Food sovereignty and Agricultural Trade policy commitments: what are the margins of manoeuvre for West African states?

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Paper prepared for presentation at the EAAE 2011 Congress
Change and Uncertainty
Challenges for Agriculture,
Food and Natural Resources

August 30 to September 2, 2011
ETH Zurich, Zurich, Switzerland

Financial support received by the "New Issues in Agricultural, Food and Bioenergy Trade (AGFOODTRADE)"; (Grant Agreement No. 212036) research project, funded by the European Commission, is gratefully acknowledged. The views expressed in this paper are the sole responsibility of the authors and do not reflect those of the Commission, which has not reviewed or approved the content of the paper.

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Introduction

The 2008 food crisis has challenged the political legitimacy and economic efficiency of the deregulation and liberalization of international agricultural trade. World agricultural price surge in 2007-2008 seems to confirm that developing countries, and particularly Africa, are threatened by imminent and chronic food crisis. While food riots, price surge and anxiety relative to climate change's future effects reactivate for some, the distinction of the idea that food security is improved by agricultural trade liberalisation, because only trade can compensate for local markets insufficiencies and provide to consumers commodities at low prices. An alternative vision defended within Food Sovereignty discourse is to consider that long term food security cannot rest on dependence on food imports but must be built on the development of domestic production, sheltered from world price fluctuations and unfair competition, through sufficient barrier protection. Domestic West Africa production should also be more supported than it used to because climate change observed since the 20th century could jeopardize agricultural production capacities in the near future if nothing is made to adapt African agriculture to this new context. This alternative approach to the World Trade system goes along with more or less violent accusations against the developed countries or international organizations to be the cause of accelerated liberalization which destabilizes West African markets.

The purpose of this paper is to question the possibility for West African states to reach Food sovereignty given their various trade commitments and other external constraints. Our starting hypothesis is that the concept of food sovereignty could be a political tool and could provide economic instruments to boost the protection of agriculture in developing countries. The particularity of our approach is to combine historical economic analysis with political approach (in term of strategy, confrontation and objectives of public policy actors) to Food sovereignty and trade commitments.

Firstly, we ascertain that there is a huge gap between Food sovereignty discourse and instrumentation and reality of agrarian protection and support in developing countries in general and more specifically in Western Africa. The second part of this paper focus on the international binding commitments to test the reality of an antagonism between a neo-liberal view of globalisation, carried out by the GATT/WTO system, and an alternative in favour of food sovereignty, by analysing recent negotiations, at WTO and with EPA, as well as to IMF structural adjustments conditions. The last part of our paper studies the internal constraints and dynamics related to the developpement of Food sovereignty Policy in West Africa.

1. Food sovereignty movement reaction to the weakness of West African agricultural support and protection

During the last 30 years, we note the weakness of support of agriculture in West africa and a continuous drop in the borders protection which get sharper the last decade under the effect of regional integration process. Opposition to this trend grows under the standard of Food sovereignty.

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

A.O. 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. 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 the price of agricultural products relative to the price of other products. 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 & 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 subsidised 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 had been founded in 1975 in order to develop economic integration of the 15 West African States: Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal, Togo, Guinea Bissau, Cap Vert, Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone. ECOWAS is endowed with a commission, a parliament, a court of justice and a Bank of investment and development. Revised ECOWAS Treaty of 1993 makes provision for building an agricultural policy in order to provide "agricultural development and food security" [CEDEAO, 1993, art. 25] and for implementing a free trade area and then an economic and monetary union in the 15 years following 1990 [CEDEAO, 1993, art. 54]. Note that only Cap Vert, Côte d'Ivoire, Ghana and Nigeria aren't classified as Less Developing Countries.

In 1994, seven ECOWAS French speaking members (Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal, Togo) and next Guinea Bissau in 1997, which already use the same currency (the CFA Franc) decide to found the West African economic and monetary union (WAEMU). Following this decision, a custom union with a common external tariff (CET) is decided in 1998 that the 8 countries implemented in 2000. Four categories of products are distinguished. Categories "0", "1", "2", "3" respectively concern essentials, equipment, intermediary and final consumption goods. Their respective tariff duties are 0, 5, 10 and 20%. Agricultural products essentially are in the classified category "3". Non tariffs barriers have also to be eliminated soon.

