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**CONVENTION A/P.4/5/82 RELATING TO INTER-STATE
ROAD TRANSIT OF GOODS**

THE GOVERNMENTS OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES.

RECALLING paragraphs 3 and 4 of Article 22 and Article 23 of the Treaty of the Economic Community of West African States relating to Customs and Trade matters and Article 11 of the Protocol relating to the Concept of Products originating from Member States;

ACCEPTING the principles of the convention of the United Nations Conference on Trade and Development on transit of goods within landlocked countries adopted on 8th July, 1965;

CONSIDERING that it is necessary to set up an Inter-State road transit system in order to facilitate the transportation of goods between the territories of the Member States;

CONSCIOUS of the fact that the Inter-State Road Transit System may facilitate the compilation of statistics of movement of goods;

CONVINCED that in order to ensure that these statistics are comprehensive and reliable it is necessary to ensure that the Member States collaborate at the administrative level and that the documents of the Inter-State Road Transit contain the necessary data;

HAVE AGREED AS FOLLOWS:

CHAPTER I

ARTICLE 1

Definitions

In this Convention,

- (a) **"Treaty"** means the Treaty of the Economic Community of West African States;
- (b) **"Member State" or "Member States"** means a Member State or Member States of the Economic Community of West African States.
- (c) **"Inter-State Road Transit (ISRT)"** means a regime that allows the transportation of goods by road from one Customs Office in a Member State to another Customs Office in another Member State through one or more Member States free of duties, taxes and restrictions while in transit. Such goods shall be accompanied with a set of customs documents and shall not be off-loaded or transferred while in transit;
- (d) **"Principal Obligee"** means any natural or legal person, who by a customs declaration, applies to carry out an Inter-State Road Transit operation and is thus responsible to the competent authorities for the regular execution of this operation;
- (e) **"Means of Transport"** means any road vehicle, trailer, semi-trailer or container used for the conveyance of goods.
- (f) **"Office of Departure"** means the Customs Office where the Inter-State Road Transit operation begins

- (g) **"Transit Office"** means the Customs offices (other than those of departure and destination) through which vehicles pass during their Inter-State journey;
- (h) **"Office of destination"** means the Customs Office where the goods are to be presented and where the Inter-State Road Transit operation terminates;
- (i) **"Office of guarantee"** means, the Office of departure where security bond arrangement concerning transit are concluded;
- (j) **"Common border"** means the border common to two Member States;
- (k) **"Inter-State Road Transit Declaration"** means the transit declaration made in appropriate booklet, a model of which is attached to this Convention as an appendix;
- (l) **"Notice of passage"** means an unnumbered leaflet of the Inter-State Road Transit declaration deposited by the transporter in each passage Office;
- (m) **"Merchandise"** means all trade goods subject to trade with the exception of those stipulated in ***Annex "A" to this Convention***.

CHAPTER II

Establishment of Inter-State Road Transit Regime

ARTICLE 2

An Inter-State Road Transit Regime is hereby established among Member States of ECOWAS for the purpose of facilitating the movement of goods in their territory as defined in Article 1.

ARTICLE 3

The provisions of Article 2 of this Convention shall, however, not apply to the following:

- (a) Goods appearing on the special list of goods which is attached as **ANNEX "A"** to this Convention. The list may be amended by the Council of Ministers upon the recommendations of the Transport Commission.
- (b) Transportation of goods carried out under the international railway transit system.
- (c) Postal articles (including parcels sent by post).

ARTICLE 4

In order to enjoy the provision of the present Convention, transporters authorised by their State shall:

- (a) use road vehicle or container vehicles previously approved in conformity with the provisions indicated in **ANNEX "B"** to this Convention.
- (b) have paid a deposit and obtained a receipt acceptable within the terms of the logbook and under the conditions stipulated in **ANNEX "C"** to this Convention.

CHAPTER III

Formalities

ARTICLE 5

- 1 In order to operate under this Inter-State Road Transit System, all goods shall be covered by the Inter-State Road Transit Declaration in accordance with the terms of the present Convention.
- 2 The Inter-State Road Transit Declaration shall either be type-written or hand-written but in the latter case it shall be in ink, legible and in printed characters.
- 3 The Inter-State Transit Declaration shall be signed by the principal obligee or by his authorised representative as well as by the guarantor.
- 4 The log-book shall be numbered and shall bear the under-takings by the principal obligee and his guarantor. They shall contain leaflets of undertakings and discharge which shall bear the number, type of package, description, quantity gross weight and value of the goods as well as countries of departure of transit and of destination.

