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COOPERATION

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Improvement of Transit Transport in West Africa¹

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Contents

Contents	2
Introduction.....	4
Chapter I: The different elements of the cooperation in matters concerning transit transport in West Africa.....	4
1.1 Legal aspects.....	4
1.2. Cooperation between UNCTAD and ECOWAS	9
1.3 Regional cooperation	10
1.4. Content of bilateral and multilateral protocols and agreements	13
1.5 Cooperation on infrastructures and facilities	19
1.5 Cooperation on regional integration projects.....	23
Chapter II: Diagnostic summary of programmes, initiatives and instruments for effecting transit transport in the ECOWAS/WAEMU zone	24
2.1. General data on the management structure for road freight	24
2.2. Problems affecting the operation of inter-State bus passenger traffic in the Abidjan-Cotonou coastal corridor.....	30
2.3. Costs relating to the transport serving West African destinations.....	32
Chapter III: Cooperation on transit in West Africa. What are the solutions?.....	34
3. Conclusions and recommendations: Proposals for improving cooperation in transit-related matters.....	34
3.1. Legal aspects.....	34
3.2. Institutional aspects.....	37
3.3. Technical aspects	38
3.4. Operational aspects	40
3.5. Recommendations: Future prospects	44
Annex: WAEMU Programme Of Action	45
References.....	49

Tables

1. Summary of main legal content and types of compensation provided for in the conventions governing the international carriage of goods
2. List of countries or territories which have accepted or acceded to the instruments for facilitating international trade procedures
3. Transport and transit in West Africa (ECOWAS/WAEMU)
4. Bilateral and multilateral agreements and arrangements among the WAEMU countries
5. Main access routes to the ocean for the landlocked ECOWAS countries, and transit corridors
6. Mali's goods vehicle fleet in 2000
7. Diagram of road transit transport logistical operations in West Africa
8. Identification and implementation status of subregional projects directly concerned with improving operations, procedures and control in road transport and transit
9. Freight costs as total import values
10. Costs (%) of average delays (no. of days) for transit operations and procedures, in terms of the regulations in force in the ECOWAS/WAEMU zone
11. Indicators of competitiveness in the Malian transit corridors
12. Transit systems in the Malian corridors
13. Problems affecting the operation of inter-State bus passenger traffic in the ABIDJAN - Cotonou coastal corridor, 2003
14. As above, 2002
15. Costs relating to the transport serving West African destinations
16. Costs relating to the transport serving West African destinations (continued)
17. Databases in the WAEMU member states

Introduction

Cooperation in the sphere of transit transport is based on subregional integration mechanisms, mainly WAEMU (West African Economic and Monetary Union), ECOWAS (Economic Community of West African States) and MOWCA (Maritime Organization of West and Central Africa); the programmes, initiatives and instruments implemented under their auspices have not been successful.

From time to time, with help from development partners, a review of the situation is carried out. Proposals and recommendations are made and well-conceived work schedules are produced. Unfortunately, the follow-up is lacking on all sides.

This study, after describing the normal functioning of transit transport as defined in the relevant international conventions, offers a diagnostic summary of the current situation, taking into account the crisis in Côte d'Ivoire. It then presents a set of appropriate solutions and urgent recommendations.

Chapter I: The different elements of the cooperation in matters concerning transit transport in West Africa

1.1 Legal aspects

The series of international benchmark conventions enacted by UNCTAD, IMO, GATT/WTO, ITC (International Trade Centre), ISO (International standards Organization), IRU (International Road Transport Union) and the CCC (Customs Cooperation Council) has mostly been adopted by the international community.

Their aim is to optimize international trade and transport with a view to stimulating economic development.

To date, the application of these conventions has helped to:

- encourage and ensure an orderly expansion of trade and transport;
- coordinate standards and methods for the movement of goods;
- facilitate the formalities and procedures used in trade and transport;
- coordinate, simplify and unify trading and transport documents;
- expedite physical transport operations;
- optimize costs and deadlines;
- protect each country's economy against fiscal and customs fraud;
- provide seaport transit facilities for landlocked countries;
- establish preferential arrangements for certain types of goods;
- facilitate integrated transport;
- encourage the conclusion of trading contracts (purchase/sales) and transport contracts;
- introduce databases throughout the trading and transport system.

The main conventions are described below:

a) The international convention for the simplification of customs practices (1923)

- The aim of this convention is to simplify customs formalities and coordinate procedures, nomenclature and valuation methods.
- Its administration by GATT since 1947 has led to the creation of the Customs Cooperation Council (CCC).

b) Convention on the contract for international carriage of goods by road; known as the CMR Convention of Geneva (1956)

- Signed on 15 May, 1956 in Geneva, the CMR Convention entered into force on 2 July 1961, and is based on the Berne convention on international rail transport (**CIM**).
- Its objective is to regulate consistently the conditions of contract for the international carriage of goods by road, "particularly with regard to the documents used for carriage and carrier liability".
- This convention originated the use of **consignment notes** and **travel warrants** for confirming the contract of carriage.
- Combined carriage by road/sea or rail/road are governed by article 2 of the convention, which regulates overall road transport from one end of the chain to the other.

c) Customs convention on containers (1956-1972)

- Elaborated by the European Economic Commission and adopted worldwide thanks to the efforts of the CCC, this convention's aim is to facilitate the use of containers in international traffic.
- Containers must conform to a set of manufacturing standards.
- Temporary import is permitted by customs agencies without a requirement for customs documents or for a guarantee.

d) Convention on facilitation of international maritime traffic; also known as the FAL Convention (1965)

Signed in London in 1965 under the auspices of the International Maritime Organization (**IMO**), the FAL Convention facilitates port usage by:

- reducing the cost of the administrative procedures involved in foreign trade;
- reducing, simplifying and coordinating all commercial and transport documentation in current use;
- Improving procedures that cause excessive and expensive delays;
- Expediting port operations, especially transit;
- Ensuring effective coordination in the sphere of trade and transport facilitation.

This convention provided the inspiration for the TRIE formula, as well as port and maritime agreements between countries with coastlines and those without. It has also given rise to facilitation committees and other consultative bodies concerned with competition among the ports of the subregion.

e) Convention on transit trade of landlocked states (1965)

- This instrument is based on the principle that landlocked states have a recognized right of access to the sea. States with coastlines are called on to grant landlocked states free transit on their territory and to treat the ships that carry their flags in a non-discriminatory fashion, especially in respect of access to maritime ports.
- Goods in transit are exempted from duties and taxes, regardless of the means of transport used; the same applies to transfers, storage, transshipment and change of means of transport.

f) International convention on the simplification and harmonization of customs procedures; also called the Kyoto Convention (1973)

This convention's objective is to simplify and coordinate the customs procedures and formalities relating to goods departure and customs clearance of goods imported for domestic use; the exportation and origin of goods; the procedures for suspending payment of duties in cases of customs transit and transshipment; bonded warehouses, repayment of duties; special procedures, including those applicable to free-trade areas and coastal navigation; external relations; crimes and appeals; and the use of information technology.

g) Customs convention on the international transport of goods under cover of TIR carnets; also called the TIR Convention (1975)

The objectives in this case are based on the fact that:

Transit systems are designed to facilitate to the maximum the movement of goods under customs seal in international transport, and to ensure that transit countries are provided with security and the required customs safeguards. Naturally, a prerequisite to the sound functioning of such a system is that the procedures involved are neither too onerous for the customs authorities nor too complex for carriers and their agents. This is why it is important to strike a balance between the requirements of both sides.

With regard to principles, the TIR system covers **four** fundamental requirements that constitute the main pillars of the transit system:

1. Goods must be transported in vehicles or containers which provide every assurance of customs security;
2. Relevant duties and taxes must be guaranteed (for the transit countries) throughout the carriage process by means of an internationally recognized safeguard;

3. Goods must be accompanied by an internationally accepted TIR carnet used in the country of departure, which must serve as the control document in the countries of despatch, transit and destination;
4. Customs control measures taken in the country of departure must be accepted by the countries of transit and destination.

h) United Nations convention on international multimodal transport

Adpted in 1980 under the auspices of UNCTAD, this convention aims to:

- reduce the number of documents used (single departure/destination document);
- minimize transshipment and handling (ports, stations, etc.);
- expedite transport operations involving at least two means of transport;
- Optimize costs, deadlines, administrative procedures and documents throughout the transport chain.

Although it is not yet in force, the main principles of this convention are gradually taking effect in an era dominated by intermodal arrangements which has seen the emergence of combined transport, the through bill of lading and the multimodal transport operator (MTO).

In addition to the international benchmark conventions mentioned above, others focus on aspects such as the liability of the principal parties and the conditions governing compensation and official documentation of transport. These have been classified by the competent United Nations bodies, and are summarized in Table 1 below.

Table 1: Summary of main legal content and types of compensation provided for in the conventions governing the international carriage of goods

Legal instrument	Date of signature (e.i.f)	Official transport document	Limits of carrier liability			Statutory period
			Loss	Damage	Delay	
International rail transport						
CIM rules; Berne Convention; COTIF (Conv concerning intl carriage by rail) and 1990 Berne Protocol	7/2/70 1/1/75 9/5/80 (1/5/85)	Intl consignment note (CIM)	50 F gold/kg of gross weight 17 SDR/kg of gross weight	Comp. equivalent to depreciation of goods	1 or 2 x carriage costs not exceeding 50 F gold per shipment (CIM); Comp. not exceeding 3 x carriage costs	One year
International road transport						
CMR rules; Geneva Protocol	19/5/56 (2/7/61) 5/7/78 (28/12/80)	Intl con note (CMR)	25 F gold / kg of gross weight**; 8.33 SDR/kg of gross weight (for non-IMF members)		Comp. not exceeding carriage costs	One year
International maritime transport						
The Hague Rules; The Hague-Visby Rules; Brussels Protocol;	25.8/94 (2/8/31) 23/2/68 (23/6/77) 21/12/79 (14/2/84)	Bill of Lading	100 F gold; 10 000 F/package or unit, or 30 F gold/kg of gross weight, whichever is the higher; 666.67 SDR/ kg of gross weight, the highest value. Non-IMF members, as per other cases;			
Hamburg Rules	30/3/78 (1/11/92)		835 SDR/package or unit, or 2.5 SDR/ kg of gross weight, whichever is the higher	2.5 x cost of delayed departure, not exceeding total amount of freight payable acc to maritime carriage contract	One year	
International air transport						
Warsaw Rules; Montreal Protocol	12/10/29 (13/2/33) 25/9/75*	Air waybill	250 F gold/kg (1F=65.5 mg of gold 0.900); 17 SDR/kg (Add. Prot. No. 4****)			One year Two years
International multimodal transport						
Geneva Rules	24/5/80*	Multimodal transport document (MTD)	920 SDR/package or unit, or 2.75 SDR/kg of gross weight, whichever is the higher, and 8.33 SDR/kg of gross weight (if carriage by sea or inland waterway is not included)		2.5 times the freight cost for delayed departure, not exceeding the total amount payable acc. to the MTD	Two years

Source: *Gestion logistique intégrée de la distribution physique internationale*, p224 (Alberto Ruibal Handabaka).

