

Cameroon Trade Policy Compliance with WTO's Principles: Challenges for Trade Liberalization

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Abstract

The increased number of countries membership to the World Trade Organization (WTO) has created many doubts. Many developing countries have joined the WTO. About two-thirds of the WTO (around 164) members are developing countries. They play an increasing important and active role in the WTO because of their numbers, because they are becoming more important in global economy, and because they increasingly look to trade as a vital tool in their developmental efforts. Accepting that the WTO's Agreement contains special provisions on developing countries, this paper seeks to evaluate how far these special provisions aid in the advancement of trade in developing countries in particular and international trade in general. This piece also explores an overview of Cameroon's trade profile, its compliance with and implementation of the WTO's principles, while identifying the difficulties faced. The fact that the WTO cannot adequately provide an equal protection to member states, developing countries tend to engage in Regional Trade Agreements (RTAs) so as to better liberalize trade, protect their domestic industry, and enhance trade. This has raised contradiction under the organization, which this paper intends to investigate. To achieve this objective and to deal with the research problem, desk research in libraries, relevant documentation centers, and internet websites was undertaken which enabled to review existing literature on the question. The findings reveal that despite the fact that Cameroon is one of the founding members of WTO, it has not only waived most of the WTO policies, but it is grossly lacking at the level of implementation of the few WTO rules acceded to. The work concludes with some recommendations.

Keywords: Developing Countries, Trade Liberalization Trade Policy, WTO Principles

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INTRODUCTION

World Trade Organization (WTO) agreements are lengthy and complex because they cover a wide range of activities like agriculture, textiles, banking, telecommunications, government purchases, industrial standards and product safety, food sanitation regulations, and intellectual property, among others. However, a number of simple but fundamental principles run through all the agreements. These principles constitute the foundation of multilateral trading system. A closer look at these principles discloses the following themes: trade without discrimination [1], reciprocity, binding and enforceable commitments, transparency and safety valves. As of the 29 July 2016, the WTO has 164 members [2], which represent more than 95% of total world trade [3]. The Preamble of the Marrakesh Agreement establishing the WTO

(WTO Agreement) proclaims "the elimination of discriminatory treatment in international trade relations" as one of the chief objectives of the WTO [4].

This paper gives an overview of Cameroon's trade profile, its compliance with and implementation of the WTO's principles [5,6]. The write up further explores the deficiency in the Cameroon's trade system and difficulties in implementing the trade rules, particularly regarding trade liberalization in compliance with the WTO's principles.

Cameroon is a member of WTO since 13 December 1995 and a member of General Agreement on Tariff and Trade (GATT) [7] since 3 May 1963 [8]. The WTO classifies member countries into developed and developing and Cameroon is a developing

country. The position of developing countries has evolved over time. There has been an increase in the number of developing countries under the WTO than what used to obtain under the GATT [9]. Unlike GATT [10], WTO facilitated trade liberalization hence, attracting more developing countries. It operates a system of rules for trade and provides a forum of 164 members to negotiate trade agreements and settle trade disputes. The WTO agreements do not only cover goods as was the case under the GATT, but extent to cover services [11] and intellectual property [12]. The advantage of WTO over GATT [13] extends to the fact that they equally spell out the principles of liberalization, and they permitted exceptions. They include individual countries' commitments to lower customs tariffs and other trade barriers, and to open and keep open services markets. They set procedures for settling disputes. They prescribe special treatment for developing countries. They require governments to make their trade policies transparent by notifying the WTO about laws in force and measures adopted, and through regular reports by the secretariat on countries' trade policies. These agreements are often called the WTO's trade rules, and the WTO is often described as "rules-based", a system based on rules. However, it's important to remember that the rules are actually agreements that governments negotiated. Trade liberalization is not a novelty as countries, have always tailored rules and regulations to protect their internal markets from external competition [14]. Scarcity of natural resources and need for economic development enhanced international trade thereby breaking trade barriers in favor of liberalization.

Trade regulation developed to be a preserve of administration charged with regulating the entry and exit of goods across nations. Until 1994, Cameroon's annual internal policies were elaborated and defined in a document called Programme Général des échanges (PGE) [15]. The PGE in its very existence limited commercial exchange in Cameroon because it was based on a well-articulated quota system. At the level of export, the PGE made a tripartite classification of goods; free goods, contingent's goods and control goods [16].

Cameroon, being a member of WTO, is bound by its rules and principles of the. Cameroon's trade policies evolved substantially in compliance with WTO requirements hence reducing trade barriers and facilitating intra-regional trade within the CEMAC region [17]. It has equally submitted itself to the regime of Trade Policy Review under the WTO which takes place after every six years [18]. Like any other developing country, Cameroon has benefited from the principles of the WTO despite the challenges [19].

