

**Treaty on the West African Economic and Monetary Union (WAEMU)
(Goods)
Summary Fact Sheet**

Table 1: Background information

Parties	Republic of Benin, Burkina Faso, Republic of Côte d'Ivoire, Republic of Mali, Republic of Niger, Republic of Senegal and Togolese Republic	
Date of signature	10 January 1994	
Date of entry into force	1 January 2000	
Transition period for full implementation	Not available	
Date of full implementation	Not available	
Website addresses or points of contact	WAEMU's official website: http://www.uemoa.int/index.htm	
List of related GATT/ WTO documents	WT/COMTD/N/11 WT/COMTD/23	Notification Agreement

Table 2: Internal trade liberalization

Import and export duties and charges	The Agreement provides for the elimination of all customs duties, quantitative restrictions or measures with equivalent effect applied to goods originating in the territory of the Parties that meet the requirements established in the Annex to the Agreement (Art. 76(a)). It also prohibits the introduction of new custom duties, quantitative restrictions and measures with equivalent effect on trade between Parties (Art. 77(a) and (b)). In accordance with GATT Art. XXIV:5, the Union assures that duties and other regulations of commerce imposed at the institution of such a union in respect of trade with third parties will not be higher or more restrictive than the general incidence of the duties and regulations of commerce applicable in the constituent territories prior to the formation of the Union. The Council of the Union decides, by a two-thirds majority, on the timetable and modalities of liberalization (Art. 78).
Non-tariff measures	Not applicable
Sector-specific rules	Sectoral policies are defined in Protocol II (Art. 101).
Product exclusions	Not applicable

Table 3: Common External Tariff

Provisions	Yes
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Table 4: Provisions of the Agreement

Provision	Relevant Article(s)	Additional Information
Rules of origin	Title III of the Annex	Rules of origin are set out in Title III of the Annex to the Agreement. Chapter I deals with non-processed products, as specified under Art. 4. Chapter II covers handicrafts, whereas Chapter III covers industrial products. For the latter, to be considered as an "originating product" at least 60% of input materials must come from the countries of the Union. For industrial products manufactured in the Union from imported inputs, the originating status is acquired if the value of the imported product is less than 60% of the total raw material used in the production process and when the value added is at least 40% of the ex-factory price of the industrial product. These percentages may be modified by the Council of Ministers. The originating status is proved by a "certificate of origin" issued by the competent authorities of the exporting country.
Standards-related measures	Art. 80	The Council, by a two-thirds majority, may adopt measures to ensure the harmonization and mutual recognition of the technical and sanitary measures and regulations and certification procedures in effect in each Member State.
SPS measures	Art. 36	Member States are required to harmonize their respective sanitary and phytosanitary regulations.
Safeguard mechanisms (intra-trade)	Art. 86	The Council, by a majority of two-thirds may establish modalities for the adoption of safeguard measures by Member States, whenever serious difficulties occur in one or more economic sectors. The adoption of safeguard measures is to be approved by the Commission before such measures enter into force. Safeguard measures cannot exceed a period of six months and are renewable.
Anti-dumping and countervailing measures	Art. 83	The Agreement takes into account the need to protect Member States from the practice of dumping by third countries.
Subsidies and State aid	Art. 83	The Agreement takes into account the need to protect Member States from the use of subsidies by third countries.
Customs-related procedures	Art. 82(a), (b) and (c)	The Agreement provides for the harmonization of customs-related measures and procedures.
IPR	None	
Government procurement	None	
Competition	Art. 88	The Agreement prohibits anti-competitive behaviour, the abuse of dominant position and the adoption of public aids aimed at distorting fair competition within the common market. The Commission, under the supervision of the Court of Justice, is responsible for the application of competition policy.
Investment	None	
General exceptions	Art. 79	Member States may adopt measures to prohibit or limit trade in goods for the following reasons: to protect public morals, human, animal or plant life or health, national treasures of artistic, historic or archaeological value, exhaustible natural resources and intellectual and commercial property. Member States must notify the Commission of any restrictions adopted.

Provision	Relevant Article(s)	Additional Information
Accession	Art. 103; Art. 104	Any African State may become a member of the Union. The conditions governing accession will be set forth in an agreement concluded between the Member States and the candidate. The accession agreement must be approved by the Conference of Heads of State and Government. Moreover, any African State may request to participate in one or more Union policies as an "associate member".
Dispute settlement	Art. 38; Art. 39	Any dispute regarding the interpretation or implementation of the provisions of the Agreement will be settled by the Court of Justice.
Relation with other trade agreements	Art. 84; Art. 85	The procedure for concluding trade agreements with third countries is set out in Art. 84. Within international organizations, Member States of the Union are represented by the Commission.
Institutional provisions	Title II	The Union comprises the following bodies: The Conference of Heads of State and Government (paragraph 1); the Council of Ministers (paragraph 2); the Commission (paragraph 3); and the Court of Justice and Court of Auditors (Section III). An Inter-Parliamentary Committee has also been established to foster dialogue and integration among Member States.

Trade and tariff data are not available.
