

Legal Strategies for Strengthening Regional Value Chains and Market Access: A Rules-Based Pathway to African Economic Integration

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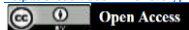
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ABSTRACT

Africa's economic integration increasingly depends on the capacity of African countries to move beyond fragmented national markets towards interconnected regional and continental value chains. The African Continental Free Trade Area (AfCFTA) provides an important legal foundation for this transformation, but preferential market access alone cannot create productive regional value chains. Effective integration requires domestic legal systems, customs institutions, investment frameworks, competition rules, intellectual property protection, standards regimes, digital trade laws and dispute-resolution mechanisms that enable firms to operate predictably across borders. This article examines legal strategies for strengthening regional value chains and market access as a pathway to deeper African economic integration. Using a qualitative documentary research design, the study analyses the AfCFTA Agreement and its protocols, African Union instruments, United Nations publications, World Bank and African Development Bank reports, and relevant trade and investment literature. The article argues that the principal legal challenge is not the absence of continental rules but the uneven translation of those rules into domestic and regional commercial practice. It finds that regulatory fragmentation, non-tariff barriers, complex rules of origin, weak customs coordination, inadequate investment protection, limited competition enforcement, intellectual property constraints and digital regulatory gaps can reduce the commercial value of continental market access. The article recommends coordinated domestic legal alignment, simplified rules of origin and customs procedures, stronger investment and competition regimes, harmonised standards and digital trade frameworks, and accessible mechanisms for enforcing commercial rights across African markets.

1.0 Introduction

African economic integration has entered a stage in which the central challenge is increasingly the conversion of formal continental commitments into commercially functioning markets. The African Continental Free Trade Area (AfCFTA) entered into force on 30 May 2019, while trading under the AfCFTA regime commenced on 1 January 2021. Its architecture includes protocols on trade in goods, trade in services, dispute settlement, investment, intellectual property, competition policy and digital trade, supported by operational instruments including tariff concessions and rules of origin (African Union, n.d.). The breadth of this legal architecture reflects an understanding that continental integration requires more than tariff reduction; it requires rules governing the wider environment in which production, investment and commerce take place.

The economic rationale is substantial. The World Bank (2020) estimated that full implementation of the AfCFTA could raise African regional income by about 7%, or approximately US\$450 billion, by 2035, while potentially lifting millions of people from poverty. The same analysis emphasised that trade facilitation, reduced border delays and lower trade costs would be central to achieving these gains. Thus, the effectiveness of the continental market depends not simply on eliminating tariffs but also on reducing the institutional and regulatory costs of moving goods, services, capital and productive inputs across borders.

Regional value chains are particularly important in this context. A value chain becomes regional when production activities such as sourcing raw materials, processing, manufacturing, packaging, logistics, marketing and service provision are distributed across two or more economies. Such

arrangements can allow countries to specialise according to productive capabilities while benefiting from economies of scale. The World Bank identifies regional value chains in agriculture and other productive sectors as an important avenue for improving productivity, strengthening food security, expanding private-sector participation and supporting Africa's economic transformation (World Bank, 2026).

However, Africa's trade environment remains characterised by substantial regulatory and infrastructural fragmentation. UNCTAD (2024a) reports that trade facilitation remains central to reducing the costs associated with documentation, inspection, customs procedures and border-agency coordination. It also notes that African countries have made progress but continue to face considerable gaps in achieving efficient and inexpensive movement of intermediate inputs and final goods. Evidence from regional initiatives demonstrates that one-stop border posts, online non-tariff-barrier mechanisms and improved customs systems can materially reduce trade costs.

Recent evidence also reinforces the importance of legal rules of origin for regional value chains. UNCTAD (2026) finds that cumulation—under which inputs sourced from different countries can contribute towards qualifying a product for preferential treatment—has significant potential to strengthen regional production networks. Yet the study finds that cumulation remains more a legal possibility than a commercial reality in many parts of sub-Saharan Africa because of low awareness, complex customs procedures and high logistics costs. This gap between legal possibility and commercial utilisation is central to the present study.

