

A/DEC17/5/80 DECISION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES RELATING TO THE MODIFICATION OF ARTICLE 2 PARAGRAPH 2 OF THE PROTOCOL RELATING TO THE ASSESSMENT OF LOSS OF REVENUE OF MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the Treaty establishing the Authority of Heads of State and Government and defining its composition and functions.

DECIDES

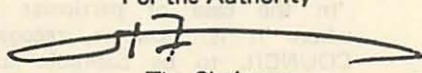
Article 1 Paragraph 2 of Article 2 of the Protocol relating to the Assessment of Loss of Revenue of Member States of the Economic Community of West African States is modified as follows:

"2. The Assessment of losses shall be notified and the payment of compensations shall be effected at the same time to all beneficiary Member States".

Article 2 The present Decision shall come into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

Done at Lome 28 May, 1980 in single original in the English and French languages, both texts being equally authentic.

For the Authority



The Chairman

A/DEC 18/5/80 DECISION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES RELATING TO TRADE LIBERALIZATION IN INDUSTRIAL PRODUCTS

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of the Treaty establishing the Economic Community of West African States and especially its Articles 5, 13 and 17.

CONSIDERING Decision No. 5 of the Council of Ministers Meeting of 25th May, 1980

DECIDES

Article I - TRADE LIBERALIZATION IN INDUSTRIAL PRODUCTS AND ELIMINATION OF TARIFF BARRIERS SHALL BE GOVERNED BY THE FOLLOWING SCHEDULES:

SCHEDULE I

a. Products of Community Enterprises

Such products shall be liberalized immediately they are produced and they shall have free access to the Community market duty free.

b. Priority Industrial Products to enjoy accelerated Liberalization

Such products shall be liberalised over a period of four (4) years at the following rate: 25, 50, 75 and 100 per cent which shall be implemented on the 28th of May of the years 1981, 1982, 1983 and 1984 respectively.

c. Other Products

Such products shall be liberalized over a period of six (6) years at the following rate: 15, 30, 50, 70, 90 and 100 per cent which shall be implemented on the 28th of May of the years 1981, 1982, 1983, 1984, 1985 and 1986 respectively.

2. THE TARIFF ELIMINATION SCHEME STIPULATED IN SCHEDULE I ABOVE SHALL APPLY TO IVORY COAST, GHANA, NIGERIA AND SENEGAL

SCHEDULE II

a. Products of Community Enterprises

Such products shall be liberalized immediately they are produced and they shall have free access to the Community market duty free.

b. Priority Industrial Products to enjoy Accelerated Liberalization

Such products shall be liberalized over a period of six (6) years at the rate of 15, 30, 50, 70, 90 and 100 per cent which shall be implemented on the 28th of May of the years 1981, 1982, 1983, 1984, 1985 and 1986 respectively.

c. Other Products

Such products shall be liberalized over a period of eight (8) years at the rate of 10, 20, 30, 45, 60, 75, 90 and 100 per cent which shall be implemented on the 28th of May of the years 1981, 1982, 1983, 1984, 1985, 1986, 1987 and 1988 respectively.

3. THE TARIFF ELIMINATION SCHEME STIPULATED IN SCHEDULE II ABOVE SHALL APPLY TO BENIN, CAPE VERDE, GAMBIA, GUINEA, GUINEA BISSAU, UPPER VOLTA, LIBERIA, MALI, MAURITANIA, NIGER, SIERRA LEONE AND TOGO

Article II ELIMINATION OF NON-TARIFF BARRIERS

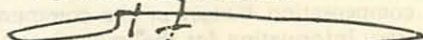
For the purposes of eliminating non-tariff barriers the following scheme shall apply:

1. All Member States shall be treated on the same level.
2. The method of liberalization shall be left to the discretion of Member States.
3. Liberalization shall be undertaken at a faster rate than tariff barriers and shall be eliminated over a period of four (4) years commencing from the 28th May, 1981.

Article III Subject to the provisions of Decisions No. 5 of the Council of Ministers of 25th May, 1980, this decision shall enter into force on 28th May, 1980, upon signature and shall be published in the Official Journal of the Community and in the National Gazette of respective Member States.

Done at Lome this 23th May, 1980 in single original in the English and French languages both texts being equally authentic.

For Council of Ministers



The Chairman

A/DEC19/5/80 DECISION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES RELATING TO THE APPLICATION OF THE COMPENSATION PROCEDURES FOR THE LOSS OF REVENUE SUFFERED BY ECOWAS MEMBER STATES AS A RESULT OF THE TRADE LIBERALIZATION PROGRAMME

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of the Treaty of the Economic Community of West African States and especially Articles 13, 20, 50 and 52:

MINDFUL of the Protocol relating to the assessment of loss of revenue recorded by Member States of the Community;

MINDFUL of the Protocol relating to the Fund for Cooperation, Compensation and Development of the Community and especially Article 2 (a);

MINDFUL of decision No. 4 of the Authority dated 28th May, 1980 relating to the Trade Liberalization Programme of the Community;

Article I

CHAPTER I; DEFINITIONS AND PROCEDURES

The loss of revenue suffered by a Member State due to the implementation of the Treaty constitutes

the total shortfall in receipts recorded by that Member State as a result of Trade Liberalization within the Community.

This is equal to the difference between the revenue that would have accrued if the most favoured nation rate or the general rate, whichever, was applicable and consolidated on 28 May, 1979, and the actual revenue collected by using the preferential rate of duty derived from the liberalization programme as decided by the Council of Ministers.

Article 2

The preferential rate of duty shall be the difference between the rate applicable to the third country benefitting from the most favoured Nation clause and the product of this rate by applying the liberalization rate resulting from the liberalization programme, decided by the Authority of Heads of State and Government.

In the event of the favoured Nation rate not granted to third country, the preferential rate of taxation shall be the difference between the rate of common duties consolidated in May, 1979 and the product of this rate derived by applying the liberalization rate resulting from the Liberalization programme decided by the Authority of Heads of State and Government.

Article 3

The rate applicable to countries benefitting from the most favoured nation clause to be taken into account shall be the rate in force by the date of consolidation of tariff and non-tariff barriers, that is to say 28 May, 1979.

Article 4

The importing Member State shall attach to its request for compensation for loss in revenue a summary of customs declarations for home consumption and corresponding certificates of origin as well as exports declaration accompanying the product.

The dossier for the request for compensation shall also be accompanied by the summary record of the re-exported originating products which have been subject of compensation. The movement certificates, certificates of origin and consumption certificates must be attached to this summary record.

The dossier for the request for compensation must reach the Executive Secretariat within the first months following the period under consideration.

Article 5

The Secretariat shall verify the different items contained in this dossier.

Article 6

The calculation of the amount of losses to be compensated shall be undertaken in respect of each Member State on the basis of the total losses incurred from the importation of industrial originating products, less the amount of losses attributable to industrial originating products which were object of re-exportation.