WTO tariff profiles give recent bound and applied tariffs for each member state. But there is a lack of available precise data about developing countries applied agricultural tariffs before 2000. In order to compare West African applied agricultural tariff before and after implementation of WAEMU CET, table 2 put together partial data coming from different WTO reports.

WAEMU CET implementation raised to a significant reduction of average applied agricultural tariff of Burkina Faso, Côte d'Ivoire and Mali. There is no precise data available about previous average agricultural tariff for other WAEMU member states (Guinea Bissau, Niger, Senegal, and Togo). IMF annual reports (1997, 1998, 1999) indicate that all WEAMU countries had to face significant custom duty loss after the implementation of CET and custom union ; even agricultural products essentially have been placed in the forth band at 20% level tariff, average applied agricultural tariffs probably have sensibly decreased after 2000 and participated to the global external tariff erosion. The case of chicken in Senegal is particularly relayed by NGOs2. Senegal applied tariffs on chicken imports have progressively been reduced from 55 % in 1998 to 20 % in 2002, in accordance with WEAMU CET adoption and IFIs commitments, even if WTO chicken tariff is still bound at 150 %. This reduction of import applied tariff coincides with the rapid development of chicken fried cuts imports in Senegal, at very low prices, competing with local chicken production. Producers' organisations assess 70% poultry farms have disappeared since the beginning of chicken fried cuts imports.

In 2001 also, all ECOWAS member states agree that WAEMU common external tariff (CET) has to be enlarged to the entire West African Region. But the decision to implement the generalisation of CET is only taken in 2006 for application in 2008. Cape Verde, Gambia, Ghana, Mauritania and Nigeria don't participate to WAEMU but are ECOWAS members. Table 2 shows that WAEMU CET generalisation to ECOWAS countries in 2008 raised also to significant erosion of previous agricultural average applied tariff clearly observed for Ghana, Mauritania and Nigeria. Note that Nigeria presented particularly high levels of agricultural applied tariffs at the beginning of the years 2000'. Nigeria is generally the most protectionist countries in West Africa. The Nigerian nationalism, based on pride to be a major African State and on belief that Nigeria must assure the protection of the black world, led his leaders to put it down in regional power, able of standing up to the biggest (Guy, 1990). Its economic nationalism declines notably by regular protectionist measurements and measurements of asperity were compared to the interferences of the IMF. Resistance to liberalization of agricultural trade is yet old but traditionally originates from NGO's and Peasants organisations.

[1] CEDEAO in french
[2] See Oxfam France documents « Poulets : l'Europe plume l'Afrique »

Table 1: Evolution of applied agricultural tariffs average between before and after West African Common external tariff implementation

Countries	applied agricultural tariffs average post CET (year)	Previous applied agricultural tariffs average (year)	Evolution of agricultural tariffs
WAEMU members (CET implemented in 2000)			
Benin	14.5 % (2008) (2)	na	na
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 % transformed (1995) (1)	"high reduction of agricultural tariffs" (1)
Guinea	14.2 % (2008) (2)	na	"no significant reduction" (1)
Guinée Bissau	14.5 % (2008) (2)	na	
Mali	14.5 % (2008) (2) 17.5 % (2004) (1)	29.2 % (1998) (1)	- 40 % (1)
Niger	14.5 % (2008) (2) 13.1 % (2009) (1)	na	na
Senegal	14.5 % (2008) (2) 13.1 % (2009) (1)	na	na
Togo	14.5 % (2008) (2)	na	na
ECOWAS (non WAEMU) members (CET implemented in 2008)			
Cape Verde	12.1 % (2008) (2)	na	na
Gambia	18.9 % (2008) (2)	na	"high reduction of tariffs between 1998 and 2000" (1)
Ghana	17.4 % (2008) (2) 15.7 % (2007) (1)	20.0 % (2000) (4)	na
Mauritania	10.1 % (2008) (2)	13.0 % (2001) (4)	na
Nigeria	15.2 % (2008) (2)	41.4 % (2005) (1) 53.0 % (2002) (4) 26.7 % (1998) (1)	na

Sources: authors using, (1) WTO Trade policy review WT/TPR/S/132, 46, 2, 127, 194, 153, 43, 133, 103, 223, 147, 143, 166 ; (2) WTO, ITC, United Nations, Tariff Profiles 2009 ; na : not available because no WTO report before the date of CET implementation ; (3) authors calculations ; (4) USDA database.

