



**2024 BIENNIAL REPORT ON THE  
IMPLEMENTATION OF**

# **THE AFRICAN GROWTH AND OPPORTUNITY ACT**



**UNITED STATES TRADE REPRESENTATIVE  
JUNE 2024**



# **2024 BIENNIAL REPORT ON THE IMPLEMENTATION OF THE AFRICAN GROWTH AND OPPORTUNITY ACT**

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Office of the United States Trade Representative  
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## Foreword

Section 110 of the Trade Preferences Extension Act of 2015 (“the Act”), 19 U.S.C. § 3705 note, states that the President shall submit a report to Congress on the trade and investment relationship between the United States and sub-Saharan African countries no later than one year after the enactment of the Act, and biennially thereafter. This reporting function was delegated to the United States Trade Representative (USTR) in Executive Order 13720 of February 26, 2016. The USTR, on behalf of the President, last submitted this report under this provision in June 2022. The current report covers the period since then (July 2022 to the present). As required by the legislation, the report provides a description of the status of trade and investment between the United States and sub-Saharan Africa, changes in country eligibility for AGOA benefits, an analysis of country compliance with the AGOA eligibility criteria, an overview of regional integration efforts in sub-Saharan Africa, and a summary of U.S. trade capacity building efforts.

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## **Chapter 1: The Trade and Investment Relationship between the United States and sub-Saharan Africa**

### **Overview**

Since it was signed into law in May 2000, the African Growth and Opportunity Act (AGOA) has played a critical role in the United States' trade relationship with sub-Saharan Africa. AGOA has fostered economic growth and development on the continent and has created tens of thousands of jobs for its people. AGOA has also continued to encourage American companies to both do business with and invest in sub-Saharan Africa and has encouraged African governments to develop and implement African-led solutions to economic and political reforms. In 2023, U.S. imports under AGOA (including the Generalized System of Preferences or "GSP" program) totaled \$9.7 billion. This consisted of approximately \$4.2 billion in crude oil and \$5.5 billion in other products, including \$1.1 billion in apparel and more than \$900 million in agricultural products.

Since the release of the previous report in 2022, as part of the Biden-Harris Administration's worker-centered trade agenda, the Office of the United States Trade Representative (USTR) continued its work to support AGOA by deepening U.S. economic cooperation with African nations, catalyzing equitable and sustainable growth across Africa, promoting and encouraging trade capacity building programs in Africa, and enhancing African regional and continental integration to ensure that all people across the United States and Africa benefited from the global economy, including and women, youth, and the African Diaspora.

Among other activities, in December 2022, USTR hosted African trade ministers for an AGOA Ministerial Meeting during the U.S.-Africa Leaders Summit. This was the first time that U.S. and AGOA ministers met in person since 2019 due to the COVID-19 pandemic. In 2023, USTR co-chaired a successful AGOA Forum in Johannesburg, South Africa. This was the first Forum held on the continent since 2019, and it placed an unprecedented emphasis on empowering labor and civil society groups.

USTR continued to negotiate the United States-Kenya Strategic Trade and Investment Partnership (STIP), first announced in July 2022. The goal of the STIP is to achieve high standard commitments designed to increase investment; promote sustainable and inclusive economic growth; benefit workers, consumers, and businesses (including micro-, small, and medium-sized enterprises); and, support African regional economic integration. USTR also continued to implement the Memorandum of Understanding (MOU) with the African Continental Free Trade Area (AfCFTA) Secretariat signed in December 2022. In addition, USTR coordinated the annual interagency AGOA country eligibility review to ensure that countries were in compliance with the statutory requirements.

The Trade Preferences Extension Act (TPEA) of 2015 extended AGOA for 10 years through September 2025. The Biden-Harris Administration strongly supports the timely reauthorization and modernization of AGOA. In his November 2023 statement supporting AGOA reauthorization, President Biden called AGOA a "landmark, bipartisan law that has formed a bedrock for U.S. trade with sub-Saharan Africa for more than two decades." While authorization is within Congress' purview, U.S. Trade Representative Tai is committed to working with Members of Congress, African partners, and other key private sector and civil



society stakeholders to ensure that any reauthorization of AGOA makes the program as impactful as possible – particularly for lesser developed and smaller African countries. This includes supporting continental integration under the AfCFTA; improving utilization rates; exploring ways to deepen economic engagement post-graduation; and providing additional tools for assessing and reinstating eligibility.

### **Trade in Goods**

Total two-way goods trade with sub-Saharan Africa totaled \$47.5 billion in 2023, a 6.2 percent increase from \$44.7 billion in 2021 (also see Appendix 6). U.S. goods exports were \$18.2 billion in 2023, up 10.4 percent from \$16.5 billion in 2021 (primarily due to increased exports of aircraft and petroleum products). U.S. goods imports were \$29.3 billion in 2023, up 3.8 percent from \$28.2 billion in 2021 (primarily due to increased imports of petroleum and silverware).

Top U.S. goods exported to sub-Saharan Africa in 2023 included aircraft (\$1.8 billion), petroleum products (\$1.3 billion), motor vehicles (\$1.2 billion), natural gas and components (\$1.2 billion), and certain motor vehicle parts (\$861 million). The top destination markets in 2023 were South Africa (\$7.2 billion), Nigeria (\$2.6 billion), Ethiopia (\$1.2 billion), Ghana (\$850 million), and Angola (\$595 million).

Top U.S imports from sub-Saharan Africa in 2023 included crude petroleum (\$7.3 billion), precious metals (\$4.7 billion), gemstones (\$2.2 billion), silverware and related articles (\$1.8 billion), motor vehicles (\$1.7 billion), and apparel (\$1.4 billion). The top sub-Saharan African suppliers to the United States in 2023 were South Africa (\$14.0 billion), Nigeria (\$5.7 billion), Ghana (\$1.7 billion), Angola (\$1.2 billion), and Côte d'Ivoire (\$948 million).

### **Services Trade**

The services sector remains a growing component of the U.S-Africa trade and investment relationship. In 2022 (most recent data available), U.S. exports of services to Africa increased to \$14.4 billion from \$11.1 billion in 2020, according to the U.S. Bureau of Economic Analysis. In 2022, the leading services export sectors included travel services (\$3.6 billion), financial services (\$2.4 billion), business and management consulting and public relations services (\$1.6 billion), and air transport (\$1.0 billion). Similarly, U.S. imports of services increased to \$10.4 billion in 2022 from \$5.4 billion in 2020. The leading services import sectors in 2022 were travel (\$4.6 billion); personal, cultural, and recreational services (\$846 million); business and management consulting and public relations services (\$774 million); and air transport (\$712 million). For more detailed information on trade in services, consult Appendix 7.

### **Investment**

According to the U.S. Census Bureau, U.S. outward foreign direct investment (FDI) stock in sub-Saharan Africa stood at \$31.6 billion in 2022 (most recent data available), up slightly from \$30.0 billion in 2020. In recent years, U.S. companies have made major investments on the continent in such sectors as software and information technology services, communications, business services, financial services, clean energy, and transportation and warehousing. The three largest destinations for cumulative outward U.S. FDI stock in sub-Saharan Africa in 2022 were South Africa (\$7.4 billion), Mauritius (\$7.0 billion), and Nigeria (\$5.6 billion). Sub-Saharan Africa's FDI stock in the United States stood at roughly \$11.0 billion in 2022, up from \$9.8 billion in 2020. For more detailed investment data, consult Appendix 8.

## **Chapter 2: AGOA Implementation**

### **Overview**

Since its enactment in 2000, AGOA has been at the core of U.S. trade and investment policy with sub-Saharan Africa. AGOA provides eligible sub-Saharan African countries with duty-free access to the United States for over 1,800 products, in addition to the more than 5,100 products that are eligible under the Generalized System of Preferences (GSP) program. Although legal authorization for benefits under GSP expired on December 31, 2020, tariff lines covered by GSP remained eligible for AGOA beneficiaries. Currently, 32 countries are eligible for AGOA benefits.

By providing duty-free access to the U.S. market, AGOA has helped millions of people across Africa, supported increased investment across the continent, created hundreds of thousands of new jobs in eligible countries and sectors, and helped alleviate poverty on the continent. Additionally, AGOA has helped create a more conducive environment for American investment and business interests as African markets continue to expand. AGOA has also enabled many U.S. companies to get a foothold into key African markets and diversify their global supply chains.

Many African countries have taken advantage of the benefits related to AGOA's tariff preferences and liberal rules of origin for apparel. Utilization of these benefits has led to significant increases in exports of apparel to the United States from countries such as Kenya, Lesotho, Madagascar, and Mauritius. When TPEA renewed AGOA through 2025, the extension included renewal of the provision that allows fabric from third-countries to meet the program's rules of origin for apparel to qualify for duty free treatment – a critical factor in apparel companies' decisions to invest in AGOA-eligible countries.

U.S. imports of numerous non-oil AGOA products, including agricultural goods, have increased since AGOA was signed into law. Examples of such products include vehicles and parts, sunglasses, footwear, home goods, jewelry, cut flowers, cocoa powder and cocoa paste, cassava, and macadamia nuts.

In many cases, it is women-owned businesses in Africa that are supplying these products to the United States and women-owned companies in the United States that are sourcing these goods from the continent.

### **AGOA Import Data**

U.S. goods imports under AGOA (including GSP) totaled \$9.7 billion in 2023, up from \$6.8 billion in 2021 but down from \$10.2 billion in 2022 (see Appendix 6). This upward trend in imports was mainly driven by increased imports of crude oil. In 2023, Nigeria was the largest source of imports under AGOA (\$3.8 billion) and a major supplier of crude oil (\$3.6 billion in 2023, up from \$1.2 billion in 2021). Angola, Ghana, and Republic of Congo were the other notable crude oil exporters under AGOA in 2023.

Non-crude oil imports under AGOA also increased, growing 10.6 percent to \$5.5 billion in 2023, up from \$5.0 billion in 2021. The top non-crude oil imports were motor vehicles (\$1.9 billion) and apparel. U.S. apparel imports under AGOA fell to \$1.1 billion in 2023 from \$1.4 billion in

2021. Kenya, Madagascar, and Lesotho were significant suppliers of apparel under AGOA in 2023. Other leading AGOA import categories in 2023 include ferroalloys (\$300 million), precious jewelry (\$258 million), cocoa products (\$202 million, mainly from Ghana and Côte d'Ivoire), miscellaneous inorganic chemicals (\$146 million), citrus fruit (\$132 million), certain organic chemicals (\$100 million), and copper and related articles (\$95 million, mainly from Zambia, Democratic Republic of Congo, and South Africa).

South Africa was the second-largest AGOA exporter in 2023, behind Nigeria, and was the largest exporter of non-crude oil products (\$3.6 billion in 2023), supplying a broad set of products including passenger vehicles, yachts and catamarans, precious jewelry, chemicals, and citrus fruit under AGOA. Kenya (\$510 million), Ghana (\$340 million), Madagascar (\$339 million), and Angola (\$260 million) were the next largest exporters under AGOA in 2023.

### **The AGOA Forum**

The annual United States-sub-Saharan Africa Trade and Economic Cooperation Forum, informally known as the “AGOA Forum,” is a ministerial meeting with high-level dialogue to promote closer economic ties between the United States and sub-Saharan Africa.

#### ***2023 AGOA Forum in South Africa***

South Africa hosted the 2023 AGOA Forum in Johannesburg from November 2-4. U.S. Trade Representative Tai led a high-level inter-agency delegation to the 2023 AGOA Forum that consisted of Deputy Secretary of Commerce Don Graves, Export-Import Bank Chair Rita Jo Lewis, Assistant Secretary of State Ramin Toloui, and senior officials from the Office of the Vice President, the National Security Council, the U.S. Agency for International Development, and the Departments of Treasury, Health and Human Services, Labor, and Agriculture. The 2023 AGOA Forum brought together approximately 800 participants, including the U.S. delegation, senior trade officials from AGOA-eligible countries, and key representatives from continental and regional economic organizations, the private sector, labor organizations, and civil society.

On November 2, two key stakeholder events took place: a private sector forum and an organized labor and civil society forum. For the first time, the civil society forum included an organized labor stand-alone half-day session to hear directly from workers on AGOA and trade policy, both in the United States and across Africa (see Chapter 5 for further details).

The government-to-government Ministerial, which took place November 3-4, included breakout sessions on different U.S.-Africa trade issues, a closed-door minister-only roundtable, and plenary sessions, including a session with Congressional staff.

During the AGOA Forum, the Government of South Africa also staged a “Made in Africa” exhibition that showcased numerous AGOA success stories. The exhibition was open to the general public, and enabled nearly 400 African manufacturers and suppliers to showcase their products and services to visiting international guests and prospective buyers.

#### ***2022 AGOA Ministerial in Washington***

The AGOA Ministerial held on December 13, 2022 as part of the U.S.-Africa Leaders Summit was the first in-person meeting as a group of trade ministers from AGOA-eligible countries since

the AGOA Forum in 2019 (the 2021 AGOA Ministerial was held virtually). The half-day meeting included participation from 34 AGOA-eligible countries, nine U.S. Members of Congress, and senior representatives from African regional economic communities and other Africa-based organizations. Former President Bill Clinton also addressed the Ministerial with pre-recorded remarks.

During the Ministerial, hosted by U.S. Trade Representative Tai, trade ministers were able to speak directly with U.S. Members of Congress to offer their views on AGOA renewal as well as on improving AGOA implementation and strengthening U.S.-Africa trade and investment ties.

### **Developing Strategies to Support AGOA Implementation**

Since AGOA's inception, a number of African countries have utilized the program to increase and diversify their exports to the United States. TPEA encouraged eligible countries to develop AGOA utilization strategies to help expand export competitiveness. Over the last decade, 16 AGOA-eligible countries have completed national AGOA utilization strategies and another three (Burundi, Ethiopia and Mali) developed national strategies when they were eligible for the program. In many cases, this work occurred in conjunction with the U.S. Agency for International Development (USAID). The Common Market for Eastern and Southern Africa (COMESA) and the Economic Community of West African States (ECOWAS) have developed similar plans for those regional blocs.

Aside from these strategies, many African governments and other stakeholders have undertaken similar lines of effort to develop other strategic plans and studies (some sector-specific, others more broadly focused) dedicated to enhancing exports under AGOA as well as the broader export competitiveness of African countries.

For a list of countries with national AGOA utilization strategies, see Appendix 4.

## **Chapter 3: Key Initiatives and Engagements**

Over the last two years, the U.S. Government has worked to support and enhance U.S. trade and investment ties with sub-Saharan Africa through a sustained series of high-level engagements and strategic initiatives and programs.

### **The 2022 U.S.-Africa Leaders Summit**

In December 2022, President Biden hosted leaders from across the African continent in Washington, DC for the U.S.-Africa Leaders Summit. The three-day summit continued efforts to strengthen ties with African partners based on principles of mutual respect and shared interests and values. It also served as an opportunity to listen to and collaborate with African counterparts on key areas the United States and Africa define as critical for the future of the continent and our global community, including on trade and investment. Delegations from all 49 invited African countries and the African Union, alongside members of civil society and the private sector attended the summit. The President, Vice President, and members of the Cabinet engaged extensively with leaders throughout the Summit.

The U.S. Government has continued to work with our African partners, its institutions, and its people to deliver on commitments announced at the Summit. For example, in 2023, the United States supported and helped close 547 new deals for a total estimated value of \$14.2 billion in new two-way trade and investment between the United States and African countries.

### **Launch of U.S-Kenya Strategic Trade and Investment Partnership**

In July 2022, the United States and Kenya launched the Strategic Trade and Investment Partnership (STIP). Under the STIP, the two governments are negotiating high-standard commitments in a wide range of areas with a view to increasing investment; promoting sustainable and inclusive economic growth; benefiting workers, consumers, and businesses (including micro-, small, and medium-sized enterprises (MSMEs)); and supporting African regional economic integration. Since the first round of conceptual discussions in February 2023, the U.S. and Kenyan governments have held several text-based negotiating rounds. The Biden-Harris Administration views the STIP as a potential model for engagement with other willing countries on the continent.

As part of its ongoing commitment to transparency and robust external engagement, USTR has taken into account public comments, including through notices published in the Federal Register. In addition, senior U.S. officials have met on a number of occasions with civil society groups, businesses, and other stakeholders to hear their perspectives on the initiative. In July 2023, U.S. Trade Representative Tai visited Nairobi to meet with the Kenyan President and other government officials, and labor, civil society, and private sector stakeholders to take note of progress under the STIP. Negotiations on the STIP are ongoing.

### **Signing of a Memorandum of Understanding on Cooperation for Trade and Investment between the United States and the African Continental Free Trade Area**

In December 2022, U.S. Trade Representative Tai and the African Continental Free Trade Area (AfCFTA) Secretary General Wamkele Mene signed an MOU on Cooperation for Trade and Investment to support implementation of the AfCFTA. Work under the MOU aims to promote implementation of the AfCFTA's Protocol on Women and Youth in Trade; support equitable,

sustainable and inclusive trade; attract investment to the continent; and help African countries move into more advanced manufacturing in closer partnership with U.S. companies operating across the continent.

The MOU calls for an annual engagement between the U.S. Government and the AfCFTA Secretariat. The U.S. Trade Representative and the AfCFTA Secretary General met at the 2023 AGOA Forum to discuss the implementation of the MOU as well as the work of the technical working groups (TWGs). The TWGs comprise experts from the AfCFTA Secretariat, the Office of the U.S. Trade Representative, and other U.S. Government agencies. The TWGs exchange information on best practices and continue an open dialogue to enhance the relationship between the United States, the AfCFTA Secretariat, the AfCFTA State Parties, and relevant stakeholders.

### **Launch of Digital Transformation with Africa initiative**

In December 2022, President Biden launched the Digital Transformation with Africa (DTA) initiative to expand digital access and literacy and strengthen digital enabling environments across the continent by investing over \$350 million and help mobilize over \$450 million in financing for Africa. DTA is a whole-of-government initiative, and the interagency is working jointly to develop programs to further its objectives. The Africa Digital Policy Council, co-chaired by the NSC and Commerce, has been established to coordinate interagency work on DTA.

Projects and programming supported by DTA funding will be developed through an interagency working group assigned to each of the three key areas (Digital Economy and Infrastructure, Human Capital Development, and Digital Enabling Environment) and approved by the Africa Digital Policy Council.

In April 2023, to support the DTA, Vice President Harris issued a “call to action” to the private sector and the philanthropic community to make direct investments and social impact commitments to advance digital inclusion in Africa. This work will directly support DTA’s aim to ensure that people across Africa can participate in the global digital economy.

### **Kenya State Visit to the United States**

In May 2024, President Biden welcomed President William Ruto for a State Visit and Dinner to celebrate and deepen ties between the United States and Kenya. This visit marked 60 years of official U.S.-Kenya partnership founded on shared values, deep cooperation, and a common vision for the future. The two leaders’ agenda showcased how U.S.-Kenya ties deliver tangible benefits to the people of both countries in areas including democracy, human rights, and governance; health partnerships; people-to-people ties; shared climate solutions; trade and investment; debt, development, and sustainable finance; digital, critical, and emerging technology cooperation; and peace and security cooperation.

### **Vice President’s March 2023 visit to Ghana, Tanzania, and Zambia**

Vice President Kamala Harris and Second Gentleman Douglas Emhoff traveled to Accra, Ghana; Dar es Salaam, Tanzania; and Lusaka, Zambia from March 25 to April 2, 2023. The Vice President’s visit built on the successes of the 2022 U.S.-Africa Leaders Summit, strengthened the United States’ partnerships throughout Africa, and advanced our shared

efforts on security and economic prosperity.

Throughout the trip, in partnership with African governments and the private sector, the Vice President advanced efforts to expand access to the digital economy, support climate adaptation and resilience, and strengthen business ties and investment, including through innovation, entrepreneurship, and the economic empowerment of women. The Vice President met with President Nana Akufo-Addo of Ghana, President Samia Hassan of Tanzania, and President Hakainde Hichilema of Zambia to discuss regional and global priorities, including our shared commitment to democracy, inclusive and sustainable economic growth, food security, and the effects of Russia's unprovoked war in Ukraine, among other issues. The Vice President also strengthened people-to-people ties by engaging with civil society, young leaders, business representatives, entrepreneurs, and members of the African Diaspora.

### **First Lady's February 2023 visit to Namibia and Kenya**

First Lady Dr. Jill Biden visited Namibia and Kenya in February 2023 to strengthen the United States' partnerships on the African continent and advance shared priorities. Dr. Biden's engagements focused on the empowerment of women and youth, efforts to address food insecurity, and promoting shared democratic values.

### **Other Senior-level visits to sub-Saharan Africa**

Numerous other senior members of the Biden-Harris Administration have visited the African continent over the last two years. These include the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative.

### ***Secretary of State Antony Blinken***

In January 2024, Secretary Blinken visited Cabo Verde, Côte d'Ivoire, Nigeria, and Angola. Throughout the trip, the Secretary highlighted how the United States has accelerated the U.S.-Africa partnership since the U.S.-Africa Leaders Summit, including in areas such as climate, food, and health security. He also emphasized our future-focused economic partnership, and how the United States is investing in infrastructure in Africa to boost two-way trade, create jobs at home and on the continent, and help Africa compete in the global marketplace.

In August 2022, Secretary Blinken visited South Africa, the Democratic Republic of the Congo (DRC), and Rwanda. In South Africa, the Secretary launched the U.S. Strategy for sub-Saharan Africa and led the U.S. delegation to the U.S.-South Africa Strategic Dialogue which reinforced and deepened our commitment to bilateral cooperation on global issues as well as a wide range of shared priorities, including health, infrastructure, trade and investment, and climate. In the DRC, the Secretary met with senior government officials and members of civil society to discuss combating corruption, boosting trade and investment, tackling the climate crisis, building agricultural resilience, and supporting regional African efforts to advance peace in eastern DRC and the broader Great Lakes region.

### ***Secretary of the Treasury Janet Yellen***

In January 2023, Treasury Secretary Janet Yellen visited Senegal, Zambia, and South Africa to highlight the Biden-Harris Administration's work to deepen partnerships with African countries and strengthen U.S.-Africa economic ties through expanding trade and investment flows. Secretary Yellen discussed how the United States is working with African partners to build

stronger and more resilient economies on the continent that benefit their citizens, the United States, and the world. There was strong interest in strengthening avenues to increase U.S. firms' interest in Africa, including through AGOA, and exploring new opportunities as the demand for critical minerals surges. The conversations also underscored how U.S.-Africa economic and trade partnerships support efforts to address global challenges, including climate and health, through funding for high quality infrastructure investments through the Partnership for Global Infrastructure Investment, preventing and preparing for future pandemics through the new Pandemic Fund, and accelerating clean energy access by promoting just energy transitions. In addition, the Secretary also discussed how programs like Prosper Africa are boosting economic integration to deliver the jobs needed to meet the aspirations of the youth of these countries. The Secretary also underscored the United States' commitment to support Africa's growing role on the world stage and global economy, including through support for the African Union permanent membership in the G20 (agreed by the G20 in September 2023).

### ***Secretary of Commerce Gina Raimondo***

U.S. Secretary of Commerce Gina Raimondo traveled to Nairobi, Kenya in April 2024. Secretary Raimondo led a delegation of private sector companies from the President's Advisory Council on Doing Business in Africa (PAC-DBIA) and highlighted the U.S.-Kenya bilateral commercial and investment relationship, including the flourishing digital space in Kenya and throughout Africa. While in Nairobi, Secretary Raimondo met with Kenyan President William Ruto, government officials, as well as trade and digital ministers from across Africa. In particular, the Secretary acknowledged the significant efforts that President Ruto's Administration has made to improve Kenya's business environment and attract increased U.S. investment in the country. Secretary Raimondo also congratulated President Ruto for Kenya's leadership across the continent on business and policy innovation. She also engaged with U.S. and Kenyan private sector representatives and women and youth leaders in science, technology and creative industries.

### ***U.S. Trade Representative Katherine Tai***

In November 2023, U.S. Trade Representative Tai visited South Africa where she led the U.S. delegation to the 2023 AGOA Forum (see Chapter 2 for more details).

In July 2023, U.S. Trade Representative Tai visited Kenya. During the visit, she met with senior government officials, including Kenyan President William Ruto and the Cabinet Secretary for the East African Community (EAC), Arid and Semi-Arid Lands and Regional Development. In addition, U.S. Trade Representative Tai co-chaired a meeting of the United States–East African Community (EAC) Trade and Investment Framework Agreement (TIFA) Council with the EAC Secretary General. During the meeting, she reinforced the strong partnership between the United States and the EAC and discussed key issues related to U.S.-East African economic cooperation.

During her visit, U.S. Trade Representative Tai also participated in a fireside chat with local youth and women entrepreneurs and a roundtable discussion with members of Kenya's civil society that included labor leaders and human rights organizations. U.S. Trade Representative Tai emphasized the Biden-Harris Administration's support for Kenyan democracy and for strengthening resilient, sustainable, inclusive trade ties, and underscored the importance of ensuring that trade policy benefits more people across societies. U.S. Trade Representative Tai also hosted a roundtable with local small business leaders.



In September 2022, U.S. Trade Representative Tai led a Presidential Delegation to Nairobi, Kenya to attend the Inauguration of President Ruto.

## Chapter 4: AGOA Eligibility and Country Reports

### AGOA Eligibility Criteria

The Biden-Harris Administration is continuing to administer AGOA and other preference programs in accordance with the statutory eligibility criteria.

To qualify for AGOA benefits, countries must meet the eligibility criteria set forth in: (1) section 104 of AGOA (19 U.S.C. 3703); and (2) section 502 of the Trade Act of 1974 (19 U.S.C. 2462) (hereinafter 1974 Act). The eligibility requirements set forth in Section 104 of AGOA include requirements that the country establish or be making continual progress toward establishing, *inter alia*: a market-based economy; the rule of law, political pluralism, and the right to due process; the elimination of barriers to U.S. trade and investment; economic policies to reduce poverty; a system to combat corruption and bribery; and the protection of internationally recognized worker rights. In addition, the country may not engage in activities that undermine U.S. national security or foreign policy interests or engage in gross violations of internationally recognized human rights.

Section 502 of the 1974 Act includes bases for ineligibility for benefits as well as factors that the President shall take into account in determining whether to provide benefits under the GSP. According to the 1974 Act, in order to be eligible for benefits, a country: (1) may not be a Communist country, unless it receives nondiscriminatory treatment, is a member of the General Agreement on Tariffs and Trade and the International Monetary Fund, and is not dominated or controlled by international communism; (2) may not be a party to an arrangement of countries and participate in actions the effect of which is to withhold supplies of vital commodities or raise the price of such commodities to an unreasonable level and cause serious disruption of the world economy; (3) may not afford preferential treatment to products of a developed country that has, or is likely to have, a significant adverse effect on United States commerce; (4) may not have nationalized, expropriated, or otherwise seized property of U.S. citizens or corporations without providing, or taking steps to provide prompt, adequate, and effective compensation, or submitting such issues to a mutually agreed forum for arbitration; (5) may not have failed to recognize or enforce arbitral awards in favor of U.S. citizens or corporations; (6) may not aid or abet, by granting sanctuary from prosecution, any individual or group that has committed an act of international terrorism; (7) must not have failed to take or be taking steps to afford internationally recognized worker rights, and; (8) must not have failed to implement its commitments to eliminate the worst forms of child labor.

