European Centre for Development Policy Management

ecdpm

Discussion Paper

No. 154

January 2014

The impact of closer regional economic integration on food security in West Africa

Focus on the ECOWAS Common External Tariff

Quentin de Roquefeuil, Daniel Plunkett and Frank Ofei

www.ecdpm.org/dp154

food security

ECDPM – LINKING POLICY AND PRACTICE IN INTERNATIONAL COOPERATION

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The impact of closer regional economic integration on food security in West Africa

Focus on the ECOWAS Common External Tariff

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Key messages

The long-delayed ECOWAS CET is now a reality, with a firm January 2015 launching. The 15 ECOWAS countries completed 10 years of negotiation on duty rates in March 2013 in Praia, Cap Verde with adoption by Heads of State in Dakar, Senegal in October 2013.

This paper examines the inter-relationships between West Africa's efforts at closer regional economic integration and its vision to achieve food security and food sovereignty, outlined in the region's agricultural policy, the ECOWAP.

Classifying agricultural products under different tariff bands is only the first step in ensuring the broader aim of a unified agricultural market. Now comes the hard work of monitoring member states' compliance with their commitments.

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Acronyms

CAADP	Comprehensive African Agriculture Development Policy (*PDDAA* in French)
CET	Common External Tariff (TEC in French)
CILSS	*Comité Inter-Etat pour la Lutte contre la Sécheresse dans le Sahel*
ECL	ECOWAS Community Levy
ECOWADF	Regional Fund for Agriculture and Food
ECOWAP	Agricultural Policy ECOWAP
ECOWAS	Economic Community of West African States
EPA	Economic Partnership Agreement
ETLS	ECOWAS Trade Liberalization Scheme
EU	European Union
FAO	U.N. Food and Agricultural Organization
FTZ	Free Trade Zone
GATT	General Agreement on Tariffs and Trade
INRs	Initial Rights Holders
MERCOSUR	*Mercado Común del Sur* / *Mercado Comúm do Sul* (Argentina, Paraguay, Uruguay / Brazil)
MFP	Mobilizing and Federating Programs (ECOWAP)
NEPAD	New Economic Partnership for Africa
NAIP	National Agricultural Investment Plan (PNIA in French)
PCIR	*Prélèvement Communautaire d'Intégration Régionale*--Regional Integration Community Levy
PDDAA	*Programme Détaillé de Développement de l'Agriculture en Afrique*
PNIA	*Programme National d'Investissements en Agriculture* (NAIP in English)
PCS	*Prélèvement Communautaire de Solidarité* (UEMOA)—Community Solidarity Levy
RAFA	Regional Agency for Food and Agriculture
RAIP	Regional Agriculture Investment Plan
SADC	Southern African Development Community
SPS	Sanitary and Phytosanitary Standards
TCI	*Taxe Conjoncturelle à l'Importation* (UEMOA)—Degressive Protection Tax
TEC	*Tarif Extérieur Commun* (CET in English)
UEMOA	*Union Economique et Monétaire Ouest Africaine* (WAEMU in English)
VAT	Value Added Tax
WTO	World Trade Organization

Executive Summary

The long-delayed Economic Community of West Africa States (ECOWAS) Common External Tariff (CET) is now a reality, with a firm January 2015 launching. The 15 ECOWAS countries, including the 8 countries of the *Union Economique et Monétaire Ouest Africaine* (UEMOA), completed 10 years of negotiation on the CET duty rates in March 2013 in Praia, Cap Verde with adoption by the Heads of State in Dakar, Senegal in October 2013.[2] Supplementary measures were also adopted during that meeting, including an ECOWAS safeguard measure and a complementary tax available to ECOWAS countries during a 5-year transition period. A system was also put in place for periodic reporting and monitoring of member states' implementation compliance.

The ECOWAS CET is replacing the UEMOA CET, completed in 2000, and the UEMOA Community Solidarity Levy should in the future no longer be applied to imports into a UEMOA country coming from a non-UEMOA ECOWAS country. These are major achievements towards rationalizing the internal free trade component of the ECOWAS Customs Union, most notably for intra-regional trade in food and agricultural products.

The ECOWAS Agricultural Policy (ECOWAP), adopted and implemented during the long period during which the ECOWAS CET was being negotiated, has boosted budget resources available at the national and local level for agricultural development, with observed increases in agricultural productivity since 2009. Trade policy also featured at the heart of the ECOWAP, and the recent completion of the ECOWAS CET can be seen as a significant achievement in realizing its vision. This paper examines the inter-relationships between West Africa's efforts at closer regional economic integration and its vision to achieve food security and food sovereignty.

The ECOWAS CET is organized into five different tariff bands of 0%, 5%, 10%, 20% and 35% (see Box 2). The rates of the first four bands are taken from the UEMOA CET. The last tariff band, the so-called "fifth band," was added after much discussion and strong argumentation provided by Nigeria and West African agricultural producers from UEMOA countries. The CET rate for rice, a key component of food security with growing imports and growing production, will start off at 10%, the same as under the UEMOA CET, with the possibility that protection for rice under the ECOWAS CET could gradually climb through the 20% band and reach the 35% band.

While the ECOWAS CET is not a panacea for West African agricultural producers, agriculture[3] is relatively more protected than other sectors. 55% of agricultural tariff lines are in the 20% or 35% band and none are in the 0% band. Ninety percent of the products in the 35% band are agricultural goods. The plan to finally implement the ECOWAS CET in 2015 may also have beneficial effects on related bilateral and multilateral processes such as the ECOWAS-EU Economic Partnership Agreement (EPA) and the WTO's Doha Round. Some ECOWAS member states may have to eventually renegotiate some of their bound rates at the World Trade Organization (WTO) in order to accommodate the CET rates. Now comes the hard work of monitoring member states' compliance with their commitments.

[2] UEMOA, also referred to as the West African Monetary Union (WEAMU) in English, is more commonly known by its French acronym.
[3] This paper uses the broad definition of agriculture, HS Chapters 1-24 and parts of Chapter 52, including livestock, fisheries, and cotton.

1. Introduction

West Africa has been engaged in parallel efforts aimed at closer regional economic integration and improving food security. The regional agricultural policy, the ECOWAP, aims to combine national and regional initiatives to combat food insecurity. To date, ECOWAP has focused on boosting financial resources devoted to agriculture, with remarkable gains in agricultural productivity in certain areas since 2009. The market access component of ECOWAP has yet to be fully implemented, but could become a focus of the newly launched ECOWAS Regional Agency for Agriculture and Food (RAAF).

With the advent of the ECOWAS Common External Tariff (CET) starting in January 2015, 25 years after initially foreseen in the original 1975 ECOWAS Treaty, the time is propitious for explicitly linking food security and closer economic integration. Linking these two policies would help resolve identified policy incoherencies and derive greater economic gains. The biggest immediate boost to food security in West Africa would be the elimination by national and local governments of policies and practices hampering the agreed-upon free movement of basic staple foodstuffs between ECOWAS countries under the ECOWAS Trade Liberalization Scheme (ETLS).

To date, the ETLS has not proven effective in eliminating non-tariff barriers to trade between ECOWAS Member States. Governments also tend to erect tariff barriers on their neighbor's exports, or to restrict their own exports in times of shortages. Intra-regional trade is further hampered by the high costs of moving goods by road or rail within West Africa. The beneficial impact of the ECOWAS Customs Union, an essential step towards a truly unified internal market, remains a key hope for West Africa's public and private sectors, civil society, and the many people around the world interested in improving food security in the region.

Intra-regional trade in agriculture and food products has been difficult to quantify for the 15 ECOWAS countries. Much of the trade across road borders remains informal in nature. As a result, much of the trade goes unrecorded. A reasonable working assumption is that intra-regional trade might represent 11% of total trade in agriculture and food products, well below the 18% share for manufactured goods.[4]

Yet the assumed underperformance of intra-regional trade in agriculture and food products in West Africa cannot be proven, in part because the data reporting system under the ETLS only seeks to register trade in manufactured goods and processed food products. Basic agricultural products are intended to circulate freely within ECOWAS, yet there is no ECOWAS list of basic staple foods for customs officials in the 15 countries to consult.

ECOWAP builds upon each country's national agricultural strategy and sets priorities for investments at the national and regional level. However, the provisions of ECOWAP related to the free movement of goods - in line with the objectives of the ETLS - have not been as fully implemented as production-boosting initiatives.[5] The regional Commissions and national governments have been the principal drivers behind ECOWAP so far, but the "intra-regional trade piece," in which national governments and private sector stakeholders mobilize to resolve inefficiencies due to non-tariff barriers, has yet to find its *modus operandi*, or method of operation.

[4] These figures are based on findings from UEMOA countries and authors' speculation.
[5] One reason for this is the concept of *stovepiping* or *working in silos*, where agriculture ministry officials work on production and trade ministry officials work on trade. Often agriculture ministry officials see agricultural trade as the trade ministry's responsibility, while trade ministry officials view agricultural trade as the agriculture ministry's responsibility. One solution is to set up an agricultural trade units in each agricultural ministry.