This paper reveals that Cameroon has made several efforts to lay down a favorable ground for international trade but is lacking at the level of implementation. Cameroon trade profile with the WTO equally reveals that the country adheres to the WTO principles, and as one of the founding members of the organization, it has equally adopted the non-discrimination clause made up of the Most-Favored-Nation (MFN) principles [20] and the principle of National Treatment (NT) [21] among others, in its dealings with other WTO members. To comply with WTO standards, Cameroon submits to WTO Trade Policy Review and adopted domestic legislation encouraging and promoting compliant domestic and international trade. Worthy of note amongst these statutory instruments are Ordinance No. 90/001 of January 1990 which establishes the free trade regime in Cameroon, decree No. 93/720/PM of 22 November 1993 which determines the rules for implementing Law No. 90/031 of 10 August 1990 governing business activities in Cameroon. Regarding investment, the 1990 investment code and the 2002 Cameroon investment charter have equally played an important role in protecting trade in Cameroon. This paper further discusses concepts like trade policy review in Cameroon and other CEMAC countries, Cameroon trade relation with other countries like the United States under the African Growth and Opportunity Act (AGOA) in October 2000, contingency measures in Cameroon and the use of non-tariff trade barriers. The paper will also investigate Cameroon and the Economic Partnership Agreement (EPA) and its contributions to the promotion of trade in Cameroon which is considered as an exception to the WTO's

general principles. Exploiting the exception given under Article 24 of GATT [22] Cameroon agreed an interim EPA [23] with the EU on 17 December 2007, a Regional Agreement open to other central African countries and negotiated primarily to prevent disruption to Cameroon's exports to the EU after the trade provisions of the Cotonou Agreement [24] expired on 31 December 2007. It is for this reason that since 1 January 2008, the EU Market Access Regulation 1528/2007 provided for a unilateral and provisional advanced application of the benefits of this interim agreement, meaning therefore that Cameroons export products enjoy unprecedented free access to EU markets, which include bananas, aluminum, processed cocoa products, plywood and other fresh and transformed agricultural products. This interim EPA approved by the European Parliament on 31 June 2013 and ratified by Cameroon on 22 July 2014, require Cameroon on its part to gradually open its market to European exports over a transitional period set to run until 2023. The provisional application of this interim EPA became effective as from 4 August 2014. The last section of this write up focuses on the weaknesses of the implementation of WTO principles in Cameroon. Amongst others, we could identify lack of finance and lack of legal experts versed with the knowledge of WTO law and equally laxity in the domain of taking cases to the WTO DSB.

AN OVERVIEW OF CAMEROON'S TRADE PROFILE

Under the auspices of the WTO, Cameroon has been able to liberalize its trading activities and has equally created free trade zones areas. Efforts have been made though not satisfactory, to revamp the Cameroonian economy, as it is generally believed that, investment is the active seed which generate growth and development. This seed according to Barrister *Nico Halle* [25] should be sown in the most favorable ground by removing traditional constraints such as complexity and rigidity of administrative procedure, deficiency of the domestic private sector, lack of influence on the international market and technological deficiency. In this light, Cameroon is doing everything possible to

streamline administrative channels, accelerate procedures that promote a domestic positive sector to enable local and foreign investors to establish partnership in the creation of new export-oriented ventures. It was in this context that the statutory regulations were enacted that led to the putting in place of Ordinance No. 90/001 of January 29, 1990 [26], which established the free trade regime in Cameroon. In a similar manner, decree No. 93/720/pm of 22 November 1993 determined the rules for implementing law No. 90/031 of August 1990, governing business activities in Cameroon.

As concern custom valuation under the WTO, Cameroon availed itself of the five-year delay period granted to developing countries to implement the WTO custom valuation agreement [27]. In January 2001, the authorities requested a new delay period on the basics of paragraph 1 of Annex III of the agreement to run until 1 July 2001 [28]. The CEMAC custom code has also been revised with the insertion of decisions and regulations incorporating there in the WTO customs valuation agreement. At the national level, this arrangement was implemented by law No. 2001/008 of 30 June 2001 [29]. Since July 2001, Cameroon has applied the WTO customs valuation agreement with exceptions. The CEMAC custom code also allows for duty-free entry on goods returning from abroad [30]. However, duty-free entry in these cases may be subject to reciprocity from foreign countries.