1.2 Food sovereignty claims

In the 1990s, a certain number of non-governmental organisations (NGOs) and civil society representatives 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 publically exposed for the first time by Via Campesina in 1996 in margin of the First Food World Summit organised by FAO in Roma. It has since been taken up and honed by global justice campaigners in different networks and international Forums which West Africa organisations, like the network of Peasant organizations and Producers in West Africa (ROPPA) and the National Council for Dialogue and Cooperation of Rural people (Senegal), 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 organisations, such as Via Campesina, accuse the current WTO rules and IMF structural adjustments of making this goal unattainable. Stemmed from a collective mobilization, "food sovereignty" is purposed as a global alternative able to provide food security, and at odds with the liberalisation of agriculture as initiated at Uruguay Round. Food sovereignty implies the end of unfair competition on world markets and some kind of protection for developing countries domestic agricultural markets. The concept has induced incredible thought turmoil and contributed, when WTO trade negotiations reopened at the early 2000's, to forward afresh the interest of State intervention in agricultural markets. But if the idea of food sovereignty is able to mobilize and federate citizens, it is delicate to express precisely into corresponding economic tools.

In 2005, 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.” [NGO/FAO, 2005]

The Nyeleni Forum for Food Sovereignty in 2007 designed 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 markets“ [Nyeleni, 2007]. These definitions result from compromise and conglomeration work made within civil society international 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, ii) limit dumping, i.e. improve the competitiveness of exports and withdraw export subsidies. Food sovereignty is thus formulated by the peasant organisations and civil society organisations 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 campaigns – Agir Ici “PAC, FAO, OMC: la faim justifie les moyens!” [2001], “Chicken exports: Europe plucks Africa!” [2004] and “Pour un commerce plus juste: Faites du bruit jusqu'à Hong Kong !” [2005]. In their information and action campaigns against the ills of this type of competition, the 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, the “Big Noise”, to Hong Kong with over 17 million signatures. It called for the WTO conference to lay down trade rules favourable to Southern countries, especially in the agricultural sector. Along with other organisations in its delegation, it worked hard on lobbying the different delegations attending the conference.

Yet, these two preconisations (minimal protection of local markets and end of Northern agricultural dumping) reflect two currents of thought which, without being opposing, often led their advocacies separately to WTO. This is why, in 2005, cotton organizations, which preference was for the opening of the markets of the North (carried by Oxfam UK in WTO), went out of ROPPA, within which majority "mixed farming-animal husbandry " organizations centred their claims on the protection of the local markets. Some of 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 the developing countries’ development calls for an exception to the trade liberalisation rules, and the WTO’s, which focuses in principle on the development of the developing countries via trade liberalisation.

Two years after the food crisis, African countries seek to move away from imports which become more expensive. Several African states are beginning to turn to rely on the concept of food sovereignty to sit a goal of self-sufficiency. Senegalese President Abdoulaye Wade has launched the Great Offensive for Food and Abundance (Goana), a major public initiative aimed at ending the Senegal "food dependence" and ensure "food self-sufficiency" to achieve "food sovereignty”. It remains that food sovereignty is only one response element in the fight against under nutrition.

Developing countries’agricultural sector historically benefits from neither significant domestic support nor protection. The following section aims to test the reality of an antagonism between a neo-liberal view of globalisation, carried out by the WTO and IFI’s system, and an alternative in favour of food sovereignty. In the case of West Africa, what are the determinants of the choice of countries to neither support nor protect significantly agricultural sector? Has such a position been freely adopted or under international constraints? NGOs and more and more African states accuse Western countries of the North through international institutions, to force open their markets. What happens in reality?

2. External forces in favour of agricultural trade openness in West Africa

We randomly herethen look at the IMF structural adjustements conditions, the WTO recent negociations and bilateral negotiations of Economical Partnership Agreements with European Union.

2.1. Role of International financial institutions (IFIs)

The Berg report (World Bank, 1981) is quoted by a number of authors as being the catalyst for a political turning point that marked the end of the self-sufficiency policies in the developing countries since they were deemed scientifically baseless. This created a window for the developing countries to throw open their doors in a 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. It points 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 urbanisation. The lack of investment in agriculture is explained by an inadequate border policy: overvalued local currencies penalise exports and foster imports, discouraging local production.