While not yet fully implemented, ECOWAP, which is fully in line with the Comprehensive Africa Agriculture Development Program (CAADP) process, has produced tangible results during the years following the 2007-2009 global food crisis.[6] Production of rice and maize intended for the market, as opposed to auto-consumption, has become a more prominent element in West African agriculture. But ECOWAP remains primarily a coordination and harmonization tool, with national governments mainly supplying subsidized inputs (an ECOWAP policy) to individual farmers and organized farmer groups, a practice long discouraged since the days of structural adjustment. These national policies are rarely regionally oriented; some governments (Burkina Faso and Senegal, for example) are prohibiting the export of crops produced with subsidized inputs, even to other ECOWAS countries. In Burkina Faso, the national seed certification body refused to certify seeds destined for export when the seed production had received government support.

As regards global trade, completing the ECOWAS CET should permit further progress towards a regional Economic Partnership Agreement (EPA) between the European Union (EU) and West Africa, where the outlines of a deal on agricultural trade are known. Two elements stand out in EPA negotiations regarding agriculture: (i) the opening of the West Africa market to EU agricultural products; ii) the question of EU domestic subsidies. On the former, it can be assumed that the agricultural sector features prominently in the region's "exclusion list". It is however unknown if more will be included as West Africa revises its offer upwards. On the latter, it is unlikely that the EU would commit to anything more than transparency requirements in a bilateral forum (although, in its negotiations with Southern Africa, it has reportedly agreed on refraining to use export subsidies on liberalized products). In any case, 2014 will be a key year for ECOWAS countries to arrive at a compromise with the EU on EPAs. This paper suggests that the region should maintain a common position, EPA or no EPA. ECOWAS Member States should refrain from signing an EPA individually, as this would essentially break the ECOWAS CET, reduce hopes of having a truly unified West African Market, and compromise key objectives of the ECOWAP.

The ECOWAS CET will also encourage ECOWAS countries to put into action their agreed-upon common external trade policy and commence to act as a bloc within the World Trade Organization's (WTO) Doha Round. Much will depend on how much authority ECOWAS Member States will be willing to delegate to the ECOWAS Commission in Geneva.[7] A first indication of this will be given by the process that some ECOWAS Member States might have to undertake in order to renegotiate some of their WTO bound rates. Indeed, the implementation of the CET will lead some ECOWAS Member States to exceed their bound rates at the World Trade Organization on a number of tariff lines.

Finally, simply agreeing on the categorization of products under the ECOWAS CET will represent only a half-step if the ECOWAS countries themselves do not rapidly implement the terms of what they have agreed to, both in relation to customs duties applied on imports from outside the ECOWAS, and in relation to removing non-tariff barriers to internal trade such as unnecessary documentation and unfair policies and practices. The three West African regional bodies - the ECOWAS Commission, the UEMOA Commission and the *Comité Inter-Etat pour la Lutte contre la Sécheresse dans le Sahel* (CILSS) - must embrace their responsibility to actively monitor and evaluate Member States' performance and enhance the use of existing peer review mechanisms.

This paper is organized as follows. Firstly, the ECOWAP's orientation concerning trade policy is detailed, setting out the major policy directions agreed upon at its inception in 2005 and further detailed in its accompanying investment plan, the Regional Agricultural Investment Plan (RAIP). Secondly, the paper reviews the CET's treatment of agricultural products and commodities.[8] Thirdly, the paper outlines developments during 2013 and key challenges on the way forward to the full implementation of the CET.

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[6] The CAADP is an African Union programme, hosted by NEPAD, aiming at developing national and regional plans and policies enhancing food security.

[7] Although ECOWAS is not a WTO member pre se, this does not prevent ECOWAS countries from acting as a bloc.

[8] Note that the version of the CET used in this study is the one approved by the region's ministers in March 2013. Adjustments could be made to reflect the final CET rates and provisions.

2. The ECOWAP

The region's agricultural policy is enshrined in the ECOWAP and its accompanying document, the Regional Agricultural Investment Plan (RAIP). Trade policy is an important element of the policy actions outlined in both documents. As detailed below, the ECOWAP favors an approach centered on internal free trade, and protection of key agricultural products from extra-community competition, with the aim of providing a stable, enlarged market for producers and consumers. Annex 1 of this report contains greater detail on the Mobilizing and Federating Programs (MFPs) of ECOWAP as well as details about recent national agricultural policies.

2.1. ECOWAP: State of Play

The Economic Community of West African States (ECOWAS) region is the first in Africa to have undertaken the CAADP exercise at the regional level.[9] This built on the region's earlier efforts at designing a regional agricultural policy, which had been started as early as 2001, when the ECOWAS Ministerial Commission on Agriculture and Food adopted a framework of guidelines for the creation of a common regional agricultural policy for West Africa (ECOWAP).[10] Joining the African Union's CAADP framework was seen, at the time, as a way of gathering additional support for the region's efforts in coming up with a regional framework to promote food security in West Africa (van Seters et al, 2011).

The ECOWAP was adopted in this context to promote regional integration through the harmonization and coordination of national agricultural policies and investment programs. It also aims to complement national agricultural strategies by developing common policies that effectively position the region in the world market while promoting local agricultural growth.

The RAIP, the detailed document accompanying the ECOWAP, delineates two perennial problems to be addressed: the low productivity of the region in agriculture and an increasing reliance on imports in the case of rice and meat products. It further notes that past efforts in the various countries of ECOWAS have suffered from the absence of a "genuine regional policy", "lacking both a coherent intervention policy framework and a consensual approach in the elaboration process as well as in their implementation". The ECOWAP and the RAIP are therefore meant to provide an overarching vision for West African agriculture, driven and implemented in consultation with various stakeholders.

In recent months, the region has put in place a number of multi-stakeholder task forces on specific themes (e.g. regional food reserves and value chains), in order to identify gaps and develop investment programs to implement the RAIP and deliver on the objectives of the ECOWAP (Rampa and van Seters, 2013). Most progress has been made on regional food reserves, one of the key areas of regional cooperation specified in the RAIP, for which support has been mobilized, including from members of the G20. Alignment and harmonization of development partners' support is promoted through the regional ECOWAP/CAADP Donor Working Group, which generally is perceived by both the ECOWAS Commission and development partners as a well-functioning and useful platform. To facilitate the implementation of the RAIP, a Regional Agency for Agriculture and Food (RAAF) and a Regional Fund for Agriculture and Food (ECOWADF) have recently been set up.

[9] ECOWAS Commission (authors have 2009 .pdf file of earlier scanned copy). "Regional Partnership Compact for the Implementation of ECOWAP/CAADP."

[10] Prior to 2007, the main executive body for ECOWAS was known as the ECOWAS Executive Secretariat, complemented by several thematic commissions with high-level national representatives meeting periodically. From 2007, the ECOWAS Secretariat became known as the ECOWAS Commission. To reduce confusion, the prior thematic "commissions" were converted into "committees."

2.2. The ECOWAP's orientation regarding trade policy and economic integration

From the outset, the links between the ECOWAP and ECOWAS's trade policy and economic integration were extensively debated. They are discussed at lengths in the ECOWAP's main document and its accompanying Investment plan, the RAIP.[11] The direct links are twofold: the extent to which individual national agricultural markets in West Africa should be open to one another, and the extent to which they should be open to the outside world.

With this in mind, the 3 regional bodies (the ECOWAS Commission, the UEMOA Commission and the CILSS), in consultation with key stakeholders, devised four scenarios to guide its reflections (see Box 1). The four scenarios vary according to the two parameters outlined above: internal integration and external openness. The last scenario, where individual ECOWAS markets would be strongly integrated, and where outside protection would be decided on a case-by-case basis, was retained. At the time of its inception the ECOWAP opted for internal free trade in agricultural products and for differentiated protection of agricultural products from extra-ECOWAS competition.

Box 1 - Scenarios devised (adapted from ECOWAS 2008).

	Degree of internal market integration	Degree of liberalization to extra-ECOWAS imports
Scenario 1	Fragmented	High
Scenario 2	Full integration	High
Scenario 3	Fragmented	Blanket protection
Scenario 4	Full integration	Differentiated protection

The ECOWAP and the RAIP detail a set of agricultural commodities that have been prioritized by the region in light of their strategic importance for food security in the region. Specifically, three criteria have been used to select them:

i) Their importance for the incomes of rural farmers.
ii) Their importance for food security and food sovereignty.
iii) Their potential for broader poverty reduction efforts.

From the three criteria above, it is evident that from the outset, the ECOWAP places a pronounced emphasis on boosting regional food production, income generation and rural poverty reduction. An additional rationale in selecting these goods is their potential to "reduce imports substantially" and lessen the region's food dependency from international markets. These agricultural commodities are rice, maize and cassava in the case of cereals, livestock and dairy products for animal products, and finally fish products. For these products in particular, the rate of protection to be provided by the region's CET was open to reflection, and a re-categorization to higher rates of duty protection was not excluded.

During 2013, as part of its task to develop complementary measures for protection under the ECOWAS Customs Union, the ECOWAS Commission reviewed the interrelationship between ECOWAP and the ETLS. The validation workshop in July 2013 noted that progress made by each ECOWAS country on the national agricultural investment plans had led to an increase in budget resources for agriculture and food

[11] ECOWAS (2008). « *La politique agricole régionale (ECOWAP) et l'Offensive pour la production alimentaire et contre la faim*. » December 9. This refers to Component 1 of the second of ECOWAP's Mobilizing and Federating Programmes related to the Promotion of a Global Environment Conducive to Regional Agricultural Development.

security. As a result, agricultural productivity had improved as well. Since the beginning of the implementation of ECOWAP, concepts such as climate change, resiliency, risk management and nutrition have risen in prominence as part of the policy-making agenda. It is revealing that the July 2013 review of the national and regional agricultural investment plans does not review the relationship with the market access component of ECOWAP promoting intra-regional trade,[12] focusing instead on the many needs related to the production aspects of agriculture and livestock production in West Africa. Achieving a common agricultural market can be done by bringing the ECOWAP and intra-regional trade processes closer together. Among other measures, this would entail greater focus on market access elements already inscribed in ECOWAP.