The factors that the President shall take into account under section 502 to assess eligibility include: (1) an expression by the country to be designated as a beneficiary; (2) the level of economic development; (3) whether or not other major developed countries are providing preferential treatment; (4) the extent to which the country has assured the United States that it will provide market access and refrain from unreasonable export practices; (5) the extent to which the country is providing adequate and effective protection and enforcement of intellectual property rights; (6) the extent to which the country has taken action to reduce trade distorting investment practices and policies and reduce or eliminate barriers to trade in services, and; (7) whether or not the country has taken or is taking steps to afford workers with internationally recognized worker rights.

The AGOA and GSP eligibility criteria are included in Appendices 2 and 3, respectively. While legal authorization for duty-free benefits under GSP expired on December 31, 2020, tariff lines covered by GSP remain eligible for AGOA beneficiaries.

### **The Annual AGOA Eligibility Review**

The AGOA legislation requires the President to determine annually which of the countries listed in the 1974 Act are eligible to receive benefits. These decisions are supported by an annual interagency review, chaired by USTR. This review examines whether each designated AGOA beneficiary country continues to meet the eligibility criteria and whether circumstances in ineligible countries have improved sufficiently to warrant their designation as a beneficiary country.

The AGOA country eligibility determination process is rigorous. A comprehensive interagency review is conducted, based on statutory eligibility criteria of each country that has requested designation as an AGOA beneficiary. During each annual review a number of concerns surface for every country. Addressing these concerns is an important aspect of targeted U.S. policy objectives to be pursued with specific governments.

TPEA provides additional tools to support compliance with AGOA eligibility criteria, including by providing greater flexibility to withdraw, suspend, or limit benefits under AGOA if it is determined that such action would be more effective than termination of AGOA eligibility. It also improved transparency and public participation in the AGOA review process by creating a public petition process. In addition, TPEA authorized the initiation of out-of-cycle reviews of a country's eligibility.

In 2023, Somalia requested consideration for designation as an AGOA beneficiary country and was reviewed for the first time. To date, Sudan has not been reviewed during this annual process as it has never requested such consideration for AGOA benefits. Equatorial Guinea and Seychelles have graduated from the GSP program and therefore are not eligible for consideration for AGOA benefits.

### **Recent Changes in AGOA Eligibility**

There are currently 32 countries eligible for the program. The annual review conducted in 2022 resulted in the termination of Burkina Faso as a beneficiary as of January 1, 2023, due to the unconstitutional change of government in the country. The annual eligibility review conducted in 2023 resulted in the termination of AGOA eligibility for the Central African Republic, Gabon, Niger, and Uganda, and the reinstatement of benefits to Mauritania, as of January 1, 2024. The President reinstated Mauritania based on the progress that it has made with respect to worker rights concerns. The President made the determination to terminate benefits based upon the unconstitutional change in governments in both Gabon and Niger, and the gross violations of internationally recognized human rights in the Central African Republic and Uganda.

### **Country Reports**

The remainder of this chapter contains detailed analysis assessing whether each beneficiary country is continuing to meet AGOA eligibility requirements. All concerns may not be addressed in this report.

## ANGOLA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination to Barriers to U.S. Trade:** Angola is one of the largest U.S. bilateral trade partners in sub-Saharan Africa and continues to seek foreign investment and closer commercial relations with the United States across sectors, particularly in non-petroleum sectors. In May 2023, the government extended its privatization program until 2026, with a plan to privatize 73 additional state-owned assets during that period. In 2021, Angola successfully completed its \$3.8 billion International Monetary Fund (IMF) program, the largest program in sub-Saharan Africa. In October 2023, Angola issued Presidential Decree No. 213/23, which focuses on restricting imports to promote domestic production. The decree replaces and expands the scope of products covered by the previous Presidential Decree No. 23/29 from 2019. Thus far, the decree has been minimally enforced.

**Rule of Law/Political Pluralism/Anticorruption:** Angola has prioritized strengthening the rule of law and fighting impunity and corruption. The country held presidential elections in August 2022 that were largely peaceful but with limited access to independent election information. While societal pressures can discourage women from active political participation, women's rights advocates have an increasingly vocal presence in Angola's political life. Angola has made efforts to address corruption in the country as the government has reported the recovery of extensive illegally acquired assets. Transparency International's 2023 Corruption Perceptions Index ranked Angola 121 out of 180 countries.

**Poverty Reduction:** The International Federation of Red Cross and Red Crescent Societies estimated overall poverty at 41 percent and rural poverty at 57 percent in January 2023. The government continues to implement the Kwenda program, a World Bank-supported cash transfer program that registered more than 600,000 families as of May 2023. It delivered cash transfer payments to nearly 247,000 families and provided them with access to additional financial services, health and education, birth registration, among other services.

**Labor/Child Labor/Human Rights:** Angola has made efforts to address child labor and trafficking in persons, including updating its list of hazardous occupations and activities for children and identifying more victims of trafficking and conducting training on the national referral mechanism. However, concerns remain with regard to freedom of association and the right to organize and bargain collectively. The government took significant steps to identify, investigate, prosecute, and punish officials who committed abuses as well as those who were involved in corruption. Nevertheless, accountability for human rights abuses was limited due to a lack of checks and balances, lack of institutional capacity, a culture of impunity, and government corruption. Other concerns include restrictions on free expression and media; interference with the freedom of peaceful assembly; and a lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** Angola does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests. The country is a key strategic partner with whom the United States cooperates on a wide range of regional and global security priorities.

## BENIN

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination to Barriers to U.S. Trade:** Benin has continued to show support for a market-based economy and robust trade and investment. Benin encourages foreign investment, which it views as critical for economic development. Benin's Investment and Exports Promotion Agency (APIEX) is a one-stop-shop for promoting new investments, business startups, foreign trade, and reducing administrative barriers to doing business. Although APIEX faces capacity constraints, it has worked toward reducing processing times for registering new companies (from 15 days to one day) and issuing construction permits (from 90 to 30 days).

**Rule of Law/Political Pluralism/Anticorruption:** Benin held inclusive and peaceful legislative elections in January 2023 – the first inclusive elections in Benin since 2016. In the 2023 legislative elections, Les Démocrates won 28 of 109 seats in the National Assembly and female candidates won the largest number of seats in Benin's electoral history. Transparency International's 2023 Corruption Perceptions Index ranks Benin 70 out of 180 countries. During the reporting period, the Ministry of Interior continued to operate a hotline for citizens to report police-related corruption.

**Poverty Reduction:** Benin's Government Action Plan (PAG2) is aimed at modernizing Benin's infrastructure, improving livelihoods, and developing the economy. Launched in January 2022, the PAG2 is a \$20 billion initiative supported by three pillars of activities: 1) reinforcing democracy, the rule of law, and good governance; 2) structural transformation of the economy; and, 3) increasing the well-being of vulnerable populations. Nearly one third of the PAG2 is devoted to local development, social services (water, health, and athletic facilities), and social protection services. Notably, the PAG2 aims to provide universal access to potable water, ensure universal health coverage, and expand human resource development. In addition to the PAG2, the Government of Benin has taken proactive measures to assist its citizens and address price spikes for staple foods and fuel following Russia's invasion of Ukraine.

**Labor/Child Labor/Human Rights:** Benin has made efforts to address child labor and trafficking in persons. The government has limited resources to enforce labor laws but has significantly increased the number of labor inspectors in recent years and has provided transportation to ensure labor inspectors can access worksites. Concerns remain with regard to freedom of association and the right to organize and bargain collectively, serious restrictions on free expression and media, interference with freedom of peaceful assembly, and a lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** Benin does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## BOTSWANA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Botswana offers a stable political, fiscal, and macroeconomic environment. The government implemented an economic recovery plan to resuscitate the country's economy in the wake of the COVID-19 pandemic. Botswana's economy is still heavily reliant on the mining sector, especially diamond mining. The country offers investors a stable political, fiscal, and macroeconomic environment.

**Rule of Law/Political Pluralism/Anticorruption:** Botswana remains a long-standing, multi-party democracy that holds free and fair elections. The judiciary is independent from the legislative and executive branches and produces predictable, law-based decisions. The court system is relatively efficient, contracts are enforced, and property rights are respected. Transparency International's 2023 Corruption Perceptions Index ranked Botswana 39 out of 180 countries.

**Poverty Reduction:** In response to the COVID-19 pandemic, Botswana created a short-term loan facility to support micro businesses. Throughout the reporting period, the government continues to create employment opportunities for young people through initiatives that enable youth to start small businesses across the country. However, Botswana has one of the highest rates of income inequality in the world and unemployment levels remain high, particularly among the youth. The prevalence of HIV/AIDS and tuberculosis rates are still among the highest in the world and continue to impose a heavy societal and economic burden. Botswana's efforts to combat HIV/AIDS and other diseases, including COVID-19, are complicated by capacity restraints and the heavy toll the HIV epidemic has taken on the country's health care system.

**Labor/Child Labor/Human Rights:** Botswana has made efforts to address child labor, including ratifying the International Labor Organization Labor Inspection Convention. However, Botswana remains on the Tier 2 Watch List in the Department of State's Trafficking in Persons (TIP) Report. Although the government took steps to prosecute officials who committed abuses or were implicated in corruption, it continued to limit the San ethnic group's access to their tribal homeland. Further, concerns remain with regard to freedom of association, the right to organize and bargain collectively, and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media and gender-based violence.

**International Terrorism/U.S. National Security:** Botswana does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## **BURKINA FASO**

**Status:** Not AGOA Eligible. (Terminated in 2023)

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Burkina Faso is a low-income, landlocked country with limited natural resources. Its economy is largely based on agriculture, although gold exports are on the rise. Burkina Faso remains committed to a market-based economy without significant barriers to U.S. trade. Burkina Faso's fiscal deficit rose steadily from 5.5 percent in 2022 to 6.9 percent of GDP in 2023 as a result of multiple factors including conflicts, food insecurity, economic downturns, social challenges, and humanitarian challenges, often occurring together. Nevertheless, Burkina Faso is on track to bring its fiscal deficit down to a 3 percent target by 2027.

**Rule of Law/Political Pluralism/Anticorruption:** Since September 2022, Burkina Faso has been governed by a transition government led by Captain Ibrahim Traoré, who came to power through an unconstitutional change in government that overthrew Lieutenant Colonel Paul-Henri Damiba. Burkina Faso has a transition legislative assembly and a transition charter as well as a restored constitution. The constitution and Burkinabe law prohibit arbitrary arrest and detention; however, authorities do not always provide detainees with due process. Nongovernmental organizations report that elements of the judiciary are inefficient, subject to executive influence, corrupt, and often prevent judicial decisions or laws from being enforced. Inadequate resources often prevent complete investigations from taking place. In efforts to combat corruption, Burkinabe legislation requires government officials, including the president, lawmakers, ministers, ambassadors, members of the military leadership, judges, and anyone charged with managing state funds, to declare their assets as well as any gifts or donations received while in office. Transparency International's 2023 Corruption Perceptions Index ranked Burkina Faso 83 out of 180 countries.

**Poverty Reduction:** Burkina Faso is amongst the world's poorest countries according to the United Nations' Human Development Index. Acute food insecurity results in frequent pressure on the government to prioritize emergency food assistance. In 2022, in response to the food and energy crisis caused by Russia's invasion of Ukraine, the transition government rolled out a series of measures, including spending \$126 million on fertilizers to support agricultural production.

**Labor/Child Labor/Human Rights:** Burkina Faso has made efforts to address child labor and trafficking in persons. The government was upgraded to Tier 2 in the U.S. Department of State's 2023 Trafficking in Persons Report due to the transition government reporting prosecutions and convictions of traffickers for the first time in four years and identifying significantly more trafficking victims, among other efforts. Concerns remain with regard to freedom of association and government capacity to enforce labor laws, restrictions on free expression and media, and a lack of accountability for gender-based violence. The government also did not address societal violence or discrimination against LGBTQI+ persons.

**International Terrorism/U.S. National Security:** Burkina Faso does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## **BURUNDI**

**Status:** Not AGOA Eligible. (Terminated 2016)

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Burundi made progress in eliminating barriers to trade and investment. In April 2023, the IMF announced a staff-level agreement with Burundi, which includes governance and structural reforms designed to improve the business climate and promote job creation and inclusive economic growth. The Government of Burundi organized its second National Forum for Development to identify urgent social and economic challenges and solicit input from stakeholders to form recommendations to help realize Burundi's development goals. The government and U.S. company Virunga Power worked on a public-private partnership throughout 2022 and 2023 for a rural electricity utility and distribution network that will bring power to 70-80 percent of the country's population.

**Rule of Law/Political Pluralism/Anticorruption:** Burundi resolved some notable cases of arrests related to political speech that attracted the international community's attention. However, the ruling party, with the support of government officials, has recently increased moves to weaken opposition political parties and close the political space. The government has sought to promote transparency and accountability in public finance management, opening its budgeting process for the first time in the last decade and inviting development partners to assist with good governance and increased transparency. Transparency International's 2023 Corruption Perception Index ranked Burundi 162 out of 180 countries.

**Poverty Reduction:** Burundi made efforts to expand investment in agriculture, by far the leading source of employment in the country. The government has also made efforts to improve value chains and increase investment in infrastructure, mining, and regional trade, with the stated goals of increasing revenue, reducing poverty levels, and lowering youth unemployment. Specifically on infrastructure, the government is working to develop the country's roads, rehabilitate the lake port and airport, and develop clean energy infrastructure, such as photovoltaic and hydroelectric power plants.

**Labor/Child Labor/Human Rights:** Burundi has made efforts to address child labor and trafficking in persons, including significantly increasing funding for labor inspections and establishing new regulations for labor recruitment agencies. However, ongoing concerns include restrictions on free expression and media; interference with the freedoms of peaceful assembly and of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; and lack of accountability for gender-based violence. There are also credible reports of continuing human rights violations, such as killings, disappearances, torture, ill-treatment, and arbitrary arrests and detention, although some steps toward accountability have begun. Burundi criminalizes consensual same-sex sexual relations between adults with up to two years in prison. There were no reports of prosecutions for same-sex sexual acts during the year. There were reports that government agents incited, condoned, and tolerated violence against LGBTQI+ persons.

**International Terrorism/U.S. National Security:** Burundi does not support international acts of terrorism nor engage in activities that undermine U.S. national security interests.

## **CABO VERDE**

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Cabo Verde consistently promotes private sector growth as its primary economic strategy. The government's new development strategy focuses on creating opportunities for private-sector investors in sustainable tourism, renewable energy, the blue and digital economies, and health sectors. Diversification of the economy remains a priority. Cabo Verde welcomes international trade and investment, provides prospective investors "one-stop shop" assistance through its investment promotion agency, Cabo Verde TradeInvest, and offers incentives and tax breaks for investments in tourism, energy, and other sectors. Overall, Cabo Verde has no significant barriers to U.S. trade and remains committed to seeking stronger, broader, and deeper commercial relations with the United States.



**Rule of Law/Political Pluralism/Anticorruption:** Cabo Verde is a regional leader in political and economic freedom, respect for rule of law, and anti-corruption. Cabo Verde's judiciary remains independent of political influence. The government's commitment to due process and equal protection under the law remains strong. Under Cabo Verdean law, giving or accepting a bribe is a criminal act punishable by up to eight years in prison. Transparency International's 2023 Corruption Perceptions Index ranked Cabo Verde 30 out of 180 countries.

**Poverty Reduction:** Through its National Strategy to Eradicate Extreme Poverty, the government is committed to eradicating extreme poverty (the government estimates 13.1 percent of Cabo Verdeans live in extreme poverty) and reducing overall poverty levels by 2026. Data from the Single Social Register reveals that children are most impacted by extreme poverty, and the majority of families in extreme poverty are headed by women, who predominantly work in the informal, irregular, and low-income sectors. The government maintains the Mobilization to Accelerate Social Inclusion program, which focuses on supporting families, children, youth, women, elderly, and people with disabilities.

**Labor/Child Labor/Human Rights:** Cabo Verde continues to be a regional model for human rights. It has made efforts to address child labor and trafficking in persons. The government reported its first worst forms of child labor conviction in recent years, imposing a 10-year sentence against an individual for the commercial sexual exploitation of a 14-year-old child. The government continued efforts to reduce vulnerability to exploitation of migrants from West Africa employed in the construction and hospitality sectors and increase their integration into society. However, the informal sector, estimated at more than 50 percent of the workforce, provides minimal protections for workers. Further, law enforcement officials often lack the resources to conduct thorough investigations, and coordination among enforcement agencies is limited.

**International Terrorism/U.S. National Security:** Cabo Verde does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## CAMEROON

**Status:** Not AGOA Eligible (Terminated in 2020).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of the Republic of Cameroon (GRC) maintained legal frameworks that facilitate fair competition and allow economic actors to operate freely. However, in practice, corruption and cronyism often favor some companies or interests over others. The GRC investment code provides fundamental guarantees to foreign investors, including property ownership, ability to repatriate capital and income, compensation in case of expropriation, freedom of movement within Cameroon, and free egress for personnel.

**Rule of Law/Political Pluralism/Anticorruption:** Cameroon held Senate elections in 2023 without major incident and in an organized and transparent manner. The ruling political party, the Cameroon People's Democratic Movement (CPDM), won all 70 seats that were up for election, while President Biya gave 29 of the 30 appointed seats to members of the CPDM and allied parties, with the 30th seat going to a member of the opposition Social Democratic Front (SDF). There were no reports of newly identified political prisoners or detainees, but 61 of the 200 detainees arrested in opposition party

protests in 2020 remain in detention. Cameroonian journalists reported they remained concerned for their safety and the press freedom environment, especially after the high-profile murder of Martinez Zogo in January 2023, a Cameroonian journalist and radio presenter. Cameroon ranked 140 out of 180 countries in Transparency International's 2023 Corruption Perception Index, and according to the annual report of the National Anti-Corruption Commission (CONAC), government officials are taking steps to combat corruption. CONAC suspended 51 customs and taxation officials for a breach of ethics, dismissed 499 state employees for being absent from their duty posts, and banned 40 companies from bidding on public contracts due to various acts of malpractice.

**Poverty Reduction:** Cameroon continues to execute its 2020-2030 National Development Strategy and set goals to transform Cameroon's economy and pursue inclusive development. The government maintains price controls on food commodities to mitigate global inflationary pressures and has long had subsidies on fuel but reduced them in line with IMF recommendations. In March 2023, President Biya issued a decree increasing the monthly basic remuneration of civilian and military personnel by approximately five percent. The GRC also introduced a Universal Health Care system in April 2023 to provide affordable health care to certain Cameroonian citizen such as children under five and pregnant women.

**Labor/Child Labor/ Human Rights:** Cameroon was upgraded to Tier 2 in the 2023 Trafficking in Persons report due to the government's increased efforts to eliminate human trafficking as compared with the previous rating period. Cameroon increased training for government officials on anti-trafficking law enforcement techniques and victim identification, and it increased international cooperation on cross-border trafficking investigations. Although the government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses or corruption, it did not do so systematically and rarely made public the outcome of such procedures. Credible reports of human rights abuses by government security forces include arbitrary killings, enforced disappearances, and torture. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, serious restrictions on freedom of expression and media; interference with freedom of peaceful assembly, lack of accountability for gender-based violence, and reported allegations of hereditary slavery in the northern region of Cameroon. According to Cameroonian law, same-sex sexual activity between adults is illegal and punishable with imprisonment from six months to five years plus a fine. Security forces sometimes harass, detain, and assault persons based on their perceived sexual orientation or gender identity. Human Rights Watch reported that security forces arrested and detained individuals, all of them victims of attacks, for alleged consensual same-sex conduct and gender nonconformity.

**International Terrorism/U.S. National Security:** Cameroon does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## CENTRAL AFRICAN REPUBLIC

**Status:** Not AGOA Eligible (Terminated in 2024).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of the Central African Republic (CARG) is working to promote a more transparent business environment by collaborating with the IMF and the World Bank to reform its monetary policies and mining legislation. The informal sector, which comprises an estimated 40 to 60 percent of gross

domestic product (GDP), operates on a free market basis, but corruption, nepotism, and red tape often constrain entrepreneurship for all except those who are well-connected within the formal economy. While there are no de facto barriers to U.S. trade and investment, the growing economic influence of foreign actors operating in Central African Republic (CAR) creates practical impediments for U.S. investors. Some CARG leaders tolerate and benefit from Wagner-linked business entities in the extractive, service provision, and manufacturing sectors.

**Political Reforms/Rule of Law/Anticorruption:** Lack of resources, judicial backlogs, low capacity of judiciary officials, and endemic corruption at all levels of the system compromised progress on rule of law issues. Opposition political parties are permitted to demonstrate and express their points of view. While some Muslims in Bangui struggled to obtain essential identification documentation due to perceived bias, the government has taken steps to celebrate religious diversity by rebuilding houses of worship and allowing official celebrations for both Christian and Muslim holidays. Poverty and weak institutions, exacerbated by years of violent civil conflict, have made corruption and bribery endemic in CAR. A government body charged with improving standards and combating corruption launched an investigation into payroll fraud and uncovered thousands of “phantom employees” on government rosters. CAR ranked 149 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The Ministry of Commerce reported no new poverty reduction policies in the last year. Beyond cooperating with the IMF and the World Bank for access to economic lifelines, the CARG implemented fiscal measures the IMF described as regressive in terms of poverty alleviation. For example, in January 2024, in an attempt to raise government revenue, the CARG implemented an energy policy that doubled the local market price of lamp oil, a petroleum product used for cooking and lighting by the poorest populations in CAR. Despite having promised not to do so, the government raised taxes on mobile data usage by six percent.

**Labor/Child Labor/Human Rights:** Concerns remain with regard to freedom of association and the right to organize and bargain collectively. Other concerns include restrictions on free expression and lack of accountability for gender-based violence. Further, the government lacks the capacity to effectively enforce the country's labor laws. Significant human rights issues included credible reports of unlawful or arbitrary killings including extrajudicial killings and torture or cruel, inhuman, or degrading treatment or punishment by the government and on behalf of the government. The CARG has taken steps to address trafficking in persons (TIP) issues though there were limited signs of progress. CAR remained at Tier 2 in the 2023 TIP Report, demonstrating overall increased efforts compared to the previous reporting year, including investigating more trafficking crimes and training law enforcement, security forces, and public sector employees on the new anti-trafficking law. However, the CARG did not report any prosecutions or convictions of traffickers and victim services remained inadequate. The government reportedly coordinated with international organizations to demobilize and provide reintegration services to some child soldiers, cease the detention of former child soldiers, and increase prevention efforts to minimize their re-recruitment by armed groups. However, there were continued instances of recruitment and use of child soldiers in CAR during the reporting period and CAR remains on the Department of State's Child Soldiers Prevention Act List. Same-sex sexual conduct in the military is illegal but there were no reports of police arresting or detaining citizens under these provisions. Media reported a case where openly gay Cameroonian men were detained and faced deportation and refoulement after seeking asylum in Bangui (they were eventually relocated to Sweden).

**International Terrorism/U.S. National Security:** The CARG does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## CHAD

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Generally, Chad's formal economy is open and market-based, but the country's business climate remains a challenge for the private sector. While the Government of Chad (GOC) regularly reiterates its commitment to private sector development, it has not enacted significant reforms to bring the country closer to a fully market-based economy. The GOC has also expressed interest in increased privatization of state-owned enterprises, but apart from partial privatization of CotonTchad in 2018, its efforts have been largely unsuccessful.

**Rule of Law/Political Pluralism/Anticorruption:** In April 2021, following the death of President Idriss Deby Itno, a military government seized power, dissolved the constitution, and installed Deby's son Mahamat Idriss Deby as interim head of state. Authorities committed to an 18-month transition that was to culminate in an inclusive National Dialogue followed by parliamentary and presidential elections and a return to civilian rule. The "Inclusive National Dialogue" in summer 2022 vested full executive, legislative and judicial power in the office of the president and paved the way for transitional leaders to stand for elections. However, in October 2022, the military government extended its mandate by another 18 months, prompting widespread protests that were violently quashed by the government. Mahamat Idriss Deby was elected president in May 2024. Chad ranked 162 out of 180 countries in Transparency International's 2023 Corruption Perception Index. In a May 2023 program review, the IMF uncovered nearly \$240 million of unaccounted-for civilian expenditures, representing some 13 percent of the national budget, citing Chad's over-reliance on emergency spending measures as a likely mechanism for budgetary graft.

**Poverty Reduction:** Chad is one of the poorest countries in the world, ranking 189 out of 191 countries on the 2022 Human Development Index. The GOC recognizes the country's many challenges and has made some effort to address them. When transitional authorities took power in April 2021, the government prioritized stabilizing the country, and the GOC is therefore still developing its 2022-2026 National Development Plan. Despite surging oil revenues, the GOC did not prioritize spending on priority development sectors, such as health, education, infrastructure, and business climate reforms. Nevertheless, the GOC is committed to poverty reduction and has partnered with organizations like the World Bank, the IMF, and the African Development Bank on poverty-reduction projects for urban and community development, education, public financial management, transport, telecommunications, and environmental protection.

**Labor/Child Labor/Human Rights:** Although the GOC has made moderate efforts, child labor remains a problem, especially in the agriculture and animal husbandry sectors. Concerns also remain with regard to limits on the freedom of association; restrictions on free expression and media; interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; and lack of accountability for gender-based violence. Chad was downgraded to Tier 3 on the 2023 Trafficking in

Persons (TIP) Report, due to the GOC not making sufficient efforts to meet minimum standards to combat TIP. The GOC did not make headway with operationalizing a National Anti-Trafficking Commission, formally integrating TIP into judicial training, creating an anti-TIP unit within the judicial police, or committing financial resources to anti-TIP efforts. Although the GOC claimed multiple prosecutions and sentencing under the 2018 anti-TIP law took place during the reporting period, it did not have accessible data to support such claims. The 2022 Report on Human Rights Practices noted there were several reports of the government or its agents committing arbitrary and unlawful killings. Human rights groups credibly accused security forces of killing with impunity. The Ministry of Justice and the National Commission on Human Rights occasionally investigated allegations of security force killings. Despite government rhetoric to the contrary, there were no reports that authorities sought to combat widespread impunity by prosecuting or punishing government officials who committed human rights abuses or participated in corruption. Chadian law criminalizes consensual same-sex sexual conduct between adults, forcing most LGBTQI+ persons to live closeted lives and marry partners of the opposite sex in order to avoid becoming targets for violence.

**International Terrorism/U.S. National Security:** Chad does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## COMOROS

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Comoros has a fragile and underdeveloped economy, marked by government inefficiency, government ownership of economic assets, a lack of natural resources, limited infrastructure, and intermittent electricity generation on the islands of Anjouan and Moheli and with power outages increasingly common on Grande Comore. In 2020, Comoros' GDP contracted by 0.3 percent as a result of COVID-19; however, the economy subsequently recovered and has continued to grow. After World Trade Organization (WTO) Members approved Comoros' accession package in February 2024, Comoros is finalizing its domestic processes to deposit its instrument of acceptance with the WTO.

**Rule of Law/Political Pluralism/Anticorruption:** Comoros' domestic political environment is stable but fragile, and Comoros is still dealing with the long-term negative impacts of 21 coups d'état or coup attempts since the country gained its independence from France in 1975. The opposition boycotted parliamentary elections in 2020. President Azali backed a constitutional amendment in 2018 that enabled him to stay in power beyond May 26, 2021 when the office was supposed to rotate to a candidate from Anjouan. Opposition groups say the constitutional revision and Azali's staying in power make him an illegitimate leader. The constitution adopted in August 2018 specified Islam as the state religion, and the law prohibits the performance of non-Sunni religious rituals in public places. However, during the reporting period, national leaders have not explicitly called for or condoned harassment against individuals practicing non-Sunni forms of Islam, as they had in previous years. Comoros ranked 162 out of 180 countries in Transparency International's 2023 Corruption Perception Index, and corruption remains a significant problem, particularly among political elites who take advantage of their positions to siphon off public funds. The constitution adopted in 2018 commits to promote and strengthen anti-corruption efforts.