Consequently, the question facing Africa is not merely whether countries have access to a continental market. It is whether the legal environment makes that access usable. A manufacturing firm cannot establish a regional supply chain simply because tariffs have been reduced. It requires predictable customs treatment, workable rules of origin, investment protection, enforceable contracts, competition safeguards, intellectual property protection, reliable payments, recognised standards and effective remedies when disputes arise. Legal integration is therefore an essential component of economic integration.

2.0 Statement of the Problem

The AfCFTA provides the legal foundation for creating a continental market, but African businesses continue to encounter barriers that prevent market access from translating into integrated regional production. The central problem is the persistence of a gap between formal legal market opening and practical commercial access. A product may qualify for preferential treatment under an AfCFTA schedule, yet the producer may still face expensive logistics, inconsistent standards, lengthy customs procedures, regulatory duplication or difficulties proving origin.

Non-tariff barriers constitute a major part of this problem. UNCTAD (2024b) observes that the economic restrictiveness of non-tariff measures and trade-facilitation constraints can be several times greater than that of existing tariffs. This makes regulatory transparency and institutional cooperation critical to achieving the objective of a single African market. AfCFTA therefore contains provisions addressing customs cooperation, trade facilitation, non-tariff barriers, technical barriers to trade, sanitary and phytosanitary measures and transit. Their effectiveness, however, depends upon domestic implementation and administrative capacity.

A second problem is the difficulty of establishing competitive regional value chains where inputs cannot move efficiently across borders. Value chains require repeated movement of intermediate goods. If a component crosses a border several times before becoming a finished product, each delay, inspection, documentation requirement or unexpected charge can increase the final cost. Consequently, inefficient border systems may discourage businesses from organising production regionally even when market demand exists.

A third challenge is the uneven legal environment for investment. Regional value chains require firms to make long-term investments in factories, logistics, processing facilities, technology and distribution networks. Investors need confidence that their investments will receive predictable legal treatment, that funds can be transferred in accordance with applicable law, and that disputes can be

addressed through credible institutions. The AfCFTA Investment Protocol seeks to establish a coherent continental framework for investment promotion, facilitation and protection, but its effectiveness depends on domestic implementation and alignment with national investment regimes (African Union, 2023).

Competition policy presents another challenge. Larger firms can potentially dominate regional markets, restrict access to distribution networks or engage in conduct that weakens smaller competitors. The AfCFTA Competition Policy Protocol recognises the need for a continental approach to competition matters, but domestic competition authorities remain important for enforcement. Without effective competition rules, market integration could increase market size without ensuring broad-based participation.

Intellectual property represents an additional legal dimension. Regional production increasingly depends on trademarks, industrial designs, patents, technology, branding and creative assets. Weak or fragmented intellectual property protection can discourage investment in innovation and cross-border licensing. Conversely, predictable intellectual property rules can encourage firms to distribute production and technology across multiple African markets.

The final challenge is the increasing digitalisation of trade. The AfCFTA Digital Trade Protocol seeks to establish common rules and standards for digital commerce, interoperability, electronic transactions and digital infrastructure (African Union, 2024). Yet uneven domestic digital legislation, data governance, cybersecurity capacity and electronic-document recognition may continue to divide African digital markets.

The problem, therefore, is not simply insufficient trade liberalisation. It is the absence of sufficiently coherent legal and institutional conditions under which African firms can build, finance, operate and expand regional value chains.

3.0 Objectives

The article seeks to:

- i. examine the legal foundations for strengthening regional value chains and market access under the AfCFTA;
- ii. assess the legal and regulatory barriers constraining regional production and intra-African commerce;
- iii. examine the role of investment, competition, intellectual property, customs and digital trade law in strengthening African value chains; and
- iv. propose legal strategies for improving market access and accelerating African economic integration.