ARTICLE 6

The Inter-state Transit Declaration which is to be completed at the point of departure shall

comprise four leaflets numbered from 1 to 4, and be distributed as follows after registration:

leaflet No. 1: this shall be detached and kept at the office of departure where it is checked against leaflet No. 3 at the end of transit operations. The booklet is then delivered to the principal obligee or his authorised representative.

leaflet No. 2: this shall accompany the goods, and shall be deposited at the office of destination where it shall be kept.

leaflet No. 3: this shall accompany the goods and shall be deposited at the office of destination which shall then return the discharged leaflet directly to the office of departure or give it to the interested party of the representative who shall ensure its return to the office of departure.

leaflet No. 4: this shall accompany the goods and shall be deposited at the office of destination which shall forward it to the body charged with statistics in the Member State of destination. Additional leaflets shall be made available to serve as notice of passage.

ARTICLE 7

Additional documents to the Inter-State Road Transit Declaration shall be regarded as an integral part of it.

ARTICLE 8

In case there are additional documents to the Inter-State Road Transit System in a Member State of departure to another Customs System, reference shall be made to this additional documents and to any other corresponding documents on the Inter-State Road Transit Declaration.

ARTICLE 9

- 1 At the office of departure, as many leaflets of the notice of passage relative to the number of transit offices shall be produced in support of the Inter-State Road Transit Declaration.
- 2 After registration, the notice of passage are handed back to the principal obligee, or to his authorised representative.

ARTICLE 10

The Principal obligee shall be bound:

- 1 to follow the itinerary as specified;
- 2 to deliver the goods intact at the office of destination within the prescribed period;
- 3 to respect the provisions concerning the Inter-State Road Transit System and transit in each of the Member States whose territory is used for the transportation.

ARTICLE 11

The following shall be considered to constitute one means of transport, provided that they transport goods which are meant to be carried together:

- 1 a sealed Road Vehicle;
- 2 a sealed Road Vehicle accompanied by its trailer(s) or semi-trailer;
- 3 container loaded on to a means of transporter as understood by the present Article.

The same means of transport may be used to load up goods in containers at several departure points, just as it can be used for off-loading at several offices of destination.

ARTICLE 12

The one means of transport shall only convey goods covered under the Inter-State Road Transit Regime.

ARTICLE 13

Only goods loaded or supposed to be loaded to only one means of transport and meant to be transported from the same office of departure to the same office of destination may be presented on the same Inter-State Transit Declaration.

ARTICLE 14

The office of departure shall register the Inter-State Road Transit Declaration, indicate the itinerary and prescribe the period within which the goods shall be delivered at the office of destination and shall draw up identification procedures it thinks fit.

After making all the Inter-State Road Transit Declaration leaflets and the notices of passages as appropriate, the office of departure shall keep the leaflet No. 1 for it and shall submit the booklet as well as all the notices of passage to the principal obligee or his authorized representative.

ARTICLE 15

1. The security of goods shall be ensured by sealing. The sealing shall be done:
 - (a) by vehicle;
 - (b) by packages or containers.
2. Sealing of vehicle shall be done only if the vehicle or vehicles:
 - (a) can be sealed easily and effectively;
 - (b) are constructed in such a manner that no goods can be removed or added without damage leaving visible traces or without the seal being broken;
 - (c) contain no concealed space that may allow goods to be hidden;
 - (d) the spaces reserved for loading are easily accessible for customs inspection.
3. The office of departure may do without sealing when, in view of other possible measures taken for identification, the description of goods in the Inter-State Road Transit Declaration allows identification.

ARTICLE 16

- 1 The transportation of goods shall be carried out under the cover of the Inter-State Road Transit Booklet.
- 2 Transportation shall be carried out through the offices indicated on the Inter-State Road Transit Declaration. However, when justified by circumstances, other passage offices may be used as directed by the appropriate authority.
- 3 In each office open for transit, an official register shall be kept to register, in chronological order, all transit operations effected with reference to the number of ECOWAS /ISRT Log-Book.
- 4 The Inter-State Road Transit Declaration leaflets shall be presented in each Member State whenever demanded by the Customs authorities which shall ensure that the sealings are intact. Except in cases where foul play is suspected, the Custom authorities of Member States shall respect the sealings done at the office of departure.

ARTICLE 17

At each transit office, the transporter shall present, on his arrival the cargo as well as the Inter-State Road Transit Booklet.

ARTICLE 18

The transit office shall:

- 1 Ensure that it is included in the list of transit offices indicated on the Inter-State Road Transit Declaration;
- 2 Check to see that the sealings are in order;
- 3 Not carry out a check on the goods unless it suspects irregularities which may give rise to foul play;
- 4 Put its stamp on all Inter-State Road Transit Declaration leaflets and transit notices that are presented;
- 5 Keep back one of the transit notices presented to it by the transporter and gives back to the latter all the Inter-State Road Transit Documents as well as the remaining transit notices;
- 6 Shall affix its seal on its part of the declaration of discharge and return the log book to the transporter. The annotated discharge leaflet shall be addressed to the corresponding office of undertaking for checking.

ARTICLE 19

When in accordance with the provisions of paragraph 2 of Article 6, transportation takes place unavoidably through a transit office other than the one mentioned to the Inter-State Transit Declaration and the transit notices, the transit office used shall find out from the transporter the reason for changing his itinerary, state the reasons given briefly on the document presented to him, apply the provisions of article 18 and immediately send the transit notice to the transit office which ought normally to have been used and which appears on the document in question.

