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Abstract

The 2008 food crisis has challenged the political legitimacy and economic efficiency of the liberalization of international agricultural trade. An alternative vision defended by the food sovereignty movement is that long-term food security cannot rely on dependency on food imports, but must be built on the development of domestic production with enough barrier protection to shelter it from world price fluctuations and unfair trading. The purpose of this paper is to look into whether the West African nations can achieve food sovereignty given their various trade commitments and other external constraints. The particularity of our approach is to combine a historical economic analysis with a political approach to food sovereignty and trade commitments. Our results suggest that external brakes on the development of food sovereignty policies are marginal, as the countries still have unused room for manoeuvre to protect their smallholder agriculture under the terms of draft World Trade Organization agreements and Economic Partnership Agreements and under the international financial institutions' recommendations. Rather, the international environment seems to be instrumented by West African states that do not manage to secure a national political consensus to drive structural reforms deemed vital and further the food security of the urban populations over the marginalized rural populations. Recently, the regional integration process has made headway with a common agricultural support and protection policy project that could herald an internal political balance more conducive to food-producing agriculture.

Keywords: food sovereignty, West Africa, protection, agricultural policy, WTO negotiations

JEL classifications: O10, O13, F13, F50

Souveraineté alimentaire et engagements commerciaux internationaux :
De quelle marge de manœuvre les pays Ouest Africains disposent-ils ?

Résumé

La crise alimentaire de 2008 a relancé le débat de la légitimité politique et de l'efficacité économique de la libéralisation du commerce agricole international. Les défenseurs du concept de souveraineté alimentaire défendent une vision alternative selon laquelle la sécurité alimentaire d'un pays ne peut être durablement assurée en étant basée sur la dépendance aux importations mais doit être au contraire reposer sur le développement de la production domestique assuré par une protection suffisante aux frontières permettant de la protéger de la concurrence déloyale et des fluctuations du marché mondial. L'objectif de cet article est d'examiner dans quelle mesure les pays ouest africains peuvent mettre en pratique les principes de la souveraineté alimentaire compte tenu des engagements commerciaux internationaux et des contraintes auxquels ils sont soumis. La particularité de notre approche est de combiner une analyse économique historique avec une approche politique de la souveraineté alimentaire et des engagements commerciaux. Nos résultats suggèrent que les freins extérieurs au développement de politiques de souveraineté alimentaire sont marginaux, dans la mesure où les pays ouest Africains ont encore des marges de manœuvre non utilisées pour protéger leur agriculture sans craindre de sortir du cadre, ni des négociations agricoles en cours à l'OMC, ni des Accords de Partenariat Economique négociés avec l'Union Européenne, ni des recommandations actuelles des organisations financières internationales. Plus que l'environnement international, il semble bien que les Etats Ouest Africains eux-mêmes peinent à trouver un consensus politique national arbitrant en faveur du soutien au développement de l'agriculture et des populations rurales assurant une sécurité alimentaire des populations urbaines à long terme. Toutefois l'actualité récente indique que le mouvement d'intégration régionale pourrait être porteur d'un projet de politique de soutien interne à l'agriculture Ouest-Africaine.

Mots-clefs : souveraineté alimentaire, Afrique de l'Ouest, protection, politique agricole, négociations à l'OMC

Classifications JEL : O10, O13, F13, F50

Food sovereignty and agricultural trade policy commitments: How much leeway do West African nations have?

1. Introduction

The 2008 food crisis challenged the political legitimacy and economic efficiency of the deregulation and liberalization of international agricultural trade. The world agricultural price surge in 2007-2008 showed that developing countries, particularly Africa, are constantly threatened by chronic food crisis. Food riots, rocketing prices and concerns about the future effects of climate change lead some to claim that food security is improved by agricultural trade liberalization, because only trade can offset local market shortcomings and provide consumers with commodities at low prices. An alternative vision defended by the food sovereignty movement is that long-term food security cannot rely on dependency on food imports, but must be built on the development of domestic production with enough barrier protection to shelter it from world price fluctuations and unfair trading. Domestic West African production also needs more support, because the climate change observed since the 20th century could jeopardize agricultural production capacities in the near future if nothing is done to adapt African agriculture to this new environment.

The purpose of this paper is to look into whether the West African nations can implement the food sovereignty movement's recommendations, in particular economic instruments to boost protection for agriculture in developing countries, in view of their various trade commitments and other external constraints. The particularity of our approach is to combine a historical economic analysis with a political approach to food sovereignty and trade commitments (in terms of public policymakers' objectives and strategies).

Firstly, we find a huge gap between food sovereignty discourse and instrumentation and the reality of agrarian protection and support in the developing countries in general and more specifically in West Africa. The second part of this paper focuses on the international binding commitments to see whether there is indeed a conflict between a neo-liberal view of globalization, as implemented by the World Trade Organization (WTO) General Agreement on Tariffs and Trade (GATT) system, and an alternative in favour of food sovereignty. It does so by analysing the recent WTO trade negotiations with European Union and International Monetary Fund (IMF) structural adjustment terms. The last part of our paper studies the internal constraints and dynamics relating to the development of food sovereignty policy in West Africa to see whether the region can be self-sufficient in terms of its food supply.

2. The food sovereignty movement's reaction to poor West African agricultural support and protection

Agricultural support in West Africa has been poor for the last 30 years as the regional integration process has steadily whittled away border protection. Opposition to this trend has grown under the banner of food sovereignty.