**Poverty Reduction:** Comoros remains a poor country, with slow levels of economic growth, making it a challenge to elevate the standard of living of its large youth population. The Comoros Emergence Plan 2030 adopted by the government in December 2019 aims to reduce poverty and promote economic development across a range of sectors by 2030. Based on the international poverty threshold of \$1.9 per person per day, two out of every ten Comorians would be classified as poor, a rate that places Comoros ahead of other low-income countries and 30 percentage points ahead of other countries in sub-Saharan Africa. Remittances from some 300,000 Comorians living abroad continue to help maintain the standard of living and provision of basic public services for many Comorians despite economic shocks.

**Labor/Child Labor/Human Rights:** While the law protects the right to form and join unions, bargain collectively, and strike, concerns continue with respect to restrictions on the exercise of these rights and interference with the freedom of peaceful assembly. All forms of forced and compulsory labor are prohibited by law, and the government ratified the International Labor Organization Forced Labor Protocol and modified its Penal Code to increase penalties for the use of children in drug trafficking. Comoros' Labor Code only applies to workers with a formal work agreement, leaving child laborers, particularly those in the informal sector, vulnerable to exploitation. In addition, the legal framework defines child trafficking as requiring the use of force, fraud, or coercion, which does not conform with international standards. The government demonstrated overall increasing efforts to combat trafficking in persons (TIP), and was upgraded to Tier 2 on the 2023 TIP Report as a result. During the reporting period, the government identified more trafficking victims and referred all victims to services; investigated more trafficking crimes, including a fraudulent recruiter; and established specialized anti-trafficking investigation units on Grande Comore and Anjouan islands. However, in general, the government did not allocate sufficient resources to enforce its labor laws, employing a total of just four labor inspectors, not providing transportation funds to conduct inspections, and having inspectors respond only to complaints made to them in person. Although the government sometimes arrested or dismissed officials implicated in human rights abuses, they are rarely tried. Other concerns include restrictions on freedom of expression and media and a lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** Comoros does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## CÔTE D'IVOIRE

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Côte d'Ivoire has a dynamic, market-based, commodity-driven economy in which financial and capital markets are open and continue to attract domestic, regional, and international capital. However, a number of products are subject to import prohibitions, restrictions, or prior authorization, and textile imports are subject to some authorization requirements. Although dozens of U.S. companies operate in Côte d'Ivoire, the government's business regulations remain cumbersome despite efforts to streamline approvals and reduce red tape. Further, a lack of regulatory transparency creates an uncertain business environment.

**Political Reform/Rule of Law/Anticorruption:** The government is working towards breaking the cycle of elections being a trigger for violence and has taken measures towards holding inclusive and fair election by holding a multi-party-political dialogue and adding representatives of key opposition parties to the Independent Electoral Commission. In April 2023, the Ministry of Justice implemented strict guidelines to aid prisoners' health, combat overcrowding, increase prisoner safety, improve visitor protocols, and increase access to defense attorneys. The Ivoirian government has made efforts to combat corruption in the country which has proven to be effective. Transparency International's 2023 Corruption Perception Index ranked Côte d'Ivoire 87 out of 180 countries.

**Poverty Reduction:** Côte d'Ivoire's 2021-25 National Development Plan is the government's \$107 billion five-year investment strategy to foster economic development and reduce poverty. The government established a "Cost of Living" commission to engage the public and businesses to address rising cost of living challenges and identify solutions to support consumers. In January 2023, the government announced a 25 percent increase in the minimum wage.

**Labor/Child Labor/Human Rights:** The Ivoirian government has made efforts to address child labor and trafficking in persons, conducting more labor inspections in 2022 (a 234 percent increase) than in 2021. The government recruited 100 additional child labor agents to track instances of child labor on cocoa farms and in production zones. In addition, the government maintains and empowers specialized coordination units to investigate complex crimes, such as human trafficking, and continued investigating and prosecuting trafficking crimes. Concerns remain with regard to freedom of association, and enforcement of labor laws remains weak, including due to financial constraints. Other concerns include serious restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. Homosexuality is not criminalized, but public heterosexual and same-sex intimate activity was subject to prosecution as public indecency that carries a penalty of up to two years' imprisonment.

**International Terrorism/U.S. National Security:** Côte d'Ivoire does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## DEMOCRATIC REPUBLIC OF THE CONGO

**Status:** AGOA Eligible (Reinstated in 2021).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Although the Tshisekedi Administration has shown strong political will to prioritize recommended reforms to improve financial freedom, bolster the rule of law, and attract greater foreign investment, key work remains. The Digital Code, enacted in March 2023, provides regulations aimed at creating a better business climate and represents an important step in the development of the digital sector in the Democratic Republic of the Congo (DRC). In February 2023, the government strengthened public-private dialogue, which led to the creation of a Business Climate Contingency Plan and the National Business Climate Barometer, a public-private partnership tool that periodically assesses the perception of the business climate by economic operators established in the DRC. Weak rule of law and poor enforcement of property rights have driven many people and businesses into the informal sector.

**Rule of Law/Political Pluralism/Anticorruption:** While the DRC has opened political space by permitting political demonstrations, rallies by the opposition, and encouraging free speech, security forces responded with excessive force during peaceful protests organized by an opposition coalition in May 2023 over dissatisfaction with rising costs of living, general insecurity, corruption, and a chaotic electoral process. The 2023 Freedom of the Press Act, which replaces the 1996 Freedom of the Press Act and entered into force in April 2023, is adapted to democratic developments and new technologies, according to its initiators. The Inspectorate General of Finance has been effective in uncovering corruption and has initiated an investigation of the mining sector. However, prosecutions of corrupt figures and their enablers have been slow to begin, and NGOs assert that the justice system lacks the capacity to prosecute cases effectively. The law on Anti-Money Laundering and Combating the Financing of Terrorism was adopted in December 2022 to help bring the DRC up to international standards. The DRC ranked 162 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Spurred by progress under the Tshisekedi government, in April 2021 the World Bank pledged \$3 billion to combat poverty and increase social spending in the DRC. As of February 2023, the World Bank's portfolio in the DRC totaled \$7.36 billion. As part of the IMF program, the Tshisekedi government has pledged to increase social spending and infrastructure investment to reduce poverty. Poverty and food insecurity levels remain elevated in rural areas, despite tremendous agricultural potential. According to the World Food Program, as of April 2022, an estimated 25.8 million Congolese suffer from food insecurity, making the hunger crisis in the DRC one of the largest in the world. Experts attribute this crisis largely to the eastern DRC conflict and resulting displacement of persons.

**Labor/Child Labor/Human Rights:** The government has made efforts to address child labor and trafficking in persons, including promulgating a new anti-trafficking law and undertaking efforts to address child labor in mining. However, the DRC remained on the Child Soldiers Prevention Act List as a result of Congolese National Army officers continued coordination with armed groups that recruited and used children during the reporting period. The lack of trained enforcement personnel, limited financial resources, and poor coordination of government efforts continued to impact the enforcement of labor laws. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly and freedom of association, and lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** The DRC does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## **DJIBOUTI**

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Djibouti has a largely market-based economy with some price controls on basic necessities. The water and electric utilities are state-owned enterprises, as is the primary telecommunications provider. A second internet services provider (to compete with the state-owned monopoly) began operations and the government continues to seek a minority investor in the state-owned telecommunications company, Djibouti Telecom. The Ministry of Finance is working to revise its investment code to ensure it



establishes a clear path for foreign investment. Djibouti welcomes and encourages foreign investment from all countries as a matter of policy.

**Rule of Law/Political Pluralism/Anticorruption:** Although opposition parties continue to boycott elections as a general policy, regional elections saw a small, local party win a seat on a regional council and some opposition parties participated in legislative elections. The courts remain the official recourse for civil disputes, although clan dynamics and traditional methods of conflict resolution remain prevalent. The government revitalized its single procurement office and empowered an oversight authority in order to reduce corruption in public procurement. Djibouti ranked 130 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The government's long-term development plan focuses on reducing poverty by promoting job skills trainings and entrepreneurship programs. The development program also capitalizes on previous infrastructure development, such as in the country's ports, and foresees an expansion of IT infrastructure to take advantage of the subsea cables that come ashore in Djibouti.

**Labor/ Child Labor/ Human Rights:** Although Djiboutian law officially protects internationally recognized workers' rights, implementation remains uneven. Nation-wide labor unions have been subject to political pressure and disputes over leadership, which undercut the rights of association and to organize and bargain collectively. The labor inspectors charged with overseeing laws on child labor and acceptable conditions of work are under-resourced, although the government does actively seek training and support for the inspectors from international partners. Djibouti was downgraded to Tier 3 in the 2023 Trafficking in Persons Report, as it did not meet the minimum standards for the elimination of trafficking and has not made significant efforts to do so. Despite participating in anti-trafficking trainings, prosecutors reportedly dropped trafficking charges and reclassified cases of trafficking as different crimes that face lower penalties, and judges continued to use outdated versions of the penal code that did not incorporate updates from the trafficking provisions in the 2016 anti-trafficking law. The government did not formally identify any trafficking victims for the fourth consecutive year, and protection services available to trafficking victims remained limited. The government lacks an operational task force to coordinate anti-trafficking efforts and did not draft a new National Action Plan after the previous one expired in 2022. During the reporting period, the government seldom took steps to identify, investigate, prosecute, or punish corrupt officials or those who committed human rights abuses, whether in the security services or elsewhere in the government. Other concerns include restrictions on freedom of expression and media, and interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operations of nongovernmental organizations and civil society organizations.

**International Terrorism/U.S. National Security:** Djibouti does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests. Djibouti plays a critical role in supporting regional counterterrorism security efforts, including by hosting the only U.S. military base on the African continent.

## ERITREA

**Status:** Not AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of the State of Eritrea (GSE) and the ruling political party use their power to artificially control the market by setting prices for a wide variety of goods, from vegetables to gasoline. The GSE strictly controls imports and exports, all uses of foreign currency, and even the circulation of the local currency, the Nakfa, in cash form. In prior years, senior GSE officials have expressed aspirations to develop the private sector, but there are no known measures to move away from this system. Further, the business and investment climate lacks clear rules and regulations.

**Rule of Law/Political Pluralism/Anticorruption:** The 1993 Constitution, approved by the National Assembly in 1997, remains unimplemented. The legislature is suspended, and there is little political pluralism. People are detained and released with no explanation and no due process. Government seizure of personal assets is common, and there is no recourse against such actions. Eritrea has a mixed record on combatting corruption and bribery. Eritrea has a low level of corruption with high-level government leaders, but there are reports of rampant corruption and bribery by local government and party officials in exchange for documentation to avoid military deployment to northern Ethiopia, access to basic government-supported or subsidized services, and even basic civic administrative support. Eritrea ranked 161 out of 180 countries in Transparency International's 2023 Corruption Perception Index. There have been no known prosecutions for corruption for many years, but the GSE works to counter corruption and hold low-level officials accountable, albeit without due process.

**Poverty Reduction:** Eritrea will need to undertake economic reforms to make sustainable and substantial progress on poverty reduction. The GSE is reportedly committed to poverty alleviation, health, and education and is continuing to work on the UN Sustainable Development Goals. However, the government's economic policies make real economic growth and poverty reduction almost impossible.

**Labor/Child Labor/Human Rights:** The government maintains a program of indefinite forced labor through its National Service Program by which all people are assigned to government work units at age 18 and not allowed to leave for years, sometimes decades. The GSE did not demobilize most individuals from government work units after their mandatory period of service, but rather the government forced citizens to serve indefinitely under threats of detention, torture, or familial reprisal. Additionally, the government issued policies that perpetuated the mobilization of children for forced labor in public works projects, usually within the agricultural sector, during the student summer work program, known as the Maetot program. The government does not respect freedom of association or collective bargaining in practice, and the ruling party appears to have links to the single trade union confederation. Other concerns include restrictions on free expression and media; interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; and lack of accountability for gender-based violence. Eritrea remained on Tier 3 in the 2023 Trafficking in Persons Report, due to lack of significant efforts to meet the minimum standards for the elimination of human trafficking. The government reportedly maintained an interagency steering committee on human trafficking and migration issues; however, the GSE did not report any action taken by the steering committee for the third consecutive year. There is strong evidence of Eritrean soldiers engaging in gross violations of internationally recognized human rights in Tigray. Eritrea's security forces also have a record of human rights violations, possibly rising to the level of gross

violations of internationally recognized human rights, within Eritrea. The GSE did not generally take steps to investigate, prosecute, or punish officials who committed human rights abuses over the review period. The law criminalizes consensual same-sex sexual activity, which is punishable by five to seven years' incarceration.

**International Terrorism/U.S. National Security:** Eritrea does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## ESWATINI

**Status:** AGOA Eligible (Reinstated in 2018).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Eswatini has historically leveraged AGOA to expand exports to the United States. The government has developed an ambitious AGOA implementation strategy to take full advantage of the program. The country launched its own national airline with flights to regional hubs which will increase business travel and expand trade opportunities. The country's Investment Promotion Authority has also partnered with USAID to harmonize and highlight the benefits of AGOA to local businesses. In May 2023, Eswatini Revenue Services announced implementation of an electronic advance ruling system project as part of the WTO Agreement on Trade Facilitation. The government and royal family exercise direct influence over some of Eswatini's largest companies.

**Rule of Law/Political Pluralism/Anticorruption:** During the review period, concerns were noted regarding Eswatini's worsening performance on the rule of law and political pluralism. The January 2023 murder of human rights lawyer and champion of nonviolent activism, Thulani Maseko, coupled with other killings by the nation's security forces have left the country shaken. A national dialogue, announced by King Mswati III in response to the June 2021 protests and violence, has still not materialized. The courts are generally independent of executive control or influence as outlined by the Swati constitution. The current judicial process is procedurally competent, fair, and reliable. However, the capacity of the judiciary to handle cases in a timely manner is extremely limited, creating significant case backlogs. The government continues efforts to focus on cutting costs and combating corruption. Transparency International's 2023 Corruption Perceptions Index ranked Eswatini ranked 130 out of 180 countries.

**Poverty Reduction:** Eswatini has worked with the United Nations Development Program to improve public financial management, support entrepreneurship, strengthen social protection, and improve equality and equity concerns pertaining to vulnerable groups. Although Eswatini is considered a middle-income country, it has many characteristics of a low-income country. For example, the minimum wage is low, poverty is widespread, and the middle class is small. In 2022, the government launched a comprehensive National Development Plan 2023-2027 to reduce poverty and strengthen opportunity and prosperity. Buoyed by strong U.S. support, Eswatini has made remarkable progress in controlling the HIV epidemic but will need to make significant health and other investments to sustain this progress. In responding to the COVID-19 pandemic, the country leveraged systems strengthened by over a decade and a half of significant U.S. support and rapidly adapted existing services for safe community-based treatment and vaccine delivery.

**Labor/Child Labor/Human Rights:** Although the Government of Eswatini has made limited efforts to address child labor and trafficking in persons, Eswatini remains on the Tier 2 Watch List in the Trafficking in Persons Report. Concerns remain with regard to freedom of association and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly, gender-based violence, and serious government restrictions on or harassment of domestic human rights organizations. The government was inconsistent in its investigation, prosecution, and punishment of officials who allegedly committed human rights abuses or engaged in government corruption. Colonial-era common law prohibits sodomy, but no penalties are specified. There were no reported arrests or prosecutions for consensual same-sex conduct.

**International Terrorism/U.S. National Security:** Eswatini does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## ETHIOPIA

**Status:** Not AGOA Eligible (Terminated in 2022).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of Ethiopia (GOE) launched the second phase of its Home-Grown Economic Reform plan to transition its economy toward a free-market. The GOE also continued work on draft legal reforms that would open Ethiopia's financial sector to foreign investment. The National Bank of Ethiopia (Ethiopia's central bank) announced it expected to issue five banking licenses to foreign banks within five years. The GOE also opened a request for proposals for private companies to purchase up to eight state-owned sugar processing and manufacturing facilities. In October 2022, private telecoms operator Safaricom launched mobile service in Ethiopia, breaking state-owned Ethio Telecom's monopoly and marking the first time that mobile services in Ethiopia were made available through a private company. The GOE has also issued a mobile money license to Safaricom, authorizing the company to launch its M-Pesa mobile money service. The GOE imposed restrictive economic measures aimed at bolstering government revenues and slowing the depletion of foreign exchange reserves. These measures include import bans and restrictions, currency controls, and a prohibition of foreign investment in the financial service industry, with an exception for foreign nationals of Ethiopian origin.

**Rule of Law/Political Pluralism/Anticorruption:** The National Dialogue Commission, established in February 2022 to facilitate inclusive dialogue and national reconciliation over long-standing inter-ethnic and inter-regional disputes, took meaningful steps to ensure a more inclusive, credible, and independent dialogue process and political system. The Ministry of Justice, along with federal and regional police commissions, conducted monitoring activities on 38,000 persons who were in custody in prison facilities. There were reports that GOE security forces arbitrarily detained an unknown number of dissident journalists, activists, and university professors for allegedly plotting acts of terrorism against the government. Opposition political parties reported government security forces arbitrarily barred them from holding general assemblies in the capital, Addis Ababa. Another opposition party also reported that federal police temporarily detained its leaders. There were reports that the GOE shut down major social media platforms in response to rising tensions between authorities and the Ethiopian Orthodox Church. Further, authorities reportedly temporarily blocked

internet access following protests in the Amhara region against the GOE decision to integrate regional special forces into the Ethiopian National Defense Force. There were also reports of sporadic GOE internet shutdowns in Oromia related to instability in that region. USAID identified a nationwide, systematic scheme to divert U.S.-funded humanitarian food aid resources from reaching intended beneficiaries. Ethiopia ranked 98 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The GOE allocated roughly 34 percent of the fiscal year (FY) 2022-23 federal budget to pro-poor and development sectors, including agriculture, education, energy, health, roads, and water. The GOE, in partnership with USAID and other bilateral and multilateral donors, continued to implement its flagship Productive Safety Net Program (PSNP), one of the largest social safety net programs in Africa. PSNP supports 8 million people with cash and food transfers to reduce food insecurity among poor households and builds resilience to mitigate economic shocks. In 2023, the GOE introduced a targeted fuel subsidy system for public transportation operators aimed at reducing poverty by maintaining affordable transportation services for low-income Ethiopians. FY2022-23 marked the first time in several years that GOEs nominal budgetary allocations to pro-poor and development sectors fell below 50 percent of the total budget. This was due to high debt servicing requirements in the country, increased defense spending related to the northern conflict, a decline in external grants and loans, and a decrease in domestic revenue mobilization.

**Labor/Child Labor/Human Rights:** The GOE continues to implement its 2021 National Action Plan to Eliminate the Worst Forms of Child Labor, including by preparing a five-year joint action plan for the prevention and reduction of child labor. Ethiopia was upgraded to Tier 2 in the 2023 Trafficking in Persons (TIP) Report, due to overall increased efforts by the GOE on its anti-trafficking capacity such as investigating officials allegedly complicit in potential trafficking crimes, updating the government's standard operating procedures for victim identification, finalizing a robust national referral mechanism, including a service provider directory to refer identified victims to protection services, and increasing efforts to provide protection services to and prevent trafficking among Ethiopian migrants returning from work in Gulf states. Despite reports of fraudulent labor recruiters regularly recruiting and exploiting Ethiopians seeking employment abroad, the GSE did not report efforts to hold fraudulent labor recruiters criminally accountable. There are continued credible reports of human rights violations and abuses in Ethiopia, which include extrajudicial killings, arbitrary arrest or detention, torture, and conflict-related sexual violence. Serious restrictions on freedom of expression and media freedom and substantial interference with the freedom of peaceful assembly and association are also cause for concern. According to Ethiopian law, consensual same-sex sexual conduct is illegal and is punishable by three to 15 years' imprisonment.

**International Terrorism/U.S. National Security:** Ethiopia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## GABON

**Status:** Not AGOA Eligible (Terminated in 2024).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Gabon's economy is heavily reliant on energy exports and on the extraction of raw materials, mainly mining and timber.

Gabon continues to restructure its public enterprises and the percentage of government contracts open to competitive bidding. Although Gabon remains dependent on revenue from petroleum and mining, it has been diversifying its economy. There are no limits on foreign ownership or control, except for discrete activities customarily reserved for the state, including military and paramilitary activities. Foreign investors are largely treated in the same manner as their Gabonese counterparts regarding the purchase of real estate, negotiation of licenses, and entering into commercial agreements. Gabon's investment code provides the same rights to foreign companies operating in Gabon as to domestic firms. Businesses are protected from expropriation or nationalization without appropriate compensation, as determined by an independent third party.

**Rule of Law/Political Pluralism/Anticorruption:** Following the military ouster of President Ali Bongo Ondimba from power in August 2023, General Brice Clotaire Oligui Nguema, Commander in Chief of the Republican Guard, was announced as the President of the Committee for the Transition and Restoration of Institutions (CTRI). Gabon has established a legal framework to fight corruption, yet enforcement remains limited and official impunity continues to be a problem. Corruption is rarely, if ever, prosecuted. Gabon ranked 136 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The government has repeatedly declared a commitment to reducing poverty and continues to implement political and economic reforms, and Gabon has one of Africa's highest per capita incomes. However, there is vast income disparity in the country.

**Labor/Child Labor/Human Rights:** Concerns remain with regard to freedom of association, the right to organize and bargain collectively, and the existence of the worst forms of child labor. Other concerns include restrictions on freedom of expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. Gabon has received an assessment of minimal advancement in the DOL's annual report on child labor since 2016. Of particular concern in recent years is the government's failure to provide evidence it has conducted any worksite inspections. Trafficking in persons (TIP) remains a problem, particularly with foreign children working in the informal sector. Ongoing TIP concerns include sectoral limitations of inspection efforts and lack of inclusion of adult victims in anti-trafficking laws. Gabon remained on the Tier 2 Watch List in the 2023 TIP Report and risks being automatically downgraded to Tier 3 in 2024. For the fourth consecutive year, the government did not adopt its anti-trafficking national action plan, and the anti-trafficking commission, though renamed, did not formally meet to coordinate national efforts. Authorities did not report investigating allegations of judicial corruption related to trafficking crimes. The 2022 Report on Human Rights Practices noted that the government took some steps to identify, investigate, and prosecute officials and punish those convicted of human rights abuses or engaged in corruption; however, impunity remained a problem. There are also reports of torture and cases of cruel, inhuman, or degrading treatment by government officials.

**International Terrorism/U.S. National Security:** Gabon does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## THE GAMBIA

**Status:** AGOA Eligible (Reinstated in 2018).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Gambia continues to strengthen its market-based economy and has relatively few barriers to trade and investment. Increasing political stability since the peaceful political transition in 2017 has strengthened confidence in the economy, boosting private sector activity and foreign exchange inflows in The Gambia. Micro-, small and medium-sized enterprises contribute over 20 percent of GDP and over 60 percent of the labor force. The Gambia’s business and investment climate however remains challenging due to petty corruption. There is limited foreign direct investment (FDI) in the country, but The Gambian government has made attracting FDI a priority by adopting measures meant to streamline business regulations, improve the business environment, and increase investment. The number of days to start a business, for example, is now two days, an improvement from 25 days in 2018.

**Rule of Law/Political Pluralism/Anticorruption:** The Gambia has demonstrated a commitment to respecting the rights of expression, press, assembly, and due process. The Gambia’s commitment to respect for international law has been strengthened and the political arena is diverse and open, with at least 20 political parties competing for public service in a free exchange of ideas. The country held free, fair, and peaceful elections for president in December 2021, parliamentary elections in April 2022 and local elections in April 2023. Despite these improvements, corruption remains a concern. Public awareness of corruption is rising and is improving the government’s willingness to address the issue. Despite increased awareness of corruption, government accountability remains weak.

**Poverty Reduction:** The government offers free education at all public elementary, middle, and high schools. School enrollment has increased to over 74.8 percent, putting the country on a path to increase literacy in the upcoming generation. The government’s restoration of many fundamental human rights has also permitted the return of international aid, thus providing a development roadmap for the country. In 2022, for example, USDA selected The Gambia as a priority recipient for aid under the McGovern-Dole Act. Under the Act, food aid will be distributed through schools to children. It is an effective educational program that not only feeds hungry children but rewards them with food for attending class. Unfortunately, a significant portion of the population relies on remittance payments from relatives and friends abroad.

**Labor/Child Labor/Human Rights:** The Gambia has made efforts to address child labor and trafficking in persons. The government identified more trafficking victims and trained officials on the National Referral Mechanism. Concerns remain regarding freedom of association and the existence of the worst forms of child labor. Other concerns include lack of accountability for gender-based violence. The law criminalizes consensual same-sex sexual conduct between adults by punishing “aggravated homosexuality,” acts “against the order of nature,” and “gross indecency.”

**International Terrorism/U.S. National Security:** The Gambia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## GHANA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Ghana continues to maintain a market-based economy. However, its business and investment climate remain challenging

due to a lack of respect for contract sanctity, inefficient customs practices and port infrastructure, import bans and restrictions on certain products, and foreign exchange restrictions. Rising inflation, the rapid depreciation of Ghana's currency, along with global supply chain constraints and fiscal shortfalls, have put stress on Ghana's ability to service its financial obligations to its creditors.

**Rule of Law/Political Pluralism/Anticorruption:** Ghana's institutions are relatively strong and the government has worked to reduce the backlog in its courts by establishing a commercial court. In 2022, plea bargaining became part of Ghana's criminal justice system. However, corruption remains a longstanding issue and public anti-corruption institutions remain weak. Corruption includes high-level fraud in public contracts, police soliciting bribes at roadblocks, and bureaucrats' solicitation of "tips" or "expediting fees" for routine administrative work. Transparency International's 2023 Corruption Perceptions Index ranked Ghana 70 out of 180 countries.

**Poverty Reduction:** The government's Post-COVID Program for Economic Growth, supported by an IMF three-year (2023-2026) \$3 billion Extended Credit Facility program, aims to restore macroeconomic stability and debt sustainability, which includes plans to strengthen social safety nets such as the Livelihood Empowerment Against Poverty and the School Feeding Program to mitigate the impact of economic adjustment on the most vulnerable. While the expansion of free senior high school has reduced the financial burden on parents of over one million students, the program is under review to lessen its heavy burden on Ghana's constrained budget.

**Labor/Child Labor/Human Rights:** The Government of Ghana has made efforts to address child labor and trafficking in persons. The government significantly increased the number of labor inspectors from 48 to 189 in 2022, and labor inspectors identified child trafficking victims and referred cases for criminal investigation. Concerns remain with regard to freedom of association, serious restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. In February 2024, Ghana's Parliament passed an anti-LGBTQI+ bill, criminalizing LGBTQ+ identity, allyship, funding, and advocacy. Ghana's president must assent to the bill before it can be enacted. Ghana's law already criminalizes the act of "unnatural carnal knowledge," which is defined as "sexual intercourse with a person in an unnatural manner or with an animal." The offense covers only persons engaged in same-sex male relationships and those in heterosexual relationships.