ARTICLE 20

Goods listed on Inter-State Transit Declaration may, without any need for the renewals of the declaration, be transferred to another means of transport under the supervision of the Customs authorities of the Member State on the territory where the transfer is carried out. In this case, the Customs authorities shall mark as appropriate the Inter-State Transit Declaration leaflets and the transit notice.

ARTICLE 21

In case the sealing is damaged in the course of transportation for reasons beyond the control of the transporter, the latter shall, without any delay, ask for a statement to that effect in the Member State where the means of transportation happens to be at that time, from the Customs authorities if it is in the vicinity, or, where that is not possible, from any other competent authority. The authority contacted shall then apply new sealings if possible.

Report of the damage of sealing and the statement made to that effect and of the application of new sealing, as the case may be, shall then be made on the Inter-State Road Transit Declaration leaflets and the transit notice in the possession of the transporter.

ARTICLE 22

In case of an accident necessitating the transfer of goods to another means of transport, the provisions of article 20 shall apply. If there is no Customs authorities in the vicinity, any other competent authority may intervene in accordance with the provisions of Article 21.

ARTICLE 23

In case of imminent danger necessitating immediate off-loading, partial or total, the transporter may use his discretion but shall report the steps taken on all the Inter-State Road Transit Declaration leaflets and the transit notice in his possession. The provisions of Article 21 shall apply in this case.

ARTICLE 24

When as a result of an accident or other incidents which occurred during transportation the transporter is not in a position to respect the time limit envisaged in Article 14, the competent authority shall indicate this on the Inter-State Road Transit Declaration leaflets and the transit notices in the possession of the transporter.

ARTICLE 25

The office of destination shall indicate on the Inter-State Road Transit Declaration leaflets whatever verification was carried out. Leaflet No. 3 shall be sent back to the office of departure in accordance with the procedure stipulated in Article 6.

ARTICLE 26

- (a) The Inter-State Road Transport Operation may be terminated, in exceptional cases, at an office other than the one specified in the Inter-State Road Transit Declaration. The Office in question then becomes the Office of destination and the reason for the change shall be indicated on leaflets Nos 2,3 and 4 of the declaration.
- (b) The principal obligee and guarantor shall be free from their obligation vis-à-vis Customs authorities, when transit operation is completed with a discharge in the Customs Office of departure.

CHAPTER IV

Security

ARTICLE 27

1. In order to facilitate the collection of duties and other levies which a Member State shall charge for goods which pass through its territory during Inter-State Road Transit, the principal obligee shall provide acceptable security.
2. The sum of the security shall cover at least the sum of duties and taxes payable on such goods and possible penalties that may be incurred.
3. The security may be comprehensive and made to cover several Inter-State Road Transit Operations or be limited to a single Inter-State Transit Operation.
4. The comprehensive security shall cover several Inter-State Transit Operations carried out within a period not exceeding one year.

ARTICLE 28

- 1 The security mentioned in Article 27 above shall be a guarantee provided by a reputable financial institution affiliated to the West African Clearing House or any Institution of the Member State or legal entity approved by the Member State.
- 2 This guarantee shall cover transit operations from the bureau of departure to the bureau of destination.
- 3 The guarantee mechanism shall conform with the legislative, regulatory and administrative provisions of each Member State during the transitional period of three (3) years.

4. The sample of the document and the certificate of guarantee are provided for in **ANNEX "C"**

CHAPTER V

Reporting of Offences

ARTICLE 29

1. When an infringement is established in the course of and at the time of an Inter-State Road Transit Operation in a Member State, the duties, taxes and fines that may be incurred shall be collected by the Member State in conformity with the laws and regulations in force in each Member State.
2. If the place of the infringement cannot be determined, then it shall be deemed to have been committed:
 - (a) in the Member State where the infringement was noticed, when in the course of Inter-State Road Transit Operation, the infringement is noticed at the office of an entry point in a Member State which is an internal border;
 - (b) in the Member State to which the Office is attached, when in the course of an Inter-State Road Transit Operation the infringement was noticed in the passage office of a Member State located at the border;
 - (c) in the Member State to which the Office of this entry point is attached, when in the course of an Inter-State Road Transit Operation the infringement is noticed at the office of the entry point of a Member State as defined in Article 1;
 - (d) in the Member State to which the Office is attached when in the course of an Inter-State Road Transit Operation the infringement is noticed at the exit office as defined in Article 1;
 - (e) in the Member State where the discovery was made, when in the course of an Inter-State Road Transit Operation the infringement was discovered on the territory of a Member State at a place other than a passage office;
 - (f) in the last Member State of entrance by transportation means and goods, when the cargo was not delivered at the office of destination;
 - (g) in the State where the discovery was made when the infringement was noticed after the Inter-State Road Transit Operation was carried out

ARTICLE 30

- 1 The Inter-State Road Transit Declaration duly delivered and the measures of identification by the Customs authorities of a Member State shall have the same legal effects accorded declarations regularly issued and measures taken by

Customs authorities of each Member State.