1.2. Cooperation between UNCTAD and ECOWAS

Table 2: List of countries or territories which have accepted or acceded to the instruments for facilitating international trade procedures

Country/ territory	Trade facilitation instruments								
	IMO	EEC-UN			ITC	ICAO	WCO		
	FAL ¹	TIR ²	HAR ³	CEFACT T/UN ⁴	RUU 500 ⁵	⁶	CCO ⁷	KC ⁸	HS ⁹
Benin	+								
Burkina Faso						+			+
Côte d'Ivoire	+							+	+
Ghana	+				+	+			
Guinea	+								+
Mali					+				+
Nigeria	+			+	+			+	+
Niger				+		+			+
Senegal	+			+		+		+	+
Togo									+
Spain	+	+	+	+	+	+		+	+
Spain	+	+	+	+	+	+		+	+
Spain	+	+	+	+	+	+		+	+
Spain	+	+	+	+	+	+	+	+	+
Switzerland	+	+	+	+	+	+	+	+	+

Source: UNCTAD, *Recommendations on trade facilitation*, pp 107-110.

Key:

CCO: Customs convention on containers;

KC: International convention for the simplification and harmonization of customs procedures;

HS: International convention on a harmonized commodity description and coding system;

FAL: Convention on facilitation of international maritime traffic;

TIR: International road transport;

HAR: International convention on the harmonization of frontier controls of goods; CEFACT-UN Centre for facilitation of practices and procedures for administration, commerce and transport;

RUU 500: Uniform rules and usances relating to documentary credit;

ICAO: International civil aviation organization.

1. Contracting governments as at 26 February 2000;
2. Contracting parties to the 1975 TIR Convention;
3. Contracting parties to the 1985 Convention;
4. Countries participating in the work of CEFACT-UN;
5. List of accessions;
6. Contracting states as at 30 August 2000;
7. Signatures, ratifications and accessions as at 30 June 1999;
8. Ratifications and accessions as at 30 June 1999;
9. Contracting parties as at 30 June 1999.

Comments

It is disappointing to note that, unlike the countries of Europe for example, the countries of ECOWAS/WAEMU, especially the landlocked nations of Burkina Faso, Mali and Niger, have been hesitant in acceding to UNCTAD's trade facilitation instruments, which are intended to encourage orderly, efficient and effective expansion of transit transport.

1.3 Regional cooperation

Table 3: Transport and transit in West Africa (ECOWAS/WAEMU)

Bilateral and multilateral agreements and arrangements
<p style="text-align: center;">Protocol 1: Maritime port facilities</p> <p><u>Content:</u> application of provisions relating to the granting of port licences, conditions for storage facilities, tariff and fiscal benefits, port formalities and procedures, conditions for port access by vehicles and occupants, journey times and costs, port competitiveness and statistics; applies particularly to transit by landlocked countries (ports community).</p>
<p style="text-align: center;">Protocol 2: Transit itineraries and facilities</p> <p><u>Content:</u> designation of itineraries concerning the respective territories, introduction of traffic facilities, distribution of construction costs, maintenance and repair of communication routes.</p>
<p style="text-align: center;">Protocol 3: Customs controls</p> <p><u>Content:</u> administration of customs control over corridor traffic, general provisions establishing the rules on duties and taxes, in particular customs guarantees, and the sealing (including lead seals) of transport units, and stipulating the transit itineraries and customs offices in each country, the procedures to be completed, the regulations on mutual assistance, and other activities within the competence of the customs services.</p>
<p style="text-align: center;">Protocol 4: Documentation and procedures</p> <p><u>Content:</u> application of provisions relating to the documents used for agreements, and to the international standards and documents applicable to trade and transit transport in countries; application of provisions relating to the procedures to be followed in connection with other protocols.</p>
<p style="text-align: center;">Protocol 5: Transport of transit goods by road</p> <p><u>Content:</u> application of provisions on various aspects of transit traffic relating to road transport and traffic, the highway code, technical features and inspection of road vehicles, the carriage contract and road carrier liability (contracts on: sensitive products, live animals, strategic goods, etc.).</p> <p><u>Annexes to the protocol:</u> application of the provisions relating to multimodal transport and rail transport of transit goods (Burkina Faso/Côte d'Ivoire, Mali/Senegal and Niger/Benin).</p>
<p style="text-align: center;">Protocol 6: Handling of hazardous goods</p> <p><u>Content:</u> application of provisions on the handling, storage and transit transport of materials, substances and items defined as hazardous according to international guidelines and use.</p>
<p style="text-align: center;">Protocol 7: Facilities for the staff of forwarding agencies</p> <p><u>Content:</u> application of provisions concerning the granting of facilities and the measures needed to make the management and conduct of transit traffic operational and efficient, so that it moves rapidly and smoothly along the corridors.</p>
<p style="text-align: center;">Protocol 8: Motoring insurance with civil liability</p> <p><u>Content:</u> application of provisions relating to the establishment of an international scheme of compulsory civil liability motoring insurance, enabling road hauliers and other motorists from each country to be insured appropriately against the risks of civil liability when travelling in other countries (ECOWAS "Carte Jaune", CIMA (Inter-African Conf. on Insurance Markets) Code).</p> <p><u>Annex to the protocol:</u> application of provisions to facilitate and make safe multimodal transport and through traffic of goods (Community project).</p>

Protocol 9: Granting of preferential treatment for the carriage of food and non-food agricultural products

Content: application of provisions relating to road and border controls, limited to veterinary, health and plant health checks, special types of vehicles, conveyance of live animals, model contracts for transporting such products, and insurance contracts. These provisions focus on compensation for the owner of the products if delays occur and if products deteriorate because of administrative hold-ups, and also on conditioning and packaging (ECOWAS & WAEMU).

Protocol 10: Special community funds to finance the road transit transport system

Content: application of provisions relating to the levying of taxes, licence fees and contributions authorised by the Coordinating Authority, and the payment of all or part of the sums collected into special Community funds to support: the maintenance and repair of communication routes (transit corridors), renewal of the commercial vehicle fleet and administrative and follow-up activities.

Protocol 11: Organization and regulation of work

Content: application of provisions relating to the organization of road hauliers', drivers' and road transport users' unions, in respect of employment law (social benefits, responsibilities, working hours, offences, sanctions and penalties, strikes, etc.), subscriptions, information and training, compliance with a Community code of professional conduct, and use of a practical transport and transit guide.

Protocol 12: Competition, Competitiveness and Transparency

Content: application of provisions for establishing and defining the conditions for liberalisation of the road transport sector in transit corridors, having regard to the principles of competition, competitiveness and transparency, and for adapting the logistical mechanisms used in transport logistical systems, including multimodal.

Protocol 13: Information, statistics and databases on transport and transit

Content: provisions concerning the supply of qualitative and quantitative data on inter-State traffic and transit to public decision-makers and organizations, transport service providers and users by national and international transport observation centres, and the setting-up of freight exchanges authorized by the Coordinating Authority (Higher Council on Surface Transport/ECOWAS).

Protocol 14: Training of transport and transit workers

Content: introduction of consistent, harmonized provisions facilitating the organization of workshops, seminars and training and information activities for carriers, drivers, traffic administrators, shippers, escort staff, port operators, transit operators, etc. ; including transport corridor regulations and systems .

Protocol 15: Subregional cooperation in matters concerning transit and transport

Content: application of provisions facilitating and establishing cooperative and/or collaborative relations at the administrative, institutional, structural and operational levels, among all the organized bodies concerned with transit and transport (Transport facilitation committee).

Emphasis will be placed on projects encouraging regional integration, e.g. the "Grille Plombée" system (SGP) and the observation centre on unfair practices at border crossings (Community projects).

Protocol 16: Infrastructure and facilities

Content: application of provisions governing the introduction of community transport infrastructures and facilities, their funding, maintenance and repair, and supranational supervision of the network of operations by the Coordinating Authority, for the purpose of improving traffic flows in all corridors (Community projects).

Source: N. N'Guessan; Consultant, Transport and Commerce International

Aspects covered by the agreements

Modules: Port, Customs, Road, Passenger/Tourist

Aspects studied: Political, institutional, legal, documentary, infrastructural, organizational, technical, operational, commercial, financial and statistical.

1. International conventions
2. Bilateral and multilateral agreements and arrangements (especially TIR and TRIE); cooperation systems and inter-State projects)
3. Transport structural adjustment
4. National regulations
5. Existing usage
6. Infrastructure and facilities
7. Standards and inspections in relation to means of transport
8. Vehicle fleet (commercial/passenger)
9. Administrative and operational aspects of the transit transport system
10. Conditions for access to the occupations involved in inter-State haulage and connected activities
11. Insurance: vehicles and goods/passengers
12. Model contracts for transport
13. Code of professional conduct
14. Organization of freight offices and exchanges
15. Right of transit
16. Regulations on customs transit of goods
17. Maritime port facilities
18. Port and fiscal advantages
19. Customs procedures for transit goods
20. Transit itineraries and facilities
21. Border facilities and services
22. Adjoining offices at joint border control posts
23. Customs checks/customs seals/"Grille plombée"
24. Other administrative controls (police, gendarmes, transport, commerce, agriculture)
25. Fines
26. Creation of a regional guarantee fund
27. Preferential treatment for transport and transit of certain products/goods
28. Documents, procedures, deadlines
29. Distribution quota and reciprocal treatment in traffic systems
30. Road transport/multimodal transport
31. Facilities for passengers/tourists
32. Facilities for employees engaged in road transit traffic
33. Offences, penalties, sanctions
34. Duties and taxes
35. Prices, tariffs, fees, subscriptions (legal, illegal) and payment provisions
36. Statistics, computerised databases
37. Settling of disputes
38. Competition/competitiveness in transport and transit corridors and operations (quality of service, cost, deadlines, documentation, procedures).

1.4. Content of bilateral and multilateral protocols and agreements

Beginning with the 1959 "Conseil de l'Entente", followed by the former West African Economic Community (CEAO), ECOWAS and then WAEMU, road transit transport policy has rested on the following instruments:

- Decision A/DEC/20/80 concerning transport in the ECOWAS zone;
- Additional protocols No. II concerning WAEMU sectoral policies, especially articles 5 and 8.

These two instruments have given rise to the adoption and implementation of multilateral conventions, bilateral and multilateral agreements and arrangements, national regulations and usage concerned with the coordination and management of road transport in transit through the MOWCA sub-zone.

