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REGIONAL TRANSPORT AND TRANSIT FACILITATION PROGRAM
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WEST AFRICAN ROAD TRANSPORT AND TRANSIT FACILITATION STRATEGY

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Source: Sahel and West Africa Club (2005)
INTRODUCTION

In West Africa, inter-state road transport and transit schemes are governed by two agreements:

- The IRT convention, which handles the technical norms and conditions to fulfil in order to participate in inter-state road transport of goods and sets the itineraries to use;

- The ISRT Convention, which treats inter-state road transit issues more specifically.

In effect, ECOWAS member states adopted the ISRT scheme under Convention A/P4/82 on 29 May 1982 in Cotonou, further completed by a supplementary Convention A/SP/1/5/90 adopted on 30 May 1990 in Banjul, which contains the ISRT operations guarantee mechanism.

The Convention mainly aims at:

- Removing successive customs procedures throughout the different transit countries;

- Facilitating the movement of vehicles and transported goods among member states;

- Enabling the collection of regular and reliable statistics on inter-state road transit of goods;

The implementation of the Convention depends on three basic conditions:

- The issuance of a single, concise ISRT declaration form at the beginning of the inter-state road transit operations;

- The establishment of a guarantee fund that shall serve as security;

- The standardisation of licensed vehicles according to defined criteria; indestructability and sealing;

This is the context under which ECOWAS and WAEMU decided to develop synergies and define a regional programme to facilitate inter-state road transport and transit of goods.

The West African regional transport and transit facilitation programme is therefore based on the projects developed or implemented in that regard by these two institutions; to which should be added the Transport and HIV/AIDS initiative launched by the World Bank as well as other transversal issues regarding gender, environment and road security.
The transport and transit facilitation Strategy aims at analysing the causes of the irregularities observed by BCEOM experts during their numerous missions in the different corridors of the region and developing detailed Action Plans and Matrix of Activities covering all the facilitation challenges faced in West Africa in order to implement effectively the West African Transport and Transit Facilitation Program adopted in Accra in November 2003.

The present document was elaborate in two stages:

- Stage 1: Organising a Workshop (November, 21-22, Abuja) in order to discuss and validate the main axes of the road transport and transit facilitation strategy, by ECOWAS Regional Inter-State Road Transport and Transit Facilitation Committee, on the basis of the following working documents distributed to all participants:

  a. West Africa Road Transport and Transit Facilitation Objectives and Methodology
  b. ISRT Convention implementation and road transport sector liberalisation Strategy
  c. Information System for the ISRT and Interconnection of Customs Computerised Systems
  d. Institutional Framework and Performance Monitoring Observatories

- Stage 2: Elaborating the present final strategy document integrating the main inputs and recommendations of the above workshop.
I - WEST AFRICA ROAD TRANSPORT AND TRANSIT FACILITATION VISION

The whole Transport and Transit Facilitation approach, as it currently stands, has been founded on the successive adoption of conventions, instruments, protocols, resolutions, decisions and recommendations adopted by the two regional economic communities.

The review of the successive layers of regional legislation is a pre-requisite to any form of definition of a comprehensive Strategy, primarily to ensure that it is in line with the intents of the two communities, as they can be perceived through the instruments, but also to identify where it may be necessary to amend some instruments.

I-1 Transport and Transit in the ECOWAS and UEMOA Treaties

- ECOWAS:

The Economic Community of West African States (ECOWAS) was established in 1975 through the Lagos Treaty with the aim to promote economic development through cooperation among its members. It proposed a staged approach towards a Customs Union:

- elimination of Customs duties between partners
- elimination of restrictions to trade between partners
- establishment of a common external tariff
- elimination of obstacles to free movement of capital and services
- joint development of transport infrastructure
- harmonisation of economic policies

The Treaty was revised in 1993, focussing on economic and monetary integration. The special case of the landlocked countries is recognised in the aims of the revised Treaty, but not in the initial Treaty.

Regional transport policy first emerges in the ECOWAS treaty of 1975, where the following declaration is made:

“Member States undertake to evolve gradually common transport and communications policies through the improvement and expansion of their existing transport and communications links and the establishment of new ones as a means of furthering the physical cohesion of the Member States and the promotion of greater movements of persons, goods and services within the Community”.

The transport policy is stated in Chapter VIII of the Lagos Treaty, articles 40 to 44, and Chapter VII of the Cotonou Treaty, article 32:

- article 40 relating to the progressive definition of a common transport and communication policy
- article 41 relating to roads
- article 42 relating to railways
- article 43 relating to shipping and international waterways
- article 44 relating to air transport
- article 32 of the revised Treaty encompasses the all articles of the initial treaty, adding to the previous items the promotion of the participation of the private sector and private sector joint ventures into the transport and communication areas.

The Treaty further sets out a statement of objectives, as follows:

- improvement and expansion of existing transport and communications links;
- increased mobility;
- a comprehensive inter-state network of all-weather roads;
- the improvement and reorganisation of railways;
- the harmonisation and rationalisation of national policies on shipping and international waterways;
- the formation of multi-national shipping companies;
- the merger of national airlines owned by the governments of member states

**UEMOA:**

UEMOA was established in 1994, building on and extending the Union Monétaire Ouest Africaine (UMOA) which had existed since 1962 as a monetary union for the seven francophone countries of Benin, Burkina Faso, Côte d’Ivoire, Mali, Niger, Senegal and Togo. After the creation of UEMOA this group was joined by Guinea Bissau.

As with ECOWAS, the principal aim of UEMOA is the economic integration of its member states. The Treaty of UEMOA sets out four specific objectives:

- harmonisation of the legal and regulatory framework;
- convergence of macro-economic criteria;
- creation of a common market based on the free movement of goods, services, persons and capital; and the
- development and co-ordination of common sectoral policies.

The Treaty is supplemented by a Protocol No2 relating to sector policies of the Union. The issue of landlocked countries is included in Chapter II relating to spatial development, and transport facilitation in Chapter III on Transport and Communication policy.


**I-2 Decisions, Recommendations and Resolutions by UEMOA and ECOWAS:**

The regional texts adopted by ECOWAS and UEMOA can be broadly divided into two sets:

- texts relating to infrastructure development and harmonisation of rules and regulations for its usage, reviewed in the section dealing with the requirements to enable transport at regional level
- texts relating to the organisation of transport, or transport facilitation

However, in some cases, the content covers a wider scope, and the boundaries between the two sets are blurred. The issue of implementation of the decisions is
recurrent, and several additional decisions and resolutions have been adopted to remind member states of their previous commitments.

a) Infrastructure development:

The reference decision for the ECOWAS transport programme is A/DEC.20/5/80 adopted on May 28th 1980. Its content is detailed by mode, for both short term and long term activities:

- Short term programme:
  - Road: adopting road transport conventions, harmonising road legislation, harmonising road controls, conducting a transport cost study and feasibility studies for the trans-coastal and trans-Sahel highways, establishing a motor insurance scheme
  - Shipping: availing free port areas to landlocked countries, conducting a feasibility study for the establishment of a regional shipping line, and a study on port procedures
  - The short term programme also included lake and river transport, air transport, and multimodal transport

- Long term programme:
  - Road: extension to Nouakchott of trans-Sahel and trans-coastal highways
  - Rail: constructing the missing railway links
  - Shipping: preparing a regional transhipment master plan

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 was expanded by the decision C/DEC.8/12/88 adopted on December 6th 1998, with the addition of a second phase of road connections, particularly aiming at opening-up landlocked countries.

Then, resolution C/RES.6/5/90 was adopted on May 27th 1990, for the completion of the remaining sections of the Trans-African highway network. This resolution reaffirms the priority to be given to roads facilitating access to landlocked countries.

The Resolution C/RES.7/7/91 adopted on July 3rd 1991 is a reminder to member states that national transport programmes must take into account the relevant components of the regional programme.

For UEMOA, the equivalent of the ECOWAS Decision A/DEC.20/5/80 is the Decision 04/97/CM/UEMOA adopted on June 21st 1997, detailing the Short-term to Mid-term Transport Action Plan of the Union. Several aspects were reviewed in the Action Plan:

- Institutions (creation of National committees in charge of transport, road information databases, definition of monitoring and evaluation mechanisms for the implementation of the Action Plan)
- Roads (maintenance and rehabilitation of the roads, enforcement of the 11.5 tons par axle limit)
- Road transport facilitation (creation of transport observatories, reduction of road checks, establishment of joint border posts)
- Road safety (road safety awareness starting in school, adequate funding for road safety, creation of national road safety institutional comprising public and private sector, training, road signs, enforcement of road regulations)

The Decision 07/2001/CM/UEMOA completed the Action Plan in 2001 by the adoption of a Community Strategy. The decision classified the road network into inter-state regional roads and interconnection roads. The objectives related to the rehabilitation of the existing network and the surfacing of missing links, the definition of performance indicators for the sector, transport facilitation, harmonisation of road regulations and road safety.

b) Harmonisation:

Besides the infrastructure, the Community adopted also measures aiming at harmonisation of road legislation at regional level.

The main text for harmonisation is the decision A/DEC.2/5/81 adopted on May 29th 1981. The text recommends the member states:

- to set up adequate administrative framework for road transport
- to ratify the 1968 Vienna Convention and Protocols on Road Traffic and Road Signs
- to introduce right hand driving
- to adopt standardised vehicle equipment, driving licenses and vehicle documents

The decision was supplemented by the several resolutions and decisions:

- C/RES.3/5/90 urging member states to computerise the vehicle registration systems, with a list of data items to include in the system
- C/RES.5/5/90 urging member states to establish weighbridges to monitor axle load limits
- C/RES.7/5/90 further reminding the member states to develop an adequate administrative framework.
- C/DEC.7/7/91 requests member states to have the road regulations based on the 11.5 tons limit for the different axle load configuration gazetted.

UEMOA adopted on December 16th 2005 the Regulation 14/2005/CM/UEMOA specifying vehicle norms, dimensions and axle load limits, and the modalities for control and enforcement.

c) Follow-up of decisions

The recurrent decisions and resolutions reminding member states to enforce previous decisions and resolutions is a clear sign that implementation was an issue. In order to address the problem, the RECs established several institutions in charge of monitoring or facilitating the actual implementation of the instruments adopted at regional level.
Within the ECOWAS structure, the functions of the Higher Committee for Land Transport were transferred to the Commission by the decision C/DEC.7/12/88, and this committee became a consultative organ.

The ECOWAS Commission and the member states were clearly tasked with the implementation of the transport programme, detailed into two simultaneous decisions.

Directive C/DIR.3/12/88 directs the Commission:
- to prepare detailed inventory of training centres in the field of road maintenance
- to accelerate the implementation of the Inter-State Road Transport Convention
- to promote the creation of a Community Association of Road Transport Owners
- to prepare a detailed inventory of existing road taxes, for purposes of regional harmonisation

While the Resolution C/RES.1/12/88 touched several pending issues of the transport and transit programme for the Community, placing the responsibility on Member-states to:
- strictly comply with the principle contained in the UNCTAD Convention on transit trade for landlocked countries, not ratified by all ECOWAS member states (no taxes or duties on transit trade in the transit country)
- set up national consultative committees for the implementation of the recommendations of the Higher Committee on Land Transport
- reduce the number of check points on the roads
- ratify the Inter-State Road Transport and Inter-State Road Transit conventions
- enforce the 11.5 tons per axle limit
- implement the international waybill relating to the Inter-State Road Transit convention

The issue of road check point is again addressed through resolution C/RES.4/5/90, urging member states to reduce their number.

The Council adopted two texts on July 3rd 1991, with a view to strengthen transport meetings participation:
- Resolution C/RES.10/7/91 urging member states to plan for transport meetings
- Directive C/DIR.1/7/91 concerning the sponsoring of experts for participating into transport meetings.

A few years later, with implementation still lagging behind, the Authority adopted decision A/DEC.3/8/94 on August 6th 1994, establishing National Committees for transport related issues.

Each National Committee is to comprise:
- Director of Road Transport (Chairman of the Committee)
- Director of Road Safety
- Representative from Police
- Representative from Gendarmerie
- Representative from ECOWAS Brown Card National Bureau
West African Road Transport and Transit Facilitation Strategy

- Representative from Customs
- Representative from Presidency
- Representative from Road Transport Association
- Representative from ECOWAS National Unit

The establishment of such committees is an early version of the organs which will be developed at a later stage by the two RECs to drive the implementation of the facilitation process.

d) Road Safety:

Road safety did not emerge as an issue before the 90s, with the adoption of a community programme in 1994 by the Heads of State, prepared by a series of texts adopted at Council level. The relevant texts are:

- Directive C/DIR.1/7/92 on the preparation of a community programme
- Resolution C/RES.8/7/92 on the creation of national road safety agencies
- Resolution C/RES.5/7/94
- Decision A/DEC.2/8/94 on the Community programme for road safety
- Decision A/DEC.5/8/94 granting the African Group on International Road Safety (AGIRS) the status of observer in the ECOWAS institutions
- Resolution C/RES.3/09/08 reaffirming the Community programme

The Community programme included actions at national and regional levels:

- At national level, the creation of National Road Safety Commissions, technical control of vehicles, awareness programmes, regulatory measures for vehicle, driver and passenger safety, and the creation of databank on road accidents.
- At regional level, implementation of conventions and instruments relating to road transport, definition of a policy for the funding of road safety programmes, adoption of a standard format for accident reporting

e) Ports and Shipping:

The Focus of the two Communities is different, although the two complete each other: ECOWAS is more concerned by the development of a regional shipping line, whereas UEMOA developed a more comprehensive approach, retaining however the notion of sustaining a regional shipping industry.

For ECOWAS, the two shipping specific decisions are:

- A/DEC.4/11/84 dated November 23rd 1984 is mandating the Commission to establish a regional shipping line
- C/DIR.2/12/88 dated December 6th 1988 is related to the shipping component of the transport programme, namely the establishment of a regional shipping line and the dedicated port areas for landlocked countries

To some extent, both objectives have been achieved.

The initial formulation of a Shipping policy for the UEMOA region was contained in the Recommendation 03/98/CM/UEMOA adopted on July 3rd 1998.
The UEMOA Council of Ministers, at its meeting held on June 27th 2002, adopted two texts related to transport:

- Recommendation 02/2002/CM/UEMOA relating to the simplification and harmonisation of port procedures
- Directive 04/2002/CM/UEMOA relating to Shippers’ Councils

The Recommendation and the Directive relate more closely to facilitation, and their content is therefore discussed under the relevant section of this chapter.

The UEMOA Council of Ministers adopted at its meeting held on March 28th 2008 a series of texts relating to shipping:

- Directive 02/2008/CM/UEMOA relating to Search and Rescue at Sea and the protection of the Marine Environment (requesting member states to ratify the safety and security conventions of the IMO, and MARPOL for the protection of the Marine Environment)
- Directive 03/2008/CM/UEMOA relating to port service providers (pilots, towage services – which have to be leased to public or private operators after tendering, cargo handling companies – members have a deadline of two years to liberalise the activity)
- Directive 04/2008/CM/UEMOA relating to the harmonised institutional framework for the shipping industry within UEMOA

At National level, member states are requested to establish a maritime administration, whether landlocked or coastal, in charge of all port and shipping issues. Member states are further requested to involve all stakeholders, and to establish or revive the FAL Committees.

At Regional level, a Consultative Committee on Shipping is to be established, according to a structure which has still to be defined. In addition to the Committee, a Regional Coordination Centre for Search and Rescue and the protection of the Marine Environment is to be established, funded through the Maritime Fund established under the Regulation 02/2008/CM/UEMOA.

- Regulation 02/2008/CM/UEMOA relating to shipping transport

The Regulation introduces distinction between Community (between two member states, excluding feeder, considered as regional leg of international shipping) and International Shipping (non-Community). Community trade is restricted to
Community Shipping lines, either established in the Community or operating ships from the Community. International trade is open, but subject to collection of a fee dedicated to a Maritime Fund.

- Regulation 03/2008/CM/UEMOA relating to the shipping agents and clearing and forwarding agents
- Regulation 04/2008/CM/UEMOA relating to shipping safety and security (Flag state control and Port state control)

**I-3 Facilitating Regional Transport and Transit:**

The texts relating to transport facilitation cover the definition of the instruments such as the guarantee regime for transit, or the motor insurance scheme, and also the institutions created to accelerate and monitor their implementation.

- Inter-State Road Transport:

The Protocol A/P.2/5/82 on Inter-State Road Transport (also known as “Convention ISRT”) is aiming at regulating the conditions of transport by road between member-states. The Convention touches a wide range of issues, aiming at:

  - Designating the transit routes open to inter-State traffic
  - Elimination of excessive road checks;
  - Ensuring equitable access to the freight generated by the external trade of the contracting parties and harmonize the regulations concerning the highway code and transport;
  - Establishing sufficient autonomy to ensure supplies to landlocked countries, in keeping with the transportation means of the transit countries
  - Setting of annual quotas, by countries, of vehicles authorized to undertake inter-State transport
  - Defining 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
  - Setting axle loads limits

The Convention is supplemented by a second convention, instituting a guarantee regime for inter-state road transport. The Convention A/P4/5/82 (“Convention TRIE”) is establishing a mechanism inspired by the TIR Convention developed by the European Commission.

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.

However, ratification and actual implementation proved problematic, and the Authority adopted the additional convention A/SP.1/5/90, which is defining a chain of national bodies responsible for the guarantee, with each national body designated by each member state.

With a view to limit road checks for transit trucks, UEMOA adopted Directive 08/2005/CM/UEMOA on December 16th 2005. Containers, reefer trucks, tanker trucks, and all compliant trucks (according to the Inter-State Road Transit Convention) were to be controlled only at departure, arrival, and at border crossings. Other controls are forbidden. The practical modalities of the controls are defined in the Decision 15/2005/CM/UEMOA adopted the same day.

- Brown Card Insurance scheme:

The final main facilitation instrument is the Protocol A/P.1/5/82, establishing the ECOWAS Brown Card, a third party motor vehicle insurance.

The Protocol is supplemented by the Decision C/DEC.2/5/83 relating to the implementation of the Brown Card scheme.

- Joint border posts:

The lead for the establishment of joint border posts has been taken by UEMOA, and later absorbed by the ECOWAS.

The creation of joint border posts is contained in the resolution 04/97/CM/UEMOA adopting the Action Plan for transport infrastructure. On the basis of the programme, Resolution 08/2001/CM was adopted on November 26th 2001 for the funding of the construction of 11 joint border posts:

- Burkina Faso – Ivory Coast: Léraba
- Burkina Faso – Togo: Cinkansé
- Ivory Coast – Mali: Pogo / Zégoua
- Benin – Niger: Malanville / Gaya
- Burkina Faso – Niger: Kantchari / Makalondi
- Benin – Burkina Faso: Tindangou / Nadiagou
- Burkina Faso – Mali: Koloko / Hérémankono
- Senegal – Guinea Bissau: Mpack
- Mali – Senegal: Kidira / Diboli
- Togo – Benin: Sanvee Condji / Hillacondji
- Mali – Niger: Labézanga / Ayorou

The first two joint border posts were to be developed through internal resources of the Union as pilot, and the scheme extended in a second phase to the other borders.
The Decision 03/2004/CM/UEMOA dated July 5th 2004 modified this list to include the border between Benin and Niger (Malanville) in the list of the pilot border posts.

The EU support to the ECOWAS Regional facilitation programme includes the creation of Joint Border Posts. However, the EU funding is partly conditioned to the achievement of specific milestones, and the Council adopted Resolution C/RES.2/09/08 to assist in the process.

- Integrated Facilitation Programme:

The Conference of Heads of States and Governments issued Decision A/DEC.13/01/03 dated January 31, 2003, relating to the establishment of a Regional road transport and transit facilitation programme in support of intra-community trade and cross-border movements.

The main components of the Programme are:

- Harmonisation and simplification of regulations and procedures (introduction of single document system, harmonisation of the guarantee system for inter-state transit operations);
- Construction of “joint border posts“;
- Improvement of a information system by implementing the ACIS model (Advance Cargo information System with Road Tracker and Port Tracker modules) and by creating observatories of abnormal practices along the inter-States roads;
- Implementation of actions related to road safety, HIV/AIDS, environment and gender awareness.

The Trans-Coastal Lagos/Nouakchott and the Trans-Sahelian Dakar/Ndjamena corridors are selected for the implementation of the program.

- Facilitation Institutions

The National Committees established by the Decision A/DEC.3/8/94 have a scope which includes facilitation. This scope was also confirmed by UEMOA, in the Recommendation 04/97/CM/UEMOA.

Decision A/DEC.9/01/05 dated January 19th 2005 reorganised the institutional framework for the implementation of the facilitation programme, by reformatting or establishing three layers of organs:

- National Facilitation Committees (with a revised composition)
- Cross Border Corridor Management Committees
- A Regional Inter-State Road Transport and Transit Facilitation Committee

The National Facilitation Committees expands the membership of the previously defined Committees by adding more representatives from the private sector, such as:

- Forwarding agents
- Customs agents
- Port authorities
- Chamber of Commerce and Industry

In addition to the representative of the ECOWAS National Unit listed in the previous version, the representative of the UEMOA National Unit is also member of the
Committee, where relevant. The list is non-limitative, and may include any other relevant institution or structure.

The Cross Border Corridor Management Committees comprises from member states situated on the identified corridors:

- two representatives from the public sector
- two representatives from the private sector

The Regional Committee comprises:

- two representatives from each of the National Committees (one from the public sector, one from the private sector)
- the ECOWAS Commission
- UEMOA

Due to some lack of clarity in the definition of the Cross Border Management Committee, Resolution C/RES.1/09/08 has been adopted on September 4th 2008 to further the establishment of the Committees.

UEMOA completed the ECOWAS institutional structure with a Technical Committee for the suppression of non-tariff barriers, created by the decision 16/2005/CM/UEMOA adopted on December 16th 2005.

The Committee, which partly duplicates for UEMOA the functions of the ECOWAS Regional Facilitation Committee, comprises the following representatives from each member state:

- a representative of Customs
- a representative of Police
- a representative of Gendarmerie
- a representative of Plant Health Services
- the Director for Land Transport
- a representative of the National Facilitation Committee
- two representatives from the private sector

However, besides dedicated land transport facilitation organs such as the Committees established by the previous decisions, there are two other types of organs established by UEMOA:

- Shippers Councils, which have an advisory role for shippers
- Port Facilitation Committees, based on the FAL Convention

I-4 Progress of Implementation:

The multiplication of decisions and recommendations did not improve the transport situation in the region. The adequacy of the instruments developed was not questioned, but the identified issue was their effective implementation. The remedy identified was adopting an appropriate governance structure for facilitation issues, and increased coordination between ECOWAS and UEMOA.

This approach was developed and formally approved by the organs of the two RECs during the second half of 2003:
- August 2003, definition of the Regional Facilitation Programme by the coordination of the two respective programmes of ECOWAS and UEMOA

- November 2003, Accra seminar approving the components of the Regional Facilitation Programme, through the adoption of the Accra Matrix of Action.

- November and December 2003, formal adoption of the Regional Facilitation Programme by the Councils of Ministers of ECOWAS and UEMOA

The ECOWAS and UEMOA Commissions obtained support from the European Union to finance a Transport Facilitation Unit hosted by the ECOWAS Commission, to be tasked with the implementation of the Regional Facilitation Programme.

The expected results by the European Union for the ECOWAS region were:

- The removal of physical and non-physical barriers to ensure better flow of traffic and facilitation of trade;

- To improve the maintenance of priority regional infrastructure and harmonising technical standards and safety regulations;

- To create regional physical facilitation infrastructures.

To that effect, the EU funded under the 9th EDF two related projects:

- Support Unit to ECOWAS Transport Department (€2M) – which is an institutional support project aiming at strengthening the ECOWAS and UEMOA capacity in the domain of transport, implemented by Egis BCEOM International.

- Transport Facilitation Project (€63.8M) which aims at improving regional transport through facilitation activities and the construction of Joint Border Posts, implemented by GOPA/NEA.
II- TRADE FLUX AND TRANSIT FACILITATION CHALLENGES IN WEST AFRICA

II-1 West Africa context

One of the striking features of the region is the contrast:

- contrast between countries, which comprise small island state and landlocked countries, large and small countries
- contrast in the population, with one country, Nigeria, representing more than half of the Community population
- contrast in levels of development, although most countries are classified under the category of the least developed countries
- contrast in density, from highly populated coastal areas to deserts

The main economic and demographic indicators are summarised in the table below.

Table: Main indicators (World Bank Development Indicators – reference year 2006)

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (total millions)</th>
<th>Population growth (annual %)</th>
<th>Surface area (sq. km) (thousands)</th>
<th>GDP (current US$) (billions)</th>
<th>GDP growth (annual %)</th>
<th>GDP Per Capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>BENIN</td>
<td>8.8</td>
<td>3.1</td>
<td>112.6</td>
<td>4.8</td>
<td>4.1</td>
<td>544.5</td>
</tr>
<tr>
<td>BURKINA FASO</td>
<td>14.4</td>
<td>3.0</td>
<td>274.0</td>
<td>6.2</td>
<td>6.4</td>
<td>429.7</td>
</tr>
<tr>
<td>CAPE VERDE</td>
<td>0.5</td>
<td>2.3</td>
<td>4.0</td>
<td>1.1</td>
<td>6.1</td>
<td>192.3</td>
</tr>
<tr>
<td>GAMBIA</td>
<td>1.7</td>
<td>2.8</td>
<td>11.3</td>
<td>0.5</td>
<td>4.5</td>
<td>307.2</td>
</tr>
<tr>
<td>GHANA</td>
<td>23.0</td>
<td>2.1</td>
<td>238.5</td>
<td>12.9</td>
<td>6.2</td>
<td>561.1</td>
</tr>
<tr>
<td>GUINEA</td>
<td>9.2</td>
<td>2.0</td>
<td>245.9</td>
<td>3.3</td>
<td>2.8</td>
<td>361.7</td>
</tr>
<tr>
<td>GUINEA BISSAU</td>
<td>1.7</td>
<td>3.0</td>
<td>36.1</td>
<td>0.3</td>
<td>4.2</td>
<td>181.8</td>
</tr>
<tr>
<td>IVORY COAST</td>
<td>18.9</td>
<td>1.8</td>
<td>322.5</td>
<td>17.6</td>
<td>0.9</td>
<td>928.1</td>
</tr>
<tr>
<td>LIBERIA</td>
<td>3.6</td>
<td>3.9</td>
<td>111.4</td>
<td>0.6</td>
<td>7.8</td>
<td>176.0</td>
</tr>
<tr>
<td>MALI</td>
<td>12.0</td>
<td>3.0</td>
<td>1240.2</td>
<td>5.9</td>
<td>5.3</td>
<td>490.4</td>
</tr>
<tr>
<td>NIGER</td>
<td>13.7</td>
<td>3.5</td>
<td>1267.0</td>
<td>3.7</td>
<td>4.8</td>
<td>266.4</td>
</tr>
<tr>
<td>NIGERIA</td>
<td>144.7</td>
<td>2.4</td>
<td>923.8</td>
<td>115.3</td>
<td>5.2</td>
<td>797.0</td>
</tr>
<tr>
<td>SENEGAL</td>
<td>12.1</td>
<td>2.5</td>
<td>196.7</td>
<td>9.2</td>
<td>2.3</td>
<td>761.4</td>
</tr>
<tr>
<td>SIERRA LEONE</td>
<td>5.7</td>
<td>2.8</td>
<td>71.7</td>
<td>1.5</td>
<td>7.4</td>
<td>252.6</td>
</tr>
<tr>
<td>TOGO</td>
<td>6.4</td>
<td>2.7</td>
<td>56.8</td>
<td>2.2</td>
<td>4.1</td>
<td>344.8</td>
</tr>
</tbody>
</table>

As a continent, Africa south of Sahara is marginalised in the world trade, accounting for a share of 1%, despite the fact that it is one of the most dependent regions on world markets, with a share of 40% of its GDP dependent on exports.

Trade patterns have little changed over the last decades, only in terms of trading partners, with Europe loosing its dominance, and the share of Asia growing, while in
terms of composition, it remained stable, with a predominance of agricultural and mineral commodities with no or limited value added.

The economic development of the region is highly dependent from the competitiveness of its exports, a situation aggravated by their limited value added content, and transport is one of the major challenges that have to be addressed.


There are two types of corridors in the ECOWAS area:

- Gateway corridors, linking the hinterland to the main seaports, primarily supporting the overseas trade of the region and marginally intra-regional trade
- Intra-regional corridors, key transport infrastructures and services constituting a pipeline for a mix of regional trade flows

Due to the characteristics of the transport infrastructure of the ECOWAS area, a number of Gateway corridors share common parts. The main corridors are linking the main seaports of Dakar, Abidjan, Tema, Lome and Cotonou to the landlocked countries of Burkina Faso, Mali and Niger. Significantly, in a number of corridors, Burkina Faso is playing a key role as transit country.