- 2 The discoveries made by competent authorities of a Member State during checks carried out within the framework of the Inter-State Road Transit System shall be equally binding as discoveries made by competent authorities of each Member.

ARTICLE 31

As a matter of necessity, the Customs Administrations of the Member States shall communicate to one another, the reports of incidents, documents, certified accounts and information on transportation carried out under the Inter-State Road Transit System as well as on the infringements discovered.

CHAPTER VI

Statistical Provisions

ARTICLE 32

The office of departure shall transmit without delay, after verifying the Inter-State Road Transit Declaration, to the service which in the Member State of departure is the competent authority for external trade statistics, leaflet No. 3 of the said declaration.

ARTICLE 33

The Customs Office of Destination shall transmit without delay, after indicating the information specified in Article 25 to the service which in the Member State of Destination is the competent authority for external trade statistics, leaflet No. 4 of the Inter-State Road Transit Declaration.

ARTICLE 34

The passage offices of exit referred to in Article 1 shall forward for necessary action, to the service which in the Member State on which they depend is the competent authority for external trade statistics, copies of the passage notices submitted to them.

CHAPTER VII

Final Provisions

ARTICLE 35

Any dispute between Member States as regards the interpretation or application of the present Convention shall be settled amicably by direct agreement.

Failing this, the dispute shall be sent by one of the parties to the Community's Tribunal whose decision shall be final.

ARTICLE 36

The annexes and appendix attached to the present Convention shall constitute an integral part of this Convention.

ARTICLE 37

- 1 Any Member State, desirous of withdrawing from the present Convention shall give one year's notice to the Executive Secretary who shall inform all Member States. If, on expiration of this time limit notification has not been withdrawn, the Member State concerned shall cease to be party to the present Convention.
- 2 In the course of the one year period indicated in sub-paragraph 1 above, this Member State shall continue to comply with the provisions of the present Convention and remain bound to fulfill their obligations arising from the provisions of this Convention.

ARTICLE 38

Movement of goods under the Inter-State Road Transit Regime shall be subjected to the different national regulations of the Member States provided that they are not contrary to the provisions of the present Convention.

ARTICLE 39

Each Member State shall, in agreement with their immediate neighbouring Member State establish a list of the itineraries and Customs Offices along the itineraries open to Inter-State Road Transport of goods.

ARTICLE 40

- 1 The present Convention shall enter into force provisionally upon signature by Heads of State and Government of Member States and definitively upon ratification by at least seven signatory States in accordance with the Constitutional procedure

applicable for each signatory State.

- 2 This Convention and instruments of ratification shall be deposited with the Executive Secretariat of ECOWAS which shall transmit certified true copies of this Convention to all Member States and notify them of the dates of deposits of the instruments of ratification and shall register this Convention with the Organisation of African Unity, the United Nations and such Organisation as the Council shall determine.
- 3 Each Member State shall inform the Executive Secretariat of the arrangement for the enforcement of the present Convention. The Executive Secretariat shall communicate this information to the other Member States of such arrangements.

IN WITNESS of which, we, Heads of State and Government of the Member States of the Economic Community of West African States (ECOWAS) have given our signature to the present Convention.

IN FAITH WHEREOF WE THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED THIS CONVENTION

DONE AT COTONOU THIS 29TH DAY OF MAY 1982 IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES BOTH TEXTS BEING EQUALLY AUTHENTIC.

Signed

H.E. COLONEL MATHIEU KEREKOU
President of People's Republic of BENIN

Signed

HON. DR. MOMODOU S. K. MANNEH
Minister of Economic Planning and Industrial Development, for and on behalf of the President THE GAMBIA

Signed

HON. BRIGADE COMMANDER PEDRO PIRES
Prime Minister, for and on behalf of the President of the Republic of CAPE VERDE

Signed

H.E. FLIGHT LIEUTENANT JERRY JOHN RAWLINGS
Chairman, Provisional National Defence Council (P.N.D.C.) of Republic of GHANA

Signed

H.E. FELIX HOUPHOUET-BOIGNY
President of the Republic of IVORY-COAST

Signed

H.E. AHMED SEKOU TOURE
President of the People's Revolutionary Republic of GUINEA

Signed

HON. VICTOR SAUDE MARIA
Vice Chairman of the Revolutionary Council, Prime Minister, for and on behalf of the President of the Republic of GUINEA BISSAU

Signed

H.E. COLONEL SEYNI KOUNTCHE
President of the Supreme Military Council, Head of State of the Republic of NIGER

Signed

H.E. COLONEL SAYE ZERBO
President of the Military Committee for Redress for National Progress, Head of State of the Republic of UPPER VOLTA