**International Terrorism/U.S. National Security:** Ghana does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## GUINEA

**Status:** Not AGOA Eligible (Terminated in 2022).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of Guinea established a legal framework to protect property rights and initiated numerous reforms to update and make more transparent government codes related to mines, administration, investment, and customs since 2010. Although promoting U.S. investment is a top priority for Guinea, an enduring legacy of corruption, inefficiency, and lack of transparency undermines Guinea's economic progress.



**Political Reform/Rule of Law/Anticorruption:** The unconstitutional change of government in 2021 demonstrated that Guinea has not established, nor is making continual progress towards establishing, the rule of law and political pluralism. International and domestic observers have raised concerns about widespread electoral violence, restrictions on freedom of assembly, lack of transparency in vote tabulation, and polling station vote tally discrepancies. Similarly, corruption continues to be a significant issue despite Guinea passing and implementing an anti-corruption law in 2017 in an effort to address corruption in the mining sector, which is the main source of Guinea's export revenues.

**Poverty Reduction:** Guinea seeks to reduce poverty and promote local decision making through its National Agency for Community Financing (ANAFIC). The National Agency for Social Inclusion (ANIES) also plays a role in Guinea's efforts to fight poverty. ANIES seeks to reduce poverty and redistribute 2.8 percent of GDP to vulnerable people, while ANAFIC collects internal and external revenues for local communities. With the assistance of USAID, other U.S. Government agencies, and international partners, Guinea continues to make strides in public health and poverty reduction. Guinea demonstrated a commitment to poverty reduction in recent years, notably distributing \$22 million to municipal governments through its local development fund in 2020 and another \$20 million to communities near mining projects. Nonetheless, Guinea's workforce remains largely uneducated, and the government has done relatively little to promote skills development.

**Labor/Child Labor/Human Rights:** Guinea has made efforts to address child labor and trafficking in persons. The government has significantly increased funding for labor inspections in recent years. Concerns remain with regard to freedom of association, the existence of the worst forms of child labor, restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. Further, Guinea's law criminalizes consensual same-sex sexual conduct between adults, which is punishable by three years in prison. Although there were no known prosecutions under the law during the year, LGBTQI+ individuals reported harassment and persecution by law enforcement and often paid bribes in order to avoid arrest.

**International Terrorism/U.S. National Security:** Guinea does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## GUINEA-BISSAU

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Guinea-Bissau remains open to foreign private investment and generally maintains market-based economic policies with few formal restrictions on private investment. Guinea-Bissau has substantial potential for development of mineral resources, including phosphates, bauxite, mineral sands, and off-shore deposits of oil and gas. Nevertheless, Guinea-Bissau is one of the world's most impoverished economies, with limited capital resources to develop infrastructure and improve government services. The country depends on subsistence agriculture, cashew exports, and foreign assistance. While Guinea-Bissau does not significantly restrict foreign investment, burdensome administrative processes discourage private investment in practice. Cumulatively, the high costs of conducting business, lack of regulatory transparency, and poor access to credit limit development.

**Rule of Law/Political Pluralism/Anticorruption:** Freedom of assembly and association are recognized and usually respected. Nongovernmental organizations generally operate freely. Guinea-Bissau held free and fair elections in 2019. Opposition parties operate openly, and freedom of expression is the rule rather than the exception, though there have occasionally been incidents in which government critics have been intimidated. Notwithstanding progress toward political stability, the country remains vulnerable to political instability and factional conflicts that often undermine governance. Strengthening the rule of law in Guinea-Bissau is a long-term challenge as the judicial system remains vulnerable to influence. Moreover, corruption is pervasive, and Transparency International's 2023 Corruption Perceptions Index ranked Guinea-Bissau 158 out of 180 countries.

**Poverty Reduction:** Guinea-Bissau is one of the world's poorest and most fragile countries. Nevertheless, Guinea-Bissau has achieved some progress in several social indicators since 2010. According to the IMF, the percent of the population living on less than \$1.90 per day fell from 68 percent in 2010 to 25 percent in 2018. Life expectancy has increased from 50 years in 2000 to 59 years in 2020. The percent of the population with access to electricity has increased from 6 percent in 2010 to 33 percent in 2020. According to UNICEF, the rate of mortality for children under five years old declined from 95 deaths per 1,000 live births to 74 per 1,000 live births between 2014 and 2021.

**Labor/Child Labor/Human Rights:** The Government of Guinea-Bissau has made efforts to address child labor. However, Guinea-Bissau is on Tier 3 in the U.S. Department of State's 2023 TIP Report after the government failed to increase efforts to combat trafficking in persons. Concerns remain with regard to freedom of association, weak labor law enforcement, and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media and lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** Guinea-Bissau does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## KENYA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Kenya's economy remains market based, and the Government of the Kenya (GOK) maintains liberal trade and foreign exchange regimes. Kenya continues to improve its regulatory framework and attract foreign direct investment. The GOK sees the United States-Kenya Strategic Trade and Investment Partnership, launched on July 14, 2022, as a means to promote reforms that attract foreign investment. Kenya's longstanding, non-transparent, discretionary import licensing regulations have limited U.S. agricultural exports, particularly poultry and meat products. In October 2022, the GOK lifted a 10-year ban on the importation and commercialization of genetically engineered products, opening a path to cultivation and import of GE food and feed. However, the lifting of the ban is on hold pending the outcome of one remaining domestic legal challenge before Kenya's High Court.

**Rule of Law/Political Pluralism/Anticorruption:** Kenya has an independent judicial system that guarantees the rights and freedoms of the population. The constitution and law protect political pluralism and provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. The GOK continues its public campaign to combat corruption and its anticorruption agencies appear to be coordinating more effectively, including bringing cases against government officials. Despite progress, corruption remains one of the most significant barriers to doing business in Kenya, with U.S. firms reporting that they find it difficult to compete with companies willing to ignore legal standards or engage in bribery and other forms of corruption. Kenya ranked 126 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Kenya's economic blueprint - Vision 2030 - aims to transform Kenya into an industrializing, middle-income country that provides a high standard of living to all its citizens by 2030, in a clean and secure environment. The fourth Medium Term Plan 2023-2027 provides an outline to implement Vision 2030 by instituting key legal and institutional requirements. However, the GOK will likely struggle to achieve its Vision 2030 goals on time due to insufficient funding, implementation delays, lingering effects of the COVID-19 pandemic, and corruption. Kenya's ability to adequately fund its social services and poverty reduction programs is increasingly constrained by the cost of servicing its debt, partly due to the continued weakening of the local currency. As a result, Kenya continues to allocate more money for debt repayment than it does for development expenditures.

**Labor/Child Labor/Human Rights:** The GOK has made efforts to address child labor and trafficking in persons, including enacting the Children's Act and increasing worksite inspections. Despite these efforts, Kenya received an assessment of "minimal advancement" in the U.S. Department of Labor's Worst Forms of Child Labor report because elements within the Kenyan Defense Forces provided various forms of in-kind support to a Somali federal member state that is strongly implicated in the recruitment and use of child soldiers. The enforcement of labor laws, including with respect to occupational safety and health, continues to be a significant challenge, particularly in the informal economy. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly and freedom of association, lack of accountability for gender-based violence, and laws criminalizing consensual same-sex sexual conduct between adults, although there were no reports of the law being enforced.

**International Terrorism/U.S. National Security:** Kenya does not support international acts of terrorism nor engage in activities that undermine U.S. national security interests.

## LESOTHO

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination to Barriers to U.S. Trade:** During the reporting period, Lesotho made important strides in reinforcing its market-based economy, strengthening the rule of law in the commercial sector, and eliminating barriers to trade. Lesotho's apparel manufacturers have harnessed AGOA benefits to build one of the largest textiles and garment manufacturing industries in sub-Saharan Africa. Lesotho's textile and apparel industry contributes to approximately a third of the country's GDP and employs approximately 40,000 workers. Lesotho has

no major barriers to trade and investment. In July 2022, the Ministry of Trade launched the Lesotho National Single Window Project to streamline import and export processes and to expedite movement and clearance of goods at the borders.

**Rule of Law/Political Pluralism/Anticorruption:** Local and international observers declared Lesotho's October 2022 National Assembly elections free and fair. Lesotho's new administration has not attempted to interfere in the courts and law enforcement to protect the interests of politically well-connected individuals. The government has made some progress on rule of law reforms but progress has been slow in certain areas. The country's primary anticorruption organ, the Directorate on Corruption and Economic Offences (DCEO), investigates corruption complaints against public and private sector officials. DCEO has pursued several high-profile corruption cases but has never won a major conviction. Transparency International ranked Lesotho 93 out of 180 countries in its 2023 Corruption Perceptions Index.

**Poverty Reduction:** The Millennium Challenge Corporation (MCC) and the Government of Lesotho signed a \$300 million health and horticulture compact in May 2022. In March 2024, the program entered into force after achieving the necessary conditions. Lesotho's anti-poverty strategy is articulated in its National Strategic Development Plan 2018-2023 and tops the government's policy agenda. Education is free and compulsory for children ages six to thirteen. The government also provides scholarships for orphaned and vulnerable children to attend secondary school. The government also launched an operation to treat tuberculosis and made progress to establish an oncology clinic.

**Labor/Child Labor/Human Rights:** The Government of Lesotho has made efforts to address child labor and trafficking in persons, including increasing funding for anti-trafficking law enforcement and victim protection. Concerns remain on freedom of association and gender-based violence, in particular sexual harassment within the apparel industry. Other concerns include a lack of accountability for gender-based violence. By law, "any person charged with sodomy or assault with intent to commit sodomy may be found guilty of indecent assault or common assault if such be the facts proved." There were no reports of the law being enforced.

**International Terrorism/U.S. National Security:** Lesotho does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## LIBERIA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** While Liberia generally maintains a market-based economy, government actions tend to stifle market-based economy principles rather than strengthen them. Reforms under the IMF Extended Credit Facility have helped restore financial stability. Nevertheless, Liberia's Investment Act of 2010 restricts ownership of certain business activities exclusively to Liberian citizens, including travel agencies, retail sales of rice and cement, operations of taxes and cement block production. In addition, non-Liberian citizens are not allowed to own real estate, forcing foreign investors to lease land on which

they build. Further, most small and medium-sized enterprises have limited access to finance and inadequate inputs for business development.

**Rule of Law/Political Pluralism/Anticorruption:** Liberia has multiple active political parties, continues to strengthen the rule of law, uphold the right to due process as well as respect a relatively free media environment. Unfortunately, agencies that enforce the rule of law and fight corruption remain greatly underfunded and government corruption has generally further weakened these agencies. Businesses continued to report concerns that justice is unevenly administered and complained of delays in litigation and backlogs of cases on court dockets. Corruption is a significant barrier to U.S. trade and investment, as it discourages responsible investors looking for international standards of transparency and accountability from doing business. Transparency International's 2023 Corruption Perception Index ranked Liberia 145 out of 180 countries.

**Poverty Reduction:** For several years, Liberia's macroeconomic environment has been challenging, with both inadequate investment and government revenue generation. As a result, the government struggles to fund crucial development projects that could reduce poverty and prevent the current degradation of the country's health and education systems.

**Labor/Child Labor/Human Rights:** The Government of Liberia has made efforts to address child labor and trafficking in persons. The government established a new hazardous work list prohibiting specific occupations and tasks for children and also increased the number of labor inspections. Concerns remain with regard to freedom of association, restrictions on free expression and media, and lack of accountability for gender-based violence. The law also prohibits consensual same-sex sexual conduct. "Voluntary sodomy" is a misdemeanor under criminal law with a penalty of up to one year's imprisonment.

**International Terrorism/U.S. National Security:** Liberia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## MADAGASCAR

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Madagascar has made investment in infrastructure, improving the investment climate, and growing exports centerpieces of its growth strategy. During the reporting period however, the government undertook measures to limit competition in certain key sectors of the economy. These included imposing new limitations on the export of vanilla, the country's largest export, which triggered a collapse in vanilla sales in 2023. Textile and apparel exports under AGOA provide one of the few bright spots in the economy, providing employment for close to 60,000 people. The United States is Madagascar's largest export market. Madagascar has put in place some institutional and regulatory support mechanisms to promote trade and investment but in practice, bureaucratic delays, excessive and duplicative processes, lack of systematization of data collection, and numerous other administrative factors create impediments to U.S. trade and investment. The government passed a new investment law in May 2023 that clarified rules and regulations on investments, but also included a new provision that limits foreign workers to 20 percent of a company's total workforce in Madagascar.

**Rule of Law/Political Pluralism/Anticorruption:** During the reporting period, there was further erosion of political pluralism and freedom of expression. With both houses of parliament dominated by the president's political party and its coalition partners, and a Supreme Court where the majority of judges have been appointed by the incumbent president, the government continued to take measures to limit opposition rallies and meetings. Detention of political opponents, journalists, and social media activists continued during the reporting period. Corruption remains a serious problem. The judiciary remains susceptible to executive influence at all levels, even though the constitution and the law provide for its independence. During the review period, there were multiple occasions where high-level officials received preferential treatment including early release from detention while political opponents and journalists were arrested and remained incarcerated on dubious grounds. Transparency International's 2023 Corruption Perceptions Index ranked Madagascar 145 out of 180 countries.

**Poverty Reduction:** Madagascar is one of the poorest countries in the world and faces significant headwinds in its development, including corruption, a fragile democracy, and food insecurity. The World Bank reported that the COVID-19 pandemic reversed more than a decade of gains in income per capita and pushed the poverty rate to a new record high of 81 percent of the population living at or below the international poverty line of \$1.90/capita/day. In addition, more than 450,000 people were affected by four tropical storm systems in early 2022. The country continues to rely almost entirely on donors' contributions to fund health, education, and poverty reduction programs.

**Labor/Child Labor/Human Rights:** Although Madagascar has made efforts to address child labor, including increased activity from regional offices and child labor committees, it remains on the Tier 2 Watch List in the Trafficking in Persons Report. Concerns remain with regard to freedom of association, restrictions on free expression and media, interference with the freedom of peaceful assembly, trafficking in persons, and lack of accountability for gender-based violence. The government prosecuted and punished some officials who committed abuses, whether in the security forces or elsewhere in the government; however, impunity remained a problem. The law provides for a prison sentence of two to five years and fines for committing acts that are "indecent or against nature with an individual of the same sex younger than 21," which are understood to include sexual relations. Authorities enforced the law during the reporting period.

**International Terrorism/U.S. National Security:** Madagascar does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## MALAWI

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Malawi has a market-based economy with a small but growing private sector. The government emphasizes private sector-led development and is making reforms to improve trade. Agriculture dominates Malawi's economy, and unprocessed agricultural production accounts for about one-fourth of GDP, and makes up 75 percent of export earnings. Malawi faces a number of barriers to economic growth, including high transport costs, poor infrastructure and utilities, and limited access to technology and credit.

**Rule of Law/Political Pluralism/Anticorruption:** In Malawi, political pluralism, rule of law, equal protection, and due process are generally well respected. Malawi has a largely independent judiciary and a vibrant free press with significant independent participation. The government added judges to the High Court in 2022 and created a new Financial Crimes Court. Despite the expansion, the number of judges remains insufficient to handle the number of cases. Malawi's good governance institutions, Office of the Ombudsman, Law Commission, Legal Aid Bureau, Anti-Corruption Bureau (ACB), and Human Rights Commission operate independently. The ACB is generally able to independently execute high-profile arrests of public figures and politicians connected to corruption and bribery allegations, including members of the current administration. Transparency International's 2023 Corruptions Index ranked Malawi 115 out of 180 countries.

**Poverty Reduction:** Poverty is rampant in Malawi, despite government poverty reduction programs and efforts to bolster food security. The government's poverty reduction programs (social cash transfers, public works programs, and pathways to graduate from poverty programs) provide support to vulnerable populations, women, and youth. HIV/AIDS, malaria, and tuberculosis remain major threats. The COVID-19 pandemic exposed vulnerabilities of the health system. Insufficient infrastructure, high cost of financing, poor market systems, and inadequate utility services cause and exacerbate poverty related issues.

**Labor/Child Labor/Human Rights:** Malawi has made efforts to address child labor and trafficking in persons, including increasing the number of convictions related to the worst forms of child labor. The government increased trafficking investigations and prosecutions and identified more trafficking victims. However, credible reports of official complicity continued to impede the government's efforts to carry out anti-trafficking law enforcement efforts and proactively identify trafficking victims. Despite government efforts to address the worst forms of child labor in tobacco production, the issue persists. Even though the practice has been abolished, many families are still working in the tenancy system. Concerns remain with regard to the right to organize and bargain collectively. Other concerns include restrictions on freedom of expression and media and lack of accountability for gender-based violence. The law criminalizes consensual same-sex sexual conduct or "unnatural offenses," and conviction is punishable by up to 14 years' imprisonment, including hard labor. Conviction of attempting "unnatural offenses" is punishable by seven years' imprisonment. Human Rights Watch has reported that police have physically assaulted, arbitrarily arrested, and detained LGBTQI+ persons, sometimes without due process or a legal basis, at other times as punishment for simply exercising basic rights such as seeking health care treatment.

**International Terrorism/U.S. National Security:** Malawi does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## **MALI**

**Status:** Not AGOA Eligible (Terminated in 2022).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Although Mali's formal economy is open and market-based, its business climate remains challenging and much of the country's economic activity occurs in the informal sector. Significant obstacles remain, including

political instability, corruption, poor infrastructure, uneven application of tax laws, inefficient customs processes, and ongoing insecurity. Mali's land-locked location also contributes to high transportation costs for imported goods and dependence on neighboring countries.

**Rule of Law/Political Pluralism/Anticorruption:** Mali's political landscape has been unstable for several years, punctuated by an unconstitutional change in government in August 2020 and consolidation of military power in May 2021. Mali has yet to return to democratic civilian-led rule. Over the past year, Malian transition authorities have made some limited progress to strengthen the rule of law, notably in drafting a new penal code, military justice legislation, and hereditary slavery legislation. The draft legislation and penal code have not yet been adopted as law. The 2020 protests that precipitated the coup focused largely on corruption hampering the military, and since then there have been modest improvements, including more active auditing institutions and an uptick in criminal inquiries. Transparency International's 2023 Corruption Perceptions Index ranked Mali 136 out of 180 countries.

**Poverty Reduction:** Mali implemented its 2019-2023 Strategic Framework for Economic Recovery and Sustainable Development, which prioritized inclusive economic growth, peace and security, poverty and inequality reduction. This framework allowed access to social services, improved governance, structural reforms, and investing in human capital.

**Labor/Child Labor/Human Rights:** Mali made efforts to address trafficking in persons, including holding the first special Court of Assizes session focused on hereditary slavery and prosecuting and convicting more traffickers, including for hereditary slavery crimes. Although the government did prosecute and convict slaveholders, prosecutors charged some hereditary slavery cases as misdemeanor offenses, which prescribed significantly lower penalties than those for trafficking crimes. In 2023, Mali was again included on the Department of State's Child Soldiers Prevention Act List for continuing to provide support to and collaborating with a non-governmental armed group that recruited and used children. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, the existence of the worst forms of child labor, forced labor, restrictions on free expression and media, and lack of accountability for gender-based violence. The law prohibits conduct pertaining to "attacks on morality" and although the language is vague, it is employed to criminalize consensual same-sex sexual conduct between adults.

**International Terrorism/U.S. National Security:** Mali does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## MAURITANIA

**Status:** AGOA Eligible (Reinstated 2024).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Mauritania operates a market-based economy with no restrictions or laws prohibiting or limiting foreign investment in any sector of the economy. The Government of the Islamic Republic for Mauritania (GIRM) created the Investment Promotion Agency under the Ministry of Economy, which aims to identify and address bureaucratic deficiencies that currently dissuade investors. Mauritania has made significant efforts to modernize customs procedures and simplify import and export processes. Mauritania also enacted a



national competition law and industry strategy, to promote fair competition that enables local small and medium-sized enterprises to be more competitive.

**Rule of Law/Political Pluralism/Anticorruption:** The GIRM continued to work towards implementing reforms in its judicial sector, including new standards and training for court personnel, prison reform, anti-slavery court reform, improvements in court infrastructure, and the digitization of records. In September 2022, the government organized consultations with 25 political parties to facilitate a more inclusive and consensual approach in the electoral process, safeguarding the transparency and integrity of its electoral process, and establishing a foundation for fair and credible municipal, regional and legislative elections. In April 2023, the GIRM also adopted a new National Strategy to Combat Corruption, which aims to identify areas, sectors, and functions where corruption could occur and provide methods of prevention and actions to consider.

**Poverty Reduction:** Mauritania's 2023 budget included funding for social inequality, agriculture, livestock, and employment, as well as fuel subsidies and storage to address rising fuel prices. In January 2023, the General Director of the National Delegation for the Fight Against Exclusion and National Solidarity (TAAZOUR) announced that the health insurance program launched by the government nearly two years ago has benefited almost 88,000 families. Additionally, since the launch of the health insurance program, TAAZOUR granted \$11 million (376 million Ouguiyas) in cash transfers to disadvantaged groups, financed 2,000 income-generating projects that created 10,000 direct job opportunities, and built 98 schools with 653 classrooms for around 4,000 students.

**Labor/Child Labor/Human Rights:** Mauritania has made progress on addressing hereditary slavery, including through the creation of the Instance Nationale, an agency mandated to combat hereditary slavery and human trafficking, as well as through efforts to reform the justice system. Nevertheless, the government continues to face challenges in identifying potential hereditary slavery and forced labor victims and investigating and prosecuting those responsible. Concerns regarding the existence of the worst forms of child labor persist. Concerns also remain with regard to freedom of association, restrictions on free expression and media, and lack of accountability for gender-based violence. Under sharia, as applied in the country, consensual same-sex sexual activity is criminalized but the government did not enforce the law.

**International Terrorism/U.S. National Security:** Mauritania does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## MAURITIUS

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Mauritius maintains a market-based economy. Mauritius is currently negotiating trade agreement with the European Union and United Kingdom and has announced plans to start negotiations with Japan, South Korea and the United Arab Emirates. In May 2023, Mauritius signed a General Cooperation Agreement with South Africa. Mauritian courts generally respect property rights, with ownership of property enforced through the registration of a title deed and payment of a registration duty. The judiciary is relatively independent, and the domestic legal system is generally non-discriminatory and transparent. Mauritius is a party to the 1958 New York Convention and the United Nations

Convention on Transparency in Treaty-based Investor State Arbitration and has two arbitration centers.

**Rule of Law/Political Pluralism/Anticorruption:** Mauritius has enjoyed political stability since gaining independence in 1968, with political power peacefully shifting among different parties based on regular, fair elections held approximately every five years. The judicial system, a hybrid of French and British legal traditions, retains a reasonable degree of power and independence. Mauritius has a commercial court to expedite the resolution of commercial disputes. Cases of police overreach against civil society and opposition leaders critical of the government have raised concerns about impunity among law enforcement. Ongoing cases of corruption by certain senior officials continue to highlight questions about governance. Mauritius ranked 55 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Mauritius provides a wide range of social protection schemes, including free education from pre-primary to tertiary level, free health services, and free public transport for the disabled, senior citizens, and students. Additionally, all citizens aged 60 and older benefit from a non-contributive basic retirement pension. Since 2014, the basic retirement pension has increased from \$84 to \$222 per month for Mauritian citizens aged between 60 and 90 years and the government announced it would increase this support again, to \$244. The government also provides universal subsidies on basic goods such as flour, cooking gas, edible oil, and milk. Government programs target households living below the absolute poverty threshold and include payment of up to a monthly allowance of \$228 per household, payment of a monthly child allowance of \$22, and free school materials for children attending a registered educational institution.

**Labor/Child Labor/Human Rights:** During the reporting period, Mauritius made efforts to address child labor, including enacting three new laws to reinforce the legal framework on the protection of children. Although the constitution prohibits slavery and forced labor, trade unionists have reported cases of forced labor among migrant workers. Mauritius was downgraded to Tier 2 Watch List on the 2023 Trafficking in Persons Report. Mauritius did not demonstrate overall increasing efforts compared with the previous reporting period. The Office of the Director of Public Prosecution did not prosecute any suspected traffickers under the 2009 anti-trafficking law, nor did courts convict any traffickers. Police did not report initiating investigation into cases of potential labor trafficking for the second consecutive year. The government provided minimal services to identified victims and did not officially identify any labor trafficking victims for the third consecutive year. Concerns remain with regard to freedom of association. Other concerns include restrictions on free expression and media and lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** Mauritius does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## MOZAMBIQUE

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** In August 2022, the Government of Mozambique announced a package of 20 economic reforms designed to accelerate economic growth that are largely aligned with measures encouraged by the United States, the

international community, multilateral groups, and the business community. In September 2023, the United States and Mozambique announced a \$537 million Millennium Challenge Corporation (MCC) compact focused on connectivity and coastal resilience. In May 2023, Mozambique implemented a tourist and business visa exemption for travelers from 29 countries, including the United States.

**Rule of Law/Political Pluralism/Anticorruption:** In January 2023, the government announced an Anti-Money Laundering and Countering the Financing of Terrorism strategy developed with technical advisors from the EU Global Facility and the World Bank. In December 2022, 11 of 19 defendants were convicted in a highly publicized corruption scandal for fraud-related crimes. Transparency International's 2023 Corruption Perceptions Index ranked Mozambique 145 out of 180 countries.

**Poverty Reduction:** In November 2022, Mozambique's Council of Ministers announced a revision to the state budget that mandates 7.25 percent of revenues from extractive industries be allocated to the budgets of the provinces where the resources were extracted, while an additional 2.75 percent of revenues will be allocated to the communities nearest the extraction sites. This marks a significant step toward inclusive economic growth and development through the dedication of a portion of mining and oil revenues to stimulate local economies, fund vital infrastructure projects, and empower local communities, many of which are located in isolated areas of Mozambique. In June 2022, Mozambique was selected as a Feed the Future partner nation and implementation of the program continued during the reporting period.

**Labor/Child Labor/Human Rights:** The Government of Mozambique has made limited efforts to address child labor and trafficking in persons during the reporting period, and the country remains on the Tier 2 Watch List in the Trafficking in Persons Report. Concerns remain with regard to freedom of association. Other concerns include restrictions on free expression and media and lack of accountability for gender-based violence. The government took steps to investigate, prosecute, and punish some officials who committed human rights abuses; however, impunity among state security forces, law enforcement officers, and civilian authorities remained a significant problem.

**International Terrorism/U.S. National Security:** Mozambique did not provide support to international terrorism and did not undermine U.S. national security or foreign policy interests. The government has constructively engaged with the United States and other international partners in combatting ISIS-Mozambique in northern Mozambique during the reporting period.

## NAMIBIA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Namibia's economy is modern and market-based, incorporating a rules-based trading system. With the recently completed expansion of Namibia's main port of Walvis Bay, Namibia is seeking to position itself as a regional logistics hub. The country has embraced renewable energy as a major source to fill the energy gap. Namibia has a strong telecommunications infrastructure, a modern port, and some of the best roads in Africa. Throughout the review period, Namibia welcomed foreign investment and provided stable, democratic governance and infrastructure on which to facilitate business. In October

2022, Namibia launched its One-Stop Center to streamline procedures and enable investors to conduct their businesses under one roof. In May 2023, Namibia welcomed its first digital nomads, five months after launching the Digital Nomad Visa Program, which allows foreigners to live and work in Namibia for up to six months and inject foreign currency into the economy without competing for local jobs.