Clockwise, the Gateway corridors are:

1. Cotonou – Niger
2. Cotonou – Burkina Faso (extending to Mali)
3. Lome – Niger
4. Lome – Burkina Faso (extending to Mali)
5. Tema or Takoradi – Burkina Faso – branching either to Niger or to Mali
6. Abidjan – Burkina Faso (extending to Niger)
7. Abidjan – Mali
8. Conakry – Mali
9. Dakar – Mali

The only example of pure intra-regional corridor is the Abidjan – Lagos Corridor.

**II-2 West Africa Transit trade flows characteristics**

The information on trade flows in West Africa is scarce and fragmented, sometimes inconsistent. The information compiled in this section has been obtained through various channels:

- official websites of the West Africa port authorities
- direct communications with port authorities
- Shipper’s Councils
- Extensive literature review

There are basically two options to approach corridor trade flows, from a port perspective, and from the landlocked countries perspective.
Port transit traffic refers to direct trade between the landlocked countries and overseas partners. However, the corridor trade flows also include bilateral trade with the coastal countries, which may or may not be linked to maritime trade. This adds some confusion in the strict comparison of figures. Whenever possible, several sources have been used and included in this section, in order to enable future comparison of trends by referring to the relevant series.

Detailed statistics on transit traffic have been obtained from all the ports involved in transit traffic in West Africa, although less successfully for the port of Conakry (Guinea), for which only a few years have been obtained.

The last year for which relatively complete series are available is 2006. Information on 2007 is partial, and not comprehensive enough to enable an analysis. However, there is clear indication that the peace agreement signed in Ivory Coast has had an effect on volumes transiting through the port of Abidjan, and that the port is slowly regaining its status as regional gateway.

The Ivory Coast crisis, starting in September 2002, had a deep impact on the transit patterns, with the diversification of routes for the landlocked countries. However, overall transit volumes for the three landlocked countries of West Africa have not been significantly affected, and the general trend is an increase since the year 2000.

On the total maritime trade of the three landlocked countries (Burkina Faso, Mali and Niger) passing through the ports, the respective share of each port is illustrated in the following chart. However, when analysed from country to country, the evolutions are different.
The effect of the Ivory Coast crisis is clear, and the Ghana ports benefited from the resulting reorganisation of the traffic, although the figures reveal that the diversification started before the crisis, with the first signs of political uncertainties.

Figures from the Port of Abidjan however indicate that since the signing of the peace agreement in March 2007, transit traffic is sharply picking up again in Abidjan, showing a renewed confidence in the port as a maritime gateway.

Analysed country per country, the situation is slightly different. Only two countries were relying heavily on Abidjan as maritime gateway, Mali and Burkina Faso. The effect of the Ivory Coast crisis is therefore more apparent than for Niger, for which Abidjan never played a significant role.

The emergence of Takoradi is linked to the saturation of the port of Tema, which had to face almost overnight huge volumes of cargo rerouted from Abidjan. For the port of Conakry, the figures are missing, but it seems that the surge of traffic was short-lived.

- Burkina Faso:

The main gateway of Burkina Faso prior to the Ivory Coast crisis was Abidjan. However, the emerging role of the Ghana ports started before the main closure of the border, at a time the political situation in Ivory Coast prompted the landlocked countries to diversify their access routes to the sea.

In September 2002, the border closed for several months, preventing any transit through Abidjan. However, once reopened, transit resumed but at a lower level.
The figures illustrated in the graph below are based on CBC data. Although the exact figures differ from the picture based on the port transit data, the trend is the same: Abidjan has lost its dominance during the 2002 crisis, and has been replaced by Tema and Lome.
For Mali, the Ivory Coast crisis resulted also in a sharp decrease of the role of Abidjan as gateway for Mali trade, but the situation is partly reverting to the prior situation, with Abidjan slowly gaining shares again.

However, the reshuffling of the corridors did not fully benefit to the port of Dakar, as illustrated by the growing share of the Ghana and Togo ports. This can be partly linked to the congestion of the port of Dakar, with limited spare capacity to handle increased volumes of transit traffic.

To the contrary of Burkina Faso, there is no equivalent figure from the Mali Shippers’ Council, although two alternative sources can be considered:

- Entrepôts Maliens, a parastatal managing warehouses in the West Africa ports
- The Ministry of Transport, monitoring the international (including regional) trade of Mali.

The information obtained from the Ministry of Transport is recent, but does not provide any indication on the respective share of each corridor.

**International trade of Mali**

<table>
<thead>
<tr>
<th></th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>import</td>
<td>1,181,669</td>
<td>1,405,961</td>
<td>1,891,060</td>
<td>2,109,572</td>
</tr>
<tr>
<td>Petroleum products</td>
<td>311,837</td>
<td>245,512</td>
<td>279,501</td>
<td>330,107</td>
</tr>
<tr>
<td>export</td>
<td>18,3818</td>
<td>227,004</td>
<td>428,289</td>
<td>237,827</td>
</tr>
<tr>
<td>total</td>
<td>1,677,324</td>
<td>1,878,477</td>
<td>2,598,850</td>
<td>2,677,506</td>
</tr>
</tbody>
</table>

The statistics obtained from Entrepôts Maliens only cover the period 2001-2003, plus the year 2006, and highlight the shift from Abidjan to Tema and Lome, but also the lack of progress of Dakar. The difference with port statistics is that they include bilateral trade with the coastal country, not counted in the port traffic.
The difference between the total port transit and the international trade figures suggest an important share of regional trade, which may be linked to petroleum products or building material for instance.

- **Niger:**

For Niger, the dominant port has always been and remains Cotonou, which is the closest access to the sea, despite the operational problems of the railway link through Parakou.
The Niger Shippers’ Council is producing statistics equivalent to the one produced by the CBC for Burkina Faso, but the statistical bulletins have not been obtained in time to be considered in this report.

- **The special case of the petroleum products:**

   Landlocked countries in West Africa have two options for their imports of petroleum products:
   
   - either directly from overseas providers, in which case the volumes are probably counted in the transit volumes published by the port
   
   - or from the port refineries of Abidjan and Dakar, in which case it is not included in the transit volumes of the port, and is rather considered as regional trade

The port of Abidjan is publishing the regional trade flow for petroleum products, but the port of Dakar is providing no information on their level. The port of Lome is including the refined products imported by the landlocked countries in the transit volumes. For other ports, as no commodity information is available, the status of petroleum products is not known.

There is need to further disaggregate port statistics by direction (partly available but not for all ports, so this information has not been utilised) and by commodity, in order to clearly separate petroleum products and obtain a better assessment of the corridor volumes.

The closure of the border in 2002/2003 resulted in a complete stop of the use of the port of Abidjan for the purchase of petroleum products, but the evolution of the last few years is showing that after temporarily using alternate sources, the landlocked countries are returning back to Abidjan.

The statistics available for the port of Lome are detailing commodities, but only from 2002. The situation prior to the crisis in Ivory Coast is therefore not clear. However, the
The figures do not completely agree with the previous ones, although they confirm that from 2004 onwards, the share of Abidjan has increased compared to prior of the Ivory Coast crisis.
For Mali, only the total imported volumes of petroleum products are available, without indication of the corridor, except for the year 2006, for which petroleum products by road out of Dakar amounted to 136,330 tons.

<table>
<thead>
<tr>
<th>Import Mali</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petroleum products</td>
<td>311,837</td>
<td>245,512</td>
<td>279,501</td>
<td>330,107</td>
</tr>
</tbody>
</table>

It is unknown if the figures are partly included or not in the transit volumes of the port of Dakar, as the activities of the refinery decreased in 2006, implying a replacement from sourcing products in Senegal with direct imports from overseas.

![Pie chart showing import of petroleum product by origin for Mali, in 2006](image)

II-3 Transport Infrastructure

The description of the regional transport infrastructure and its condition is beyond the scope of this presentation of the regional diagnostic.

The regional road infrastructure comprises two main highways, roughly parallel to the sea, and interlinks:

- the trans-Sahel highway, from Dakar to Niamey via Bamako and Ouagadougou
- the trans-Coastal highway, from Lagos to Abidjan
- the interlinks between the two highways originating from each port

Most of the regional transport infrastructure supporting regional trade is adequate or at least manageable, except a few black spots (city crossings notably), and all the major economic centres are connected.

The railway network however is disjointed, with only two networks extending beyond the borders:

- the Dakar – Bamako railway line
- the Abidjan – Ouagadougou – Kaya line
The ECOWAS has prepared a feasibility study for the extension of the railway network with the development of the missing links in order to connect the various networks together.

The potential of inland waterways is largely untapped, and to some extent not fully identified.

The ports are facing to some extent congestion, which has partly infrastructural roots, and partly operational roots. The impact of congestion is reviewed in the paragraphs dealing with facilitation issues.

II-4 Transport and Transit Facilitation challenges

The Non-Tariff Barriers in West Africa have been documented in a number of reports and studies, notably the synthesis prepared by the UNCTAD Secretariat for the preparation and follow-up of the Almaty Programme of Action. This section will therefore only briefly review a few relevant and salient points, linked to transport services.

The high transport costs in West Africa have been linked to several factors, notably:

- Long roundtrip times resulting in low productivity of the transport fleet (rail and road), caused notably by long delays (border crossing, terminal delays, road blocks, etc.)
- Informal payments adding to transport costs
- Multiplication of customs bonds guarantee and slow release
- Extreme imbalance of trade

II-4-1 Inland transport prices:

Inland transport prices are only a part of the total transport costs determining the choice of the corridor.

Mali: Typical transport prices for a 40’ container, according to port, in 2005

- Dakar – Bamako by road 2290€
- Dakar – Bamako by rail 1671€
- Lome – Bamako 2943€
- Tema – Bamako 2896€
- Conakry – Bamako 2300€

Source: Mali Trade and Transport Facilitation Strategy – World Bank

Burkina Faso: Transport prices for a 40’ container, repositioning of the empty, according to port, in 2004

- Abidjan - Ouagadougou by road 1500000FCFA (2290€)
- Abidjan - Ouagadougou by rail 1100000FCFA (1680€)
- Lome - Ouagadougou 1350000FCFA (2060€)
- Tema – Ouagadougou 1350000FCFA (2060€)
- Cotonou – Ouagadougou 1200000FCFA (1830€)

Source: CBC
II-4-2 Trade imbalance

The last factor, imbalance, is linked to the structure of the external trade and cannot be considered as such as a barrier subject to remedy. However, its impact on the transport cost has to be taken into account, as it implies repositioning of the fleet without a return payload, the inward transport supporting the cost of the total round trip. The imbalance for the year 2006, based on data from Entrepôts Maliens and Burkina Faso Shippers Council are illustrated in the following figure:

For Burkina Faso, exports represented 22.8% of imports, and for Mali, the situation is even more imbalanced, exports representing only 6.1% of the imports.

The other factors however are directly linked to the efficiency of the trade and transport operators, and several instruments have been designed to reduce or suppress their effect.

II-4-3 Long delays and long round trip times:

The average mileage of trucks in Africa, based on various sources, is as follows:
- 11,000 to 12,000 km per month for domestic transport within South Africa
- 8,000 to 9,000 km per month in regional Southern Africa (for instance South Africa to Zambia through Zimbabwe)
- 5,500 km per month in Eastern Africa
- only 2,500 km at best for Mali and Niger, and clearing and forwarding agents figures suggest even less on some routes

The explanation for the long roundtrip time is the excessive amount of delays at various stages of the road trip:
- terminal time in ports and at the inland destination
- border crossings
- numerous controls en route by Police, Customs and Gendarmerie
- idle time before reloading or getting return load, when there is a return load

According to figures quoted from clearing and forwarding agents, border crossing delays and terminal delays during the clearing of the goods are representing a high proportion of the total round trip time. For all corridors, they are greater than the pure driving time.

Table: Clearing and forwarding agents estimates on round trip times for Bamako

<table>
<thead>
<tr>
<th></th>
<th>Distance</th>
<th>Port delays</th>
<th>Driving time</th>
<th>Border crossings</th>
<th>Terminal delays</th>
<th>Other delays (Repairs, etc…)</th>
<th>Round trip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dakar</td>
<td>1365</td>
<td>5</td>
<td>7</td>
<td>3</td>
<td>6</td>
<td>10</td>
<td>31</td>
</tr>
<tr>
<td>Lome</td>
<td>1967</td>
<td>5</td>
<td>9</td>
<td>6</td>
<td>6</td>
<td>15</td>
<td>41</td>
</tr>
<tr>
<td>Tema</td>
<td>1973</td>
<td>5</td>
<td>9</td>
<td>6</td>
<td>6</td>
<td>15</td>
<td>41</td>
</tr>
<tr>
<td>Conakry</td>
<td>980</td>
<td>5</td>
<td>6</td>
<td>2</td>
<td>6</td>
<td>8</td>
<td>27</td>
</tr>
<tr>
<td>Abidjan</td>
<td>1225</td>
<td>4</td>
<td>6</td>
<td>3</td>
<td>6</td>
<td>9</td>
<td>28</td>
</tr>
</tbody>
</table>

Source: Mali Trade and Transport Facilitation Strategy – World Bank
The Customs modernisation programmes and the establishment of joint border facilities are aimed at reducing those delays.

**II-4-4 Informal payments and check points**

Adding to the inherent cost of poor productivity of the transport fleet, illegal perceptions along the corridor and increasing the transport costs.

To monitor the impact of bribes and delays, the Transport observatories have been developed on pilot corridors, Lome – Ouagadougou – Bamako and Tema – Ouagadougou – Bamako, producing regular reports on the level of delays and illicit payments.

The results of the survey for the second period of 2007, between May 27th and October 26th, are indicated in the table below:

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Countries</th>
<th>Length</th>
<th>Check points</th>
<th>Bribes</th>
<th>Delays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tema</td>
<td>Ghana – Burkina Faso</td>
<td>992 km</td>
<td>19</td>
<td>42.81$</td>
<td>Not significant, because a bridge damaged by floods at Po resulted in severe delays</td>
</tr>
<tr>
<td>Ouagadougou</td>
<td>Burkina Faso - Mali</td>
<td>905 km</td>
<td>25</td>
<td>27.60$</td>
<td></td>
</tr>
<tr>
<td>Bamako</td>
<td>Togo- Burkina Faso</td>
<td>1,020 km</td>
<td>15</td>
<td>41.37$</td>
<td></td>
</tr>
</tbody>
</table>

The measure of delays on this period is not significant due to the damaged bridge. On the previous observation period, the number and location of check points, the amount of bribes and the delays are represented on the map below.
The delays linked to check points were ranging between 16 minutes per 100km in Togo to 38 minutes per 100km in Mali. Translated into total lost time, this represent less than 3 hours on the trip Lome – Ouagadougou, less than 4 hours for Tema – Ouagadougou, and also less than 4 hours on Ouagadougou – Bamako, times which have to be compared with the total driving time.

Although check points and bribes are a sensitive issue, their impact is relatively marginal in terms of added costs and added delays when compared with the total round trip time quoted by clearing and forwarding agents. For a round trip between Tema or Lome to Bamako and return, C&F agents are indicating an average of 41 days, out of which only 9 are spent driving (the rest is corresponding to various waiting times). A better knowledge of the other sources of delays would complete the scope of the transport observatories.

II-4-5 Customs related delays and costs:

The IRST Convention (TRIE) is establishing a Customs guarantee scheme, the “TRIE carnets”, which is enabling the transit of goods between ECOWAS countries. However, the convention is not implemented, and each country crossing must be guaranteed by separate Customs bonds, multiplying the procedures and the delays, while adding to transaction costs. The implementation of the IRST Convention is one of the main objectives of the Regional Transport Facilitation Programme. Aspects linked to the IRST Convention are covered in a separate report from another BCEOM Consultant.

The use of the transit regime itself is not always systematic, with numerous countries imposing clearance at the entry border. The following table is a summary of the information collected during the field visits organised by BCEOM:

<table>
<thead>
<tr>
<th>Country</th>
<th>Destination country</th>
<th>Transit country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Verde</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Senegal</td>
<td>Clearing at the inland border, due to prohibitive cost of escort for goods imported from Mali</td>
<td>Transit regime, but TRIE rarely used except for sugar and rice to Mali, project to monitor transit goods through positioning and satellite communication system</td>
</tr>
<tr>
<td>Mali</td>
<td>Clearing at the closest regional Customs office (Kayes on the Dakar Corridor, and Sikasso on the Abidjan corridor)</td>
<td></td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>Escort from the border to regional Customs offices</td>
<td></td>
</tr>
<tr>
<td>Ivory Coast</td>
<td>Clearing of the goods at the entry border</td>
<td></td>
</tr>
<tr>
<td>Ghana</td>
<td>Clearing of the goods at the entry border</td>
<td>Transit regime with monitoring of goods</td>
</tr>
</tbody>
</table>
West African Road Transport and Transit Facilitation Strategy

<table>
<thead>
<tr>
<th>Country</th>
<th>Process at the border</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benin</td>
<td>Clearing of the goods at the entry border</td>
<td>Transit regime, with Customs bond plus TRIE</td>
</tr>
<tr>
<td>Nigeria</td>
<td>Clearing of the goods at the entry border, and most of the time, transshipment of goods on a Nigerian truck</td>
<td></td>
</tr>
</tbody>
</table>

II-4-6 Border posts

Information on the processes and delays taking place at the border posts, and even the flows, are poorly known. In a survey conducted in December 2007, inconsistent figures were collected on the traffic flows passing through the border, even when border posts are immediately adjacent, highlighting the need to further investigate the situation in order to make a proper diagnosis.

Cinkasse (between Burkina Faso and Togo):
- The town of Cinkasse spans both sides of the river materialising the border.
- Bittou post on the Burkina side: reported freight traffic between 150 and 200 vehicles per day, with peaks reaching 300 to 400 vehicles.
- At Cinkasse (Togo), the reported freight traffic is around 100 vehicles per day

Kantchari and Torodi (between Burkina Faso and Niger)
The two Customs posts are 115km apart:
- Kantchari (Burkina Faso) is located 45km from the border, the daily reported traffic is 50 to 60 trucks (40 to 50 outgoing and 10 incoming)
- Torodi (Niger) is located 75km from the border, the daily reported traffic is 120 to 130 trucks
  - There is an advance check point at Makalondi where trucks are registered.

Gaya and Malanville (between Niger and Benin)
The border is materialised by the Niger river, and the two border posts are located 7km apart, with advanced Customs and Police offices on each side of the bridge.
- Gaya (Niger) is located 7km from the border, with a reported traffic of 130 trucks per day
- Malanville (Benin), the reported traffic is 100 trucks per day

Seme Krake (between Benin and Nigeria)
The border post facilities for the two countries are joined, and located entirely in Benin. The daily reported traffic is 40 to 50 trucks.

Hilla Kondji and Sanvee Kondji (between Benin and Togo)
The two border posts are adjacent on each side of the border. On the Benin side, the reported traffic is 100 trucks, of which 30 are transit, and 70 domestic, while on the Togo side, the daily traffic flow is 30 trucks for export and 3 for import.
Kodjoviakope and Aflao (between Togo and Ghana)

The two border posts are adjacent on each side of the border. On the Togo side, the reported daily flows are 30 trucks for export and 3 for import. On the Ghana side, the reported daily traffic is 60 transit trucks, and 30 trucks for domestic trade.

Paga (between Ghana and Burkina Faso)

The two border posts are separate by 1km. On the Burkina Faso side, the daily reported traffic is 60 trucks (50 for import, 10 for export). On the Ghana side, the daily reported traffic is 40 trucks.

Elubo and Noe (between Ghana and Ivory Coast)

The border is materialized by a river, and the two border posts are on each side of it. On the Ghana side, the daily reported traffic is 180 trucks, while on the Ivory Coast side, it is 100 trucks.

The border post of Kouremale (between Guinea and Mali) has been substituted to the Gaya – Malanville border.

**II-4-7 Railway efficiency:**

The railway systems of West Africa are not connected, and only two are connecting ports to the landlocked countries (Dakar – Bamako and Abidjan – Ouagadougou – Kaya).

The privatisation of the Abidjan – Ouagadougou – Kaya in 1995 enabled an increase of the cargo traffic, but the Ivory Coast crisis led to a total closure of the line in September 2002 for a period of several months.

The privatisation of the Dakar – Bamako railway in 2003 to Transrail initially also increased cargo traffic, with a focus on containerised transport.
II-4-8 Cargo sharing schemes

In application to the IST Convention, most countries have signed bilateral agreement regulating the respective share allocated to each country:

- 50% each for bilateral trade
- 2/3 for the landlocked country, 1/3 for the coastal country for transit trade

This scheme is actually enforced in the case of large consignment, for which a cargo sharing mechanism can easily be implemented, but is more indicative in the case of unitised cargo such as containers, for which clearing agents are negotiating directly with road transport companies.

However, whether strictly or loosely implemented, depending on the cargo type, the cargo sharing mechanism, and the “tour de rôle” associated, is a disincentive to road transport to increase their efficiency.

II-4-9 Port congestion

The realignment of the trade along the possible corridors after the Ivory Coast crisis in September 2002 showed that some corridors, although apparently in a better position to attract more traffic, were actually not increasing their share.

Some of the reasons can be linked to capacity constraints at the port of origin of the corridor. A measure of the capacity constraint in the port is the level of the congestion surcharge the shipping lines are imposing on the freight rates. The graph below represents the level of the congestion surcharge per 20’ container imposed by EWATA member lines for the Europe West Africa trade in the main West African transit ports, since the beginning of 2005. Conakry and Abidjan were at no time concerned by the congestion surcharge.

This shows that the main alternate ports to Abidjan (Tema, Lome and Cotonou) are subject to congestion, and this may explain part of the return of the traffic to Abidjan, return which seems to be amplified by the signing of the peace agreement in March 2007.

Level of Port Congestion Surcharges for EWATA, per 20’ container
III- OBJECTIVES, METHODOLOGY AND FOUNDATIONS OF THE ROAD TRANSPORT AND TRANSIT FACILITATION STRATEGY

III-1 Introduction
The Strategy is based on the assumption that persisting problems are not a solution failure, but an implementation failure.

The proposed facilitation strategy is founded on three main pillars, modernisation of the road transport industry, and procedure and documentation reform, supplemented by an institutional framework designed to ensure effective implementation of the identified remedies.

The scope of the Facilitation Strategy is restricted to formal trade. The issue of informal trade, mainly concerning small traders in cross-border trade, relates more to poverty alleviation schemes than transport and transit facilitation.

The Facilitation Strategy also excludes infrastructure development, which is a real issue, but it is not included here for several reasons:

- recent analytical work at the World Bank highlighted the fact that improving the transport infrastructure would have a limited impact on transport prices, provided that basic accessibility is granted
- transport infrastructure must be dealt with in a more comprehensive framework, which includes mobility of persons and not only international trade
- most of the regional transport infrastructure supporting regional trade is adequate or at least manageable, except a few black spots

III-2 The Strategy methodology
The specific value added of the present strategy is therefore on the implementation and monitoring level, which constitutes the third pillar.

The approach adopted to achieve this is based on several features:

- the corridor approach
- the fast track approach
- the proof of concept approach

The second aspect of the third pillar is the monitoring process, at two levels:

- monitoring of the efficiency of the corridor (performance indicators linked to transport services demand, offer and delivery)
- monitoring of the actual implementation of the programmes aiming at improving the efficiency of the corridor

III-2-1 The Corridor approach
In the context of regional integration, a corridor is a set of transport infrastructures and transport services supporting an international trade route.

Generally, there is a port as gateway at one end, and a landlocked country at the other end, because most of the external trade of the region is with overseas partners.
The corridors are supporting several types of trade flows, each one involving its own set of issues:

- Domestic
- Regional (intra-West Africa)
- Transit
- Overseas trade

Beyond the definition of the concept, the corridor approach has several characteristics:

- it has a market, geographic and operational focus: problems refer to concrete experiences, based on identified locations, operators, agencies
- it is a comprehensive participatory process, all stakeholders being included, from private and public sector organisations
- it is trans-national by nature
- it is supported by a dedicated institution focussed on improving the efficiency of the transport corridor

This last item is actually more a condition of the corridor approach, as the process must be driven by a dedicated institution in order to be effective.

A corridor authority is an institution established for one of several purposes, such as:

- Economic development (promote foreign direct investment notably to unlock the economic potential of the area served by the corridor, an approach particularly in Southern Africa)
- Marketing of the corridor (increasing activity by gaining market share over competitor corridors)
- International gateway (trade and transit facilitation for the landlocked countries served by the corridor to increase the competitiveness of their economy)
- Regional integration (removing physical and non-physical barriers to regional trade)

III-2-2 The Fast track approach

It is proposed to further develop the corridor approach by supporting subsets of the Community which are willing to go faster than the rest of the Community. This is the fast track approach, in which it is possible for a group of countries aligned on a corridor to implement immediately some regional instruments which are not yet in force due to low rate of adoption by the rest of the Community.

The other option for fast track implementation is to focus on cargo types, for instance containerised cargo, reefer or fuel tankers. This is notably relevant for the guarantee regime, but also for partial road transport liberalisation, starting with the concerned sectors.

II-2-3 Proof of concept

This step is the logical consequence of the fast track approach. If the implementation of some solutions is proven successful on a corridor, the interest generated among the other corridors is likely to build strong support in favour of a replication of the pilot on other corridors, while the demonstration value of the benefit acts as an incentive.
II-3 The pillars of the Strategy

The pillars are programmes, comprising a set of activities intervening at several layers and levels. Most if not all the individual activities comprising the programmes require intervening at institutional, regulatory, operational or physical level.

Examples are illustrated in the following table:

<table>
<thead>
<tr>
<th>Pillar</th>
<th>Institutional</th>
<th>Regulatory</th>
<th>Operational</th>
<th>Physical</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road sector</td>
<td>Relations between organs</td>
<td>Establishment of the committees</td>
<td>Funding mechanisms</td>
<td>Facilities and equipment</td>
</tr>
<tr>
<td>Procedures and documents</td>
<td>Regional harmonisation</td>
<td>Access to profession</td>
<td>Service delivery</td>
<td>Facilities, investment in trucks</td>
</tr>
<tr>
<td></td>
<td>Regional harmonisation</td>
<td>Customs modernisation</td>
<td>Procedures</td>
<td>IT capability</td>
</tr>
</tbody>
</table>

II-3-1 Institutional framework

The institutional development builds on the adoption of the Corridor approach. Some problems and issues are better dealt with at one level rather than the other. The objective of the establishment of facilitation organs is to cover all three levels at which issues have to be tackled:

- National, with the National Facilitation Committees (NFC)
- Corridor, with the Corridor Management Committees (CMC)
- Regional, with the Regional Facilitation Committee (RFC) which constitutes the organ for policy formulation

The analysis of the implementation failure clearly shows that the identification of a driver for the implementation, and partners, are two critical enablers. The establishment of the set of institutions serves the purpose of designating a driver.

The partners are all the stakeholders involved in the trade and transport industry. However, the participation is somewhat imbalanced, with a relatively weak private sector. The reform of the transport industry, and the similar review of the clearing and forwarding industry required by the Customs modernisation programmes have also as consequence the strengthening of the private sector capability to participate to policy dialogue.

II-3-2 Development of adequate transport observatories

The monitoring of the implementation is a key aspect, for two reasons:

- indicators are instruments required to correctly diagnose a situation (abnormal performances are flagged for further enquiries to identify the causes)
- indicators are instruments to measure progress and impact of the measures adopted (benchmarking)

The selection of the performance indicators must be wide enough to cover all aspects of the operations of the corridor, notably:

- Transit time (port dwell time, land transport time, country transit time)
- Traffic flows (transit volumes, regional volumes, daily border crossings)
- Delays (border crossing delays, terminal delays at port and at inland destination, control checkpoints, weighbridges)
- Operator efficiency (port handling productivity, annual distance per truck, etc…)
- Tariffs (prices, cost factors)

The development of adequate transport observatories is a requisite to obtain the indicators. The current set up of the observatories, because of their focus on a narrow section of the total transport chain, must be reviewed to include all the listed areas of performance.

**III-3-3 Modernization of the road transport sector**

The modernisation of the road transport industry is to be jointly achieved with the liberalisation of the sector. Introducing real competition will improve the efficiency of the operators.