Signed

H.E. ALHAJI SHEHU SHAGARI
President of the Federal Republic of NIGERIA

Signed

H.E. SAMUEL KANYON DOE

Commander-in-Chief, Chairman of the People's Redemption Council and Head of State of the Republic of LIBERIA

Signed

H.E. ABODU DIOUF

President of the Republic of SENEGAL

Signed

HON. DRISSA KEITA

Minister of Finance and Commerce for and on behalf of President of the Republic of MALI

Signed

H.E. DR. SIAKA STEVENS

President of the Republic of SIERRA LEONE

Signed

H.E. COLONEL MOHAMED KHOUNA OULD HAI DALLA

President of the Military Committee of National Salvation, Head of State of the Islamic Republic of MAURITANIA

Signed

H.E. GENERAL GNASSINGBE EYADEMA

President of the Republic of TOGO

LIST OF GOODS EXCLUDED FROM THE ISTR - ECOWAS REGIME, IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 3 OF THE CONVENTION

Customs Code Number	Description of Products and Goods.
3602	Prepared Explosives
360210	Dynamite and other blasting compounds for mining purposes
360220	Explosives based on ammonium nitrate, chlorates or perchlorates
360230	Explosives based on other organic nitrated derivatives
360240	Initiator explosives based on mercury fulminate lead azide, and the likes of it
360290	Other
3604	Safety fuses , detonating fuses, percussion and detonating caps; igniters; detonators
360410	Safety fuses and detonating fuses.
360420	Percussion and detonating caps for use in sporting firearms.
360430	Electrical primary detonators for mining use (comprising a small capsule of prising charge for use in a detonator)
360450	Detonators
360490	Other
3605	Pyrotechnic articles (for example, fireworks; railway fog signals, amorces, rain rockets and the like);
360520	Other, for entertainment or luminous signalling purposes.
360540	Amorce strips for lighters and for igniting miners' lamp and like.
360590	Matches
930100	Side-arms (for example swords, cutlasses and bayonets) and parts thereof and scabbards sheaths therefore.
930200	Revolvers and pistols, being firearms.
9303	Artillery weapons (other than those listed under 9301 and 9302)

930310 Artillery weapons and infantry support weapons

930320 Machine guns and sub-machine guns

930330 Rifles, muskets and carbines

930390 Other

9304 Firearms (other than those listed in 9302 and 9303) including very light pistols and revolvers for firing blank ammunition only, line throwing guns and the like

930410 Hunting rifles

930420 Other sporting and shooting guns, rifles and carbines

930490 Other

9305 *Arms of other descriptions*, including air, spring and similar pistols, rifles and Guns

930590 Other

9306 **Parts and spare parts or arms**, including gun barrel blanks, including parts or side-arms;

930610 Arms of War

930690 Other

9703 Ammunition and parts thereof, including cartridge wads; lead shots prepared for ammunition

930710 Sporting, hunting or target-shooting ammunition and parts thereof, including bullets and shots

930720 Munitions of war

930790 Other.
Drugs and narcotics

.

ANNEX "B"

TECHNICAL SPECIFICATIONS APPLICABLE TO ROAD VEHICLES INVOLVED IN ECOWAS INTER-STATE TRANSPORTATION OF MERCHANDISE UNDER TRANSIT STATUS.

For purposes of implementing Article 4(a) of the Convention, Member States have agreed as follows:

1 ROAD VEHICLES

Vehicles allowed under the scheme of international road transportation of merchandise under customs seal shall be constructed and fitted out in such a way that:

- (a) Customs seals may be affixed easily and effectively.
- (b) No merchandise may be extracted or introduced without leaving traces behind or breaking the seal.
- (c) There are no hidden compartments where goods might be concealed.

Vehicles shall be assembled or modified in such a manner that any compartments, chambers or other areas which can be loaded with Merchandise are easily accessible for customs inspection.

2 SYSTEM OF LOCKING

- (a) Doors and other locking devices on vehicles shall be made in such a way that sealing by the Customs may be done easily and effectively.
- (b) The doors shall be constructed in such a way as to cover all interstice and to assure that closing is complete and effective.
- (c) Adequate protection shall be provided for Customs seals or the vehicle shall be constructed in such a way that Customs seals may have sufficient protection.

3 SPECIFIC TYPES OF VEHICLES:

The above mentioned provisions concern sothermique vehicles, cooling and refrigerated vehicles, and as well as tankers. Powder horns (locking covers), valves and safety valves, and manholes of tankers, shall be built in a way that sealing may be undertaken simply and effectively.

4 TARPAULIN COVERED VEHICLES VANS

Tarpaulin covered vehicles shall be treated under the provisions of Articles 2. Such vehicles shall in addition comply with the following specifications:

The tarpaulin shall be made either from tough canvas non stretchable or from material covered with non stretchable and sufficiently resistant plastic or rubber material. It must be in good condition and made in such a way that once the lock is in place, the cargo cannot be tampered with without visible traces being left behind. Connecting ring shall be fixed in such a way that they cannot be detached from the exterior. The eyelet holes of the tarpaulin shall be reinforced with metal or with leather. The tarpaulin shall be attached to the wall of the vehicle in such a way as to prevent any possible access to the cargo. It will be supported by rings bows.

