

**Contact Details**

Tel office: +264 61 379 500  
Fax office: +264 61 22 5371  
E-mail: [nabdesk@nab.com.na](mailto:nabdesk@nab.com.na)  
Website: [www.nab.com.na](http://www.nab.com.na)

**Physical address:**

Agricultural Boards' Building  
30 David Hosea Meroro Road  
Windhoek  
Namibia

**Postal address:**

PO Box 5096  
Ausspannplatz  
Windhoek  
Namibia

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A world-class regulator of a vibrant, diversified and sustainable crop industry

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## MARKET INTELLIGENCE REPORT

### NAMIBIA FREE TRADE AGREEMENTS (FTAs) WITH THE REST OF THE WORLD APPLICABLE TO AGRONOMIC AND HORTICULTURAL PRODUCTS



## 1. INTRODUCTION

According to the International Trade Administration (ITA, 2022), a Free Trade Agreement (FTA) is an agreement between two or more countries where the countries agree on certain obligations that affect trade in goods and services, and protections for investors and intellectual property rights among other topics. Although each FTA may have its own specifications, the general purpose is to provide for the reduction of trade barriers and the creation of a more predictable and transparent trading and investment environment between the partner countries.

The benefits of Free Trade Agreements include:

- a) A reduction or elimination of tariffs on qualified goods or services, therefore making you (the seller) more competitive in the market.
- b) Intellectual Property Protection: Protection and enforcement of a country's owned intellectual property rights in the FTA partner country.
- c) Product Standards: The ability for exporters to participate in the development of product standards in the FTA partner country.
- d) Selling to the Government: The ability of a specific country's company to bid on certain government procurements in the FTA partner country.
- e) Service Companies: The ability of a country's service suppliers to supply their services in the FTA partner country.
- f) Fair treatment and favourable treatment of investors in the FTA partner country as the country treats its own investors and their investments or investors and investments from any third country.

Namibia has signed several FTAs or trade protocols with different countries. However, information about these agreements is difficult to access by the actual users (traders) especially those involved in the crop industry as most have very little to no knowledge about such agreements. This report puts together a summary of all FTAs/Trade Protocols that Namibia is party to, summarised in terms of different trade requirements, the agronomy and horticultural products covered and with which countries. This report is available for all Namibian users/traders, especially those seeking to expand their products into export markets, thus making it possible for them to take advantage of the benefits offered through these trade agreements.

## 2. TRADE AGREEMENTS BETWEEN NAMIBIA AND OTHER COUNTRIES IN FORCE

Namibia has signed several FTAs with various trading partners, and it is also a beneficiary of some non-reciprocal trade agreements such as the African Growth and Opportunity Act (AGOA).

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
1	Regional group - Southern African Customs Union (SACU)	Customs Union	Duty-free movement of goods with a common external tariff on goods entering any of the countries from outside the SACU	Namibia, South Africa, Botswana, Lesotho & Eswatini	All products including horticulture and agronomy products	In force since 1970	Generally, all countries have several regulatory requirements which include but are not limited to: <ul style="list-style-type: none"> <li>- Sanitary and phytosanitary measures (SPS)</li> </ul>
2	Southern African Development Community (SADC) FTA	Free Trade Agreement	<ul style="list-style-type: none"> <li>- 85% duty-free trade in goods</li> <li>- 15% of trade in goods constituting of "sensitive list" to be liberalised</li> </ul>	13 SADC Member States (Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles South Africa, Eswatini, Tanzania, Zambia and Zimbabwe)	Most products including horticulture and agronomy products	In force since 2001	<ul style="list-style-type: none"> <li>- Packaging requirements</li> <li>- Testing requirements</li> <li>- Inspection requirements</li> <li>- Labelling requirements</li> <li>- Importing licence/importers registration (for the countries importing products from Namibia).</li> <li>- Tolerance limits for residues of contamination by certain substances</li> </ul>
3	African Continental Free Trade Area (AfCFTA)	Free Trade Agreement	<ul style="list-style-type: none"> <li>Remove tariffs from 90% of goods</li> <li>- To create a single continental market for goods and services, with free movement of business persons and investments, and thus pave the way for accelerating the establishment of the Customs Union</li> </ul>	All 54 African countries (Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Congo, the Democratic Republic of, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea,	Most agronomic and horticulture products are excluded from the 90% tariff removal, as they are classified as sensitive products but with a 10-year phase-down approach.	In force since 2021	<ul style="list-style-type: none"> <li>- Storage and transport conditions</li> <li>- Certification requirements (especially in the UK markets)</li> <li>- Traceability requirements</li> <li>- Regulation of foods or feeds derived from or produced using</li> </ul>

