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**MULTILATERALISM IN DECAY AND AFRICAN CONTINENTAL ECONOMIC  
INTEGRATION: QUESTIONING THE  
RELIANCE ON VARIABLE GEOMETRY AND DIFFERENTIAL TREATMENT**

**Regis Simo**

**Mandela Institute, Oliver Schreiner School of Law, University of the Witwatersrand,  
Johannesburg, South Africa**

Regional integration is a multidimensional process, which ranges from trade, financial, monetary, to economic and political integration. Since Balassa 1961's *Theory of Economic Integration*, the literature continued to rely widely on the “stages” enunciated by the author, a trend that continues even today. These stages in a way conditioned the formation of post-colonial African Regional Trade Agreements (RTAs) and the perception that they have failed to achieve what they were established for. Indeed, the prevailing narrative has been to compare any other RTA in the world, including African ones, to their more successful peers in Europe and North America, mainly based on Balassa's stages. According to that view then, which is not entirely erroneous considering the level of implementation of the commitments at domestic level, the demise of African RTAs lies principally in their adherence to a stepwise model of integration starting from the free trade area to the expected economic and monetary union. In doing so, African countries have sometimes relied on flexibilities provided by the WTO Enabling Clause whose rules are more lenient than those of Article XXIV of the GATT. The recent conclusion of the African Continental Free Trade Area (AfCFTA) breaks with past paradigms and tackles the liberalisation of goods, services and other factors concurrently.

RTAs, sometimes viewed as “termites” in the trading system, are a permanent feature of global trade landscape. Indeed, virtually all WTO Members are part of at least one RTA. This feature implies focusing more on the coherence and convergence of RTAs with the multilateral system

leaving the “building block or stumbling block” debate behind. Fuelled recently by the stalemate in the Doha Round, the current trend is the increasing surge of preferential solutions either to secure existing concessions, or to establish new ones. Therefore, regionalism is on the rise and gradually appearing not as the second-best policy option but as a fully-fledged policy option. While the establishment of existing RTAs have not be conditioned on the satisfaction of multilateral rules on the issue, this article examines the regime under which the AfCFTA should be scrutinised under WTO rules. This calls for the dissection of the pertinence and the desirability of the Enabling Clause as opposed to Article XXIV for this scheme composed of developing and least-developed countries. While some authors argue that African RTAs should not be sentenced to have failed simply because they have not met the requirement of Article XXIV GATT, others contend that, while pre-1979 African RTAs were notified under Article XXIV, too much reliance on the Enabling Clause afterward led them to conclude mediocre RTAs. Whether the AfCFTA should hence make the same move remains contentious. Recognising the special character of African RTAs as “flexible” schemes, sometimes relying on variable geometry among its participants, this paper contends that, if not a full-fledged Article XXIV upon its formation, the AfCFTA at worst should be regarded as an “interim agreement” in that regard.