2.1. Low levels of agricultural domestic support and protection in West African countries

Krueger *et al.* (1988) estimate the impact on agriculture of the general and sector policies put in place by 18 developing countries in different geographic regions over the 1975-1984 period. The direct effect is measured by the difference between the producer price and the border price adjusted for transport, storage, distribution and other marketing costs. The indirect effect comprises the impact of fiscal policies and industrial protection policies on the exchange rate and hence on agricultural product prices compared with other product prices. The authors find that, in almost all cases, the direct effects together are equivalent to a tax on exportable products (approximately 11% on average) and a subsidy for imports (approximately 20% on average). The indirect effects also tax agriculture (approximately 27%) and dominate the direct effects, even when these direct effects are directed towards helping the domestic agricultural sector.

In the Berg report (World Bank, 1981), the nominal protection coefficients (NPC) calculated for most of the agricultural products exported from Sub-Saharan Africa (cocoa, coffee, groundnuts, cotton, sesame, tea, tobacco, maize and wheat) from 1971 to 1980 are found to be less than 1, revealing that these export crops were also taxed over the period studied. Araujo Bonjean and Chambas (1999) confirm that significant tax pressure continued to weigh on African agriculture, particularly export crops, in the 1990s, mainly for fiscal reasons. The agricultural sector in the developing countries has reportedly been taxed more on the whole than it has been subsidized since the 1970s. This situation has fostered imports from third countries and restricted investment in the sector.

The Economic Community of West African States (ECOWAS)[1] was founded in 1975 to promote the economic integration of 15 West African States: Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal, Togo, Guinea Bissau, Cape Verde, Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone. ECOWAS has a commission, a parliament, a court of justice and an investment and development bank. The revised ECOWAS Treaty of 1993 makes provision for an agricultural policy to be built for "*agricultural development and food security*" (ECOWAS, 1993, Art. 25) and for a free trade area and then an economic and monetary union to be established in the 15 years following 1990 (ECOWAS, 1993, Art. 54). Note that only Cape Verde, Côte d'Ivoire, Ghana and Nigeria are not classified as Less Developed Countries.

In 1994, seven French-speaking ECOWAS members (Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal and Togo), which already used the same currency (the CFA franc), decided to found the West African Economic and Monetary Union (WAEMU). Guinea Bissau joined them in 1997. Following this decision, a customs union with a common external tariff (CET) was decided on in 1998 and established by the eight countries in 2000. There are four categories of products. Categories '0', '1', '2' and '3' respectively concern basic necessities, equipment, intermediate and final consumer goods. Their respective tariffs are 0%, 5%, 10% and 20%. Agricultural products are mainly in category '3'. Non-tariff barriers are also to be phased out in the near future.

WTO tariff profiles provide recent bound and applied tariffs for each Member State. Yet accurate data are lacking on developing countries applying agricultural tariffs prior to 2000. Table 1 puts together partial data from different WTO reports to compare West African applied agricultural tariffs before and after the introduction of the WAEMU CET.

The introduction of the WAEMU CET amounted to a significant reduction in average applied agricultural tariffs for Burkina Faso, Côte d'Ivoire and Mali. There is no accurate data available on previous average agricultural tariffs for other WAEMU member states (Guinea Bissau, Niger, Senegal and Togo). IMF annual reports (1997, 1998 and 1999) indicate that all WEAMU countries had to deal with significant customs duty losses following the establishment of the CET and customs union. Even if agricultural products were placed mainly in the forth band at the 20% tariff level, average applied agricultural tariffs probably

[1] CEDEAO in French

fell sharply after 2000 and contributed to the overall external tariff erosion. The case of chicken in Senegal, in particular, has been pointed up by NGOs (Oxfam France-Agir Ici, 2004). Senegal's applied tariffs on chicken imports were gradually reduced from 55% in 1998 to 20% in 2002, in accordance with WEAMU CET adoption, even though the WTO chicken tariff is still bound at 150%. This reduction in the applied import tariff coincided with a sharp rise in slashed-price fried chicken cut imports in Senegal, competing with local chicken production. Producers' organizations estimate that 70% of poultry farms have disappeared since the beginning of these fried chicken cut imports.

Table 1: Change in average applied agricultural tariffs before and after West African Common External Tariff implementation

Country	Post-CET average applied agricultural tariffs (year)	Pre-CET average applied agricultural tariffs (year)	Change in agricultural tariffs
WAEMU members (CET introduced in 2000)			
Benin	14.5% (2008) (2)	n/a	n/a
Burkina Faso	14.5% (2008) (2) 13.6% (2004) (1)	31.6% (1998) (1)	- 44% (1)
Côte d'Ivoire	14.5% (2008) (2)	17.0% agricultural, 25.0% processed (1995) (1)	substantial reduction in agricultural tariffs (1)
Guinea	14.2% (2008) (2)	n/a	no significant reduction (1)
Guinea Bissau	14.5% (2008) (2)	n/a	
Mali	14.5% (2008) (2) 17.5% (2004) (1)	29.2% (1998) (1)	- 40% (1)
Niger	14.5% (2008) (2) 13.1% (2009) (1)	n/a	n/a
Senegal	14.5% (2008) (2) 13.1% (2009) (1)	n/a	n/a
Togo	14.5% (2008) (2)	n/a	n/a
ECOWAS (non-WAEMU) members (CET introduced in 2008)			
Cape Verde	12.1% (2008) (2)	n/a	n/a
Gambia	18.9% (2008) (2)	n/a	substantial reduction in tariffs between 1998 and 2000 (1)
Ghana	17.4% (2008) (2) 15.7% (2007) (1)	20.0% (2000) (3)	n/a
Mauritania	10.1% (2008) (2)	13.0% (2001) (3)	n/a
Nigeria	15.2% (2008) (2)	41.4% (2005) (1) 53.0% (2002) (3) 26.7% (1998) (1)	n/a

Sources: Authors based on (1) WTO Trade policy review WT/TPR/S/132, 46, 2, 127, 194, 153, 43, 133, 103, 223, 147, 143 and 166; (2) WTO, ITC, United Nations, Tariff Profiles 2009; n/a: not available because no WTO *report before CET introduction date; (3) USDA database.*