The accompanying measures must address two sets of issues:
- capacity building in the industry, through increased professionalism of the transport operators
- managing the transition from a regulated to an open market, including the social consequences for the operators which could not adapt to the new environment

The expected outcome of the liberalisation coupled with capacity building is multiple:
- liberalisation will suppress the cargo sharing schemes responsible for terminal delays and low level of utilisation of the transport assets, reducing round trip time and increasing annual mileage, ultimately reducing the burden of fixed costs in the total transport costs
- professionalism in the industry also implies implementing sound management practices, increasing efficiency
- with increased professionalism, operators will have incentives to strictly respect rules and regulation, notably in terms of axle load limits (reducing damage to the infrastructure), road safety, building mutual trust between the control agencies and the industry
- the establishment of professional associations representing the industry will be facilitated, effectively enabling the industry to fully participate into the policy dialogue
- control of the licensing and registration will provide governments and RECs with indicators enabling a better understanding of the transport offer

The programmes designed to achieve those objectives require addressing several aspects of the road transport industry:
- operators, notably the issue of access to the profession
- the fleet, with technical standards and fleet renewal
- transport services, notably the liberalisation of the sector and the formalisation of the transport contract
- enforcement, notably the technical visits, overload control, and building trust between control agencies and operators

**III-3-4 Interconnection of customs systems and harmonisation and simplification of the documents and procedures**

Inter-state road transport, both intra-regional or constituting the inland leg on an overseas transport operation, implies change of customs status at each border crossing.

The definition of the customs regime under which the goods are transported from one economic centre of the Community to another is therefore the starting point for the improvement of the efficiency of the transport scenario.

In theory, transport should be under a transit regime (suspension of duties, safeguarded by a guarantee regime such as the TRIE mechanism). In this scenario, border posts are mere checkpoints along the road, while the bulk of the customs procedures are taking place at origin and destination.

In practice, this is not the case, either because the transit regime is interrupted at the entry border (where clearing for home consumption becomes mandatory), and / or because the guarantee system is faulty, and additional mechanisms are replacing or duplicating it (such as escort, remote monitoring, new guarantee regime, customs bond, or any combination of two or more).

The pre-requisite for the Facilitation Strategy is an agreement by all Customs authorities on a transit scenario for inter-state road transport, in which goods are transported from origin to final destination under a transit regime involving a regional guarantee regime.

The consequences of not approving a standard scenario are the impossibility to improve the current situation, and also the possibility that investments such as the joint border posts will not bring the expected benefits in terms of reduction of border delays.

The extent of the procedure taking place at the border is a direct consequence of the transit scenario adopted. With the proposed scenario, the compliant transport operations are processed through a ‘green channel’. If the transit regime is interrupted at the border, the full declaration process has to be made, delaying goods and trucks at the border until the procedure is completed, impacting on the space required to handle the traffic waiting to be processed.

The efficiency of the Customs process depends on the efficiency of the Customs institution itself, which is currently addressed by the various ongoing customs modernisation programmes under way in most if not all countries, driven by the WTO negotiations and the WCO agenda.

In terms of facilitation, the most relevant aspects of the modernisation programmes are the increased computerisation of customs procedures and the increased spread in geographical terms (extending to regional offices and border posts).
Seamless transport from one country to another also implies exchange of information from one office to another within the same country, and between two successive countries.

The major challenge for this scenario is the availability of a regional guarantee. The purpose of the TRIE convention was to provide such guarantee, but it has never been adequately implemented since its ratification.

The hindrances to its implementation have been identified, but the will to overcome them is limited. The adoption of the standard transit scenario would enhance the attractiveness of the regional guarantee, and build some support to its implementation. The experience of Eastern and Southern Africa, taking advantage of the development of IT to launch again a transit regime could be replicated in West Africa.

The issue of tracking is closely related to customs issues, as its main purpose in the region is control. This explains that besides ACIS, which never succeeded in proving its value, the current tracking initiatives are led by Customs.

However, the potential use of the data generated by the tracking devices extends beyond pure customs needs, notably for planning purposes of the transport chain using immediate information, and monitoring purposes using historical information.

III-3.5 Rationale for a road transport sector reform

The improvement of road transport services in West Africa is a necessity, but the ways to trigger change are not easy to identify, mainly because most issues are interrelated, and causality relations are applying in both ways.

The Strategy must outline the expected ideal situation, but also focus on effective ways to make it happen. Some components clearly require the completion of other steps before they can deliver some benefits.

a. Without reform, other components of the facilitation strategy will probably fail:

The need for the complete liberalisation of the road transport sector has been analysed by the World Bank in a just published study “Transport prices and costs in Africa”. For the West Africa region, the initial lessons to be learnt from the study have been discussed during a regional dissemination/validation seminar, during which road transport operators agreed with the analysis.

The study is reviewing cost components of the transport price, region by region in Africa, and is assessing the potential impact in terms of evolution of costs, market and prices according to improvements made on items affecting cost factors, such as:

- improvement of the physical infrastructure
- reduction of border delays
- fuel costs

The results are summarised in the table:

<table>
<thead>
<tr>
<th>Measure</th>
<th>Effect on transport costs</th>
<th>Effects on activity</th>
<th>Effects on transport prices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehabilitation of corridor from fair to good</td>
<td>-5%</td>
<td>-</td>
<td>+/- 0</td>
</tr>
<tr>
<td>20% reduction in border crossing time</td>
<td>-1%</td>
<td>+2%/+3%</td>
<td>+/- 0</td>
</tr>
</tbody>
</table>
The most immediate conclusion is that whatever is done, the effect on prices will be negligible. The reason, which has been endorsed by the road transport industry, is the lack of competition in the sector. The road transport operators, without competition, will most certainly retain the savings without passing any part to their customers. The same analysis in other sub-regions of Africa, where the road transport market is liberalised, show that similar measures are indeed resulting in reduction of transport prices.

This is an extremely important fact, considering the efforts and funds invested in the transport facilitation programme so far, whose primary objective is to reduce transport prices in West Africa.

The evidence gathered by the World Bank tends to show that without a proper reform of the road transport sector, those efforts would be made in vain.

b) Relationship between the industry and the control agencies:

The issue of mistrust between the enforcement agencies and the operators must be addressed. This is essential to shift away from a system in which all are perceived as guilty until proven innocent to a system in which compliant operators are granted a green channel, providing them with a real incentive.

In the present system, there is no incentive to be compliant, as whether operators are playing by the rules or not, they face exactly the same harassment than operators with illegal behaviour or practices.

The initial step to build trust is to make the industry more organised and structured, with clear requirements on:

- fleet standards
- company standards
- services standards

But the situation is not a black and white picture, with all the wrongs on one side. The actual picture is in shades of grey, and it is necessary to balance the application of stricter rules imposed to the road transport operators with perfect behaviour from the control agencies. The issue there is corruption, with two aspects:

- bribes to accept illegal practices from the operators
- extortion, using the control powers to extort payments from operators, and in that case compliance is not an issue (being compliant does not protect from extortion)

There must be a mechanism which will enable the operators to report such behaviours, and more importantly, there must be a mechanism which will ensure that such behaviour will be punished.

The second part is important. The reporting part of the system has been experimented in some countries, and toll-free numbers have been established to report malpractices. The feeling from the industry is that at best, no one is listening, and in the worst case, that reporting operators will be targeted for harassment by colleagues of the faulty control agents.
c) liberalisation of the sector

The modernisation of the road transport industry is to be jointly achieved with the liberalisation of the sector. Introducing real competition will improve the efficiency of the operators.

The accompanying measures must address two sets of issues:

- capacity building in the industry, through increased professionalism of the transport operators
- managing the transition from a regulated to an open market, including the social consequences for the operators which could not adapt to the new environment

The programmes designed to achieve those objectives require addressing several aspects of the road transport industry:

- operators, notably the issue of access to the profession
- the fleet, with technical standards and fleet renewal
- transport services, notably the liberalisation of the sector and the formalisation of the transport contract
- enforcement, notably the technical visits, overload control, and building trust between control agencies and operators
IV- ADOPTION OF THE INTER-STATE ROAD TRANSIT CONVENTION (ISRT)

IV-1 Recapitulation of the objectives and content of the ISRT Convention

The inter-state road transit scheme (ISRT) adopted on 29 May 1982 in Cotonou, is a simplified regional customs arrangement whereby merchandise are transported, exempt from tax and duties, from one custom office of departure of a member state to the custom office of destination of another member state. The Convention introduced a single inter-state transit logbook which indicates the number, type of packaging, summary description, quantity, gross weight, value of goods, itinerary, country of origin, transit and destination as well as information on the means of transport. The logbook contains three sections; the first contains four leaflets numbered 1 to 4; the second set of leaflets contains notices of passage and the third contains information on the type of transport and transhipments that took place during the trip. The leaflets numbered 1 to 4 reach the following destinations after registration:

- Leaflet N° 1 is detached and kept at the customs office of departure to be checked subsequently against Leaflet N°3 at the end of the transit operation;
- Leaflet N°2 is to be handed over to the customs office of destination;
- Leaflet N°3 which accompanies the merchandise up till its destination is stamped at the customs office of destination and returned to the custom office of departure for cross-checking of the transit operation;
- Leaflet N° 4 is to be handed over to the Statistics Office of the country of destination;

The booklet serves as notices of passage. As many leaflets as are required as notices of passage for the transit are produced. The vehicle’s itinerary is specified on the logbook and must be meticulously maintained. Furthermore, the merchandise must be delivered intact.

The Convention stipulates that the logbook must be presented to the customs authorities of each transit country. The customs office must ensure that it is listed among the transit points and verify that the consignment has not been damaged before stamping the leaflets and detaching its copy. The Convention does not provide for the physical control of goods in transit except in the case where the consignment is suspected of irregularity.

The Convention provides that a national caution fee should be deposited to guarantee the transit operation from the customs office of departure to destination. It also provides sanctions for transport operators for incidents or infringements they may commit.

Finally, in 1998, the States adopted a resolution whereby goods in transit should be exempted from custom duties or any other transit-related tax, based on the terms of the ISRT Convention, completed by supplementary Convention A/P1/5/90, which contains the ISRT operations guarantee mechanism, adopted on 30 May 1990 in Banjul. Transit operations shall depend on the issuance of a single, concise goods declaration form and payment of a caution deposit amounting to not less than the value of customs duties of the country of departure. This caution deposit shall constitute a national guarantee such that goods are not discharged and sold in the transit countries.
The implementation of the spirit and letter of the ISRT Convention shall ensure that a single logbook is used to transport goods from their country of departure to their final destination so as to avoid repeated customs procedures throughout the different transit countries and facilitate cross-border movement of goods and services within the region.

In each country visited, the government had appointed chambers of commerce as national guarantors under the terms of the agreement signed with the country. To that end, the logbooks are designed and sold by the chambers of commerce.

The implementation of the Convention depends on three basic conditions:

- The issuance of a single, concise ISRT declaration form at the beginning of inter-state road transit operations;
- The establishment of a guarantee fund that shall serve as security;
- The standardisation of licensed vehicles according to defined criteria; indestructibility and sealing;

Apart from the regional and sub-regional agreements which provided a good number of inter-state road transport and transit facilitation instruments, the IST and ISRT Conventions have not yet achieved their objectives, as they are yet to be implemented, not even partially.

**IV-2 Irregularities observed**

The irregularities in issuing ISRT logbooks are summarised in the following table:

**Irregularities in issuing ISRT logbooks**

<table>
<thead>
<tr>
<th>Inadequacies</th>
<th>Causes</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>The logbooks are not valid beyond the borders of the issuing country</td>
<td>Logbooks are not recognised by third-party countries</td>
<td>- The issuance of as many logbooks as there are transit countries for the goods;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Different logbook information;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Risk of fraud at the point of fresh declarations;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Proliferation of forwarding agents at the borders;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Different logbook prices;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Deterioration of trade relations between countries;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increased cargo breakdown;</td>
</tr>
<tr>
<td>Sourcing for funds</td>
<td></td>
<td>- Imposition of additional charges;</td>
</tr>
<tr>
<td>Non-compliance with the provisions of the Convention</td>
<td></td>
<td>- Increase in cost of transit;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increase in the price of imported products;</td>
</tr>
<tr>
<td>Superposition of the ISRT logbook and</td>
<td></td>
<td>- Weakening of communal institutions;</td>
</tr>
<tr>
<td>the ISRT logbook and within ECOWAS region</td>
<td></td>
<td>Several logbooks with different prices and formats, depending on the country</td>
</tr>
</tbody>
</table>
According to the above table, the obstacles to the non-adoption of a single logbook are first of all institutional and financial;

At the institutional level, the logbooks are managed by national guarantors who are rightly or wrongly considered as representing producers and so are not trusted by customs officers. This explains why the logbooks are not used in customs procedures.

Financially, logbook sales constitute a significant source of income for the national guarantors. The disparity in the volume of traffic between goods transported from coastal countries towards the hinterland and that of exports from landlocked countries does not encourage the use of the single logbook system.

The introduction of a single logbook system must into account the two imperatives. ECOWAS should adopt a model logbook prepared from an analysis of the logbooks already in circulation within the community and give a deadline when the model adopted by all member states shall come into use.

In addition, it seems appropriate to assign the responsibility of issuing of the logbook to customs agencies. The advantage of this option shall be to facilitate the integration of the logbooks into customs procedures and allow for progress in the use of a uniformed DDU within the region.

In any case, the logbooks need to be integrated into the customs IT system in a way as to ensure that when a customs declaration form is issued for goods in transit, the logbook is automatically generated using data that shall be available in the database of the National Guarantors.

States need to agree on how to manage the financial flows generated from the sale of these logbooks.

**IV-3 Components of the strategy for the adoption of a single ISRT voucher:**

This involves the use of a single document for international transit operations known as "inter-state transit", within the ECOWAS region. This document shall cover the entire operation, i.e. from the place of loading the vehicle up to the destination, where the consignment shall undergo customs formalities (for instance, imports for consumption, placement in the customs warehouse, upgrading or temporary entry).

This means that several conditions have to be met:

- **Standardisation of a single document:**
The ISRT logbooks currently in use in the ECOWAS member states are not the same from one country to the other, which creates difficulties in using the document. In addition, they are poorly produced, which introduces doubt as to their validity and even authenticity. Thus, most of the ISRT logbooks issued in Mali are not the "real" ones distributed by the Chamber of Commerce (which are identifiable by their "sticker"). Therefore, there is need to harmonise the logbooks and also homogenise their production conditions.

The format and texture of the vouchers are totally obsolete and hamper the proper computerisation of the procedure, which is under the supervision of the Customs Service and Guarantee Fund. The harmonisation of the logbook (and its leaflets) according to international standards and recommendations is a prelude to reactivating the scheme.

In that regard, it is appropriate to ensure that the ISRT logbook matches the TIR model, adopted by the International Road Transport Union (IRU) as much as possible (http://www.unece.org/trans/bcf/tir/handbook/italian/documents/tirmod-1.pdf). This recommendation is worthwhile the more so as the TIR model is drawn from the United Nations prototype for commercial documents (Recommendation CEE/FAL/UN/CEFACT N° 1 and ISO 6422) and also because an electronic version of the said document is underway and being discussed with the competent authorities at the United Nations (e-TIR project) as well as the European Commission. Furthermore, the European Union has also set up a community transit electronic monitoring system, which could serve as inspiration.

- **Homogenisation of ISRT logbook format within ECOWAS**

Presently, the vouchers are designed and prepared under very differing conditions from one member country to the other; the printers do not comply with the set rules (undoubtedly too vague) that are supposed to govern the logbook production, which
include the cover and leaflets. The cover differs from one country to the other, unless viewed from the perspective of colour, weight and seals. The leaflets of some logbooks are carbonless; others are not and require the use of carbon paper. Thus, the logbook format and cost are heterogeneous.

In the absence of printing from one country (after open bids), there is need for extremely rigorous terms of reference so as to ensure absolute homogeneity and use of the ISRT system.

• **Securing the ISRT logbooks:**

The reference numbers of the logbooks are currently presented in different ways; they are not indicated in the same space neither the same way on the covers of the vouchers. They are not also systematically replicated on all the leaflets of the voucher.

There is no doubt that these documents need to be secured and attributed a single number for the ECOWAS region. This number must appear on the cover as well as on all the leaflets.

For automatic retrieval of data, barcodes and/or contact-less tracking devices would be most appropriate. By sweeping the code (with a character or symbol-reading device) or capturing label data (through radio frequency), the logbook identification data would be immediately imputed unto the transit monitoring application thereby saving time and ensuring the reliability of the information retrieved.

• **Mutual recognition of the ISRT logbook:**

Issued in the departure country of the vehicle, the logbook is used up to the Customs office of destination and is stamped at each transit border. The authorities of each ECOWAS country crossed must accept it as single transit document. This means that;

- The ISRT logbooks should be acknowledged at the border office of each member country;
- The ISRT logbooks should accompany the consignment up to the Customs office of destination, where the transit operations shall end;
- The Customs Authorities of each country must use and accept the information from another ECOWAS member country as valid, unless there is a contrary order for cases of suspected fraud, which will require mutual administrative assistance;

Consequently, new ISRT logbooks shall not be prepared at the borders and no new guarantees shall be constituted either.

The conditions for selling the ISRT logbooks should be harmonised throughout the ECOWAS Community so as to allow for a wider and less expensive use of this instrument. In addition, it is needful to ensure that the prices are similar or at the very least comparable from one country to the other and that the acquisition of these transit documents is decentralised. In effect, operators do not need to procure the logbook from one single point (for instance the capital) but that the document can be issued at different points within the region and even from several competent entities, which can ensure efficiency and probity (this will require a prior approval from Customs Authorities and Chambers of Commerce).

• **Integration of the ISRT logbooks into customs procedures:**

On the one hand, this means that no other customs document is introduced to cover inter-state transit operations (in terms of both information and cost, i.e. guarantee), and
on the other hand, that the transit operation be monitored only on the basis of the ISRT logbook leaflets (or electronic data which may substitute paper-documents). Such integration will mean that;

- The logbook data are captured and electronically transmitted to the IT system of the country of departure;
- The IT systems of different countries are able to process such data (border-crossing, arrival at destination and cross-checking) and that they are consequently interconnected;

• **Conditions for sealing consignments**

The sealing of transit cargo is a customs requirement (Article 15 of the ISRT Convention) to avoid manipulations on customs bonded cargo – removal, substitution, addition, conversion, degradation etc…

The fact should not also be neglected that the ISRT Convention provides the possibility for Customs office of departure to “use a seal when, considering other likely identification measures, the description of goods on the ISRT declaration form ensures their identification”, which provides a certain flexibility when for instance, the operation takes place in a recurring context involving licensed operators (according to the World Customs Organisation concept) or deals with specialised goods (such as pipelines or large homogeneous consignments).

Therefore, there is need to enforce a rational use of seals, depending on the tax or custom issues at stake (which will require a risk analysis). Moreover, it will be judicious to subsequently resort to electronic sealing methods, as these facilitate the retrieval of information and offer better tracking (for both the loaders and inspection agencies).

• **Modalities for affixing customs seals:**

Although the seal is required – in addition to the seals generally required by parties in a business contract – customs formalities will be further improved.

Several vehicles or unit loads (such as different types or formats of containers) can be sealed by customs authorities:

- Tankers that have valves that can be locked;
- Refrigerator trucks, which must remain hermetically sealed in order to maintain a “guided” temperature and verified by the relevant parties to safeguard the quality of refrigerated goods;
- Tipper-trucks with a single opening, which may be “condemned”;
- Heavy-duty trucks fitted with one-piece tarpaulin or pieces which can be firmly tied and fastened with a lead chain;

• **Mutual recognition of customs seals;**

This is the indispensable corollary of door-to-door tracking of cargo exchanged within the framework of international business transactions;

To that end, the Customs Comptrollers of ECOWAS countries must decide by way of a mutual agreement to consider seals affixed by any Customs Authority as valid during the transit vehicle’s entire trip. Although obviously, the Customs Comptrollers must exchange legal instruments that specify:

- The types of vehicles involved;
• The modalities for affixing seals;
• The type or types of seals approved, bearing in mind that it is possible to use electronic seals that can interact with IT systems as part of cargo-monitoring IT applications;
• The respective seal brands (such that it would be possible to verify the origin of the seal concerned);
• The seal verification modalities whilst on the road;

Since seals are mutually recognised, there is no other exercise whilst crossing borders than to verify that the seal of the customs office of departure is well affixed, authentic and that no attempt has been made to break it (Article 18, paragraph 2 of the ISRT Convention). Unless the seal is broken or removed, no other customs seal should be added or substituted until the vehicle or sealed container arrives at the customs office of destination.

• Contentious findings on the seal:

The absence of transit requirements involving, in the first instance, the breaking of a customs seal, should be reported by the closest customs authority and information sent to all the agencies (Art. 21 of the ISRT Convention). Thus, Customs Comptrollers must exchange legal instruments that specify:
• The procedures to follow when a seal is reported broken or missing;
• The competent authorities to consult in case of doubt (name of the officer-in-charge, 24-hour contact details);
• The modalities for affixing a new seal;
• The documentation follow up of the leaflets endorsed by the competent authorities who intervened during the transit;

• Establishment of a warning network for customs agencies:

Transit goods circulate without having paid the relevant taxes, duties and excises during importation or in the case of non-export. For that reason they are customs bonded and therefore for the entire journey submitted to customs control; an itinerary is set and travel time indicated. However, as a general rule, the seals are affixed on the cargo. In the case of default on obligations (for instance unjustified delay or diversion outside of the itinerary) and a breach of transit procedures (pilfering of all or some of the custom bonded goods, which are considered a fraudulent introduction of goods into the domestic market), the customs officers are required to seize the consignment as well as the vehicle, demand payment of duties and taxes due from the point when the goods were registered as transit and exact penalties. The earlier the officers are alerted, the more fraud can be reduced or suppressed, or even avoided in the case of accidents whilst in transit.

The introduction of a cargo surveillance system can facilitate the intervention of customs officials. Ghana Customs Service decided to install GPS beepers in all transit cargo vehicles and to track the vehicle’s itinerary through satellite. The device alerts on delays, itinerary changes and because of geographical positioning is able to track the beeper’s exact location.

Such a system should be able to reassure the customs authorities and discourage frauds during inter-state transit operations. Obviously, it will be possible to avoid using
escorts, which mobilises staff (which in a context of budget shortfalls should be better deployed elsewhere) and is extremely costly to operators, who pass on the cost to consumers.

- The inclusion of more goods into the ISRT scheme

Currently, many goods are not covered under the ISRT scheme. They are excluded for reasons of susceptibility to fraud or poor transport conditions. The list of goods that may be covered by the ISRT scheme should be sufficiently inclusive enough to allow for significant use of this simple procedure. Exceptions should be few.

- Adoption of a reliable and uniform method of forwarding messages;

Undoubtedly, the modalities for forwarding the ISRT logbook leaflets should be specified so as to release the guarantee bonds and ensure that the operations are cross-checked as soon as possible. To avoid any uncertainty regarding the smooth flow of transit operations and ensure that bonds are released, it is proposed that only the Customs Service should be authorised to manage the forwarding of the leaflets.

**IV-4 Action plans for the implementation of a single ISRT logbook:**

A sample ISRT logbook is presented below:

The following action plans provide the process for adopting the model
## Action plans for the implementation of a single ISRT logbook

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks to be carried out</th>
<th>Agency responsible for the action</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Standardisation of the ISRT logbook model</strong></td>
<td>Collection of the current models</td>
<td>National facilitation committees</td>
<td>Regional facilitation committees</td>
<td>15 days</td>
</tr>
<tr>
<td></td>
<td><em>Design a model with reference to international standards and selecting a uniform identification system (code/symbol)</em></td>
<td>Expert on document standardisation</td>
<td>Regional facilitation committee</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Consultations with member states (Customs Services, National Guarantors, professional associations) based on the proposed model</td>
<td>National facilitation committees</td>
<td>Regional facilitation committees</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Harmonisation of the ISRT logbook concession tariff</td>
<td>National facilitation committees</td>
<td>Regional facilitation committees</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Formulation of an amendment to the ISRT Convention (concerning the standardised single model and the conditions for issuing an ISRT logbook)</td>
<td>Regional facilitation committees</td>
<td>ECOWAS Executive Secretariat</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Adoption of a single ISRT logbook</td>
<td>Summit of Heads of States and Governments</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
</tr>
<tr>
<td><strong>Distribution of a model ISRT logbook</strong></td>
<td>Preparation of terms of reference for printing of the ISRT logbook</td>
<td>Experts in public contracts</td>
<td>ECOWAS Commission</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Distribution of the terms of reference to member states</td>
<td>Regional facilitation committees</td>
<td>ECOWAS Commission</td>
<td>15 days</td>
</tr>
<tr>
<td>Activity</td>
<td>Responsible Party</td>
<td>Timeframe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td>-----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>International or national call for tenders</td>
<td>National Tenders Committee of each member country</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Printing</td>
<td>Printers and National Facilitation Committees</td>
<td>1 month</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Handing over to distribution agencies</td>
<td>National Facilitation Committees</td>
<td>15 days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implementation in the different countries</td>
<td>Agencies in charge of distributing the ISRT logbook</td>
<td>15 days</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
V- REORGANISATION OF THE INTER-STATE ROAD TRANSIT GUARANTEE SCHEME

V-1 Recapitulation of the ECOWAS provisions on the inter-state road transit scheme

The Supplementary Protocol A/SP/1/590 of 30 May 1990 created a guarantee scheme for the inter-state road transit programme, which required:

- The establishment of National Guarantors;
- The constitution of guarantee funds;

In most countries, Chambers of Commerce were licensed to stand as national guarantors according to the terms of the Convention signed by the States. Going by the Convention, National Guarantors are the only ones to provide the customs bidder with guarantees required as security for the logbook. According to the terms of the protocol signed by the National Guarantors on 23 April 1998, each National Guarantor is represents the other guarantors at its own Government level. The Convention also stipulates that at each time an ISRT logbook is produced, a single guarantee bond should be paid to the customs office of departure, an amount which shall correspond to the taxes and duties of the CAF value of the goods.

V-2 Irregularities observed

In the course of implementing these provisions, several difficulties have been encountered, which relate to the mode of operation of the National Guarantors, non-compliance with the protocols and the way the customs services function. In other words, the Convention has not been fully implemented. The table on the following page presents an analysis of the obstacles observed.

The guarantee has a national scope; as a result, the bond is levied on all the countries crossed. It has also been noted that for domestic transit the bond is deducted in the country of destination.
## Obstacles to the transit operations guarantee

<table>
<thead>
<tr>
<th>Provisions</th>
<th>Inadequacies</th>
<th>Causes</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Guarantors</td>
<td>Lack of co-operation and coordination among the</td>
<td>Divergent interests</td>
<td>- Multiplication of formalities;</td>
</tr>
<tr>
<td></td>
<td>national guarantors</td>
<td></td>
<td>- Hike in cost of transport;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Hike in the cost of imported products;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Increased transport time</td>
</tr>
<tr>
<td></td>
<td>Non-mobilisation of means of transit and training</td>
<td>No detailed provisions on the uses of the</td>
<td>- Customs escorts;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>guarantee bond</td>
<td>- The fiscal security of the transit country is not assured;</td>
</tr>
<tr>
<td></td>
<td>Guarantee funds have not been constituted</td>
<td>Lack of legal instruments to govern the</td>
<td>- No control of diversion risks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>administration of guarantee funds</td>
<td></td>
</tr>
<tr>
<td>Protocol</td>
<td>The validity of the guarantee is limited to the</td>
<td>• Raising of funds to offset arising from mainly</td>
<td>- Multiplication of formalities;</td>
</tr>
<tr>
<td></td>
<td>issuing country</td>
<td>exchange disparity;</td>
<td>- Hike in transport costs;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Transit Nationalisation;</td>
<td>- Hike in price of imported goods;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Increased transport time</td>
</tr>
<tr>
<td></td>
<td>The guarantee fee does not cover the tax and</td>
<td>Poor implementation of Protocol</td>
<td>- Goods are not covered</td>
</tr>
<tr>
<td></td>
<td>duties on the goods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customs authorities</td>
<td>Customs escort</td>
<td>Inability of National Guarantors to monitor goods</td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------</td>
<td>--------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increased transport costs;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Duplication of transit guarantees;</td>
<td></td>
</tr>
</tbody>
</table>
V--3 Proposed Plans of Action

The guarantee scheme can be improved by formulating a strategy for compliance with the provisions of the ISRT Convention and reorganising the way the national guarantees function. The following action plans propose solutions to that effect. However, the ways and means of removing the obstacles observed shall be discussed below.