4.0 Research Questions

- i. What legal foundations exist for strengthening regional value chains and market access under the AfCFTA?
- ii. What legal and regulatory barriers constrain regional production and intra-African commerce?
- iii. How can investment, competition, intellectual property, customs and digital trade law strengthen African value chains?
- iv. What legal strategies can improve market access and accelerate African economic integration?

5.0 Conceptual Clarification

5.1 Regional Value Chains

Regional value chains refer to production systems in which different stages of producing a good or service are distributed across countries within a geographical region. In Africa, this may involve agricultural inputs from one country, processing in another, manufacturing in a third and distribution through several regional markets. The concept is important because it moves integration from the exchange of finished products towards interconnected production.

5.2 Market Access

Market access refers to the legal and practical conditions under which goods, services, investments and businesses can enter and participate in another market. Under the AfCFTA, market access includes preferential tariffs and commitments concerning trade in goods and services. In practical terms, however, access also depends on customs, standards, licensing, infrastructure, payments and regulatory procedures.

5.3 Legal Integration

Legal integration refers to the process of creating greater compatibility among laws, regulations, institutions and enforcement mechanisms across participating States. It does not necessarily require identical laws. Rather, it may involve harmonisation, mutual recognition, regulatory cooperation and minimum common standards that reduce unnecessary differences capable of obstructing commerce.

5.4 Trade Facilitation

Trade facilitation encompasses measures designed to simplify, modernise and harmonise procedures governing the movement of goods across borders. It includes customs automation, documentation, inspection procedures, transit arrangements, border-agency coordination and mechanisms for reducing delays.

5.5 Regional Economic Integration

Regional economic integration involves the progressive reduction of barriers to economic interaction among countries and the development of institutions supporting shared markets. In the African context, the AfCFTA represents a continental effort to deepen integration beyond the existing regional economic communities.

6.0 Theoretical and Legal Framework

6.1 Regional Economic Integration Theory

Regional economic integration theory provides the principal theoretical basis for the study. Integration is expected to generate economic benefits by reducing barriers, expanding markets, increasing competition and allowing producers to exploit economies of scale. In Africa, the creation of a larger market can potentially enable firms to move beyond the limitations of relatively small national economies and develop specialised regional production networks.

The theory also explains why market integration requires more than tariff liberalisation. If firms continue to face high transportation costs, regulatory barriers and uncertain investment conditions, the formal reduction of tariffs may not generate the expected expansion of trade. Effective integration consequently requires complementary legal and institutional reforms.

6.2 Legal Institutionalism

Legal institutionalism provides the second analytical foundation. It treats law as an institutional mechanism for structuring economic behaviour and creating predictable expectations. From this perspective, the AfCFTA is not merely a trade agreement but an institutional framework through which African States seek to coordinate market behaviour.

The effectiveness of that framework depends on domestic customs authorities, courts, regulators, competition institutions, standards bodies, investment agencies and other institutions. Regional value chains are more likely to emerge where these institutions operate according to clear and predictable rules.

6.3 AfCFTA Legal Framework

The AfCFTA Agreement establishes the overarching legal framework, supported by protocols on trade in goods and services, dispute settlement, investment, intellectual property, competition policy and digital trade. The African Union identifies rules of origin and tariff concessions among the operational instruments necessary for implementing preferential trade.

The Investment Protocol is particularly relevant to regional value chains because it seeks to establish a coherent framework for investment promotion, facilitation and protection while recognising States' right to regulate for legitimate public objectives (African Union, 2023). The Digital Trade Protocol similarly seeks harmonised rules, common standards and interoperability to facilitate continental digital commerce (African Union, 2024). Together, these instruments demonstrate that

AfCFTA implementation is increasingly concerned with the broader legal environment in which businesses operate.