In 2001, the ECOWAS member states also agreed to extend the WAEMU Common External Tariff (CET) to the entire West African region. Yet the decision to introduce the CET across the board was not actually made until 2006 for implementation in 2008. Cape Verde, Gambia, Ghana, Mauritania and Nigeria are not part of WAEMU, but they are ECOWAS members. Table 1 shows that the extension of the WAEMU CET to the ECOWAS countries in 2008 significantly reduced the previous average applied agricultural tariffs observed for Ghana, Mauritania and Nigeria. Note that Nigeria presented particularly high levels of applied agricultural tariffs in the early 2000s. Nigeria is on the whole the most protectionist country in West Africa. Nigerian nationalism, rooted in pride as a major African nation and the belief that Nigeria has a duty to protect the black world, have led its leaders to impose it as a regional power, able to take on the leading nations (Guy, 1990). This economic nationalism takes shape mainly in regular protectionist measures and hostile responses to IMF orders. Resistance to agricultural trade liberalization is yet long-standing, but traditionally originates from non-governmental organizations (NGOs) and peasants' organizations.

2.2. Food sovereignty claims

In the 1990s, a certain number of NGOs and representative civil society organizations (CSOs) introduced the concept of 'food sovereignty' to promote the idea that developing countries should have the right to protect themselves from food imports from third countries when these imports compete with and risk destabilising the local production sectors. The concept was publicly presented for the first time by Via Campesina on the sidelines of the first World Food Summit held by the FAO in Rome in 1996. It has since been taken up and honed by global justice campaigners in different networks and international forums, including West African organizations such as the Network of Farmers' and Agricultural Producers' Organisations of West Africa (ROPPA) and the National Rural Communities' Consultation and Cooperation Council (Senegal), have played a major role.

In this context, food sovereignty refers to the global justice and affiliated movements that defend the right of people to feed themselves and consequently the right for nations to develop an agricultural policy in line with the interests of their own population without being a source of dumping for a third country. Some organizations, such as Via Campesina, accuse the current WTO rules and IMF structural adjustments of making this goal unattainable. Stemming from a collective mobilization, 'food sovereignty' is held up as a global alternative able to provide food security, at odds with agricultural liberalization as initiated by the Uruguay Round. Food sovereignty implies the end of unfair trading on world markets and some form of protection for developing countries' domestic agricultural markets. The concept has generated an upheaval in thinking and contributed, when the WTO trade talks reopened in the early 2000s, to promoting anew the value of government intervention in agricultural markets. Yet although the idea of food sovereignty may be taken up as a rallying call by the people, it is hard to translate it into economic tools.

In 2005, the International NGO/CSO Planning Committee to the FAO drew up clear-cut market recommendations:

> "*Market policies should be designed in order to:*
> - *ensure adequate remunerative prices for all farmers and fishers;*
> - *exercise the rights to protect domestic markets from imports at low prices;*
> - *regulate production on the internal market in order to avoid the creation of surpluses;*
> - *abolish all direct and indirect export supports; and*
> - *phase out domestic production subsidies that promote unsustainable agriculture, inequitable land tenure patterns and destructive fishing practices; and support integrated agrarian reform programmes, including sustainable farming and fishing practices.*" (International NGO/CSO Planning Committee, 2005)

The Nyeleni Forum for Food Sovereignty (2007) has developed the most explicit definition of food sovereignty to date as regards trade practices and policies: "*Food sovereignty is the right of peoples to define their own food and agriculture policies, to protect and regulate domestic agricultural production and trade so as to attain their objectives of sustainable development, to determine in what measure they want to be autonomous and to limit the dumping of products on their market* (...)". These definitions are the result of compromise and cooperative work by international civil society forums. Yet they set clear guidelines for national trade policies: i) protect agricultural trade, and hence have the right to levy customs duties on imports of agricultural produce, and ii) limit dumping, *i.e.* improve the competitiveness of exports and withdraw export subsidies. Food sovereignty is thus formulated by the peasant organizations and civil society organizations as a response to the dismantling of customs tariffs and domestic support policies initiated in the agricultural sector by the Uruguay Round Agreement on Agriculture, which were seen as a threat to the survival of agriculture in the Southern countries.

Several cases of ‘unfair’ trading were condemned by these same NGO/CSOs (Oxfam France-Agir Ici 2001; 2004; 2005). In their information and action campaigns, CSOs unanimously condemned Northern countries’ agricultural export subsidies. They argued that they disrupt the Southern countries’ food crops, resulting in the food dependency of states, malnutrition and the vulnerability of peasant farmers to the volatility of world prices for the leading cereals. By the same token, the food sovereignty campaigners are in favour of the developing countries being able to protect their domestic markets from imports and limiting Northern country agricultural subsidies the time it takes to ensure their own agricultural development, including at the expense of bilateral and multilateral agreements.

With the launch of the Doha Development Agenda, the NGOs managed to get in on the debate and make their demands known to the public. For example, Oxfam International took an international petition to Hong Kong with over 17 million signatures, calling for the WTO conference to lay down trade rules favourable to Southern countries, especially in the agricultural sector. Along with other organizations in its delegation, it worked hard on lobbying the different delegations attending the conference.

Yet, these two recommendations – minimal protection of local markets and an end to Northern agricultural dumping – reflect two schools of thought which, without being at odds, were often advocated separately at the WTO. In 2005, for example, cotton organizations in favour of opening up the Northern markets (as promoted by Oxfam UK at the WTO) left ROPPA whose majority mixed farming-animal husbandry organizations were focusing their demands on local market protection. Some of the most radical NGO/CSOs in those movements argue that there are two ostensibly antagonistic views of the development of the developing countries: theirs, which considers that development calls for an exception to the trade liberalization rules; and the WTO’s, which focuses in principle on development via trade liberalization.