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
			<ul style="list-style-type: none"> <li>- It will also expand intra-African trade through better harmonisation and coordination of trade liberalisation and facilitation and instruments across the RECs and across Africa in general.</li> <li>- To enhance competitiveness at the industry and enterprise level through exploitation of opportunities for scale production, continental market access and better reallocation of resources.</li> </ul>	Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Tanzania, United Republic of, Togo, Tunisia, Uganda, Western Sahara, Zambia, Zimbabwe) (except Eritrea)			genetically modified organisms (GMO). - Technical requirements, rules and procedures that goods have to meet - Health, safety, sanitary and phytosanitary (SPS) standards that goods have to meet
4	European Free Trade Association (EFTA) - SACU FTA	Free Trade Agreement	Tariff reductions on selected goods	All 4 SACU Member States and the 4 EFTA (Iceland, Liechtenstein, Norway & Switzerland)	Industrial goods (fish & marine products) and processed agricultural products.	In force since 2008	
5	SADC-EPA & the European Union (EU)	Free Trade Agreement	Harmonised trading and secure further market access in agriculture between all SACU members, other specified	<b>SADC (incl. SACU)</b> (Namibia, Botswana, South Africa, Swaziland, Lesotho & Mozambique)	All products from BLNS (Botswana, Lesotho, Namibia and Swaziland/Eswatini) countries only,	In force since 2016	

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
			SADC countries and the listed EU States.	EU (Belgium, Bulgaria, Czech Republic, Denmark, Germany, Estonia, Ireland, the Hellenic Republic, Spain, French Republic, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, Netherlands, Austria, Poland, Portuguese Republic, Romania, Slovenia, Slovak Republic, Finland, Sweden, Great Britain and Northern Ireland)	including horticulture and agronomy products		
6	SACU-Southern Common Market (Mercosur) PTA	Preferential Trade Agreement	Tariff reductions on selected goods	All SACU Member States and Argentina, Brazil, Paraguay & Uruguay	About 1,000 product lines on each side of the border including horticulture and agronomy products in Chapters of HS codes 7, 8, 9, 10, 11, 12, 14,15, 20 & 23	In force since 2016	
7	United States for Africa Growth and Opportunity Act (AGOA) countries	Unilateral assistance measure	Preferential access to the market in the US through lower tariffs or no tariffs on some products	United States of America (USA) and 39 Sub-Saharan African countries including Namibia	Duty-free access to US markets in over 7000 product lines including horticulture and agronomy products in Chapters of HS codes 7, 8, 9,	In force since 2000	

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
					10, 11, 12, 14,15, 20 & 23		
	Namibia – Zimbabwe Bilateral Trade Agreement	Preferential Trade Agreement	Duty-free movement of goods grown, produced or manufactured in the territory of either Contracting Party	Namibia and Zimbabwe	Mineral, marine, animal, vegetable, forest products and products of products specified above.	In force since 1993	
8	SACUM-EPA & the United Kingdom	Free Trade Agreement	- To provide immediate duty-free, quota-free access (DFQF) to goods exported from the SACU member states and Mozambique, except for South Africa. In exchange, the SACU member states, and Mozambique commit to gradual tariff liberalisation for goods imported from the UK	Botswana, Eswatini, Lesotho, Mozambique, Namibia, South Africa, United Kingdom	All products from SACU countries and Mozambique including horticulture and agronomy products (All agricultural HS codes)	In force since 2021	
9	United States for Generalized System of Preference (GSP) countries	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports from the beneficial countries (including Namibia) to the United States of America	United States of America	Most fresh horticulture products (except in dried or powdered form), agronomy products and nuts  (Excluding fresh, chilled or frozen tomatoes, cucumbers, celery and sweetcorn during	In force since 1976	

