

COMUNIDADE ECONOMICA DOS
ESTADOS DA AFRICA DO OESTE

ECONOMIC COMMUNITY OF WEST
AFRICAN STATES



COMMUNAUTE ECONOMIQUE DES
ETATS DE L'AFRIQUE DE L'OUEST

ORIGINAL: FRENCH

**2ND ECOWAS TRADE LIBERALISATION SCHEME
NATIONAL APPROVALS COMMITTEES MEETING**

COTONOU, 14TH - 16TH DECEMBER 2010

FINAL **R**EPORT

I- INTRODUCTION

1. The 2nd meeting of the National Approvals Committees (NACs) on the ECOWAS Trade Liberalisation Scheme (ETLS) was held at Sun Beach Hotel, Cotonou in the Republic of Benin from 14 to 16 December 2010.

2. The under-listed Member States were represented at the meeting:

- Republic of Benin
- Burkina Faso
- Republic of Cape Verde
- Republic of The Gambia
- Republic of Ghana
- Republic of Guinea
- Republic of Guinea Bissau
- Republic of Nigeria
- Republic of Senegal
- Republic of Sierra Leone
- Togolese Republic

Were absent:

- The Republic of Mali
- Cote d'Ivoire
- Niger
- Liberia

Also took part, representatives of The ECOWAS Commission and the West African Monetary Institute (WAMI).

3. The list of participants is attached to this report as Annex.

II- OPENING CEREMONY

4. The Director General of Industries of the Republic of Benin, Dr. Abdoulaye Assoudo speaking on behalf of the Honourable Minister of Industries, welcomed delegates to Cotonou. He underlined the important role of the National Approvals Committee in the structure of the scheme and mentioned the lack of trust as one of the factors undermining the harmonious development of the preferential regime in intra-community trade. He urged participants to suggest measures that could facilitate and accelerate the approval process to ensure growth in intra-community trade.

5. The Commissioner of Trade, Customs, and Free Movement, at the ECOWAS Commission, Honourable (Alhaji) Mohammed Daramy, in his speech emphasized that the development of intra community trade has the potential to enhance the productive capacity of the region not only for the economic well being of our peoples but also to place the region in a suitable position to be able to take advantage of multilateral trading arrangements.

6. He reiterated the fact that the National Approvals Committee is a major building block in the scheme and its operations and activities are indeed crucial to the overall success of trade liberalization efforts in the region. He underscored the point that the efficiency and professionalism with which members of the NAC tackle their work in largely determine the extent to which private sector operators can access the regional market.

7. He expressed the hope that the 3-day meeting would afford the National Approvals Committees the opportunity to review their operations, evaluate the implementation of the scheme in their various countries, and come up with workable solutions to the challenges facing the scheme.

III- ELECTION OF BUREAU AND ADOPTION OF AGENDA

8. The Bureau was elected as follows:

- Chairman: Nigeria
- Rapporteurs: Guinea
Sierra Leone

9. The following agenda was adopted:

- PRESENTATION AND EXAMINATION OF STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE 1ST NAC MEETING
- PRESENTATION OF ECOWAS TRADE LIBERALIZATION SCHEME BY ECOWAS COMMISSION
- PRESENTATION OF REPORT OF ACTIVITIES BY NACs
- ANY OTHER BUSINESS

IV- OUTCOME OF DELIBERATIONS

Item 1- PRESENTATION AND EXAMINATION OF STATUS OF IMPLEMENTATION OF THE RECOMMENDATIONS OF THE 1ST NAC MEETING

10. The Commission made a tabular presentation of the status of implementation of the recommendations at the 1st National Approvals Committees meeting held in Abuja in 2009. It was revealed that the recommendations were largely in the process of execution. In the ensuing discussions, participants made the following observations:

- a. The need to expedite the process of notification of approved products/enterprises to Member States;
- b. Operationalisation of ETLS website will enable Member States as well as the general public have easier access to information;
- c. Concern was expressed on the continuous existence of prohibition list in some member states affecting products originating from the community;
- d. The importance of reviewing the possibility of products from enterprises operating under suspense customs regimes benefitting from the scheme;
- e. The need for more effective information dissemination, educational and sensitization activities on the scheme in Member States.