Although the report effectively recommends developing export crops to cash in on Africa's "obvious" comparative advantages in tea, coffee and cotton production, it considers that the investment needed to develop these crops should have positive repercussions on the simultaneous development of food crops by improving access to efficient techniques, inputs and equipment to improve farming yields. All the same, the World Bank points out that the development of export crops is always preferable to merely maintaining a self-sufficiency strategy. Opening the food marketing channels to the private sector is also one of the recommendations. However, this same report clearly advocates that Sub-Saharan Africa should resume high enough import duties to prevent imported food from replacing local produce and should introduce a price policy in favour of producers, even if it is to the disadvantage of 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 IFIs (the World Bank and the International Monetary Fund) granted 36 loans to Sub-Saharan Africa and 46 loans to other world regions from 1980 to 1987. Of these, 80% and 33% respectively were tied to structural adjustment conditions connected with agricultural policies. The prescribed measures concerned, on the whole, reducing visible discrimination against agriculture and improving economic incentive by restoring true prices. This basically 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. The idea was for these countries to make the most of their comparative advantages in the food sector and the economy's other sectors. 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]. At the same time, urbanisation was gathering pace in the developing countries in Asia, Latin America and Africa.

At the end of the 1990s', several West African countries have beneficiated from IMF loans with the same logic as described by Matthews and Mahé [1995]. Countries committed to reduce their external tariff protection for all products, even if they would have to face significant custom duty losses. IMF clearly encouraged West African countries to adopt the and generalize to the entire ECOWAS the low harmonised tariff lines already introduced in 2000 in the West African Economic and Monetary Union (WAEMU) members i.e., Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal, Togo. Dealing with agricultural sector, one can find recommendation of continuing structural reform (privatisation) and market liberalisation of few some particular or exported products (cotton, rice and sugar in Burkina Faso, coffee and cacao in Côte d'Ivoire), but the priority for economical development seems to be given to other industries than agriculture. The necessity to develop agricultural or rural sector is marginally touched on for Mali and Niger (IMF, 1997, 1998, 1999 and "Letters of Intent" of governments, which describe the policies that the State intends to implement in the context of its request for financial support from the IMF, available at IMF website).

Yet The 2008 World Bank Development Report "Agriculture for Development" calls for greater investment in agriculture in developing countries, and warns that the sector including household farming as long as it can sustain food security and rural employment, must be placed at the centre of the development agenda hereby marking a turning point in the Institution approach to Agriculture.

2.2. The Doha Development Agenda round of agricultural negotiations

As its name suggests, the Doha Development Agenda launched in 2001 was presented as the round of trade talks focusing on the development of the Southern countries, and this is regularly restated.3 Although the scope of the talks covers a number of sectors, agriculture is a core focus of the negotiations in that this sector holds an important place in the economies of the developing countries. Agricultural talks were launched on the three tracks of the 1994 Uruguay Round Agreement on Agriculture: market access, export competition and domestic support to agriculture.4 An analysis of the negotiations on the first two points – market access and export competition – sheds light on the compatibility of the demands made with regard to food sovereignty and the international trade legislation liable to emerge from the agricultural talks at the WTO.

[3] "*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.*" Decision adopted by the WTO General Council on 1 August 2004.

[4] "(…) *without prejudging the outcome of the negotiations we commit ourselves to comprehensive negotiations aimed at: substantial improvements in market access; reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support.*" Doha Ministerial Declaration, 14 November 2001, Art. 13.

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). The revised draft modalities dated July 20085 provide for the elimination of export subsidies by the end of 2013.

Cotton is not a foodstuff. Nevertheless, the example of 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, four African countries – 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, much like export subsidies. 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 on the cotton market while reducing the possibilities of domestic support in this sector for the developed countries6. In parallel to the negotiations, and without awaiting their completion, the United States were taken to task under the dispute settlement mechanism by a panel set up following a complaint filed by Brazil in September 2002. One of the panel's conclusions [WT0, 2004], confirmed by the appellate body ([WTO, 2005], is that, in addition to the export credit guarantees, certain forms of domestic support granted to cotton producers in the United States constituted real export subsidies and effectively distorted trade on the international cotton market. Following these rulings, the United States is bound to bring its legislation into line with the panel's conclusions. The case of cotton is a good illustration of the fact 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 to find that the NGOs welcome the stalling of the agricultural talks, as a failure could reduce the developed countries' export subsidy withdrawal commitments to nothing.