**Rule of Law/Political Pluralism/Anticorruption:** Namibia's Constitution provides for due process that includes the right to a fair and public trial. Experts assess that the judicial process in Namibia is independent and relatively free of political influence. Namibia has one of the freest presses in Africa. Some legislation is in place to combat public corruption and more is currently under consideration by the Parliament. Transparency International's 2023 Corruption Perceptions Index ranked Namibia 59 out of 180 countries. In February 2024, Namibia experienced a peaceful transition of power following the death of President Hage Geingob when his successor, interim President Nangolo Mbumba, promptly assumed office.

**Poverty Reduction:** Namibia has one of the highest income inequality rates in the world. The Namibian government is committed to reducing poverty, addressing inequality, and combatting HIV/AIDS. The Namibian economy faces high and rising unemployment, persistently low economic growth, and is vulnerable to drought. There is also a shortage of specialized skilled labor in Namibia. Employers often cite labor productivity and the shortage of skilled labor as the biggest obstacles to business growth.

**Labor/Child Labor/Human Rights:** The Government of Namibia has made efforts to address child labor and trafficking in persons, including identifying and providing assistance to more victims. Concerns remain with regard to freedom of association. Sodomy is criminalized by law. The law does not address penalties for conviction, and there were no records or reports of enforcement of the law in recent years. Namibia's Supreme Court ruled that same-sex marriages legally concluded outside Namibia must be recognized by the Namibian government, ruling that the government's previous refusal to recognize same-sex marriages concluded outside Namibia infringes on the constitutional rights of equality and dignity.

**International Terrorism/U.S. National Security:** Namibia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## NIGER

**Status:** Not AGOA Eligible (Terminated in 2024).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Niger has significant mineral resources, including uranium, oil, and gold and is committed to establishing a market-based economy and has repeatedly pledged to take progressive steps to encourage the development of private sector enterprises and increase trade. However, the cost of basic consumer goods is a major concern as the underdeveloped agriculture sector remains vulnerable to climatic shocks.

**Rule of Law/Political Pluralism/Anticorruption:** In July 2023, an unconstitutional change of government took place in Niger in which several factions of the armed forces seized power and suspended the constitution. Democratically elected President Mohamed Bazoum was placed under house arrest and General Abdourahmane Tchiani, the Commander of the Presidential Guard, proclaimed himself the leader of the country and established the National Council for the Safeguard of the Homeland. Since the unconstitutional change of government, Niger has not established, nor has it been making continual progress towards establishing, the rule of law and political pluralism. Corruption remains widespread. According to Transparency International's 2023 Corruption Perception's Index, Niger ranked 125th out of 180 countries.

**Poverty Reduction:** Niger ranked 189 out of 191 countries in the United Nation's 2022 Human Development Index. Many Nigeriens live in absolute poverty and many, especially children, are malnourished. Access to primary education (especially among girls), vaccination rates, and life expectancy continue to improve, but remain among the lowest in the world. Lack of technical capacity in social service ministries, especially health and education, continues to limit advancement in those areas. A majority of the population (about 80 percent) lives in rural or remote areas, and the government is unable to deliver basic services to much of the country. Lack of potable water and electricity remain a major concern. Niger's population growth rate, at approximately 3.8 percent, is one of the highest in the world, substantially undermining Niger's economic growth in recent years and limiting the ability of the government to make progress on economic development.

**Labor/Child Labor/Human Rights:** Niger has made efforts to address trafficking in persons and child labor, including to combat forced begging and to identify and refer trafficking victims to services. Concerns remain with regard to freedom of association, the existence of the worst forms of child labor and forced labor, including hereditary slavery as traditional caste-based servitude or bonded labor is still practiced. Other concerns include restrictions on free expression and media and lack of accountability for gender-based violence. There are no laws in Niger that criminalize same-sex sexual conduct between adults but an "unnatural act" with a person younger than 21 years of the same sex is a criminal offense. A bill to criminalize LGBTQI+ status and conduct was withdrawn, but draft penal code amendments have been proposed, including amendments criminalizing LGBTQI+ status and conduct.

**International Terrorism/U.S. National Security:** Niger does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## NIGERIA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination to Barriers to U.S. Trade:** Nigeria has Africa's largest population, and its economy continues to be broadly market-based and generally protective of private property rights. In 2022, the government transformed the state-owned Nigerian National Petroleum Corporation into a limited liability company, with the goal of making it a profit-making, independent, and commercial venture under the Companies and Allied Matters Act. However, concerns remain. For instance, Nigeria continues to use import prohibitions to protect certain sectors

of the economy, despite these efforts being widely viewed as ineffective and contributing to food insecurity, corruption, and exacerbating poverty.

**Rule of Law/Political Pluralism/Anticorruption:** Presidential and state elections held on February 25 and March 18, 2023 demonstrated significant political pluralism as the two main opposition parties won a large share of votes, and the ruling party lost unexpectedly in several states, even as it won the presidency again. Despite establishing programs to combat corruption, being party to the UN Convention Against Corruption, and putting in place systems to combat money laundering and associated offenses, financing of terrorism, and other financial crimes, Nigeria continued to struggle with combatting corruption and bribery during the reporting period. According to Transparency International, Nigeria ranked 145 out of 180 countries in its 2023 Corruption Perceptions Index.

**Poverty Reduction:** In December 2022, the National Assembly noted that over 1.6 million households had benefited from cash transfers, nearly 10 million children had been fed in schools, 2.4 million entrepreneurs had been granted concessional loans, and about one million youth had been trained and employed under the program. In May 2023, President Buhari signed the Bill to Establish the National Social Investment Program Agency which seeks to institutionalize the Social Investment Program. In December 2021, the World Bank approved an \$800 million loan for the National Social Safety Net Program Scale-Up, which expanded the government's safety net provisions for Nigeria's poorest while strengthening the overall safety net system. Despite these efforts, Nigeria's poverty levels, particularly in the north, remain high.

**Labor/Child Labor/Human Rights:** The Government of Nigeria has made efforts to address child labor and trafficking in persons, including investigating, prosecuting, and convicting more traffickers. It also increased the number of labor inspectors and inspections. Concerns remain with regard to child labor, forced labor, freedom of association, the right to organize and bargain collectively, restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. Nigerian law criminalizes the public display of same-sex "amorous affection." In the 12 states with sharia, adults convicted of engaging in same-sex sexual conduct may be subject to execution by stoning, and men have been convicted and imprisoned, including in 2022, although the United States is not aware of such executions during the reporting period.

**International Terrorism/U.S. National Security:** Nigeria does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## REPUBLIC OF CONGO

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Republic of Congo (ROC) has a largely market-based economy. According to the IMF, ROC made progress on policy measures to address past fiscal slippages and to advance key structural reforms. There are reports that cursory ROC audits of several years' worth of back taxes by foreign firms resulted in multi-million-dollar fines but companies frequently achieve reductions to a fraction of the original sum after months and sometimes years of negotiations. ROC periodically institutes price controls on

agricultural commodities to promote domestic production. Government officials at both the national and local levels make nearly all decisions related to foreign investment behind closed doors, which has caused ongoing difficulties for foreign investors with interests in ROC and makes the process for entry into commercial markets cumbersome and unpredictable.

**Rule of Law/Political Pluralism/Anticorruption:** ROC experiences challenges with rule of law, political pluralism, and due process. President Sassou-Nguesso and the governing Congolese Labor Party (PCT) continue to overwhelmingly dominate the political landscape and power structure. Many high-ranking PCT officials hail from the president's home region in the north. Opposition parties hold seats in the national assembly and in the government. ROC experiences challenges with corruption and bribery. ROC law assigns criminal penalties for corruption by officials; however, the government does not implement the law effectively or evenly. Despite repeated admonishment by the president, many officials engage in corrupt practices with impunity. ROC ranked 158 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Fiscal restraints inhibited ROC government spending on economic policies to reduce poverty. The ROC government expanded the Safety Net Program called "LISUNGI," supported by the World Bank, to ensure that approximately 200,000 households were covered nationwide during times of growing economic challenges. Each household received roughly \$100 in direct cash transfers from LISUNGI.

**Labor/Child Labor/Human Rights:** The ROC continues to place excessive limits on rights related to freedom of association and the right to strike, with the potential for forced prison labor if convicted of participating in an illegal strike. ROC law allows authorities to requisition people to work in the public interest and permits imprisonment if they refuse. Indigenous workers receive extremely low wages or sometimes serve as indentured servants without pay and are often subjected to forced labor especially in the agricultural sector. ROC was downgraded to Tier 2 Watchlist on the 2023 Trafficking in Persons (TIP) Report, due to failure to demonstrate overall increasing efforts to combat TIP as compared with the previous reporting period. The government continued to lack a formalized national anti-trafficking task force, hindering its ability to investigate, prosecute, or convict any traffickers. It did not proactively screen for trafficking victims among vulnerable populations and did not report identifying any victims for the third consecutive year. The government did not take any proactive measures to address alleged official complicity in trafficking crimes and took limited steps to prosecute or punish officials who committed human rights abuses or acts of corruption. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. ROC law prescribes a punishment of six months to three years' imprisonment and a fine for anyone who "commits" certain acts with "the same sex under the age of 21." Local NGOs reported some violence, predominantly psychological and physical but also including instances of financial extortion, sexual abuse, and housing discrimination, by government authorities and private citizens against LGBTQI+ persons.

**International Terrorism/U.S. National Security:** The ROC does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## RWANDA

**Status:** AGOA Eligible, but eligible apparel benefits suspended since 2018.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** The Government of Rwanda (GOR) took significant efforts to improve its market-based economy and promote investment in the country by passing several new laws between 2022-2023. The new laws align with OECD best practices and seek to promote the Kigali International Financial Centre as a Pan-African financial services hub in the country. In March 2023, the government passed a new tax procedure law to clarify issues including audit procedures, books of accounts and other record keeping, amicable and court settlements, and administrative penalties. Rwanda's National Bank continues to pass regulations to improve the country's financial sector environment. Rwanda's AGOA apparel benefits remain suspended due to its prohibitive barriers to imports of used clothing.

**Rule of Law/Political Pluralism/Anticorruption:** Critics of the GOR have been imprisoned on charges that are alleged to be politically-motivated, which renders them ineligible to run for public office. The political climate is characterized by a lack of political space, and there have been reports of enforced disappearances, torture and extrajudicial killings of political dissidents and journalists, and engagement in transnational repression. Nevertheless, Rwanda substantively engages on some human rights commitments such as the rights of persons with disabilities and gender equality and promotes citizen participation through innovative processes. In November 2022, the GOR passed a new law governing public procurement to curb corruption and other abuses. The law provides criminal penalties for corruption by officials and private persons transacting business with the government, and the government investigated and prosecuted reports of corruption among police and government officials. Rwanda ranked 49 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Following the COVID-19 pandemic outbreak in 2020, the GOR established an Economic Recovery Plan which included a social protection relief and recovery component totaling around \$130 million (around 1.4 percent of GDP) to support households severely affected by the pandemic. In May 2023, Rwanda was struck by floods and landslides that killed at least 130 people, destroyed 5,174 houses, and damaged another 2,510. The GOR distributed food and other household items to affected citizens and is providing support to rebuild the affected houses. The GOR fired several local government officials for mismanaging or misappropriating the aid destined to the affected families. In October 2022, the GOR announced plans to help make available decent housing for the urban poor and middle class.

**Labor/Child Labor/Human Rights:** Rwanda has made efforts to address child labor and human trafficking, including significantly increasing labor inspectorate funding and awarding restitution in one trafficking case. However, Rwanda was on the Child Soldiers Prevention Act List as a result of the government providing support to and coordinating with the March 23 Movement armed group, which forcibly recruited and used children. Concerns remain with regard to freedom of association and the right to organize and bargain collectively. Rwanda has not established a minimum wage. Other concerns include restrictions on free expression and media and interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations.



**International Terrorism/U.S. National Security:** Rwanda does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## SÃO TOMÉ AND PRÍNCIPE

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** São Tomé and Príncipe (STP) is a lower middle-income island state with a fragile economy. One-third of the population lives on less than \$2 per day but the country is committed to a market-based economic system. A narrow export base and reliance on external financing makes STP vulnerable to external shocks. Due to its location in the oil-rich Gulf of Guinea, STP may contain commercially viable offshore oil and gas deposits, and the country is involved in oil exploitation in two zones.

**Rule of Law/Political Pluralism/Anticorruption:** STP held multi-party legislative, regional, and local elections on September 25, 2022, in which the country's main parties Movement for the Liberation of São Tomé and Príncipe – Social Democratic Party (MLSTP/PSD) and Independent Democratic Action (ADI) vied with nine other parties for seats in the 55-member National Assembly. ADI was announced as the winner by the Constitutional Court, taking 30 of the 55 parliamentary seats. Eleven days after ADI took power in November 2022, there was a series of attacks on military barracks in STP which Prime Minister Patrice Trovoada described as a coup attempt. The armed forces quelled the attacks, but at least four of the attackers died while in military custody and the Public Prosecutor's Office announced an investigation. The investigation carried out by the local judiciary authorities in collaboration with Portuguese Judicial Police and the Public Prosecutor's Office issued an investigative report noting evidence against 23 members of the armed forces for crimes including torture and homicide. The case remains pending before the judiciary. International financial institutions note that the government's commitment to sound macroeconomic policies and regulatory reforms remains strong. STP ranked 67 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The World Bank approved a grant of \$18 million in May 2022 for the STP government to continue its COVID-19 Respond and Recover Social Protection Project. The funding will support three initiatives in STP: i) STP's Vulnerable Families Program, which provides twice monthly cash transfers to qualified families for five years; ii) the development of social protection programs through the Ministry of Labor, Solidarity, Family, and Professional Development; and iii) additional cash transfers to 16,000 families to directly and indirectly support families impacted by COVID-19 to support their food security. In April 2023, the STP government announced its 2023-2027 strategic plan to eliminate malaria.

**Labor/Child Labor/Human Rights:** The government has made some effort to address child labor, including by adopting a national policy on social protection. STP does not regularly engage in gross violations of internationally recognized human rights. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, and the existence of the worst forms of child labor. Other concerns include a lack of accountability for gender-based violence.

**International Terrorism/U.S. National Security:** São Tomé and Príncipe does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## SENEGAL

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Senegal's market-based economy is well-developed and largely open to foreign investment. The investment code provides for equitable treatment of foreign and local firms as there is no restriction on ownership of businesses by foreign investors in most sectors. Moreover, the Investment Promotion Agency has dramatically reduced the average number of days it takes to start a business. Senegal also expanded its "single window" system offering one-stop government services for businesses and embarked on an ambitious program to digitalize government services and payment functions. Other than a long-standing import ban on poultry products, there are no significant barriers to U.S. trade and investment.

**Rule of Law/Political Pluralism/Anticorruption:** Senegal has a longstanding tradition of democratic pluralism and an open political system. In 2024, there was a peaceful transfer of power to opposition party candidate Bassirou Diomaye Faye after a turbulent electoral process. Under former President Macky Sall, special courts were reactivated to assist in the investigation of corruption by former government officials and the seizure of stolen assets. The National Anti-Corruption Commission was also created and procedures were strengthened to require asset declarations from public officials. Corruption is nevertheless perceived to be a persistent problem, ranging from rent-seeking by bureaucrats involved in public approvals to opaque public procurement to corruption in the police and judiciary. Senegal ranked 70 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Senegal has made progress on a range of human development indicators and exceeded sustainable development goals (SDGs) for reducing extreme poverty and improving gender equality in schooling. The country has also made progress in increasing access to primary education, lowering child mortality, reducing the incidence of malaria, and reducing malnutrition. Despite this progress, Senegal did not achieve all SDGs for universal primary education and reduction of maternal mortality. With a growing population, Senegal needs higher economic growth to generate employment, raise incomes, and reduce poverty.

**Labor/Child Labor/Human Rights:** Senegal made efforts to address child labor and trafficking in persons. The government increased oversight of Quranic schools (daaras) to prevent child forced begging. However, the government did not investigate or prosecute traffickers exploiting children in forced begging. Concerns remain with regard to freedom of association, restrictions on free expression and media, and lack of accountability for gender-based violence. Consensual same-sex sexual activity between adults, referred to in law as an "unnatural act," is a criminal offense punishable by up to five years in prison. The government enforced these laws in 2022 through arrests of LGBTQI+ persons but did not impose fines or custodial sentences.

**International Terrorism/U.S. National Security:** Senegal does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## SIERRA LEONE

**Status:** AGOA Eligible.

**Market Economy/Economic Reforms/Elimination of Barriers to U.S. Trade:** Sierra Leone is a market-based economy with an open, rules-based trading system and a favorable attitude toward foreign direct investment. The country is largely a traditional economy with the majority of the population engaged in subsistence agriculture and mining. Foreign investors are free to establish, acquire, and dispose of interests in business enterprises and engage in all forms of remunerative activities, and Sierra Leone continues to attract investments through public private partnerships to undertake major infrastructure projects. However, limited infrastructure and the inability to support practical commercial activities present challenges.

**Rule of Law/Political Pluralism/Anticorruption:** Sierra Leone is a constitutional republic where the constitution protects the rights and freedom of its people. In March 2018, the opposition Sierra Leone People's Party presidential candidate, Julius Maada Bio, won the fourth cycle of presidential elections since the civil war ended in 2002. The 2018 election was declared free, fair, credible, and transparent. Nevertheless, the international community has questioned the validity of the June 2023 election, which returned President Bio to power for a second 5-year term, due to the concerns about voting irregularities and the tallying process raised by numerous, credible international observation missions. Although the justice sector has undergone major reforms after years of neglect and malfunctioning, the rule of law is fragile and uneven across the country. Sierra Leone ranked 108 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Sierra Leone's Medium-Term National Development Plan (2019-2023) focused on human capital development and included measures to support economic diversification and competitiveness. The plan prioritized agriculture, fisheries, and tourism. In 2023, the government allocated 22 percent of its budget to education and 11 percent to health and sanitation. It also continues to recruit doctors and nurses, develop mental health treatment and care facilities, and hire more midwives, pharmacists, epidemiologists, and community health officers to address the weak state of the national health system.

**Labor/Child Labor/Human Rights:** Sierra Leone has made efforts to address trafficking in persons and child labor, including passing and enacting the Anti-Human Trafficking and Migrant Smuggling Act of 2022. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, the worst forms of child labor, gender-based violence, and hate crimes against the LGBTQI+ community. Although it was not enforced, the law criminalizes same-sex sexual activity between men. There is no legal prohibition against sexual activity between women.

**International Terrorism/U.S. National Security:** Sierra Leone does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## SOMALIA

**Status:** Not AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Somalia has a market-based economy with limited government intervention. The country has several opportunities that can spur economic growth, including rapid urbanization, a vibrant private sector, the growing use of digital technologies, and planned investments in sectors such as livestock, fisheries, agriculture, energy, ports, education, and health. Somalia welcomes foreign direct investment, especially in natural resources and productive sectors such as agriculture, fisheries, and livestock. The Foreign Investment Law of 2015 promotes and protects foreign investment and provides incentives to foreign investors, such as tax advantages, and guarantees against expropriation.

**Rule of Law/Political Pluralism/Anticorruption:** There is substantial interference with freedom of peaceful assembly and freedom of association, inability of citizens to change their government peacefully through free and fair elections, and serious and unreasonable restrictions on political participation. While the constitution remains provisional, there are limited opportunities for equality under the law, unclear and unfair processes for enforcing laws, and no independent judiciary. The civilian judicial system, strongly influenced by clan-based politics, remains dysfunctional and inefficient, particularly those outside urban areas, and is subject to influence and corruption. Where functional courts exist, there is a shortage of trained judges and judicial officers, as well as limited legal documentation upon which to build judicial precedents and prosecute widespread allegations of corruption. Somalia ranked last out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Somalia is one of the poorest countries in the world. Somalia approved its Ninth National Development Plan (NDP9), covering the period 2020 to 2024 to fulfill the World Bank and IMF's Heavily Indebted Poor Countries poverty reduction strategy requirement. The NDP9 presents a comprehensive strategy to reduce poverty in the country.

**Labor/Child Labor/Human Rights:** Somalia has made efforts to address child labor and trafficking in persons. However, the Department of Labor assessed Somalia as having made minimal advancement in efforts to eliminate the worst forms of child labor because government security forces continued to recruit and use children in armed conflict. Somalia continues to be included on the Department of State's Child Soldiers Prevention Act List. Further, Somalia remains a Special Case for the 21st consecutive year in the 2023 Trafficking in Persons Report. Concerns remain with regard to freedom of association and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media; interference with the freedom of peaceful assembly; and lack of accountability for gender-based violence. The law criminalizes "carnal intercourse with a person of the same sex" with a penalty of three months' to three years' imprisonment, although no official reports of enforcement were available. Under local interpretations of sharia, homosexuality is punishable by death.

**International Terrorism/U.S. National Security:** The Government of Somalia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## SOUTH AFRICA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** South Africa has the most advanced, diversified economy in Africa and is the largest trading partner of the United States on the continent. South Africa boasts a sophisticated financial sector with well-developed institutions and the country's economy incorporates an open, rules-based trading system. South Africa's investment climate is fortified by stable institutions, and the country also has mature financial and services sectors, good infrastructure, and a broad selection of experienced local private sector partners. In response to lagging progress on development goals, the government has enacted numerous measures to promote localization, equity transfer, and job creation. However, key U.S. agricultural exports to South Africa, including meat, poultry, and poultry products, continue to face significant market access obstacles. Some U.S. stakeholders have expressed concerns that revised copyright legislation passed by the South Africa's National Assembly in February 2024 would weaken the adequacy and effectiveness of copyright and related rights protection. The on-going electricity shortages pose significant challenges to business interests and the overall population.

**Rule of Law/Political Pluralism/Anticorruption:** South Africa remained committed to democracy, the rule of law, the right to due process, a fair trial, and equal protection. The country's strong political and judicial institutional frameworks, girded by its highly liberal constitution, continue to guide public life and set aspirations for the society in these areas during the review period. Deficiencies with enforcement, however, particularly among the police forces, remained acute. South Africa's record in combating corruption during the reporting period is mixed. South Africa has a robust anti-corruption framework that includes the Prevention and Combating of Corrupt Activities Act of 2004 and the South African Prevention of Organized Crime Act. Despite enabling legislation and some modest asset forfeiture recoveries, implementation and enforcement of anti-corruption laws have lagged. South Africa ranked 83 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** South Africa remained committed to reducing poverty, primarily through job creation during the reporting period. The government captured its poverty reduction goals in the National Development Plan Vision 2030 and other national strategies. The government has introduced successful redistribution programs since the end of apartheid, including a monetized social welfare system, public housing, and community infrastructure programs. Efforts to create low-skilled jobs or to significantly expand the skilled and semi-skilled labor force have not been as successful. The country has one of the highest wealth disparity rates in the world.

**Labor/Child Labor/Human Rights:** The Government of South Africa has made efforts to address child labor, including hosting the Global Conference on the Elimination of Child Labor in May 2022. During the reporting period, however, the government did not increase efforts to combat trafficking in persons, including in law enforcement, and remains on the Tier 2 Watch List in the Trafficking in Persons Report. Concerns remain with regard to the existence of the worst forms of child labor and trafficking in persons. South Africa was the fifth country in the world and the first in Africa to legalize same-sex marriage. The country's post-apartheid constitution was the first in the world to outlaw discrimination based on sexual orientation.

**International Terrorism/U.S. National Security:** South Africa does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests. However, senior Administration and Congressional officials have voiced concern over the country's positions on key geo-political issues.

## **SOUTH SUDAN**

**Status:** Not AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** South Sudan does not have a market-based economy, nor is it taking proactive steps to move in that direction. There is large-scale government interference, usually in the form of corruption. The government has not taken proactive steps to promote a free market, nor has it taken steps to break down trade barriers.

**Rule of Law/Political Pluralism/Anticorruption:** Throughout the reporting period, South Sudan continued to apply laws in an arbitrary manner, often targeting political opponents. Security services routinely subject journalists to harassment, censorship, and arbitrary detention for reporting on corruption and other politically sensitive topics. Violent attacks against humanitarian aid workers often go unpunished. The government hindered initiatives to increase political pluralism by harassing civil society activists and failing to pass legislation required for political parties to form and compete in elections. Corruption and bribery remain widespread, and oversight institutions do not receive the funding necessary to function. South Sudan still has not established a functioning anti-corruption investigatory body or implemented updated anti-money laundering legislation and regulations. South Sudan ranked 177 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The government has not made poverty reduction a priority. For example, its economic policies prioritize state capture of resources and the redirection of the country's oil wealth into the personal bank accounts of politically connected elites. The government also failed to address the humanitarian needs of its population, leaving that work to international donors and non-governmental organizations. It also failed to provide the security necessary to allow humanitarian actors to provide their services.

**Labor/Child Labor/Human Rights:** South Sudan remains on Tier 3 of the U.S. Department of State's 2023 Trafficking in Persons Report for not making significant efforts to eliminate trafficking. In addition, the government has been complicit in the use of forced child labor in more than isolated incidents. South Sudan remains on the Child Soldiers Prevention Act List. Officers in South Sudan's national army and law enforcement continued to recruit, sometimes forcibly, and use children in armed conflict against armed opposition groups. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, and the existence of the worst forms of child labor. The government has not established a minimum wage, and there are no occupational safety and health standards. Other concerns include restrictions on free expression and the press; interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; and lack of accountability for gender-based violence. The law criminalizes consensual same-sex sexual conduct. It prohibits "unnatural offenses," defined as "carnal intercourse against the order of

nature,” which are punishable by up to 10 years’ imprisonment.

**International Terrorism/U.S. National Security:** South Sudan does not support international acts of terrorism. South Sudan’s security situation makes it a potential source of regional instability.

## TANZANIA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Although the Government of Tanzania (GOT) has historically had a heavy hand in the economy, there have been modest improvements to the business climate during the reporting period. In late 2022, the GOT passed and enacted a new Tanzania Investment Act, which introduced broad reforms intended to create a more favorable investment climate for domestic and foreign investors. The GOT’s discretionary import licensing for poultry meat poses barriers to U.S. trade. While the GOT continues to enforce strict legal liability requirements for genetically engineered (GE) crops, in September 2022, Tanzania’s Minister of Agriculture removed the ban on all domestic GE trials in Tanzania and instructed the Tanzania Agricultural Research Institute to allocate Agricultural Research stations specific for GE trials.

**Rule of Law/Political Pluralism/Anticorruption:** Tanzania embarked on reforms to improve the rule of law, political pluralism, and the right to due process; however, the outcome of these efforts is not yet known. In January 2023, President Hassan removed the ban on political rallies and has emphasized inter-party reconciliation with the opposition. Opposition parties and others have since carried out robust peaceful public political rallies throughout the country. However, concrete legislative and regulatory changes, electoral reform, and institutional reforms are still needed to improve the space for civil society, the media, and opposition political parties. President Hassan has committed to eliminating corruption, although concerns remain, with institutional and structural frameworks still in place that have historically facilitated corrupt practices. Tanzania ranked 87 out of 180 countries in Transparency International’s 2023 Corruption Perception Index.

**Poverty Reduction:** Following two decades of sustained growth, Tanzania formally graduated to lower-middle income country status in July 2020. However, the country could struggle to maintain this status due to recent economic slowdown and high population growth rates, with tangential impacts on per capita income. The GOT is committed to promoting sustainable and inclusive private-sector led growth, as outlined in the Third National Five-Year Development Plan adopted in June 2022. The plan seeks to establish policies that build the country’s capacity for production, increase competitiveness to expand trade and investment, and stimulate human development. Tanzania took significant steps to address and mitigate the COVID-19 pandemic’s socio-economic impacts.