- **Relationships with National Guarantors:**
ECOWAS should relate more with the National Guarantors, who have proven unsatisfactory despite the bilateral agreements and protocols, in order to obtain a minimum consensus which shall be applied to all. Amongst other issues, the following should be taken into account:
  - Technical relations:
    (i) This refers to the measures that the transit countries should be put in place, on behalf of the customs office of departure, to ascertain the transit of goods;
    (ii) The extent to which guarantors can participate in transit operations;
  - Financial relations: Remuneration for each National Guarantor;

As part of the act of assigning responsibilities to National Guarantors, each state shall need to take into account the recommendations of ECOWAS on how to collaborate with the National Guarantors. In the same vein, agreements and arrangements should not in any way infringe upon the rules established by ECOWAS and the States.

- **Management of the guarantee funds:**
To date, guarantee funds have not been constituted. Meanwhile, a certain percentage of the value of transit goods is deducted. This situation has resulted in several lapses the most visible of which are the repeated cargo breakdown, the introduction of an additional tax deducted by the transit and destination countries without any compensation. All the National Guarantors appear to be satisfied with this situation and none seems to want to give up these privileges. Unfortunately, the current situation does not facilitate transportation; it rather leads to increased transit time for vehicles, distrust from customs officials and hikes in the price of imported goods. To correct these irregularities, there should be a mutual agreement to define the most precise method of managing the guarantee funds. This should include defining:
  - The guarantee fund financing mechanism;
  - The means of financing the operations of the National Guarantors;
  - Investment financing for the monitoring of goods and standardisation of vehicles;
The Guarantee Funds should be constituted by those who benefit directly or indirectly from it:

- States that benefit from the improved trade exchanges;
- Importer and exporters
- Transporters who enjoy smooth movement and possible support in standardisation of inter-state transport vehicles;
- National Guarantors;
- Others; financial institutions, companies, physical persons;

States can be involved by way of equity participation in the Fund. This money can come from additional participation in the course of issuing international transport permits for transit goods vehicles (international driver’s licence, international vehicle licence, international transit permit). This will enable the State effectively monitor the management of the Fund through its representatives in the Board of Directors or Governors.

Importers and exporters can be involved at three levels:

- Subscription fees to the Fund for companies licensed for transit operations or to transport customs bonded goods;
- Transfer of part of the payments made during transit operations;
- Interests generated by guarantee bond deposits

Transporters can join the Fund through:

- Payments made during technical inspection of transit goods vehicles of more than 20 tons of PTAC;
- Remittance of a part of the income generated through issuing licences to transit good vehicles.

The rate of participation shall be defined based on the minimum subscription into the Fund and the extent to which the member is involved in transit operations. In all the cases, at least half of the fund’s capital must be paid up before operations can commence.

All the subscribers should be involved in the operations of the National Guarantee Scheme. The company that wins the concession shall manage the scheme. The scheme shall be exclusively financed by levies on the CAF value of transit goods. Similarly, part of the levies must be directly integrated into the Fund and contribute to achieving the investment needed to monitor goods in transit.
Management of financial flows

<table>
<thead>
<tr>
<th>Subscriber</th>
<th>Source</th>
<th>Transfer</th>
<th>Rate</th>
<th>Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>States</td>
<td>- International vehicle licence</td>
<td>Guarantee Fund</td>
<td>To be determined</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>- International Driver’s licence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Classes C and E</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Guarantors</td>
<td>- Direct contribution</td>
<td>Guarantee Fund</td>
<td>To be determined</td>
<td>40%</td>
</tr>
<tr>
<td>Transit companies</td>
<td>Direct contribution</td>
<td>Guarantee Fund</td>
<td>To be determined</td>
<td>10%</td>
</tr>
<tr>
<td>Importers/Exporters</td>
<td>Levies on the CAF value of transit goods</td>
<td>Investment operations</td>
<td>To be determined</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>Interest on guarantee bonds</td>
<td>Guarantee Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transporters</td>
<td>Licensing of transit vehicles</td>
<td>Guarantee Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Toll charges depending on the load capacity of each operation</td>
<td>Investments operations</td>
<td>To be determined</td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td>Shareholders’ Funds</td>
<td>Guarantee Fund</td>
<td>To be determined</td>
<td>5%</td>
</tr>
</tbody>
</table>

With the current situation, National Guarantors can neither confirm to customs authorities that goods in transit shall not be diverted nor that lost goods shall be compensated. To remedy the situation, we recommend that for any transit operation, a caution levy corresponding to taxes and customs duties should be charged. This should be broken down as follows:

- 99.50% of the amount should be reimbursed within six months if no incident occurred;
- Interests on the caution deposit should be used to fund the Guarantee Scheme as Importers/Exporters equity participation in the capital thereby increasing the Fund’s resources;
- Within six months:
- 0.03% of the levies should be transferred to fund the National Guarantor’s operations;
- 0.02% of the levies should be transferred to the Guarantee Fund;

**Action plans for transit operations**

<table>
<thead>
<tr>
<th>Action</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarifying the relationship between National Guarantors</td>
<td>Defining the framework for collaboration among National Guarantors</td>
<td>ECOWAS</td>
</tr>
<tr>
<td></td>
<td>Incorporating the collaboration framework of National Guarantors in the contract documents signed between the States and the National Guarantors</td>
<td>STATES/National Guarantors</td>
</tr>
<tr>
<td></td>
<td>Reviewing the agreement protocols amongst the National Guarantors in line with the framework defined by ECOWAS</td>
<td>National Guarantors</td>
</tr>
<tr>
<td></td>
<td>Follow up assessment of the protocols</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>Defining the mode of managing the guarantee funds</td>
<td>Drawing up terms of reference that take into account the distribution of the guarantee levy between the National Guarantors, the guarantee funds and investments relating to transit goods and vehicles</td>
<td>ECOWAS</td>
</tr>
<tr>
<td></td>
<td>Incorporating the provisions of the terms of reference into the contract documents signed between the States and the National Guarantors</td>
<td>STATES/National Guarantors</td>
</tr>
<tr>
<td></td>
<td>Follow up assessment of the contract documents</td>
<td>STATES</td>
</tr>
</tbody>
</table>
V-4 THE ECOWAS BROWN CARD INSURANCE SCHEME

Protocol A/P1/5/82 on the introduction of the ECOWAS brown card third-party motor liability insurance was adopted on 29 May 1982 in Cotonou. The scheme extends the vehicle’s liability insurance beyond the country of registration. The brown card is managed by the professional insurers’ association of each ECOWAS member country. The validity of the brown card is established by a national office which acts as the intermediary between the victims and the insurance companies. The offices’ mode of operation differs from country to country but on the whole, they function on the proceeds from the sale of the cards. In some countries such as Niger, the office functions using members’ contributions and in that case, the cards are designed by the association which also handles their distribution.

Apart from Burkina Faso, where the brown card is issued systematically at the point of subscription to the national liability insurance scheme, in other countries, the brown card is issued at the request of the traveller for a premium less than or equal to 10% of the sum insured.

However, the brown card system has met with a few difficulties which are summarised below:

<table>
<thead>
<tr>
<th>Irregularities observed</th>
<th>Causes</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difficulties in claims settlement</td>
<td>Lack of guarantee fund</td>
<td>-Slow claims settlement</td>
</tr>
<tr>
<td></td>
<td>Underinsurance</td>
<td>-Early liquidation of companies</td>
</tr>
<tr>
<td></td>
<td>Increased accidents frequency</td>
<td>Increased compensation costs</td>
</tr>
<tr>
<td>Slow claims settlement</td>
<td>Problem of harmonising the contents of liability insurance policies</td>
<td>-Victims are not satisfied</td>
</tr>
<tr>
<td>Regulation</td>
<td>Lack of rigorous control</td>
<td>Untimely liquidation of companies</td>
</tr>
</tbody>
</table>

As observed, the brown card system is threatened by solvency and in order to bring a lasting solution to the issue, a guarantee fund of 174,000 units of accounts should be constituted according to the laid down provisions when the card was adopted. To achieve this, the price of the card should be increased and the Fund constituted with the margin obtained on the sales price.

It would also be necessary to solve the problems of harmonising claims settlement procedures. On this subject, the Brown Card Centres drafted a document to address this problem.
V-5 REGULARISATION OF ISRT STANDARD FOR TRANSIT GOODS VEHICLES

According to the provisions of the ISRT Convention, transporters must use road vehicles that can easily be sealed and that guarantee the integrity of the merchandise up to the destination country’s customs office, before accreditation by the country of registration. Up to 30% of the fleet comprised of containers and tankers are accepted under the ISRT scheme. Most of the fleet with tarpaulin-covered vehicles are excluded from the scheme. Despite sensitisation campaigns, the situation has not changed. While awaiting the modernisation of the fleets as part of efforts to comply with ISRT standards, there is need to adopt a strategy to standardise the existing fleets.

This upgrading shall only involve tarpaulin-covered vehicles. To achieve this, the process to be adopted should include ECOWAS, States, vehicles carriage and textile industries.

ECOWAS must conduct information and sensitisation campaigns so that vehicle carriage and textile industries may adapt their product to ISRT Convention standards. This campaign shall present a market in which profitability is supported by regulatory provisions.

States shall be responsible for integrating the ISRT standards into their laws. This can be implemented by issuing international licences and transit cards to registered vehicles. Vehicle registration should be the responsibility of agencies in charge of carrying out technical inspection of vehicles that have met ECOWAS upgrading conditions (for the technical aspects). Licences should be issued by state-appointed agencies after having obtained the technical opinion of the State Consultant.

The following action plan lays out the ways and means of upgrading road vehicles.

**Action plans for the licensing of vehicles and containers in line with the ISRT scheme**

<table>
<thead>
<tr>
<th>Action</th>
<th>Assignments to be carried out</th>
<th>Body in charge of the assignment</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of National ISRT Scheme Container and Vehicle-Licensing Commissions</td>
<td>List of the licensing commissions: Establishment documents, composition, operating conditions, vehicle inspection centres, licence criteria, sample of licence issued</td>
<td>National Facilitation Committee</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Drafting a recommendation for the establishment and functions of the Licensing Commissions</td>
<td>Regional Facilitation Committee</td>
<td>ECOWAS Commission</td>
<td>1 month</td>
</tr>
</tbody>
</table>
Establishment (or modification) of the ISRT Scheme Vehicle-Licensing Commissions

<table>
<thead>
<tr>
<th>Action</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>V-6 Licensing of inter-state transit vehicles</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

No state has any regulatory framework for vehicles licensing as stipulated in the ECOWAS agreement.

Furthermore, apart from Burkina Faso and to some degree Benin, for now, no other state has adequate technical resources to issue licenses to vehicles.

Finally, the transport documents used in all the states to authorise vehicles for international trips is the international transit documents issued subject to a valid vehicle clearance certificate.

The facts observed explains the predominance of vehicles that do not meet the standards recommended inter-state traffic agreements and defeats all efforts for improvement at the regional level.

**Action plans for the implementation of vehicle licences**
<table>
<thead>
<tr>
<th>Designing national licensing agencies</th>
<th>Defining the conditions for issuing of licences</th>
<th>ECOWAS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Preparation of terms of reference for outsourcing the business</td>
<td>STATES</td>
</tr>
<tr>
<td></td>
<td>Selection of the organisation in charge of the business</td>
<td>STATES</td>
</tr>
<tr>
<td></td>
<td>Signing the concession agreement</td>
<td>STATES and/or the agency in charge of the function</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reviewing the conditions for issuing international transit permits</th>
<th>ECOWAS recommendation that international transit permits should only be issued to holders of vehicle technical clearance certificates</th>
<th>ECOWAS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Integration of the vehicle technical clearance requirement into regulations for issuing international transit permits</td>
<td>STATE</td>
</tr>
</tbody>
</table>

ECOWAS should assist member states in defining the licensing conditions and procedures.

The definition of the conditions drawn from current Conventions and improvements on the licence-issuing process should cover control issues regarding:

- General vehicle identification;
- Specific issues relating to security and sealing of tankers, refrigerator trucks and tarpaulin-covered vans;

**V- 7 Upgrading the technical inspection centres**

Upgrading technical inspection centres in the ECOWAS region is a process that should start by regularisation of vehicle regulation which should lead to the adoption of control criteria by mobilising sufficient resources and policies that make service accessible to users.

ECOWAS countries agreed, through Annex B of the ISRT Convention on the technical requirements and licensing procedures applicable to road vehicles authorised to engage in inter-state transportation of goods under the transit scheme, and in particular, in Articles 4 to 11, to compliance with some standards within the framework of vehicular movements.

We observed that all the countries have complied with ECOWAS recommendations in the preparation of the regulations but some aspects such as the compulsory technical inspection after vehicle maintenance exercise is yet to be addressed. However, some vehicle regulation requirements need to be reviewed so as to make allowance for developments in motor vehicle technology.
The lack of qualitative control criteria and conditions for follow-up inspections should be highlighted. In ECOWAS countries, the following issues arise on technical vehicle inspection:

1. The criteria and resources for vehicle technical inspection differ from one country to another;

2. In reality, most countries have general regulations for vehicles and specific regulations for technical inspections. However, these regulations often need to be updated to take into consideration recent developments in the car industry;

3. Technical inspection regulations in the region contain irregularities in defining areas of inspection. Existing documents define the categories of control without specifying their contents and does not indicate the conditions for a follow-up inspection;

4. Apart from Burkina Faso and to some extent Benin, most countries visited do not have the necessary equipment for vehicle technical inspection. In Benin, on the day of the visit, consultants observed that most of the equipment had been dysfunctional for a long time;

5. Vehicle inspection is not often available to users outside of the capitals and some major cities;

Given the foregoing, the harmonisation of vehicle technical control is not just an irregularity due exclusively to the diversity of criteria and evaluation methods from one country to another. The harmonisation of technical inspection requires the mobilisation of material resources, which is currently lacking.

The harmonisation of vehicle technical control in ECOWAS countries requires:
- The updating of vehicle regulations;
- Financing for the agencies that are responsible for vehicle technical control

Most countries have updated their regulations in line with the guidelines of the IST Convention. Those that are yet to do so should be strongly encouraged to follow suit so that everyone would apply the relevant texts on vehicle technical control from a common basis, under the guidance of ECOWAS. In order that States might correctly apply the regulatory measures, vigorous actions need to be taken to source for funding in order to ensure:
- Reliable control by acquiring the necessary equipment and manpower training;
- The accessibility of inspection service by decentralising the centres;

Actions that could be taken to upgrade vehicle technical control in ECOWAS countries are summarised in the table on the following page.
### Action plans for the upgrading of vehicle technical control centres

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Responsibility</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harmonisation of motor vehicles regulation</td>
<td>Diagnostic study of vehicle regulations</td>
<td>ECOWAS/WAEMU</td>
<td>Analysis and proposals for improvement</td>
</tr>
<tr>
<td>Amendment of national laws</td>
<td></td>
<td>States concerned</td>
<td>Monitoring of technological developments to avoid administrative waivers</td>
</tr>
<tr>
<td>Defining the areas of minimum control</td>
<td>Defining the minimum areas of control by category or sub-category and specification vehicle assessment criteria</td>
<td>ECOWAS/WAEMU</td>
<td></td>
</tr>
<tr>
<td>Technical control implementation documents</td>
<td></td>
<td>States concerned</td>
<td>This document must include: - The validity period; - The areas of control by category or sub-category; - The frequency;</td>
</tr>
<tr>
<td>Financing of the controls</td>
<td>Study of funding requirements</td>
<td>ECOWAS/WAEMU</td>
<td>Assessment of the resources needed to establish control centres in each State</td>
</tr>
<tr>
<td></td>
<td>Proposals for funding</td>
<td>ECOWAS/WAEMU</td>
<td>There is need to prepare proposals on vehicle control financing scenarios for the consideration of the States concerned</td>
</tr>
<tr>
<td></td>
<td>Mobilisation of funds</td>
<td>States concerned/ ECOWAS/WAEMU</td>
<td></td>
</tr>
</tbody>
</table>
V-8 Harmonisation and application of axle load regulations

The absence of axle load scales in most of the road corridors does not allow for a systematic control of axle load capacity. The consequence of this situation is that transporters systematically overload vehicles as a compensation for the several instances where they are often not allowed to load goods in the country of destination (hinterland) and therefore make empty return trip. In some cases, there are axle load scales but either because of the unethical behaviour of border officers, who succumb to bribes from users, or that transporters categorically refuse to comply with the relevant rules on the pretext that some countries do not implement axle load control.

There are no sanctions for overload or non-compliance with the rules, by way of discharging the extra load or payment of fines, despite the fact that States all adopted Rule N°14/2005/CM/UEMOA on the harmonisation of standards and procedures for vehicle size, tonnage and axle load control of heavy transport vehicles in WAEMU member states.

Most vehicles engaged in inter-state transport of goods are not covered by a consignment note or a contract of carriage duly issued by the relevant authorities. This situation constitutes a real legal problem for logistic operations. This is the cause of certain breaches and temptations whereby drivers succumb to pressure from all sorts of officials.

The surface area where the load scales are located in most of the warehouses was not planned to cater for the excess load that will materialize after weighing. The situation might give the impression that States just opted to charge penalties on the excess load. This is just the same as authorising the destruction of road infrastructure in return for a fee.

The real problem with the road weighbridges lies in they way they are managed. Most managing agencies are public sector organisations and operate with a budget. They are not managed based on the need for capital appreciation.

The table below summarises the causes and consequences of these irregularities.

### Analysis of the application of axle load control

<table>
<thead>
<tr>
<th>Irregularities</th>
<th>Causes</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| Control not widely applied     | Lack of axle load scales in some road stretches | - Impossible to control overload;  
- Vehicles are almost systematically overloaded;  
- Deterioration of infrastructures  
- Accelerated deterioration of vehicles; |
| Axle load scales run down due to overuse | - Poor management of investments  
- Impossible to control overload;  
- Deterioration of infrastructure  
- Accelerated deterioration of vehicles;  
- Vehicles are almost systematically overloaded; |
|                                |                                             | - Lack of investment programmes;  
- Increase in the cost of maintaining road |
<table>
<thead>
<tr>
<th>Issue</th>
<th>Nature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of political will</td>
<td>Inadequate management of axle load control areas</td>
</tr>
<tr>
<td>- Reduced fleet availability and capacity;</td>
<td>- Lack of staff motivation</td>
</tr>
<tr>
<td>- No transport security;</td>
<td>- Insufficient budgetary allocations</td>
</tr>
<tr>
<td>- Voluntary deterioration of infrastructure;</td>
<td>- Site under public administration</td>
</tr>
<tr>
<td>Pressure on loaders and transporters</td>
<td>- No commitment to develop investments;</td>
</tr>
<tr>
<td>- Staff corruption;</td>
<td>- Staff demotivation;</td>
</tr>
<tr>
<td>- Absenteeism;</td>
<td>- Insufficient available resources</td>
</tr>
<tr>
<td>- Lack of data on tonnage</td>
<td></td>
</tr>
<tr>
<td>- Discontinued operations;</td>
<td></td>
</tr>
<tr>
<td>- Poor maintenance of equipment and infrastructure;</td>
<td></td>
</tr>
<tr>
<td>- Inaccurate controls carried out by highway patrol officers;</td>
<td></td>
</tr>
<tr>
<td>- Misconduct of highway patrol officers</td>
<td></td>
</tr>
<tr>
<td>- Inadequate management of axle load control areas</td>
<td></td>
</tr>
<tr>
<td>- Inaccurate controls carried out by highway patrol officers;</td>
<td></td>
</tr>
<tr>
<td>- Lack of documented control</td>
<td></td>
</tr>
<tr>
<td>- Corruption of officers</td>
<td></td>
</tr>
</tbody>
</table>

Harmonising the implementation of the axle load regulations will require strong actions at the regional level to provide the necessary infrastructures on road corridors. The process of equipping the corridors would take the following into account:

- ECOWAS, in agreement with the states will have to prepare an inventory of sites to be constructed or rehabilitated in the ECOWAS region, carry out the APS and APD studies and produce the terms of reference to be approved by member States;

- Following the approval of the studies and terms of reference, bids will be invited for the construction and management of the control sites;

- The private sector must be assured of profitability by taking measures to:
  - Authorise a fixed weighing fee,
  - Set penalties for overloading,
  - Authorise the off loading and storage of excess loads,
  - Fix the fees for handling and warehousing of the excess loads as well as the cost of transporting them;

- Member States that share the same road corridor will have to fix the weighing fees, penalty for overloading as well as the handling and storage fees through bilateral or trilateral agreements taking into account the living standards of the people;
To fill the legal gap in the inter-state transportation of goods, ECOWAS would have to propose a model consignment note and model contract to enable states on the same corridor to adopt a convenient model through bilateral or trilateral agreements as the case may be;

Transit ports in the ECOWAS region could mark the starting point for the implementation of the regulation. To that end, the activity should be assigned to those with the know-how to handle it by transferring the management to a private operator who could rehabilitate existing equipments in the ports as it is not the responsibility of the port Authorities to manage the functioning of the weighbridges and the axle load scales.

All vehicles should compulsorily pass through the weighing post at the port of departure of the goods, which presupposes that freight stations must be build in each country. The construction of these platforms and equipments must be handed over to the private sector either in the form of BOT or by way of concession agreement.

The actions to be taken have been summarised in the following implementation schedule

**Actions schedule for the harmonisation and implementation of Axle load regulations**

<table>
<thead>
<tr>
<th>Action</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Updating the regulation</td>
<td>Preparation of draft model transport contract</td>
<td>ECOWAS</td>
</tr>
<tr>
<td></td>
<td>Integration of the model contracts into national transport regulations</td>
<td>STATES</td>
</tr>
<tr>
<td>Generalisation of control</td>
<td>Integrating the control of axle load into the obligations of Port Authorities</td>
<td>ECOWAS/STATES</td>
</tr>
<tr>
<td></td>
<td>Inventory of national needs in respect of infrastructure to be constructed or rehabilitated</td>
<td>ECOWAS</td>
</tr>
<tr>
<td></td>
<td>Adoption of the of axle load control centres</td>
<td>STATES</td>
</tr>
<tr>
<td>Choice of management modality</td>
<td>Preparation of a Business plan with a view to outsourcing the construction/rehabilitation and management of sites to the private sector</td>
<td>ECOWAS</td>
</tr>
<tr>
<td></td>
<td>Adoption of the study</td>
<td>STATES</td>
</tr>
<tr>
<td>Site Construction and</td>
<td>Preparation of the terms of reference</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>and</td>
<td>Adoption of the terms of reference</td>
<td>STATES</td>
</tr>
<tr>
<td></td>
<td>Preparation of the bid documents</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>rehabilitation</td>
<td>Selection of company</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------</td>
<td>--------------</td>
</tr>
<tr>
<td></td>
<td>Signing of the concession agreement</td>
<td>STATES/Companies</td>
</tr>
</tbody>
</table>

The schedule requires the adoption of a model transport contract specifying the responsibilities of the client and the transporter, given that there has been widespread infringement of axle load regulations.

Furthermore, as the ports are the departure point of the bulk of transit freight, their involvement in axle load control would certainly ensure efficiency.

Finally, faced with dwindling resources and the ever increasing security and social expenditure, states do not always have the funds for the management and maintenance of road control sites. It would therefore be judicious to invite private investors to fill the gap left by public authorities. In that sense, the business plan to be prepared should demonstrate the profitability of the operation. That should not pose any problems because in addition to other resources (operation of the distribution shops, recreation spots, petrol stations, etc.) transaction fees (weighing fees, penalty for overload, off loading of excess load, storage and management of the excess load) could ensure the profitability of the site.
VI- VEHICLE FLEET MODERNISATION AND PROFESSIONALISATION OF TRANSPORTERS

Fleet modernisation is a process that would allow for the acquisition of vehicles that meet existing requirements. Drawing up a programme for fleet modernisation would require:

- Knowledge of the fleet;
- Identification of obstacles to fleet modernisation;
- A policy for transport financing in general and for the financing of transport material in particular.

Most countries in the ECOWAS region have ageing vehicle fleets with an average age of more than 15 years. As an example of this catastrophic situation that works against the competitiveness of the economy of the sub-region, 78% of vehicles registered in Mali are more than 10 years old, 23% are even more than 25 years old. It is therefore not surprising that 70% of the fleet do not meet the sealing requirements set by the IST convention.

VI-1 Obstacles to fleet modernisation

Obstacles to fleet modernisation result from three factors:

- Vehicle acquisition-related factors;
- Vehicle operation-related factors;
- Productivity factors.

Indeed, to acquire new vehicles, the transporters are required to pay:

- The factory price of vehicles produced outside Africa. The cost of the vehicles are fixed on the basis of the cost of production in the country of vehicle origin;
- Entry duties (customs and tax duties) of new vehicles amount to more than 25% of the cost;
- VAT which is not refunded to the transporters given the informal nature of their business;
- The high interest rate charged by financial institutions for loans to purchase the vehicles.

In addition, the costs of running the vehicles are numerous and very high. These include:

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1 One of the rare countries with statistics on vehicle fleet
- The cost of spare parts that must be imported;
- The entry duties of spare parts are as high as those of vehicles and this impedes the development of the automobile industry;
- Payments that are peculiar to vehicle registration (tax discs, license fees, toll fees, technical inspection, registration, transporters’ register, transport card, etc.)
- The general taxes which are imposed on modern entreprises in addition with the special taxes;
- Fuel tax;
- The state of road infrastructures which to a large extent contributes to the ageing of automobiles.

Finally factors of production do not favour transporters. Indeed, productivity indices (loading rates, covering a distance with empty trucks, low rate of truck filling the truck) reveal the inability of transporters to:
- Properly organise their operations;
- Provide vehicles that can run for a greater part of the year;
- Organise their trips or obtain a return freight to minimise having to return with empty trucks.

Improving the productivity factors would be an indication of professionalism. Professionalism is therefore a goal that must be attained for fleet modernisation to succeed.

In all countries, the State sticks to providing urban transportation in some capitals and leaves to the private sector the initiative of financing vehicle acquisition. Involvement of the State is limited to technical regulations with regard to vehicles that should be allowed on the road and the collection of taxes on the importation and operation of the vehicles. Nowhere is any lasting provision made to support the rate of fleet renewal.

The state of vehicles in the ECOWAS region would have been surprising if one never knew that most transporters are not professionals, that is, most transporters do not know about modern tools for the management of transport operations, although they have traditionally been practising the trade for a long time.

To improve the competitiveness of the economy in the region, States must intervene to assist transporters to modernise their fleet. However, these road transporters must be exposed to professionalism to prevent them from reverting to the same situation a few years down the line.

**VI-2 Professionalization of Road Transporters**
Road transporters must first be professionalised before the policy of fleet modernisation in member countries of ECOWAS can be implemented. It is only such a programme that can guarantee for the success of transactions, because that is the only way to ensure the profitability of the financial efforts made by the state and to attract the support of fund lenders (national and multilateral institutions).

The professionalization programme would enable the road transporters to take their destiny into their hands. With institutional and material support from States, they could organise themselves to:

- Initiate actions of common interest (training, fleet improvement, forming of associations, search for markets, etc.);
- Follow the activities of their members;
- Provide themselves with the means to defend their interest against the State and end users and thereby actively participate in the activities of the sector, the preparation and implementation of transport policies.

To attain the programme’s objective, the strategy to be put in place will be based on:

- The transporters coming together under common objectives;
- Creation of a standing technical cell comprising technicians operating under the responsibility of transporters. The duty of the cell would be to provide technical support to transporters in the realisation of their objectives.

Implementing the professionalization programme of road transporters would require the recruitment of a consultant to take charge of planning and implementation and in particular, define:

- The strategic objectives;
- Actions and activities to be realised;
- Follow up and evaluation indices;
- Implementation strategies;
- Implementation activities.

VI-3 The role of States

Transporters’ ability to modernise their fleet depends on their solvency and ability to reimburse the loans obtained for vehicle purchase. Solvency amounts to the transporter’s ability to meet the conditions for the initial purchase and provide the guarantees that credit institutions require. Refunding the loans requires proper management of the vehicles acquired.

The State must show its support:
(i) In the short term by:
- Helping to create a special fund to ease solvency constraints;
- Introducing custom and tax reforms to maximise vehicle acquisition and improve cost price of transport;
- Supporting and implementing professionalization programme to improve productivity.

(ii) In the medium term by:
- Developing local automobile industry by, among others, reducing taxes on spare parts or creating free zones;
- Creating structures for training in the transport profession;
- Systematically requiring the professionalization of transporters and drivers;

VI-4 Proposed Action Plans for Fleet modernisation:
ECOWAS/UEMOA, Governments of member States and transporters must be involved in the implementation of the programme. Responsibilities should be allocated as shown in the following action schedule.