The following items may be used for closing purposes:

- (a) Steel cables;
- (b) Sisal or hemproptes;
- (c) Iron bars.

Provision shall be made on the extremity of closing appliance for affixing customs seals.

5. The axle loads and dimensions of vehicles admissible for Inter-State Transit of Goods shall not exceed the maximum loads and dimensions stipulated in the Inter-State Road Transport Convention.

6. CONTAINERS

- (a) Within provisions of the Inter-State Road Transportation of merchandise under Customs seal, only containers bearing the following permanent identification marks shall be permitted to operate under this Convention: the name and address of its owner as well as an identification of the weight, the mark and number. Such container shall be constructed and fitted out in the following manner:

- to allow for easy and effective sealing,
- no merchandise can be extracted or introduced without leaving traces or breaking the seal,
- having no closets where goods could be hidden;

- (b) The container shall be made in such a way that any space such as compartments, receptacles or any other closet capable of containing merchandise shall be easily accessible to customs officials;

- (c) Where open spaces exist between the different panels which constitute the wall, the floor and the roof of the container, the interior panel shall be fixed, full and continuous. It shall be made in such a way that it cannot be dismantled without visible traces being left behind;
- (d) All containers shall have a placard on the exterior for affixing the agreement certificate. This certificate shall be enclosed in transparent sheet made of plastic material and hermetically sealed together. The placard shall be made in such a way that it shall be impossible to extract the certificate without breaking the seal. The sealing shall similarly be adequately protected;

7 STRUCTURE OF CONTAINERS

- (a) The walls, floors and roof of containers shall be made of plates, planks or panelling which are sufficiently resistant, of appropriate thickness and soldered, clinched, bolted or assembled in such a way that there shall be no interstice which could allow access to the content. These panelling units shall fit into each other perfectly and shall be fixed in such a way as to make it impossible to displace or remove any of them without leaving visible traces as damaging the customs seals.
- (b) Openings intended for ventilation or evacuation may be allowed provided they do not give direct access to the interior of the container.

8 LOCKING DEVICE

- (a) Doors shall be constructed in such a way as to cover all interstice and to ensure that closing is complete and effective.
- (b) Doors and all other closing appliances shall be made in such a way that sealing appliances shall be made in such a way that sealing by customs authorities may be done easily and effectively.
- (c) Adequate protection shall be provided for customs seals and the container shall be constructed in such a way that customs seals are given sufficient protection.

9

- (a) The conditions laid down above shall also apply to insulated vans, refrigerated vans, and trailer containers to the extent that they are compatible with the technical characteristics that the purpose for these containers impose.
- (b) Compartments containing compressors, fuel and other sources of energy necessary for cooling shall be exempted from sealing formalities.

10. COLLAPSIBLE AND DETACHABLE CONTAINERS

Collapsible and detachable containers shall be subject to the same requirements as non-collapsible and non detachable containers provided their folding and dismantling systems permit sealing by the Customs Authorities and on condition that no section of these containers may be removed without seals being broken in the process.

11 WEIGHT AND SIZE OF CONTAINERS

The weight and sizes of containers authorised for Inter-States Transit may not exceed the weight and the maximum sizes stipulated for vehicles described in the Inter-State Road Transport Convention.

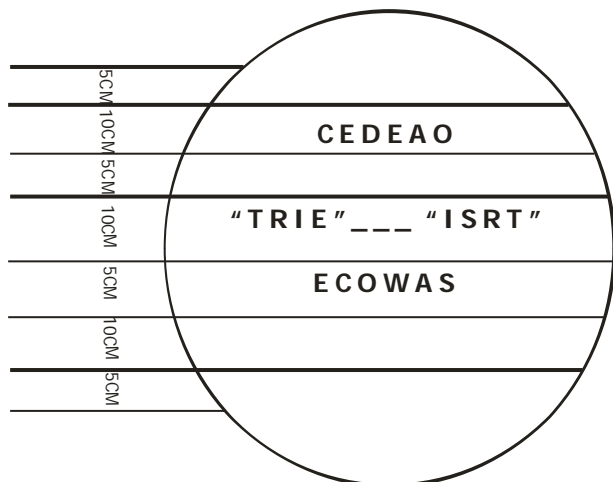
12 PROCEDURE RELATING TO THE APPROVAL OF ROAD VEHICLES AND CONTAINERS

The procedure of approval shall be as follows:

- (a) Approval of road vehicles and containers shall be made by the appropriate administration of the Country of residence of the proprietor or transporter.
- (b) The agreement shall indicate the date and the serial number of the decision for approval.
- (c) The agreement shall give rise to the issue of an agreement certificate, similar in content with the attached models. These certificates shall be printed in the official languages of the Community and shall be enclosed in transparent sheets made of plastic material and hermetically sealed.
- (d) The certificates shall be conspicuously displayed either in the cabin of the vehicle or on one of the sides of the containers in accordance with the provisions of items 6 paragraph (d) above.
- (e) Road vehicles and containers shall be sent annually to the appropriate authorities for purposes of inspection and renewal of the agreement.
- (f) The agreement shall become invalidated if the essential characteristics of the road vehicle or container be modified or if there be a change of ownership.

