

SUPPLEMENTARY PROTOCOL A/SP.1/5/81 AMENDING ARTICLE 2 OF THE PROTOCOL RELATING TO THE DEFINITION OF THE CONCEPT OF ORIGINATING PRODUCTS OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES	3
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**SUPPLEMENTARY PROTOCOL A/SP.1/5/81
AMENDING ARTICLE 2 OF THE PROTOCOL
RELATING TO THE DEFINITION OF THE CONCEPT OF
ORIGINATING PRODUCTS OF THE MEMBER STATES
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN
STATES**

THE HIGH CONTRACTING PARTIES

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government, its composition and functions;

CONSIDERING that Community origin is conferred on products with a view to liberalizing intra-Community trade.

CONVINCED of the importance of a handicraft sector in the economies of Member States of the Community;

DESIROUS of promoting intra-Community trade in handicraft and to extend a preferential treatment to these products;

ANXIOUS to conclude an additional Protocol amending Article 2 of the Protocol relating to the definition of the Concept of originating products of Member States;

HAVE AGREED AS FOLLOW:

Article 1

Article 2 of the Protocol relating to the definition of the concept of originating products of Member States is amended as follows:

"NEW ARTICLE 2"

1. The promotion of trade in goods originating in Member States as well as the collective economic development of the Community requires indigenous ownership and participation. Goods shall be accepted as originating in Member States for purposes of trade liberalization if:
 - (a) they have been wholly produced as defined in Article V of this Protocol; or
 - (b) they have been produced in a Member State other than by any of the operations and processes listed in Article IV of this Protocol or with the material from a foreign or undertermined origin used in the process of production of goods whose CIF value does not exceed 60% of the total cost of the material employed in the production or with the material of Community origin whose value must not in any case be less than 40% of the total cost of the material used in the process of production or with the raw material of Community origin representing in quantity at least 60% of the whole raw material used in the production; or
 - (c) If the goods have been produced from material of a foreign or undertermined origin and having received in the process of production a value added of at least 35% of the ex-factory price before tax of the finished product; and

2. If the Enterprises producing these goods attain a desirable level of indigenous ownership and participation, the Commission shall, on the basis of appropriate statistics, make proposals to the Council of Ministers to determine orientation and levels to ownership and participation.
3. Traditional handicraft shall also be considered as originating products.

Traditional handicraft means articles generally made by hand with or without tools, instruments or devices operated directly by the craftsman.

The raw material used are essentially of Community origin.

The list of products is attached as an Annex to this Protocol.

This list may be extended to new products that satisfies the above definition in the future.

4. All the conditions for the acceptance of products originating from Member States for trade within the Community are subject to amendments periodically by the Council.

ARTICLE II

DEPOSIT AND ENTRY INTO FORCE

1. This Supplementary Protocol shall enter into force provisionally upon signature by the Heads of State and Government of Member States and definitely upon ratification by at least seven signatory Member States in conformity with the constitutional regulations in force in each Member State.
2. This Protocol as well as the instruments of ratification shall be deposited with the Executive Secretariat which will forward certified true copies of this Supplementary Protocol to all the Member States and will inform them of the date of deposit of instrument of ratifications and shall register this Supplementary Protocol with the Organisation of African Unity, the United Nations Organisation as well as any other organisation approved by the Council.
3. This Supplementary Protocol is annexed to the Treaty as an integral part thereof.

**LIST OF TRADITIONAL HANDICRAFT APPROVED FOR FULL EXEMPTION FROM
IMPORT TAX AND DUTIES**

CHAP- 41 RAW HIDES AND SKINS (Other than furskins) and Leather

- EX- 41 02 Skins and raw hides (worked by hand)
- 02 Equine leather (worked by hand)
- 03 Sheep and lamb skins (tanned)
- 05 Tanned reptile skins (crocodiles, Iguanas, snakes)

**CHAP- 42 ARTICLES OF LEATHER; SADLERY AND HARNESS; TRAVEL GOODS
HANDBAGS AND SIMILAR CONTAINERS ARTICLES OF ANIMAL GUT.**

- EX - 42- 02 Saddlery and Harness of any material (for example saddles, harness, collars, traces, knee-pad, boots etc.) for any kind of animals.
- 02 Travel goods, handbags and similar containers. Leather sheaths and cases for arms, musical instruments, binoculars, jewellery, bottles, collars, etc. Leather made ladies handbags, Wallets, purses, toilet cases, tool cases other articles of leather.
- 03 Leather belts Leather bracelets and straps.
- 05 Book markers and book covers of leather.
- 06 Bladder work (tobacco pouch, small containers etc.)