Two years after the food crisis, a number of African countries are looking away from imports, which have become more expensive, and are beginning to turn to the concept of food sovereignty on which to base their self-sufficiency. Senegalese President Abdoulaye Wade has launched the Great Offensive for Food and Abundance (Goana), a major public initiative aimed at ending Senegalese “*food dependency*” and ensuring “*food self-sufficiency*” to achieve “*food sovereignty*”. Yet the fact remains that food sovereignty is just one element in response to under nutrition.

The developing countries' agricultural sectors have historically had the advantage of neither significant domestic support nor protection. NGOs and increasingly African nations themselves accuse Northern countries of pressing on international institutions to force them to open African markets. The following section sets out to test whether there is indeed a conflict between a neo-liberal view of globalization, as put into practice by the WTO and international financial institutions (IFIs) system, and an alternative conducive to food sovereignty in the case of West Africa. What are the determinants of countries' choices to neither significantly support nor protect the agricultural sector? Is such a position freely adopted or is it a decision made in the face of international constraints?

3. External forces conducive to agricultural trade openness in West Africa

We look at the IMF structural adjustment terms, the recent WTO talks and bilateral negotiations for Economical Partnership Agreements with the European Union.

3.1. Role of international financial institutions (IFIs)

The Berg report (World Bank, 1981) is often seen as the catalyst for the end of the self-sufficiency policies in the developing countries since they were deemed scientifically baseless, having encouraged the developing countries to move to develop their export sectors (see, for example, Padilla, 1997). On reading this report again, the agricultural policy recommendations it implies for the Sub-Saharan African countries appear to be less radical. The report clearly criticises the inadequacy of African agricultural production given the region's demographic growth, pointing out the increase in the African countries' dependence on food imports, observing the replacement of traditional food production (millet, sorghum, and root and tuber vegetables) with imported rice and wheat since 1981 in connection with urbanization. The lack of investment in agriculture is explained by a deficient border policy: overvalued local currencies penalize exports and foster imports, discouraging local production.

The report effectively recommends developing export crops to cash in on Africa's 'obvious' comparative advantages in tea, coffee and cotton production, but it also considers that such a choice would have positive repercussions on food crops by improving access to efficient techniques, inputs and equipment and thereby improving farming yields. At the same time, the World Bank points out that the development of export crops is always preferable to merely maintaining a self-sufficiency strategy and recommends opening up the food marketing channels to the private sector. However, this same report clearly advocates that Sub-Saharan Africa should resume high enough import duties to prevent imported food from replacing local products and should introduce a price policy in favour of producers, even if it disadvantages consumers (World Bank, 1981, p. 76).

Following the Berg report and especially the financial crisis that hit many developing countries in the aftermath of the oil counter shock in the early 1980s, Matthews and Mahé (1995) mention that the World Bank and the International Monetary Fund granted 36 loans to Sub-Saharan Africa from 1980 to 1987. Of these, 80% were tied to structural adjustment conditions associated with agricultural policy directives to reduce discrimination against agriculture and improve economic incentives by restoring true prices. This meant reducing input subsidies, dismantling barriers to trade with third countries and withdrawing the public sector from the production, service, and currency and trade control functions. Although the structural adjustment measures may well have helped develop export crops, they do not appear to have helped the traditional small subsistence farmer sector in the slightest (Matthew and Mahé, 1995). Meanwhile, urbanization was gathering pace.

At the end of the 1990s, a number of West African countries were granted IMF loans on the same terms as those described by Matthews and Mahé. Feeling encouraged by this move, even if it meant significant customs duty losses, countries committed to extending the low harmonized tariff lines already introduced in the WAEMU member countries (Benin, Burkina Faso, Côte d’Ivoire, Mali, Niger, Senegal and Togo) in 2000 to the entire ECOWAS zone. As regards the agricultural sector, there is mention of recommendations to continue privatization and market liberalization for certain specific or exported products (cotton, rice and sugar in Burkina Faso, and coffee and cocoa in Côte d’Ivoire), but the priority for economic development seems to have been placed on industries other than agriculture, except for in Mali and Niger where the need to develop the agricultural or rural sector is mentioned (IMF, 1997, 1998, 1999, and IMF website).

Yet the 2008 World Bank Development Report *Agriculture for Development* called for greater investment in agriculture to be top of the development agenda in developing countries, including in household farming as long as it is able to sustain food security and rural employment. This marked a turning point in the institutional approach.

3.2. The Doha Development Agenda round of agricultural negotiations

The Doha Development Agenda launched in 2001 was presented as the round focusing on the development of the Southern countries, and this is regularly restated.[2] Agriculture, which holds an important place in the economies of the developing countries, is a core focus of the negotiations. Agricultural talks were launched on the three tracks of the 1994 Uruguay Round Agreement on Agriculture: market access, export competition and domestic support.[3] An analysis of the negotiations on those three issues sheds light on the compatibility of the demands made with regard to food sovereignty and the international trade legislation liable to emerge from negotiations at the WTO.

Export competition

The case of export competition is, in principle, the most straightforward. In 2005, the EU as the number one source of export subsidies undertook to phase out all use of these practices by 2013 provided that a comprehensive agreement on agriculture could be found and disciplines introduced on all other export-subsidising practices (export credits and state trading enterprises). These submissions are filed in the revised draft modalities dated July 2008.[4]

Even though cotton is not a foodstuff, its treatment at the WTO demonstrates the convergence between the aims of the WTO processes and the food sovereignty campaigners' demands concerning export competition. In 2004, Benin, Burkina Faso, Mali and Chad stated a case that the high level of domestic support to the cotton sector in the developed countries, especially in the United States, constituted unfair trading on an international scale. The WTO responded to this petition by setting up a Sub-Committee on Cotton tasked with addressing the particular case of cotton within the negotiations. The July 2008 revised draft modalities consequently proposed special arrangements to improve competition by reducing the possibilities of domestic support in this sector for the developed countries (WTO, 2008). Alongside the talks, and before their completion, the United States were taken to task under

[2] "*The General Council rededicates and recommits Members to fulfilling the development dimension of the Doha Development Agenda, which places the needs and interests of developing and least-developed countries at the heart of the Doha Work Programme*." (WTO, 2004a).