The following distinctions must be made:

1. Multilateral conventions

The multilateral conventions on transit transport are concerned with ports and surface transport.

Under the auspices of ECOWAS

Decision A/DEC/20/5/80 concerning the ECOWAS Transport Programme

The aim of this programme is to promote the development and integration of transport infrastructures, harmonise regulations, eliminate physical and non-physical barriers between member states, and open up landlocked countries.

The programme covers all modes of transport.

a) Road transport: (TIE)

ECOWAS, the former West African Economic Community and WAEMU all in their turn adopted Convention No. A / P2 / 82 regulating Inter-State Road Transport (TIE).

The objective of TIE is to establish the conditions for inter-State road transport within ECOWAS. The aims are to:

- eliminate excessive road checks;
- ensure equitable access to the freight generated by the external trade of the contracting parties and harmonize the regulations concerning the highway code and transport;
- establish sufficient autonomy to ensure supplies to landlocked countries, in keeping with the transportation means of the transit countries.

To this end, the TIE Convention provides for:

- the setting of annual quotas, by countries, of vehicles authorized to undertake inter-State transport;
- the setting of rules on the distribution of freight between transit states and landlocked countries, in respect of goods in transit and those placed on local markets in the transit countries;
- the setting of itineraries open to inter-State traffic;
- the setting of axle loads.

*b) Customs agreements on inter-State road **transit** (TRIE)*

Convention **A / P4 / 5 / 82** concerning inter-State transit of goods by road (TRIE) comprises economic or suspensive arrangements which allow goods to be transported by road, with all duties, taxes and restrictions suspended by the customs service of a given member state, to the customs agency of another member state, under cover of a single document, without any unloading.

TRIE is based on a declaration through which it is possible to:

- approve the technical characteristics of means of transport;
- identify the goods, the vehicle and the purpose of the transit;
- trace the itinerary and offices visited, including frontiers and destination;
- specify journey deadlines and other requirements with which the driver must comply;
- determine the scope of application of the transit arrangements and declaration (national territory, several frontiers);
- determine the liability of the principal obligee (carrier/forwarding agent);
- set the procedures applicable to cases of force majeure;
- provide statistical support and information for use in dealing with offences, settling disputes and effecting cooperation between customs services.

Application of the TRIE Convention is the responsibility of customs services and the consular offices appointed to protect national interests in administering the TRIE guarantee fund, as laid down in the TRIE Convention.

c) Agreement on transport insurance : ECOWAS "Carte Brune" and CIMA Code

Protocol **A / P1 / 5 / 82** establishes the ECOWAS Carte Brune for the purposes of third-party civil liability motoring insurance. The carrier must take out third-party insurance to cover accidents caused by vehicles in member states. The Carte Brune functions on the basis of a joint guarantee provided by the authorized insurance companies.

In addition to the ECOWAS Carte Brune, the CIMA Code has now also come into effect in the French-speaking West and Central African countries.

The CIMA Code's advantage over the Carte Brune is that it provides simultaneous cover for vehicle, drivers and passengers.

d) Transport coordination

A body of political, administrative and operational structures has been set up to facilitate transport coordination. These are:

- the Higher Committee on Surface Transport (CSTT);

By Decision C / Dec 7 / 12 / 88 of 6 December 1988, the CSTT was made a part of the ECOWAS executive secretariat.

The CSTT is a decision-making body at ministerial level, responsible for road legislation and the regulation of surface transport.

- Hauliers Union of West Africa (UTRAO)

Founded by the road hauliers' unions, this body plays an important role in promoting free movement of people and goods. The pressure it has been able to apply has led to the adoption of the following instrument:

- Resolution C / RES / 4 / 5 / 90 concerning the reduction of control posts in member states.

e) Preferential arrangements for raw products

Decision A / DEC 8 / 5 / 79 of 29 May 1979 (ECOWAS Official Journal No. 1), concerning full liberalization of trade in raw products as from November 1979, facilitates the free movement throughout Community territory of raw products, without specific customs formalities.

On the basis of the foregoing, it is evident that, in the framework of its activities, ECOWAS is concerned to establish mechanisms designed to strengthen and enhance the transit transport system through:

- improved coordination between the ECOWAS Carte Brune and the CIMA Code;
- the Carte Brune; and
- national guarantees in the context of the TRIE regional guarantee fund.

Under the auspices of WAEMU

Three main instruments characterize the road transport and transit policies in the framework of WAEMU, in addition to its adoption of policy established by ECOWAS.

- a) Preferential arrangements for raw products. A decision of 1 July 1996 established preferential arrangements concerning full liberalisation of trade in and carriage of raw products, previously adopted by ECOWAS (see above) and in force since November 1979;

- b) Recommendation No 04/97/CM concerning implementation of a joint programme of action in the areas of road infrastructures and transport within WAEMU.
- c) WAEMU Regulation No. 09/2001/CM/WAEMU and its Annex of 26/11/01 establishing the Customs Code. Book I: *Organizational frameworks, procedures and customs regimes*.

With regard to international transit, the text stipulates, *inter alia*, that "The road transit arrangements between one Union member state and the customs territory of an ECOWAS member state shall be those in force within ECOWAS".

Moreover, these regulations circumvent TRIE procedures between member states of WAEMU. In other words, TRIE remains in force between a WAEMU state and an ECOWAS state.

Concerning **Recommendation No. 04/97/CM**, the programme of joint action that member states are called on to implement is geared to the following main considerations where transit is concerned:

- Creation of transport facilitation committees in member states;
- Creation of adjoining border control posts;
- Introduction of an observation centre on unfair practices, also involving ECOWAS, CILSS (Inter-State Standing Committee to Combat Drought in the Sahel) and the Network for Enterprise in West Africa (REAO); and on World Bank and EU funding;
- Introduction of a single customs clearance document.

The details of this wide-ranging programme are in the annex to this study.

Under the auspices of MOWCA

In the framework of its activities, the Maritime Organization for West and Central Africa (MOWCA) has taken measures to promote transport, ports and surface transit. The main ones are:

- Establishment of national facilitation committees (FAL Committee);
- Creation of national and subregional observation centres on international maritime transport;
- A customs security system for transport vehicles in transit, based on the "Grille plombée" (SGP) system, in accordance with Resolution No. 187/11/01 taken at Abuja in June 2001, concerning the organization of SGP testing in West and Central Africa;
- Establishment of a system to fund the modernization of road vehicles;
- Creation of "dry ports" in landlocked countries, to facilitate the storage and customs clearance of goods.

Bilateral agreements

a) Stipulations made in the texts

Correct application of the TIE and TRIE conventions and the ECOWAS Carte Brune must be sought. Reliance on other international conventions and neighbourly relations, as well as other, often implicit, considerations, has led to a proliferation of bilateral, consecutive agreements and arrangements. Many of these have tended to produce contradictory effects, for example when national regulations emulate such agreements and thus further strengthen the protectionism being practised by States, administrations and operators. Bilateral agreements fall into the following categories:

Road agreements

By and large, these define and regulate:

- road traffic standards;
- vehicle technical characteristics;
- transit itineraries;
- restrictions on intercoastal road transport;
- freight distribution quotas and management guidance and systems for freight offices or shippers' councils;.

These road agreements are similar in content to the TIE Convention.

Bilateral rail agreements: International Rail Transport (TIF)

TIF defines:

- operational procedures for the network linking the countries concerned;
- the transit rules and procedures on one territory or the other.

The main routes are:

- Abidjan - Ouagadougou - Kaya;
- Dakar - Bamako;
- Cotonou - Parakou (rail) and Parakou - Niamey (road).

Maritime and port agreements:

These are signed in order to benefit landlocked countries and strengthened by the competitive introduction of port communities. In general, they regulate:

- the granting of licences and port facilities;
- the operating principles for storage areas and buildings;
- preferential tariffs and exemption periods under common-law arrangements;
- fiscal advantages;
- access by vehicles and mobile staff within port precincts; and
- logistical exploitation of transit corridors.

b) Bilateral and multilateral agreements and arrangements among the WAEMU countries

Table 4

	Benin	Burkina Faso	Côte D'Ivoire	Guinea Bissau	Mali	Niger	Togo	Senegal
Benin								
Burkina Faso	RA,PA, TA,MA							
Côte D'Ivoire	RA,PA, TA,MA	RA,PA, TA,MA, RaA						
Guinea Bissau	TA	TA	TA					
Mali	RA,PA, TA,MA	RA,TA	RA,PA, TA,MA	RA,TA				
Niger	RA,PA, TA,MA, RaA	RA,TA	RA,TA	RA,TA	RA,TA			
Togo	RA,TA	RA,PA, TA	RA,TA	RA,TA	RA,PA, TA	RA,PA, TA,MA		
Senegal	RA,TA	RA,TA	RA,TA	RA,TA	RA,PA, TA,RaA	RA,TA	RA,TA	

RA: Road agm't; RaA: Rail agm't; PA: Port agm't; MA:Maritime agm't; TA: Transit agm't

Source: Study on facilitation of inter-State road transport and transit in WAEMU (Dec 1998), N'Guessan/Fadika

1.5 Cooperation on infrastructures and facilities

**Table 5: Main access routes to the ocean for
andlocked ECOWAS countries, and transit corridors**

Country	Town	Port	Transit country	Transport mode	Distance (km)	Road condition in corridor
Burkina Faso	Ouagadougou	Abidjan	Côte d'Ivoire	Road (via Bobo-Dioulasso) Rail	1176	Good
		Lomé	Togo	Road	1154	Quite good
		Téma/Takoradi	Ghana	Road (via Accra)	990	
						990/1120
Mali		Dakar	Senegal	Rail (606km to Mali and 664km in Senegal) Road (505km to Mali and 744km in Côte d'Ivoire)	1250	Poor
		Abidjan	Côte d'Ivoire	Road (via Bobo-Dioulasso / Ouagadougou)	1249	Good
		Lomé	Burkina Faso/Togo		2071	Quite good
Niger		Cotonou	Benin	Road/rail (300km of road in Niger, 324km of road in Benin as far as Parakou, then 438km by rail) Road (via Koupela)	1060	Quite good
		Lomé	Burkina Faso/Togo	Road (via Birnin-Konni) Road (via Ouagadougou / Accra)	1240	
		Lagos	Nigeria		1525	Quite good
		Téma/Takoradi	Burkina Faso/Ghana		1489/1619	Good

Source: *Gestion Intégrée de la Distribution Physique Internationale*, Alberto Handabaka; *La Problématique de la Gestion Intégrée des Corridors en Afrique Subsaharienne*, N. N'Guessan.