13. I.S.R.T. ECOWAS LICENCE PLATES

Road vehicles and containers used by the transit transportation must carry ISRT ECOWAS Licence Plates fronts and backs and only when they are carrying transit goods. These Licence Plates shall be circular and 25cm in diameter. The abbreviations ECOWAS ISRT/CEDEAOTRIE shall be inscribed in capital roman letters. These letters will be a little under 10cm high and the stroke 2 cm thick. These licence plates shall be reflective blue in colour and all letters shall be reflective white and patterned after the following model:



Echelle 1/5
 Scale 1/5
 N.B. 5cm 25cm

APPENDIX 1

AGREEMENT CERTIFICATE FOR AN ECOWAS ROAD TRANSIT VEHICLE

- 1 Certificate number Valid till
- Certifying that the following vehicle satisfies the required conditions to be admitted for Inter-State Transport of goods under Customs sealing.
- 2 Name of the owner (owner or transporter).....

- 3 Make of vehicle:
- 4 Model:.....
- 5 Engine Number:
 Chassis Number:.....
- 6 Registration Number:.....
- 7 Other Characteristics:.....
- 8 Done at:..... on.....
- 9 Signature and seal of the Issuing Office:.....

NOTE:

- (1) This Certificate shall be framed and well displayed in the cabin of the vehicle. It shall be returned to the issuing office when the vehicle is withdrawn from circulation or when there is a change of ownership or when the vehicle has undergone some important transformation.
- (2) The present Certificate is valid for one year and shall be renewable.

APPENDIX 2

CERTIFICATE OF AGREEMENT FOR AN ECOWAS ROAD TRANSIT CONTAINER

- 1 Certificate Number: Valid till.....
- 2 Certifying that the following container satisfies the required conditions to be admitted for Inter-State Transport of Goods under Customs sealing.
- 3 Nature of the container:.....
- 4 Name and Address of the Owner:.....
.....
- 5 Make and Identification Number:.....
- 6 Weight:.....
- 7 External dimensions in centimeters.....
- 8 Done aton.....
- 9 Signature and Seal of the Issuing Office:

NOTE:

This certificate shall be framed and well displayed in the cabin of the vehicle. It shall be returned to the issuing office when the container is withdrawn from circulation or when there is a change of ownership or when the container has undergone some important transformation.

ANNEX "C"

MODALITIES OF IMPLEMENTING ARTICLE 28 OF THE ISRT CONVENTION

ECOWAS ISRT DECLARATION FORMULA

ARTICLE 1

The titles covering the transportation of goods between two or three States of the Community shall be in the form of a booklet format 38,5cm x 21,5cm whose model appears as appendix to the Convention.

Each leaflet of the ISRT booklet shall comprise the text of the submission meant to be subscribed to by the underwriter in each of the Member States passed through for the realisation of the transit operation.

ARTICLE 2

The responsibility of printing these booklets shall be left to each Member State. Each booklet shall have a serial number which will single it out from the others. The serial numbers shall be inscribed in figures, starting with 3 invariable numbers reflecting the statistical code number of the Member State of issuance. These numbers shall be as follows:

Benin	-	No. 204.....
Cape Verde	-	No. 132.....
Ivory Coast	-	No. 384.....
Gambia	-	No. 270
Ghana	-	No. 288.....
Guinea	-	No. 324.....
Guinea Bissau	-	No. 624
Upper Volta	-	Nos. 854
Liberia	-	Nos. 430
Mali	-	Nos. 466
Mauritania	-	Nos. 478
Niger	-	Nos. 562
Nigeria	-	Nos. 566
Senegal	-	Nos. 686
Sierra Leone	-	Nos. 694
Togo	-	Nos. 768.....

ARTICLE 3

In the event a third country submits a request for association with the ISRT-ECOWAS Convention a specific statistical code number shall be attributed to it, in order to enable this country to respect the above-mentioned stipulations.

ARTICLE 4

Member States shall make effort to abide by the provisions of the said Annex.