2.3. Regional and National Actions

In West Africa, the ECOWAP/CAADP process has been conducted on dual tracks. Individual ECOWAS Member States have drafted their own “compacts” and “investment plans” for their agricultural sectors, assisted to some extent by the ECOWAS Commission, which drafted its own regional investment plan, the RAIP. The links between regional action and national endeavors are therefore twofold. The first is that the implementation of the RAIP depends, to a large extent, on national implementation by Member States. This is especially so in the case of intra-regional trade of food products. Inconsistent implementation of national and regional policies and practices has been shown to have hampered the development of regional value chains, where, for example, the harmonization of Sanitary and Phytosanitary Standards (SPS) standards, the observance of ECOWAS community law on export restrictions, and Value Added Tax (VAT) issues relies mainly on actions taken by national administrations.[13] Annex One contains a summary of national and regional agricultural policies in West Africa in the wake of the 2007-2008 global food crisis

The second link lies in the extent to which the RAIP and its national counterparts, the national agricultural investment plans (NAIPs), are executed in synergy with one another. This is the case for specific programs outlined, but also in the broader “approach” adopted by these plans and frameworks. Indeed, it is hard to conceive that the national plans, aiming at boosting national production of the key strategic agricultural products in order to achieve self-sufficiency or autarchy, would not recognize the need for exchange with bordering countries. Each ECOWAS member state must embrace the full ECOWAP plan in order to develop a truly regional agricultural market. Deviations from the ETLS and ECOWAP manifest themselves in practice by official or non-official restrictions on intra-regional trade of food products, such as, for example, export bans, import bans, or unofficial fees collected at border posts.

In short, the ECOWAP, while being a regional policy, cannot be implemented without strong buy-in from ECOWAS Member States both with regards to its implementation and its orientation. It requires them to be willing to open up to their regional neighbors, something that inevitably triggers some degree of resistance from certain constituencies.

[12] Perhaps this can be the subject of the next review.
[13] See the documents developed by USAID’s ATP/E-ATP project http://www.agribizafrica.org/food-across-borders/trade-constraint-briefs for an overview.

3. The ECOWAS Common External Tariff

The ECOWAP was designed while ECOWAS member states were getting organized to negotiate their CET, with the ultimate aim to create an ECOWAS Customs Union on to road toward economic and monetary union. The CET's final structure was completed in the course of 2013, and is to be implemented in 2015.. ECOWAS officials have shepherded a lengthy process of technical discussions and step-by-step progress, in close cooperation with officials from the UEMOA Commission.

The overall orientation of the ECOWAP and of its RAIP meant that re-categorization of agricultural products into higher tariff bands was not ruled out – on the contrary. The ECOWAP has an explicit aim to promote *food sovereignty*, which can be interpreted to mean the reduction of the region's dependence on food imports, especially on certain goods and products where the region has a significant comparative advantage and productive capacities. This was further reinforced in 2005, when ECOWAS Heads of State and Government insisted that "special treatment" be given to agriculture in formulating, adopting and implementing the ECOWAS Common External Tariff (see Plunkett, 2006).

3.1. The negotiating process

The convenient method of organizing the negotiations on the duty rates for the ECOWAS CET was to use the UEMOA CET, in place since 2000, and extend it to the other ECOWAS member states. This process took 10 years, about on par with the length of time to negotiate other regional groupings such as the Mercado Común del Sur (MERCOSUR) or the Southern African Development Community (SADC). The non-UEMOA Member States of ECOWAS insisted that the ECOWAS CET must take into account their interests and tradition, such as the fact that each of these countries applied a different tariff rate on milled rice imports from outside the region at the start of negotiations (see Table 1). The UEMOA countries have had a "closed box" as part of their UEMOA CET, specifically products of basic necessity with a zero rate, which meant that re-categorizing products (such as agricultural inputs for example) at a duty free rate was problematic.

Table 1 Applied Tariffs on Rice in 2007

Cape Verde:	**5%**.
The Gambia:	**0%**.
Ghana:	**20%**
Guinea :	**10%**
Liberia:	**US$2.20 per 50 kg bag**
Nigeria:	**50%**
Sierra Leone:	**15%**
UEMOA: (Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, Togo)	**10%**.

To this effect, a Joint ECOWAS-UEMOA Committee for the Management of the ECOWAS Common External Tariff (CET) was created in 2006, tasked with conducting the negotiations between UEMOA and non-UEMOA countries. The September 2013 meeting in Abuja, Nigeria was the 14th for that joint ECOWAS-UEMOA committee, a sure sign of cooperation.

Several painful realities came to light over the course of the negotiations:

1) UEMOA must take a common position before going into the ECOWAS meetings.
2) Nigeria is the largest and most industrialized economy, giving it a large sway over regional negotiations.
3) The non-UEMOA ECOWAS countries considered the UEMOA CET as not focused sufficiently on promoting regional industrialization through value addition to regional resources.
4) The "second monetary zone" concept has made progress, with greatly improved cooperation on information-sharing and setting common goals, but the concept of the second zone has not materialized for the non-UEMOA ECOWAS countries and this hampered the negotiations on the ECOWAS CET.

The ECOWAS CET is organized into five different tariff bands, of 0%, 5%, 10%, 20% and 35% (see Table 2). The first four bands are taken from the UEMOA CET. The last tariff band, the so-called "fifth band" was added after much discussion and strong argumentation provided by Nigeria, supported by West African agricultural producers, notably from UEMOA countries. Nigeria had, for a long time, argued for a fifth band at 50%, but given that this would constitute a 30-point increase from the UEMOA's highest 20% band, a compromise was found at 35%. The regional representative groups for agriculture were hopeful that a certain number of agricultural products would be re-categorized into this higher fifth band.

Table 2 Structure of the ECOWAS CET (March 2013)

Category	Description	Average duty rate	Number of tariff lines
0	Essential social Goods	0%	85
1	Goods of primary necessity, raw materials and specific inputs	5%	2146
2	Inputs and Intermediate goods.	10%	1373
3	Final Consumption goods	20%	2165
4	Specific goods for economic development	35%	130

The discrepancies in tariff rates between UEMOA countries and non-UEMOA ECOWAS countries, notably with regards to agricultural products, meant that another layer of complexity was added to the negotiations (see the example of rice above). The design of the CET was not just about ensuring coherence with ECOWAP objectives, but about reconciling different policy orientations between ECOWAS Member States, emanating principally from the different political economy pressures facing them.

In some cases, these discrepancies could be solved by non-UEMOA countries agreeing to align to the UEMOA rates by a certain date, essentially transferring the UEMOA rate into their own schedules. In these cases, the UEMOA CET was to be transposed to the ECOWAS CET after a time-bound adjustment period. During the negotiations, these were referred to as "Type A" exceptions. In cases where non-UEMOA countries wished to see a particular product reclassified into a higher or lower tariff band, a second list was created. These products were referred to as "Type B" exceptions, and were the basis of the 10-year long CET negotiations.

In 2006, there were some 80 Type B exceptions in agriculture, on products like rice, sorghum, cassava starch, and various species of fish, of direct relevance to the ECOWAP.[14] In dozens of cases, the Type B

[14] For the full list see ECOWAS (2006).

exceptions listed in agriculture concerned a proposal by one or several of the non-UEMOA countries to increase the ECOWAS CET rates from the UEMOA rate. In these cases, it could be argued that there was a window of opportunity for the ECOWAP's constituents, notably in UEMOA, to build on support from non-UEMOA Member States to increase the protection rate and bring the CET more in line with their priorities.

It should be noted that UEMOA's 20% maximum rate had been widely criticized for being too low to promote local production of food staples (see Rolland and Alpha, 2009). On products like rice, milk products, chicken meat, cooking oil, and tomato paste, significant momentum had gathered in UEMOA countries themselves to "use" the negotiations of the ECOWAS CET to "correct" the original UEMOA CET template.

The interactions between UEMOA and ECOWAS are complex, as might be imagined since the organizations have overlapping responsibilities. It can be argued that the present institutional arrangements, which foresee the co-existence of the UEMOA and ECOWAS Commissions, and the co-management of the ECOWAS CET by these two commissions, do not reflect the priorities of economic efficiency, or bureaucratic efficiency, but this is the reality. Both the UEMOA and non-UEMOA ECOWAS countries are engaged in this effort hoping to achieve great success, however slowly.