The "market access" component of the July 2008 revised draft modalities provides for a tiered formula for the reduction of bound tariffs. Bound tariff is, for each commodity, the maximum applicable rate of duty authorised, as informed 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, the agricultural negotiations provide for the developing countries to benefit from special and differential treatment (S&D). This consists of applying lower levels of tariff reduction commitments to the developing countries than to the developed countries, with longer time periods to implement them.

Table 2 gives the formula or reduction commitments for the general case and the S&D treatment reserved to developing countries.

Table 2 Formula for 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% on average		36% on average
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 agreed on a bracket, but have not yet agreed on an actual final figure.

Developed countries may define a small number of "sensitive" products to which they apply lower cuts offset by an increase in the minimum volume of imports allowed in at a lower quota. S&D also entitles the developing countries to exclude "special" products from their reduction commitments when these products play a particular role in the country's national economy. Note that a product's importance to "food security" is given as a valid reason to class a product in the "special" category. Similarly, under S&D, the 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.

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

[6] Specific commitment to reduce the base OTDS (Overall Trade-Distorting Domestic Support) for cotton by more than the base OTDS reduction commitments for the other products; limitation of the use of the blue box (permitted supports linked to production) for cotton; and reduction of the timeframe for the implementation of the commitments to reduce support in this sector (WTO, 2008; TN/AG/W/4/Rev.3)

The application of S&D reveals the importance of the developing country classification at the WTO, which grants separate rights to each category. In general, there is no specific list drawn up of "developing countries". This classification is based on the countries' own declarations of their "developing" status. 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. "Small vulnerable economies" (SVEs) are a new category of countries introduced by the Doha Round. SVEs are 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 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 in the event of market disruption to prevent abnormal increases in imported quantities. Yet does this mean that the developing countries can, under the international trade regulations, sustainably raise their tariffs on agricultural products in order to develop a protectionist import policy?

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 draft	Number of countries with bound > 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.7 Bound tariffs: taken from WTO data published in the 2008 and 2009 tariff profiles8; applied rates taken from the WTO Integrated Data Base.9,

Actually, the developing countries already have a great deal of room for manoeuvre under the WTO regulations, to step up their protection from imports from third countries without exceeding the ceiling defined by the bound tariff10. This is also the case for the 15 ECOWAS West African countries, which present a real homogeneity of agricultural applied tariff levels, even if their bound tariffs are very different from one country to another. Developing countries' bound agricultural tariffs stand at 60% on average. Application of the S&D 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 don't use effective room of manoeuvre: they don't implement protection of their agricultural markets from imports at levels authorised by WTO, and their applied agricultural rates are generally lower on average than those practised by the developed countries.

2.3. Economical Partnership Agreements (EPAs) with European Union (EU)

Economical Partnership Agreements (EPAs) were intended to create a WTO-compatible system between the European Union (EU) and African Caribbean and Pacific (ACP) States, based on reciprocal trade commitments, contrary to previous EU-ACP Lomé-Cotonou Agreements which were built on EU market access concessions to ACP exports without counterparties.

Several groups of ACP countries have separately negotiated with the EU since early 2000s' in order to conclude EPAs; West African region was one of those blocs. Note that in 2008, most West African countries have refused to sign the negotiated EPA except Côte d'Ivoire and Ghana. Pannhausen (2006) estimates the effects of reducing to zero West African tariffs on some agricultural commodities imported from UE (milk, poultry, wheat, wheat flour and processed tomatoes). Basically such a reduction would basically lead to significant producers and government custom duties losses, balanced by benefits to consumers because of the lower prices, the overall welfare effect being indeterminate.

In order to be WTO compatible, EPA mustn't exclude wholly a major sector from liberalisation. Hence agricultural and processing food products have not been excluded as a whole, but negotiations have lead to the

[7] "Classification of Economies", UNCTAD Handbook of Statistics 2008, pp 26-28.
[8] http://www.wto.org/french/res_f/booksp_f/tariff_profiles09_f.pdf ;
[9] iaf.wto.org (authorised users only).
[10] Obviously, this average finding does not take into account the case of certain products in some countries that may be more specifically targeted by a level of applied protection close to the bound level, and may therefore lose this leeway following the application of the rates of reduction. Nevertheless, a study of recent tariff data at a more detailed level of agricultural products suggests that these cases remain few and far between.