**ISRT CONVENTION
GUARANTEE (BOND OR SURETY)
TOTAL GUARANTEE FOR SEVERAL TRANSIT OPERATIONS**

Republic of

RECOGNIZANCE OF GUARANTEE

1. The Undersigned.....(Surname and first name or business name).....
Resident at.....(complete address)
.....represented by
M.....(in case of companies only)
.....its.....(Chairman/Managing Director; Director etc);duly empowered by:.....(articles of incorporation, resolution, etc.....)
hereby declares that he/she/it will stand as surety at the customs..... office at..... (complete address) up to the amount ofpayable to.....
in respect of everything for which (surname, first name or business name, and complete address of the principal guarantor.....is or would become indebted, to all the states mentioned above, be such debts or principal and additional, or charges and other accord costs, in form of duties, taxes and penalties incurred by him as a result of any infringements committed during or in the course of the inter-state road transit operations he is effecting.

2 The undersigned is bound, at the first written request of the competent authorities of the States cited in paragraph 1 to make payment of the amount demanded, with no power to defer such payment.

This amount can only be reduced to take into account payments already made under the present undertaking only when the undersigned is apprehended for an Inter-State Road Transit operation starting before the thirtieth day after receipt by him of the previous orders.

3 This guarantee is valid with effect from the date it is accepted at the office of departure. The surety bond can be annulled at any moment by the undersigned as well as by the State on whose territory the guaranteeing office is located. The annulment takes effect from the sixteenth day after notice has been served on the other party.

The undersigned is responsible for the payment of amounts falling due after Inter-State Road Transit operations, covered by the present undertaking, and having begun before the effective date of the annulment, even if the payment is requested later.

4 For the purposes of this guarantee, the undersigned is resident at
(complete address) as well as in each of the States cited in
paragraph 1, at

State Surname and First Name Business Name and complete
Address

- 1
- 2
- 3
- 4

The undersigned acknowledges that all correspondences, notifying documents and in a more general manner all formalities and procedures concerning this guarantee addressed to or established in writing to one of his addresses will validly be considered as reaching him.

The undersigned recognises the competence of the jurisdiction of the different places where he has residence.

The undersigned undertakes to maintain the addresses of the residences and should he have cause to change one or several of them, to inform, *apriori*, the office of guarantee of any such changes.

Done in ON

Signature

(handwritten and preceded by the Statement, Good as surety for the amount of.....state amount in words).....

II. ACCEPTANCE AT THE OFFICE OF DEPARTURE

Office of Departure
Recognizance of Guarantee on
to cover the Inter State Road Transit as feature in Statement registered
on.....
.....number.....
.....Done at on
Office:
Officer's Name:
Stamp:Officer's Signature:.....

**ISRT CONVENTION
GUARANTEE (BOND OR SURETY)
GUARANTEE FOR SINGLE TRANSIT OPERATION**

Republic of

RECOGNZANCE OF GUARANTEE

1. The undersigned

.....(Surname and first name of business) reside at(complete address) represented by M only) its.....(Chairman, Managing Director, Director, etc,) duly empowered by..... (Articles of incorporation, resolution, etc hereby declares that he (she, it) will stand as joint surety at the office of exchange for out-going goods of(complete address) up to the amount of payable to in respect of everything for which (surname, first name or business name, and complete address of the principal Guarantor is or would become indebted, to all the states mentioned above, be such debts or principal additional, or charges and other accord costs, in form of duties, taxes and penalties incurred by him as a result of any infringements committed during, or in the course of the inter-state road transit operations he is effecting from the office of departureto the office of destination

in respect of the goods listed below:

- 2 The undersigned is bound, at the first written request of the competent authorities of the States cited in paragraph 1 to make payment of the amount demanded, with no power to defer such payment.
- 3 This guarantee is valid as from the date it is accepted at the office of departure.
- 4 For the purposes of this guarantee, the undersigned, is resident at..... (complete address) as well as in each of the States cited in paragraph 1, at.....

State	Surname and First Name Business Name and Complete Address
-------	---

1

2

3

4

The undersigned acknowledges that all correspondence, notifying documents, and in a more general manner, all formalities and procedures concerning this guarantee addressed to or established in writing to one of his addresses will validly be considered as reaching him.

The undersigned recognises the competence of the jurisdiction of the different places where he has residence.

The undersigned undertakes to maintain the addresses of the residences and, should he have course to change one or several of them, to inform, *apriori*, the office of guarantee of any such changes.

Done in on.....

Signature

(handwritten and preceded by the Statement Good as surety for the amount of state amount in words)

II. ACCEPTANCE OF THE OFFICE OF DEPARTURE

Office of Departure
.....

Recognizance of Guarantee on
to cover the Inter State Road Transit as feature in Statement registered on
.....number.....

Done aton.....

Office:.....Officer's Name:.....

Stamp:..... Officer's Signature:.....

**ISRT CONVENTION
CERTIFICATE OF GUARANTEE**

The Republic of
Office (complete address and member State)
hereby certifies that

(surname, first name, or business name and complete address of the principal
Guarantor..... for whom.....
(name and first name or business name and) is declaring himself (itself) as Joint
Surety up to maximum amount of
(in figures and words)

obtained this day of (date), this certificate
enabling him to effect the Inter-State Road Transit through the States in question.

Done in on.....

OfficeOfficer's name:.....

Stamp

Officer's Signature