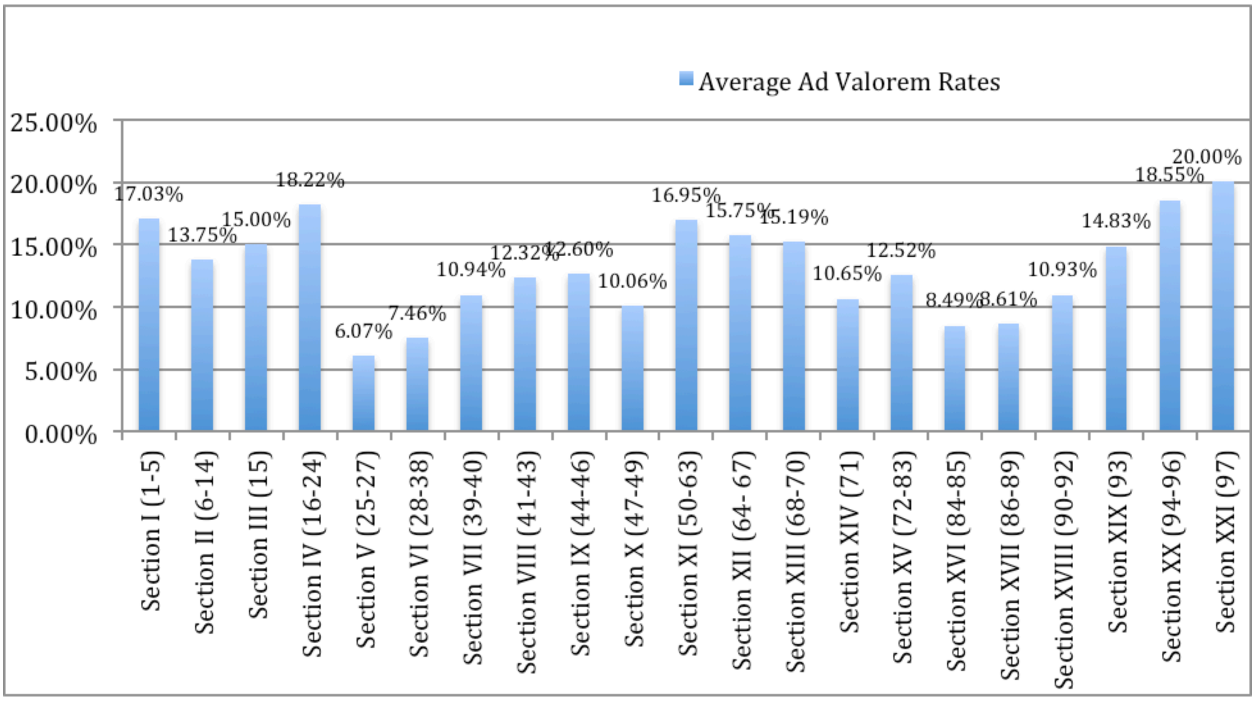
Looking back on the process, has it been a matter of extending the UEMOA CET, as UEMOA member state officials assumed? Or is it the creation of a wholly new ECOWAS CET, as the non-UEMOA countries assumed? The answer to both is yes and no. As with any compromises, no one will be fully satisfied. But the birthing process has taken 10 years of applied effort.

3.2. Treatment of Agriculture in the ECOWAS CET

There are several ways of gauging how the ECOWAS CET deals with the agricultural sector.[15] The first one would be to see how the agricultural sector is protected compared to other sectors. Figure 1 presents the structure of the ECOWAS CET as it stood in the version agreed upon by the region's ministers in Praia in March 2013.

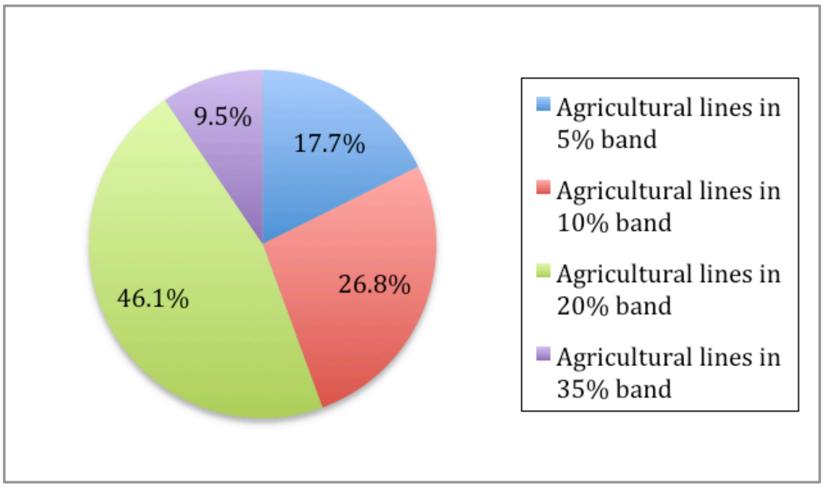
[15] Note that the analysis below is based on simple tariff averages. The authors hope to provide further analysis based on weighted averages in the near future. For example in the ECOWAS CET there are more than 40 tariff lines on dairy products, but a major share of imports concern non-fat and fat milk powder which occupies about 6 to 7 lines which have a 5% duty against 10 to 20% for the other lines. In this case, the simple average is much higher than the average weighted average.

Figure 1 Average Applied Ad Valorem Duties, per HS section, under the ECOWAS CET



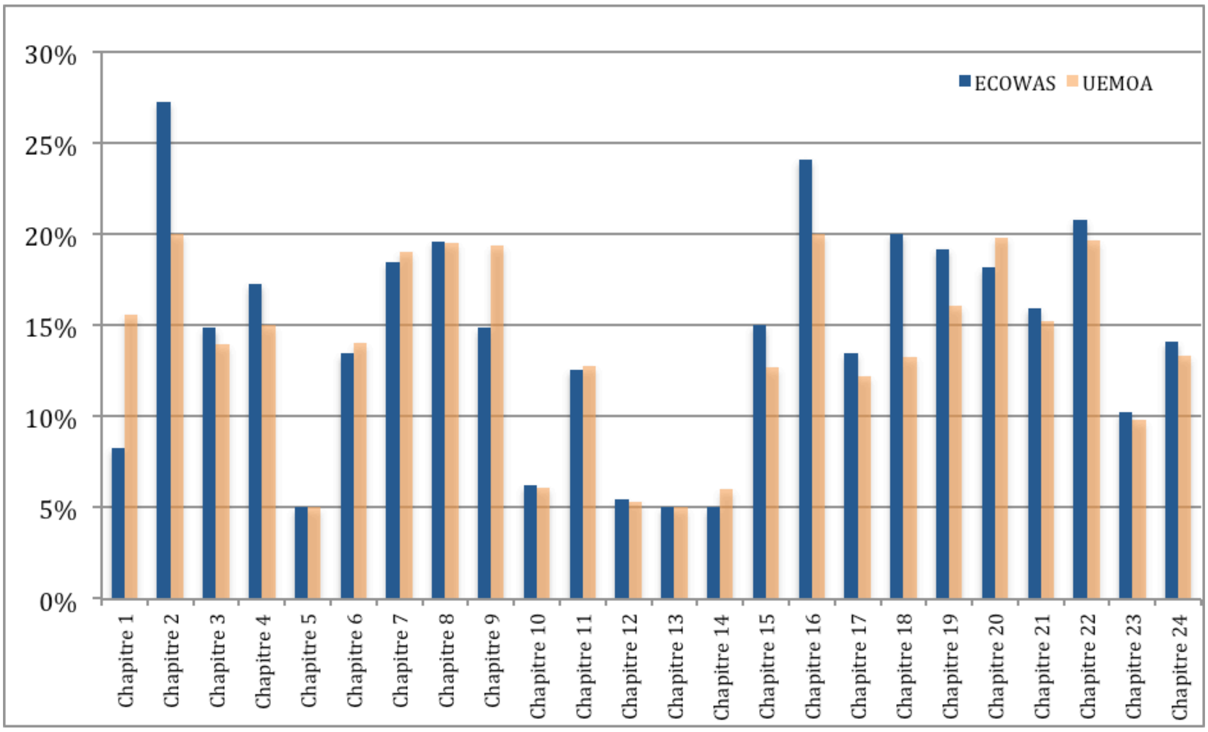
As can be seen in the graph above, on average agriculture (Sections I-IV) is relatively more protected than most other sectors. In other words, it has received special attention during the CET's design. This is also reflected in the pie charts below, which show the distribution of agricultural tariff lines in CET's five bands (see Figure 2). Roughly 55% of agricultural tariff lines are placed in the 20 or 35% band, the two highest bands of the CET, and none are placed in the 0% band. Further, 90% of the goods covered in the fifth band are agricultural goods.

Figure 2 Distribution of agricultural tariff lines between the five bands



A second question arising from the way the ECOWAS CET was negotiated would ask whether, as compared to its predecessor, the UEMOA CET, the ECOWAS CET will lead (on average) to higher nominal rates of protection on agricultural products. As mentioned above, this was a key expectation from the UEMOA's farmers unions. This comparison is provided in Figure 3 below.

Figure 3 Average Applied Ad Valorem rates on Agricultre, per HS Chapter, ECOWAS/UEMOA



On average, the ECOWAS CET rates on agriculture are not far off from those of the UEMOA CET, with a slight increase in most chapters. Meat and edible meat offal (HS Chapter 2) and cocoa preparations (Chapter 18) experience an increase in protection of 7.25 percentage points. In HS Chapters 15 (Animal or vegetable fats and oils) 16 (preparations of meat, of fish or of crustaceans) and 19 (preparations of cereals, flour, starch or milk), the ECOWAS CET duty rates reflect a slight increase in protection of 3 to 5 percentage points compared with the UEMOA CET.