designation of "sensible products" at a more disaggregated level, which are excluded from tariff reduction schedules because of food security or tariff revenues concerns. Some agricultural products have been classified "sensible" to that sense (like "special products" in the frame of WTO multilateral negotiations). Some other agricultural commodities have not been excluded from liberalisation but the tariff reduction commitments will be implemented after a very long period (25 years). ACP countries have used those flexibility facilities. As a result, almost agricultural commodities aren't directly concerned by a significant fall of import tariffs applied to EU products (Matthews, 2010). Note that for the two only West African Region EPA signatories in 2008, Côte d'Ivoire and Ghana, wheat and milk powder tariffs are scheduled to go to zero soon (in 2011 for Côte d'Ivoire, 2013 for Ghana), but those commodities are already submitted to the lowest import tariff rate (5 %).

ECOWAS CET constitutes one of the determinants of the preferential negotiation to lead with the EU: the higher the CET, the more ECOWAS have margins of negotiations with EU in terms of limitation of import tariff reduction on sensible products. The perspective of a generalisation in 2008 of a Common external tariff (CET) at low level for all ECOWAS countries leads to a situation where agricultural tariffs are maximum 20%. At this level, EU does not need to negotiate more because this tariff is already lower than its own11. As a result, EPA negotiations have not lead to significant reduction of ACP agricultural tariff barriers. The main remaining disagreement between the European Union and the countries of Western Africa within the EPA negotiations concerns the list of the industrial products to be liberalized and their rate of liberalization, the president Wade still refusing (in December, 2010) any idea of financial compensation in the name of the principle of protection of rising industries (ICTSD, 2010)

3. Internal constraints and prospects for agricultural domestic policy in West Africa?

We first highlight the traditional internal brakes in protection of West - African agriculture; we then disclose the signs of a change of these policies through regional integration and agrarian policies.Bas du formulaire

3.1. "Urban bias" persistence

Food security and political stability are often mutually dependent and reinforcing. Food security can influence the political stability of countries like in the case of Niger where chronic food crisis causes permanent political instability since independence. Greatest risks though for regime stability are urban riots that are sometimes sparked by food shortages or sudden price increases among food products. Generally, starvation in the countryside does not result in political instability because those who experience the brunt of food shortages tend to be rural and have little political voice. Clearly, this favours an approach in favour of urban consumers versus small farmers.

The bet into the political agenda of food security systematically followed 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 via the development of 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 introduced subsidies for food purchases so that urban consumers could eat for a reasonable price. Those 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.

Paradoxally, 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. 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 in 2003 expressed in Cancun).

But 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. Yet, unlike customs duties, this trade regulating instrument benefits domestic consumers and not producers.

Beyond strict "urban bias", there are other internal brakes to agricultural domestic support and protection. One reason lays in the long lasting- belief of urban African political elites that trade liberalization and not agriculture,

[11] However EPAs' negotiations lead to other commitments that are susceptible to have consequences in terms of food security: ban of export restriction and taxes, limits of using the bilateral safeguard clause… that go beyond WTO discipline (Matthews, 2010).

particularly family and food-producing agriculture, is the key to development. One main reason for World Bank supporting so few Agricultural projects is the lack of Projects related to agriculture itself.

Another reason is more technical : the technical preparation of applications to exceptions to WTO rules recovering from S&D or the discussion to define what are “sensitive” (APE) or “Special”(WTO) products is complex, few countries have this skill.

Furthermore, in a certain number of countries, agro-importers and agro-exporters are very few as in the case of rice; there are eight main importers for the whole African continent and economically overwhelming. Showing, that customs and harbour zones are the main places of corruption and fraud’ institutionalization in Benin, Nassirou Bako-Arifari shows that frauds and dissimulation are practices considered as positive in the popular ethics of the storekeepers and the other importers. On the other hand, requests of deal can go back up all the levels to touch directly Minister of Finance so reporting a direct collusion between international traders and politicians. They are also (over) represented in restricted circles of power, sometimes through family networks, and their economic interests go to the sense of the pursuit of the opening to the exchanges.