7.0 Methodology

The study adopted a qualitative documentary research design. Documentary evidence was obtained from the AfCFTA Agreement and related protocols, African Union legal and policy documents, UNCTAD publications, World Bank reports, African Development Bank materials, United Nations Economic Commission for Africa publications and relevant scholarly and institutional literature. The documents were analysed thematically around four issues: regional value-chain development, market-access barriers, legal and institutional integration, and strategies for strengthening intra-African commerce. No primary fieldwork was undertaken; the analysis is based exclusively on documented evidence.

8.0 Legal Foundations for Regional Value Chains

Regional value chains depend on the ability of businesses to source inputs, produce goods and distribute outputs across several jurisdictions. This requires a legal environment that reduces uncertainty at each stage of production. The AfCFTA provides a foundation for this process by establishing preferential market access and rules governing trade in goods and services.

However, the economic value of preferential access depends on the interaction between tariff rules and domestic implementation. African Union rules provide for substantial tariff liberalisation, including the elimination of tariffs on most tariff lines over agreed transition periods (African Union, n.d.). Yet firms can benefit from these preferences only when their products satisfy applicable rules of origin and when customs authorities apply the preferences consistently.

Rules of origin are particularly significant for regional value chains because they determine whether inputs sourced from one African State can contribute towards the originating status of a product manufactured elsewhere. Cumulation is therefore potentially transformative. If firms can combine African inputs from multiple countries while still qualifying for preferential treatment, production can be distributed according to comparative capabilities rather than constrained by national borders.

UNCTAD's recent firm-level research, however, demonstrates that this potential remains underutilised. Cumulation often exists legally but is not widely used commercially because firms lack awareness and face complicated customs procedures and high logistical costs (UNCTAD, 2026). The implication is that rules of origin should be designed and administered with regional production in mind.

9.0 Customs Law and Cross-Border Production

Customs institutions are central to regional value-chain development because intermediate goods may cross borders multiple times. Efficient customs administration therefore reduces not only the cost of final imports but also the cumulative cost of production.

UNCTAD (2024a) identifies customs efficiency, documentation, inspection procedures and border-agency cooperation as central components of trade facilitation. Its evidence also shows that improvements can have measurable effects. For example, the implementation of a single-window system in Rwanda reduced export clearance time from 67 hours to 34 hours (UNCTAD, 2024a).

African States should consequently treat customs law as part of industrial and value-chain policy. Electronic documentation, risk-based inspection, advance rulings, coordinated border management and mutual administrative assistance can reduce the uncertainty associated with cross-border production.

One-stop border posts are particularly important along major regional corridors. They can reduce repeated inspections and administrative duplication where two neighbouring States coordinate border processes. Their effectiveness, however, depends on legal agreements defining agency responsibilities, information sharing, inspection powers and dispute-resolution arrangements.

10.0 Non-Tariff Barriers and Regulatory Harmonisation

The existence of different product standards and regulatory requirements across African markets can prevent businesses from scaling production. A manufacturer may comply with one country's

technical standards but face additional testing or certification requirements in another. Such duplication increases costs and discourages smaller firms from entering regional markets.

Regulatory harmonisation does not necessarily require identical standards in every country. Mutual recognition arrangements can allow products lawfully certified in one jurisdiction to be accepted in another, subject to agreed safeguards. Common standards may also be developed where divergent requirements serve no compelling public purpose.

The AfCFTA framework specifically recognises technical barriers to trade, sanitary and phytosanitary measures and non-tariff barriers. UNCTAD (2024b) emphasises that regulatory transparency itself can reduce the cost of non-tariff measures. This makes publication of clear regulations, accessible administrative procedures and effective mechanisms for reporting trade obstacles essential elements of legal integration.

The regional economic communities provide useful institutional experience. COMESA, the East African Community and SADC have operated mechanisms for identifying and monitoring non-tariff barriers, illustrating how regional legal instruments can support practical problem-solving (UNCTAD, 2024a). The AfCFTA can build on these experiences rather than creating parallel systems that duplicate existing mechanisms.

11.0 Investment Law and Regional Production

Regional value chains require investment in factories, logistics, processing facilities, technology, storage, energy and distribution systems. Investment law therefore forms part of the legal infrastructure of integration.