**Plan of Actions for Vehicle fleet Modernisation**

<table>
<thead>
<tr>
<th>Action</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professionalization of Transporters</td>
<td>Technical Framework of the programme</td>
<td>ECOWAS/ UEMOA</td>
</tr>
<tr>
<td></td>
<td>Development of National Programmes</td>
<td>STATES</td>
</tr>
<tr>
<td></td>
<td>Implementation of National programmes</td>
<td>STATES/Transporters</td>
</tr>
<tr>
<td>Financing of fleet Modernisation</td>
<td>Study of financing scenarios</td>
<td>ECOWAS/ UEMOA</td>
</tr>
<tr>
<td></td>
<td>Development of national financing plans</td>
<td>STATES</td>
</tr>
<tr>
<td></td>
<td>Implementation of national financing plans</td>
<td>STATES/Transporters</td>
</tr>
</tbody>
</table>
VI-5 Issue of transport Documents and Driver’s license

The conditions for the issue of transport documents require not only to be modernised as most of them are still hand written, but also harmonised. The security of the documents also needs to be reinforced as many of them are fake thus creating trouble and the pretext for multiple controls.

**ACTIONS SCHEDULE FOR VEHICLE IDENTIFICATION AND AUTHORISATION DOCUMENTS**

<table>
<thead>
<tr>
<th>Action</th>
<th>Assignments required</th>
<th>Entity charged with the assignment</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modernisation Of the typing and editing international transport authorisation card</td>
<td>Inventory of bilingual cards for inter-state transport vehicles</td>
<td>Ministry of Transport of each State</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Study to create a common numbered card</td>
<td>consultant</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Development of applications for the typing and editing of cards that can be used by Member States</td>
<td>IT service Company</td>
<td>Regional Facilitation Committee</td>
<td>4 months</td>
</tr>
<tr>
<td></td>
<td>Installation of the application in the relevant services of each member State</td>
<td>IT service Company</td>
<td>Ministry of Transport</td>
<td>6 months</td>
</tr>
<tr>
<td>Modernisation of Vehicle registration certificates</td>
<td>Inventory of different models of registration certificates (nature, types, contexture, content, configuration)</td>
<td>Ministry of Transport of each State</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>Study to create a model for registration certificate and for the setting up of registration database</td>
<td>consultant</td>
<td>Regional Facilitation Committee</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Development of applications for the typing and editing of</td>
<td>IT service Company</td>
<td>Regional Facilitation Committee</td>
<td>3 months</td>
</tr>
</tbody>
</table>
registration certificate that can be used by Member States

Development of database that can be used by Member States

Installation of registration applications and database in the relevant services of each member State

Not only should drivers’ license be harmonised within the region to facilitate control and eliminate the proliferation of fake documents but also the conditions for passing driving tests should be restrictive, given the responsibilities on the shoulders of road drivers and transport companies. To that end, the computerisation of issue and management procedure will constitute the core of the action.

**ACTIONS SCHEDULE FOR THE ISSUE AND MANAGEMENT OF DRIVERS LICENSE**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Training : Definition of modules for teaching and organising practical programmes</td>
<td>National Ministry of Education in collaboration with the Ministry of Transport</td>
<td>ECOWAS Commission</td>
<td>3 months</td>
<td></td>
</tr>
<tr>
<td>Creation of “Brevet de Sécurité Routière”</td>
<td>National Ministry of Education in collaboration with the Ministry of Transport</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
<td></td>
</tr>
<tr>
<td>Revised Programme for training in Road Traffic Codes and in driving</td>
<td>Driving Schools</td>
<td>Ministry of Transport of</td>
<td>4 months</td>
<td></td>
</tr>
</tbody>
</table>
VI-6 Harmonisation of conditions for joining the Road Transporters’ Profession

Membership in the Road Transporters’ profession should be further regulated to respond to the imperative of economic efficiency (relying on the durable respectable companies in the environment that are willing to comply with the rules) and the need for safety (to reduce road accidents and protect the rights of drivers and their aids).

This will require a double verification of:

- The professional qualifications of the managers and their staff;
- The solvency and probity of the companies in terms of compliance with fiscal and commercial laws (absence of penal conviction and/or fiscal or custom penalties)

### ACTIONS SCHEDULE TO REGULATE MEMBERSHIP INTO THE ROAD TRANSPORTERS’ PROFESSION

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verification of</td>
<td>Preparation of</td>
<td>Consultant</td>
<td>ECOWAS</td>
<td>5</td>
</tr>
</tbody>
</table>
### Professional Experience Briefs
- **Verification**: Verification of experience
- **Validation**: Validation of experience
- **Documents Required**: Documents required

<table>
<thead>
<tr>
<th>Action</th>
<th>Entity Required</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Verification of Financial Ability
- **Definition**: Definition of minimum criteria for vehicle fleet

<table>
<thead>
<tr>
<th>Action</th>
<th>Entity Required</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Transport in collaboration with the Ministry of Finance</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
<td></td>
</tr>
</tbody>
</table>

### Verification of Professional Integrity
- **Definition**: Definition of criteria and listing of documents to be produced.

<table>
<thead>
<tr>
<th>Action</th>
<th>Entity Required</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Transport in collaboration with the Ministry of Justice</td>
<td>Government</td>
<td>4 months</td>
<td></td>
</tr>
</tbody>
</table>

---

**VI-7 International Road Transport Contract:**

The formulation of a road transport contract is one of the major components of clarifying the relationship between the freight owner and transporter and an indication of increased professionalization of the sector.

Together with detailed customs declaration, it also serves as one of the avenues for gathering statistics on inter-States transportation of goods.

The unavoidable reference in this respect is International Road Carriage of Transport, recommended in CMR Rules, defined by the *International Road Union* (IRU). The CMR note is aligned on United Nations formula for commercial documents (ISO 6422 standard).

There is therefore the need to be inspired by these rules to harmonise and rationalise national transport contracts and consolidate international transit between states within the region. One of the factors for the customs control of cargo is the manifest (which in the context of road transport) is represented by consignment note.

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**ACTIONS SCHEDULE FOR THE EFFECTIVE IMPLEMENTATION OF INTERNATIONAL ROAD TRANSPORT CONTRACT**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Collation of the different kinds of international and National Facilitation</td>
<td>National Facilitation</td>
<td>Regional Facilitation</td>
<td>1 month</td>
</tr>
<tr>
<td>Activity</td>
<td>Responsible Party</td>
<td>Time Frame</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------------------</td>
<td>------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Creating an international road Carriage of transport For the ECOWAS region</td>
<td>Consultant</td>
<td>3 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drafting of an international freight transport contract based on the « Règles CMR »)</td>
<td>Regional Facilitation Committee</td>
<td>3 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Define the terms of reference for the printing of ECOWAS Consignment note that conforms to the ISO 6422 standard</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Select the organs for the circulation of the ECOWAS consignment note</td>
<td>Ministry of Transport</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Define common statistical rules (governing data gathering, information storage and sharing of statistics)</td>
<td>Consultant</td>
<td>3 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement on the exchange of information between the Customs department and the Land transportation department of member countries</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparation of statistical rules governing the exchange of information within the ECOWAS region including mutual exchange of information between the Customs and the Road Transport department</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adopt Rules for Transport related statistics</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
VI-8 Regulating the intervention of Services Providers (transport agents, logistics providers):

Loaders now only deal with transport service providers, with whom they had signed transport contracts in the form of consignment note (such as the one suggested by IRU). They increasingly have to deal with new operators such as Multimodal Transport Organisers and several types of service providers: freight agents who take charge of packaging and forwarding the goods, the handlers, warehouse managers, customs agents who thus far provide the interface with the customs, managers of container depot, etc... The establishment of a clear business relationship which specifies areas of responsibility and tariffs has proven to be useful.

To that end, it is proposed to:
- Work out specific contract based on international legal instruments such as the interstate multimodal convention for the transport of goods in the CEMAC member states;
- And disseminate the model letter as well as the instruction Bordereaux based on the schema of the ECOWAS region.

**ACTIONS SCHEDULE FOR THE PROVISION OF TRANSPORT SERVICES**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collation of existing or draft multimodal</td>
<td>National Facilitation Committee</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
<td></td>
</tr>
<tr>
<td>Definition of the status of Multimodal Transport</td>
<td>Writing of a model multimodal transport contract</td>
<td>Consultant</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
</tr>
<tr>
<td>Transport Organisers</td>
<td>Finalisation of the model transport multimodal letter (in line with the ISO)</td>
<td>Consultant</td>
<td>Regional Facilitation Committee</td>
<td>3 months</td>
</tr>
<tr>
<td>Task Description</td>
<td>Responsible Authority</td>
<td>Time Frame</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>----------------------------------------------</td>
<td>------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6422 standard) and the design briefs for printing</td>
<td>Ministry of Transport</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adoption of the multimodal transport contract and model letter</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Printing and circulation of the model letter</td>
<td>Ministry of Transport</td>
<td>3 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gathering of documents that give mandate and specifies instructions to service providers (transit agents, customs agents, warehouse managers...)</td>
<td>National Facilitation Committee of each country</td>
<td>1 month</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Formalisation of the relationship between the clients and service providers</td>
<td>Consultant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Formulation of the regional Bordereau for instructions to service providers modelled after the FIATA Bordereau</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparation of the design briefs for the printing of regional Bordereau for instructions to service providers</td>
<td>Consultant</td>
<td>1 month</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The table represents the stages of the project, including the responsible authorities and the time frames for each task.
VI-9 Working Conditions of road drivers and their aids:

- Regulating and harmonising driving time:
  - Defining the rules at the regional level and incorporating them into national rules
  - Putting in place the individual control booklet for each member of the road transport team,
  - Instituting in the transport companies a single register for allocation of hours of service and individual control booklets
- Making a series of equipments available to drivers on the road corridors (safe and illuminated parking space, restaurants, transit boarding),
- Ensuring that the road staff are members of the National Guarantee Fund before issuing the transport authorisation;
- Setting up a collective convention in ECOWAS region to ensure the rights of workers in the sector.

**ACTIONS SCHEDULE ON THE WORKING CONDITION OF DRIVERS AND THEIR AIDS**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation of driving time</td>
<td>Definition of rules specifying the hours of driving within the region</td>
<td>Regional Facilitation Committee</td>
<td>ECOWAS Commission</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Setting up of control instruments</td>
<td>Ministry of Transport</td>
<td>ECOWAS Commission</td>
<td>4 months</td>
</tr>
<tr>
<td></td>
<td>Preparation of individual control booklets and a register for issuing the booklets</td>
<td>Ministry of Transport</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
</tr>
<tr>
<td>Protection of the rights of</td>
<td>Drafting of model collective Convention</td>
<td>Professional employers’ and employees’ Federations and the Ministry of Works and Employment</td>
<td>ECOWAS Commission</td>
<td>Year</td>
</tr>
</tbody>
</table>
drivers and their aids  | Ensuring that the road staff are members of the National Guarantee Fund before issuing the transport authorisation;
| Ministry of Transport in collaboration with organs of social protection |
| 4 months |

**VI-10 Professional Training:**

The issue of training is affected by the illiteracy of a number of the transporters and their employees (drivers, aids, escorts, mechanics, handlers). Therefore the training module should reflect that sociological reality and relate to very concrete aspects. It could revolve around the following subjects:

- Management of vehicle fleet (acquisition, maintenance, replacement);
- Determination of the cost of running a fleet;
- Understanding the transport contract clauses (rights and obligations) and the inter-state transport regulation;
- Driving in a manner that is economical and environmentally friendly (use of fuel/lubricant consumption form);
- Loading and lashing norm;
- Regulation of the transport of dangerous and perishable goods;
- Information on possible sources of funding and eligibility conditions for available resources (micro-credit).

Protocol 14 on the implementation of interstate transport convention deals with the training of transport and transit workers: it provides for uniform and harmonised conditions for organising workshops, seminars and diverse actions to inform and train not only transporters, drivers, traffic control and follow up administrators or escorts, but also loaders, port operators and transit professionals. This provision must be completed by making it operational.

**VI-11 Prevention of HIV/AIDS and sexually transmitted diseases**


It involves including as part of the facilitation programme a risk sensitisation window which will touch mainly the corridors and the border points as well as logistics platforms. It would also be appropriate to establish permanent detection points in the major border offices.
### ACTIONS SCHEDULE FOR HIV/AIDS PREVENTION

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevention of HIV/AIDS pandemic</td>
<td>Sanitary Investigations</td>
<td>Ministry of Health in collaboration with the Abidjan-Lagos Corridor organisation</td>
<td>ECOWAS Commission/West African Health Organisation (WAHO)</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Continuous sensitisation campaign with drivers and their aids</td>
<td>Ministry of Health in collaboration with the Abidjan-Lagos Corridor organisation</td>
<td>ECOWAS Commission/West African Health Organisation (WAHO)</td>
<td>1 Year</td>
</tr>
<tr>
<td></td>
<td>Continuous sensitisation campaign with uniformed personnel</td>
<td>Ministry of Health in collaboration with the Ministry of Defense, the Interior, Finance (Customs) and Agriculture</td>
<td>ECOWAS Commission/West African Health Organisation (WAHO)</td>
<td>1 Year</td>
</tr>
<tr>
<td>Detection of sexually transmitted diseases</td>
<td>Opening detection centres in the border zones</td>
<td>Ministry of Health in collaboration with the World Fund for combatting HIV/AIDS</td>
<td>ECOWAS Commission/West African Health Organisation (WAHO)</td>
<td>6 months</td>
</tr>
</tbody>
</table>

**VI-12 Reinforcement of Road Safety:**

This has become a priority area that requires the action of Ministries of transport of ECOWAS member States.

Road safety should include control plans with objectives that should be co-ordinated by ECOWAS but defined at the national levels with repression policy) and implemented at both the regional and local levels.

This will require a major long term action that would touch the entire public and require very serious political commitment.

### ACTIONS SCHEDULE FOR THE NATIONAL ROAD CONTROL PLAN

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Inventory of the Government</td>
<td>Ministry of Government</td>
<td>Government</td>
<td>2</td>
</tr>
</tbody>
</table>
## Accidentology Study

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsible Parties</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days and hours of high accident rate</td>
<td>Transport, National Police, Gendarmerie</td>
<td></td>
</tr>
<tr>
<td>Inventory of accidents by type (by individualising type of heavy loads)</td>
<td>Ministry of Transport</td>
<td>2 months</td>
</tr>
<tr>
<td>Inventory of place of accidents</td>
<td>Ministry of Transport</td>
<td>2 months</td>
</tr>
<tr>
<td>Inventory of causes of accidents</td>
<td>Ministry of Transport</td>
<td>2 months</td>
</tr>
</tbody>
</table>

### Definition of accident reduction objectives

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsible Parties</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Putting in place of speed controls and/or stronger repression of some breaches</td>
<td>Government</td>
<td>6 months</td>
</tr>
<tr>
<td>Focussing controls on the zones with high accident rates</td>
<td>Préfets or Regional Governor</td>
<td>2 months</td>
</tr>
<tr>
<td>Strengthening of penalties</td>
<td>Ministry of Justice</td>
<td>6 months</td>
</tr>
<tr>
<td>Publication of National control Plan</td>
<td>Ministry of Transport</td>
<td>2 months</td>
</tr>
</tbody>
</table>
VII- LIBERALISATION OF TRANSIT FREIGHT MARKET

VII-1 Abolition of the Quota system

There is a quota system for freight sharing on some road transit corridors which seeks to enable transporters from land locked countries to share the gains of operations with those of the country of transit. Generally, two thirds of the transit freight is allocated to transporters in the landlocked countries while one third is allocated to those of the country of transit.

A certain identified “obstacle” could compromise the abolition of the sharing rule. Indeed, landlocked countries of the sub-region have put in place specific organisations based on the principle of freight sharing. In that regard some agents based in the ports who benefit from the home country agreement and have built or are building warehouses exclusively for transit freight. To achieve the liberalisation of freight transport, ECOWAS should consider the redeployment of these organisations.

In practice, that system can be counter productive and when there is imbalance in transport capacity (for example in full harvest season when lorries are highly required within the territory) it can lead to increase in cost. Furthermore, these mechanisms encourage the continuous usage of lorries that are no longer road-worthy or suitable for international transport (vehicles that can be sealed and therefore require no escort). The rules of international trade and the imperative of efficiency in the transport logistical system require economic operators to master the transport chain. The two thirds to one third principle that exists in the ECOWAS region is an obstacle to the setting up of the principle of good management. ECOWAS must therefore take all the necessary measures to enable freight owners freely choose their transporters.

Protocol 12 on the implementation of interstate transport relates to issues of competition, competitiveness and transparency. It contains provisions on the introduction and definition of the conditions for liberalising the road transport sector on the transit corridors with regard to the principle of competition, competitiveness and transparency. It also provides for the wise use of the mechanism of transport logistic chains and favours multimodal transport.

**Actions Schedule for the Liberalisation of the sector**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abolition of the road traffic sharing agreement</td>
<td>Inventory of different sharing systems and analyse their characteristics</td>
<td>National Facilitation Committee</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Draw up a resolution for fair competition in transport services</td>
<td>Regional Facilitation Committee</td>
<td>ECOWAS Commission</td>
<td>1 month</td>
</tr>
<tr>
<td>Adoption of the Resolution</td>
<td>Ministry of Transport</td>
<td>ECOWAS Commission</td>
<td>1 month</td>
<td></td>
</tr>
</tbody>
</table>
VII-2 Improvement in the conditions of the road transport market (Freight centre)

Article 19 of the interstate road Transport convention stipulates that the implementation of the transport authorisation system must be preceded by the existence of freight offices or road stations for interstate transporters. Given that the market is required to liberalise to allow for more competition between the economic operators, it has become necessary to put in place a mechanism to match road transport supply with demand.

Several Councils of loaders in ECOWAS countries have envisaged the development of this kind of tool that would provide services to the loaders as well as transporters. After conducting a study on the opportunities in each member state and if the outcome is positive, ECOWAS Commission could launch a feasibility study and design a framework for the organisational, functional and informational aspects of a typical freight centre which can be voluntarily set up in countries.

Obviously the recourse to Information Technology and explicit preference for data normalisation and data exchange format (to allow for interstate transfer of information and weight maximisation in an unbalanced commercial context where imports outweigh exports) are indispensable requirements for freight centres.

### Actions Schedule for setting up freight centres

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Study and definition of Freight centre</td>
<td>Opportunity study</td>
<td>Consultant</td>
<td>Ministry of Transport of each member state</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Feasibility study</td>
<td>Consultant</td>
<td>ECOWAS Commission</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Functional Specifications</td>
<td>Consultant</td>
<td>ECOWAS Commission</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Technical Specifications</td>
<td>Consultant</td>
<td>ECOWAS Commission</td>
<td>3 months</td>
</tr>
<tr>
<td></td>
<td>Design brief for typical freight centre</td>
<td>Consultant</td>
<td>ECOWAS Commission</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>Development of application</td>
<td>IT service company</td>
<td>ECOWAS Commission</td>
<td>4 months</td>
</tr>
<tr>
<td>Putting in place of Freight</td>
<td>Choice of operator to host the freight centre</td>
<td>Ministry of Transport in collaboration with loaders’ and</td>
<td>Government</td>
<td>3 months</td>
</tr>
</tbody>
</table>
VII-3 Harmonisation of Traffic rules and Traffic code

Chapter III of the interstate road transport convention is fully dedicated to the minimum requirements to create the conditions for certification and movement of vehicles on the road corridors defined in article 3. Most member States have adopted the axle load regulations, rules relating to vehicle dimension (in length and breadth), the configuration of buses meant for public transportation, the position of number plates and technical controls.

However, it should be stated, on the one hand, that the body of rules in the region have not yet been assembled in one single document such as the Road code which would constitute an unambiguous reference and on the other hand the verification of compliance with the rules leaves much to desire. Serious actions need to be taken to codify all the rules and put them at the disposal of the road users and ensure their immediate implementation (this will be treated in subsequent paragraphs).

**ACTIONS SCHEDULE FOR THE IMPLEMENTATION OF COMMON DRIVING RULES**

<table>
<thead>
<tr>
<th>Action</th>
<th>Tasks required</th>
<th>Entity charged with the task</th>
<th>Supervision</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Codification Of road laws at the ECOWAS regional level</td>
<td>Collation of national regulations relating to the circulation of vehicles and their homologation</td>
<td>National Facilitation Committee in collaboration with the Ministry of Transport</td>
<td>Regional Facilitation Committee</td>
<td>1 month</td>
</tr>
<tr>
<td></td>
<td>If there is an already published traffic code, verify its conformity with the regional rules</td>
<td>National Facilitation Committee in collaboration with the Ministry of Transport</td>
<td>Regional Facilitation Committee</td>
<td>2 months</td>
</tr>
<tr>
<td></td>
<td>If the traffic code does not contain the provisions of the regional rules: Prepare a draft that comply with the rules</td>
<td>Ministry of Transport in collaboration with the National Facilitation Committee</td>
<td>National Government</td>
<td>4 months</td>
</tr>
</tbody>
</table>
Publication of the synthesised regional document

- Collation of the texts taken into account in drawing up the ECOWAS traffic rules

VII-4 – Abolition of unnecessary road blocks and illegal fees

Too many road blocks and illegal fees have constituted a hindrance to trade in the sub-region. Their negative consequences are known to all Governments, yet despite the appeals by the Authorities of sub-regional institutions, despite several meetings, resolutions, recommendations and other instruments the phenomenon is growing from day to day.

Thus in its Resolution C/RES/1/12/88 of 6 December 1988 – the ECOWAS Council of Ministers invited member States to reduce the number of road blocks by rationalising the control services and simplifying road control procedures. Similarly, WAEMU has taken a decision in the same vein.

Nevertheless, multiple road blocks still persist resulting in harassment, delays and illegal extortion (to reduce the delay and cut short discussion). These road blocks also compromise road safety, as they not only traffic hold up but are also not easily obvious especially in the night.

The best source of statistical information on this issue remains by far the results from *Observatory of Abnormal Practices (OPA)* set up by WAEMU and published by WATH on the following corridors:

- Tema – Ouagadougou;
- Lomé – Ouagadougou;
- Bamako – Ouagadougou.

These results relate to:
- The number of check points;
- The times wasted at check points;
- The illegal collections demanded mainly by the law enforcement officials.

The table below compares the number of check points for the period between 27 May 2007 and 26 October 2007 with the number earlier obtained for the period between 21 October 2006 and 26 May 2007.

It reveals that:
- Mali recorded a noticeable drop in the number of check points per trip from 4.5 to 4 points per 100 km;
Ghana recorded a tangible improvement with a drop from 2.2 to 1.6 check points per trip for every 100 km; 
- Togo recorded a slight progress with a drop from 1.7 to 1.5 check points per trip for every 100 km ;
- Burkina maintained the status quo on the number of check points which remained unchanged at 2.5 per 100 km per trip.

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Number of check points</th>
<th>Number of check points</th>
<th>Number of check points per 100 km</th>
<th>Number of check points per 100 km</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bamako - Ouagadougou</td>
<td>24</td>
<td>25</td>
<td>2.5</td>
<td>2.5</td>
</tr>
<tr>
<td>Mali</td>
<td>19</td>
<td>17</td>
<td>4.5</td>
<td>4</td>
</tr>
<tr>
<td>Burkina</td>
<td>5</td>
<td>8</td>
<td>1</td>
<td>1.6</td>
</tr>
<tr>
<td>Lomé - Ouagadougou</td>
<td>18</td>
<td>16</td>
<td>1.7</td>
<td>1.5</td>
</tr>
<tr>
<td>Togo</td>
<td>11</td>
<td>12</td>
<td>1</td>
<td>1.6</td>
</tr>
<tr>
<td>Burkina</td>
<td>7</td>
<td>4</td>
<td>4</td>
<td>1.5</td>
</tr>
<tr>
<td>Téma - Ouagadougou</td>
<td>25</td>
<td>20</td>
<td>2.5</td>
<td>2</td>
</tr>
<tr>
<td>Ghana</td>
<td>18</td>
<td>13</td>
<td>2.2</td>
<td>1.6</td>
</tr>
<tr>
<td>Burkina</td>
<td>7</td>
<td>7</td>
<td>2.5</td>
<td>2.5</td>
</tr>
</tbody>
</table>

Source: USAID- WATH

With regard to illegal tolls, the following comparative table reveals:
- A significant reduction of illegal collections per trip in Mali from 12,600 FCFA to 9,700 FCFA per 100 km trip;
- Higher reduction of illegal collections in Ghana, from 2,000 FCFA to 1,300 FCFA per 100 km trip;
- A noticeable drop in illegal collections in Burkina, from 3,700 FCFA to 3,000 FCFA per 100 km trip on the « Ouagadougou – Bamako » corridor and from 4,500 FCFA to 2,500 FCFA on the Togolese corridor;
- In contrast, an increase in illegal collections in Togo which rose from 1,700 FCFA to 1,800 FCFA per 100 km trip.
The political will of member States plays a role in the continuous proliferation of road blocks on the routes. Wherever there is political will whether in Ghana or Burkina Faso and recently in Côte d’Ivoire, there has been a reduction in the number of road blocks and these are operated in line with the norms.

Helping these countries that have shown the political will to check the proliferation of check points on road corridors will require the regional institution to assist them in:

1. Vehicle licensing: sealed vehicles go through less harassment on the roads;
2. Authorising only licensed vehicles to take part in the transportation of transit goods;
3. Ensure compliance with axle load regulations from the point of loading, especially the ports;

Nevertheless, road blocks should continue to exist in a harmonised and well defined manner to monitor the axle load of vehicles and ensure compliance with applicable regulations in the transport of dangerous goods and verify the state of health of transported animals and vegetable.

Source: USAID- WATH

### Illegal Collections

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Illegal Collections</th>
<th>Illegal Collections</th>
<th>Illegal Collections</th>
<th>Illegal Collections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bamako - Ouagadougou</td>
<td>70.500</td>
<td>55.500</td>
<td>7.800</td>
<td>6.100</td>
</tr>
<tr>
<td>Mali</td>
<td>52.500</td>
<td>40.500</td>
<td>12.600</td>
<td>9.700</td>
</tr>
<tr>
<td>Burkina</td>
<td>18.000</td>
<td>15.000</td>
<td>3.700</td>
<td>3.000</td>
</tr>
<tr>
<td>Lomé - Ouagadougou</td>
<td>20.500</td>
<td>20.500</td>
<td>2.000</td>
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</tr>
<tr>
<td>Togo</td>
<td>12.500</td>
<td>13.500</td>
<td>1.700</td>
<td>1.800</td>
</tr>
<tr>
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<td>4.500</td>
<td>2.500</td>
</tr>
<tr>
<td>Téma - Ouagadougou</td>
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</tr>
<tr>
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<td>2.000</td>
<td>1.300</td>
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<tr>
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<td>10.000</td>
<td>5.400</td>
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</tr>
</tbody>
</table>
VII-5 Rallying towards International Standards

The programme for facilitating and simplifying administrative and port transit procedures in UEMOA presented a table that revealed that West African states had failed to ratify or at least adopt relevant instruments (cf. Annex, available on the site http://www.uemoa.int/actes/2002/Rec022002AnnexeProgTransitPort.pdf), extract of which is contained in the following table:

### RATIFICATION LEVEL OF THE CONVENTION ON THE TRADE FACILITATION BY WAEMU MEMBER STATES

<table>
<thead>
<tr>
<th>PAYS</th>
<th>INSTRUMENTS DE FACILITATION DU COMMERCE ET DU TRANSPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FAL</td>
</tr>
<tr>
<td>BENIN</td>
<td>+</td>
</tr>
<tr>
<td>BURKINA</td>
<td>+</td>
</tr>
<tr>
<td>COTE D’IVOIRE</td>
<td>+</td>
</tr>
<tr>
<td>GHANA</td>
<td>+</td>
</tr>
<tr>
<td>GUINEE</td>
<td>+</td>
</tr>
<tr>
<td>BISSAU</td>
<td>+</td>
</tr>
<tr>
<td>MALI</td>
<td>+</td>
</tr>
<tr>
<td>NIGER</td>
<td>+</td>
</tr>
<tr>
<td>SENEGAL</td>
<td>+</td>
</tr>
<tr>
<td>TOGO</td>
<td>+</td>
</tr>
</tbody>
</table>

- **FAL** = Convention FAL
- **CCO** = Convention relative aux conteneurs
- **CEE/ONU** = Convention sur l’harmonisation du contrôle aux frontières
- **KC** = Convention de Kyoto
- **NY** = Convention de New York
FAL: FAL Convention
CCO: Containers Convention
CEE/ONU: Convention on the harmonisation of border control
KC: Kyoto Convention
NY: New York Convention

Government of member States should therefore hasten the adhesion and ratification of these different instruments to demonstrate their will to facilitate and create a more enabling environment for operators to do business.

Adopting international standards is becoming an increasing urgent imperative in the ECOWAS zone. The continuation of the obstacles to exchange and the reluctance to engage reforms can be traced largely to the refusal to normalise procedures and practices in the area of trade public administration and transport.