Item 2- ECOWAS TRADE LIBERALIZATION SCHEME- PRESENTATION BY ECOWAS COMMISSION

11. As an introduction to the discussion on ETLS, the ECOWAS Commission made a presentation on the following:

- A brief reminder of the scheme with emphasis on the concept of originating products and the approval process;
- Challenges and Suggestions.

Three major challenges were identified as follows:

- a) Mastering the scheme
- b) Removal of tariff and non tariff barriers
- c) Supervision of the approval process.

12. Based on this presentation, participants observed the need for the review and simplification of the approval process as well as the update of the database of approved products/enterprises. The Commission reiterated its commitment to implement any recommendation in this regard with the collaboration of NACs should the need arise.

Item 3- PRESENTATION OF REPORT OF ACTIVITIES BY NACs

13. Presentations on the activities of the NACs were made by member states covering the operations of the committees; status of implementation of the scheme in their respective countries; challenges, and recommendations.

Following these reports, the Commission informed the meeting that:

- An ETLIS train-the-trainers programme would be undertaken for Member States in the year 2011, and each state would be required to nominate four(4) delegates for the programme;
- The frequency of meetings of the NAC is to be determined by each Member State;
- Member States should endeavour to include officials of their national standards organizations in the NAC.
- ECOWAS national units should endeavour, in collaboration with NACs, to organize seminars and sensitization programmes for business operators.

14- Participants expressed concern about the existence of a prohibition list in some Member States affecting community products. This situation it was noted is adversely affecting the smooth implementation of the scheme in the region.

15- Participants expressed concern about the use of national standards and quality control as non tariff barriers and urged the Commission to accelerate work on the harmonization of standards in the region.

16- The need to network the NACs in the region is pertinent to the resolution of conflicts in the implementation of the scheme. In this direction it was proposed that each NAC should designate a focal point for the purpose and communicate same to the Commission by the end of the first quarter of the year 2011.

17- For the purpose of providing Member States with a database of approved products/enterprises, the Commission assured participants that the database available at the Commission would be updated and forwarded to Member States within the first quarter of the year 2011.

V. RECOMMENDATIONS

18. Further to the debate that followed the presentations, the following recommendations were made:

- a) ECOWAS Commission should expedite the notification process to Member States and authenticate all documents attached to the notification letters.
- b) Harmonization of ECOWAS/ UEMOA regulations on the scheme should be accelerated
- c) The necessity of exempting originating products from existing prohibition list.
- d) The need to establish a visible link between decisions, annex and to authenticate all documents before transmission by the Commission
- e) The Commission is to undertake periodic mission to Member States to assess level of implementation and challenges to the scheme.
- f) Simplification and facilitation of the approval process relative to:
 - Approval file;
 - Transmission format of approval documents and notifications;
 - Notification deadline by the Commission
- g) Update of approved products/enterprise database should be undertaken by the Commission
- h) Study by the Commission of enterprises operating under suspensive regimes should be conducted
- i) Invitation to Member States and the Commission to undertake good record management system.
- j) Member States were urged to respect the provisions on dispute resolution contained in the ECOWAS protocol A/P1/1/03 of 2003.

V. RECOMMENDATIONS

18. Further to the debate that followed the presentations, the following recommendations were made:

- a) ECOWAS Commission should expedite the notification process to Member States and authenticate all documents attached to the notification letters.
- b) Harmonization of ECOWAS/ UEMOA regulations on the scheme should be accelerated
- c) The necessity of exempting originating products from existing prohibition list.
- d) The need to establish a visible link between decisions, annex and to authenticate all documents before transmission by the Commission
- e) The Commission is to undertake periodic mission to Member States to assess level of implementation and challenges to the scheme.
- f) Simplification and facilitation of the approval process relative to:
 - Approval file;
 - Transmission format of approval documents and notifications;
 - Notification deadline by the Commission
- g) Update of approved products/enterprise database should be undertaken by the Commission
- h) Study by the Commission of enterprises operating under suspensive regimes should be conducted
- i) Invitation to Member States and the Commission to undertake good record management system.
- j) Member States were urged to respect the provisions on dispute resolution contained in the ECOWAS protocol A/P1/1/03 of 2003.

VI. ANY OTHER BUSINESS

19. There was no discussion under this agenda item.

DONE AT COTONOU, THIS 16TH DAY OF DECEMBER, 2010

A handwritten signature in blue ink, appearing to read 'Olaniyan Safiu O.', is written over the printed name.

**OLANIYAN SAFIU O.
CHAIRMAN**