[3] WTO, 2001a, Art. 13.

[4] The most recent at the time of writing this paper.

the dispute settlement mechanism by a panel set up following a complaint filed by Brazil in September 2002. One of the panel's conclusions confirmed by the appellate body (WTO, 2004b, 2005) is that, in addition to the export credit guarantees, certain forms of domestic support granted to cotton producers in the United States effectively distorted trade on the international cotton market by operating like export subsidies. The case of cotton is a good illustration that, far from putting a brake on the cause of the developing countries, the WTO negotiations and dispute settlement procedures are in tune with the export competition claims filed with regard to the food sovereignty concept. So it is paradoxical for the NGOs to welcome the stalling of the agricultural talks, as a failure could reduce the developed countries' export subsidy withdrawal commitments to nothing.

Market access

The 'market access' component of the July 2008 revised draft modalities provides for a tiered formula for the reduction of *bound tariffs* which is, for each commodity, the maximum applicable rate of duty authorised, as notified to the WTO: the duty actually applied to each product must be lower than or equal to the bound tariff. Taking up the practice initiated by the Uruguay Round, developing countries benefit from special and differential treatment (S&D): they have lower levels of tariff reduction commitments than the developed countries, with longer time periods to implement them. Table 2 presents the formula for reduction commitments in general and under S&D treatment.

Table 2: Formula for the reduction of bound tariffs

General		S&D	
Initial ad valorem tariff (AVT) tiers (%)	tariff reduction commitment	Initial ad valorem tariff (AVT) tiers (%)	tariff reduction commitment
AVT > 75	[66-73]%	AVT > 130	2/3 of [66-73]%
50 < AVT < 75	64%	80 < AVT < 130	2/3 of 64%
20 < AVT < 50	57%	30 < AVT < 80	2/3 of 57%
AVT < 20	50%	AVT < 30	2/3 of 50%
Average minimum reduction rate	54%		36%
Implementation period	5 years		8 years
		Softer formula for LDCs and SVEs.	

Source: WTO (2008). The figures in square brackets mean that the talks have not yet agreed on an actual final figure.

S&D treatment entitles developing countries to exclude *special* products from their reduction commitments when these products play a particular role in the country's national economy. A product's importance to food security is given as a valid reason to classify a product into the *special* category. At the same time, developing countries, unlike the developed countries, continue to be covered by the special safeguard measure whereby they are entitled to raise their duties in the event of a sharp drop in prices or a significant increase in quantities imported.

The application of S&D treatment reveals the importance of the developing country classification at the WTO, which grants separate rights to each category. The United Nations draws up an annual list of 'least developed countries' (LDCs), defined as the world's poorest countries on the basis of a range of criteria. The classification of *developing countries* is based on the countries' own declarations. *Small vulnerable economies* (SVEs) constitute a new category introduced by the Doha Round and defined as countries with very little share of word agricultural and non-agricultural trade; criteria and the list of eligible countries are still on the negotiating table.

At first glance, even though there is no actual mention of the term food sovereignty in the draft modalities, some of the S&D treatment technical provisions entitle the developing countries to keep their bound tariffs at levels subject to lower or zero reduction commitments and give them the right to temporarily apply special safeguard measures. Yet, does this mean that the developing countries can, under the international trade regulations, sustainably raise their tariffs and develop a protectionist import agricultural policy?

As shown by Table 3, the developing countries already have a great deal of room for manoeuvre under WTO regulations to step up their protection from imports from third countries without exceeding the ceiling defined by the bound tariff. This is also the case for the 15 ECOWAS West African countries, which display very homogeneous agricultural applied ad valorem tariff levels, even though their bound tariffs differ greatly from one country to the next. Developing countries' bound agricultural tariffs stand at 60% on average. Application of the S&D treatment rate of reduction would therefore give rise to an average bound tariff of around 37% (40% for West African countries), which is still more than twice as high as the average applied rates in 2007 (15%). In other words, West African developing countries do not protect their agricultural markets from imports at levels authorized by WTO, and their applied agricultural rates are on average lower than those practised by the developed countries.

Table 3: Agricultural bound and applied tariffs in developing countries, 2007

	Mean bound tariff	Mean applied tariff	Mean bound tariff after implementation of July 2008 revised draft modalities	Number of countries with bound tariffs > applied tariffs
115 WTO developing countries	**60%**	**15%**	**37%**	**106 / 115**
- Animal products	63%	18%		107
- Dairy products	58%	18%		106
- Cereals and preparations	60%	15%		108
ECOWAS West African countries	**64%**	**15%**	**40%**	**15 / 15**

Sources: Authors' calculations based on data collected for 115 WTO member developing and transition countries, using the United Nations definition (UNCTAD, 2008, pp 26-28). Bound tariffs: taken from WTO data published in the 2008 and 2009 tariff profiles;[5] applied rates taken from the WTO Integrated Data Base.[6]

This does not mean that the developing countries never protect against agricultural imports. They do apply specific (not ad valorem) tariffs, non-tariff barriers (such as quantitative import restrictions and bans) and specific national taxes (such as VAT on imported commodities only). Yet such barriers are generally only temporary measures in response to sharp cyclical surges in imports. States generally refuse to keep them over the long term, mainly because they have a negative impact on urban consumers and are no longer WTO compatible. However, NGOs hold up the Guinean seasonal embargo on potato imports from Europe throughout the 1990s (set up by an agreement between importers and domestic producers against the will of the Guinean government) and the Senegalese ban on chicken imports in the 2000s initially for health reasons (protection against avian influenza) as conclusive examples that, with time, a higher level of sector protection can make for the development of the corresponding domestic agricultural sector, giving the country the possibility to make the transition from net importer to self-sufficiency, if not net exporter (Coordination Sud, 2010).