Abidjan-Lagos coastal route

An asphalt road built to connect Mauritania with Nigeria, the trunk route linking Nouakchott-Dakar-Abidjan and Accra-Lomé-Cotonou-Lagos (called the coast road) is only functional along the route San Pédro-Abidjan (Côte d'Ivoire) to Lagos (Nigeria). The physical conditions along the trunk route are as follows:

San-Pédro - Abidjan

good

Abidjan - Ghana border - Noé-Elubo (Côte d'Ivoire)	good
Noe-Elubo - Aguna N'kuanta	poor
Aguna N'kuant - Takoradi	poor
Takoradi - Cape Coast	good
Tema - Aflao (Togo)	quite good
Aflao - Cotonou (Benin)	quite good
Cotonou - Lagos (Nigeria)	quite good

Facilities in transit corridors

Characteristics of vehicle fleet:

- absence of coordinated and reliable statistics;
- 70 per cent of inter-State goods transport vehicles are over ten years old;
- over 70 per cent of drivers and hauliers are illiterate and do not use modern techniques in managing their vehicles;
- poor roads and overloading mean that vehicles deteriorate rapidly;
- vehicles are given only cursory maintenance;
- repeated and excessive administrative checks have a substantial effect on service frequency and performance;
- there is no reliable and generally accessible credit system;
- there are no appropriate parking areas.

The above-mentioned factors show why the vehicle fleet in the ECOWAS/WAEMU zone has very low productivity, which is exacerbated by problems of regulation and distribution, and by the fact that no freight is shipped back from landlocked countries towards coastal countries.

Table 6: Mali's goods vehicle fleet in 2000

		1-3 years	4-5 years	6-10 years	11-15 years	over 15 years	Total	%
Tractive unit	no.	52	30	107	848	2 576	3 613	
	%	1.44	0.83	2.96	23.47	71.3	-	100
Truck (trailer and tanker)	no.	52	127	152	665	5 062	6 058	-
	%	0.86	2.1	2.51	10.98	83.56	-	100

Source: Yearbook of Statistics, June 2000, pp 28-29, Direction Nationale des Transports, MIET, Mali.

Comments

- Over **71 per cent** of tractive units and **83 per cent** of trucks (trailers and tankers) in Mali are **over 15 years old** and carry transit and inter-State goods;
- Fewer than 5 per cent are under 10 years old.

These proportions apply throughout the ECOWAS member states, especially in Burkina Faso, Niger and Côte d'Ivoire (to a lesser extent).

Ten years is the average acceptable age.

This delapidation leads to problems at customs and to administrative delays along the corridors.

Given the infrastructural and facility problems mentioned, the following diagnosis is presented:

- 1) The upkeep of the road networks along the corridors is still unsatisfactory, despite the strengthening of the road and/or rail maintenance fund(s);
- 2) The corridors have no specific subregional operating status in terms of the classifications used by the subregional institutions working to improve the traffic flows;
- 3) For unexplained reasons, there is truck overloading running counter to the 11.5 tonne axle loads which were agreed, after a considerable struggle, for inter-State loads at the subregional level;
- 4) Over 70 per cent of inter-State goods vehicles are over 15 years old, and are often unfit to be made secure for transit at customs, as required by the basic principles of the TIR Convention;
- 5) The inefficiencies caused by the absence of adjoining infrastructures at road and rail border points often prove expensive for the whole trade and transport system.

Table 7: Diagram of road transit transport logistical operations in West Africa

Operations/procedures	Infrastructures	Services	Document	
	Vehicle parking areas at ports			
Loading	Port Shop Open storage Wharf	Transit	Single customs declaration	
Unloading		Maintenance		
Storage		Shipping		
Customs procedures		Customs		
Sealing/De-sealing Vehicle/SGP				
Weighbridge	Pre-Customs parking Haulage depot for inter-State goods (Departure/arrival)	Surface transport operations	Consignment note	
Axle weighing		Consular chamber	Joint vehicle pass	
Contrib. to reg. guarantee fund		Freight exchange	Community insurance "carte"	
Transport contract		Carrier orgs.		
Statistical record		Police/customs/gendarmerie		
Admin. procedures		Insurance		
Contrib. to special transport fund			Control	
Weighbridge		Border Adjoining control offices	Police/customs/gendarmerie	Pass for vehicle personnel
Axle weighing			Health service	Single customs declaration
Customs procedures			Veterinary service	Consignment note
Admin. checks	Customs		Single customs declaration	
Checks (other)				
Loading/unloading	Dry port Landlocked country (Departure/arrival)			
Weighbridge		Police/gendarmerie		
Axle weighing		Transport admin	Consignment note	
Transport contract				
Storage		Freight exchange	Pass for vehicle personnel	
Customs proc.		Carrier orgs.	Goods insurance	
Sealing/de-sealing/SGP				
Contrib. to reg. guar. fund		Consular chamber		
Cont. to spec. transport fund		Maintenance		
Statistical record		Shipping		
Admin. checks		Transit		
		Escort		

Source: Study on project to create a pre-customs truck parking area for inter-State transit transport at Abidjan (18 June 1993); Project:UNDP/UNCTAD/RAF/88/014: Support for transit traffic and the transport sector in West and Central Africa; Expert: N'Guessan N'Guessan.

1.5 Cooperation on regional integration projects

Table 8: Identification and implementation status of subregional projects directly concerned with improving operations, procedures and control in road transport and transit

Project title	Initiator	Activities	Scope (a)	Status of feas. study	Project imp. phase	Funding	Actual or possible man'mt structure(s)	Consultant(s) resp. for basic components
1. Observation centre on intl t'port at sea	Min. Conf. of W. & C. Afr. States (CMEAOC)	Info; d'base; Logistics; Int. transport	International	Completed 1996	Ongoing in pilot countries (b)	World Bank EDF (Eur. Dev. Fund), FAC (French Ass. & Coop Fund)	MOWCA Secretariat Shippers' councils	CATRAM, André Taïeb
2. Observation centre on unfair practice at border crossings	Network for enterprise in W. Afr. (REAO), W. Afr. Forum	Info; d'base; supranational control of t'port/t'sit system	Regional	Completed 1997	Ongoing	USAID	REAO, W. Afr. Forum	N'Guessan N'Guessan
3. Network of raw freight exchanges/trade info system	I-S standing comm. to combat drought in Sahel (CILSS)/FERAP programme	Info; d'base on trade/trans of raw products	Regional	Completed 1997	Ongoing	USAID/ Club du Sahel	CILSS/FERAP; Natl. systems conc. with raw goods	N'Guessan N'Guessan
4. WAEMU study on facilitating road t'port & t'sit	WAEMU	Eval'/re-exam. of TIR&TRIE; Org & logistics in t'port/ t'sit	Subregional	Ongoing 1998/99	-	EDF	WAEMU	N'Guessan & Fadika
5. "Grille plombée" lead seal (SGP) for t'port of goods under customs seal	Ivorian private sponsor	Safety compliance of goods vehicles; customs seal	Regional	Completed 1993; To be carried out 1999	Ongoing	Private; To be found	West African Forum	N'Guessan N'G uessan
6. Parking under customs auth & haulage depots for goods	UNDP/UNCTAD project/RAF88/014:"T'port&t'sit info"	Logistical platform for I-S road & rail goods t'port	Regional	Completed 1993; To be carried out	-	UNDP	UNCTAD States	Various consultants inc. N'Guessan
7. Creation of adjoining customs posts	WAEMU	Logistical p'form for t'port&t'sit	Subregional	Ongoing 1999	-	EDF	WAEMU	N'Guessan/Fadika
8. Single customs decl.	ECOWAS WAEMU	Harmon., simplif., integrated. applic. of TRIE/ECOWAS	Regional	Ongoing 1999	-	ECOWAS WAEMU	ECOWAS WAEMU	ECOWAS WAEMU Natl experts
9. Creation of TRIE reg. guarantee fund/ECOWAS	ECOWAS Consular chambers	Estab. of joint bonds to underpin customs	Regional	Ongoing 1999	-	ECOWAS WAEMU	ECOWAS WAEMU Consular chambers	ECOWAS WAEMU Ntl experts
10. Safety compliance of goods vehicles	WAEMU	Supran'al vehicle approval; creation of inspection centres	Regional	-	-	WAEMU	WAEMU	WAEMU

Chapter II:
**Diagnostic summary of programmes, initiatives and instruments for effecting
transit transport in the ECOWAS/WAEMU zone**

2.1. General data on the management structure for road freight

2.1.1. Freight costs as total import values

Table 9

	1990			1993			1998		
	A	B	C	A	B	C	A	B	C
Benin	46.92	280	16.76	105.57	630	16.76			16.80
Côte d'Ivoire	328.83	1702	19.32	374.81	1940	19.32			19.10
Senegal	160.19	1292	12.40	178.54	1440	12.40			12.20
Togo	80.63	581	13.88	54.12	390	13.88			13.50
Burkina Faso	116.13	536	21.67	141.92	655	21.67	138.89	641	21.67
Mali	178.02	602	29.57	171.51	580	29.57	365.79	1237	29.57
Niger	56.57	389	14.53	61.01	420	14.53	91.52	630	14.53
Total WAEMU	967.23	5382	18.30	1087.48	6055	18.30			18.50
WAEMU average	138.17	768.85	18.30	155.42	865	18.30			18.50
World total	173,102	3,314,298	5.22	201,385	3,601,481	5.59	255,829.38	5,051,387	5.06
Dev'ed countries with market econ.			4.40			4.54			4.60
Dev'ing countries			8.59			8.33	101,286.77	1,256,691	8.06
Afri-can			11.05			11.06	4,851.89	36,208	13.4
Land-locked countries							2,222.83	12,296	18.8
Nigeria			9.52			9.52			9.70
Ghana			6.36			6.36			6.20

Source: UNCTAD-IMF Report on activities (1998); Simulation: N'Guessan N'Guessan
A= Estimated total cost of freight on import (in millions of US\$);
B= Total of import values (CFA francs);
C=Percentage of freight costs in total import values.

The table above clearly demonstrates that, in the ECOWAS/WAEMU zone, only Ghana and Nigeria have a relatively acceptable percentage of freight costs in total import values, as compared with the world or African average. This is the case, despite the multi-layered initiatives and the existing instruments that have been implemented. A close analysis shows that destinations in landlocked countries are more expensive owing to the costs of surface transactions, including those relating to port entries and in the main corridors.