That is why the World Customs Organisation for example has defined a strategy for capacity building and framework for facilitating and securing international trade.

With regard to Strategy, the WCO on the following page (cf: http://www.wcoomd.org/files/1.%20Public%20files/PDFandDocuments/Capacity%20Building/Guidelines_ROCB_RTC_fr.pdf ) promises regional approach and puts in place regional offices to build capacities. It is regrettable to see that such offices have been opened in Asia (the rotational Presidency currently held by the Indian Union), East and Southern Africa (in Nairobi) and the American Carribean zone (The Regional Office has just been inaugurated in Buenos Aires). These offices, which also house Regional Training centres, circulate concepts on more transparent customs administration, more efficient and more respectful of the users. Such an office is cruelly lacking in West Africa.

Similarly, the implementation of Framework for facilitating and securing international trade should contribute to developing customs administration to imbibe formalities which tend more to logistics and rely on voluntary operators that desire to move ahead and establish a contractual relationship with the customs.
VIII- INFORMATION SYSTEM FOR THE ISRT

VIII-1 Challenges in ECOWAS sub region:

The legal framework for the ISRT is the Convention A/P4/82 of 29 May 1982 relating to Inter-State Road transit of goods, followed by the Supplementary Convention A/SP.1/5/90 of 29 May 1990 establishing a community guarantee mechanism for Inter-state road transit of goods.

The ISRT Convention is already approved and the rules of implementation exist but there is a lot of work to be done to ensure that goods can effectively transit without charges and cross borders without any difficulties within West Africa.

The ISRT works by using a set of leaflets within the ISRT declaration booklet which contain details of the importer and of the consignment as many “Approvals to Transit” leaflets as there are transit countries. Any customs documentation and any other documentation needed for the transit of the cargo is also carried with the cargo.

In the transit operation, the first leaflet is retained at the office of departure while the second, third and fourth leaflets travel with the cargo to the destination. At destination (and if the transit was compliant) the third leaflet is sent back to the office of departure for matching and guarantee acquittal while the fourth leaflet is forwarded to the national office of statistics. While en-route, the transporter shows the “Approval to transit” at every border point they cross when demanded.

Figure: IRST transit operation

The ISRT convention’s intentions are to facilitate traffic by ensuring that transit is faster, customs revenue is protected by the issuing of transit guarantees, and also to address the faster acquittal of the guarantees on successful completion of transit in order to free up traders’ capital investments tied up as guarantees.

The ISRT transit operation therefore operates by focusing on:

- *Seals and secure means of transportation*: these are attached after inspection at the office of departure so that the goods arrive at destination in the same form, quantity and status.
- **Guarantees:** Whether the guarantee nature specific (covers one transit operation) or general (covering a series of transits over a period of at least a year up to a certain maximum value), the customs revenue is protected in transit countries by these guarantees which are refunded on completion of compliant transit or accepted as the duty value on top of penalties if there is non-compliance.

- **Documentation flow:** A monitoring system for the ISRT by the use of the leaflets that are matched after transit for the purpose of guarantee acquittals and which can also be used to track status of the cargo movement on the transit corridor.

In theory, the ISRT provides that for goods that are properly declared, inspected and sealed at the customs office of departure, and which then follow a specific itinerary and are delivered with the seals intact at the customs office of destination within the prescribed period, such goods should not be inspected nor be the subject of any additional formality while in transit.

According to the ISRT, inspections at departure and upon arrival are the only points of that should involve inspections from customs agents such as police or gendarmes or similar authorities. While travelling, the goods should move freely without interruption, as long as the ISRT is properly applied. This should be enforced to the extent possible in order to make the ISRT work.

To ensure strict compliance with customs and tax obligations, a system of guarantees endorsed by National Guarantors (Chambers of Commerce) has been established. However these systems faces challenges mainly in the acquittal of the guarantees once the transit completes in compliance and in the handling of claims raised when there are non-compliances.

Other challenges involve the customs, gendarmes and other officials maintaining numerous roadblocks for goods inspections regardless of the goods being covered under the ISRT so as to solicit bribes and this again leads to delays and contributes to the high costs of transportation and eventually to the high cost of goods in the region.

Key among the measures to be undertaken the trade and transport fraternity in the ECOWAS/UEMOA region will be the implementation of a smooth and fault-tolerant system on information sharing and documentation workflow in as far as the ISRT is concerned.

The information system should enable the faster acquittal of the guarantees by providing real-time information on the movement of the ISRT declaration booklet, with specific input on the leaflets being noted at various transit points until the final destination for the goods.

This will enable the information of the goods’ arrival at destination to be potentially used to acquit the guarantee instead of relying on the physical movement of the leaflet from destination to departure, a process which currently might take months. The physical movement could potentially be moved to being a post-transit audit of the transit operation instead of being the key factor determining the guarantee’s acquittal.
VIII-2 Improving the usage of ISTR in the ECOWAS sub region:

To improve the usage of the ISRT in the ECOWAS/UEMOA region, the following issues must be addressed at the very least.

a) Sensitization and marketing of the ISRT:

In conjunction with the ECOWAS/UEMOA, the organized private sector should take the lead to inform, convince and mobilise customs agents, transit operators, transport managers, ministry of finance, director general and directors of customs, press, radio and TV.

This might also require the hiring of professionals to run a campaign for the general sensitization of the trade and transport community including the training in the regulations and usage of the ISRT scheme.

Missions for facilitation and information dissemination in the ECOWAS/UEMOA countries in order to visit all relevant stakeholders and to hold seminars and round table discussions with them are a must.

Follow-up workshops at the national and regional level must be conducted and the National Facilitation Committees must be champions of the ISRT for ownership and should work directly with the Regional Facilitation Committee in this cause.

b) Availability of the Guarantees must be ensured:

This problem stems from the unwillingness by financial institutions to guarantee transit in countries of the ECOWAS/UEMOA region. Banks and Insurance companies must be encouraged to participate in the ISRT scheme and to offer the guarantees at a competitive fee.

c) Calculation of guarantee amounts:

For customs administrations, the calculation of the guarantee may be a problem when the value on which it is based cannot be correctly determined. This could be due to the importers providing under-valued invoices to limit the value of the guarantee. Customs administrations must be vigilant to avoid these kinds of scenarios.

Also, the calculation of the guarantee amount must be sufficient enough to cover incidences of diversion in all countries on the transit route especially given that different countries would require different amounts of guarantee for the same goods.

For such cases, the highest applicable duty on the transit route is usually taken as the guarantee in order to cover non-compliance in any of the transit countries.

This means a central register of customs tariffs and charges must be maintained by the operators of the ISRT and should be made available to entities issuing guarantees, including of course the customs administrations, so that the proper calculations are undertaken.

This further implies that for such a system to make sense, the participating countries must be using harmonized commodity codes as per the ECOWAS/UEMOA initiatives in this regard.

d) Reduction of convoys and inspections as an incentive:
It might be difficult for the customs administrations to do away with convoys, but making sure that goods that are covered under the ISRT scheme are inspected only at departure and destination offices is a good incentive to encourage the community to use the scheme.

Keeping in mind the planned implementations of the customs cargo tracking system, the customs inter-connectivity interfaces and an IT system to manage the operations of the ISRT scheme, it should be possible to do away with the customs convoys in the future.

Therefore, customs administrations must be convinced to provide these as incentives to the users of the scheme.

e) Security within the scheme:
The ISRT booklets must have security markings and watermarks on them to prevent forgeries and to make detection of forgeries easy. The implementation of an IT system to track the movement of the ISRT declaration on the transit route from departure to destination will enable the checking of the declarations history right from printing to issuing to usage to destination, hence mitigating fake declarations.

Further, the means of transportation must comply with the ISRT requirements in being sealed. This must be enforced religiously by the customs administrations in order to ensure that goods arrive at destination as per the declarations at the point of departure.

f) Late bond acquittals:
As the guarantee acquittal process in the region is not fast enough due to it being based on physical movement of leaflets from destination to departure, huge sums of operational capital are tied up as guarantees for longer than they should.

The ISRT must implement an IT system capable of noting the arrival-at-destination event so that the information can potentially be used to start guarantee acquittals to within days of the goods reaching the destination.

This should be a part of the ICT management system for the ISRT.

g) Claims handling and processing:
The processing of claims and handling of related issues by the chamber of commerce has been a factor that has caused many to shy away from the implementation of the scheme. It is necessary to have a system of alerts and quick follow up to ensure that claims are handled as fast as possible.

Also, the claims payments and reimbursement processes must be transparent and contain as much inbuilt checks and balances as possible. Deadlines for action must be agreed upon and set as part of the standard operating procedures to make sure that claims are processed in a timely fashion so that confidence in the ISRT operations can improve.

Again, an ICT system for the registration of claims and which provides a workflow to ensure proper processing of the claims is necessary in this regard. A system of information sharing with regards to the investigations, payments made so far, reimbursements required etc is absolutely necessary.

h) Customs ICT systems and business processes:
The customs authorities must amend their customs administration systems and business processes, and in particular the transit modules, to allow the management of the ISRT guarantee as well as their national guarantee schemes.

Further, sensitization workshops and training programmes must be undertaken by the customs authorities and included as part of their training curriculums at their training colleges.

i) Documentation and workflow problems:

It is clear that the problems with relation to documentation and information dissemination, as well as the management of the ISRT scheme, will be to a large extent addressed by implementing an ICT system for the ISRT.

VIII-3 The ICT system supporting the usage of ISRT

The ICT system will have to handle five business processes:

- **Information dissemination**: a website/portal acting as the one-stop shop for all issues with regards to the ISRT scheme. This will include workshop reports, manuals of procedures, directories of participating entities, event schedule, helpdesk etc. Basically, any information one needs on the ISRT can be obtained from this one location.

- **Printing and stock management of the ISRT declaration booklets**: this will manage the printing and stocks accounting for the ISRT declaration booklets and will keep track of which guarantors have which serial numbers, dates received, invalid or cancelled booklets etc.

- **Issuing and monitoring of the ISRT declarations from departure to destination**: this will keep track of the actual booklets issued to enable transit, the guarantee amounts, issued to whom, details of the consignment, details of the transporters, where the booklet was last presented and checked etc.

- **Claims registration and handling including the clearing house functions**: This will handle the raising of claims by the customs administrations once the non-compliance has been found, it will then manage the workflow for the satisfaction of that claim until it is fully paid for by all parties concerned. The functions of the clearing house will also be handled within this business process.

- **Reporting and statistics**: will allow not only the generation of reports and statistics, but also the submission of the required reporting by the participating stakeholders.

Typically, such a system would be developed and hosted at the regional level. In this case the ECOWAS CCC is the perfect location. All other participants would log on to this centralized database via the internet and using authentication credentials provided to them they will only be able to work with data that directly concerns them.

The development of the management system for the ISRT should be outsourced to an ICT company that has experience in the design of such solutions. The outsourced company will necessarily have to participate in the following activities:

Egis BCEOM International
- Requirements gathering to collect in-depth analysis of the current customs administration transit and guarantee schemes and the requirements of the users vis a vis the implementation of the ISRT convention.

- Development of the Functional Specifications of the system which will be validated by the ECOWAS CCC and disseminated to stakeholders for further validation.

- Development of a prototype of the system to garner comments from the stakeholder community and the development of the final version of the system and deployment on servers at the CCC.

- Development of a training of trainers programme vis à vis the usage of the system and the ISRT convention requirements and participation in training workshops for the ECOWAS/UEMOA staff who shall then arrange smaller workshops for countries in order to train them on the usage of the system.

- Setting up of a helpdesk system at the CCC for troubleshooting.

- Development of a pilot programme using which ECOWAS/UEMOA will pilot the system and ISRT operations on a select corridor in the region on a selected corridor as a start.

- Development of a rollout and deployment plan for the region and assist ECOWAS/UEMOA to roll out the solution.

VIII-4 Matrix of Activities for ECOWAS Regional Transit Guarantee System:

Taking lessons learnt from the implementation of the COMESA Regional Transit Guarantee Scheme’s implementation, the following milestones are therefore necessary components to ensure the successful implementation of the ISRT in the ECOWAS region:

Matrix of Activities for ECOWAS Regional Transit Guarantee System:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Objective</th>
<th>Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of the ISRT Convention.</td>
<td>To establish the suitability of the ISRT convention as it stands now and/or to amend certain clauses to make it applicable to the current scenario.</td>
<td>ECOWAS, Member States.</td>
</tr>
<tr>
<td>Ratification of the ISRT Convention.</td>
<td>To ensure that countries agree to the operation of the scheme within their jurisdictions.</td>
<td>ECOWAS, Member States</td>
</tr>
<tr>
<td>Identify National Focal Point Agencies for the scheme.</td>
<td>To ensure that there are focal points at the National levels in order to promote ownership for the implementation of the scheme.</td>
<td>ECOWAS, Member States.</td>
</tr>
<tr>
<td>Action</td>
<td>Description</td>
<td>Participants</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Formation of an oversight body to oversee the management of the ISRT scheme.</td>
<td>With membership from the appointed National Focal points, this body will oversee the operations of the ISRT scheme regionally.</td>
<td>ECOWAS, Member States, National Focal Point Agencies.</td>
</tr>
<tr>
<td>Legal Review (if required) in anticipation of the implementation of the ISRT at the National Level</td>
<td>To establish if any of the legislation in the participating member countries needs to be changed.</td>
<td>ECOWAS, Member States.</td>
</tr>
<tr>
<td>Development of an ISRT Operations Manual</td>
<td>Develop a set of processes and guidelines for each stakeholder involved in the scheme so that everyone is clear about duties, roles and responsibilities. (This is to interpret the ISRT convention and provide clear outlines of what needs to be done and by whom).</td>
<td>ECOWAS, National Focal Point Agencies, Customs, Other Stakeholders involved.</td>
</tr>
<tr>
<td>Setting up of a guarantee/re-insurance pool</td>
<td>To identify an organization which will be mandated to setup and run the re-insurance pool for the entire region with over-sight being provided by the oversight body comprised of National Focal Point Agencies</td>
<td>ECOWAS, National Focal Point Agencies, Independent Private Company or a private company formed by shareholding with the various National Focal Agencies.</td>
</tr>
<tr>
<td>Development of the MIS for the management of the operations of the system.</td>
<td>To develop a computerized system which will interface with the various customs systems and provide operational support to the ISRT scheme including the guarantee pool’s operations.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm.</td>
</tr>
<tr>
<td>Establishing a pilot project to test the ISRT and MIS.</td>
<td>To test the operations and the MIS supporting these operations on a live corridor.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm.</td>
</tr>
<tr>
<td>Sensitization and training of stakeholders for the pilot rollout.</td>
<td>To prepare a sample of the stakeholders in member states to participate in the pilot and to train them in the operations of the ISRT and the MIS system.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm, Stakeholders participating in the pilot run.</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>Setting up a helpdesk.</td>
<td>To establish a system of handling issues and problems that may arise during the pilot run.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm.</td>
</tr>
<tr>
<td>Pilot Rollout.</td>
<td>To identify and implement the necessary measures to undertake the pilot run on a selected corridor.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm.</td>
</tr>
<tr>
<td>Monitoring and Evaluation of Pilot.</td>
<td>To constantly monitor and evaluate the performance of the pilot run in order to identify and streamline the ISRT processes.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm.</td>
</tr>
<tr>
<td>Full-fledged implementation.</td>
<td>From lessons learnt on the pilot run, to replicate the pilot implementation on the various corridors in the region.</td>
<td>ECOWAS, National Focal Point Agencies, Guarantee Pool, ICT Consultant/Firm, Stakeholders.</td>
</tr>
</tbody>
</table>
IX- INTERCONNECTION OF CUSTOMS COMPUTERISED SYSTEMS

IX-1 Architectural Model

There is a general consensus that the ECOWAS/UEMOA countries operate systems that are widely “incompatible”. The analysis by the proponents of this school of thought is that since the systems operate different architectures and are on different platforms at times, they cannot be integrated. Further, the widely divergent formats of standard customs declarations in use make it “impossible” for such kinds of integration.

In reality however, the interconnection and integration is indeed very possible. This is because the software systems in use at the customs administrations in the ECOWAS/UEMOA region roughly conform to the 3-tier architecture model, regardless of whether they are implemented as distributed database systems or centralized database systems.

These 3-tiers are the presentation tier (or the user interface), logic tier (or algorithms) and the data tier (or database) and are as illustrated below:

Figure: 3-tier software architecture
Therefore, any attempt at integrating the different customs administration systems will have to take into consideration the suitability at integrating at the presentation layer, the logic layer or the database layer.

The customs administration systems in the ECOWAS/UEMOA region fall roughly into six categories, each category having differing characteristics on each tier of its 3-tier software architecture. ASYCUDA 2.7, ASYCUDA++ and ASYCUDAWorld do not have the same presentation, logic and database implementations even though they are from the same family of software. Neither do the GCMS, the SYDAM and the GAINDE share much in common.

Therefore, it is quite obvious that it is an extremely hard endeavour to try and integrate these systems at the presentation or at the business logic tier. The best attempt at integration can only be made by integrating at the database layer.

Figure: integration at the data layer
This kind of integration is made possible because regardless of the platform the ASYCUDA, GCMS, GAINDE and SYDAM are implemented on, they all use a Relational Database Management System (RDBMS) for the data layer. And relational database engines have three things in common that make integration easy:

- **The Structured Query Language (SQL) for data manipulation and extraction:** SQL is a computer language and a standard for the retrieval and management of data in relational database management systems, database schema creation and modification, and database object access control management.

- **The storage of information in a set of well-related tables:** This allows the creation of virtual tables and queries using the SQL language based on the relationships within the tables in order to come up with a completely different data set that is still has integrity and that makes sense.

- **Inbuilt RDBMS tools for exporting and importing of data into the data tables using standard methods and formats:** This will allow the consumption and generation of data using standard formats like UN/EDIFACT and the Extensible Mark-up Language (XML).

Theoretically, given enough time and resources, it is possible to adopt say the ASYCUDA++ data model and schema as a standard and then use the SQL query language to re-format data from say the GCMS into a set of external queries that mirror that same exact data model down to the last dot.

Then, using the importing/exporting functions of the RDBMS systems, the data can be exported out of the GCMS and imported into the ASYCUDA++... and vice versa.

Practically, however, there are challenges to this approach. Integrating the ECOWAS/UEMOA customs authorities’ systems is not as simple as taking a server and working on a model as outlined above.

For instance, most of the customs systems are either beginning or in the middle of computerization. And for interconnectivity to make sense in the customs administration context, at least all the transit modules for the customs administrations systems must be in place, working and supported by sound business processes.

Further, the following aspects must be considered for the interface to work:
- **Limits on data to be interconnected:** The data that is of critical importance for exchange between revenue authorities will most likely be data on the transit goods, be it import or export. So interconnection activities must focus on interconnecting transit modules of the customs administrations systems.

- **Data must mean the same thing on all systems:** Data definitions must be constant in all systems that need to automate their data exchange. For example, a field like the declaration number in one customs administration system must carry the same connotation as the field for the declaration number in another system.

- **Data formats and sets:** The data format and data sets that will be exchanged have to be agreed upon. This is especially true given that not 100% of the transit data will be exchange between customs authorities, but just enough to assist in the requirements of the administrations. Tied to this is the frequency of the data exchanged i.e. how often data should be exchanged.

- **Data integrity:** It is imperative that the parties agreeing to the data exchange ensure that critical data fields are correctly filled in and that all data transmitted for exchange is valid data that has been quality assured before exchange.

- **The data exchange:** How will the data be requested, how will it be formatted for exchange, where will the formatted data be hosted awaiting pickup by the requesting party, how will the requesting party pick the data and consume it within his system… all these are questions that need to be addressed.

- **Legal aspects:** is the data exchange permissible by law, what responsibilities are apportioned to the consumer and producer of that data, what happens if there is an action taken on data that is incorrect, who is responsible? In what ways can the data be consumed and in what ways can it not be consumed.

- **The implementation:** should this be attempted as a region-wide initiative or should it be attempted at a bilateral level between member states under the umbrella and policy guidance of the regional body ECOWAS/UEMOA? Which approach is faster, which approach is more manageable?

- **Server hosting and telecommunication requirements:** Issues like the legal implications in having say a VSAT on one side of the border pointing to a VSAT on the other side of the border, who is responsible for installing and maintaining the required telecommunication equipment as well as providing security for them, where will the servers be hosted, who will be responsible for maintaining them and what are the recommended platforms, what are the required server uptimes and service levels and who is responsible for maintain them etc. have to be adequately addressed.

- **The software:** Issues such as who will own the interface software and who will be responsible for the maintenance and bug-fixing/troubleshooting of the same? Can the software interface directly with the customs administrations databases, what are the security considerations to be taken care of by the interface etc. have to be decided before hand.

Taking into consideration the above aspects, the kind of interfacing that will work best for the ECOWAS/UEMOA region will have the following characteristics:
IX-2 Regional Implementation Plan:

At the regional level, the ECOWAS/UEMOA will work with the member states to come up with a standard definition of the data fields on the declaration forms. This is an exercise that has probably been accomplished while establishing the common declaration format (SAD) currently in use in the region.

Still at the regional level, the ECOWAS/UEMOA shall assist member states to come up with a sub-set of transit data that will be exchanged. This subset should incorporate the needs of all the member states concerned.

The CCC at ECOWAS will develop XML-based versions of the data exchange format for implementation by each customs administration so that data can be extracted from the member states systems.

The customs administrations shall ensure that their remote border stations are adequately connected to the headquarters using their WAN and that the data captured into their system is sufficient enough to be relevant-time if not real-time.

Each customs administration will host an independent server that will host the exported data from its system. This server shall be fully owned, maintained and otherwise serviced by the customs administration and will reside on the customs administrations LAN/WAN.

These independent servers shall have open web-services interfaces where requesting systems can place requests for data and receive responses over the SOAP/XML protocol.

The CCC will develop a set of system development guidelines for the interfaces using which individual customs administrations can use to develop the interfaces used to extract data from its system. These interfaces shall reside on the intermediate servers hosted by the customs authorities. Adequate in-built security considerations shall be inbuilt into the interfaces.

The CCC will hold a series of technical development workshops where the customs administrations are hand-held to build the interface so that the capacity can be
transferred to them. Once the interface is built, the web-service is opened to the public and based on authentication credentials, the data will be exchanged.

The CCC will maintain a central server to collect statistics and other relevant information from each of the localized customs administration servers. A software application might need to be developed for this function.

To ensure that the system works without legal obstacles, it may be necessary to re-examine the legal basis of information sharing as per the respective laws of each member state. Some aspects might need to be changed.

Where the legal requirements do not fit and where it seems a lot of time might be taken to achieve the change, interim measures such as the signing of data exchange agreements between the customs administrations will be adequate.

Member states will typically sign a data exchange agreement with each other. The agreement will have details on the responsibilities of each participating member state, data exchange frequencies, proposed usage of the data, and the reliability and quality of the data exchange and escalation procedures in case of disputes.

Member states will also typically sign an agreement on a bilateral basis between themselves and the CCC at ECOWAS to ensure that the CCC complies with the data confidentiality requirements and a service level on the guaranteed uptime of the servers and other maintenance arrangements for the protection of the statistics and data.

**IX-3 Matrix of Activities**

To achieve the above, the following milestones summarised in the next Matrix of Activities must be met at the very least:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Objective</th>
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<td>Customs to link border points to headquarters system via a WAN/LAN</td>
<td>Development of a Wide Area Network to ensure all major border points are</td>
<td>Customs administrations</td>
</tr>
<tr>
<td><strong>Development of software interface guidelines for implementation.</strong></td>
<td>To have a set design for the entire region with regards to the platforms for the implementation of the interface software. This will include functional specifications and all use cases for implementation.</td>
<td>ECOWAS, Customs administrations</td>
</tr>
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</tr>
<tr>
<td><strong>Customs administrations to work on the data exchange formats and agreements and timetables for implementation.</strong></td>
<td>To develop the set of allowable data to be exchanged, the relevant data exchange agreements to govern the data exchange and the timetable for implementation.</td>
<td>Customs administrations, ECOWAS</td>
</tr>
<tr>
<td><strong>Sensitization seminars</strong></td>
<td>To sell the concept of the Interconnection software to the stakeholder.</td>
<td>ECOWAS, Customs Administrations</td>
</tr>
<tr>
<td><strong>Development workshops for the implementation of the interfaces</strong></td>
<td>On a bilateral level between ECOWAS and the customs administration, to develop the interfaces to the customs system using the ICT experts from ECOWAS and the ICT experts in the revenue authorities in order to develop capacity in the customs administrations.</td>
<td>ECOWAS, Customs administrations</td>
</tr>
<tr>
<td><strong>Signatures for the data exchange agreements and signatures</strong></td>
<td>To enable the operations of the interfaces even if the existing customs legislations does not allow it in a country.</td>
<td>Two agreements, one between member states and another between individual member states and ECOWAS.</td>
</tr>
<tr>
<td><strong>Opening up the interface systems to customs administrations and other authorized stakeholders</strong></td>
<td>To ensure data is exchanged and is being used.</td>
<td>Customs administrations, Stakeholders</td>
</tr>
</tbody>
</table>
X-REGIONAL CARGO TRACKING SYSTEM(S)

X-I Links with ISRT scheme

Dumping of transit goods into local markets without the payment of the relevant duties and taxes to the local customs administration is a common problem on the ECOWAS/UEMOA transit trade routes. Traders typically take advantage of the lack of adequate information exchange between transit points on the corridors in order to offload goods without paying the requisite taxes and duties.

As noted earlier, transit operations are built on three principles; securing of the goods and means of transportation, guarantees and a documentation workflow. If the three aspects are implemented and enforced correctly, dumping and diversions of goods will be mitigated.

Once the physical sealing and the guarantees have been issued for transit to start, the most critical aspect in transit then becomes the information and documentation flow with regards to that transit. No matter what documentation is exchange, it is clear that this exercise aims to answer one critical question only: what is the status of the transit cargo as this particular moment in time?

Schemes such as the ISRT tackle the transit guarantee aspect by introducing checks and balances in as far as documentation tracking and guarantee acquittal are concerned. Further, interconnecting customs administrations’ systems will create opportunities of transmitting advanced information on transit cargo so that customs administrations can anticipate incoming goods and have enough information to deduce when dumping or diversion has occurred.

As a side effect, both the above systems once implemented properly, will allow some tracking of the cargo as it moves on the transit route; the ISRT scheme will do this by the monitoring of the data captured from the ISRT declaration leaflets at the border points and the interconnection system will achieve this by monitoring the issuing of declarations as the cargo moves from one customs administration’s to another’s control.

As of now, this flow of information is not coordinated in the ECOWAS/UEMOA region and if it does exist then in most cases it is not used for purposes of tracking. Also, since the current situation only lends itself to documentation tracking and not on the physical means of transport or on the physical cargo, it is very possible to get away with dumping and diversion.

Corrupt traders in the region have been able to continue dumping transit goods by colluding with corrupt customs and police officers in order to obtain stamps that certify the completion of transit (including having the relevant data being entered into the customs systems) while in reality the cargo may not even have left the point of departure in some cases! But, the documentation tracking will show the transit as having been completed in compliance.

Hence, a system of physically tracking transit cargo on the transport corridors is a key aspect in the trade and transit facilitation strategy for the ECOWAS/UEMOA region as a complement to the various facilitation tools that track documentation by default.
In the current situation in the region, a combination of escorts/convoys and patrols is used to enforce the transit of the cargo. However, in many instances this becomes a non-tariff barrier in its own right as trucks have to wait for a long time for the convoys to be constituted and impromptu inspections by customs road blocks and patrols are aimed only at soliciting bribes and not for purposes of transit facilitation.

A tracking system which will enable the monitoring of the transit cargo on the route and which will have the desired effect of achieving the same results even if the road-blocks are reduced is a key trade facilitation tool in this regard.

Depending on the technology used to implement such a tracking system, these systems are able to provide accurate real-time or relevant-time pinpointing of the position of cargo and can also provide alerts on certain events of non-compliance such as container seal opening or the cargo veering off the designated transit routes.

The implementation of such systems in the ECOWAS/UEMOA region will have to solve problems of low electrification rates at border points, large distances between transit points with no formal and permanent customs presence and infrastructure, insecurity and vandalism not to mention telecommunications problems and the nature of the transit cargo.

By some estimates, about 85% of the transit cargo by road is hauled as loose cargo and not in containerized form. This is because most containers are de-stuffed at the point of entry on the transit corridors due to shipping lines fearing for the containers return if they are left to go into the hinterland. It is much harder to track loose cargo in comparison to containerized cargo.