**Labor/Child Labor/Human Rights:** The GOT has made efforts to address child labor and trafficking in persons, including establishing specialized anti-trafficking units. Concerns remain with regard to freedom of association, the right to organize and bargain collectively, and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media; interference with the freedom of peaceful assembly, including overly restrictive laws on the organization, funding, or operations of nongovernmental organizations and civil society

organizations; and lack of accountability for gender-based violence. Consensual same-sex sexual conduct is criminalized. In April 2023, following increased anti-LGBTQI+ rhetoric in the region - particularly in Uganda - arrests of persons suspected of homosexuality temporarily increased in Tanzania.

**International Terrorism/U.S. National Security:** Tanzania does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## TOGO

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Togo has a market-based economy with no significant trade or investment barriers. Togo's economy is divided as follows: agriculture (40 percent of GDP), services (40 percent of GDP), and industry (20 percent of GDP). The importance of services reflects the success of government efforts to transform the port of Lomé into the 4th largest in Africa. Small and medium-sized enterprises have also been key to Togo's recent breakthroughs in the international market for organic and fair-trade agricultural goods, becoming the largest African exporter of organic soybeans to Europe and exporting shea butter, cashews, and beeswax to the United States.

**Rule of Law/Political Pluralism/Anticorruption:** International observers have found the past few national elections generally free, fair, and peaceful. However, concerns remain due to the limited observation efforts during the February 2020 presidential elections and the government's decision to revoke observation credentials from a U.S.-financed neutral civil society organization. Corruption remains pervasive and is frequently cited as a major concern in land dispute settlements. Togo ranked 126 out of 180 countries in Transparency International's 2023 Corruption Perception Index. The government has sought to combat corruption through the High Authority of Prevention and Fight against the Corruption and the Assimilated Offenses (HAPLUCIA in French).

**Poverty Reduction:** Reducing poverty is a key goal of the Togolese government's five-year National Development Plan (PND), which is oriented toward reinforcing Togo's role as a logistics and business hub, improving agricultural production, and consolidating inclusive social development. The government's 2020-2025 addendum roadmap supplements the PND goals with 42 projects and reforms in the economic and social sectors. These projects include providing universal identity documents, constructing 20,000 social housing units, creating 60,000 new jobs, improving health coverage, increasing access to drinking water and sanitation, achieving universal electrification, and increasing access to education.

**Labor/Child Labor/Human Rights:** Togo has made efforts to address child labor and trafficking in persons. The government implemented social programs and identified, referred, and assisted more trafficking victims. Concerns remain with regard to freedom of association and the right to organize and bargain collectively. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly, and lack of accountability for gender-based violence. The law prohibits "acts against nature committed with an individual of one's sex," widely



understood as a reference to same-sex sexual conduct. The law also prohibits “the promotion of same-sex conduct,” as well as advocacy for the human rights of LGBTQI+ persons.

**International Terrorism/U.S. National Security:** Togo does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## UGANDA

**Status:** Not AGOA Eligible (Terminated in 2024).

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Uganda has continued to maintain a market-based economy. Its laws and regulations generally support foreign direct investment, allow 100 percent foreign-owned businesses, and do not restrict joint ventures between Ugandan and foreign companies. However, bureaucratic inefficiencies, high transportation costs, judicial and administrative corruption, weak rule of law, and an influx of counterfeit consumer products often act as impediments to trade and investment and raise the cost of doing business in Uganda. The Uganda Registration Service Bureau provides a standardized process for registering intellectual property.

**Rule of Law/Political Pluralism/Anticorruption:** Uganda’s constitution and legal framework support rule of law, pluralism, the right to due process, a fair trial, and equal protection. However, Uganda has struggled to adhere to these foundational frameworks and has backslid significantly during the reporting period. The security services detained political dissidents without trial in unofficial detention facilities for longer than the allowable 48-hours, and some were reportedly subjected to torture as punishment for their criticism of the Government of Uganda (GOU). The GOU used lengthy pre-trial detention as a form of punishment, particularly when evidence may have been insufficient for conviction. Corruption in Uganda is pervasive and includes the awarding of major government contracts to firms owned by politically powerful or connected officials, payment of kickbacks by recipients of government contracts, asset-stripping from government ministries and state-owned enterprises, the seizure of privately held assets by politically powerful individuals, and protection of illegal commerce in gold and other conflict minerals, wildlife and wildlife products, and illegally harvested timber. Uganda ranked 141 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** Despite Uganda’s GDP growth averaging 4.8 percent over the past five years, prosperity for most Ugandans has not improved. Unemployment and underemployment are also a growing concern as the population increases. Reducing the number of people living in poverty will require both modernizing agricultural production and expanding employment income in non-agricultural sectors. The GOU budget allocations to the agricultural sector are generally considered to be ineffective and aimed at political constituencies loyal to the president.

**Labor/Child Labor/Human Rights:** The GOU has made efforts to address child labor and trafficking in persons, increasing prosecutions of suspected traffickers and convicting the most traffickers ever reported in a single year. Concerns remain with regard to freedom of association and the existence of the worst forms of child labor. Other concerns include restrictions on free expression and media; interference with the freedom of peaceful assembly, including overly restrictive laws on

the organization, funding, or operation of nongovernmental organizations and civil society organizations; and lack of accountability for gender-based violence. On May 26, 2023, the President signed the Anti-Homosexuality Act, 2023 (AHA), in what may be the most draconian anti-LGBTQI+ legislation in the world. It criminalizes broad swaths of the LGBTQI+ community, with punishments ranging from three years for minors convicted of same-sex sexual relations to capital punishment for the crime of "aggravated homosexuality," and it outlaws organizations that "promote" LGBTQI+ views. On April 3, 2024, Uganda's Constitutional Court reviewed the law and removed four provisions but upheld the majority of the law

**International Terrorism/U.S. National Security:** Uganda does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## ZAMBIA

**Status:** AGOA Eligible.

**Market Economy/Economic Reform/Elimination of Barriers to U.S. Trade:** Zambia has implemented corporate governance reforms promoting the rights and roles of minority investors in major corporate decisions. Throughout the reporting period, Zambia's massive public debt and inability to implement prudent fiscal and macroeconomic reforms has limited its ability to secure financing. High production costs, primarily due to geographic location, a relatively small local market, and poor infrastructure contribute to challenges of doing business in Zambia.

**Rule of Law/Political Pluralism/Anticorruption:** Zambia has maintained a long tradition of rule of law, a clear separation of powers, and an effective and responsible judiciary. Zambia has remained politically stable since 1964 and continues to hold parliamentary and presidential elections every five years, but the run-up to national elections scheduled for August 2021 was marred by violent clashes between supporters of the two main political parties. Further, the government has taken steps that undermine opposition parties, including targeted harassment of opposition party leaders and members, closure of independent media outlets, and inconsistent enforcement of public safety and public health legislation. However, after a decade of democratic backsliding, Zambians elected President Hakainde Hichilema, who expressed a commitment to national reconciliation and protecting fundamental freedoms. The media environment in Zambia remains constrained, with the government regularly issuing punitive threats against critical news outlets. The police service, marred by corruption and bribery is also an area of concern. Transparency International's 2023 Corruption Perceptions Index ranked Zambia 98 out of 180 countries.

**Poverty Reduction:** In its seventh National Development Plan, Zambia has committed to poverty reduction and continues to work to promote small business development, encourage economic diversification, and raise labor productivity. Zambia currently has over 1.05 million people on HIV treatment largely due to U.S. efforts to combat HIV and transmission. However, Zambia's current fiscal constraints, driven largely by its excessive use of loans to finance infrastructure projects, and the impacts of COVID-19 on the economy have led to a significant shortfall in government revenues.

**Labor/Child Labor/Human Rights:** Zambia has made efforts to address child labor and trafficking in persons. The government significantly increased funding for its labor inspectorate and finalized its second National Action Plan for the Elimination of the Worst Forms of Child Labor. Although the

government did increase investigations and prosecutions of trafficking crimes, the government did not convict any traffickers. Concerns remain with regard to freedom of association and the right to organize and bargain collectively. Other concerns include restrictions on free expression and media and interference with the freedom of peaceful assembly.

**International Terrorism/U.S. National Security:** Zambia does not support international acts of terrorism, nor engage in activities that undermine U.S. national security interests.

## **ZIMBABWE**

**Status:** Not AGOA Eligible.

**Market Economy/Economic Reforms/Elimination of Barriers to U.S. Trade:** Although the Government of Zimbabwe (GOZ) continued to rein in its budget deficit during the reporting period, the central bank's missteps in the form of high money supply growth led to high inflation and currency depreciation. The Reserve Bank of Zimbabwe continued to engage in quasi-fiscal operations, including printing money and taking loans, contrary to guidance from international financial institutions. Zimbabwe's physical infrastructure has deteriorated significantly over the last two decades due to lack of investment but remains operable.

**Rule of Law/Political Pluralism/Anticorruption:** Although Zimbabwe committed itself to broad political reforms, it has made little progress and regressed in some areas. This includes amendments to the constitution to consolidate presidential power over Parliament and the judiciary. Multiple observation missions have expressed deep concerns over the August 2023 presidential elections and stated that the country's electoral process did not meet regional and international standards for credibility. Rule of law also remains a serious concern. State violence against perceived enemies including labor leaders, journalists, and opposition supporters continued during the review period. The justice system suffers from political interference, resulting in a culture of impunity within the security sector. Zimbabwe's judiciary lacks independence and impartiality as judges often use the law selectively to prosecute the ruling party's political opponents. The United States continues to maintain targeted sanctions aimed at those who undermine democracy, violate human rights, and engage in public corruption. Zimbabwe ranked 149 out of 180 countries in Transparency International's 2023 Corruption Perception Index.

**Poverty Reduction:** The continued contraction of formal sector employment has resulted in a growing informal sector that employs over 80 percent of the working population. The agriculture sector still fails to meet its enormous potential due to the GOZ's "Fast Track Land Reform" of the 2000s, which allowed for the violent seizure and uncompensated confiscation of thousands of commercial farms and displaced hundreds of thousands of farm workers. Food insecurity persists annually, the severity of which largely depends on weather patterns.

**Labor/Child Labor/Human Rights:** The GOZ has made efforts to address child labor and trafficking in persons. However, the Department of Labor assessed Zimbabwe as having made minimal advancement in efforts to eliminate the worst forms of child labor because high-level officials within the GOZ and the ruling political party interfered with a delegation representing worker and civil society organizations to investigate concerns of child labor occurring at a commercial farm, sending party activists to the farm to threaten and intimidate the delegation. Concerns remain with regard to freedom of association and the right to organize and bargain

collectively. Sometimes violent repression, anti-union discrimination, and harassment of unions and unionists by government actors is common. Other concerns include restrictions on free expression and media, interference with the freedom of peaceful assembly, lack of accountability for gender-based violence, and government restrictions on or harassment of domestic and international human rights organizations. According to the criminal code, any consensual act between men that would be regarded as “indecent” by a reasonable person carries a fine, one year of imprisonment, or both if convicted. During 2022, LGBTQI+ organizations reported several arrests and state-sanctioned violence targeted at members of their community.

**International Terrorism/U.S. National Security:** Despite a strained bilateral relationship between the United States and Zimbabwe, the GOZ does not engage in actions specifically meant to support international terrorism or undermine U.S. national security. It has been cooperative on counterterrorism issues. Senior GOZ officials regularly attempt to undermine U.S. foreign policy interests through rhetorical attacks at high-profile international fora.

## **Chapter 5: Trade Capacity Building**

Numerous U.S. Government agencies are implementing a wide range of trade capacity building (TCB) programs and activities in sub-Saharan Africa. TCB can refer to any program or initiative that increases trade, improves the quality of goods and services, or increases market access for the people in that country. Many TCB programs focus on building human capital and infrastructure and spurring inclusive growth. For example, such projects can include the construction of roads and bridges, eliminating food insecurity through agricultural investment, promoting small and medium-sized enterprise development, and improving the business climate through training programs that help with administrative and regulatory processes.

From 2001 to 2022 (latest year of available data), the United States invested or obligated more than \$9 billion in trade-related projects in sub-Saharan Africa to spur economic growth and alleviate poverty according to the USAID Trade Capacity Building dashboard.

### **Prosper Africa**

Prosper Africa is a Presidential-level initiative to strengthen the strategic partnership between the United States and Africa by catalyzing two-way trade and investment. Prosper Africa complements the full suite of financial instruments and resources from 17 U.S. federal agencies and departments in order to scale capital flows and impact while countering the influence of malign players and commercial practices. AGOA is an essential enabling legislation to help the U.S. achieve strategic objectives in Africa, such as global supply chain security, energy transition, job creation and inclusive growth. Prosper Africa's whole-of-government approach also helps to advance sustainable trade policies that foster fair and accessible business climates while promoting the equitable distribution of trade benefits, particularly with underserved groups in the United States and Africa. Prosper Africa is focused on innovating blended finance solutions to take better advantage of AGOA trade preferences. Prosper Africa aims to drive scaled and expanded utilization of AGOA through innovative demand and supply models, technology platforms that newly link tens of thousands of U.S. retailer outlets with African suppliers, and by capacitating and aggregating African producers. New approaches include grants to the private sector for capital expansion, local production and raw material beneficiation for AGOA eligible products and sectors; international payment platforms that reduce the transaction times from days to hours; increased access to U.S. private capital streams that include institutional, philanthropic and endowment based investment never before focused on African opportunities; and capital markets innovations such as the use of greenhousing and energy related bonds trading to increase two-way capital flows.

Prosper Africa works in close collaboration with USAID regional missions through the Africa Trade and Investment (ATI) activity, which replaced the former regional U.S. Trade and Investment Hubs, to localize demand and supply solutions. Activities include support for Small Business Development Centers, facilitating and tracking buyer-seller linkages, providing technical assistance to select private sector firms to strengthen their ability to trade, and working with over 35 African business membership organizations (BMOs) and trade associations to build their technical capacity to advocate for improved trade enabled environments. This partnership has trained over 2,500 export firms on AGOA utilization. Prosper Africa helped support the establishment of five AGOA Help Desks to provide customized support to Africa exporters and U.S. buyers. In collaboration with

USAID, Prosper Africa has also supported numerous other AGOA learning seminars and capacity building sessions.

### **Trade Capacity Building to Support Implementation of the African Continental Free Trade Area (AfCFTA)**

Numerous U.S. Government agencies have collaborated to provide technical assistance to the negotiations and implementation of the AfCFTA.

Through the Department of State's Gender Equity and Equality Action (GEEA) fund, the Department of State is working with the AfCFTA Secretariat staff to launch a Small Business Development Center at the AfCFTA Secretariat targeting women and youth SMEs under a partnership with the University of Texas San Antonio. The Department of State also entered into an interagency agreement with the Department of Commerce's Commercial Law Development Program (CLDP) to fund an investment advisor at the Secretariat. That investment advisor, who began work in June 2023, is intended to coordinate with the U.S. private sector and advise on international best practices to attract investment.

Prosper Africa continues to promote regional integration and economic development in the advancement of the AfCFTA, working with various U.S. and African partners to promote a more transparent, inclusive, and consistent regulatory environment across the continent. Prosper Africa's "Demystifying the AfCFTA" guides and webinar series have trained private sector participants from a wide range of industries and enterprises, including small and medium companies. Prosper Africa also launched programming to sensitize U.S. Diaspora businesses and investors to AfCFTA-related market growth and opportunities.

USAID's Promoting American Approaches to ICT Regulatory Policy (ProICT) program is supplying a technical consultant through Trademark Africa (TMA) to support the digital trade protocol in the AfCFTA. USAID's Africa Trade and Investment project (ATI) helps to develop regional value chains, including in agriculture, light manufacturing, and financial services, and USAID's Mission to Ghana is working with the Government of Ghana and its private sector to promote the country's participation in AfCFTA.

With funding from USAID and Prosper Africa, CLDP has assisted stakeholders to engage on the AfCFTA agreement Protocol on Women and Youth.

The U.S. Department of Agriculture (USDA), with USAID funding, supports the African Union (AU)'s development and ratification of the AU Sanitary and Phytosanitary (SPS) Policy Framework to inform implementation of Annex 7 on SPS measures in the AfCFTA. In partnership with Akademiya2063, an Africa-based non-profit research organization, USDA supports an embedded SPS Advisor at the AU Commission to focus on the implementation of the SPS Policy Framework.

### **The U.S. African Development Foundation**

The U.S. African Development Foundation (USADF) is an independent U.S. Government agency

established by Congress more than 40 years ago to invest in African grassroots organizations, entrepreneurs, and small and medium-sized enterprises. USADF's investments promote local economic development by increasing incomes, revenues and jobs and creating pathways to prosperity for marginalized populations and underserved communities. USADF provides grants of up to \$250,000 directly to underserved African enterprises. The USADF model gives grantees access to funds to scale their businesses and technical assistance to facilitate the kind of entrepreneurial growth which leads to continued capacity building and greater progress toward becoming viable trade partners with U.S. companies. USADF grant instruments range from one-time single disbursement awards to multi-year multiple disbursement no reimbursable grants. USADF supports trade capacity building by empowering the small enterprise sector of the economy with grant funds and technical assistance.

USADF has been consistent in its support of AGOA and the countries and entrepreneurs who seek to engage with American businesses. Between CY2022 to the present, USADF invested approximately \$1 million in eight coffee cooperatives in Rwanda and Tanzania. During this same time, USADF also invested approximately \$1.7 million in eight cocoa projects in Côte d'Ivoire and Liberia, and approximately \$970,000 in six cashew projects in Benin, Côte d'Ivoire, and Senegal.

Between 1998 and 2023, USADF also supported 15 projects totaling \$2.5 million in the shea sector in Benin, Côte d'Ivoire, Ghana, and Senegal.

### **U.S. Agency for International Development (USAID)**

USAID builds trade capacity in Africa through a range of bilateral, regional, and continental activities that advance U.S. and African trade, economic growth, and development priorities. USAID's Africa Trade and Investment (ATI) Activity, launched in 2021, builds on the highly successful work of USAID's regional Trade and Investment Hubs to facilitate regional, international, and U.S. trade and investment in Africa. ATI is generating jobs across the African continent and within the United States, delivering billions of dollars in exports and investments, mobilizing private sector driven solutions, creating healthy business environments, and spurring economic opportunities for women and youth. Through ATI, USAID provides financial and technical support to businesses, entrepreneurs, and partner governments. The ATI Activity also helps advance priority initiatives such as the Partnership for Global Infrastructure and Investment, Prosper Africa, Feed the Future, Digital Transformation with Africa, and the Global Alliance for Trade Facilitation.

Since its launch in 2021, Prosper Africa and USAID have used ATI to facilitate more than 759 commercial transactions and closed trade deals worth \$741.4 million, and leveraged an additional \$291 million in private sector resources to advance trade capacity and economic development objectives on the continent. These results have been achieved both through the work of the USAID's regional and bilateral Missions and Prosper Africa's continental work, which includes facilitating buyer-supplier connections and building the competitiveness of African export firms. To further expand AGOA utilization across the continent, USAID and Prosper Africa have established a private sector-driven Africa Trade Desk that aligns U.S. retailers' supply chain strategies with African suppliers, advancing the goal of mutual prosperity and helping the U.S. diversify its buyers' supply chain risks. Additional trade support includes establishing Africa pavilions at key U.S. trade events such as MAGIC and the Fancy Food Show to bring firms from across the continent and demonstrate

the depth and diversity of African suppliers.

### ***Feed the Future***

USAID leads Feed the Future, the U.S. Government's global hunger and poverty initiative. Guided by the Global Food Security Strategy, Feed the Future helps vulnerable countries build stronger food systems, better nutrition, and greater resilience to shocks. From FY2011-2021, the initiative has unlocked more than \$4.8 billion in agricultural financing, helping smallholder farmers, small enterprises and others make the investments needed to grow their businesses. More than \$2.6 billion in private sector investment has been leveraged by Feed the Future since FY2011 for food security and nutrition. Smallholder farmers have generated more than \$17.9 billion in agricultural sales since FY2011 with Feed the Future's help. With more income, farmers can better provide for their families, send their children to school, and save for the future.

### ***Food Safety for Food Security Participating Agency Partnership Agreement (FS4FS PAPA)***

The FS4FS PAPA is a five-year, \$15 million interagency partnership between USAID, USDA, and the Food and Drug Administration to strengthen policy and regulatory environments for food safety. FS4FS taps into the expertise of U.S. Government agency officials and U.S. Land Grant Universities to find win-win, market-oriented development solutions that benefit U.S. agricultural exporters, stakeholder governments, industry, and consumers.

In FY2023, FS4FS increased Sanitary and Phytosanitary (SPS) distance learning participation, reaching a milestone of over 15,500 users across 248 countries. It partnered with the African Continental Free Trade Area Secretariat and African Union Commission (AUC) on a Good Regulatory Practices (GRP) workstream, developing a relationship with one of the largest trading blocs globally and identifying activities with Regional Economic Communities (RECs) and Member States where GRPs could be strengthened or scaled with technical support from partners for FS4FS support. FS4FS also provided technical support and critical U.S. Government coordination to the AUC, resulting in the launch of its first continental Food Safety Strategy 2022-2036, a blueprint for RECs and AU member states to strengthen their food safety control systems and harmonize standards for improved food safety and trade.

### ***Food Security Trade Support Activities***

USAID provides support for a policy enabling environment that creates conditions to facilitate freer flowing trade at continental, regional, and bilateral country levels. USAID has worked with the Common Market for Eastern and Southern Africa to help launch a digital Regional Food Balance Sheet to track production and trade data for staple food commodities across six countries in East and Southern Africa. USAID is working with research organizations to improve data on formal and informal cross-border agricultural trade flows to better understand food trade dynamics. USAID is also supporting policy systems and good regulatory practices to facilitate trade in safe food products.

### ***Global Alliance for Trade Facilitation***

The Global Alliance for Trade Facilitation (the Alliance) was launched in 2015 as a unique, multi-stakeholder platform that leverages business and development expertise for commercially meaningful reforms. The Secretariat of the Alliance is hosted by the Center for International Private Enterprise, the International Chamber of Commerce, and the World Economic Forum. The Alliance aims to accelerate ambitious trade facilitation reforms with broad developmental impact for inclusive economic growth and poverty reduction. The Alliance's in-country projects leverage the expertise



and resources of the private sector to work collaboratively with governments to support effective reforms. The Alliance has successfully closed 20 projects in 16 countries with a further 19 in implementation and two more in the scoping phase of development.

The Alliance is present in nine AGOA eligible countries. For example, in Zambia, the Alliance is helping to professionalize the customs clearing industry by introducing standards, training and examination. Upskilling of clearing agents is expected to streamline inspections and mitigate border delays, ultimately reducing the time and cost of trade. In February 2024, the Government of Zambia passed a regulatory reform to formally implement the Alliance’s licensing framework and training program for customs clearing agents.

### ***The Standards Alliance***

The Standards Alliance is a public-private partnership of USAID and the American National Standards Institute (ANSI) dedicated to providing capacity-building assistance related to Technical Barriers to Trade (TBT), including the implementation of the World Trade Organization (WTO) TBT Agreement or compliance with AGOA eligibility requirements. The Standards Alliance coordinates subject matter experts from the private sector-led U.S. standardization system to deliver training and other technical assistance to participating countries. ANSI is the official U.S. representative to the International Organization for Standardization (ISO), and its membership comprises numerous standards-setting organizations and companies. In coordination with USTR as well as other government and private sector entities, the Standards Alliance has worked with a number of AGOA eligible countries, including Senegal, Côte d’Ivoire, Ghana, Togo, Malawi, Mozambique, Zambia, South Africa, Tanzania and Kenya. The Standards Alliance has responded to requests for TCB directly related to AGOA implementation in the area of textiles and apparel and regularly engages AGOA partner governments and stakeholders in explaining the U.S. standards system. Currently, the Standards Alliance provides private sector-driven technical assistance in the region on the biofuels, medical technology, and water and sanitation sectors. The initiative is also exploring opportunities in the construction-related standards. All projects are co-financed by the U.S. private sector and USAID.

### **The U.S. Department of Agriculture**

The Department of Agriculture (USDA) implements agricultural technical assistance, training, and research programs in sub-Saharan Africa. USDA’s trade capacity building objectives are to increase agricultural trade both regionally and with the United States, help African countries develop trade policies based on sound science, support agricultural sector growth in partner countries, and promote food security.

### ***Food for Progress***

Under this USDA program, U.S. agricultural commodities are donated for projects implemented by foreign governments, private organizations, non-profit organizations, colleges and universities, or intergovernmental organizations. Food for Progress works in developing countries committed to introducing and expanding free enterprise in the agricultural sector. In FY2022 and FY2023 the Food for Progress program awarded eight new cooperative agreements valued at approximately \$227.3 million in Burundi, Côte d’Ivoire, The Gambia, Lesotho, Malawi, Mauritania, Nigeria, and Togo. Active projects in sub-Saharan Africa provide assistance valued at approximately \$562 million to the

following countries: Benin, Burkina Faso, Burundi, Côte d'Ivoire, Ethiopia, Nigeria, The Gambia, Ghana, Guinea Bissau, Lesotho, Kenya, Malawi, Mali, Mauritania, Mozambique, Senegal, Burundi, Rwanda, Uganda, Tanzania, and Togo. Projects have focused on training farmers in improved animal, plant and fish farming methods including climate smart agricultural solutions, development of agricultural value chains from inputs to farm to processing to distribution, addressing credit, and strengthening producer cooperatives or associations. In addition, projects may also target the policy and regulatory level to reduce barriers inhibiting trade, through addressing sanitary and phytosanitary policies and procedures, or assisting countries simplify, modernize, and harmonize agricultural trade processes.

### ***McGovern-Dole International Food for Education and Child Nutrition Program***

The McGovern-Dole international Food for Education and Child Nutrition Program (McGovern-Dole) integrates improved education, health, and dietary practices into school meals projects and works to ensure that U.S. donated food is safely stored and properly prepared. Projects also work to develop local infrastructure intended to allow children access to clean water and improved sanitation facilities at school to prevent illness. The McGovern-Dole program seeks to achieve sustainability by promoting school feeding programs, working with local partners and host governments on capacity building to establish school feeding laws and policies. In addition, technical assistance to host governments and communities is provided to support the eventual handover of school feeding activities to the host country. In FY2022 and FY2023, USDA awarded eight McGovern-Dole agreements valued at \$238.5 million in Burundi, The Gambia, Lesotho, Madagascar, Mauritania, Mozambique, Tanzania, and Togo.

### ***Fellowship and Scientific Exchange Programs***

USDA provides high-quality, U.S.-based agricultural research and training opportunities to eligible individuals from developing, middle income and emerging market countries. These fellowship and scientific exchange programs promote sharing of technical knowledge, facilitate cooperation, and create trade opportunities in the global marketplace.

### ***Borlaug International Science and Technology Fellowship Program***

Since July 2022, Borlaug has supported the training of two Fellows in agricultural research. In Liberia, a Borlaug Fellow received training in food safety and risk reduction of foodborne illnesses, with specific emphasis on Ready-to-Eat meat products. In South Africa, a Borlaug Fellow received training in strategic communications and comparative analysis methodologies for evaluating the advantages and disadvantages associated with genetically engineered crops and hybrid varieties.

### ***Cochran Fellowship Program***

The Cochran Program has in the past two years supported trainings for 78 Fellows and agricultural professionals from Côte d'Ivoire, Ghana, Kenya, Nigeria, South Africa, and Tanzania on the topics of: shipping and distribution of consumer-oriented products, food safety regulations and inspection, craft beer ingredients, beef and dairy fertility management, international safety standards, rice, and manufacturing standards and regulations for beer, wine, and spirits.