2.1.2. Summary of the main problems and their effect on the performance of the integrated logistical system for transport and transit

Table 10: Costs (%) of average delays (no. of days) for transit operations and procedures, in terms of the regulations in force in the ECOWAS/WAEMU zone

Stages	Contributors	Main problems	Performance	
			Costs	Waiting times (days)
1. Preparatory	Economic operators; (Purchase/supply); Admin system; Banks.	Operator solvency; Banking system; Doc transmission; Intl communications.		
2. Dispatch	Suppliers; Forwarding agents; Surface carriers; Banks	Doc. transmission; Intl communications; Banking system.		
3. Maritime transport (from Europe)	Maritime forwarding agents; Shipping companies; Forwarding agents; Maritime insurance; Shippers' councils.	Doc. transmission; Role of intermediaries; Customs process; Ignorance of compet. rules	33 - 37%	12-18 / 30
4. Port procedures	Lightermen; Port authorities; Shippers' council reps (freight offices); Forwarding agents; Packers; Admin staff	Subregional communications; Doc transmission; Complexity of customs docs; Procedural complications; Goods security	6-12 %	7 - 10
5. Transit Surface transport preparation	Economic operators; Forwarding agents; Shippers' council reps (freight offices); Carriers' unions; Customs admin; Carriers	Ignorance of imp. of comm docs; Operator solvency; Regulatory complications (I-S transit, freight distrib., role change, customs escort); Role of freight offices; Role of carriers' unions; Role of intermediaries	6 - 9%	1- 4
6. Surface transport	Carriers; Various admins; Forwarding agents; Customs.	Service quality & reliability; Excessive checking; Regulatory complications; Lack of facilities; Security Loss of time	30 - 33%	3 -6
7. Final stages	Forwarding agents; Customs; Economic operators; Banks.	Service quality/reliability; Procedural complications; Operator solvency; Lack of facilities at stations/de-pots		

Comments

The purpose of the programmes, initiatives and instruments introduced at the international, subregional and national levels is to measure success criteria against an

established diagnostic summary. The table above gives a true indication of performance in terms of costs and waiting periods. It is noticeable that stages 4 to 7, relating to transit operations proper, account for 46 to 58 per cent of costs and 14 to 27 days of the integrated logistical chain. These indicators are high compared with the benchmark averages of 15 to 25 per cent, and 5 to 10 days.

2.1.3. Malian corridors

Table 11: Indicators of competitiveness in the Malian transit corridors

No.	Indicator	Abidjan	Tema	Lomé	Dakar
1	Port concessions	2	4	3	1
2	Facilities (port, road, rail, frontier)	1	3	4	2
3	Traffic volume	1	4	3	2
4	Customs performance (cost and waiting period)	3	1	4	2
5	Transit system (compliance with TRIE/TIR principles and facilitation)	3	1	4	2
6	Road conditions	1	2	3	4
7	Traffic flow (physical operations)	3	1	2	4
8	Transparency and effectiveness of info. (communication)	4	2	3	1
9	Speed of admin procedures	2	1	4	3
10	Document simplicity	2	1	3	4
Total		22	20	33	25

Source: Questionnaire LEB/ N'Guessan, September 2002.

Key: 1= Very good; 2= Good; 3=Quite good;4= Mediocre

Classification of performance: 1.Tema, 2. Abidjan,3. Dakar, 4. Lomé.

Comments

This table identifies the programmes, initiatives and instruments that function well in sectors and subsectors of transit transport activity. It is noticeable that the existing indicators of competitiveness and performance are applied differently from one port or transit corridor to another. However, Ghana's corridors are generally the best: firstly, the port authority has established the "trade point" vitally needed in order to manage information and procedures relating to goods movements, and, more importantly, the port of Tema is equipped with scanners, which leave no room for doubt where customs checks are concerned and thus help significantly to reduce repetitive and expensive administrative delays in the corridors.

2.1.4. Malian corridors

Table 12: Transit systems in the Malian corridors

No.	Agreements	Corridor	Corridor	Corridor	Corridor	Landlocked country
		<i>Dakar</i>	<i>Abidjan</i>	<i>Tema</i>	<i>Lomé</i>	<i>MALI</i>
	TRANSIT SYSTEM IN CORRIDORS					
1	Transit denomination/declaration	Road transport declaration (DTR) S110	Excise bond D 25	TRIE	TRIE/ECOWAS	TRIE/ECOWAS
2	Information on Declaration	GAINDE system	SYDAM automatic customs clearance system	No	No	No
3	Scope of system	National territory	National territory	National territory	National territory (except hydrocarbons/Burkina, Niger)	National territory
4	Customs bond (Guarantee fund)	Bank guarantee/ then 0.50% CFA value, in course of adoption	Bank guarantee D 25, D 15, D 8	Freight insurance	0.25% CFA value of goods, cumulative guarantee fund	0.50% CFA value of goods, cumulative, non-reimbursable guarantee fund
5	National guarantor	Chamber of commerce	Chamber of commerce	Local insurance	Chamber of commerce	Chamber of commerce
6	Principal obligee	Forwarding agent	Forwarding agent	Forwarding agent	Forwarding agent	Forwarding agent
7	Compulsory itineraries	Yes	Yes	Yes	Yes	Yes
8	Departure office	Port	Port	Port	Port	Domestic frontier
9	Crossing office	Multiple (fixed, mobile)	Multiple (fixed, mobile)	Fixed	Fixed	Multiple (fixed, mobile)
10	Destination office	Domestic frontier	Domestic frontier	Domestic frontier	Domestic frontier	Appointed customs office
11	More than 4 roadside control points	Yes, joint and multiple	Yes, joint and multiple	No	Not joint	Yes, joint and multiple

(Table 12 continued)

No.	Agreements	Corridor	Corridor	Corridor	Corridor	Landlocked country
		<i>Dakar</i>	<i>Abidjan</i>	<i>Tema</i>	<i>Lomé</i>	<i>MALI</i>
	TRANSIT SYSTEM IN CORRIDORS					
12	Vehicle approval committee Lead seals/seals	No	No	No	No	No
13	Vehicle adapted for lead seals/seals	No	No	No	No	No
14	Compulsory customs escort	Yes	Yes	Yes	Yes	Yes
15	Payment of escort costs	Goods	Customs authority	Goods	Transport, Lomé port	Guarantee fund
16	Pre-established transit deadline	Yes	Yes	Yes	Yes	Yes
17	Transport document required	EMASE consignment note	EMACI consignment note	Consignment note/DNT customs form	EMATO consignment note	EMACI/OIC consignment note
18	Special equipment and facilities		Haulage depot/OIC/PAA (Abidjan port auth.)	Scanners	Haulage depot/solidarity at sea	Joint border control posts
19	Statistics	Yes	Yes	Yes	Yes	Yes
20	Customs assistance, cooperation	Yes	Yes	Yes	Yes	Yes
21	National facilities	Mali, Burkina Faso (under negotiation)	Burkina Faso, Mali	Niger, Mali, Burkina Faso,	Niger, Burkina Faso, Mali	-
22	Preferential tariff and fiscal conditions	Burkina Faso, Niger, Mali	Burkina Faso, Niger, Mali	Burkina Faso, Mali, Niger	Burkina Faso, Niger, Mali	-
23	Simplified, faster port transit procedures	Yes	Yes	Yes	Yes	-

Source: LEB/N'Guessan, 2001; WAEMU study on road transport/transit. Facilitation

N.B. EMACI-Entrepôts Maliens en Cote d'Ivoire, EMATO-Entrepôts Maliens au Togo, EMASE-Entrepôts Maliens au Senegal, OIC-Organization of Islamic Conference.

Comments

Using the example of Mali, the table above shows the ineffectiveness of the programmes, initiatives and instruments introduced to date, despite the helpful actions taken in some places.

Overall, the following salient points must be borne in mind:

- Despite the ratified conventions and the multi- and bilateral agreements and arrangements put in place by states at the subregional level, **fragmented, lucrative and defensive systems have replaced the principles that underpin application of the conventions enshrined within ECOWAS and WAEMU.**
-
- A study carried out by WAEMU in December 1998, entitled "Study on facilitation of inter-State road transport and transit", has shown that "around 70 per cent of the regulations governing transit and transport in WAEMU are based on bilateral agreements, national rules and usage".
-
- In other words, the TRIE and TIE conventions of ECOWAS govern only 30 per cent of the inter-State road transport and transit.
-
- The finding is clear: since the scope of TRIE application is confined to national territory, **a different transit system applies in the ECOWAS/WAEMU zone.**

The new transit systems are characterised mainly by the following factors:

- a specific transit declaration that only covers national territory, except for the carriage of hydrocarbons between Burkina Faso, Togo, Benin and Niger;
- a compulsory and expensive customs escort on all journeys. The cost of the escort is covered either by the goods, the guarantee fund or the customs service;
- the appointed national guarantor is the chamber of commerce in all countries, but the funds received are administered by national treasury departments, which allocate money from the budget to enable the national bond to function;
- the guarantee funds are supplied by the forwarding agents or through levies of 0.25% to 0.50% made on the CFA franc value of the freight, etc.

2.2. Problems affecting the operation of inter-State bus passenger traffic in the Abidjan-Cotonou coastal corridor

Table 13: In 2003

	Distance	Journey time	Currency levies					
			Passengers		Vehicles		Goods	
			<i>With receipt</i>	<i>Without receipt</i>	<i>With receipt</i>	<i>Without receipt</i>	<i>With receipt</i>	<i>Without receipt</i>
COTE D'IVOIRE								
Departure	Abidjan	1045h						
Police								
Gend'ie								
Customs								
PGC			45 000 F	709 000 F		2 000 F		85 000 F
Other								
Arrival	Noé	0635h						
Sub-total	187km	19h50m	45 000 F	709 000 F		2 000 F		85 000 F
GHANA								
Departure	Elubo	0637h						
Police								
Gend'ie								
Customs								
PGC			94 000 F	115 000 cedi/ 22 000 F	25 000 F	1 300 cedi	15 000 F	
Other								
Arrival	Aflao	1958h						
Sub-total	560km	13h21m	94 000 F	115 000cedi/ 22 000 F	25 000 F	1 300 cedi	15 000 F	NIL
TOGO								
Departure	Lomé	2005h						
Police								
Gend'ie								
Customs								
PGC			1 000 F	8 000 F				
Other								
Arrival	Save-condji	2215h						
Sub-total	155km	2h10m	1 000 F	8 000 F	NIL	NIL	NIL	NIL
BENIN								
Departure	Hilla-condji	2220h						
Police								
Gend'ie								
Customs								
PGC					7 000 F	5 000 F		20 000 F
Other								
Arrival	Cotonou	0158h						
Sub-total	101km	3h38m	NIL	NIL	7 000 F	5 000 F	NIL	20 000 F

Source: Field study based on methodology used by the Observation Centre on Abnormal Practices, Feb 2003. Consultant: N'Guessan N'Guessan.

Comments

All costs have multiplied since the crisis in Côte d'Ivoire began. At the same time, Ghana has introduced tolls on journeys across its territory.