On the other hand, cereals (Chapter 10) remain at a relatively low rate of 6%. Social considerations (such as the effect of increased protection on consumer prices), which were determinant in the setting of the UEMOA CET rate on rice at 10% 15 years ago, again were convincing during the CET design and negotiations. Chapter 1 (live animals) and Chapter 9 (coffee, tea and spices) experience a decrease in average protection of about 7.5% and 4.5% respectively.[16]

Aside from average protection rates, some key goods focused the attention of negotiators because of their importance for the region's producers, consumers and traders. Some key decisions regarding customs duty rates under the ECOWAS CET included:

- Rice will have a 10% duty.
- Wheat flour will attract a 20% duty.
- Coffee beans and fancy cotton cloth will attract a 35% duty.
- Canned turkey and pork will attract a 35% duty.

In the final phases of the negotiations in December 2012, some products proposed at 20% in early 2012 were bumped up to the 35% rate, including:

[16] The development of growing local transformation industries in Chapter 9 (coffee, tea and spices) since the advent of the UEMOA CET enabled ECOWAS to lower its overall rate on the different lines related to coffee from 20% to 10% while raising the duty on coffee beans.

- Fresh and frozen pig meat (pork)
- Yoghurt
- Certain vegetable oils
- Chewing gum
- Certain cotton manufactures in HS Chapter 62.

Earlier, ECOWAS had established an *ad hoc* committee on the tariff treatment of sugar, which reported out at the end of 2012 the recommendation for a 5-year period during which each ECOWAS country's tariff rates would migrate to the ECOWAS CET rate of 35%, with a special monitoring committee to oversee the transition period.

What does this quick overview of the key features of the ECOWAS CET on agriculture tell us about the links between ECOWAP and the CET? First of all, policymakers have decided to put a focus on the protection of the poultry, beef and pork value chains. For UEMOA countries at least, these goods will see a 15% increase in nominal protection. Other agricultural productive sectors will necessarily be disappointed by the outcome of the CET. Cereals stand out in that regard, especially in the case of rice.

It must be kept in mind in this regard that deciding on a protection rate for any type of product has to reconcile several domestic parameters that are often mutually incompatible. In the case of the CET and the ECOWAP, one can mention:

- The wish to protect agricultural producers from outside competition.
- Coherence with sectoral objectives, in this case the ECOWAP.
- The necessity to maintain relatively cheap prices on key staple foods, in line with the objective of promoting food security.
- Fiscal considerations, as tariff revenues form a large part of state revenue in most countries of the region.[17]
- The aim of promoting greater value addition and industrialization.
- The difficulty of dealing with final products that can also be used as inputs.

These issues were high on the agenda of CET negotiations, for example in the case of rice and cereals and in the case of sugar (both a final product and an input). Medications represent probably the thorniest negotiating issue, although the process of ECOWAS harmonization of direct and indirect taxation of petroleum products is only now getting underway.

It is not only the nominal rate of protection granted to agricultural goods produced in the region that influences how the CET affects the ECOWAP, but also the treatment of agricultural inputs. Ideally, inputs of importance for the agricultural sector (seeds or fertilizers), in specific categories for which low production capacity exists in the region, should attract as low a tariff rate as possible. Under the UEMOA CET, this was the case, with the rate for inputs for which substantial production exists in the region set at 10% and that for other inputs not locally available set at 5%.

As West Africa is industrializing, tariff treatment of inputs for processed foods will be a key issue for the next decade. An interesting example came up at the end of 2012, as a Senegalese company requested a lower CET rate in order to increase its investment in a bottling facility. The UEMOA CET committee supported the initiative by agreeing in November 2012, just prior to finalization of the ECOWAS CET, that

[17] Nigeria being the exception, due to its oil and gas export royalties.

empty aluminum cans should attract a 10% duty rather than a 20% duty. This was then integrated into the ECOWAS CET the following month. Lobbying by interested industries can influence the economy.

West Africa's growing milk and dairy industries could get a boost from another re-categorization in late 2012 within UEMOA under which the UEMOA countries could choose to apply the UEMOA 10% TCI (*Taxe Conjoncturelle à l'Importatiation*, a hybrid countervailing duty-safeguard measure) upon concentrated milk without sugar. That measure will essentially be grandfathered into the ECOWAS CET, given the degree of flexibility left to the ECOWAS countries for a national-level safeguard and transition-period complementary tax. So the UEMOA countries have continued to work to shape the ECOWAS CET even as it was coming into being.

Since the ECOWAS-UEMOA Joint Committee on Management of the ECOWAS CET will continue to meet regularly to consider adjustments to the system, negotiations are meant to be eternally ongoing. The tasks going forward include the actual implementation of the ECOWAS CET by each ECOWAS country, with increased involvement by the ECOWAS Commission in helping national governments and private sectors to resolve emerging issues, and to oversee the phase-out of national-level customs-related measures.

3.3. Other salient features of the ECOWAS CET

Another important aspect is the harmonization of the UEMOA *Prélèvement communautaire de Solidarité* (PCS, or Community Solidarity Levy, at 1%) with the ECOWAS Community Levy (ECL, at 0.5%). These 2 fees, which have been devoted towards the operating expenses of the two Commissions, are now to be combined after a five-year period during which a new arrangement is to be finalized. The new import fee will be set ECOWAS-wide at 1.5%.[18]

The October 2013 Conference of ECOWAS Heads of State and Government considered the rate (1.5%) and the sharing-out of the new ECOWAS Community Integration Levy (ECIL) [19] such that both regional commissions will continue to be funded as before. In addition, the new ECOWAS PCIR will probably be extended for the first time to all petroleum imports, which should greatly increase the "own resources" of the two Commissions, good news for the internal financing of ECOWAS' functioning and activities. Further, the UEMOA countries have agreed to no longer apply their UEMOA PCS (1%) on originating imports from non-UEMOA members of ECOWAS, a substantial step towards closer regional integration, a rather important step toward completion of the ECOWAS internal market.

The same Conference of Heads of State and Government adopted 2 of the supplementary measures to the ECOWAS CET, the Import Adjustment Tax and the Complementary Protection Tax, both of which would take effect in January 2015. A given ECOWAS country could not apply these 2 measures to more than 3% of the 5,000+ tariff lines in the ECOWAS CET.[20] Much-closer consultation with the ECOWAS Commission is required than ever before, along with notification of the other ECOWAS countries. The non-standard CET rates available to ECOWAS countries by means of these 2 measures, will no longer be available after 5 years, implying that only ECOWAS-wide supplementary measures will be available beyond that point in time.

[18] One can see that this step increases the effective rate of import duty in the non-UEMOA ECOWAS countries (Cape Verde, The Gambia, Ghana, Guinea, Liberia, Nigeria, and Sierra Leone) by 1 percentage point. An option currently on the table would consist in transferring this additional revenue to nationally based "regional integration funds" in non-UEMOA states.
[19] *Prélèvement Communautaire d'Intégration Régionale* (PCIR).
[20] For a maximum of roughly 150 specific tariff lines at the 10-digit HS 2012 level.

The Import Adjustment Tax (*Taxe d'ajustement à l'importation)* is a national-level temporary tax only on imports from outside ECOWAS lasting a maximum of 5 years. The plan is for it to only be applicable when the particular ECOWAS country's Most-Favored Nation (MFN) tariff is higher than the rate under the ECOWAS CET. The rate may be no higher than that difference and no greater than 20%. The Complementary Protection Tax is also to be used when an ECOWAS country is converting an outright import ban to customs duties and related fees (an example would be Nigeria's import ban on poultry products). ECOWAS countries must notify the ECOWAS Commission 30 days prior to imposition of an Import Adjustment Tax with 7 pieces of information required. This tax is not precisely either a safeguard measure or a countervailing duty, but rather can be seen as part of the implementation schedule for the conversion of the ECOWAS CET customs duties.

The Complementary Protection Tax (*Taxe complémentaire de protection*) is a classic safeguard measure aiming to slow down import surges on products from outside ECOWAS. The two triggers are: a) when the volume of imports from outside ECOWAS in a given year increases by 25% or more vis-à-vis the average of the three prior years for which import data is available; or b) when the import price of a given product coming from outside ECOWAS falls to 80% or less of the three-year average of the unit price of imports of that product. For trigger a), the safeguard measure may be in place for up to 2 years, while for trigger b), up to 1 year only. Only imports coming in under MFN terms may be considered, thus excluding import volumes coming in under regulatory and *ad hoc* exemptions (*exonérations*). ECOWAS countries may set the level of the Complementary Protection Tax, up to a maximum 70%, within each ECOWAS country's bound MFN level within the WTO.

A number of other issues are still under study, for example conversion to the internationally standardized product classification HS 2012 and the desire expressed by many ECOWAS Member States to re-examine the tariff treatment for the movement within West Africa of goods produced in a given country's industrial Free Trade Zone (FTZ).

4. Issues on the way forward for the CET, the ETLS and the ECOWAP

4.1. The implementation challenge

Regional policies rely greatly on national implementation. The CET demands conformity by national governments with the level of the customs duty rates agreed on in the CET. ECOWAS member states had begun migrating towards the ECOWAS CET since 2002. There were a number of milestones before the negotiations on the customs duty rates were finalized in December 2012. The legal texts for the ECOWAS CET were adopted in Abidjan June 13, 2013. The legal texts for the first 2 supplementary measures were adopted in October 2013. Work towards full implementation will continue in 2014, involving substantial efforts from national administrations and solid leadership by regional bodies. The system for monitoring commitments under the ECOWAS CET will be front and center.