### ***International Agricultural Exchange Fellowship Program***

The International Agricultural Exchange Fellowship Program (IAEFP) partners U.S. citizens with developing host countries to assist in establishing school-based agricultural education and youth extension programs. The intention of the IAEFP is to develop globally minded U.S. agriculturalists

through experience living abroad, help meet the food and fiber needs of the domestic population of eligible countries and strengthen and enhance trade linkages between eligible countries and the U.S. agricultural industry. In 2023, eight Fellows were stationed in schools throughout Ghana to assist in establishing school-based agricultural education and youth extension programs. Another group of eight Fellows will go to Ghana in late summer 2024 to continue the mission of establishing agricultural education and youth extension programs.

#### *Scientific Exchanges Program*

Since July 2022, this program has trained 44 Fellows from nine AGOA eligible countries (Benin, Botswana, The Gambia, Ghana, Kenya, Mozambique, Nigeria, Rwanda, and Zambia) in five thematic areas linked to expanding agricultural market opportunities: animal health, climate-smart agriculture, TBT, food safety, and SPS regulatory harmonization.

#### *Scientific Cooperation and Research Program*

Since July 2022, this program has supported agricultural research trainings for six Fellows in Kenya, Ghana, and South Africa on the topics of: disease management, beekeeping, nutrition and climate-smart agriculture, soil health and crop productivity, communication, and strategic market alliances.

#### *Sanitary and Phytosanitary Projects*

USDA administers both USDA and USAID funds to coordinate and implement continental, regional, and single-country approaches to a broad range of SPS measures, including food safety, animal, and plant health systems, leading to compliance with science-based international standards. Through capacity building and policy reform efforts, the program aims to create an enabling environment for safe agricultural trade, improving opportunities for both U.S. and African exports, and enhancing the U.S. Government's Global Food Security Strategy food security objectives.

USDA supports the African Union (AU) Commission in the implementation of the AU SPS Policy Framework, which was approved by African Heads of State in February 2020 and guides implementation of the SPS Annex of the African Continental Free Trade Area (AfCFTA) agreement. The Framework and its associated strategies are instrumental in consolidating the USDA relationship with the AU and enhancing U.S. agricultural and food exports to the 55 AU Member States. In 2023 USDA supported the Africa Food Regulatory Leaders Forum and, at the request of the AUC, is partnering on the nascent African Food Safety Agency which will harmonize and strengthen food safety control systems across the continent. Under the U.S.-AfCFTA MOU signed in December 2022, USDA is partnering with both the AfCFTA Secretariat and the AUC on a Good Regulatory Practices work stream.

USDA also supports regional SPS efforts, working with East African Community and the Economic Community of West African States on the creation of harmonized guides for both SPS border inspections, development of a food safety convergence forum, and data generation for the establishment of international standards under Codex for Maximum Residue Levels (MRLs). Additionally, through a complementary program, USDA funds technical engagements with the Intra-African Bureau for Animal Resources to support the African technical experts for the international standards-setting bodies of the World Organization for Animal Health and the International Plant Protection Convention. USDA activities increase African experts' understanding and engagement in the standard setting processes of these organizations.

### ***Agricultural Biotechnology***

USDA provides targeted technical capacity building for science- and risk-based approaches to agricultural biotechnology to address trade restrictions and support access to the technology by farmers worldwide. In Africa, disparate biosafety laws and regulations for genetically engineered (GE) crops represent a barrier to trade and innovation in agricultural products. USDA has provided technical assistance to many AGOA-eligible countries over the past several years, as well as regionally through the Common Market for East and Southern Africa and the AU. Countries that have made progress toward improved biosafety frameworks of GE crops include Ethiopia, Ghana, Malawi, Mozambique, Rwanda, Senegal, Tanzania, Uganda, and Zambia. Field trials of GE crops are ongoing in over 17 countries. Countries with commercialized GE crops include Burkina Faso, Ghana, Nigeria, Sudan, Ethiopia, Kenya, Malawi, Eswatini, and South Africa. In 2016, South Africa brought its biotechnology approvals into synchrony with the United States to facilitate approval of biotechnology corn imports during the country's drought-induced food shortages. However, in 2023 South Africa issued a final decision to regulate new breeding techniques, such as genome editing, under their Genetically Modified Organisms Act of 1997. In 2023, the African Union Development Agency released their *Policy Framework for the Regulation of Genome Editing in African Agriculture*, which calls for a separate regulatory approach for genome edited products.

### ***Trade Promotion***

USDA has engaged in several initiatives for trade promotion between the United States and sub-Saharan Africa. In August 2020, in response to the COVID-19 pandemic, USDA pivoted to host Virtual Trade Events (VTEs) to continue to connect U.S. agribusinesses with potential foreign buyers. In 2021, USDA hosted two VTEs with 66 buyers from Algeria, Egypt, Ghana, Kenya, Nigeria, and South Africa, which resulted in 294 business-to-business meetings with U.S. exporters and a combined \$855,000 in projected 12-month sales. In October 2022, USDA lead an in-person Agribusiness Trade Mission to Kenya, with buyers from across East Africa, which resulted in 127 business-to-business meetings with U.S. exporters and a combined \$4.2 million in projected 12-month sales. In February of 2024, USDA lead an in-person Agribusiness Trade Mission to Angola, including buyers from the Democratic Republic of the Congo and the Republic of the Congo, which resulted in 140 business-to-business meetings with U.S. exporters and a combined \$18.28 million in projected 12-month sales.

Each year, USDA sponsors African buyers to attend the Gulfood trade show that occurs in February in Dubai, United Arab Emirates, to meet with exhibiting U.S. companies. USDA sponsored 30 African buyers in 2022, 27 African buyers in 2023, and 38 African buyers in 2024.

Under the Export Credit Guarantee Program (GSM-102), USDA encourages financing of commercial exports of U.S. agricultural commodities. During fiscal years FY2023-2024, USDA made available \$1.275 billion in export credit guarantees for Africa: \$850 million in FY2023 and \$425 million in FY2024. Virtually all AGOA-eligible countries are eligible to participate in GSM-102, and many are also eligible for the Facility Guarantee Program, which offers credit guarantees to facilitate the financing of U.S. manufactured goods and services to improve or establish agriculture-related facilities and infrastructure in emerging markets, provided these improvements primarily benefit exports of U.S. commodities. USDA routinely conducts program outreach in Africa to educate importers and banks on the benefits of USDA's export credit guarantee programs.

### ***Market Development***

In 2022, seventeen cooperators used approximately \$5.1 million in Market Access Program (MAP) and \$780,000 in Foreign Market Development (FMD) funding for export activities in AGOA countries. This was more than double MAP and FMD program expenditures in the previous year. The level of spending represents just over two percent of MAP and three percent of FMD allocations for 2022. Additionally, the Notice of Funding Opportunity for the first tranche of the new Regional Agricultural Promotion Program (RAPP) identifies a minimum of \$25 million for trade promotion investment activities in Africa out of up to \$300 million total, with awards to be announced later in 2024.

### **U.S. Department of Commerce**

The Department of Commerce promotes job creation and economic growth in the United States. Working across numerous agencies, it works to ensure fair and reciprocal trade, providing the data necessary to support commerce and constitutional democracy, and fostering innovation by setting standards and conducting foundational research and development. To advance trade ties with the continent, the Department of Commerce maintains offices in nine countries in sub-Saharan Africa through the U.S. Commercial Service. It helps build trade capacity and investment in sub-Saharan Africa by promoting a friendly environment for U.S. businesses to export, by addressing the removal of trade barriers, and by enforcing laws that ensure a level playing field for American businesses and workers.

In addition to Secretary Gina Raimondo's April 2024 visit to Kenya (see Chapter 3), Deputy Secretary Don Graves traveled to Côte d'Ivoire and Ghana in June 2022 and South Africa in November 2023. The Deputy Secretary participated in the Africa CEO Forum in Abidjan, Côte d'Ivoire where he emphasized the long and rich history of U.S. partnership with African countries and the Biden-Harris Administration's commitment to expanding and enhancing those relationships. During his visit, he highlighted the role the U.S. private sector can play in advancing African economic development objectives. Deputy Secretary Graves held bilateral meetings with the President of Côte d'Ivoire, Alassane Ouattara, and Prime Minister Patrick Achi. He also met with other representatives from the governments of Côte d'Ivoire and Ghana, and engaged with key private sector and NGO representatives.

While in South Africa, Deputy Secretary Graves served as a member of the U.S. delegation to the 2023 AGOA Forum where he played a leading role in the AGOA Private Sector Forum, an event aimed at fostering business-to-business commercial partnerships between the United States and African countries. During the event, he announced the first-of-its-kind Department of Commerce Africa strategy. He also co-chaired sessions on the digital economy and on the future of U.S.-Africa economic relations.

### ***The President's Advisory Council on Doing Business in Africa***

The President's Advisory Council on Doing Business in Africa (PAC-DBIA) advises the President, through the Secretary of Commerce, on ways to strengthen commercial engagement between the United States and Africa. The PAC-DBIA was established by Executive Order in 2014 by President Barack Obama and is administered by the Department of Commerce. In addition to notable recommendations from the PAC-DBIA that have been implemented by the U.S. Government in the

past, the PAC-DBIA actively supported the heightened level of U.S. Government engagement with African nations. The 2022-2024 term of the PAC-DBIA produced a written report with recommendations focused on key economic sectors and overarching cross-sector issues.

### ***Global Intellectual Property Academy, U.S. Patent and Trademark Office***

The United States Patent and Trademark Office (USPTO), an agency of the Department of Commerce, provides intellectual property (IP) capacity building and technical assistance through its Global Intellectual Property Academy (GIPA). The GIPA produces capacity building programs developed by USPTO experts that address a full range of IP protection and enforcement matters and IP office administration topics. Examples include: enforcement at national borders; internet piracy; counterfeit products that endanger public health and safety; trade secret protection; copyright policy; technology transfer; implementation of international trademark treaties, patent and trademark examination, and IP office administration. Technical assistance activities in IP protection and enforcement and other areas help further build trade capacity by strengthening the IP systems that promote innovation and creativity, foster economic development, and attract foreign investment.

Over the last two years, the GIPA has organized numerous training programs for more than 800 people across nearly 40 sub-Saharan African countries. Some programs are provided in cooperation with intergovernmental organizations such as the African Regional Intellectual Property Office (ARIPO), the Organisation Africaine de la Propriété Intellectuelle (OAPI) and the World Intellectual Property Organization (WIPO). USPTO also partners on programming with other U.S. agencies including the Departments of State, Homeland Security, Justice, and Agriculture, and the Office of the U.S. Trade Representative.

### ***Commercial Law Development Program***

The Commercial Law Development Program (CLDP) is a team of attorneys, resident advisors, program specialists, and administrative personnel who provide technical assistance for commercial legal reforms in developing and post-conflict countries.

In support of the Power Africa initiative, CLDP is working to improve the legal and regulatory environment for power projects in the African market. CLDP's technical assistance focuses on streamlining the project development process by promoting transparent and competitive legal frameworks for contracting, financing, and procurement, and building the capacity of all parties to understand the risks and challenges inherent in the process.

CLDP is also supporting the goals of the AfCFTA protocol on women and youth under the MOU and the U.S.-Kenya STIP to increase the participation of women and youth in intra-African trade and trade between Africa and the United States.

CLDP also launched the Africa Women and Youth Empowerment Group (AWYEG). Co-led by the International Trade Centre (ITC) and collaborating with organizations such as the Organization for Women in International Trade (OWIT) and the African Women's Entrepreneurship Program (AWEP), AWYEG has collaborated with international agencies, African business organizations, and African diaspora organizations, to provide capacity building, technical assistance and networking that empowers women and youth owned/led businesses to increase their participation in trade. AWYEG has engaged over 850 women and youth entrepreneurs, and business organizations across Africa through seven trade capacity building workshops and programs designed to improve their capacity to

trade both within Africa and between Africa and the United States.

## **U.S. Department of Homeland Security**

The Department of Homeland Security (DHS)'s Intellectual Property Rights Coordination Center (IPR Center) directs, organizes, and delivers regional IP training in the form of lectures and presentations to foreign customs, police, prosecutors, and magistrates with assistance from interagency partners. The IPR Center training programs are led by subject-matter experts and focus particularly on health and safety counterfeit items, such as pharmaceuticals, electronics, automotive parts, and health and beauty products. U.S. Customs and Border Protection (CBP), including its Office of International Affairs (CBP/INA) and the Intellectual Property Enforcement Branch (CBP/IPE) delivers capacity building assistance in the form of lectures and presentations, technical legal drafting assistances, interdisciplinary case studies and table-top exercises, to international customs officials and other law enforcement personnel involved in IP enforcement. CBP/IPE's assistance is mostly provided in response to a request by partner government agencies for customs experts, such as from the IPR Center, USPTO, CLDP and the Department of Justice's International Computer Hacking and Intellectual Property (ICHIP) program.

In September 2022, the IPR Center, in coordination with Homeland Security Investigations (HSI) hosted a training workshop on enforcement and investigation methods in IP crime in Nairobi, Kenya. The training was provided to 38 investigators, customs officials, and prosecutors from the Kenyan Anti-Counterfeit Authority, Kenya Revenue Authority, Office of the Director of Public Prosecutions, Pharmacy and Poisons Board, and the Kenya Bureau of Standards. In February 2023, the IPR Center and CBP/IPE participated in a workshop organized by the USPTO directed towards customs officials from Togo, Lesotho, Namibia, Madagascar, Liberia, and Kenya. The program focused on "Countering Illicit Trade Amid Expanding Trade Infrastructure Investments" and training was provided by various U.S. law enforcement agencies on countering the illicit trade in counterfeit goods, wildlife trafficking, forced labor, and other transnational crimes.

In March 2023, the IPR Center and HSI Pretoria co-hosted the Regional Intellectual Property Rights Investigative Methods Workshop for investigators, prosecutors, regulators, and customs officials from Namibia, Botswana, Malawi, South Africa, and Zambia, in Swakopmund, Namibia. The workshop demonstrated the importance of a whole of government approach to IP enforcement and highlighted the successes of the U.S. IP enforcement framework. In April 2023, CBP/IPE participated in a discussion with government officials from the Kenyan Anti-Counterfeit Authority, the Kenya Industrial Property Institute, and the Kenya Copyright Board, on the implementation of IP border enforcement provisions in Kenya's 2008 Anti-Counterfeiting Act. CBP/IPE joined representatives from the USPTO in developing formal recommendations on how Kenya could improve their IP border enforcement system.

In June 2023, CBP, in coordination with USPTO, co-hosted a workshop on enforcing IP rights in Cabo Verde. In April 2024, it hosted a regional trade workshop in Kenya for Eastern and Southern African partners.

## **U.S. Department of Justice**

The Department of Justice's (DOJ) international effort through the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) supports reform of foreign justice systems and supports professional and accountable institutions consistent with international norms and increased capacity of foreign partners to combat corruption, transnational crime and terrorism. Supported primarily by Department of State funding, OPDAT deploys experienced prosecutors to U.S. embassies around the world to serve as long-term Resident Legal Advisors (RLAs) and ICHIP Advisors to improve justice sector institutions, enhance cooperation in transnational cases, and help partners fight crime in furtherance of U.S. national security. Over the past two years, OPDAT has supported RLA programs across Africa, working directly with law enforcement, prosecutors, and judges to enhance significantly their enforcement of criminal laws. RLAs have addressed terrorism, terrorism financing, money laundering, corruption, and other transnational crimes in Algeria, Burkina Faso, Egypt, Ghana, Kenya, Morocco, and Niger. For IP and cybercrime issues, ICHIP (formerly, the Intellectual Property Law Enforcement Coordinator program), with the support of the State Department, has ICHIP attorneys in Tanzania (focusing on IP issues) and Ethiopia (focusing on cybercrime matters).

The DOJ's International Criminal Investigative Training Assistance Program (ICITAP) is a law enforcement development agency whose mission is to work with foreign governments to develop effective, professional, and transparent law enforcement capacity that protects human rights, combats corruption, and reduces the threat of transnational crime and terrorism, in support of U.S. foreign policy and national security objectives. ICITAP's programs in the Africa region focus on countering terrorism and transnational crime, democratic policing principles, and forensic capacity development. While organizationally situated within the Criminal Division of the Department of Justice, ICITAP programs are funded by interagency partners to include the Department of State, USAID, and the Department of Defense.

## **U.S. Department of Labor**

The Department of Labor (DOL) funds and implements a number of international development projects aimed at assisting sub-Saharan African countries to improve internationally recognized worker rights and address various labor related issues. Establishing and adhering to internationally recognized worker rights promotes trade capacity, as it further helps attract international investment, increase trade, build industry and consumer confidence in global supply chains, and improve inclusive development and livelihoods. DOL projects aim to strengthen a country's labor-related policies, increase access to educational and livelihood opportunities, and improve social protection and industrial relations. These initiatives also assist governments to improve compliance with the AGOA worker rights eligibility criteria by reforming laws and policies and building government capacity to improve workplace safety and health and combat exploitative child labor, forced labor, and human trafficking.

### ***Strengthening Worker Rights and Building Capacity***

DOL funded \$15.5 million in projects in five AGOA-eligible countries. These initiatives aim to build government capacity to improve internationally recognized worker rights, including by: improving legislation by bringing local and national laws into compliance with international standards; strengthening the capacity of government institutions to monitor and address discrimination and



gender-based violence and harassment in the world of work; promoting and sustaining tripartite dialogue among workers, employers, and the government; strengthening national labor inspectorates to conduct inspections; and, improving monitoring and enforcement of laws and policies related to conditions related to wages, hours, and occupational safety and health.

### ***Combatting Child Labor and Forced Labor***

DOL funded \$131.2 million in global, regional, and country-specific projects to address child labor and/or forced labor in Benin, Côte d'Ivoire, the Democratic Republic of the Congo, Ghana, Kenya, Liberia, Madagascar, Malawi, Mauritania, Nigeria, and South Africa. The projects principally cover cobalt and mica mining and the agricultural sector, including cocoa. They aim to withdraw or prevent children from the worst forms of child labor through education services and to provide livelihood alternatives to households of children engaged in child labor or at high risk of doing so. In addition, these projects work with African governments to reform laws and policies, raise awareness, collect data, and develop monitoring mechanisms, as a means to improve government efforts to combat the worst forms of child labor. They also aim to build the capacity of employers and workers' organizations and civil society actors to identify, monitor, and remediate cases of child labor and forced labor.

### **U.S. Department of State**

The Department of State implements several TCB programs that advance U.S. trade policy objectives by opening new export opportunities for U.S. businesses, farmers, ranchers, and workers through global, regional, and bilateral initiatives.

### ***African Women's Entrepreneurship Program***

The African Women's Entrepreneurship Program (AWEP) was established in 2010 to help participants build strong, export-oriented businesses, taking advantage of AGOA trade preferences and integrating their firms into regional and international supply chains. Following participation in the International Visitor Leadership Program (IVLP) portion of AWEP, State encouraged alumnae of this program to create chapters in their country of origin to share their knowledge and expand the network of women entrepreneurs. The AWEP chapters serve as incubators, networking hubs, and locally run organizations to further AWEP objectives and promote female entrepreneurship. The AWEP network includes more than 60,000 members including 200 AWEP IVLP alumnae with small and medium-sized enterprises in the agribusiness, food processing, textile, fashion, home accessories, and other sectors in 44 chapters across Africa.

### ***Creative Industries Roundtables***

As follow-on from the 2022 U.S.-Africa Leaders Summit, the Bureau of Economic and Business Affairs' Office of Intellectual Property Enforcement has led a series of roundtables on the continent, in Kenya, Ghana, and Nigeria. Senior U.S. Government officials emphasized the importance of strong IP regimes to undergird the growth of the creative economy and increase investment into the sector. They discussed opportunities and challenges and identified areas for collaboration with creators and government officials to grow the creative industries.

### ***Direct Line Seminars***

The Department of State plays a pivotal role in advocating for, supporting, and expanding U.S. business opportunities overseas in close coordination with the Department of Commerce and wider

interagency. The “Direct Line for American Business” (more commonly referred to as the Direct Line program) connects U.S. companies with ambassadors and economic and commercial experts to provide intelligence on opportunities and market conditions abroad. Direct Line webinars provide a direct channel for ambassadors and other Mission leaders to lead discussions with U.S. exporters and investors about existing and forthcoming commercial opportunities and to address potential commercial challenges in their host countries. Direct Line also presents an opportunity for embassy Deal Teams to highlight specific business prospects with the U.S. business community. In 2023 the State Department provided an overall market assessment Direct Line with Cabo Verde to highlight opportunities in the emerging tech sector, and a Critical Minerals Direct Line with Botswana.

### ***Women’s Entrepreneurship Finance Initiative***

The Women Entrepreneurs Finance Initiative (We-Fi) is a World Bank-hosted Trust Fund that the United States and 13 other countries launched in 2017 at the G20 Leaders’ Summit. The United States contributed \$50 million in funding through the Department of State, catalyzing \$304 million from other participating governments. We-Fi addresses the credit gap facing women-led small and medium-sized enterprises through increasing women’s access to financing, markets, technology, and networks. As of 2023, funding commitments to Africa total \$71 million, the most of any region. We-Fi is funding projects in 17 sub-Saharan African countries, with projects planned in an additional eight countries.

### ***Worker Rights***

The Department of State worked to support labor rights across Africa throughout the reporting period. During a July 2023 visit to South Africa, U.S. Special Representative for International Labor Affairs (SRILA) Kelly Fay Rodríguez worked with key stakeholders to strengthen labor engagement, raise worker rights in the context of just energy transition, advance trade as a development tool, and achieve positive outcomes addressing unemployment, inequality, and race-based exclusion. During the same visit, SRILA Rodríguez addressed a summit in Lesotho that brought attention to eradicating gender-based violence and harassment at work in the Southern Africa region.

The Department of State also contributed funding and other resources to the organized labor stand-alone session that took place during the November 2023 AGOA Forum. U.S. Trade Representative Tai, SRILA Rodríguez, leading South African government representatives, and key U.S and African union leaders and labor advocates participated in the session.

## **U.S. Department of Transportation**

The Department of Transportation (DOT) works to ensure fast, safe efficient, accessible, and convenient transportation systems that meet vital national interests. Under the Office of the Secretary, Aviation and International Affairs, DOT advises on international transportation and trade policy by conducting in-depth analyses and provides policy recommendations to address emerging and ongoing international transportation issues.

### ***Momentum***

In support of the Partnership for Global Infrastructure and Investment, DOT launched Momentum, a global technical assistance and capacity building initiative to support foreign partners in meeting their transportation policy and planning goals. Momentum provides informational toolkits, on-demand training, and technical assistance covering a range of topics, including transportation infrastructure

planning, project prioritization, delivery, and maintenance, as well as safety, climate (measuring and addressing emissions, resilience, and adaptation), technology, freight logistics, border planning, smart cities, and more.

### ***Safe and Clean Skies for Africa***

Safe and Clean Skies for Africa (SCSFA), led by DOT, is the U.S. Government's chief program supporting improvements in African aviation safety, security, air navigation, accident investigation, and aviation-sector emissions reductions. SCSFA's mission is to partner with willing and capable states in sub-Saharan Africa and regional organizations through political engagement, technical assistance, and training opportunities to foster and sustain internationally compliant aviation operations. SCSFA enables African states and regions to achieve compliance with international aviation standards to drive economic growth and development, improve air transportation, reduce the sector's emissions, and have policy dialogues with the United States to advance trade and sale of U.S. goods and services. SCSFA has built a foundation for greater commercial ties, mobility, and connectivity between the United States and Africa by working with key stakeholders to raise standards and access to U.S.-Africa aviation services.

### **The Export-Import Bank of the United States**

The Export-Import Bank (EXIM) is the official export credit agency of the United States. The agency's mission is to support U.S. jobs by facilitating the export of U.S. goods and services to international markets, including developing markets such as those in sub-Saharan Africa. With a congressional mandate to operate in sub-Saharan Africa, EXIM meets its mission through providing loans, guarantees, and insurance with the goal of supporting and creating U.S. jobs. Subject to eligibility requirements, EXIM's mission also includes the ability to finance local costs in projects of the host country.

In the last two Fiscal Years (FY2022 and FY2023), sub-Saharan Africa dollar authorizations totaled approximately \$1.7 billion and completed transactions totaled 139 across the region. EXIM's exposure for sub-Saharan Africa has reached a historic high of approximately \$8 billion.

EXIM has strengthened ties with key African institutions as well as African governments by signing new MOUs:

- Africa 50 – \$300 million to facilitate financing for the export of U.S. goods and services to buyers throughout Africa, particularly in support of infrastructure, transportation, digital technology and renewable energy projects.
- Africa Finance Corporation – \$500 million to enhance economic cooperation between both institutions with respect to the trade of goods and services from the United States in support of projects in the renewable energy, critical minerals, and various infrastructure sectors.
- African Export-Import Bank – \$500 million to (i) strengthen EXIM's commercial ties to the African Export-Import Bank by increasing access and raising awareness of our financial products and (ii) support diaspora commercial engagement in the region.
- Government of Tanzania in the amount of \$500 million to support U.S. commercial engagement with Tanzania.
- Government of Côte d'Ivoire in the amount of \$500 million to support U.S. commercial engagement with Côte d'Ivoire.

Under the direction of Chair Reta Jo Lewis, EXIM traveled to numerous countries across Africa to reaffirm its commitment to the continent and help advance U.S. commercial engagement. In November 2023, EXIM also participated at the AGOA Forum in South Africa. Alongside representatives from the Department of Energy, EXIM participated at the U.S.-Africa Nuclear Summit in Ghana in November 2023. EXIM also joined Vice President Kamala Harris in Zambia for a roundtable with business leaders and in Tanzania, where a \$500 Million MOU was signed with the Government of Tanzania. EXIM leadership also travelled to Kenya in support of U.S. businesses for the AmCham Kenya Summit.

EXIM's sub-Saharan Africa Advisory Committee (SAAC) was established, as required by Congress, to advise the EXIM Board of Directors on the development and implementation of policies and programs designed to promote EXIM's engagement in sub-Saharan Africa with a focus on boosting American exports and bolstering U.S. jobs.

EXIM is one of the lead agencies implementing Prosper Africa, Partnership for Global Infrastructure and Investment (PGI), Power Africa, Digital Transformation with Africa, and the U.S. Strategy Toward sub-Saharan Africa.

### **U.S. International Development Finance Corporation**

The U.S. International Development Finance Corporation (DFC) opened its doors in late 2019, ushering in a new era of U.S. development finance and foreign policy. As America's development bank, DFC helps businesses expand into emerging markets, foster growth, and improve lives in the developing world, while reinforcing U.S. foreign policy and national security interests. DFC combines and modernizes the existing development finance functions of the U.S. Government – namely the Overseas Private Investment Corporation (OPIC) and USAID's Development Credit Authority (DCA). The new agency was created with bipartisan support through the Better Utilization of Investments Leading to Development (BUILD) Act.

In addition to OPIC and DCA's previous capabilities, DFC is equipped with new resources and tools to multiply its impact. Enhancements include an investment cap of \$60 billion, more than double OPIC's \$29 billion limit, and new financial tools such as equity investments, technical assistance, and feasibility studies to more proactively address development needs.

DFC has a strong focus on sub-Saharan Africa and supports multiple projects that are expanding access to electricity, food, healthcare, education and technology. DFC has more than \$11 billion of active investments in sub-Saharan Africa and supports multiple U.S. Government initiatives, including Prosper Africa, Feed the Future, and Power Africa.