CHAP-43 FURSKINS AND ARTIFICIAL FUR, MANUFACTURERS THEREOF:

- EX -43 -03 Blankets, coverlets, bedside rugs, carpets, puff covers, game pouches made of furskin.

CHAP – 44 WOOD AND ARTICLES OF WOOD, WOOD CHARCOAL

- EX- 44-24 Wooden cooking utensils (spoons, forks, salad cutlery, plates and dishes, pots, pots and saucers, spice containers and other ordinary containers used in the kitchen, napkin rings, pestles etc.)
- EX-44 27 Fancy goods and small cabinet work (cases, small boxes, Jewel cases, pen

boxes, hangers, standard and other lamps etc.) Ornament articles, shelves, wooden jewellery and wooden parts of such objects and articles.

CHAP – 46 ESPARTO WARE AND BASKET WORK AND WICKERWORK

Mats (produced by weaving or by placing plaiting materials side by side)

EX- 46-03 Basket work and wickerwork made of vegetable fibres (baskets, baskets without bow handle, frails, tool baskets, handbags, trays, plates-stands, glass-stands, bottle-stands, boxes for sewing articles, lamps-shades etc).

CHAP – 55 COTTON

EX -55-09 Other cotton materials containing at least 85% weight of cotton worked by hand, dyed or printed by hand.

CHAP – 58 CARPETS, MATS, MATTING AND TAPESTRIES, PILE AND CHENILLE FABRICS, NARROW FABRICS, TRIMMINGS, TULLE AND OTHER NET FABRICS, LACE, EMBROIDERY.

Carpets, carpeting and rugs, knotted (made up or not) of wool or fine animal hair; of other textile materials.

CHAP – 62 OTHER MADE UPTEXTILES ARTICLES

EX -62-01 Traveling rugs and blankets with wool or fine animal hair; with cotton.

02 Bed linen, table linen, toilet linen and kitchen linen, curtains and other furnishing articles.

03 Sacks and bags, of a kind used for the packing of goods.

04 Tarpaulins, sails, awinds, sun-blinds, tents and camping goods.

CHAP – 64 FOOTWEAR, GAITERS AND THE LIKE; PARTS OF SUCH ARTICLES

EX-64-02 Sandals including light sandles with leather soles. Leather babouches, turkish slippers.

CHAP – 65 HEADGEAR AND PARTS THEREOF

EX65-06 Other headgear whether or not lined or trimmed, Leather hat, Straw hat,

CHAP – 66 UMBRELLAS, SUNSHADES, WALKING STICKS, WHIPS, RIDING CROPS AND PARTS THEREOF.

02 Walking sticks, canes, whips, riding crops, and the like.

CHAP – 67 PREPARED FEATHERS AND DOWN AND ARTICLES MADE OF FEATHERS OR OF DOWN; ARTIFICIAL FLOWERS; ARTICLES OF HUMAN HAIR.

01 Skins and other parts of birds with their feathers or down, feathers, parts of feathers down, and articles thereof (hand fans).

CHAP – 69 CERAMIC PRODUCTS

EX-69-12 Tableware and other articles of a kind commonly used for domestic or toilet purposes; of other kinds of pottery (vases and water coolers – pottery)

13 Statuettes and other ornaments, and articles of personal adornment.

CHAP – 74 COPPER AND ARTICLES THEREOF

EX -74-19 Other copper work.

CHAP – 82 TOOLS, IMPLEMENTS, CUTTLERY, SPOONS AND FORKS OF BASE METAL PARTS THEREOF

EX-82-01 Hand tools, the following: spades, shovels, picks hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears and other tools of a kind used in agriculture, horticulture or forestry.

09 Knives with cutting blades, serrated or not (including pruning knives).

CHAP – 83 MISCELLANEOUS ARTICLES OF BASE METALS

EX -83-06 Statuettes and other ornaments of a kind used indoors of base metal

EX -83 -11 Bells and gongs, non-electric of base metal and parts thereof, of base metal.