The AfCFTA Investment Protocol seeks to create a predictable continental framework for investment promotion, facilitation and protection. It recognises the role of investment in expanding productive capacity, creating employment, transferring technology and building regional and global value chains (African Union, 2023).

Domestic implementation should reinforce these objectives. Investment legislation should provide clear procedures for business establishment, licensing, taxation, repatriation of legitimate funds and administrative review while maintaining the State's authority to regulate in the public interest.

The regional dimension is important because investors increasingly assess markets as interconnected production spaces rather than isolated national economies. A predictable investment environment across several African jurisdictions can therefore make regional value-chain projects more attractive.

The African Development Bank similarly identifies regional integration and value chains as strategic priorities and emphasises investment in firms, value chains and micro, small and medium-sized enterprises as part of Africa's transformation agenda (African Development Bank, 2024).

12.0 Competition Law and Fair Market Access

Market integration can produce benefits only where competition remains sufficiently open. Larger firms may possess advantages in capital, technology, distribution and market information that can make it difficult for smaller African businesses to compete. Anti-competitive agreements, abuse of dominance and restrictive business practices may therefore become more consequential as markets integrate.

The AfCFTA Competition Policy Protocol provides a continental framework for addressing competition concerns arising from cross-border economic activity. Its importance lies in ensuring that continental market integration does not merely expand opportunities for already dominant firms but also facilitates competitive participation.

Domestic competition authorities remain essential because many anti-competitive practices occur within national markets even when their effects extend across borders. Cooperation among competition authorities can help address conduct involving firms operating in multiple African jurisdictions.

Effective competition law should therefore form part of the broader legal strategy for value-chain development. It can protect market entry, reduce discriminatory access to essential commercial facilities and create incentives for innovation and efficiency.

13.0 Intellectual Property and Technology Transfer

Regional value chains increasingly depend on intellectual property. African businesses participating in manufacturing, pharmaceuticals, agriculture, creative industries, telecommunications and digital services require protection for trademarks, patents, designs, copyright and other intangible assets.

The AfCFTA Intellectual Property Protocol provides an opportunity to develop a more coordinated continental approach. Stronger protection can encourage innovation and investment while facilitating licensing and technology partnerships across borders.

However, intellectual property law must balance protection with development objectives. Excessively restrictive rules may increase costs for smaller firms or limit access to technologies needed for industrial development. African States therefore need implementation strategies that protect legitimate intellectual property while maintaining appropriate policy space for public-interest objectives.

The relationship between intellectual property and regional value chains is particularly important for African manufacturing. Firms are more likely to establish production and distribution arrangements across borders when trademarks and proprietary technologies can be protected predictably.

14.0 Digital Trade and Regional Market Access

Digitalisation can substantially reduce the transaction costs associated with regional commerce. Digital platforms enable businesses to identify buyers, process orders, advertise products, manage logistics and receive payments across borders. Electronic customs documentation can also reduce administrative delays.

The AfCFTA Digital Trade Protocol seeks to create harmonised rules and common standards for digital commerce and interoperability. Its objectives include eliminating barriers to digital trade, creating a predictable and secure digital ecosystem, and promoting common standards that enable cross-border interoperability (African Union, 2024).

Domestic legal alignment is consequently essential. African States need legislation recognising electronic transactions, electronic signatures and transferable electronic records, together with appropriate frameworks for consumer protection, data governance and cybersecurity.

Digital trade law can also help smaller enterprises participate in regional markets. A small producer may be unable to establish physical distribution networks in several countries but can use digital platforms to identify buyers and coordinate delivery. Legal certainty can therefore reduce entry barriers and expand market access.

15.0 Infrastructure, Logistics and Transit Law

Legal reform cannot substitute for infrastructure, but appropriate legal frameworks can improve the use and development of existing infrastructure. Roads, railways, ports, warehouses, border facilities and energy networks are essential to regional value chains.