[5] http://www.wto.org/english/res_e/booksp_e/tariff_profiles09_e.pdf

[6] iaf.wto.org (authorized users only).

Domestic support

At the beginning of the Doha Development Agenda in November 2001, a number of developing ACP countries set out to create a 'development box' to give developing countries the right to introduce WTO-compatible coupled domestic support for agriculture as development instruments.[7] However, this idea was dropped a few years later: mention of a development box was already absent from the first WTO working draft modalities in Hong Kong in 2004.

The July 2008 revised draft modalities provide for the reduction of existing coupled (amber box) or semi-coupled (blue box) domestic support by WTO members. Unlike the developed countries, the developing countries have notified no or very few domestic support measures, which means that they have no previous reference to defend. Nevertheless, WTO rules give member states the right to support agricultural domestic production up to the '*de minimis*' level, which corresponds to 10% of domestic production value for developing countries.

3.3. Economic Partnership Agreements with the European Union

Economic Partnership Agreements (EPAs) were designed to set up a WTO-compatible system between the European Union (EU) and African Caribbean and Pacific (ACP) States based on reciprocal trade commitments. A number of ACP country groups, including the West African region, have negotiated EPAs separately with the EU since the early 2000s. Pannhausen (2006) estimates that reducing to zero West African tariffs on certain agricultural commodities imported from the EU (milk, poultry, wheat, wheat flour and processed tomatoes) would lead to significant producer and customs duty losses, offset by the consumer benefit of lower prices, with the overall welfare effect being indeterminate.

To be WTO compatible, EPAs cannot exclude the entire food and food processing industry from liberalization. However, negotiations have given rise to the designation of 'sensitive products' at a more disaggregate level. These are excluded from tariff reduction schedules because of food security and tariff revenue concerns. For other agricultural commodities, tariff reduction commitments will be implemented after a very long period (potentially 25 years). The ACP countries have made use of these flexible facilities. As a result, few agricultural commodities have been directly affected by any significant decrease in import

[7] See, for example, WTO (2001b).

tariffs on EU products (Matthews, 2010), even though the 'standstill clause', which prohibits any increase in tariffs once agreements enter into force, is a bone of contention in the interim EPAs, especially for the African countries (Lui and Bilal, 2009). Note that for the only two West African Region EPA signatories in 2008, Côte d'Ivoire and Ghana, wheat and milk powder tariffs are scheduled to fall to zero soon (in 2011 for Côte d'Ivoire and in 2013 for Ghana), but those commodities are already subject to the lowest import tariff rate (5%).

The ECOWAS CET used to be one of the decisive elements in the negotiations: the higher the CET, the greater ECOWAS' leeway in negotiations with the EU in terms of curbing the reduction in import tariffs on sensitive products. However, the 2008 introduction of a low Common External Tariff (CET) for all ECOWAS countries capped agricultural tariffs at 20%. At this level, the EU no longer needs to negotiate because this tariff is already lower than its own. As a result, EPA negotiations have not significantly reduced ACP agricultural tariff barriers.[8] The main remaining disagreement between the EU and Western African countries concerns the list of industrial products to be liberalized and their rate of liberalization, with Senegalese President Wade still refusing (in December 2010) any idea of financial compensation in the name of the protection of infant industries (ICTSD, 2010).

4. Domestic constraints and internal agricultural policy prospects in West Africa

We first discuss the traditional internal brakes on the protection of West African agriculture. We then present the signs of a change in these policies due to regional integration and agrarian policies.

4.1. 'Urban bias' persistence

Food security and political stability are often mutually dependent and reinforcing. Food security can influence the political stability of countries, as in the case of Niger where chronic food crises have been causing constant political instability since independence. A greater threat to political stability, though, are the urban riots sometimes sparked by food shortages and rocketing food prices. Starvation in the countryside does not trigger political instability in

[8] Other EPA commitments may have repercussions on food security (ban on export restrictions and taxes, limits on using the bilateral safeguard clause, etc.) that go beyond WTO disciplines (Matthews, 2010).

general, because those who bear the brunt of the food shortages tend to be rural and have little political voice. So this clearly prompts an urban consumers *versus* small farmers approach.

The decision to opt for the political agenda of food security systematically follows a major food crisis. Padilla (1997) looks at the history of food in African towns and cities. Following the severe food crisis in 1973-1974, most of the African nations resolved to introduce multi-sector ‘food planning’ to guarantee national food security by developing self-sufficiency. In practice, agricultural production planning ultimately concerned cash crops only. Food planning did not happen and urban supplies relied mainly on imports and food aid. Consequently, specific food policies developed. Governments often subsidised food purchases so that urban consumers could eat for a reasonable price. These food policies fostered consumption irrespective of the origin of the production with the result that they did not necessary benefit domestic farmers, since they also helped to develop food imports.

Paradoxically, with world agricultural prices depressed from 1960 to 2000, import protection appeared as a way for developing countries to expand their domestic production sheltered from too large a drop in prices. In this light, it could be posited that the emergence of the food sovereignty concept in the late 1990s has helped to clarify certain developing countries’ petitions to the WTO for the right to better import protection and a ban on rich countries’ export subsidies. However, the technical preparation of applications for S&D treatment exemptions from WTO rules and the discussion to define what constitute ‘sensitive’ (EPA) or ‘special’(WTO) products are complex matters and few countries have this skill.