Problems affecting the operation of inter-State bus passenger traffic in the Abidjan-Cotonou coastal corridor

Table 14: In 2002

	Distance	Journey time	Currency levies					
			Passengers		Vehicles		Goods	
			<i>With receipt</i>	<i>Without receipt</i>	<i>With receipt</i>	<i>Without receipt</i>	<i>With receipt</i>	<i>Without receipt</i>
COTE D'IVOIRE								
Departure	Abidjan	1302h						
Police						2 000 F		
Gend'ie						2 000 F		
Customs								
PGC			30 000 F	65 000 F		35 000 F		20 000 F
Other								
Arrival	187km	1735h						
Sub-total	187km	4h33m	30 000 F	65 000 F		39 000 F		20 000 F
GHANA								
Departure	Elubo	1733h						
Police						44 000cedi		
Gend'ie								
Customs								10 000cedi
PGC			95 000 F	30 000cedi	8 000 F	4 000 F	15 000 F	5 000 F & 10 000cedi
Other					2 600 cedi			
Arrival	560km	0620h						
Sub-total		9h13m	95 000 F	30 000cedi	8 000 F & 2 600cedi	44 000 cedi & 4 000 F	15 000 F	20 000cedi & 5 000 F
TOGO								
Departure	Lomé	0622h						
Police						1 000 F		
Gend'ie						3 000 F		
Customs						5 000 F		
PGC				1 000 F	14 000 F	5 000 F		5 000 F
Other								
Arrival	155km	0940h						
Sub-total		3h18m		1 000 F	14 000 F	14 000 F		5 000 F
BENIN								
Departure	Hilla-condji	0950h						
Police						3 000 F		
Gend'ie						3 000 F		
Customs								5 000 F
PGC					6 000 F	2 000 F		
Other					1 000 F			
Arrival	101km	1153h						
Sub-total		2h03m			7 000 F	8 000 F		5 000 F

Source: Field study based on methodology used by the observation centre on unfair practices, Feb 2002. Consultant: N'Guessan N'Guessan.

2.3. Costs relating to the transport serving West African destinations

Table 15: Type of goods: metal structures; Truck: Mercedes 2024 with DOLL 25 trailer, 25t payload; Private carrier

(figures in CFA Francs)

Travel date	Dest-ination	Goods value	Fuel	Transit /customs	PGC fees	Toll+Cust. + bridges+ unions	Weight (kg)
March 2002	Niamey (Niger)	62 192 000	364 000	464 097	78 500		21 145
March 2002	Bobo (Burkina)	242 292 000	164 100	62 000	54 500		6 022
April 2002	Bobo (Burkina)	63 261 000	154 000	154 000	54 000		8 000
May 2002	Bamako (Mali)	73 962 000	252 000	206 000	55 000*		18 500
June 2002	"	80 021 500	227 000	276 000	68 500		10 000
Dec 2002	"	100 475 000	511 000	1 120 800	290 000	113 600	10 398
Feb 2003	"	115 900 000	514 000	703 000	237 000	183 200*	18 924
March 2003	"	73 840 000	498 000	816 000	220 000*	129 800*	10 252

Sources: Study on cooperation in transit/Field survey/April 2003-06-09
Consultant: N'Guessan N'Guessan

() in Ghana : instituted during the crisis*

Distance Abidjan - Bamako (via Ghana): 2 350km

Distance Abidjan - Ouagadougou (via Ghana): half of the distance Abidjan-Bamako.

Vehicle hire costs

Abidjan - Bamako before crisis: 1 200 000; during crisis: 3 200 000.

Abidjan - Ouagadougou before crisis: 1 200 000; during crisis: 2 400 000.

Costs relating to the transport serving West African destinations (continued).

Table 16: Type of goods: metal structures; Truck: Mercedes 2024 with DOLL 25 trailer, 25t payload; Private carrier

Travel date	Dest-ination	Goods value	Fuel	Transit /customs	PGC fees	Toll+Cust + bridges+ unions	Weight (kg)
Feb 2002	Bobo (Burkina)		232 500	104 900	55 200		
March 2002	Niamey (Niger)	62 192 000	364 000	464 097	78 500		21 145
March 2002	Bobo (Burkina)	240 292 000	164 100	62 000	54 500		6 022
April 2002	Bobo (Burkina)	63 261 000	154 000	154 000	54 000		8 000
May 2002	Bamako (Mali)	73 962 000	252 000	206 000	55 000		18 500
June 2002	"	80 021 500	227 000	276 000	68 500		10 000
Dec 2002	"	100 475 000	511 000	1 120 800	290 000	113 600	
Feb 2003	"	115 900 000	514 000	703 000	237 000	183 200	
March 2003	"	73 840 000	498 000	816 000	220 000	129 800	

Sources: Study on cooperation in transit/field survey/April 2003
Consultant: N'Guessan N'Guessan

Distance Abidjan - Bamako (via Ghana): 2 350km.

Distance Abidjan - Ouagadougou (via Ghana): half of the distance Abidjan-Bamako.

Vehicle hire costs

Abidjan - Bamako before crisis: 1 200 000; during crisis: 3 200 000.

Comments

The crisis in Côte d'Ivoire has had an immediate impact on the functioning of transport and transit systems in the West African subregion. The costs of transactions have doubled, especially truck hire.

Chapter III: Cooperation on transit in West Africa. What are the solutions?

3. Conclusions and recommendations: Proposals for improving cooperation in transit-related matters

This chapter contains the conclusions and recommendations for this study, in the sense that it gives a summary of the main points raised, while also proposing possible solutions. It describes the relevant legal, institutional, technical, operational, financial and statistical practices used at the international level, especially by organizations similar to MOWCA, ECOWAS and WAEMU, and places emphasis on successful experience that can be adopted and adapted by the countries of West and Central African subregion.

The proposals on improvements will take due account of innovative, integrational and, especially, technically and economically viable actions and projects concerned with road transit transport, **multimodal transport and integrated transport**.

On that basis, the following proposals are made with a view to achieving effective control of the measures being implemented:

3.1. Legal aspects

3.1.1. International conventions

Under the auspices of MOWCA, WAEMU and ECOWAS, those member states which have not yet done so should ratify the relevant international conventions intended to encourage and strengthen road transit transport.

If they do not, these institutions must adopt a joint approach designed to find synergies that enhance the operation of the sector concerned, on the basis of firm commitments by every member state to comply with their reciprocal rights, duties, obligations and responsibilities.

The rules, standards and mechanisms used in the context of facilitation by UNCTAD, the WCO and the ITC must be assimilated into states' domestic legislation.

3.1.2. Subregional multilateral agreements

Systematic adoption of multilateral community agreements (ECOWAS, WAEMU, MOWCA) must prevail, to the detriment of bilateral arrangements, which must be eliminated in order to remove any doubt about their validity at grassroots level.

The agreements will be enacted in the form of regulations, whose application will be supervised by the WAEMU Court of Justice and the administrative courts existing or to be set up for that purpose.

Where such agreements already exist, they should be adapted or strengthened in accordance with the approaches, rules, standards and usage in force at the

international level. Such is the case, for example, of the TIE and TRIE conventions, which are currently being adapted to conditions in WAEMU.

3.1.3. The contract of carriage

It is important to adopt a general scope multimodal carriage contract for different goods in the WAEMU - ECOWAS zone, along the lines of the European Union model and its six individual model contracts in respect of:

- livestock;
- multimodal transport;
- raw perishable goods;
- products/goods under controlled temperature;
- tankers;
- hazardous products.

Each model contract is embodied in an **international consignment note** spelling out rights, duties, obligations, responsibilities, and offences and the resulting penalties and compensation.

Each type of contract (general, specific) must be accompanied by an insurance contract for the goods/products carried.

In this regard, under the auspices of ECOWAS, WAEMU, CEMAC (Economic and Monetary Community of Central Africa) and MOWCA, model agreements must be formulated and adopted area by area between forwarding agents and multimodal transport operators (MTOs), and carriers and insurers.

3.1.4. Transport insurance

With regard to civil liability insurance, the CIMA Code in force in the Western and Central African francophone countries must be used as the basis for creating (for CEMAC) and adapting (ECOWAS/Carte Brune) the conditions for reliable third-party insurance. Disputes would be heard by the respective administrative tribunals and courts of justice of WAEMU/ECOWAS and CEMAC, so that the parties to such contracts are not penalised unfairly.

3.1.5. Social regulations

Appropriate community social arrangements must be instituted for the drivers who are and will remain the lynchpins of road transit transport.

3.1.6. Valid terms of trade

The most up-to-date **INCOTERMS** relating to multimodal transport along road transit links must be **attached to the contract of carriage**, in order to keep users informed at all times; the latter too often ignore the constraints and problems relating to the marketing of their goods and products.

This situation is mainly the result of abuse of the trading contracts and terms in force. Forwarding agents and drivers often flout the conditions applicable to carriage and delivery deadlines, with disastrous results for the insurance contract and the normal functioning of the four pillars of international physical distribution (IPD), namely:

- international purchasing and sales contract;
- international carriage of goods contract (consignment note, bill of lading, goods transportation document);
- international goods insurance contract (police or insurance certificate);
- international payment contract (documentary credit).

These different contracts formalize the individual agreements between the parties (exporters, importers, forwarding agents, insurance companies and banks). They constitute an indivisible whole, being mutually complementary, and provide the legal framework for the entire commercial operation.

In so doing, WAEMU and ECOWAS must draw on past experience of community transport agreements, with a view to encouraging and facilitating trade inside and outside the community.

3.1.7. Regulation of competition in road transport

Community regulations must be adopted area by area (WAEMU/ECOWAS), under the auspices of MOWCA, with regard to competition in the sphere of road transit transport, and also in respect of all transport modes involving IPD, which is expanding apace.

These rules on competition will not only serve as essential support for the credo of free movement of people, goods, services and capital advocated by WAEMU and ECOWAS, but will also bolster the IPD maxim of "obtaining the desired goods at the desired place, within the desired time limits and at acceptable cost".

These regulations will eliminate the defensive, fragmented, sectarian and lucrative actions and projects which have developed here and there along all the road corridors of Central and West Africa.

3.1.8. Code of professional conduct

From the foregoing, it follows that appropriate and optimal application of all the legal aspects will not take place unless a complementary code of professional conduct is devised and introduced.

The Code of Professional Conduct will act as regulator of the transit philosophy outlined above.

The Code's objective will be to define and clarify the aim, role, remit, functioning and interactions of the regional and subregional administrative and professional structures currently involved in transit transport coordination and execution. It must eliminate all the ambiguity, duplication, superfluousness and functional failure currently plaguing transit transport operations, the most flagrant of which are the crippling administrative

complications, a plethora of documents, illegal and costly levies and the flouting of deadlines.