### **Millennium Challenge Corporation**

The Millennium Challenge Corporation (MCC) marks its 20th anniversary year in 2024. Since inception, MCC has invested more than \$10 billion in trade-related assistance to developing countries, with over \$5 billion of that amount invested in AGOA-eligible countries. MCC's investments support critical infrastructure like roads, ports, and electricity, improve the productivity of export-oriented industries such as agriculture, and open opportunities for small- and medium-sized

enterprises. African countries are the largest recipients of MCC's development assistance, both in the number of partnership agreements and in the amount of assistance provided. MCC's partnerships with AGOA-eligible countries span the continent and have included expansions to critical seaports in Benin and Cabo Verde and roads used for commerce in Ghana, Mozambique, Niger, Côte d'Ivoire, and Senegal. MCC's innovative approach – from viability gap financing for infrastructure projects to support of regulatory reforms – unlocks capital, improves investment environments, and helps create opportunities for firms in emerging markets.

MCC and the Government of Lesotho signed a \$300 million health and horticulture compact in May 2022. In March 2024, the program entered into force after achieving the necessary conditions to begin the program. The compact seeks to ensure greater access to quality healthcare, create equitable business development opportunities, invest in high-value crop production, and boost profits and formal employment for women- and youth-owned enterprises. The compact also aims to address some of the unique challenges faced by women and youth in Lesotho by providing better legal protections in land tenure and more skills training and business development opportunities. The compact is comprised of three projects designed to combat constraints to economic growth by either strengthening private sector participation or by improving government coordination, capacity, and execution.

In December 2023, MCC's Board of Directors selected Cabo Verde as eligible to develop a regional compact. In partnership with the Government of Cabo Verde, analysis is under way to determine opportunities for growth in Cabo Verde's economy with a focus on enhancing regional integration. Work will begin soon to identify potential investments. Cabo Verde was one of MCC's first partners, and the regional program will build on the strong foundation built from the prior programs. Cabo Verde's initial \$110 million compact, which closed in 2010, included the construction of several new roads and bridges and expanded and modernized the Port of Praia, which boosted its competitiveness by decreasing cargo processing times and shipping costs. The country's subsequent \$66 million compact, which concluded in 2017, improved access to clean water and sanitation, strengthened land rights, and facilitated ambitious policy and institutional reforms to improve the country's overall investment climate. In December 2022, MCC's Board of Directors also selected Mauritania as eligible to develop a threshold program.

## **U.S. Trade and Development Agency**

The U.S. Trade and Development Agency (USTDA) helps companies create U.S. jobs through the export of U.S. goods and services for priority infrastructure projects in emerging economies. USTDA links U.S. businesses to export opportunities by funding project preparation and partnership building activities that develop sustainable infrastructure and foster economic growth in partner countries. USTDA achieves its mission by funding feasibility studies, technical assistance and pilot projects that integrate U.S. private sector innovation into infrastructure projects at the critical early stages when design choices and technology options are determined. The agency also connects overseas project sponsors with U.S. partners through its reverse trade missions, industry conferences, and expert workshops. USTDA has supported a number of activities in the energy, digital, transportation, and healthcare infrastructure sectors that enhance trade within sub-Saharan Africa and between the continent and the United States.

### ***Côte d'Ivoire Port of Abidjan Truck Parking and Logistics Center Feasibility Study and Pilot Project***

In 2023, USTDA awarded a grant to support the Ministry of Transport's intent to expand and improve truck and freight movement around the Port of Abidjan in Côte d'Ivoire through the implementation of a long-term truck parking and logistics public private partnership. The study and pilot project are assessing the viability of digital solutions in truck control and management systems at the Port of Abidjan and is being carried out in coordination with the Millennium Challenge Corporation compact in Côte d'Ivoire.

### ***West Africa Cybersecurity Reverse Trade Mission Series***

In 2023, USTDA approved funding for a series of two reverse trade missions (RTMs) to the United States that will bring delegates from Ghana, Nigeria, Côte d'Ivoire, Senegal, and the DRC to meet with U.S. officials and leading U.S. companies in the cybersecurity sector. The purpose of both RTMs is to introduce delegates to innovative U.S. technologies, financing mechanisms, and best practices to combat cybercrime in the banking sector, as well as learn about best practices to protect public infrastructure. The first RTM, for Nigeria and Ghana, took place in February 2024.

### ***Africa Regulatory Convergence for Healthcare Products Workshop Series***

In 2022, USTDA approved funding for a series of workshops that aim to support continental alignment with international standards and convergence of regulatory healthcare systems across Africa. This would in turn help to both increase market access for healthcare products and improve pharmaceutical and medical device quality and access across the continent.

### ***Global Procurement Initiative – Botswana and Kenya***

The Global Procurement Initiative (GPI) helps public officials in emerging economies better understand the total cost of ownership of goods and services for infrastructure projects. The GPI helps government procurement officials establish practices and policies that integrate life-cycle cost analysis and best-value determination in a fair and, transparent manner. Adopting these standards improves governments' capacity to make better-informed decisions that consider all relevant costs of goods and services over their entire life cycle. This leads to smarter, longer-term investments with overall savings to governments, while leveling the playing field for U.S. firms in international tenders.

Botswana: In 2014, the USTDA signed an MOU with Botswana's Public Procurement and Asset Disposal Board (PPADB), making Botswana the first GPI partner country of USTDA. Under this initiative, USTDA conducted an in-country training workshop and organized a study tour to the United States for Botswanan procurement officials. In 2019, USTDA renewed its partnership with the Government of Botswana, providing code of ethics training and launching life-cycle cost analysis trainings. In 2022, the GPI launched a virtual training series on best value in procurement to support the PPADB's transition to a regulatory authority. Currently, USTDA is providing technical support to the Public Procurement Regulatory Authority (PPRA), developing manuals and training programs. Future efforts aim to bolster PPRA's effectiveness in ensuring compliance with procurement regulations for officials and contractors.

Kenya: USTDA signed an MOU under the GPI with the National Treasury of Kenya in August 2021. In 2019, USTDA brought a delegation of Kenyan procurement officials to the United States for an orientation visit on value-based procurement mechanisms. In March 2022, the GPI kicked off a virtual training series for nearly 80 public procurement officials and is planning an in-country workshop on best value and life-cycle cost analysis in Nairobi for fall 2022. A new grant signed in February 2024 demonstrates the ongoing commitment to enhancing procurement practices. The grant will focus on developing a Value-for-Money procurement guide and associated training for personnel and suppliers. Together, USTDA and the Government of Kenya are driving greater transparency and efficiency in procurement, further promoting sustainable development and economic growth.

### **The United States Copyright Office**

The United States Copyright Office registers copyright claims, records information about copyright ownership, provides information to the public, and assists Congress and other parts of the government on a wide range of copyright issues, both domestic and international. Part of the Library of Congress since 1870 and recognized by Congress as a separate department of the Library since 1897, the Copyright Office works with other entities in offering training and educational programming on copyright issues to sub-Saharan Africa countries. This includes collaboration with WIPO and other U.S. agencies, such as the USPTO, USTR, and the Department of State. For example, in 2023 the Copyright Office contributed expertise to an event in Ghana on “Leveraging Intellectual Property Rights to Grow the Creative Economy.” The Copyright Office also provided training on important developments in U.S. and international copyright law through its biannual International Copyright Institute held in September 2022, which welcomed representatives from Angola, Guinea, and Zimbabwe. Furthermore, the Copyright Office implements a full program of outreach and communications activities, many of which are available to global audiences, in a wide range of formats and media, including live presentations, video tutorials, social media, and through our participation in programs hosted by outside organizations. These programs educate the public regarding copyright protection and provide important updates about recent changes to U.S. law.

## Chapter 6: The Status of Regional Integration Efforts

African governments have worked for decades to foster greater regional and continental economic integration by linking the Africa's largest economies with smaller countries, reducing tariff and non-tariff barriers, forming customs unions, harmonizing standards, streamlining the processes for moving goods across borders, and reducing visa and work permit requirements. These efforts continued during the last two years.

Up until recently, a great deal of this effort took place at the continent's regional economic communities (RECs). The launch of the African Continental Free Trade Area (AfCFTA), which entered into force in May 2019, aims to build on this work and enhance continental integration, global competitiveness, and economic growth and diversification even further. To date, the AfCFTA agreement addresses overlapping membership of RECs by treating them as the building blocks of the AfCFTA. The African Union (AU) recognizes eight RECs, including: Arab Maghreb Union; Common Market for Eastern and Southern Africa; Community of Sahel-Saharan States; East African Community; Economic Community of Central African States; Economic Community of West African States; Intergovernmental Authority on Development; and Southern African Development Community.

As of June 2024, 47 AU members have both ratified the agreement through their countries' respective legislative processes and deposited their official documents with the AU Commission Chairperson. The AfCFTA Secretariat was inaugurated in August 2020 in Accra, Ghana to oversee the negotiation and implementation of this continental initiative.

Countries that have ratified the AfCFTA have agreed to reduce tariffs on 90 percent of goods tariff lines and have agreed to five priority service sectors (business services, communication, financial services, tourism/travel, and transport). The schedules of tariff concessions for liberalization and rules of origin are still under negotiation. The remaining ten percent of tariff lines are divided into excluded products (these will not exceed three percent of total tariff lines) and sensitive products (these are products that meet AfCFTA qualifications for food security, national security, fiscal revenue, livelihood, and industrialization and will not exceed seven percent of tariff lines). Each member country has the ability to determine the tariff lines included in the excluded and sensitive product categories. Trade in goods under the agreement officially began in January 2021.

In October 2022, the AfCFTA launched the Guided Trade Initiative, a pilot phase of the AfCFTA goods protocol, across eight countries: Cameroon, Egypt, Ghana, Kenya, Mauritius, Rwanda, Tanzania, and Tunisia. In February 2023, the AU Assembly adopted new protocols on investment, intellectual property and competition. In February 2024, it adopted new protocols on women and youth and digital trade. Each of these five additional protocols will enter into force upon the depositing of at least 22 instruments of ratification by State Parties of the AfCFTA.

In December 2022, U.S. Trade Representative Tai and the African Continental Free Trade Area (AfCFTA) Secretary General Wamkele Mene signed an MOU on Cooperation for Trade and Investment to support implementation of the AfCFTA (for further information, see Chapter 3).



<b>Membership of the African Continental Free Trade Area (AfCFTA)</b>	
<b>AfCFTA Signatories</b>	All countries except Eritrea
<b>Countries that have deposited their instruments of AfCFTA ratification</b>	All countries except Benin, Eritrea, Liberia, Libya, Madagascar, Somalia, South Sudan, and Sudan.

## **Appendix 1: AGOA Eligible and Ineligible Countries**

*As of June 2024*

### **AGOA Eligible Countries**

- |                                     |   |
|-------------------------------------|---|
| 1. Angola                           | 17. Liberia   |
| 2. Benin                            | 18. Madagascar  |
| 3. Botswana                         | 19. Malawi  |
| 4. Cabo Verde                       | 20. Mauritania  |
| 5. Chad                             | 21. Mauritius   |
| 6. Comoros                          | 22. Mozambique  |
| 7. Republic of the Congo            | 23. Namibia   |
| 8. Democratic Republic of the Congo | 24. Nigeria   |
| 9. Côte d'Ivoire                    | 25. Rwanda (AGOA apparel benefits<br>suspended effective July 31, 2018) |
| 10. Djibouti                        | 26. Sao Tome & Principe   |
| 11. Eswatini                        | 27. Senegal   |
| 12. The Gambia                      | 28. Sierra Leone  |
| 13. Ghana                           | 29. South Africa  |
| 14. Guinea-Bissau                   | 30. Tanzania  |
| 15. Kenya                           | 31. Togo  |
| 16. Lesotho                         | 32. Zambia  |

### **Countries Not Eligible for AGOA**

- |                             |                  |
|-----------------------------|------------------|
| 1. Burkina Faso             | 11. Niger        |
| 2. Burundi                  | 12. Seychelles** |
| 3. Cameroon                 | 13. Somalia      |
| 4. Central African Republic | 14. South Sudan  |
| 5. Equatorial Guinea**      | 15. Sudan*       |
| 6. Eritrea                  | 16. Uganda       |
| 7. Ethiopia                 | 17. Zimbabwe     |
| 8. Gabon                    |                  |
| 9. Guinea                   |                  |
| 10. Mali                    |                  |

\* Sudan has not requested designation as an AGOA beneficiary country.

\*\* Equatorial Guinea and Seychelles have graduated from GSP and therefore are not eligible for consideration for AGOA benefits.

## Appendix 2: AGOA Eligibility Criteria Legislation

The eligibility criteria under AGOA are set forth in section 104(a) of AGOA and sections 502(b) and (c) of the Trade Act of 1974, as amended (containing the GSP eligibility criteria). Section 104(a) is provided below in its entirety. A summary of sections 502(b) and (c) is also included below.

### Sec. 104. Eligibility Requirements

(a) In General -- The President is authorized to designate a sub-Saharan African country as an eligible sub-Saharan African country if the President determines that the country --

- (1) has established, or is making continual progress toward establishing --
  - (A) a market-based economy that protects private property rights, incorporates an open rules based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;
  - (B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;
  - (C) the elimination of barriers to United States trade and investment, including by--
    - (i) the provision of national treatment and measures to create an environment conducive to domestic and foreign investment;
    - (ii) the protection of intellectual property; and
    - (iii) the resolution of bilateral trade and investment disputes;
  - (D) economic policies to reduce poverty, increase the availability of health care and educational opportunities, expand physical infrastructure, promote the development of private enterprise, and encourage the formation of capital markets through micro-credit or other programs;
  - (E) a system to combat corruption and bribery, such as signing and implementing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; and
  - (F) protection of internationally recognized worker rights, including the right of association, the right to organize and bargain collectively, a prohibition on the use of any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;
- (2) does not engage in activities that undermine United States national security or foreign policy interests; and
- (3) does not engage in gross violations of internationally recognized human rights or provide support for acts of international terrorism and cooperates in international efforts to eliminate human rights violations and terrorist activities.

### Summary of section 502(b) and (c) of the Trade Act of 1974 as amended.

The President shall not designate any country as a beneficiary country if:

The country is a Communist country, unless its products receive normal trade relations treatment, it is a member of the World Trade Organization and International Monetary Fund or is not dominated or controlled by international communism (Sec. 502(b)(2)(A));

The country is a party to an arrangement or participates in any action that withholds or has the effect of withholding vital commodity resources or raises their prices to unreasonable levels, causing serious disruption of the world economy (Sec. 502(b)(2)(B));

The country affords preferential treatment to products of a developed country which has, or is likely to have a significant adverse effect on U.S. commerce (Sec. 502(b)(2)(C));

The country has nationalized, expropriated or otherwise seized property, including trademarks, patents, or copyrights owned by a U.S. citizen without compensation (Sec. 502(b)(2)(D));

The country does not recognize or enforce arbitral awards to U.S. citizens or corporations (Sec. 502(b)(2)(E));

The country aids or abets, by granting sanctuary from prosecution, any individual or group which has committed international terrorism (Sec. 502(b)(2)(F));

The country has not taken or is not taking steps to afford internationally-recognized worker rights, including the right of association, the right to organize and bargain collectively, freedom from compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work and occupational safety and health (Sec. 502(b)(2)(G)).

The country has not implemented its commitments to eliminate the worst forms of child labor, as defined by the International Labor Organization's Convention 182 (Sec. 502(b)(2)(H); this provision was added by the Trade and Development Act of 2000 in Section 412).

Failure to meet criteria 4 through 8 may not prevent the granting of GSP eligibility if the President determines that such a designation would be in the national economic interest of the United States.

In addition, the President must take into account:

- A country's expressed desire to be designated a beneficiary country (Sec. 502(c)(1));
- The country's level of economic development (Sec. 502(c)(2));
- Whether other major developed countries extend preferential tariff treatment to the country (Sec. 502(c)(3));
- The extent to which the country provides "equitable and reasonable access" to its markets and basic commodity resources and refrains from unreasonable export practices (Sec. 502(c)(4));
- The extent to which the country provides adequate and effective protection of intellectual property rights (Sec. 502(c)(5));
- The extent to which the country has taken action to reduce trade-distorting investment practices and policies and reduce or eliminate barriers to trade in services (Sec. 502(c)(6)); and
- Whether the country has taken or is taking steps to afford internationally recognized worker rights, (Sec. 502(c)(7)).

### **Appendix 3: GSP Eligibility Criteria**

**Bases for Ineligibility** 19 USC 2462(b)(2) of the GSP statute sets forth the criteria that each country must satisfy before being designated a GSP beneficiary. These criteria are summarized below for informational purposes only. Please see the GSP statute for the complete text.

- 1) A GSP beneficiary may not be a Communist country, unless such country receives Normal Trade Relations (NTR) treatment, is a World Trade Organization (WTO) member and a member of the International Monetary Fund (IMF), and is not dominated or controlled by international communism;
- 2) A GSP beneficiary may not be a party to an arrangement of countries nor participate in actions the effect of which are (a) to withhold supplies of vital commodity resources from international trade or to raise the price of such commodities to an unreasonable level and (b) to cause serious disruption of the world economy;
- 3) A GSP beneficiary may not afford preferential treatment to products of a developed country that has, or is likely to have, a significant adverse effect on U. S. commerce;
- 4) A beneficiary may not have nationalized, expropriated or otherwise seized property of U.S. citizens or corporations without providing, or taking steps to provide, prompt, adequate, and effective compensation, or submitting such issues to a mutually agreed forum for arbitration;
- 5) A GSP beneficiary may not have failed to recognize or enforce arbitral awards in favor of U.S. citizens or corporations;
- 6) A GSP beneficiary may not aid or abet, by granting sanctuary from prosecution, any individual or group that has committed an act of international terrorism;
- 7) A GSP beneficiary must have taken or is taking steps to afford internationally recognized worker rights, including 1) the right of association, 2) the right to organize and bargain collectively, 3) a prohibition on the use of any form of forced or compulsory labor, 4) a minimum age for the employment of children, and a prohibition on the worst forms of child labor, and 5) acceptable conditions of work with respect to minimum wages, hours of work and occupational safety and health.
- 8) A GSP beneficiary must implement any commitments it makes to eliminate the worst forms of child labor.

### **Factors Affecting Country Designation**

19 USC 2462(c) of the GSP statute sets forth the following criteria that the President must take into account in determining whether to designate a country as a beneficiary country for purposes of the GSP program. These criteria are summarized below for informational purposes only; please see the GSP statute for the complete text.

- 1) An expression by a country of its desire to be designated as a GSP beneficiary country;

- 2) The level of economic development, including per capita Gross National Product (GNP), the living standards of the inhabitants and any other economic factors that the President deems appropriate;
- 3) Whether other major developed countries are extending generalized preferential tariff treatment to such country;
- 4) The extent to which such country has assured the United States that it will provide equitable and reasonable access to its markets and basic commodity resources and the extent to which it has assured the United States it will refrain from engaging in unreasonable export practices;
- 5) The extent to which such country provides adequate and effective protection of intellectual property rights;
- 6) The extent to which such country has taken action to reduce trade distorting investment practices and policies, including export performance requirements, and to reduce or eliminate barriers to trade in services; and
- 7) Whether such country has taken or is taking steps to afford internationally recognized worker rights, including 1) the right of association, 2) the right to organize and bargain collectively, 3) freedom from compulsory labor, 4) a minimum age for the employment of children, and 5) acceptable conditions of work with respect to minimum wages, hours of work and occupational safety and health.

## Appendix 4: Countries with AGOA Utilization Strategies

### AGOA beneficiary countries that have completed national AGOA strategies in high-priority industries and products \*\*

AGOA beneficiary country	Strategy Year	Agricultural and food processing	Textiles, apparel, footwear, and leather products	Jewelry and mining	Handicrafts	Other light manufacturing
<b>Botswana</b>	2021*	•		•	•	
<b>Eswatini</b>	2021	•	•	•	•	
<b>Ghana</b>	2016	•	•	•	•	
<b>Kenya</b>	2018*	•	•		•	
<b>Lesotho</b>	2018*	•	•	•	•	
<b>Madagascar</b>	2015	•	•	•	•	
<b>Malawi</b>	2018	•	•	•		•
<b>Mauritius</b>	2013	•	•	•		•
<b>Mozambique</b>	2018	•	•	•		•
<b>Namibia</b>	2021	•	•	•	•	•
<b>Rwanda</b>	2016	•	•		•	
<b>Senegal</b>	2015	•	•		•	•
<b>Sierra Leone</b>	2019	•	•			
<b>Tanzania</b>	2016	•	•		•	
<b>Togo</b>	2017	•	•	•	•	
<b>Zambia</b>	2018*	•	•		•	

Source: Compiled from national AGOA strategy documents, including strategy document drafts.

\* Strategies updated from a previous version.

\*\* In addition to the countries above, Burundi, Ethiopia and Mali completed national AGOA strategies when they were eligible for the program.

## Appendix 5: Country Membership in Regional Economic Communities

**African Union (AU):** All African Countries

**Central African Economic and Monetary Community (CEMAC):** Cameroon, Central African Republic, Chad, Republic of Congo, Equatorial Guinea, Gabon.

**Common Market for Eastern and Southern Africa (COMESA):** Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Eswatini, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia, Uganda, Zambia, Zimbabwe.

**East African Community (EAC):** Burundi, Democratic Republic of Congo, Kenya, Rwanda, Somalia (joined 2023), South Sudan, Tanzania, Uganda.

**Economic Community of West African States (ECOWAS):** Benin, Burkina Faso \*\*, Cabo Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali\*\*, Niger\*\*, Nigeria, Senegal, Sierra Leone, Togo.

**Southern Africa Customs Union (SACU):** Botswana, Eswatini, Lesotho, Namibia, South Africa.

**Southern African Development Community (SADC):** Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia, Zimbabwe.

**West African Economic and Monetary Union (WAEMU):** Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, Togo.

\*\* Burkina Faso, Mali, and Niger announced their departure from ECOWAS with immediate effect on January 28, 2024, but ECOWAS continues to regard them as members until the expiration of the one-year notice period for withdrawal as required by ECOWAS protocols.



## Appendix 6: Goods Trade between the United States and sub-Saharan Africa over the last 20 years

(in billions of US dollars)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Total goods trade	44.4	60.6	71.3	81.8	104.7	62.0	82.1	95.5	72.1	63.3	52.3	36.9	33.6	38.9	41.0	36.7	32.7	44.7	49.8	47.5
U.S. exports	8.6	10.3	12.1	14.4	18.6	15.1	17.1	21.2	22.5	24.0	25.5	18.0	13.5	14.1	15.9	15.8	13.5	16.5	18.5	18.2
U.S. imports	35.9	50.3	59.2	67.4	86.1	46.9	65.0	74.3	49.6	39.3	26.8	18.8	20.2	24.9	25.1	20.9	19.2	28.2	31.3	29.3
Trade balance	-27.3	-40.0	-47.1	-53.0	-67.5	-31.8	-47.9	-53.2	-27.1	-15.3	-1.3	-0.8	-6.7	-10.8	-9.2	-5.1	-5.7	-11.7	-12.8	-11.1
AGOA imports (incl. GSP)	26.6	38.1	44.2	51.1	66.3	33.7	44.3	54.0	34.7	26.9	14.3	9.3	10.3	13.6	12.1	8.4	4.1	6.8	10.3	9.7
AGOA crude oil imports (incl. GSP)	22.2	33.4	39.7	46.2	59.4	29.8	39.6	48.0	28.5	20.7	8.7	4.8	5.9	8.9	7.7	4.5	0.7	1.8	4.5	4.2
AGOA non-crude oil imports (incl. GSP)	4.4	4.7	4.5	4.8	6.9	3.9	4.7	6.1	6.2	6.2	5.6	4.5	4.4	4.7	4.4	3.9	3.5	5.0	5.8	5.5
AGOA apparel imports	1.6	1.4	1.3	1.3	1.1	0.9	0.7	0.9	0.8	0.9	1.0	1.0	1.0	1.0	1.2	1.4	1.2	1.4	1.4	1.1

Source: USITC DataWeb/Census, accessed March 6, 2024.

Notes: U.S. imports are general imports and U.S. exports are total exports; AGOA imports are imports for consumption. GSP data for 2021–23 refer only to “GSP-claimed” imports, which have not yet received duty-free treatment, given the lapse in authorization for that period. Crude oil comprises products classified under HS 4-digit heading 2709. Apparel products comprise commodities classified under HS chapters 61 and 62.

## Appendix 7: Cross-Border Services Trade between the United States and Africa

(in billions of US dollars)

		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Africa	Exports	6.6	7.0	8.0	8.9	10.1	11.2	11.9	12.8	13.5	13.6	13.8	14.1	13.4	14.4	15.4	14.9	11.1	11.9	14.4
Nigeria	Exports	n.a.	n.a.	0.9	0.8	1.3	1.2	1.4	1.7	1.9	2.2	2.4	2.5	2.3	2.3	2.3	2.1	1.3	1.6	1.9
South Africa	Exports	1.4	1.6	1.8	2.1	2.2	2.4	2.4	2.7	2.8	2.7	2.8	2.8	2.6	2.6	2.6	2.7	1.9	2.2	2.8
Africa	Imports	3.9	4.2	4.7	5.4	6.6	7.0	7.7	8.4	8.3	7.3	7.2	7.1	7.4	8.5	9.4	9.0	5.4	7.3	10.4
Nigeria	Imports	n.a.	n.a.	0.3	0.4	0.4	0.4	0.5	0.5	0.5	0.5	0.4	0.4	0.4	0.4	0.5	0.5	0.3	0.4	0.6
South Africa	Imports	0.9	0.9	1.1	1.1	1.3	1.3	1.5	1.7	1.9	1.6	1.5	1.5	1.6	1.8	1.8	1.9	0.9	1.1	1.6

Source: U.S. Department of Commerce, Bureau of Economic Analysis (BEA), “Table 2.3. U.S. Trade in Services, by Country or Affiliation and by Type of Service,” July 6, 2023. <https://apps.bea.gov/iTable/iTable.cfm?ReqID=62&step=1>.

Notes: Services includes government goods and services, as discrete government goods and services trade data for Africa is unavailable for most of the period covered. Data for Africa includes exports and imports of services by both sub-Saharan Africa countries and the countries of North Africa. BEA does not publish discrete data on U.S. services trade with sub-Saharan Africa.

n.a. = not available

# Appendix 8: Inward and Outward Foreign Direct Investment (Stock) between the United States and sub-Saharan Africa

(in billions of US dollars)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
U.S. Investment in sub-Saharan Africa	11.9	11.8	15.3	18.4	21.3	25.7	33.2	33.0	29.7	34.1	37.5	29.4	34.0	36.2	32.6	31.3	30.0	30.3	31.6
Sub-Saharan Africa Investment in U.S.	2.4	2.3	1.9	1.0	1.9	1.4	2.5	1.5	3.7	1.6	1.6	4.2	4.6	5.6	5.0	9.0	9.8	10.4	11.0

Source: USDOC, BEA, Balance of Payments and Direct Investment Position Database; USITC calculations.

Note: Total U.S. FDI positions in SSA, or SSA FDI positions in the United States, are not provided by BEA. Total positions were calculated by subtracting positions in or from North African countries from total positions in or from Africa. In the case of SSA investment in the United States for 2021 and 2022, the FDI values from Algeria and Libya were suppressed. However, these values are not expected to be large given trends from previous years. As such, total investment from SSA to the United States for 2021 and 2022 should be considered an upper bound.





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