In 2000, the trend started to shift on the world markets. World demand rose more sharply than supply and the downward trend in agricultural prices slowed from 2000 to 2007. Nevertheless, world agricultural prices continue to be seen as paying too little to agricultural producers in the developing countries (see the position of the associations expressed in Cancun in 2003). Yet in 2007-2008, agricultural prices suddenly spiralled, triggering hunger riots in a number of developing countries in 2008. The developing countries responded in different ways to this situation, but many chose, at least as a short-term emergency measure, to develop imports, reduce exports to ensure supplies to the cities (FAO, 2009) and even apply an export tax.

An export tax applied by an exporting country makes the domestic price lower than the world price. This gives rise to economic gains for consumers, losses for producers and fiscal revenues in the exporting country. If the exporting country is large, by reducing exports, the tax has a positive impact on the world price (exacerbating the crisis in the case of a world price surge) to the producers' advantage but to the detriment of consumers in the rest of the world. The net effect is always negative for the importing countries, but indeterminate for the exporting country. It may be positive if the exporting country is large enough (Piermartini, 2004).

Although a number of WTO member states tried to negotiate the reduction of export restrictions in the early days of the Doha Development Agenda, as such measures have negative effects on importing countries (Japan's argument, G10[9]) and distortion effects on world prices (Cairns group's argument[10]), there has been no consensus on this issue because most developing exporting countries refuse to give up this tool. WTO members are bound merely to notify quantitative export restrictions and taxes. Although 2008 clearly showed that export taxes make food crises worse in general, which is why they are widely criticized by both developed and developing countries along with many international agencies (Lui and Bilal, 2009), it certainly strengthened the conviction of countries using such export taxes that it is in their best interests to retain the right to use it, in particular when the commodity is agricultural and food security is at stake (Bouet and Laborde Debucquet, 2010). Looking into WTO members' responses to structural food crises, Crump (2010) concludes that export restrictions would most certainly be used on a massive scale, for example, in response to climate change. The use of export taxes is also a point for discussion in EPA negotiations, because the EU's position (not specific to EPAs) is to limit export taxes while ACP countries argue that, by reducing the domestic price of primary products, export taxes have a positive effect on the development of their processing industries, playing a role similar to a protection instrument for budding industries.

This last argument could be connected with the long-standing belief among urban African political leaders that agriculture, particularly family and food-producing agriculture, is not key to development. One of the main reasons why the World Bank supports so few agricultural projects is the lack of projects relating to agriculture itself. This position has long formed another internal brake on domestic agricultural support and protection. Furthermore, in a certain number of countries, agro-importers and agro-exporters are few and far between, as in the case of rice; there are eight importer heavyweights for the entire African continent.

[9] See WTO (2000a).

[10] See WTO (2000b).

Bako-Arifari (2001) shows that customs and port areas are the main places for corruption and fraud institutionalization in Benin and concludes that evasion and concealment of true product value are popularly seen as positive practices by shopkeepers and other importers. However, attempts to negotiate arrangements can be traced right back up to the Minister of Finance, demonstrating direct collusion between international traders and politicians. They are also (over)represented in the narrow corridors of power, sometimes via family networks, and it is in their economic interests to pursue trade openness.

However, a significant trend has recently emerged. Anderson (2010) coordinated a huge survey for the World Bank in 2009 to evaluate the nominal rate of assistance trend in 75 developing countries for a number of periods ranging from 1955 to 2006-2007. The authors conclude that, although agriculture remains a sector more taxed than subsidized, there has been a marked decrease (from an average of about 20% in 1980s to 7%-8% in the 2000s) in agricultural taxation associated with the structural reforms. In other words, even though domestic support is still insignificant, agriculture’s handicaps have been gradually reduced.

4.2. A turning point in West African integration

In the years before the 2008 deadline, there was extensive debate about whether to revise the WAEMU tariff categories. Nigeria, which has the highest bound tariff levels in the WTO, petitioned in 2004 for a fifth 50% category to be applied to manufactured products to boost domestic growth. This argument was also put forward by agricultural producers’ organizations (ROPPA, 2006) to give agricultural goods a higher level of protection. ROPPA’s argument established a direct link between the growing West African food trade deficit from 1995 to 2003 and the reduction in applied import tariffs due to regional integration within WAEMU.

EPAs should have been concluded in 2008. Corresponding trade negotiations heightened civil society’s awareness of the dangers of liberalizing agricultural trade with the EU because EU agricultural goods could compete with domestic products and disrupt the domestic production industry ; this led the West African States consult experts (Gallezot, 2006). 2008 was also the year that the WAEMU CET was to be extended to ECOWAS as a whole. This was problematic, especially for Nigeria, which previously applied higher tariffs to agricultural goods. As a result, the ECOWAS-WAEMU Ministerial Committee following the EPA negotiations agreed to examine the effects of introducing a fifth CET category of more than

20% for a group of products to be listed (ECOWAS, WAEMU, 2008a, 2008b). At the end of 2008, the principle of a fifth category at 35% was introduced to ensure a higher level of protection for sensitive products requiring protection to boost domestic production. The list of goods was still awaiting finalization in 2010 due to divergences among countries over the definition of the sensitivity criteria and sensitive products. Yet it does look as if this new fifth category will most certainly cover processed food such as poultry, cheese and yoghurt, but also potatoes, flour, refined vegetable oils, pasta, biscuits and drinks. WAEMU proposed rice for this fifth category but some countries, such as Senegal, fear that higher protection for rice could increase food prices for urban consumers.