**CHAP – 92 MUSICAL INSTRUMENTS, SOUND RECORDERS OR REPRODUCERS
TELEVISION IMAGE AND SOUND RECORDERS OR REPRODUCERS
PARTS AND ACCESSORIES OF SUCH ARTICLES.**

- EX -92- 02 Other string musical instruments (such as CORA, guitar, etc.).
- 06 Percussion musical instruments (balofons, drums, tom-toms etc.)
- 08 Musical instruments not falling within any other heading of this chapter (for example, fairground Organs, mouth-blown sound signalling instruments).

CHAP – 93 ARMS AND AMUNITION; PARTS THEREOF

- EX– 93– 01 Side arms (for example swords, bayonets) and parts thereof and scabbards and sheaths thereof.

CHAP – 95 ARTICLES AND MANUFACTURERS OF CARVING OR MOULDING MATERIALS

- EX –95– 01 Work of pearl
- Worked Ivory (including articles thereof)
- Worked bones (including articles thereof)
- Horns, antlers, corals (natural or agglomerated) and other animals carving materials.
- 06 Worked vegetable carving material and articles of those materials.
- 07 Naturally carved yellow amber and articles thereof.

CHAP – 96 BROOMS BRUSHES, POWDER-PUFFS AND SIEVES

- EX- 96-01 Brooms and brushes consisting of twigs or other vegetable materials merely bound together with or without handle (including fly-whisks).
- EX- 96-06 Hand sieves and hand riddles of any material.

CHAP – 97 TOYS, GAMES AND SPORTS REQUISITES; PARTS THEREOF

- EX – 97 – 02 Dolls
- 06 Appliances, apparatus, accessories and requisite for gymnastics or athletics or for sports and out-door games.

CHAP – 98 MISCELLANEOUS MANUFACTURED ARTICLES

- EX-98-11 Smoking pipes, pipe bowls, stems and other parts of smoking pipes, cigar and cigarette holders and parts thereof.
- 12 Combs, hair-slides and the like.

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

**DONE IN FREETOWN THIS 29TH DAY OF MAY 1981 IN ONE SINGLE ORIGINAL IN
ENGLISH AND FRENCH LANGUAGES BOTH TEXTS BEING EQUALLY AUTHENTIC**

Signed

H.E. Colonel Mathieu KEREKOU
President of People's Republic of BENIN

Signed

H.E. Pedro PERES
*Prime Minister, for and on behalf of
the President of the Republic of CAPE VERDE*

Signed

H.E. Dr. Hilla LIMMAN
President of Republic of GHANA

Signed

H.E. Ahmed Sekou TOURE
*President of the People's
Revolutionary Republic of Guinea*

Signed

H.E. Abdoulaye KONE
*Minister of Economy and
Finance for and on behalf of the
President of the Republic
of IVORY-COAST*

Signed

H.E. Dr. Momodou S.K. MANNEH
*Minister of Economic Planning and
Industrial Development of the
Republic of GAMBIA*

Signed

**H.E. Commandant Joao Bernado
VIERA**
*President of the Republic of
Guinea Bissau*

Signed

H.E. Lt. Colonel Felix TIEMTARUBOUM
*Minister of Foreign Affairs and Cooperation
for and on behalf of the Head of State of
the Republic of UPPER VOLTA*

Signed

H.E. Master Sergeant S.K. DOE
*Chairman, People's Redemption Council and
Head of State of the Republic of LIBERIA*

Signed

H.E. Orissa KEITA
*Minister of Finance, Commerce
for and on behalf of the President
of the Republic of MALI*

Signed

H.E. M.M.K. OULD HAIDALLA
President of the Republic of Mauritania

Signed

H.E. Hamid ALGABID
*Minister of Commerce for and on
behalf of the Military Council of the
Republic of NIGER*

Signed

H.E. Alhaji Shehu SHAGARI
*President of the Federal Republic
of Nigeria*

Signed

H.E. Abdou DIOUF
*President of the Republic
of SENEGAL*

Signed

H.E. Dr. Siaka STEVENS
*President of the Republic of
SIERRA LEONE*

Signed

H.E. General Gnassingbe EYADEMA
President of the Republic of TOGO