The Code of Professional Conduct will be valid only in the context of the ECOWAS/WAEMU community.

3.2. Institutional aspects

WAEMU has adopted one of the most complete forms of economic integration, such that the borders between its states no longer exist in economic and commercial terms. The same applies to ECOWAS.

It follows that all economic exchanges between the states must take place in a community context.

Road transport activities in particular constitute a prime integrating force in this context; they must be approached in the framework of a community-wide programme of action at all levels.

3.2.1. Institutional cooperation

The divisions between ECOWAS, WAEMU and MOWCA must disappear in order to respect the spirit of integration and, especially, confront the challenges of globalisation, liberalisation and structural adjustment programmes.

It is important not to give the impression that heads of state, transport ministers and governments are contradicting one another on road transit transport matters, whether at summits, ministerial conferences or technical meetings; the same applies to organizations in the context of the above-mentioned three bodies and CEMAC.

The aim must be to create a dynamic, synergic process between the institutions in the transport field.

A welcome development in this regard is the creation of the West African Forum, composed of ECOWAS, WAEMU, CILSS and REAO, which has founded the **Observation Centre on Unfair Practices at Border Crossings**.

This project has been funded mostly by the usual backers: USAID, the EU and the World Bank. Their support for the harmonisation of community activities has been unflinching.

3.2.2. Community actions

The approach adopted by the West African Forum regarding supranational control of transport activities must be extended to other aspects, namely:

- Services and facilities in transport corridors;
- Road maintenance in transport corridors and the creation of a special fund to support it;

- Modernization of the inter-State transport fleet and creation of a fund for that purpose;
- Training for the actors in the transport field (especially transit transport) and the creation of a special fund and training institution for that purpose;
- Establishment of a reliable vehicles and goods insurance scheme;
- Institution of an observation centre on integrated transport, the Observation Centre on International Maritime Transport (MOWCA/World Bank, covering up to 25 countries).

The data from the observation centre would be used in the context of goods movements in WAEMU, ECOWAS and MOWCA.

This information aspect must also cover the provision of a practical transport guide for users.

- Strengthening and renewal of the trade associations that protect and promote corporate interests (shippers' councils, hauliers, drivers, haulage users, forwarding agents, escorts, insurers, bankers, etc.).

Thus, within MOWCA and the ECOWAS/WAEMU zone, a greater community focus in activities and programmes would bring greater synergy, urgency and efficiency to the task of strengthening regional road transit transport.

3.3. Technical aspects

This term covers everything to do with the roads, the road network and its facilities, the vehicle fleet, vehicle checking centres and vehicle approval.

3.3.1. Roads

In general, the roads used for inter-State transport are of asphalt, but significant stretches date back to the colonial era. They are characterised by breaks in their physical structure, making the network as a whole incapable of meeting regional integration objectives, and by poor levels of facilities, especially at borders. The overloading and the continuous deterioration of the roads are such that enormous sums must be invested for road maintenance, limiting the amount spent on construction.

Given this state of affairs, ECOWAS and WAEMU must clearly identify their main road transit transport corridors and make them the focus of a construction, maintenance and facility-building effort, to be complemented by a toll system operated and approved at community level.

This toll system will make it possible to set up an ECOWAS/ WAEMU/CEMAC **Community Road Fund**, providing a guarantee against advance loans and/or the conditional financial assistance from the major international sponsors.

These various corridors which are built or maintained will be classified as the property of the ECOWAS/WAEMU, CEMAC or MOWCA communities.

This is the price to be paid for ridding the road networks and transit corridors of all the inappropriate and inconsistent features that currently plague them.

While the system is being set up, it would be highly advisable to establish independent national road maintenance funds along the lines of those introduced by Ghana and Niger (the CAFER fund).

With strong support from development partners, and under the joint management of all the actors in the transport field, such funds could eventually lead to the establishment of a **regional fund to finance activities on the road networks belonging to the communities.**

3.3.2. The vehicle fleet

The vehicle fleet in the MOWCA zone has very poor productivity, made worse by the rules on distribution and the lack of freight returns from landlocked to coastal countries.

The following proposals on improvements seem appropriate:

- Formulation of a community motor credit policy is well overdue, to enable vehicles to be purchased new under an incentive credit system. If this is not done, the existing delapidated vehicles will have to be improved in order to ensure that they meet the standards required for receiving the seals and lead seals applied by customs for road transit purposes.

In this regard, the initiation of a "**Grille plombée**" system (SGP) (see project schedules) would greatly boost the process of customs safety approval in respect of the 70 per cent of dilapidated and unfit vehicles.

- The improvement of vehicle statistical data, so as to establish a harmonised, standardized and reliable service for use in road transport tendering in the community;
- Harmonised and standardized centres and methods for the technical inspection and approval of passenger and goods transport vehicles;
- Training, retraining, and advanced training for drivers and hauliers, and for those involved in managing and monitoring the legal, administrative, technical, operational, commercial, financial and statistical aspects of their activities, is now urgently needed.

In this regard, the training centre now being set up (July 2000) by the Network for Enterprise in West Africa (REAO), across its NET-TRANSLOG transport sub-network, should be examined closely by WAEMU, ECOWAS, MOWCA, the major international sponsors and the private sector.

The interesting aspect of the REAO project is the direct impact it is exerting on the 13 French- or English-speaking countries of the ECOWAS and CEMAC zones where enterprises belonging to REAO are established.

3.4. Operational aspects

These are issues that concern the organization of road transit transport.

3.4.1. *Hauliers and transport companies*

Seventy per cent of hauliers (and drivers) are self-employed carriers, most of whom own an average of five vehicles.

Several traders in the zones in question also operate as hauliers on their own account.

This situation makes it difficult to distinguish between hauliers offering a public or semi-public service and those operating for themselves.

For strategic reasons, only the hydrocarbon and passenger transport sectors are organized and in possession of relatively reliable vehicle depots.

Moreover, the virtual absence of companies specializing in livestock and controlled-temperature transport has a severe effect on activities in the sectors that need them.

In light of the foregoing, MOWCA, WAEMU and ECOWAS must take the following measures:

3.4.1.1. Establishing the conditions for healthy competition through:

- Community regulation of access to and conditions for exercising the profession of haulier;
- Community regulations concerning the harmonisation of certain provisions concerned with the social aspects of haulage;
- Community regulations concerning compulsory training for salaried and self-employed drivers working in public inter-State transport of goods and passengers;
- A tariff reform based on the liberalisation of transport activities;
- The elimination of monopolies and other freight distribution systems, with the exception of strategically important goods, for which concessions would be granted under agreements with the states and enterprises concerned.

3.4.1.2. Promoting small and medium businesses in the sector through:

- Cooperative development, partnerships, and technical assistance for management, on the basis of groups of carriers.

An example worth mentioning in this regard is **Transway Africa**, which brings together transport companies belonging to REAO that have decided to pool their human and technical resources and freight to set up a **modern, supranational transport company** in the MOWCA zone.

- Facilitation of credit access in order to renew the vehicle fleet;

- Training of road- and office-based staff and managers in transport logistical systems; this would be done at the level of the marine science and technical educational regions in the MOWCA zone.

3.4.1.3. Price-setting and transport costs

Undoubtedly the least well managed part of the road transit transport system is price-setting and costing, to such an extent that there is virtually no connection between cost prices for vehicle use, and price-setting.

As a rule, the road transport costs in the ECOWAS zone are very high because of:

- the close coexistence on the road corridors of new and obsolete (15 years old) vehicle fleets, sharing a weakly structured freight market;
- the very high cost of new vehicles owing to the prohibitive interest rates prevailing under the current credit system;
- low vehicle productivity arising from cyclical and seasonal occupancy rates and the systematically empty return journeys in a north-south direction;
- the illegal and costly levies associated with the repeated and excessive administrative checks by police, customs and gendarmerie officials (PCG) on the one hand, and on the other by organizations such as shippers' councils, hauliers' and drivers' unions, the veterinary services, escorts and so on.

All these bodies have together imposed a panoply of taxes, fees and contributions, for which the basis of assessment may be the vehicle and/or the goods, the carriage document, the number of crew, the vehicle nationality or the type of load.

With regard to price-setting, there are many problems to overcome:

- the system of negotiating tariffs between shippers and carriers, especially as regards valuation; the inconsistency in pricing systems, which vary from one country to another at the dictate of the carriers' unions;
- the failure of price levels to conform to the carriers' need to balance their budgets;
- irregularities in price adjustments;
- the rigidity of the compulsory price-setting system;
- failure to understand the price-setting structure by the senior staff of carriers and shippers;
- a virtual absence of reliable inter-State price lists;
- ignorance of multimodal transport.

All these shortcomings contrast with the efficiency and synergy found in the context of transport logistical systems and international physical distribution.

In the face of this deteriorating situation, MOWCA, ECOWAS and WAEMU must, at community level:

- On the basis of appropriate studies, make available to the operators concerned a methodology for calculating the cost prices of road transport and a form for

analysing costs and prices, types of road tariffs and types of services in accordance with price lists and a road transport contract;

- Provide training for the above-mentioned occupational groups on all aspects of valuation, price negotiation and setting, and on the determination of cost differentials in the context of liberalised road transport.

It is vitally important to harmonise price systems in the economic sub-zones, in order to standardize the transport tariffs for similar products and goods, so that they move around on the same kinds of road networks, are carried by the same types of vehicle, and are subject to the same administrative and customs procedures.

3.4.1.4. Operational organizations supporting the road transit transport system

Several organizations protect and promote the interests of shippers and/or carriers. For the most part, these are shippers' councils acting as freight exchanges, or shippers' representatives concerned with the consignment note, which they have reduced to a purely administrative role that ignores the provisions of the CMR Convention relating to carrier and shipper liability.

Shippers' councils

In general, shippers' councils produce statistics, but in a disparate and uncoordinated fashion. It must be emphasized that only the statistics produced by the **observation centre on transport** and by the [Malian] national transport directorate (DNT) on the basis of the Malian depots installed at ports in the WAEMU zone are complete, standardised, harmonised and regularly produced.

The problem regarding the operation of shippers' councils is to define their exact contributions amidst the other actors in the road transport sphere.

In the context of goods transport by road, ECOWAS and WAEMU, by agreement with the African Shippers' Council Association (UCCA) and MOWCA, must use the code of professional conduct to spell out the role, duties, obligations and responsibilities of shippers' councils.

Drivers' and hauliers' unions

What is the purpose of the many contributions levied by the various unions?

Whether they be for training, a road transport investment fund or social security, **no one knows**.

What is thus needed at the subregional level is to codify, harmonise and, above all, examine for official approval all such contributions, which are making transit transport more expensive and extending journey times to no good purpose.