The West African Civil Society Forum (WACSOF) argues that the methodology chosen to target suitable commodities for the fifth CET band at 35% should be built in line with the identification of sensitive products under the EPA negotiations, by analysing needs in terms of protection against imports from the EU. Hence EPA negotiations have actually helped develop West African countries’ knowledge of their protection needs (PASCOA, 2010).

Apparently, this fifth level of protection could pave the way for the emergence of a first pillar to build a real common agricultural policy for ECOWAS based on targeted protection. Yet agriculture is hit by so much direct and indirect taxation that a second pillar on domestic support would have to be completely defined.

4.3. Emergence of agricultural policy in West African countries

In 2001, WAEMU adopted the principle of building a common agricultural policy (UEMOA, 2001). Yet no progress was made with this from 2001 to 2008. Mali and Senegal, however, have written the objective of food sovereignty in their latest agricultural legislation.

Since independence, agrarian policies in both countries have been governed by development plans. In Mali, following extensive consultations, President Toure adopted the Agricultural Policy Act (LOA) in December 2005. This policy is designed to support agricultural modernization and diversification and to create an agrarian status. In Senegal, the Faster Growth Strategy adopted in 2008 provides for a range of support measures for areas with high growth potential, among which are agrarian chains. The objective of agricultural modernization looks then to be finally set. Both acts have the stated objective of poverty reduction and food security via food sovereignty.

In May 2008, the food crisis prompted governments to step up support to the agricultural sector while announcing the deregulation of agriculture. Mali's 2008 Rice Initiative gave ciphered objectives of production for ongoing season. Senegal's 2008 Great Offensive for Food and Abundance (GOANA) is a huge public initiative to end Senegal's "*food dependency*" and achieve "*food self-sufficiency*" and hence attain "*food sovereignty*". Its main aim is to substantially increase the production of grain and subsistence crops. The most significant growth concerns crops for home consumption, especially fonio, cow peas and millet. In spite of its ambitious objectives and resources and its real geopolitical scope ("*the African revival*"), the National Council for National Cooperation and Collaboration remains highly dubious about this initiative, regretting the peasants' responsibility eroding effect, *via* numerous subsidies and the slightest participation of the professionals in the catch of political decision.

Maybe Mali or Senegal's experience in this regard could shed light on possible mechanisms to develop agricultural industry in West African countries before adopting a suitable mechanism for the whole region. With the ECOWAS single market, separate national approaches have no real future because they would raise problems of competitive imbalances. However, and this is relatively new, even though these initiatives have been influenced by NGO-CSO lobbying, they are officially supported by the governments and presented as national projects to international organizations (WTO and IMF): the most recent WTO Trade Policy Review of Niger and Senegal (WT/TPR/S/223, 2009-2010) mentions that ECOWAS countries plan to implement a common agricultural policy (ECOWAP) with designs on the region's food sovereignty, justifying the discussions on raising the highest ECOWAS CET level for application to certain agricultural commodities. However, ECOWAP implementation also raises the problem of how to finance the project. Should it be supported by international funds, as recent communications from certain organizations would seem to suggest (World Bank, 2007; Diouf, 2009)? Or should public budgets (national or regional) and/or consumers in these countries pick up the tab?

The NGO/CSOs argue that analysis of the environment surrounding the 2007-2008 food crisis proves the risk for developing country populations of depending on the world markets for their food supplies in terms of product price and availability. In this respect, climate change could strengthen the dependency of Western Africa on the world markets. However, the NGO/CSO approach differs from the food planning endeavours of the 1970s: the political food sovereignty project is merely a question of establishing a regional common agricultural policy without dumping on the international markets. In 2005, peasant farmer organizations successfully lobbied for the ECOWAS agricultural policy, ECOWAP, to be based on the principle of the region's food sovereignty (Gallezot, 2006). These organizations continue to advocate the regulation of local agricultural markets via both import protection and the ramping up of domestic support to promote the development of domestic production (Flament *et al.*, 2009).

5. Conclusion

The concept of food sovereignty emerged in the 1990s, promoted by civil society representatives campaigning for new rights for the developing countries to implement their own food policy. It is expressed, with regard to international agricultural trade, mainly by the right for developing countries to protect themselves more from imports from third countries even if this means non-compliance with certain international commitments. This position, skilfully used by certain African States, suggests that Western African food sovereignty, which we have considered here, would be threatened by pressure from the international free-market organizations, exacerbated by defence measures introduced by countries with the greatest interest in developing their international trade.

We find in this paper that the World Bank and the International Monetary Fund have been tying loans to agricultural policy-related structural adjustment conditions since the 1980s. Yet although the IFIs formed a binding external force against increased protection, they appear to have had a change of heart following the 2007-2008 food crisis and it seemed that financial support could well be redirected to develop the developing countries' domestic agriculture in the future. However, analysis of the content of the WTO Doha Development Agenda round of agricultural negotiations shows that they aim at improving export competition and that the proposed compromises are not a significant constraint on the development of protection for West African agriculture. By the same token, EPA negotiations with the EU have not significantly reduced ACP agricultural tariff barriers under import protection policies in most of the developing countries.

When all is said and done, it would appear that the main determinants of the West African States' withdrawal from agriculture support are to be found, not in international community pressure, but in the internal set of players and the national political (urban bias) and economic balance of power. We develop, however, the hypothesis of some eroding of this obvious principle in the latest developments surrounding the ECOWAP and the revision of the WAEMU CET in accordance with the principle of a fifth category at 35%.

What could the ECOWAP's economic tools be? To analyse this, further research will consider domestic support measures in West African developing countries, shed light on effective means for agricultural development (input taxation, monetary effects, etc.) and determine the most suitable support instruments for countries.

We shall also observe whether regionalism in West Africa, which so far seems to have accelerated trade liberalization in the region, could actually become a tool for an agricultural development policy at regional level through the building of an ECOWAP. Would this development mark a new principle of 'rising agricultural protection'?

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