UNCTAD (2024a) emphasises the continuing need for more efficient movement of intermediate inputs and final goods across African regions. Trade facilitation programmes, one-stop border posts and corridor-based approaches can help reduce logistical costs.

Transit law is particularly important for landlocked economies. Goods may need to pass through several jurisdictions before reaching their destination. Predictable transit procedures, guarantees, documentation and dispute-resolution mechanisms can reduce delays and make regional trade more reliable.

Infrastructure agreements should therefore be accompanied by legal arrangements governing access, transit, investment, maintenance and cross-border coordination. This would help transform infrastructure corridors into genuine economic corridors capable of supporting production rather than simply transporting goods.

16.0 Regional Payments and Financial Market Access

Efficient value chains require efficient payments. Currency fragmentation, foreign-exchange constraints and expensive cross-border transfers can increase the cost of regional commerce.

The development of African payment infrastructure can help address this challenge. PAPSS provides a mechanism for facilitating cross-border payments using participating African currencies and is becoming an important component of the continental financial architecture (Afreximbank, 2025).

Financial regulation should therefore increasingly recognise the continental nature of trade. Central banks and financial regulators can cooperate on payment interoperability, settlement arrangements, financial inclusion and appropriate regulatory standards.

The legal challenge is to achieve integration without compromising financial stability, anti-money-laundering requirements or consumer protection. A rules-based approach can allow financial integration to expand while maintaining appropriate safeguards.

17.0 Dispute Resolution and Enforcement

Regional value chains depend on enforceable commercial relationships. Businesses need confidence that contractual obligations will be respected and that disputes can be resolved without excessive cost or delay.

The AfCFTA Protocol on Rules and Procedures on the Settlement of Disputes provides a continental framework for disputes arising under the Agreement. However, domestic commercial courts, arbitration institutions and administrative review mechanisms remain essential to everyday business activity.

Effective enforcement requires clear jurisdictional rules, recognition and enforcement of arbitral decisions, reliable commercial courts and accessible administrative remedies. African States should also strengthen alternative dispute-resolution mechanisms because smaller firms may lack the resources for prolonged litigation.

The rule of law therefore becomes an economic asset. Predictable dispute resolution reduces transaction risk and can encourage firms to enter markets beyond their home jurisdictions.

18.0 Discussion

The analysis demonstrates that regional value chains are fundamentally legal as well as economic structures. Production cannot be distributed across borders unless firms can rely on predictable rules governing the movement of inputs, investment, standards, intellectual property, competition, payments and dispute resolution.

The first major finding is that AfCFTA market access must be made commercially usable. Tariff preferences are necessary but insufficient. Businesses need customs systems capable of recognising preferences and rules of origin without imposing disproportionate compliance costs.

Second, the evidence shows that non-tariff barriers remain a significant constraint. Regulatory transparency, mutual recognition, harmonisation and effective complaint mechanisms should therefore be treated as core elements of continental integration.

Third, regional value chains require investment. The AfCFTA Investment Protocol creates an important continental framework, but its effectiveness will depend on domestic legal alignment and institutional implementation.

Fourth, competition and intellectual property rules should be understood as complementary components of market integration. Competition rules prevent market-opening from becoming market concentration, while intellectual property rules can facilitate innovation, branding and technology transfer.

Fifth, digital and financial infrastructure increasingly determine the practical accessibility of African markets. The Digital Trade Protocol and emerging continental payment systems provide important foundations, but national implementation remains essential.

Ultimately, Africa's integration challenge is not simply how to remove borders but how to make borders economically less costly while preserving legitimate regulatory functions. A successful legal strategy should therefore pursue predictable rules, mutual recognition, institutional cooperation and effective enforcement rather than regulatory uniformity for its own sake.

19.0 Recommendations

Recommendation One

African States should strengthen domestic legal alignment with AfCFTA obligations to create predictable conditions for regional value chains.

