

**COMESA (Goods)
Summary Fact Sheet
January 2008**

Table 1: Background Information

Parties	Burundi, Democratic Republic of Congo, Comoros, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia and Zimbabwe.	
Date of signature	5 th November 1993	
Date of entry into force	8 th December 1994	
Transition period for full implementation	6 years for the FTA and 10 years for the Customs Union	
Date of full implementation	31 October 2000, FTA	
Website addresses or points of contact	Official site: http://www.comesa.int/	
List of related GATT/WTO documents	WT/COMTD/N/3	Notification

Table 2: Internal trade liberalization provisions

Import duties and charges	Article 46 (Customs Duties)
Export duties and charges	None
Non-tariff measures	Article 49 (Elimination of Non-tariff Barriers on Common Market Goods)
Sector-specific rules	Chapter Eleven (Co-operation in the Development of Transport and Communications) Chapter Twelve (Co-operation in Industrial Development) Chapter Thirteen (Co-operation in the Development of Energy) Chapter Seventeen (Co-operation in the Development of Science and Technology) Chapter Eighteen (Co-operation in Agriculture and Rural Development) Chapter Nineteen (Co-operation in Tourism) Chapter Twenty-Three (Development of the Private Sector) Annex I (Protocol on Transit Trade and Transit Facilities)
Product exclusions	None

Table 3: Common External Tariff

Provisions	Article 47 (Common External Tariff)
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Table 4: General trade-related provisions

Provision	Relevant Article(s)	Additional Information
Rules of Origin	Article 48 and Protocol on Rules of Origin	In general, goods are considered to have originated in a given Party if they have been wholly produced in that state, or if they have undergone a process of substantial transformation of materials imported from outside that Party.
Standards-related measures	Chapter Fifteen	The Parties undertake to apply uniform rules and procedures for the formulation of their national standards and when possible adopt African regional standards. The Chapter also describes the role of standardization and quality assurance, certification and laboratory accreditation, co-operation in testing, training in standardization and quality assurance, etc.
SPS measures	Article 132	The Member States shall harmonize their policies and regulations relating to phyto-sanitary and sanitary measures.
Safeguard mechanisms (intra-trade)	Articles 49.5, 60 and 61	In the event of serious disturbances in the economy of a Member State following the application of the Agreement, the State can take necessary safeguard measures which can

Provision	Relevant Article(s)	Additional Information
		remain in force for one year and may be extended by a Council decision. The Council shall, on the recommendation of the Intergovernmental Committee, determine the remedial steps to be taken with respect to a Member State which has suffered substantial loss of revenue from import duties. In case of balance-of-payments difficulties, a Member State may impose for the purpose only of overcoming such difficulties for a specified period to be determined by the Council, quantitative or the like restrictions or prohibitions, on goods originating from the other Member States, provided that it has taken all reasonable steps to overcome the difficulties.
Anti-dumping and countervailing measures	Articles 51, 53 and 54	No Member State shall levy an anti-dumping duty (or countervailing duty) on imports from another Member State unless it is determined that the effect of the alleged dumping (or subsidy) is such as to cause or threaten material injury to an established domestic industry or such as to retard materially the establishment of a domestic industry. Any affected Member State may levy an anti-dumping duty on any dumped products from a third country in a Member State's market. Member States shall cooperate in the detection and investigation of dumping and subsidy practices and in imposing agreed measures to curb such practices.
Subsidies and state aid	Article 52	Any subsidy granted by a Member State which distorts competition by favouring certain undertakings or the production of certain goods is prohibited. Members may offset the effect of subsidies by levying countervailing duties.
Customs-related procedures	Article 57, Chapter Seven	The Parties will simplify, harmonize and standardize their customs regulations, procedures and documents to ensure the effective application of the Agreement.
IPR ¹	None	
Government procurement ²	None	
Competition	Article 55	Any practice which negates the objective of free and liberalized trade is prohibited. The Council shall make regulations to regulate competition within Member States.
Investment	Chapter Twenty Six	The Member States agree to adopt harmonised macro-economic policies that shall attract private sector investment in the Common Market.
General exceptions	Article 50 and Annex III	A State may, after having given notice to the Secretary-General of its intention to do so, introduce or continue or execute restrictions or prohibitions affecting the application of security laws and regulations, the control of arms and ammunition, the protection of human, animal or plant health or life, the protection of public morality, the transfer of gold, silver and semi-precious stones, the protection of any item of national importance, or the maintenance of food security in the event of war and famine. Annex III also contains exceptions for Lesotho, Namibia and Swaziland.
Accession	Article 1 and Article 194	Any state referred to in paragraph 2 of Article 1 may accede to this Treaty on such terms and conditions as the

¹ While there is no specific and explicit provision in the Treaty, COMESA has undertaken a number of initiatives and activities in collaboration with the World Intellectual Property Organisation (WIPO) aimed at promoting IPRs.

² There is no specific and explicit provision in the Treaty, but COMESA has embarked on a major programme of improving government procurement legislation and procedures across the region.

Provision	Relevant Article(s)	Additional Information
		Authority may determine.
Dispute resolution	Chapter Five	The Court of Justice shall ensure the adherence to law in the interpretation and application of the Treaty.
Relation with other trade agreements	Chapter Thirty-Three	This Chapter recognizes the continuation in force of certain institutions and agreements, describes the relationship between the institutions of the Common Market and the Common Market, and outlines the dissolution of certain existing institutions.
Transparency	Article 141 Article 160	Trade Information Investment Information
Institutional provisions	Chapter Four	This Chapter establishes the following institutions: the Authority, the Council, the Court of Justice, the Committee of Governors of Central Banks, the Intergovernmental Committee, the Technical Committees, the Secretariat and the Consultative Committee. It describes the composition and function of each of these bodies.
Other		The Agreement provides for the adoption of trade promotion measures (Art. 62) and has disciplines on cooperation <i>inter alia</i> in: simplification and harmonization of trade documents and procedures; monetary and finance; transport and communications; industrial development; energy; health; natural resources, environment and wildlife; science and technology; agriculture and rural development; tourism; and investment.

No data on trade in goods are available.