However one can observe a recent sensible evolution. A vast investigation realizes in 2009 for the World Bank coordinated by K. Anderson assess the trend of nominal rate of assistance on several periods from 1955 to 2006-2007 in 75 developing countries. Authors conclude that, even if agriculture stay a sector more taxed than subsidized, there is a sensible decrease (from an average about 20% in 1980s’ to 7-8% in the 2000s’) of agricultural taxation, links with structural reforms. But direct support to agricultural sector has not increased, but regressed during the same period. In other words, handicaps for agriculture have been progressively reduced but domestic support is still insignificant.

3.2 A turn of West African countries integration trends

During the months before the 2008 deadline, there has been a large debate about the opportunity to revise the categorisation of WAEMU tariffs. Nigeria which presents the highest bound levels of tariffs at WTO, claimed in 2004 for a fifth category at 50 % tariff to be applied to industrialised products, in order not to brake domestic growth. This argument has been taken also by agricultural producers’ organisations (ROPPA, 2006) to argue that agricultural goods have to benefit from a higher level of protection. In its argumentation ROPPA established a direct link between the growing West Africa food trade deficit between 1995 and 2003 and the reduction of import applied tariff resulting from regional integration within of WAEMU.

In 2008, two events happen. First, APE trade negotiations have heightened civil society awareness of danger to liberalise agricultural trade with EU because EU agricultural goods may compete with domestic products and disturb domestic production industry. This experience reinforced the control of West African States, which have regularly appealed to experts12. Second, 2008 was the year of generalisation of WAEMU CET to the whole ECOWAS, which was problematic especially for Nigeria which was previously applying higher tariffs on agricultural goods. As a result, the ECOWAS-WAEMU Ministerial Committee of following EPA negotiations decided to examine the effects of introducing a fifth category of CET at an higher level than 20 %, for a group of products to be listed [ECOWAS, WAEMU, 2008a]. At the end of 2008, the principle of a fifth category at 35 % has been introduced for a higher level of protection of sensible products that need to be protected to boost the domestic production. The definition of the list of goods is not yet established in 2010, because there are divergences among countries about criteria of sensibility and sensible products. But it seems that this new fifth category certainly would concern transformed food like poultry, cheese and yogurts, but also potatoes, flour, refined vegetal oils, pasta, biscuits and drinks. WAEMU purposed rice to be eligible to this fifth category but some States, like Senegal, fear that a higher protection of rice would increase food price for urban areas consumers.

From West African Civil Society Forum (WACSOF) point of view, chosen methodology to target the fifth CET band at 35 % on appropriate commodities has to be built in accordance with the identification of sensible products in the frame of APE negotiations, by analysing needs in terms of protection against imports from EU. Hence EPA negotiations have actually contributed to develop West African Countries expertise about their protection needs (PASCOA, 2010).

Apparently, this fifth level of protection could be the core of the emergence a first pillar of building a real common agricultural policy for ECOWAS based on targeted protection. But agriculture suffers from so many direct and indirect taxations that a second pillar relative to domestic support has to be completely defined.

3.3. Emergence of agricultural policy in West African countries

In 2001, WAEMU adopted the principles of building a common agricultural policy [UEMOA, 2001]. But nothing matters between 2001 and 2008. However Mali and Senegal have wrote the objective of food sovereignty in their last agricultural laws.

Since independence, agrarian policies in both countries have always been governed by development plans. In December 2005 in Mali, further to an important consultation, the president Toure adopted the Law of agrarian orientation (LOA).

[12] Gallezot, Laborde

This policy aims at accompanying modernization and diversification of agriculture and to create an agrarian status. In the case of the Senegal, the "Strategy of speeded up growth " adopted in 2008 envisages group of measurements of support for areas with great potential of growth among which appear agrarian chains. The objective of modernization of agriculture is then finally set apparently. Both acts have a declared objective to reduce poverty and attain food security via food sovereignty.

May 2008 Food crisis pushed governments to intensify support policy to agricultural sector while announcing resumption in hand of agriculture regulation by political power. Mali 2008 "Rice Inititiave" gave ciphered objectives of production for ongoing season. Senegalese 2008 "Great offensive for food and abundance" (GOANA) is a vast public initiative which aims at ending « food dependency » of the Senegal and at assuring " food self-sufficiency " to achieve « food sovereignty ». It aims in most cases at an important increase of production of grain and subsistence crops. The most important growth concerns cultures intended for home consumption, notably fonio, niébé and thousand. In spite of its ambitious objectives and means and its real geopolitical range (" the Africain revival "), this initiative remains very questioned by the National Council of country cooperation and collaboration which regret the peasants responsibility eroding effect, via numerous subventions, and the slightest participation of the professionals in the catch of political decision.