CET implementation and the completion of the ETLS' aim of internal free trade in agricultural products[21] are closely related. If countries keep markedly divergent rates on key imports like rice for an extended

[21] The provisions already agreed to under the ETLS insist upon free trade in basic staple foods (*produits du cru*)—for which there is no known definition by way of a list of tariff lines. Free trade in processed foods (*produits alimentaires transformés*) of originating origin—that is, substantially produced in an ECOWAS country--is far from a reality. This will be the negotiating horizon over the decade to come.

period of time, the present patterns of smuggling of imported rice from countries with low duty rates to those with high rates will naturally continue. This in turn has been shown to incentivize national authorities to tighten checks on agricultural products at borders, hampering the smooth functioning of the common agricultural market in West Africa where basic staple foods should circulate freely. Free movement of foods is the strongest guarantee of food security. Divergence from agreed CET rates during extended periods of time will work against the aims of the ETLS, and in turn weaken efforts at reducing food insecurity in the region. So the world will be watching the end of the 5-year transition period (December 31, 2019) very closely.

Some degree of flexibility has been agreed to as part of the process of CET implementation. Member States will be permitted, during a transition period, to maintain non-standard (diverging) overall protection rates on imports of some products (by means of the 2 ECOWAS CET supplementary measures). This period should not be abused, as there is the risk that Member States will not promptly align their nationally applied customs duty rates with those agreed to under the ECOWAS CET.

The inter-relationship between ECOWAS and UEMOA remains complex, but increased contact and coordination is bearing fruit. For example, on the ETLS, the UEMOA Commission intends to establish a regional sub-committee for the free movement of goods within its own UEMOA zone, which could become a key focal point for resolving the free movement of basic staple foods, not solely within UEMOA but within the broader ECOWAS. As for the free movement of processed foods, UEMOA has been examining how to inform Customs officials regarding companies registered on the list of firms confirmed as eligible for free trade conditions. The concern is that if the list is not updated regularly, then Customs officials may exclude products of newly eligible firms. UEMOA has always been a leader in promoting successful closer integration—the continued existence of UEMOA will continue to be a plus for ECOWAS.

For example, UEMOA has also raised the question within the ECOWAS CET discussions about how Nigeria is not complying with the ECOWAS ETLS provisions. Closer regional economic integration will require productive discussion and negotiation of difficult issues among the giants of the region, and a bridge across the linguistic divide between UEMOA and non-UEMOA countries.

4.2. Common trade policy and multilateral negotiations and rules

The ECOWAS CET also has multilateral implications. The first one being that some of the ECOWAS member states might have to renegotiate some of their bound rates at the WTO in order to accommodate the CET rates. Diouf (2012), argues that this is not necessarily the case, should ECOWAS be notified as a Customs Union under the enabling clause, but it seems that currently ECOWAS is opting for an option that would require its Member State to renegotiate their bound rates in cases where the CET exceeds them. Secondly, the CET is a first step towards the ECOWAS Common trade policy, which would allow West Africa to speak with one voice on the multilateral stage, strengthening its ability to shape global trade rules and negotiations to its advantage.

Making the ECOWAS CET WTO compatible could require a significant amount of work. Firstly, WTO provisions suggest that West Africa, in establishing its customs union, not increase the overall level of protection compared to the prior applied rates. It is unclear if this condition is currently met, but ECOWAS and UEMOA have, for the past several years, kept a close eye on the degree of tariff protection pre and post the establishment of the Customs Union. Secondly, the application of CET rates in ECOWAS countries will lead some Member States to exceed their WTO bound rates, as with Cape Verde and Côte d'Ivoire in particular. Currently, ECOWAS Member States are exempt from applying CET rates in cases where this would lead the to exceed their WTO bound rates.

WTO provisions cover the second situation described above by which a member has to revise its bound rates upwards as a result of the establishment of a customs union.[22] Another WTO member country would have to challenge an individual ECOWAS country's commitments. It is possible that one or more ECOWAS countries may have to renegotiate, line by line, their bound rates in cases where the ECOWAS CET leads them to exceed their WTO commitments. This will entail identifying the tariff lines concerned, the scale of change needed, and finally the countries with which the negotiation has to take place. Under WTO procedures, a domain in which specific terms hold highly technical meanings, countries involved in negotiations would be those with which the initial rates were negotiated (so called Initial Rights Holders), and countries with "principal supplying interest".[23] As the ECOWAS CET is to begin in 2015, by that date the ECOWAS Commission should have notified Initial Rights Holders and other concerned WTO members of its intentions. The next re-negotiations phase of bound duty rates at the WTO rates also starts in 2015.

A joint ECOWAS-UEMOA mission was undertaken to World Trade Organization in Geneva, Switzerland in July 2012. As a result of this mission, the ECOWAS and UEMOA Commissions were able to cleverly re-work parts of the ECOWAS CET in order not to experience difficulties during the renegotiation phase. While each ECOWAS country will submit a new WTO schedule, meaning the commitments are inherently bilateral in nature, the renegotiation phase will work best if the regional institutions take the lead in the process and if West Africa speaks with one voice when renegotiating its members' bound rates. This will require a significant amount of coordination, and a level of delegation of sovereignty on trade matters, as provided for in the ECOWAS Treaty. Upon reaching the stage of negotiating with non-ECOWAS WTO countries, for sure the products in the 35% "fifth band" will receive the greatest scrutiny.

By treaty, the ECOWAS Commission is vested with the power to negotiate international trade agreements on behalf of its member countries. If ECOWAS is not represented in any international trade negotiation forum, the member countries involved undertake to adopt positions according to guidelines set in common with its ECOWAS partners.

The formulation of a common trade policy aims at adopting regional instruments and procedures to ensure effective management of the common market (supply of products in sufficient quantity and of good quality at affordable prices). The ECOWAS common external trade policy is also aimed at developing and promoting access of ECOWAS-origin goods to external markets, and effective participation of the region in the multilateral trade system of the WTO.

There are challenges facing ECOWAS in perfecting its common external trade policy, including a lack of internal capacity (technical ability of the ECOWAS Commission and individual countries) to formulate and negotiate this regional trade policy. The operation of the policy would also require a greatly improved database of economic and trade statistics as part of a monitoring mechanism as a management tool for determining the correct application of its provisions and for evaluating its impact on regional competitiveness in such areas as economic stability, sensitive sectors, consumer welfare, and government finances.[24]

[22] The relevant provisions are contained in GATT Articles 28 and 24.
[23] Principal supplying interest is defined as members with biggest share of imports into the country, and members with highest ratio of exports to their total export basket on the product concerned. The inclusion of the latter criteria is meant to favor small and medium sized exporting nations. Brazil has a strong interest in poultry trade in several countries, as do Thailand and Vietnam concerning changes in rice tariffs in nearly all of the ECOWAS countries
[24] A decade or more ago, this was known as "The Development Box."

4.3. Economic Partnership Agreement negotiations

The EPA negotiations and the ECOWAS CET are inextricably linked. On agricultural issues, two topics currently on the EPA negotiating table are directly relevant: EU subsidies to its agricultural sector, and the level of market access opening on the West African side.

ECOWAS has insisted that binding commitments be made regarding export subsidies and internal EU domestic support to agriculture in the agreement, in recognition of the distortionary effects these can have on trade flows. The EU has pointed to the multilateral level as the appropriate forum for these topics. One potential area of progress under the EPA is that the EU might agree to expanded transparency requirements regarding the use of export subsidies. In its recent negotiations with SADC, the EU has also reportedly agreed on refraining to use export subsidies on goods liberalized in the SADC schedule. The UEMOA hybrid measure, the *Taxe Conjoncturelle à l'Importation*, which is to be phased out by the end of 2014, specifically mentions the agricultural sector subsidies in other parts of the world as justification for imposition of the TCI as a countervailing duty.

The most important hurdle to the conclusion of an EPA remains the level of market access opening on the West African side. At the time of writing, the region has settled on adding an extra 5 percentage points of market access opening to its original position of 70%. The EU argues for a minimum of 80% of market access opening over a lengthy period of time, pointing to problems of compatibility with the General Agreement on Tariffs and Trade's (GATT) Article 24 should the threshold be lower. The question for agricultural producers in West Africa is whether or not their products will face increased competition from EU imported goods after liberalization.

It can be expected that agricultural goods and products will continue to feature prominently in the region's exclusion list. It can also be expected that ECOWAS's goods schedule closely follows the CET template in terms of categorization of products from sensitive to less sensitive, with some adjustments to reflect the specificities of the two regions' bilateral trade flows. Beyond this, there is not much public knowledge about the specificities of West Africa's offer.[25]

The immediate challenge facing ECOWAS, the CET and the ECOWAP with regard to EPA negotiation is regional cohesion. With Ghana and Cote d'Ivoire having concluded interim EPA agreements, and the October 1st 2014 deadline for implementation drawing close, the region is nearing a crossroads. Should Cote d'Ivoire and Ghana choose to go ahead with agreements unilaterally, the implications would be great for the ECOWAS CET and for the free movement of staple foods within the region. The enabling environment for ECOWAP, including a unified internal market, common trade instruments adapted to the region's agricultural sector, etc. would also be severely hampered. Therefore, beyond specific issues having a bearing on agriculture in EPA negotiations, the bigger question from the point of view of regional agricultural markets is the safeguarding of regional coherence, whatever the outcome of negotiations might be.

[25] EU products entering in one ECOWAS country, for example Ghana, might continue to face double imposition of the CET and related charges upon transshipment to another ECOWAS country such as Burkina Faso, unless the EU products were to enter under the ECOWAS transit bond arrangement. Internal national barriers will remain in place under the eventual ECOWAS Customs Union as conceived to date.