Road transit transport is currently entangled by the activities of so many active interest groups. However, to date, no one has taken up the interests of **road transport passengers**. It is important to institute a transport users association to fill the gap.

WAEMU and ECOWAS must try to forge links between any such existing organizations and the West African Freight Forwarders Association (UTRAO), and ECOWAS/WAEMU must work to help set them up.

Efforts made to strike a balance of forces in the transport arena are likely to be a pivotal factor in facilitating competition across the industry.

Escorts

Given the disfunctional status of road transit corridors due to the red tape and levies imposed by police, customs and gendarmerie officials, escort groups have been formed in certain places in order to, supposedly, reduce costs and tariffs, and in particular to limit the delays and procedures involved in border crossings.

Although escorts of livestock by shepherds are officially recognized, all other types of escort are not. This poorly managed situation leaves room for complicity between police/customs/gendarmerie, drivers and escorts, to the detriment of the shipper, carrier and even the customs clearance agents. All these factors also put up the cost of road transport and transit.

Here too, MOWCA, ECOWAS and WAEMU must take urgent regulatory measures.

On the basis of the foregoing, it can be said that the operational aspects of transit transport are severely hampered. This is why the introduction of a **code of professional conduct** by MOWCA, ECOWAS/WAEMU and CEMAC is strongly recommended.

Under the auspices of the existing regional chambers of commerce, such a code will make it possible to observe and enforce a body of minimum requirements with which professionals and their federations will judge it necessary to comply. The areas concerned are:

- Each party's responsibilities as regards injury caused or suffered, in respect of delays, costs, damage and default;
- The contracting parties' obligations to the principals;
- The contracting parties' responsibilities to their colleagues and subcontractors;
- Disciplinary procedures;
- Arbitration procedures.

The monitoring of operational compliance with the measures proposed for improving the management of road transit transport is not a matter for the professional code alone. The following mechanisms also exist:

- The observation centre on international transport (sea, ports, road, rail);
- The observation centre on unfair practices at border crossings (ports, road, rail, air);
- The network of freight exchanges (ports, road, rail);
- The practical guide to freight transport and transit (sea, ports, road, rail, air).

All five monitoring mechanisms must have institutional status with MOWCA, ECOWAS and WAEMU, and must have the backing of the WAEMU courts of justice and of the courts of arbitration if they are to function properly.

3.5. Recommendations: Future prospects

This section is concerned with the areas of particularly high priority in terms of the desired impact on transport in West Africa.

On the basis of the solutions listed above, cooperation on transit in West Africa could be stepped up, and given appropriate effect in the short and medium term, provided the following recommendations are taken into account by all parties concerned when implementing existing and future programmes, initiatives and instruments.

- a) Adoption and enforcement by states and organizations of the UNCTAD/ITC/WCO/WTO standards, regulations and mechanisms on trade and transport facilitation;
- b) Introduction of integrated logistical management in transit corridors, taking account of the institutional, legal, administrative, technical, organizational, operational, commercial, financial and statistical aspects;
- c) Acquisition of scanners for use in ports and main transit crossings;
- d) Introduction of the TRADENET system for real-time management of information, procedures and documents;
- e) Introduction of the TRACKING system for vehicles, developed by BNETD in Côte d' Ivoire;
- f) Introduction of the "Grille plombée" system to ensure the safety of vehicles failing to meet the customs specifications for transit transport;
- g) Establishment of adjoining border control posts.

Annex:
WAEMU Programme Of Action

From 2002 onwards, WAEMU will undertake an ambitious five-year programme in the following spheres:

Road infrastructure:

- Road network classification;
- Regular maintenance of surfaced roads;
- Upgrading and strengthening of surfaced roads;
- Redevelopment and surfacing of earth roads;
- Safety and information on the road networks.

This improvement of the community's road network, which will also benefit Ghana, will undoubtedly revive activities in all the corridors and encourage increased competition among ports. The table below classifies WAEMU's road routes. The community network extends over 20 933 km.

Code	Length (km)	Itinerary
CU 1	1897	Dakar-Bissau-Abidjan-Lomé-Cotonou-Porto Novo-Igolo- Nigerian border
CU 2a	4158	Dakar(Kaolack)-Tambacounda-Kidira-Kayes-Nioro-Bamako-Sikasso-Bobo Dioulasso-Ouagadougou-Niamey-Zinder-N'guiguimi-Fr.Tchad
CU 2b	788	Tambacounda-Kédougou-Saraya-Kéniéba-Kita-Bamako
CU 3a	975	Algerian border-Assamaka-Agadez-Zinder-Magaria- Nigerian border
CU 3b	605	Algerian border-Tin Zaouten-Kidal-Gao
CU 4	65	Mauritanian border-Nioro du Sahel
CU 5	1754	Guinean border (Kourémalé)-Bamako-Ségou-Mopti-Gao-Tillabéry-Niamey
CU 6	991	Bougouni-Odienné-Man-San Pédro
CU 7a	760	Abidjan-Bouaké-Ferké-Ouangolodougou-Zegoua-Sikasso (CU2a)
CU 7b	205	Ouangolodougou-Bobo Dioulasso
CU 8	140	Ghanaian border-Pô-Ouagadougou
CU 9	800	Lomé-Atakpamé-Kara-Sinkansé-Tenkodogo-Koupéla
CU 10	709	Cotonou-Dassa-Save-Parakou-N'Dali-Kandi-Malanville-Gaya-Dosso
CU 11	296	Tambacounda- Guinean border-Kandika-Bafata-Bambadinka (Bissau)
CU 12	355	Bobo-Dioulasso-Dédougou-Tougan-Ouahigouya
CU 13	473	Ouagadougou-Ouahigouya-Koro-Mopti (CU5)
CU 14	550	Ouagadougou-Dori-Téra-Farié-Namaro-Niamey
CU 15	342	Kantchiari (CU2a)-Diapaga-Banikoara-Kandi-Segbana- Nigerian border
CU 16	829	Niamey-Filingué-Tahoua-Agadez
CU 17	116	Tahoua-Dabnou-Tsernaoua (CU2a)

Source: WAEMU, Programme of action 2002-2005.

Facilitation of inter-State road transit transport

Action: Investment programmes

WAEMU plans to build adjoining border posts, with the aim of bringing all the relevant services into one building. This type of facility will ensure smoother inter-State trading, more effective action against fraud, greater security for people and goods, better use of intra-community statistics, time gains, and a substantial reduction in illegal levies. Under an initial pilot project, two adjoining border posts will be built: 1) at the border between Côte d'Ivoire and Burkina Faso (Laléraba, CI), and 2) at the border between Togo and Burkina Faso (Cinkansé).

The provisional installation cost at ports is estimated at 3, 978.6 million CFA Francs. The other planned border posts are between:

- Côte d'Ivoire and Mali at Zegoua;
- Benin and Niger at Malanville;
- Burkina Faso and Niger at Kantchari;
- Burkina Faso and Mali at Koloko - Herémankono;
- Senegal and Guinea-Bissau at M'Pack;
- Mali and Senegal at Kidira - Diboli;
- Togo and Benin at Hillacondji;
- Mali and Niger at Ayorou.

(The names of towns are given for information only).

Main functions of adjoining control posts

The activities, control procedures and other operations carried out at sites housing adjoining control posts fall into the following categories:

- receiving passengers;
- receiving vehicles and goods;
- checking passenger identity;
- checking and inspection of vehicles and goods;
- entry/exit control;
- goods storage;
- distribution of information and communication;
- invoicing and collection.

As all such activities are interlinked, it is advisable to have a sound plan of action, especially regarding checks. The operations must form a logical sequence that avoids duplication and time loss.

The operations of adjoining control posts are geared mainly to the following activities:

- police immigration checks;
- police vehicle checks;
- police checks for arms and ammunition;

- customs inspection of goods and vehicles;
- passenger health checks;
- health checks on fauna and flora.

Action: institutions

The establishment of a regional observation centre on unfair practices at border crossings along inter-State routes. This is an initiative of REAO, shared with WAEMU, ECOWAS and CILSS. The observation centre's purpose is to identify, analyse and publish on a regular basis the actions, practices, irregularities and abuses recorded on major inter-State routes, in relation to costs, delays, formalities and documents involving goods and passenger transport. The results of the centre's investigations will be sent to the highest state authorities and organizations for decision. The major routes selected for the pilot phase are:

Lomé - Ouagadougou - Bamako;
 Abidjan - Ouagadougou - Niamey;
 Tema - Ouagadougou - Bamako.

This selection has been made on the basis of the following criteria:

- volume of transit traffic;
- links with the project being set up;
- geographical coverage of REAO activities (13 countries).

Work on the observation centre commenced in the first half of 2003

Action at the organizational level:

This mainly concerns the provisions and mechanisms to be put in place for:

- equipping transit clearance offices at the borders;
- the arrival of communications equipment;
- the inception of national systems of guarantees and of a regional guarantee fund for TRIE;
- the implementation of a pilot project for facilitating road transport and transit.

Regulatory action: WAEMU plans gradually to set up community-wide regulations relating to:

- use of the "Single customs declaration" (DDU) as a benchmark document in place of the TRIE carnet;
- harmonisation of the documents required for inter-State transport and road transit in the Union;
- regulations on the approval of vehicles for international transport and transit;
- costs of vehicle inspections, and evaluation of the minimum equipment needs for an effective technical inspection;
- joint regulations on the importation of second-hand vehicles;

- regulations on the minimum content of the checks carried out by the various bodies on vehicles, goods and passengers;
- harmonisation of the penalties applicable to offences;
- harmonisation of the fiscal regulations for freight, and the setting of transit itineraries.

Action in the areas of information and communication:

Table 17: Databases in the WAEMU member states

Country	Freight databases		Accident databases		Observation centre on maritime transport		Observation centre on road transport	
	<i>Existing</i>	<i>Planned</i>	<i>Existing</i>	<i>Planned</i>	<i>Existing</i>	<i>Planned</i>	<i>Existing</i>	<i>Planned</i>
Benin	x		x		x			x
Burkina Faso	x		x		x			
Côte d'Ivoire		x	x			xx		x
Guinea-Bissau								
Mali	x		x		x		x	
Niger	x				x			x
Togo		x		x	x			
Senegal	x		x		x			x
Total	5	2	5	1	6	2	1	4

Source: WAEMU, Document on programme of action, 2002-05.

The information and communications in question mainly involve:

- informing transport users through the media about sectoral actions and changes, with a view to achieving facilitation;
- establishing a community management chart containing performance indicators.

Training actions: introduction of an ongoing training programme at regional level in the framework of the Multidisciplinary Regional Centre for Continuous Education in Road Safety, to be used by the various transport and transit sectors.

The whole programme of action will be discussed with the major international sponsors, with a view to obtaining funding and commencing in 2002.

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