Implementation Strategies

- i. National trade ministries in collaboration with justice ministries to systematically review customs, tariff, investment, competition, intellectual property, standards, services and digital-trade legislation for consistency with AfCFTA obligations.
- ii. National AfCFTA implementation institutions to maintain an updated register of domestic laws, regulations and administrative instruments required to operationalise continental commitments.

Recommendation Two

African States should simplify rules of origin, customs procedures and transit arrangements to facilitate the movement of regional value-chain inputs.

Implementation Strategies

- i. Customs authorities in collaboration with national AfCFTA institutions to simplify origin-certification procedures and strengthen trader guidance on cumulation and preferential treatment.
- ii. Regional Economic Communities in collaboration with customs administrations to strengthen one-stop border posts, electronic documentation and coordinated transit procedures along major trade corridors.

Recommendation Three

African States should strengthen regulatory cooperation and eliminate unjustified non-tariff barriers affecting regional market access.

Implementation Strategies

- i. AfCFTA national focal institutions in collaboration with standards agencies to establish coordinated procedures for identifying, reporting and resolving non-tariff barriers.
- ii. Regional Economic Communities to develop mutual-recognition and regulatory-cooperation arrangements in priority sectors where divergent standards unnecessarily restrict intra-African trade.

Recommendation Four

African States should create a more predictable legal environment for investment, competition and intellectual property to support regional production.

Implementation Strategies

- i. National investment and competition authorities to align relevant domestic legislation and administrative procedures with AfCFTA continental frameworks and strengthen cross-border institutional cooperation.
- ii. Intellectual property offices in partnership with investment-promotion agencies to establish practical mechanisms for protecting African brands, technology and innovation while facilitating licensing and regional production partnerships.

Recommendation Five

African States should strengthen digital and financial legal infrastructure to expand access to continental markets.

Implementation Strategies

- i. Digital-economy ministries in collaboration with financial regulators and customs authorities to align national electronic-transactions, digital-trade, data-governance and paperless-trade frameworks with the AfCFTA Digital Trade Protocol.
- ii. Central banks in collaboration with financial institutions to deepen interoperable African payment systems and strengthen regulatory arrangements that reduce the cost and delay of cross-border commercial transactions.

20.0 Conclusion

Africa's transition from fragmented national markets to an integrated continental economy requires more than the formal reduction of tariffs. It requires a legal environment in which firms can produce, invest, move inputs, protect intellectual property, compete, make payments and resolve disputes across national borders with reasonable predictability. The AfCFTA provides the continental foundation for this process, but its effectiveness depends heavily on domestic implementation and regional institutional cooperation.

Regional value chains provide a particularly important pathway for transforming market integration into productive integration. They allow African countries to participate in different stages of production according to their capabilities while expanding opportunities for manufacturing, agriculture, services, logistics and technology. Yet these chains cannot develop efficiently where regulatory fragmentation, customs delays, complex origin requirements and uncertain investment conditions continue to increase the cost of cross-border production.

The appropriate legal response is therefore not simply to create more rules, but to create better-connected, predictable and enforceable rules. Domestic laws should give practical effect to AfCFTA commitments; customs procedures should facilitate rather than unnecessarily obstruct production; standards should increasingly support mutual recognition; investment rules should encourage long-term productive investment; competition law should protect open markets; intellectual property rules should support innovation; and digital and financial regulations should reflect the increasingly integrated nature of African commerce.

The broader lesson is that legal integration is an economic infrastructure. Roads and ports physically connect African economies, but laws and institutions determine the conditions under which businesses can use those connections. Effective legal strategies can therefore transform AfCFTA from a preferential trading arrangement into a platform for regional production, investment and market expansion.

Africa's economic integration will ultimately depend on whether continental market access becomes commercially meaningful to the firms that create jobs, process resources, manufacture goods, provide services and connect consumers across borders. Strengthening the legal foundations of regional value chains is consequently not an auxiliary component of African integration; it is one of its central requirements.

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