5. Conclusions

The relationship between agriculture and trade is at the heart of efforts to fight poverty and reduce food insecurity in West Africa. This paper has tried to paint the broad contours of this emerging relationship and suggest how best to meet the challenges lying ahead in the future.

Classifying agricultural products under different tariff bands is only the first step in ensuring the broader aim of a unified agricultural market. Even while the rates agreed upon might not be entirely satisfactory for some segments of the population, they are the fruit of intense negotiations across the region. The compromises reflect trade-offs between various policy objectives and different political economy pressures facing ECOWAS member states. The role played by the region's three regional bodies will be key, and ECOWAS countries will have to carefully balance their national interest with regional solidarity and cooperation.

The completion of the CET also lays strong bases upon which to increase the effectiveness of the region's free trade scheme, the ETLS. With CET duty rates soon to be harmonized across the region, the time is ripe to continue efforts at removing tariff and non-tariff barriers hampering intra-regional trade and the development of a unified regional market. The recent efforts by the ECOWAS and UEMOA Commissions and by the CILSS Secretariat, with the help of the many development partners, are certainly moving in the right direction.

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Annex 1: Regional and National Agricultural Policies in West Africa

This Annex is based on research by Daniel Plunkett (April 2010).

Agricultural policies in West Africa are a mix of actors and initiatives, with regional-level policies that are now emerging building onto efforts by national governments and aid donors. This Annex reviews policies at the national and regional level, including actions taken in response to the global food crisis of 2007-2008. If these different elements can blend together effectively, food security will increase throughout the region. At the regional level, while cereals, tubers and dry beans have been the initial emphasis for the regional agricultural policy ECOWAP, producers in all basic staple food categories benefit in the end, given that West African farmers rarely specialize in one sole crop.

In West Africa, agricultural policies are an unusual mix of national programs, donor-funded projects and regional-level programs. During the past half-century, since the first countries gained independence, there has been substantial progress in the modernization of *part* of the region's agriculture. Nearly every country boasts at least a few modern operations in horticulture, crop production and livestock, generally serving demand for well-packaged products by urban consumers. At the same time, subsistence agriculture continues to be a predominant feature of most countries' farming sectors, with small farmers lacking modern inputs, capital and expertise and their products marketed in informal markets in traditional fashion. The more-modern farming operations are better-positioned to take advantage of policy initiatives and are faster at adopting new methods and improved inputs.

In the past, donor-funded projects were a leading source of innovation and progress. Whether financed by bilateral donor agencies, such as USAID or France, or via charitable groups such as The Heifer Project or religious-based organizations, donor-funded projects were often the first groups to reach out to village communities to assist them in improving techniques in production, post-harvest handling and marketing. The substantial funding provided by the European Commission, the executive arm of the 27-nation European Union, can also be considered bilateral development aid, in contrast to the programs sponsored by the World Bank, a multilateral organization. International research groups active in the agricultural sector such as the Africa Rice Center in Cotonou, Benin—formerly known as the West Africa Rice Development Association (WARDA)—are multilateral in nature. The Africa Rice Center is the only one of the research centers of the Consultative Group on International Agricultural Research (CGIAR) located in West Africa. The International Institute of Tropical Agriculture is an Africa-wide research body.

In recent years, it is the national governments in West Africa that have emerged as potent drivers of technological progress in the farming sector. This is due to an improved information base upon which government policies are being devised, better targeting of inputs (money, equipment, fertilizers, seeds) to desired outputs, and more-efficient delivery mechanisms for government support. At the ground level, governments have found better-organized partner organizations such as village cooperatives or interprofessional bodies. Crop production estimates have become more accurate, benefiting from the lengthening of the time series of data from previous years, meaning that the *impact* of government initiatives can be better ascertained.

Unlike donor-funded projects, national governments have the scope and authority to work with all of the country's producers across the entirety of national territory. Past initiatives involving state-run farms, marketing boards and open-ended subsidies of inputs, which proved to be ineffective, costly and often corrupt, have been abandoned in favor of programs promoting improvement of agricultural structures

("Green Box"-type policies, in the WTO parlance). The new generation of national government policies makes it clear to all that success depends upon a partnership between the government providing limited, targeted assistance and the individual farmer getting the most out of the helping hand.

On top of the donor-funded projects and national government programs, a third level of actor is represented by the regional-level agricultural programs operated by the ECOWAS Commission, the UEMOA Commission and the CILSS Secretariat. CILSS has the longest history of conducting regional-level agricultural policies, following its creation in 1973 in the wake of a bad drought. In addition to fighting desertification and monitoring the region's water supply, CILSS has developed a Regional Framework for Food Security helping countries to establish national-level systems for monitoring food security and preventing food crises. CILSS views markets as playing a strategic role in managing food security at the local, national and regional level, and has worked to improve the functioning of the region's food markets, improving market information systems and the "*fluidification des échanges*" (facilitating markets and trade). In certain domains, CILSS is the technical arm for ECOWAS.

UEMOA set up its Common Agricultural Policy (*Politique Agricole de l'UEMOA*, PAU) in 2001. The present 3-year program, running through 2011, includes axes to promote production (particularly in 5 sectors: rice, maize, livestock-meats, cotton and poultry), deepen the internal market (especially through norms for seeds and pesticides), and promote external trade. Through its Fond Régional pour le Développement Agricole, UEMOA has 12.3 billion FCFA (about $27 million) in financing available in hand.

While a common agricultural policy was called for in the original ECOWAS Treaty of 1975, it was only 30 years later, in 2005 that the ECOWAS countries agreed upon the West Africa Agricultural Policy (ECOWAP). ECOWAP is based on a combination of National Investment Programs (NAIPs) and 3 mobilizing and federating programs (MFPs) undertaken at the regional level. The 3 MFPs seek to: promote strategic products for food sovereignty; promote an overall environment conduce for agricultural development; reduce food vulnerability and promote sustainable access to food.

The policy reform component of the MFPs include internal and external trade, taxation, investment codes, regulatory frameworks, industrial and monetary policies, information systems, and regional-level investments. The 3 regional-level MFPs are estimated to cost $900 million from 2010 through 2014, although the financing is not yet in hand. ECOWAS has committed to finance at least 15% of the cost of the MFPs from its own resources. A Regional Fund for Agriculture and Food will be created, housed in the ECOWAS Bank for Investment and Development (EBID) in Lomé, Togo. The implementing body for ECOWAP will be a Regional Technical Agency for Agriculture and Food, yet to be created. In view of the global food crisis in 2007-2008, a short-term program was set up called "A regional offensive for food production and to fight hunger" featuring emergency plans at both the national and regional levels.

The initial group of strategic products targeted under the first ECOWAP MFP were millet-sorghum, maize, rice, roots and tubers, fruit and vegetables, and animal products, with follow-on waves of new products of emphasis. The ECOWAS region imports $5.5 billion of food per year, with an agricultural trade surplus of $500 million (mainly due to exports of coffee, cocoa and pineapples, but with a trade deficit in staple crops.

Recent National Government Actions to Promote Food Security Incomplete

While there has been a great deal of progress recently in the development of the regional-level policies, the national agricultural policies remain the prime drivers of change and improvement at present. As part of the NEPAD process, all African governments pledged in 2001 to spend 10% of their national budgets on agricultural development, but given the difficulty in obtaining reliable data, it is very difficult to determine how many of them are meeting that goal.

With the sharp rise in cereals prices in 2007-2008, national governments took a number of steps to mitigate the situation, most but not all of them positive for food security and agricultural development. Along with efforts to boost staple crop production, most of the region's governments undertook a combination of the following measures:

- Reducing or eliminating customs tariffs on rice and other cereal imports
- Reducing or eliminating VAT on imports and domestic sales (although little VAT is collected on domestic sales of cereals)
- Prohibitions on exporting cereals

National Government Policies 2007-2011

Benin	PUASA
Burkina Faso	Programme Riz, PAPSA
Cape Verde	Price controls, food assistance
Cote d'Ivoire	Programme Riz
The Gambia	Expanded Rice Production Initiative
Ghana	FASDEP-2
Guinea	Initiative Riz
Liberia	Feeding programs
Guinea-Bissau	Mangrove rice seeds
Mali	Initiative Riz
Nigeria	NEEDS/SEEDS, Guaranteed Minimum Price Program
Niger	Cowpea purchasing
Senegal	GOANA
Sierra Leone	Feeding programs
Togo	PARTAM

Source: Research by Daniel Plunkett, 2011.

In response to the crisis in 2007-2008, **Benin** launched a policy called PUASA (Programme d'Urgence d'Appui à la Sécurité Alimentaire) to boost production of rice, maize and the most commonly consumed roots and tubers by distributing improved seeds and crop-specific fertilizers. Benin's government offered to purchase rice directly from farmers at guaranteed prices. At the consumer end of things, Benin's government constituted buffer stocks, opened public sales offices (*boutiques témoins*) for staple foods, and offered a 25% consumer price subsidy for broken rice. Unfortunately, it was reported that there were difficulties in the timely delivery of the fertilizers and some traders turned the price subsidy to their own advantage.