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
					a specific time of the year; citrus fruits		
10	New Zealand for Generalized System of Preference (GSP) countries	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports from the beneficial countries (including Namibia) to New Zealand	New Zealand	Agricultural products under HS codes 6 to 14 and processed foods under HS codes 15 – 24.	In force since 1972	The following minimal processes are <b>not</b> accepted as obtaining origin status:  - Operations to ensure the preservation of products in good condition during transport and storage (drying, freezing, placing in salt water and other similar operations);
11	Japan for Generalized System of Preference (GSP) countries	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports from the beneficial countries (including Namibia) to Japan	Japan	Agricultural products and processed foods under HS codes 6 to 24	In force since 1971	- Simple cutting or screening;  - Simple placing in bottles, boxes and other similar packing cases;
12	Norway for Generalized System of Preference (GSP) countries	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports from the beneficial countries (including Namibia) to Norway	Norway	Vegetable products under HS codes 6 to 14 as well as some processed foods under HS codes 15 to 24	In force since 1971	- Repacking, sorting or classifying;  - Marking or affixing of marks, labels or other distinguishing signs on products or their packaging;
13	Norway for Generalized System of Preference (GSP) countries – Botswana/ Namibia	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports from the beneficial countries (including Namibia) to Norway	Norway	Vegetable products under HS codes 6 to 14 as well as some processed foods under HS codes 15 to 24	In force since 1971	- Simple mixing of non-originating products;  - Simple assembly of parts of non-originating products;
14	Australia for Generalized System of	Non-reciprocal arrangement	- To promote economic activities in developing countries through exports	Australia	Vegetable products under HS codes 6 to 14 as well as some	In force since 1966	

No.	Agreement	Type of agreement	Main objectives/Terms	Parties	Products Covered	Agreement status	Trade Requirements
	Preference (GSP) countries		from the beneficial countries (including Namibia) to Australia		processed foods under HS codes 15 to 24		<ul style="list-style-type: none"> <li>- Simple making-up of sets of articles of non-originating products; and</li> <li>- A combination of two or more operations specified in 1-8.</li> </ul>



### 3. TRADE AGREEMENTS BETWEEN NAMIBIA AND OTHER COUNTRIES UNDER NEGOTIATIONS (NOT YET IN FORCE)

The Trade Agreements below are under negotiation and are not yet in force. Once in force, these agreements are also expected to benefit Namibia with regards to trade between the countries involved.

No.	Agreement	Type of agreement	Countries involved	Agreement Status
1	Korea – SACU FTA	Free Trade Agreement	Botswana, Eswatini, Korea, Republic of, Lesotho, Namibia, South Africa	Negotiations were launched in 2005
2	SACU-China FTA	Free Trade Agreement	Botswana, China, Eswatini, Lesotho, Namibia, South Africa	Consultations started in 2004
3	SACU-United States of America FTA	Free Trade Agreement	Botswana, Eswatini, Lesotho, Namibia, South Africa, United States of America	Negotiations started in 2007
4	MERCOSUR-SACU-India	Partial agreement scope	Argentina, Botswana, Brazil, Eswatini, India, Lesotho, Namibia, Paraguay, South Africa, Uruguay	Consultations started in 2011
5	SACU-India	Partial agreement scope	Botswana, Eswatini, India, Lesotho, Namibia, South Africa	Consultations launched in 2006

### 4. CONCLUSION

Namibian traders (importers and exporters) have an opportunity to trade agricultural products with countries that are within the free trade areas, especially those where preferential treatment or tariffs do not apply. Traders are therefore encouraged to get more information on the requirements of those specific markets before engaging in trade and establish if there are product-specific trade protocols or memorandum of agreement in such markets.

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**PUBLISHED BY:**

**Namibian Agronomic Board**  
**Agronomy and Horticulture Market Development Division**  
**Research and Policy Development Subdivision**

Address: PO Box 5096, Windhoek

Tel: 061 379 500

Website: [www.nab.com.na](http://www.nab.com.na)

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