Further, the non-existence of a formal database of transit trucks and trailers in any of the ECOWAS/UEMOA member states also lends another problem. Although, the ISRT scheme recommends a standard way of having the registration plates, it is unclear whether the countries enforce this or have their own methods of identifying transit trucks. A standard way of identifying trucks and trailers including databases to check their authenticity is necessary for cargo tracking.

But of much more importance, some of the member states have not implemented the transit modules of their customs administration systems, not to mention the poor state of border infrastructure in as far as supporting data collection and entry functions is concerned. It is currently almost impossible to use these transit points to collect data on transit cargo crossing them.

Therefore, to establish a tracking system in the ECOWAS/UEMOA region, the member states will need to consider one of two options each with its own set of implications and pre-requisites:

**X-2 Technical Option 1: Tracking by using data collected from locations on the transit routes**

Since the transit routes are designated and documented, and there are checkpoints on these transit routes, then a regional cargo tracking system can be established based on data collected on transit passing through these transit routes.

The ports and customs authorities are critical players in this kind of approach, as most transits will start from or end at the port and the customs administrations have a vested interest in monitoring these transits as they travel on the corridor.
This will mean that, at the bare minimum, the following must be done:

- Customs administrations have to fully implement the transit modules of the customs systems and to endeavour to implement the interconnectivity between administrations for information exchange.

- Ports and customs have to implement at least a manifest collection module to gather data from impending consignments to the ports. Ideally, such information should be ready before the vessel docks.

- Ports and customs must develop gate-pass systems to capture outgoing cargo that has been cleared from the ports or the cargo that is going into the ports for export.

- Customs transit monitoring units in the region must develop methods of capturing information on the cargo as it crosses borders and customs checkpoints. Further, these points must be connected to the customs administration centralized database at headquarters via reliable communication links.

- Any permanent weigh-bridges should be automated and modules to capture information on consignments passing through should be captured.

All this information will then be aggregated on a prescribed frequency on the regional cargo tracking platform and will be linked to provide a seamless window into the movement of the cargo.

Figure: cargo tracking data aggregation

Since the linking of this data will depend on the usage of certain key fields in the data collected from the different stakeholders, data quality and data quality assurance practices will necessarily be adopted at the data aggregation point.

Typically, the linking of the data would happen as follows:

- As the good leave the port, the information on the container numbers, seal numbers, customs declaration number, trailer registration number and the truck number are captured.
- Assuming the next point is a weighbridge, the data that could typically be captured at that point would include truck registration number, trailer number, axle loads.

- The data could be enhanced to record customs documents numbers, container numbers and seal numbers if the customs transit monitoring units are also based at that weighbridge. At this point, it’s easy to use any of the captured data to link it with the previous data at the port.

- At the border points, customs would typically capture customs declaration numbers, truck and trailer registration numbers, container numbers. If there is a weighbridge, then axle loads and other details are captured.

By using the information captured, it would be possible to relate it back to the data captured at the previous weighbridge which is already related back to the data captured at the port gates … and hence a seamless picture is captured as the transit moves on the route.

Although such tracking will have time-lags as the data must be collected by the entity at the transit point before it is transmitted to the cargo tracking centralized database, the frequencies of information collection will be made such that the data still remains relevant by the time it is centralized and formatted.

This kind of tracking is also susceptible to errors made on data entry by the entity collecting the data and if the data is wrong at one point it may not be possible to correlate it with the data at the other points, hence some portions of that transit might be rendered “invisible”. Therefore data quality must be agreed upon and enforced by all participating stakeholders.

The plus side is that this method is not as expensive as the satellite, GPS and GPRS based methods. However, remote border stations that have no electricity and infrastructure to support computerized operations will necessarily need to be upgraded to at least have the basic internet connection and to meet the basic security requirements.

Also, since distances between the various data collection points are well-known, it is possible to set up alerts on the system to monitor any inordinately long time periods between the last sighting of the transit vehicle at the last checkpoint and the expected sighting at the next. This will serve as an early warning system against diversions.

The tracking of containerized cargo will basically be accomplished the same way as the tracking of the loose cargo under this kind of tracking system. In particular, if weighbridges are included as data collection points, it may be possible to notice any significant weight changes as the truck moves from one check point to the other and use that as an alert system.

To implement such a tracking system in the ECOWAS/UEMOA region, other issues to be considered are:

- Costs
- Ownership and operation:
- Sustainability:
- Infrastructure Requirements:

f) Costs and who handles them

The costs will typically be in three phases: development phase, rollout phase and operations phase. The costs could be covered partly from donor funding at the regional level for the pilot phase, but the system must be able to sustain itself going forward.

A key stakeholder taking charge of the system implementation and rollout is probably the best way to go. The CCC at ECOWAS could spearhead the development of the implementation of the platform and then develop guidelines and recommendations for the customs and ports to implement.

Another option for the development could be the complete outsourcing on a BOT model to a vendor capable of providing such a solution. The vendor would hand over the implemented system to the ECOWAS CCC once the system is complete so that they can start activities of putting it into operation. All costs for the development to be handled by ECOWAS.

Data exchange agreements and data quality assurance processes must be put in place to ensure that correct information is being linked to provide tracking access.

The ports and customs must implement appropriate systems at the data capture points and these must be adequately linked to enable the exchange of information.

g) Ownership and operation:

Although to start off it is recommended that the system be owned and housed at the ECOWAS CCC, the eventual goal should be to enable the management and operation of the system to be handled by a private company or to be hosted by a key stakeholder in the region.

A company with the various stakeholders holding shares should be formed to handle the operational aspects of the system. This company could employ technical expertise to undertake the day-to-day routine maintenance of the tracking system, or it could act as an oversight body over an outsourced vendor who will run the CTS for profit.

h) Infrastructure Requirements:

It would be necessary to identify and upgrade all locations that are to be used as data collection points. Personnel in the agencies at these locations must be trained in the capturing of data correctly.

i) Sustainability:

The easiest way of ensuring the sustainability of the system would be to enforce a small user fee. A blanket fee could be charged to each stakeholder using the system, or the fee could also be transaction-based with the users using the system the most having to pay the most. It could also be a combination of the two where users pay a small standard charge for a certain number of transactions and after that they pay extra for each additional transaction.
### X-3 Matrix of activities to implement technical option 1:

As summary, to implement a tracking system as above, the following milestones must be achieved:

**Matrix of Activities to implement Option 1**

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<td>Development of a Wide Area Network to ensure all major border points are networked into the customs systems at headquarters.</td>
<td>Customs administrations</td>
</tr>
<tr>
<td>Permanent Weighbridge infrastructure to be upgraded and the operations to be computerized, including linkage to the CTS</td>
<td>Ensure that the infrastructure at weighbridges is secure enough to ensure security if any ICT installations and to ensure that weighbridge data capture is computerized.</td>
<td>Ministries of Transport / Ministries of Public Works and/or Customs Transit Units</td>
</tr>
<tr>
<td>Establishment of steering committee for the CTS</td>
<td>To provide the general direction at policy level for the implementation of the CTS.</td>
<td>ECOWAS, Customs and Ports as key stakeholders</td>
</tr>
<tr>
<td>Focal points to be established within stakeholders as the technical committee for implementation</td>
<td>The technical committee will act as the technical validation point for the implementation of the CTS system and as the main actors within the</td>
<td>Customs, Ports, Clearing and Forwarding Agents, Transporters, Shipping Agents, relevant Ministries and other trade and transport facilitation stakeholders.</td>
</tr>
<tr>
<td>Activity</td>
<td>Description</td>
<td>Responsible Party</td>
</tr>
<tr>
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</tr>
<tr>
<td>Sensitization seminars</td>
<td>To sell the concept of the CTS to the stakeholder system</td>
<td>ECOWAS, Customs Training Institutes, Ports Training Institutes</td>
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<tr>
<td>Development of standard data formats for extraction from the stakeholder systems into the CTS</td>
<td>To ensure that data is collected in standardized formats from the stakeholders so that appropriate data quality processes can be established.</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>Development of the data exchange agreements and signatures</td>
<td>To ensure that stakeholders donate data in the agreed formats, at the agreed frequencies and with the agreed quality.</td>
<td>ECOWAS signature by each and every stakeholder who will donate data.</td>
</tr>
<tr>
<td>Arrangement for funding to implement the CTS Pilot phase</td>
<td>ECOWAS and key stakeholders to explore options for gathering of funding for the implementation of the CTS.</td>
<td>ECOWAS to explore various options for this. One option could be hosting by a key stakeholder who has the capabilities.</td>
</tr>
<tr>
<td>Development and implementation of data extraction interfaces for ASYCUDA++, GCMS, GAINDE and SYDAM</td>
<td>To create software windows through which data can be extracted from the transit modules of the customs ICT systems.</td>
<td>Customs Administrations with the assistance of the ECOWAS.</td>
</tr>
<tr>
<td>Installation of Hardware/Software for the CTS Pilot Phase</td>
<td>Installation of appropriate server equipment and to setup the software required for the hosting of the CTS software at the ECOWAS CCC.</td>
<td>ECOWAS CCC</td>
</tr>
<tr>
<td>Development of the CTS Software and arrangements for hosting - Pilot Phase</td>
<td>To develop the centralized database that will process data extracted from the customs ICT systems, including processes for data integration and data quality assurance. The system will be hosted at ECOWAS CCC for the pilot.</td>
<td>ECOWAS CCC and/or an outsourced vendor for the pilot phase.</td>
</tr>
</tbody>
</table>
Training workshops for the pilot phase | Training sessions in each participating member country for all the stakeholders in order to enable the stakeholder community to donate data for tracking and to be able to use the system for tracking. | ECGOWAS CCC, Customs Training Centers, Ports Training Centers

Preparation of bidding documents and contracting of a vendor for implementation - Implementation Phase | To enable the procurement of services from a vendor interested in running the CTS for profit. | Steering Committee, ECOWAS

Formation of an oversight body/company by the stakeholders | To monitor the execution of the contract by the selected vendor in as far as the CTS is concerned. | Stakeholders participating in the scheme

CTS Hosting and Sustainability - Implementation Phase | To move the implementation of the CTS for management by an independent outsourced entity and to work out the sustainability measures and the oversight duties of the stakeholders CTS oversight body. | Outsourced company with oversight by the oversight body/company of stakeholders

X-4 Technical Option 2: GPS-based, GPRS-based, RFID-based Tracking systems:

The second way of achieving cargo tracking on the transit corridors is by the use of satellite-based tracking systems.

There are many vendors who offer such solutions and with the current state of affairs of transit in the ECOWAS/UEMOA region, these kinds of systems seem to be the best option.

Most modern vehicle tracking systems use Global Positioning System (GPS) modules for accurate location of the vehicle. For the data transfer, these systems also combine a communications component such as cellular or satellite transmitters to communicate the vehicle’s location to a remote user.

Vehicle information can then be viewed on electronic maps via the Internet or specialized software and the physical location can be pinpointed to a varying degree of accuracy (between 5 meters and 100 meters) depending on the vendor’s offering.

Figure: how GPS based tracking works
The above illustrates the typical operation of these systems. As the vehicle is travelling, the device attached to the transport means is sending its GPS triangulated coordinates via GPRS/ GSM or Radio frequency to the servers in the control centre. A user interested in that cargo location will query this server via a secured virtual private network (VPN) connection or via the internet and the coordinates will be displayed to him as mapped onto digital maps to show the location.

These kinds of systems require the attachment of a GPS module and a transmitter on the vehicle. They also require the existence of a method of data transmission from the truck to the servers at the control centre. In the ECOWAS region, either satellite based transmissions or GSM/GPRS based transmissions are possible as there is sufficient network coverage already.

Installation of Radio Frequency masts or data readers along the transit routes in order to enable the data transmission is also an option, albeit not a very good one as these are prone to vandalism and the security is hard to ensure. It is much easier for the implementation in the ECOWAS/UEMOA region to depend on the GSM/GPRS telecommunications methods.

The specialised versions for use by customs involve a series of seals that have a GPS module and a transmitter inbuilt. Typically, the seals are rugged, durable electronic data sealing and sensing devices that provide robust physical security as well as automatic processing and real-time monitoring of assets, and secured cargo both in transit and in storage.

The seals use RFID (Radio Frequency Identification) wireless technology- and include a transmitter/ receiver unit, read/write capability, real-time clock, memory and proprietary sensing circuitry for sealing verification.

The seals have long cables which are used to either secure the container locks, the tarpaulin on trucks with loose cargo (by being woven in and out of the tarpaulin fastening just like the tarpaulin ropes do), or by being installed on the input/output hatches of fuel tankers.
Figure: Components of the GPS based tracking system

![Components of the GPS based tracking system](image)

The physical protection provided by the seals is equivalent to that of an alarm tag. Encrypted and embedded sensors prevent any attempt at detaching, bypassing, or tampering with it and the system detects any such attempt, records the event, and sends an alert to the monitoring authorities.

In low-frequency short-range mode, the seals typically logs and communicates data through a handheld data terminal and can also be inspected and/or set by the handheld readers. The Some seals can store manifest information electronically in their memory and information could include vehicle ID, container and invoice numbers, cargo descriptions, quantities and destinations.

The high frequency long-range mode provides full two-way read/write data communication capabilities at a distance of 100+ meters. The seal transmits the information in reply to an interrogation by the handheld data readers- or by an event which is not authorized.

This long-range capability makes the seals ideal for protecting, tracking, sealing, and verifying of assets such as containers, fuel and rail tankers.

In the ECOWAS/UEMOA region, the customs administrations should be the ones implementing such a system at the national level. To take care of the costs, instead of customs administration owning and operating the scheme themselves, they should outsource the entire operation to a vendor who does it for profit.

The vendor will install the entire required infrastructure on the transit corridors and will be the owner of all the equipment and seals required. The customs administration will subcontract the vendor on standard service level agreements to ensure that the operations of the system are efficient. A software window will be installed at the customs administrations so that they can monitor the goods as they move on the corridor.

The seals will be attached at the departure point under the supervision of the customs administration and in conjunction with the outsourced vendor and when they reach the exit border for that transit the seal will be removed and attached on either a truck coming down the transit route or be sent back to the departure point by the customs authorities.
Since the cost of the seals must be borne by the outsourced vendor, the vendor will be allowed to charge a small user fee for the usage of the seals and its here that they make their profit.

**X-5 Matrix of activities to implement technical Option 2**

For option 2 of tracking to work, the following are the milestones required to be achieved:

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<td>Development of a Wide Area Network to ensure all major border points are networked into the customs systems at headquarters.</td>
<td>Customs administrations</td>
</tr>
<tr>
<td>Customs administrations to develop the GPS-based tracking systems</td>
<td>Put in place an electronic GP/GPRS based tracking system, from the bidding process to the implementation and rollout of the system including all installations on the required routes as per the solution selected. This will include interfacing of the GPS tracking system in to the transit modules of the Customs systems</td>
<td>Customs administrations, Selected vendor of the GPS-GPRS based system.</td>
</tr>
<tr>
<td>Sensitization seminars</td>
<td>To sell the concept of the CTS to the stakeholder system.</td>
<td>ECOWAS, Customs Training Institutes, Ports Training Institutes</td>
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<td>Development of standard data formats for extraction from the stakeholder systems into the CTS</td>
<td>To ensure that data is collected in standardized formats from the stakeholders so that appropriate data quality processes can be established.</td>
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</tr>
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</tr>
<tr>
<td>Development of the data exchange agreements and signatures</td>
<td>To ensure that stakeholders donate data in the agreed formats, at the agreed frequencies and with the agreed quality.</td>
<td>ECOWAS signature by each and every stakeholder who will donate data.</td>
</tr>
<tr>
<td>Opening up the tracking systems to the stakeholders</td>
<td>To ensure stakeholders can receive alerts and to enable them to track their consignments on the transit route via software windows provided by the customs authorities. This information will be disseminated as per the data exchange agreements.</td>
<td>Customs administrations, Selected vendor of the GPS-GPRS based system.</td>
</tr>
</tbody>
</table>
XI- HARMONIZING THE LEGAL STATUS OF THE JOINT BORDER POSTS

Joint Border Posts (JPB) can greatly contribute to the road transport facilitation by avoiding the duplication of the border crossing clearance process, thereby expediting and simplifying the transit and thus rendering it less expensive and safer.

The Joint Border Post also allows to increase the output of infrastructure, equipment (e.g. weighbridges, scanners etc.) and human resources and thus to save on this expenditure.

The Abidjan (Côte d’Ivoire)-Lagos (Nigeria) Corridor runs through the territory of the Members States of UEMOA and ECOWAS. Not all States are members of both organisations.

On this corridor ECOWAS and UEMOA pursue the achievement of the same road transport facilitation goal through (amongst other measures) the establishment of Joint Border Posts. Therefore the harmonization of the legal status of the Joint Border Posts is recommended.

The Commission of UEMOA (DATC) has been instrumental in the development of a draft UEMOA Regulation on the legal status, organisation and functioning of Joint Border Posts. The draft text is yet to be submitted to the Committee of Experts.

- The intra-community level

For motives related to the UEMOA constitutional framework and for motives of efficiency, the draftsmen opted for a Council Regulation as the instrument to set in a binding manner the legal status of the Joint Border Posts.

Also a regulation has direct effect in the national body of law without the need of transposition.

For motives of transparency and accessibility, the option was also chosen to express only the main principles in the Council Regulation itself and to leave the details to be implemented by one or more Commission regulations. The power for the detailed implementation measures is thus delegated to the UEMOA Commission, that is more flexible in adapting the regime to changing circumstances.

- On the extra-community level

The relationship with States, that are not members of UEMOA, will have to be governed by a treaty, a plurilateral convention.

The substance of such an instrument may mutatis mutandis be the same as the Community legislative act, viz. the Council Regulation referred to above.

XI-1 Strategic Choices made by UEMOA on the JBP configuration, status and procedure

- Location of the JBP entirely in the territory of one border State

The various possible configurations of joint border post facilities are recalled:
- back-to-back at the border (straddling)
- entirely in the territory of one adjacent country
- split (one facility in each border state’s territory)

From an efficiency point of view, the straddling configuration is preferable.

In some cases however the topography of the crossing area does not permit to install a straddling (back to back) infrastructure, e.g. when there is natural hindrance.

In that case a joint facility located entirely in the territory of one of the adjacent countries offers the solution.

The UEMOA draft Regulation opted for JBPs located entirely in the territory of one of the adjacent countries, even if topographic reasons did not compel to chose this configuration.

The rationale for this choice was rather inspired by the desire to promote the regional integration.

**- Sequential but nearly simultaneous crossing clearance procedure**

The facilitation objective is the “one stop” border clearance procedure.

The various modalities of interaction between the respective administrations involved in the border clearance process of the adjacent countries are recalled:
- delegation of authority
- joint, i.e. simultaneous
- sequential

The latter modality does not achieve the facilitation goal pursued.

Because of political sensitivities (sovereignty, lack of confidence etc.) the time was not felt ripe yet for the former modalities.

So the draft regulation opts for a sequential, but nearly simultaneous border crossing clearance procedure.

The facility set-up will allow the easy transition to a joint procedure in a later stage.

**- JBP Functions**

**Pure border crossing function or a pole of local economic development**

Due to the configuration option, the JBP will not offer much opportunities as a local pole for economic development and expansion.

The speed and efficiency of the pure border clearance process could only be hindered by intense economic and social activity that is not directly related to the border crossing process.

Such increased economic and social activity is preferably to be located in the nearby town or village close to the border crossing.

**Customs clearance or mere customs transit**

In the UEMOA concept the JBP is in principle intended to serve as a customs transit point, but not for the purpose of customs clearance of the goods at the border. I.e. in
order to avoid saturation at the border, the customs clearance should take place inland (at the point of destination).

XI-2 UEMOA ownership and management of the JBP

The location of the JBP will be determined jointly by the border states and UEMOA. The country on whose territory the JBP is located shall acquire the ownership of the land and shall thereafter transfer its property rights to UEMOA.

This approach is in line with the construction, financing, administration and management of the JBP by UEMOA.

The private land ownership by an international organization in itself does not affect the sovereignty of the country in whose territory the land is situated: the latter aspect is to be governed by the provisions on:

- competent authority and distribution of power
- applicable law
- extraterritoriality

Also the infrastructure of the JBP and its equipment will be catered for by UEMOA.

The UEMOA will be in charge of administering and managing the JBP. This approach is inspired i.a. by the neutrality thus achieved.

However the option is foreseen for UEMOA to outsource the administration/management/security provision to a private concessionary, pursuant to a public tender.

This administrator/manager of the JBP (either the UEMOA itself or the private concessionary) shall fulfill the function of JBP authority, in charge of the security in the JBP compound.

XI3 Organization and Functioning of JBP

The JBP construction and functioning shall be financed via (a mix of):

- own UEMOA means
- (foreign, international) development partners
- private investment
- proceeds from the concession contract
- user charges: a fee can be charged to the user (traveler, transport operator etc.) for the use of the border crossing facility.

The security and enforcement of security in the JBP compound shall be assured by the JBP authority.

The officers of the border Countries have exclusive competence in their respective exclusive control areas.

Both the JBP authority security forces and the countries’ officials discharging their duties for the crossing clearance in the exclusive control areas may request the assistance from the host country authority forces.

In the security perimeter around the JBP the law enforcement is exclusively performed by the authority forces of the country where the JBP is situated.
The JPB compound is subdivided into various zones, with different functions and respective concomitant restricted access regime, such as:

- the control zone, consisting of two exclusive control areas
- the administrative zone
- the commercial zone open for the general public
- the residential area for officers and their families
- etc.

Save the exceptions dictated by the extraterritorial discharge of official duties by the officers of the adjacent country, the general principle is that in the JBP compound the law of the country where it is located will apply.

The combination of the options:
(i) location of facility entirely in the territory of one adjacent country
(ii) absence of delegation of authority between the administrations of the adjacent countries

results in extra-territorial discharge of their duties by the officers of the other, adjacent country.

This situation requires a number of specific rules:
- **Extraterritoriality fiction**

According to the extra-territoriality principle all actions, interventions and formalities for the discharge of their official duties, such as:
- inspection of persons, vehicles and goods
- clearance
- seizure of goods
- arrest of persons
- drawing up of reports
- fining
- etc.)

by the officers of the adjacent (neighbor) country within the compound of the JBP on the territory of the host country, shall be deemed to have been performed on the national territory of their home country.

- **Expatriate status of equipment and personnel**

The expatriate status in the JBP of the home country equipment and personnel requires the following regime:

- Fiscal exemption for the equipment and vehicles used for the discharge of the official duties in the JBP on the territory of the host neighbor country
- Free passage of letters, messages, packages, goods and moneys between the home country territory and the JBP and vice-versa
- Free passage across the border of personnel for the purpose of discharge of their duties in the JBP
- The right to wear the uniform and to carry the service weapons for the purpose of discharging their duties. The use of service weapons is however restricted to self-defense.
Criminal, civil, fiscal, disciplinary etc. immunity for the foreign officers discharging their duties in the JBP situated in the host country

The exit country clearance is performed before the entry country clearance.

The countries shall streamline, simplify, harmonize, rationalize their procedures. They shall coordinate the clearance process with the neighbor country’s authorities, exchange information and mutually assist each other.

Apart from the tasks in this respect of the JBP authority, in order to assure better coordination between all stakeholders in the functioning of the JBP, to create a platform to exchange ideas for improved organization and functioning, and to provide a forum for settling amicably any problems and conflicts, institutional strengthening is foreseen in the form of a JBP Committee.

In order to protect the users (transport operators, travelers etc.) against arbitrariness, abuse of power, corruption of officers active in the JBP, a complaint system is installed.

The principles are laid down. The concrete elaboration of a numbers of elements is left to implementing legislative action via UEMOA Commission Regulation(s).
XII- ECOWAS ACTION PLAN FOR THE IMPLEMENTATION OF THE ROAD TRANSPORT AND TRANSIT FACILITATION STRATEGY

Trade and transport facilitation is a complex subject:

- it involves issues at national and regional levels
- it involves public and private stakeholders
- it involves domains falling under the responsibility of different ministerial departments (Finance for Customs, Home Affairs for Police, Trade, Transport, etc…)
- it involves interventions of different nature (development of legislation, provision of facilities, operational issues, etc…)

To cope with this complexity, there is a need for a structure able not only to monitor the progress made in the implementation of all aspects of trade and transport facilitation (oversight function), but also to take an active role in making changes happen (driving force function).

The analysis of the implementation failure clearly shows that the identification of a driver for the implementation, and partners, are two critical enablers. The establishment of the set of institutions serves the purpose of designating a driver.

The partners are all the stakeholders involved in the trade and transport industry. However, the participation is somewhat imbalanced, with a relatively weak private sector. The reform of the transport industry, and the similar review of the clearing and forwarding industry required by the Customs modernisation programmes have also as consequence the strengthening of the private sector capability to participate to policy dialogue.

XII-1 Creation of Corridor Authorities as a driving force:

The level of relevance of such a structure is not national, because the issues to address are trans-national by nature, and it is not regional (understood as the Regional Economic Community as an entity) because the issues to address have a market, geographic and operational focus: problems refer to concrete experiences, based on identified locations, operators, agencies.

The focus is on the corridor approach, in which a dedicated institution is given a prominent responsibility in ensuring that solutions are identified and implemented.

As this has been highlighted earlier, transport prices are high due to:

- Characteristics of the transport demand (imbalance, limited volumes, consumer goods in one direction, raw or agricultural products in the other, etc.)
- Characteristics of the transport infrastructure
- Characteristics of the transport services (industry not sufficiently structured, market access constraints, etc.)
- Characteristics of the transport environment (regulations, documentation and procedures, etc.)
Therefore, the possible areas of intervention of a corridor authority are:
- Promotion of economic investment along the corridor
- Operation and maintenance of public infrastructure and facilities
- Provision of transport and logistics services
- Regulation of trade and transport

While the experiences have been quite different, it is clear that a formal corridor institution can play an important role in each of the four functions. To do this, they must involve both the public and private sector in a meaningful partnership that works closely with the Customs Authorities and other border agencies. Their structure will depend on:

- relevant agreements between the participating governments,
- type of corridor,
- functions that the institution will address,
- management objectives,
- principal impediments faced in achieving these objectives, and budgetary resources available for its operation

The criteria to take into consideration in the definition of the appropriate management structure are summarized in the diagram (adapted from “Best practices in management of International Trade Corridors” (John Arnold – World Bank) :

One of the more important activities of these institutions is to act as advocates for the development of their corridors in interactions with the participating governments. This can include:
• providing advice on current practices, available legislation and lessons learned for previous efforts,
• collecting and disseminating information to potential users concerning the costs for using the corridor, the procedures and performance at the border crossings, gateways, and choke points within the corridor
• quantifying constraints, evaluating efforts to remove these constraints and developing targets for future improvements

In terms of scope, the corridor management mechanisms may cover five general areas:
- trade and transit agreements
- infrastructure and facilities
- transport and logistics services
- procedures and regulation
- performances monitoring

The manner in which the corridor management committee may be involved in all those areas is summarised in the table below:

Table: Corridor activities and involvement

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>SCOPE</th>
<th>LEGAL</th>
<th>PHYSICAL</th>
<th>OPERATIONAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td>Infrastructure and facilities</td>
<td>Coordination</td>
<td>Coordination</td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>Infrastructure and facilities</td>
<td>Coordination</td>
<td>Coordination</td>
<td></td>
</tr>
<tr>
<td>Legislation</td>
<td>Trade and transit agreement</td>
<td>Direct / Advocacy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation</td>
<td>Procedures and regulation</td>
<td>Direct / Coordination</td>
<td></td>
<td>Advocacy</td>
</tr>
<tr>
<td>Operation</td>
<td>Transport Services</td>
<td>Direct</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring</td>
<td>Performances</td>
<td>Direct / Coordination</td>
<td>Direct / Coordination</td>
<td></td>
</tr>
<tr>
<td>Promotion</td>
<td>Multiple</td>
<td>Direct</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adapted from “Best practices in management of International Trade Corridors” (John Arnold – World Bank)

Direct means that the Corridor Committee is the responsible entity for the corresponding activity (for instance actually drafting the legislation), Coordination means that the Committee acts as a facilitator and a coordinator for the implementation of the corresponding activity by other entities, Advocacy means that the Committee is providing input, recommendations, best practices, to the institution responsible for the implementation of the corresponding activity.

XII-2 Public and Private Partnerships

In all areas possibly included in the scope of the corridor authority purpose, the cooperation between the private and the public sector is required. It is therefore
important to ensure that the private sector is fully involved. The main impediment may be in some case the lack of a proper industry association.

The Road sector reform component of the Strategy is expected to strengthen road transport associations, while the Procedures and documentation reform component is expected to strengthen clearing and forwarding agents associations. The other institutions representatives to some extent of the private sector, such as Shippers’ Councils and Chambers of Commerce and Industry, benefit from a more structure organisation and sustainable funding. In the absence in the early stages of industry associations sufficiently organised, the more structured institutions could provide a forum for the industry so that its input can still be taken into account.