Maybe national experience of Mali or Senegal in that concern could put light on possible mechanism to develop agricultural industry in West African Countries, before adopting adapted mechanism for the whole region. With ECOWAS single market, separate national approaches have no real perspective because they would raise problems of competition distortions. But, and that is relatively new, even such initiatives have been influenced by ONG-OSC lobbying, they are officially supported by Governments, and presented as national projects to international organisations (WTO, FMI): the last WTO Trade Policy Review of Niger and Senegal (WT/TPR/S/223, 2009-2010) mentions ECOWAS countries plan to implement a common agricultural policy (ECOWAP) targeting to take into account food sovereignty of the Region, that justify the reflexion about increasing the highest level of ECOWAS CET to be applied to some agricultural commodities. But ECOWAP implementation raises also the problem of how to finance the project. Should it be supported by international funds, as would seem to suggest recent communications from certain organisations (World Bank, 2007; Diouf, 2009)? Or should it be advocated that the public budgets (national or regional) and/or the consumers in these nations pick up the tab?

The NGO/CSOs argue that the analysis of the environment surrounding the 2007-2008 food crisis proves the risk for the developing country populations of depending on the world markets for their food supplies from the point of view of product price and availability. In this respect climate change could contribute to reinforce the dependency of Western Africa with world markets. However NGO/CSO's approach quietly differs from food planning attempts of the 1970s': the political project surrounding food sovereignty is merely a question of establishing a regional common agricultural policy without dumping on the international markets.. in 2005, the peasant farmer organisations successfully lobbied for the ECOWAS agricultural policy, ECOWAP, to be based on the principle of the region's food sovereignty (Gallezot, 2006). These organisations 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, J, Parmentier, S and Van Der Steen D. [2009]).

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, notably through the right for developing countries to protect themselves more from imports from third countries even if it implies not to respect certain international commitments. This position, skilfully instrumented by certain African States, suggests that the food sovereignty of the Western Africa countries, that we considered here, would be threatened by the pressure of the liberal international organizations, livened up by the defence of the States which would have most interest in the development of their international commercial outlets.

We do ascertain in this paper that the World Bank and the International Monetary Fund tie, since the 80s, loans to structural adjustment conditions connected with agricultural policies. Yet the analysis of the content of the WTO Doha Development Agenda round of agricultural negotiations shows that they are directed at improving export competition and that the proposed compromises are not a significant constraint on the development By the same token, EPA negotiations with EU have not lead to significant reduction of ACP agricultural tariff barriers of an import protection policy for most of the developing countries.

After all, it seems that the essential determiners to the West-African Statex withdrawal from agriculture are to be looked, not in the international community pressure, but in the internal set of actors and the national political and economic balance of power. The urban bias seems a key element in this opening. We develop however the hypothesis of a certain erosion of this obvious principle in the last developments around the ECOWAP and the revision of the WAEMU CET.

On the one side, in 2005, the peasant farmer organisations successfully lobbied for the ECOWAS agricultural policy, ECOWAP, to be based on the principle of the region's food sovereignty (Gallezot, 2006). This was paradoxical at a time when the EU's CAP had been dismantled following the introduction of agriculture into the WTO/GATT trade talks. It brings the problem of how to finance the project. Should it be supported by international funds, as would seem to suggest recent communications from certain organisations (World Bank, 2007; Diouf, 2009)? Or should it be advocated that the public budgets (national or regional) and/or the consumers in these nations pick up the tab?

Further, at the end of 2008, the principle of a fifth category at 35 % has been introduced for a higher level of protection of sensible products that need to be protected to boost the ECOWAS agricultural production. It would be interesting to examine what the IFIs suggest after the food crisis of 2007-2008, because IFIs seems to be the most binding external force against an increased protection. What would be economic tools of ECOWAP? To analyse this, further researches will deal with measure of domestic support in West African developing countries and put the light on effective brains for agricultural development (input taxation, monetary effects etc.) and determine the most adapted support way for countries.

We shall observe further whether Regionalism in West Africa, that seems so far to have accelerated trade liberalisation in the region could actually become a tool for a agricultural development policy at regional level, via building an ECOWAP.Would this evolution be revealing of a new principle of " of "rising agricultures protection" "?

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