To further liberalized trade, the Cameroon investment code of 1990 provides for different regimes with general and specific incentives [31]. The Investment Charter adopted in April 2002 [32] provides for exemptions from custom duties for some companies operating in the research and development sector, occupational training, and protection of the environment sectors. The main condition for this exemption is that these companies invest and produce for export. All these go a long way to encourage trade in Cameroon particularly in the developmental sector. The new vision of commercial liberalization let to the distribution of all tariffs and non-tariff-barriers to trade substantially within the frame work of the WTO.

TRADE POLICY REVIEW IN CAMEROON AND OTHER CEMAC COUNTRIES

Cameroon as one of the founding members of the WTO, grants at least most-favored nations (MFN) treatment to all its trading partners. As a developing country, Cameroon used transition periods to implement a number of commitments under various WTO Agreements. The WTO Governing council has expressed concerns about Cameroon's implementation of the Agreements owing to lack of information and training. Cameroon's trade policies and practices are, to a large extent, determined regionally under CEMAC [33].

Cameroon's main trade policy instrument is the tariff. Tariffs [34] over the years have been considered as the main instrument of trade restriction. Cameroon uses the ad valorem tariffs [35], which are compliant with WTO rules. All applied tariffs are ad valorem Export taxes on most agricultural products, including cocoa, cotton, sugar, and palm oil, have been removed. This is because the government sees the development of the agriculture sector as the best means for reducing poverty in Cameroon and stimulating economic growth. In line with WTO rules, Cameroon has submitted itself to the WTO Trade Policy Review Mechanism (TPRM). This is in a bid to make sure that its trade policies are in line with that of the WTO.

Cameroon's Trade Policies and Practice by Measure

Cameroon has all the assets needed for strong economic growth [36]. The ministry of trade [37] is responsible for defining, implementing and evaluating Cameroon's trade policy [38]. It works in consultation with many other ministries, including those responsible for finance, agriculture, industry, the economy, and small and medium-sized enterprises (SMEs). The ministry of finance (MINFI) is responsible, inter alia, for developing and implementing fiscal policy, including customs policy, and accordingly has an important role to play in orienting trade policy. The Directorate-General of Customs [39], part of MINFI, is responsible for administering and enforcing customs regulations, including the CEMAC Customs Code. Cameroon generally

applies CEMAC decisions with regard to customs. Barring a few exceptions, its customs tariffs are always based on the CEMAC Common External Tariff (CET); all the rates are ad valorem [40]. Since July 2001, Cameroon has applied the WTO Customs Valuation Agreement, with exceptions.

At the end of the Uruguay Round, Cameroon bound its tariffs at a ceiling rate of 80% on all agricultural products (WTO definition), and at a ceiling rate of 50% on only three non-agricultural products: raw jute, single yarn of jute, and multiple yarn of jute. As a consequence, only 14.0% of tariff lines are bound. Cameroon has also bound its other duties and taxes at a ceiling rate of 230% on agricultural products (WTO definition), 80% on raw jute and 150% on two other by-products of jute [41].

In 2004, Cameroon notified its replies to the questionnaire on import licensing procedures to the WTO [42]. According to this notification, Cameroon has no import licensing regimes. As regards intellectual property rights, Cameroon is a member of the World Intellectual Property Organization (WIPO), and the African Intellectual Property Organization (OAPI), set up by the Bangui Agreement adopted on 2 March 1977 and revised by the Bangui Act of 1999. The revised Bangui Agreement recommends that its members abide by certain arrangements, treaties and international agreements, but Cameroon has not as yet fully complied in this respect. Cameroon has also been a contracting party to the Convention on Biological Diversity since 11 September 2003. Cameroon has, however, applied the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) since 1 January 2000. In 2001, Cameroon notified its legislation on intellectual property rights to the WTO [43]. The TRIPS Council finished examining Cameroon's legislation in 2003. Cameroon has not yet notified to the WTO its contact point in accordance with Article 69 of the TRIPS Agreement [44]. The Cameroonian authorities have notified the WTO that an ad hoc Commission responsible for monitoring and implementing the TRIPS Agreement in Cameroon has been set up within the ministry

of industrial and commercial development [45]. This Commission, which is made up of representatives from the public and private sectors, has not been operational since the ministry of industrial development and trade (MINDIC) was split into two in 2005. According to the authorities, the Commission's results were mixed, as the aims were not met (with regard either to training or the control of counterfeiting) for various reasons, including the lack of financing. Cameroon has not yet provided the WTO with the answers to the list of questions concerning its means of enforcing intellectual property rights.

