Exploring opportunities through trade and investment policy to collaborate in the economic advancement of women, youth, and underserved groups;

Supporting the shared goals of the AfCFTA and the African Growth and Opportunity Act (AGOA) program, which include promoting both economic policies to reduce poverty and regional economic integration through encouraging trade among African countries;

Desiring to encourage and facilitate contacts between civil society organizations, diaspora populations, and private sector groups in Africa and in the United States; and

Desiring to enhance efforts to increase continental trade and investment within the AfCFTA through greater collaboration between African and U.S. companies, especially micro-, small- and medium-sized enterprises, in regional value chains;

EXPRESS OUR INTENTION as follows:

**SECTION I
OBJECTIVES**

The objectives of this Memorandum of Understanding (MOU) are to:

- (a) develop collaboration between the Participants aimed towards boosting competitiveness and attracting investment to the African continent;
- (b) develop cooperation between the Participants aimed towards promoting sustainable trade and economic integration in Africa and between the Participants to the benefit of U.S. and African workers and businesses;

- (c) promote inclusive, sustainable development that benefits all segments of society for the Participants;
- (d) exchange related information on best practices, lessons learned, and technical matters among the Participants and stakeholders in the United States and Africa, including women, youth, underserved groups, and diaspora populations; and
- (e) enhance the dialogue between the Participants to consolidate and expand the trade and investment relationship, understanding, and cooperation in fields of common interest between the State Parties to the AfCFTA Agreement and the United States.

SECTION II COOPERATION AREAS

1. Cooperation may include the exchange of knowledge, experience, and training related to:
 - (a) The advancement of industrial and regional value chain development;
 - (b) The promotion of an inclusive trade environment in AfCFTA countries and the United States that promotes economic advancement for women, youth, and underserved groups in trade;
 - (c) The development of relevant AfCFTA instruments to facilitate responsible digital trade to ensure movement of vital goods and services to households;
 - (d) The encouragement of intra-Africa trade to meet the shared goals of the AfCFTA and, where applicable, the AGOA program;
 - (e) The promotion of the overall implementation of the AfCFTA Agreement, its annexes, and appendices, including its protocols on trade in goods and services, women and youth in trade, intellectual property, and digital trade;
 - (f) The encouragement of partnerships between the private sectors of the State Parties to the AfCFTA Agreement and the United States to establish joint programs and activities;
 - (g) The facilitation of opportunities aimed at promoting inclusive sustainable growth and facilitating private sector and civil society engagement to stimulate trade and investment and cooperation between the United States and State Parties to the AfCFTA Agreement;
 - (h) The promotion of trade facilitation in accordance with the AfCFTA Agreement;
 - (i) The exploration of opportunities for closer partnership between African and U.S. companies in sectors such as infrastructure, digital trade, agro-processing, pharmaceuticals, medical devices, automobiles, transportation systems, and logistics services; and
 - (j) Innovation, entrepreneurship, and private sector development to enhance the implementation of the AfCFTA Agreement.

2. The Participants may cooperate in other areas as mutually determined to achieve the objectives of this MOU.

3. The Participants may, according to the issues to be discussed, invite representatives of relevant departments, institutions, think tanks, industrial organizations, enterprises, and financial institutions to participate in the discussions.

SECTION III MEETINGS AND COORDINATION THROUGH TECHNICAL WORKING GROUPS

1. The Participants intend to meet annually to discuss the implementation of this MOU.
2. The Participants intend to establish technical working groups to address the areas identified in Sections I and II. The Participants intend for the technical working groups to comprise experts from the AfCFTA Secretariat, the Office of the United States Trade Representative, other U.S. Government agencies, and other stakeholders as identified and decided by the Participants.
3. The Participants intend that each technical working group should meet at least quarterly.
4. The Participants intend to develop an action plan to be included as an addendum to this MOU that will set forth how the Participants intend to cooperate in the areas identified in Section II.

SECTION IV INTERNATIONAL OBLIGATIONS AND DOMESTIC REGULATIONS

1. Nothing in this MOU is intended to give rise to international legal rights or obligations on either Participant.
2. Each Participant intends to engage in activities in connection with this MOU within its respective legal framework.

SECTION V CONTACT POINTS

The Office of the AfCFTA Secretary-General and the Office of the United States Trade Representative are the contact points for this MOU.

SECTION VI CONSULTATIONS

The Participants intend to resolve any issue regarding the interpretation or implementation of this MOU through consultations.

SECTION VII MODIFICATIONS

1. This MOU may be modified by written decision of both Participants.
2. Any modification would become operative on the date of signature.

**SECTION VIII
OPERATION, DURATION, AND RENEWAL**

This MOU becomes operative upon signature of both Participants. This MOU is expected to remain operative for a period of three (3) years. Participants may review and decide to continue their cooperation at regular intervals.

**SECTION IX
DISCONTINUATION**

1. Either Participant may discontinue this MOU at any time. A Participant that intends to discontinue this MOU should endeavor to provide at least 60 days written notice to the other Participant of its intent to do so.
2. Unless otherwise determined by the Participants, the discontinuation of this MOU is not intended to affect ongoing activities and projects initiated under this MOU prior to its discontinuation.

Signed at Washington, DC, the United States, this 14th day of December 2022.

**FOR THE AFRICAN
CONTINENTAL FREE TRADE
AREA SECRETARIAT**

**FOR THE GOVERNMENT
OF THE UNITED STATES
OF AMERICA**

**H.E. WAMKELE MENE
SECRETARY-GENERAL**

**AMBASSADOR KATHERINE TAI
UNITED STATES TRADE
REPRESENTATIVE**