**XII-3 Strengthening ECOWAS institutional framework:**

The institutional framework designed for the ECOWAS region has been defined by the Authority in the Decision A/DEC.9/01/05, supplemented by a memorandum prepared by the Commission. The proposed framework is addressing the need for coordination at the three levels through the creation of organs at each level:

- The National Facilitation Committees
- The Corridor Management Committees
- The Regional Facilitation Committee

However, the decision is relatively vague on the articulation between the organs, even when considered in conjunction with the memorandum prepared by the Commission, and the objective of the Strategy is to provide guidelines on the respective roles of the organs and their articulation, in order to avoid duplication, and also to ensure synergies and cooperation between all organs.

**b) The National Facilitation Committees:**

The National Facilitation Committees are established as per article 2 of the decision A/DEC.9/01/05, in each member state according to the following composition:

Public sector representatives:

- Director of Land Transport or other, according to situation (Chair of the National Facilitation Committee)
- Representative from the Control institutions (Customs, Police, Gendarmerie, etc…)

Private sector representatives:

- Road Transport Association, IRST Focal point, Shippers’ Council, Clearing and Forwarding Association, etc…

Under the present EU Transport Facilitation Project (Ref: 9 ACP ROC 008), a workshop was organised in October, 3-4, 2007 in Abuja in order to examine ways forwards to speed up the official creation of the NFC, assist them in developing working programs and strengthen their capacities. A program of material support (computers and office equipments) and enlightening campaigns on the advantages of implementing the ISRT convention were adopted. Both those activities were implemented and financed by the EU Technical Assistance project during a Team Leader circular mission to almost all the countries. A training tour to Mombassa
Corridor to learn from the East African experience in corridor management was organised in May 2008 and benefited to NFC members and Presidents.

c) The Cross Border Corridor Management Committees:

The Cross Border Corridor Management Committees are established as per article of the decision A/DEC.9/01/05. The Cross Border Corridor Management Committees comprises from member states situated on the identified corridors:

- two representatives from the public sector
- two representatives from the private sector

The Corridor Management Committee as it appears in the Decision from the Authority has been reviewed on the occasion of the workshop organised under the BCEOM technical assistance, in June 5-6, 2008. The conclusion of the workshop was that the intended structure of a Corridor Management Committee at country level was not the most adequate to address issues which were trans-national by nature. It was therefore proposed to adopt the Eastern and Southern Africa model, in which a corridor authority is linked to the actual trade flows and infrastructure network, one authority per corridor with representation from each country concerned by the corridor.

This led to the adoption by the Council of Ministers in charge of Transport in September 2008 of Resolution C/RES.1/09/08 clarifying this and proposing an adjusted version of the Corridor Management Committee, with a single authority per corridor, covering several countries.

The Abidjan workshop on the Corridor Management Committees discussed the possible programme of activities of such committees. Three main types of activities have been identified:

- Launching activities. The launching of the activities of the CMC must be based on a proper analysis within the framework of the ECOWAS Regional Transit and Transport Facilitation Programme.

- Regular activities. These activities constitute the ongoing tasks assigned to the Committees:
  o liaising with other CMC on the relevant corridors
  o Monitoring of the implementation of the Regional Facilitation Programme
  o Transport Observatories
  o Information desk (at central level, but also at the borders)

- Specific activities, related to projects. Examples are:
  o National sensitisation seminars (either coordinated or not with the other CMC of a specific corridor)
  o Corridor wide seminars (trans-national seminar)

However, in the light of the background on Corridor authorities, there is clearly an insufficient definition of this type of Committee. In the context of ECOWAS, the role of this Committee is:
- problem solving at corridor level
- monitoring and analysis

Conversely, its role should not include:
- actual drafting of the legislation, procedures and regulations, but limit itself to a coordination and advocacy role (the drafting of the legislation must be organised at National level, coordinated also through the National Facilitation Committees)
- actual planning and financing of the infrastructure and facilities
- operations

The issue of promotion is more uncertain, and may have to be decided on a case-by-case basis. This is linked to the fact that the role of the Committee is focused on the land transport aspects, and that an equivalent structure for maritime aspects has been established under the UEMOA framework, in which the port authorities have a more prominent role, whereas they are the main beneficiaries of market increase. Therefore, the role of corridor promotion falls more naturally under their scope.

But keeping in mind that this structure has been established only so far for UEMOA countries, the issue has to be reviewed according to the corridor concerned.

As core activities of the Corridor authority are to be performed on an on-going basis, there is a clear need for an independent sustainable Secretariat, which has consequences in terms of sustainability. The Decision A/DEC.9/01/05 refers more to the governance structure of such a committee than its actual organisation.

Due to the multidisciplinary nature of the issues to address, the Secretariat must reflect that multidisciplinary approach, and comprise expertise in at least the following areas:
- Customs procedures and documentation
- Transport policies
- Trade policies
- IT

The extent of the Secretariat will depend on the importance of the corridor, in terms of volumes, but also in terms of magnitude of the issues to address.

The members of the Committee, as referred to by the Decision, would constitute in this context the governing body of the Committee, overseeing the daily activities of the Secretariat.

\[d) \text{ The Regional Facilitation Committee}\]

The Regional Committee comprises:
- two representatives from each of the National Committees (one from the public sector, one from the private sector)
- the ECOWAS Commission
- UEMOA

The roles of this Committee are:
- to coordinate and ensure harmonisation at regional level of facilitation activities
- to consolidate the input from the National Facilitation Committees for preparation of decisions by the Council or the Authority

e) Articulation of the Committees:

a) The three layers

In order to be efficient, the framework must define clearly the purpose and scope of each level of institution, and the way it relates to the others.

The following diagram is highlighting the relationship between the three layers, and their connections with the regional governance structure.
The respective role of the Regional Facilitation Committee in the regional governance structure is that of a transport facilitation policy maker. The RFC role is to adapt the strategy defined by the RFC to each corridor characteristics and constraints, monitor the progress of its implementation on the ground and propose operational measures to achieve the facilitation objectives.

As such, their relationship mirrors the equivalent relationship in the regional governance structure, with a necessary coordination and harmonisation role between the two extreme layers, regional and corridor.

The issues identified at Corridor level must be addressed by reforms which can only take place at national level. It is therefore extremely important to ensure that the activities of the two layers (national and corridor) are coordinated.

This is facilitated by the fact that members of the RFC are drawn from the NFC. In addition, elements of monitoring at corridor level require input from the national level.

b) The other facilitation stakeholders

The Facilitation framework resulting from the Decision A/DEC.9/01/05 is not alone, and other bodies have responsibilities and roles touching on facilitation issues:

- Facilitation structures at port level
  The competitiveness of a corridor has a direct impact on port activity. Port authorities therefore directly benefit from an efficient corridor, and it is in their best interest to ensure that this happens. As a consequence, the facilitation structures existing at port level have a scope which extends beyond the port area. The port authority represents an important support for the corridor authority, and its input must be taken into account.

- Shippers Councils
  Shippers Councils have been reorganised for the UEMOA region by the Directive 04/2002/CM, defining their role as assistance to shippers in terms of transport. As such, their mandate includes elements of facilitation. In most cases, they collect and process information on trade and transport, and represent a valuable source of information.

f) Sustainability:

The issue of the sustainability of a permanent structure for the Facilitation organs has two dimensions:

- Institutional, in order to answer the question of why such a permanent structure would be needed, and what should it do to achieve its purpose
- Financial, in order to ensure that adequate funding and human resources are made available to make this structure effective.

The positioning of the role and purpose of the institution is therefore the main criteria that will dictate the level of support it requires.
a) National Facilitation Committee

The role of the National Facilitation Committee is primarily implementation and coordination among the different national stakeholders.

As the Chair of the Committee is designated in the Decision as the Director in charge of Transport at the Ministry in charge of Transport, it would seem logical to assign the task of providing secretariat facilities for the Committee to a dedicated unit with the ministerial department.

b) Corridor Management Committee

The establishment and maintenance of a permanent secretariat, staffed with an adequate level of expertise and having sufficient resources to operate regionally is an expensive undertaking.

The issue of its sustainability is therefore critical. The principle which should be applied is that beneficiaries should contribute to the structure, which means the trade and transport community at large.

A successful mechanism developed notably for the Mombasa Corridor is a mixed funding, shared between the Treasury of the Corridor countries by direct remittances, and the users through a levy on transit traffic.

The UEMOA Regulation 02/2008/CM/UEMOA is introducing a levy destined for a Maritime Fund. The possible use of this mechanism to fund the Corridor authorities and its extension to the ECOWAS region should be reviewed. However, the basis on which the levy is collected is not related to the transit or even regional trade, and using this mechanism may constitute a breach of the users pay principle.

c) Regional Facilitation Committee

The Regional Facilitation Committee is primarily a policy maker organ at Community level which will prepare the transport and transit facilitation decision making process by ECOWAS Heads of States and Governments Authority. As such, the requirements in terms of support are limited to the organisation of its meetings. Due to the close linkages with the Community organs, the support and secretariat of this Committee should be done by the Commission, and more precisely its Facilitation unit.

With this set-up, the issue of sustainability is not relevant, and there is no need for a specific budget (participation of NFC representatives should however be supported through the respective NFC)

XII-4 Corridor Performance Indicators And Transport Observatories

Given the challenges facing landlocked countries, sensitizing and influencing policy makers on how to improve access requires accurate and specific data on impediments to the smooth flow of traffic. Appropriate data can assist in pinpointing those components of the regional systems that are not working well so that infrastructure, regulatory or institutional reform interventions, or simply operations improvements can be better targeted. It is therefore critical that data on corridor operations be collected systematically.

The performance of a corridor can be evaluated from two main perspectives:

- An **infrastructure perspective**, which considers the physical capacity of links and nodes in a corridor as well as their use. This approach is often used when
deciding on requirements for additional capacity but provides little insight into the effect of corridor performance on trade.

- The second perspective examines the quality of the services provided for goods moving on the various routes. Performance is measured in terms of average time and cost for transport units moving through this corridor. These may be broken down into time and cost for specific links and nodes.

This second perspective is more relevant to the issues linked to facilitation, as it focuses on the measurement of the efficiency of the transport chains, and pinpoints where actions must be taken, and provides the necessary tools for the analysis of the reasons why and at which level the performances are compromised.

The SSATP programme, through its Regional Integration component, has been instrumental in the development of the transport observatory methodology. Several experiences in different parts of the continent have been made, thanks to the support of multilateral of bilateral donors (notably the World Bank and USAID), and the lessons to be drawn published as a SSATP Discussion Paper.

The various experiences conducted under the coordination of the regional integration component of the SSATP underscore the critical importance in the data collection mechanisms to implement.

There are two main modes:

- dedicated surveys, either on a specific route or at specific nodes
- raw operational data obtained from the management systems of the transport operators, preferably IT systems

The advantage of dedicated surveys is that the data collected correspond exactly to the monitoring requirements, although at a greater cost, and generally questionable statistical validity.

The advantages of accessing raw operational data over dedicated surveys are the availability of large amounts of data, generally guaranteeing its statistical validity, and the low cost of access. The downside of this approach is that the production of performance indicators is restricted to the processes observed by the management system, as opposed to a tailored survey.

1. The road transport surveys

The road transport survey is an example of dedicated survey on a set of routes. It has been designed in such a way that:

- Results would be accepted as representative of the actual conditions of road transport
- Analysis could be detailed, notably in terms of location of the delays and cause for the delays

The two requirements together implied that observations must constitute a statistically valid sample of the trips to analyse, while the level of analysis intended by the second requirement implied the design of a dedicated questionnaire to be filled by the driver, who is the only person in a position to provide the relevant information.
This is achieved by designing a form capturing the required data elements to quantify the phenomenon under observation, and liaise with road transport operators and truck drivers to ensure that forms are properly filled and returned for analysis.

The West Africa transport observatories are aimed at observing malpractices by the control agencies, measuring the location, frequency and impact of delays generated by road checkpoints, and the amount of informal payments made by truck drivers at such checkpoints.

The other example of road transport survey was developed on the Mombasa Corridor. Although the focus is different, with the intent to quantify delays according to location, as for West Africa, but also by cause (and not only control agencies), and without the focus on bribes, the methodology used is basically the same.

2. Nodes surveys:

The other type of dedicated survey has been developed to measure border crossing delays in Southern Africa, with observers positioned at the border recording successive steps in the border crossing for a series of trucks.

The reference model is the monitoring of border crossing delays at the Chirundu border post, between Zimbabwe and Zambia, on the busy Durban North South Corridor. The objective was to measure delays in the perspective of establishing a joint border post. The feasibility study phase of this perspective involved collecting the time of the successive processes (customs, immigration, etc...) on both sides of the border through the deployment of agents following the trucks. The number of trucks monitored enabled analysis for various types of commodities and traffics, and relied on information independent from the operators, which may have vested interests in the measure of the performance.

3. The Time Release Study (TRS):

The World Customs Organisation (WCO) developed a guide to implement Time Release Studies (TRS), proposing to measure a number of indicators which will assist in the assessment of the performances of a Customs administration, and will suggest areas of improvement.

The main indicator suggested by the TRS is the average time taken from the arrival of the goods to their release. It is also suggested that this time be itemised in the following key elements:

- time from the arrival of the goods to the lodgement of the goods declaration;
- time from the lodgement of the goods declaration to the assessment of duty and taxes;
- time taken for examination of the goods;
- time from the assessment to the payment of duties and taxes;
- time from the duty payment to the release of the goods;
- time taken in the intervention by other agencies;
- the average time taken at each individual process;

The guidelines also suggest to measure the time for different types and status of goods, and also to conduct this survey over a sufficient period of time to obtain
statistically valid information, enabling the analysis of the reliability of the measure of the duration of the different processes.

The main output was a measure of the average time and standard deviation for the duration of a series of processes required for the clearance of the goods, whether performed by the customs authority or by other control agencies.

4. Management data from operators:

The other main mode of data collection is based on the fact that an increasing number of transport operators and agencies have computerised the management of their activity. The data generated primarily addresses the needs of the operator, but its relevance extends beyond the internal process.

This category is more complex to define, as it covers several types of operators each with its specific type(s) of process.

In addition, the data can be either managed through a computerised system, or rely on a manual system (log books, trip sheet, etc…).

XII-5 Development of Transport Observatories

The development of the Transport Observatory must address two issues:

- Which indicators to include in the framework?
- Which sources for the required data?

As a generic approach, the indicators to monitor can be grouped into three levels:

- corridor wide indicators
- country specific indicators
- location or mode specific indicators

In addition to this geographical orientation, the selected indicators are covering four main areas:

- volume related indicators
- time related indicators
- value related indicators (such as costs, prices and tariffs)
- efficiency and quality related indicators

The two dimensions combine to identify a specific indicator (for instance the annual mileage of the trucks is an efficiency related indicator at modal level, while the transit time within the country is a country specific time related indicator).

Table: Combination of topic and geographic scope of indicators

<table>
<thead>
<tr>
<th></th>
<th>Volumes</th>
<th>Delays</th>
<th>Prices &amp; Costs</th>
<th>Quality &amp; Efficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Corridor wide</strong></td>
<td>Total transit</td>
<td>Total transit time</td>
<td>Total price</td>
<td></td>
</tr>
<tr>
<td><strong>National</strong></td>
<td>Border counts</td>
<td>Border crossing</td>
<td></td>
<td>Road network, Customs</td>
</tr>
</tbody>
</table>
However, the exact content and scope of the framework to be adopted may present differences according to the facilitation issues perceived by the operators. For instance, in West Africa, the issue of road blocks and bribes is extremely sensitive, at least in terms of perception, and that may justify the addition of specific indicators.

The sources for the production of the indicators are:

- Dedicated surveys through forms (for instance for road transport)
- IT data from transport operators, linked to track consignments over complete transport chains
- Interviews with stakeholders
- Existing indicators (port, rail, customs, police, ministries of transport, of roads, etc.)

The last two topics (Prices & costs, and Quality / Efficiency) for the indicators are more of a qualitative nature, and are generally obtained through interviews or extracted from other sources as existing indicators.

**Table: main potential sources per type of indicator**

<table>
<thead>
<tr>
<th>Volume</th>
<th>Time and delays</th>
<th>Prices and costs</th>
<th>Quality and efficiency</th>
</tr>
</thead>
</table>
| - Port traffic | - Road transport observatories  
- Shippers’ Council and Ministries of Transport  
- Customs trade data  
- Railway activity  
- Border posts registrars  
- Dry ports registrars | - Interviews with shippers  
- Interviews with transport services providers | - Road conditions from Ministries in charge of roads  
- Fleet capacity from Ministries in charge of transport  
- Control agencies for permanent road blocks  
- Operators |

Time related indicators produce a series of measure which vary between two extreme situations, but are concentrating around an average value. The extent of the difference between the extremes and the concentration around a pivotal measure are an indication of the predictability of the process.

Usually, the frequency distribution of the duration of a process conforms to an asymmetric curve, with a broad tail. Due to its characteristics, the average is higher than the median value.
In this sample (round trip duration from Mombasa to North Mara area in Tanzania), the average time is 9.08 days for a round trip, but more than 2/3 of the trips are taking less than that, while the median time is 8 days. In this case, the standard deviation is 2.9, a relatively low value reflecting the consistency of the indicator (in this case explained by the fact that it concerns relatively homogeneous round trips by the same company for similar cargo).

The main issue is therefore to select the indicator which will correspond to the instinctive perception of the operators, and which is not distorted by extreme situations. The usual solution is to concentrate on the central values of the measurements, ignoring the 5% or 10% extreme values.

The impact of the tail of the distribution is highlighted in the following example, based on port dwell time for containers delivered by road. Uganda figure is based on 7,851 observations, DR Congo on 1,210 observations and Rwanda on 644 observations, over the period July-October 2006, representing over 95% of the port throughput for that period.

The comparison between the median value and the average is interesting, and shows how indicators may seem irrelevant to operators, as being different from their daily perception. The use of a cropped distribution, ignoring the 5% or 10% extreme observations, is producing indicators closer to this perception.

**Table: Mombasa port dwell time according to destination country**

<table>
<thead>
<tr>
<th>Measure</th>
<th>Uganda</th>
<th>Rwanda</th>
<th>DR Congo</th>
</tr>
</thead>
<tbody>
<tr>
<td>95%</td>
<td>28</td>
<td>29</td>
<td>21</td>
</tr>
<tr>
<td>25%</td>
<td>7</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>50% (median)</td>
<td>11</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>75%</td>
<td>16</td>
<td>16</td>
<td>13</td>
</tr>
<tr>
<td>Average</td>
<td>12,9</td>
<td>13,2</td>
<td>10,4</td>
</tr>
<tr>
<td>Average 90%</td>
<td>11,3</td>
<td>10,4</td>
<td>8,8</td>
</tr>
<tr>
<td>Average 95%</td>
<td>11,2</td>
<td>10,3</td>
<td>8,9</td>
</tr>
<tr>
<td>St. Dev.</td>
<td>8,2</td>
<td>9,8</td>
<td>6,4</td>
</tr>
<tr>
<td>Min</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Max</td>
<td>85</td>
<td>94</td>
<td>77</td>
</tr>
</tbody>
</table>
XII-6 Ways forward:

The existing Transport Observatories for the West African corridors are primarily aimed at measuring the impact of the check points along the roads in terms of delays and bribes.

In the perspective of monitoring the global performances of the corridors, this is not sufficient, and the scope must be extended.

To achieve this, several sources of data must be included in the Observatory, with a constraint on their sustainability, which implies that the cost of data collection must be minimised.

The initial steps in this expansion must be the following:

- an assessment of the users requirements in terms of monitoring
- an assessment of the data creation opportunities in the region
- an identification of the data gap between the requirements and the available data
- the definition of a corridor wide data collection, analysis and dissemination mechanisms

• Users’ requirements:

The generic framework detailed above must be validated by the users, and may have to be tailored to suit the needs of a specific corridor. However, the general structure must be maintained, and additional indicators can perfectly be accommodated within this framework.

• Data creation opportunities:

The data creation opportunities are numerous, and most of them untapped.

The level of computerisation of the transport operators and agencies is increasing in the region, or should increase as a result of the implementation of the facilitation strategy:

- Customs will rely more and more on automated systems, ASYCUDA, GAINDE or SYDAM, with an increased geographical cover extending to regional and border offices, and some include remote monitoring of transit cargo for security purposes
- Ministries of Transport must computerise vehicle registration and licensing
- Shippers’ Councils are capturing manifests or relying on Electronic Cargo Tracking Notes

Some of the other components of the Facilitation Strategy have a direct impact on the possibility to create operational data that will find its use in the development of the transport observatories, as illustrated in the following table.

Table: options for future sources of data for the transport observatories

<table>
<thead>
<tr>
<th>Source</th>
<th>Short-term</th>
<th>Mid-term</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customs</td>
<td>Yes</td>
<td></td>
<td>Automation and tracking</td>
</tr>
</tbody>
</table>
Ministries Transport  Yes  Vehicle registration and licensing
Shippers’ Councils  Yes  e-Cargo Tracking Note
Guarantee Scheme  Yes  Secure transit
Border posts  Yes  Computerisation of border operations
Road transport  Yes  Fleet management
Forwarding agents  Yes  Multimodal transport

- Secure transit:

The secure transit regime concept developed to take advantage of the green channels established at the joint border posts represents an excellent opportunity to collect data for performance monitoring purposes. The secure transit regime relies on a regional IT infrastructure dedicated to the tracing of the consignments covered by the regime throughout the region, from origin to destination, through the successive border crossings.

Independently from the actual technology used (RFID or bar code, or any other), the principle is as follows:

- The characteristics of the consignment are captured into the information system for the guarantee regime when the guarantee is issued, with a unique identifier

- At each check point, the passage of the consignment is validated into the information system using the unique identifier, with an indication of its status, its location, and a time stamp

The chain of successive validations is therefore enabling the tracing of the consignment, and the measure of a number of time related indicators.

Guarantee:
- Reference
- Time stamp

Consignment details:
- origin
- destination
- commodity
- cargo type
- weight
- ...
- ...

Coupled with identifiers on truck, customs declaration reference, etc ...

Stage 1:
Guarantee reference
- location
- time stamp
- status

Stage 2:
Guarantee reference
- location
- time stamp
- status

Stage x:
Guarantee reference
- location
- time stamp
- status

Destination:
Guarantee reference
- location
- time stamp
- status
Pros and Cons of the system:

<table>
<thead>
<tr>
<th>+</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Tracing from origin to destination</td>
<td>- Scope limited to application of secure transit</td>
</tr>
<tr>
<td>- Time related indicators</td>
<td>- Border crossing delays not captured</td>
</tr>
<tr>
<td>- Volume related indicators</td>
<td>- Not representative of the standard conditions by virtue of “green channel” treatment</td>
</tr>
<tr>
<td>- Computerised data</td>
<td>- Multiple identifiers enabling handles to other computerised systems</td>
</tr>
<tr>
<td>- Fully linked to cargo description</td>
<td>- Not representative of the standard conditions by virtue of “green channel” treatment</td>
</tr>
</tbody>
</table>

- Licensing and registration:

Under the Road sector programme of the Strategy, and in conformity with previous Community Decisions, the licensing and registration of trucks and transports companies must be computerised. As such, extracting information of the characteristics of the transport offer at regional level and monitoring its evolution over time becomes a possibility.

Pros and Cons of the system:

<table>
<thead>
<tr>
<th>+</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Comprehensive quality related indicators on the road transport offer</td>
<td>- None</td>
</tr>
</tbody>
</table>

- Customs tracking:

This option concerns so far only Ghana, with possible extensions to Burkina Faso and Mali which were under negotiation. The Customs tracking is established for security purposes, in order to avoid cargo diversion in the transit country. It relies on an electronic seal coupled with a GPS and a communication device signalling the position of the consignment in real time, with associated alerts in case of violation of the seal or diversion from the transit route (geo-fencing).

The information produced is similar to fleet management systems for road transport companies using GPS and communication systems for monitoring their vehicles. Based on assessments made in other regions, notably East Africa, the information produced might not be adequate for the production of indicators, mainly because of its volume and the window of observation (frequency and times of reporting), and its lack of additional detail besides location and time. Notably, the link between the tracking device and the characteristics of the consignment is of unknown status.

In addition, it duplicates the information that would be generated by the secure transit scheme. As such, its potential use as data source for the Transport Observatory is limited.

Pros and Cons of the system:

<table>
<thead>
<tr>
<th>+</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Potentially extremely detailed location / time information for time related indicators</td>
<td>- Complex to use</td>
</tr>
</tbody>
</table>
| - Unknown status of the additional information | - Duplicates other process easier to
• Joint Border Post Management:
The JBP proposed under the Facilitation project include a number of computerised functions which can generate data with potential use for performance monitoring purposes.

Notably, if a gate registration system is implemented, that would directly enable the monitoring of the border crossing delays. As the main purpose of the JPB is to reduce delays, this is an absolute requirement, in order to measure the effectiveness of the decision to establish such facilities:

- Reports on border crossing counts
- Reports on border crossing delays (gate in – gate out, with document process time stamped within those limits)

Pros and Cons of the system:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>- comprehensive information on border process (time related and volume related)</td>
<td>None</td>
</tr>
</tbody>
</table>

• Shippers’ Councils:
The statistics maintained by the Shippers’ Councils are based on the capture of the shipping manifest information. Some countries have further developed the system by establishing an electronic cargo tracking note (e-CTN) but the principle remains the same in both cases. The only difference is that in the traditional system, the Council is capturing the data, while in the e-CTN, the shipper or its representative (clearing and forwarding agent for instance) is keying the data into a remote system to obtain the cargo tracking note.

The scope is comprehensive in terms of transit information, and also for import and export in case of coastal countries, and future development includes a more precise description of the transport chains, depending on the level of control exerted on the e-CTN prior to the final clearing.

Pros and Cons of the system:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>- Comprehensive cover in terms of scope</td>
<td>No time stamp</td>
</tr>
<tr>
<td>- Volume related indicators</td>
<td></td>
</tr>
</tbody>
</table>
• Information Gap:

The only significant initiative in terms of monitoring of corridor performances is the UEMOA – WATH road transport observatory, which is focusing on delays and informal payment along the corridor routes. Two main corridors are covered:

- Tema – Ouagadougou – Bamako
- Lome – Ouagadougou

In addition, rapid surveys conducted at the end of the year 2007 allowed for the preparation of an extended map covering additional corridors:

- Cotonou – Niamey
- Dakar – Bamako
- Conakry – Bamako
- Lome – Niamey (branching from the main Lome – Ouagadougou corridor)

The information produced is useful to monitor the contentious issue of road blocks, as it has been designed for that purpose, but does not provide information on total transit time from port to delivery and vice-versa.

The only information available on total delivery time used to be produced by Delmas, the shipping line, as an average of reported transit time for its own consignments. Due to the marketing character of this information, but also its bias, as it is based solely on the activity of a major freight forwarder, it is necessary to confirm the data reported with other sources.

For volume related indicators, the two only sources of data are the Shippers Councils and the Ministries of Transport of the landlocked countries, which are compiling statistical trade information:

- Mali is relying on traffic data provided by the port branches of “Entrepots Maliens” to monitor her maritime trade
- CBC of Burkina Faso is publishing summary statistics for her maritime trade through ports
- CNUT of Niger is publishing traffic statistics

The information gap for monitoring Corridor performances is huge:

- there is no organised collection and consolidation of the transit trade flows from the ports and trade data from Shippers’ Councils
- There is no organised process of Customs Data to monitor intra-regional trade
- The ports are not publishing, and in most cases not monitoring, cargo dwell time in ports
- Border crossing counts and delays are collected on an ad-hoc basis

Using the principles of demonstration pilot projects and fast track, the recommended approach is to select a corridor in which conditions are favourable for the successful development of an expanded Transport Observatory.

The steps to be followed for its establishment are as follows:
- conduct a Time Release Study on the port from which the corridor is originating, distinguishing between import / export trade of the coastal country and the transit trade through the port
- Conduct a survey on the potential and existing data sources
- Organise a workshop at corridor level to clarify the users’ requirements on the basis of the framework presented in the Strategy
- The combination of the last two steps will directly result in the identification of the data / process gap
- Define a pilot scheme for the development of the Transport Observatory
  - Integration of the existing (data collection mechanisms and transport observatory structure)
  - Conduct dedicated surveys on the key gaps
- Prepare an Action Plan for the integration of the ongoing and future developments.

The existence of a Corridor Management Committee is a pre-requisite for the execution of the last two steps.

XII-4 References:

There are two main methodological references in terms of performance measurement