Burkina Faso has set up its Programme Riz in order to boost rice production, with the government purchasing rice at guaranteed prices and spending $13.8 million in 2008 to subsidize the purchase price of seeds and fertilizers. Burkina Faso is aiming to boost rice production nearly fivefold from 68,000 tons in 2007 to 300,000 tons in 2009-2010 and is well on the way, reaching 235,000 tons in 2008. To ease the impact of high prices for rice on consumers, the government established consumer price subsidies. For the 2010-2011 season, Burkina Faso has launched a new 5-year program called Projet d'Amélioration de la Productivité Agricole et de la Sécurité Alimentaire (PAPSA) estimated to cost 26 billion FCFA.

Cote d'Ivoire's Programme Riz was launched in 2009 with 18 billion FCFA (roughly $38 million) from a combination of international donor funds and Ivorian government money. The program aims to support cooperatives and assist producers in acquiring access to agricultural machines, improved seeds, irrigation and rice hulling units as well as creating labels identifying the origin of Ivorian rice by region within the country. Cote d'Ivoire also established price controls and consumer subsidies.

The Gambia was able to nearly double its rice production in one year to reach 68,000 tons for 2009-2010. Under the Expanded Rice Production Initiative, the government provided compound fertilizer and seed treatment chemicals for the planting of 7,000 hectares of rice. With help from Taiwan, an additional 8,000 hectares of rice cultivation are planned for 2010-2011.

Ghana, which is in the middle of its Food and Agricultural Sector Development Policy (FASDEP-2) established in 2007, is targeting 5 food crops (maize, rice, yam, cassava and cowpea) with each of the countries' zones receiving support such as improved technological packages for at most 2 of these staples. Ghana has only 20,000 hectares of irrigated land, with formal public irrigation schemes operating at only one-third capacity because of poor operation and maintenance, therefore improving the irrigation infrastructure is a priority for raising crop yields. A $100 million credit facility was set up in March 2009 to promote cereals production through a private bank.

In **Guinea**, the government took steps to provide farmers with improved seeds, fertilizers, plant protection products and machinery, leading to an increase in rice and maize production. Producer prices were fixed for rice and a subsidized consumer price was established. For the lowest-income consumers, the government both gave away rice and other staples and offered them at cut-rate prices, benefiting 630,000 people. In Guinea, more so than in other West African countries, the government's agricultural programs tend to rely on foreign donors and NGOs.

Under **Mali**'s Initiative Riz, the government allocated 10 billion FCFA (about $21 millon) for subsidies for fertilizers and improved seeds, credit to buy fertilizer and agricultural machinery, and to hire new extension agents. The program was most successful in meeting its target for fertilizer, but less so for seeds. Overall, the goal to boost Malian rice production was successful, but other downstream aspects of the policy were less successful. There was a stated price farmers were to receive for rice and a stated price for sales to consumers in the market, with therefore an implied fixed margin for traders. In practice, this aspect of Mali's policy did not work, as farmers were often unwilling to sell to traders for the stated producer price and rice was being sold in the markets at a price above the stated price to consumers. The export ban was circumvented, as traders found higher prices for Malian rice in Burkina Faso, Senegal and Mauritania. The government also set up 120 public sales offices (*magasins témoins*) to sell rice to low-income consumers.

Niger's government has supported the purchase of improved millet, sorghum and cowpea (niébé) seeds, subsidized the sale of 29,000 tons of fertilizer, purchased cowpea from farmers at a guaranteed price and starting subsidized sales of cereals earlier than usual. While other countries' crop support policies have increased locally produced food supplies, Niger's government has not been able to prevent the current food security crisis in Niger. In March 2010, Niger's government appealed to international donors for help in reconstituting the national food security stocks and for help financing agricultural inputs, at an estimated budget of 89 billion FCFA ($187 million). 500 women in one region of Niger were recently given one milking cow each in an effort to improve household food security.

Nigeria's agricultural policy aims to increase self-sufficiency and ensure food security and is well-integrated with the poverty reduction program called NEEDS-2. In support of the effort at "ecological specialization", an analysis financed by USAID pinpoints the north-central region of Nigeria as having comparative advantage in maize and the north-west region in sorghum. Production growth in recent years has mainly been fueled by an expansion in cultivated land, with harvested area tripling in the past 2 decades; important land reform legislation is currently being debated. Despite well-documented problems and corruption in the past, Nigeria continues to subsidize fertilizer, with the federal government providing a 25% subsidy and state governments an additional subsidy ranging from 2% to 50%. Nigeria is a leader in the region in offering agricultural insurance to producers to mitigate risk and in the degree to which Nigeria's federal government and state governments share responsibilities. In 2008, Nigeria took 2 steps to bolster maize, millet and sorghum markets: establishing the Guaranteed Minimum Price Program featuring government purchase at a floor price, along with providing storage silos to households; and after 20 years, Nigeria removed corn, millet and sorghum from the list of products subject to an import ban. In 2009, Nigeria's National Food Security Strategy and National Rice Development Strategy consolidated these activities into a goal to double rice production by 2016.

Senegal introduced a short-term program called GOANA (Grande Offensive Agricole pour la Nourriture et l'Abondance), complementing its long-term program LOASP (Loi d'Orientation Agro-Sylvo-Pastorale), for a total of 370 billion FCFA (about $780 million). The programs have ambitious goals for increasing production of maize, cassava, rice, millet-sorghum and fonio. Under GOANA, Senegal's government offered a 70% price subsidy on seed purchases and 40% on fertilizer purchases. With another program called the National Program for Rice Self-Sufficiency (PNAR), Senegal was able to triple its rice production from 2005 to 2008, reaching 300,000 tons, with the target of a million tons of hulled rice to be produced by 2012.

Togo has set up PARTAM (Projet d'Aménagement et de Réhabilitation des Terres Agricoles dans la zone de Mission Tové) to double rice production in the best production area. At a cost of 5 billion FCFA (about $10.5 million), PARTAM aims to intensify and diversify agricultural production in the Zio River Valley, in part by building 15 storage warehouses, 4 new irrigation canals, and 47 kilometers of roads to improve the flow of cereals out of the region.

Not all Government Actions Have Helped Food Security

Unilateral trade policy actions, such as eliminating customs tariffs, have undermined the unity of UEMOA's common external trade policy. Changes to the common external tariff must be decided upon in common, by all of the countries in the regional grouping. As the West African countries prepare to adopt the ECOWAS common external tariff, all 15 countries will need to respect the rules regarding imports from outside the region *and* facilitate free trading between countries within the region.

Moreover, the practice of banning cereals exports is more harmful than helpful when it comes to food security. The *ad hoc* nature of the export bans is disturbing as well; for the most part, the export bans are not based on a law passed by parliament or even on a governmental decree. The export bans tend to be decided on the basis of unpublished decisions by small clusters of key officials, without any indication of the reasoning involved, and then communicated to the cereals traders by the local chambers of agriculture, or via customs officials at the border posts. As one analyst wrote, "the measures for managing the crisis were decided upon urgently, under pressure from the street."

In addition to their regional commitments, the West African governments imposing bans on cereals exports are in violation of Article XII of the WTO's Agreement on Agriculture, which requires countries to notify trading partners dependent on those products before establishing the export ban. While the WTO offers special and differential treatment to the least-developed countries in many domains, it is thus unlikely that any WTO partner countries will bring a case against a West African country imposing an export ban.

Export bans are clearly harmful to neighboring countries' food security in the short-term. In the long term, an export ban impairs food security in the country imposing the ban, discouraging investment in both production and the infrastructure needed for trade. Development of the regional market for cereals trade is the best guarantee of food security.

Conclusions for this Annex

Agricultural policies at the regional level, which for the most part are quite new, have been designed to be complementary to those of national governments and donors. All parties have accepted the principle of subsidiarity, meaning that actions should be taken at the level where they will be most effective. Resources devoted to agriculture are scheduled to increase, due to both national governments' commitment to spend 10% of their national budgets on the sector and international aid commitments to improve food security, meaning that cooperation at all levels will be essential to have the greatest positive impact.

Encouragingly, national government efforts in response to the food crisis of 2007-2008 have resulted in increased production of cereals. Rice has been "the crystallization point for most initiatives" (LARES-ISSALA 2008). But a number of elements in the policy environment could be improved upon, in order to boost food security:

- Rather than offering price subsidies on the purchase of improved seeds and fertilizers, governments would be better off establishing systems of agricultural credit, so that producers could obtain financing for the purchase of inputs at planting time, paying the loans off at harvest time;
- Measures imposing price controls on cereals often do not work, and may have unintended consequences;
- Recent national government measures "focus almost exclusively on production to the exclusion of complementary initiatives in processing and marketing" (GFSR 2009);
- Unilateral measures changing the levels of customs tariff or VAT may help lower the price of imported cereals for consumers, but are highly damaging to development of a regional market for cereals, which is the best guarantee of food security;
- Banning exports of cereals not only violates commitments at the regional level (UEMOA, ECOWAS) and at the WTO, but is in fact harmful to food security.

In light of these conclusions, in order to improve the competitiveness upstream and downstream for key staple crops, national governments and the regional bodies should promote regional free trade and the free movement of staple foods between supply and demand zones within each country. Respecting the exising regional rules, which supersede national policies, will reinforce the efforts of all the different actors involved and to make a tangible contribution to filling in the gaps in existing policies.

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This publication benefits from the generous support of ECDPM's core, institutional and programme funders: The Netherlands, Belgium, Finland, Ireland, Luxemburg, Portugal, Sweden, Switzerland and Austria.

ISSN 1571-7577

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