WTO CEMAC Trade Policy Review

The first review of the trade policies and practices of Cameroon, Congo, Gabon, the Central African Republic, and Chad took place on 29 and 31 July 2013. The basis for the review is a report by the WTO secretariat and a report by the Governments of the above-mentioned states [46]. Central Africa has a long history of regional economic integration. In 1959, the Congo, Gabon, the Central African Republic, and Chad launched the Equatorial Customs Union. Cameroon joined in 1962, and in 1964, at Brazzaville; the five countries signed the Treaty establishing the Central African Customs and Economic Union (UDEAC) [47]. Equatorial Guinea joined the Union in 1984. From the outset, emphasis was placed on the promotion of intra-community trade and industrial cooperation. Thus, the countries adopted elements of their common trade policy, in particular, a Common External Tariff (CET), rules of origin, and a single tax on products of community origin. However, the effective implementation of this system was to be beset with numerous difficulties. The CET was often distorted, and the duplication of competing industries increased. Given the inadequacy of the transport and communications infrastructure, intra-community trade remained at modest levels. The creation of the Central African Economic and Monetary Community (CEMAC) in 1994 was intended to reinvigorate this integration process [48]. CEMAC actually commenced its activities on 25 June 1999 [49]. It notified the WTO on 21 July 1999 under the Enabling Clause [50]. The treaty establishing CEMAC

was revised in 2008. CEMAC is composed of six states, of which five are also members of the WTO and form the subject of this report: Cameroon, the Republic of the Congo, Gabon, the Central African Republic (CAR), and Chad. Equatorial Guinea has observer status and applied for accession to the WTO in 2007. All the CEMAC countries also belong to the ECCAS, which has been established since 1983 but whose integration process has been slow to take off.

Although CEMAC has been in existence for many years, it has not yet succeeded in promoting trade among its members, despite the various texts adopted with a view to establishing a customs union, with, of course, its free trade area component. Apart from supply-side limitations, this situation can be attributed, in particular, to communication infrastructure (road, rail and port networks) that is either lacking or in poor condition, the haphazard supply of energy and its high cost, and financing which is scarce and therefore expensive. Admittedly, the CEMAC countries have made efforts to improve the business climate through their membership in the OHADA, simplifying certain procedures, and taking initiatives to combat corruption. These initiatives deserve to be continued, including in the area of trade facilitation, in order to attract investment so badly needed by these countries to exploit their immense potential. To achieve its objectives, CEMAC has set up five institutions and several bodies [51].

Aside from the passport and international transhumance certificate for cattle, the sanitary and phytosanitary measure and technical regulation regimes are not harmonized at Community level. At national level, these regimes are non-operational or serve only to collect fees for various institutions without effective inspection of the products. Moreover, only Cameroon has an SPS [52] enquiry point, which is in need of capacity building. The lack of an efficient sanitary and phytosanitary regime and heavy protection are two of the constraints on the development of the agricultural, livestock and forestry sector, which nonetheless provides most of the jobs and income for the population of these countries. The heavy protection is insulating

the sector from international competition and doing nothing to encourage the search for competitiveness. Development of the infrastructure (especially rural infrastructure) and elimination of the numerous obstructive procedures at the internal borders would increase intra-community trade in agricultural products. In addition, the effective application of a sanitary and phytosanitary regime would have a positive effect on product quality and, in conjunction with a reduction in the large number of levies (including at exit), would help to promote agricultural exports. Such reforms would contribute to an improvement in rural incomes and to food security within the Community.

CEMAC in Practice: Its Influence on Trade

Whereas the monetary component of integration is operating effectively, there are still problems with regard to the free movement of persons, goods and services. The free trade area was, in principle, established in 1994 with the entry into force of a zero-rated preferential tariff on intra-Community trade planned for 1998. In practice, it appears that there are problems with the free movement of goods, problems exacerbated by the absence of *librepratique*, i.e., free circulation of goods once officially introduced into the community. Community transit trade provisions are in force but so far applied only to a limited extent. However, according to the CEMAC Customs Code, goods in transit benefit from the suspension of duties, taxes, prohibitions and other economic, fiscal or customs measures that may apply [53]. Goods in transit must be declared and must be covered by a bond valid in all the States. Where non-prohibited goods are concerned, instead of a bond it is possible to deposit the duties and taxes, which are refunded on presentation of a certificate of discharge, issued by the consular authorities of the member states or by the customs in the country of destination [54].

Trade is still much impeded by the excessive taxation of imports and the consequent smuggling. Goods traded within CEMAC are taxed at every border crossing and customs post, whatever the administrative procedure (including duty-free entry). The transit procedures are expensive, do not function well

and are not accessible to all operators. This is driving a large proportion of inter-state trade into the hands of informal traders or smugglers, as evidenced by the low level of declared trade. To curb the proliferation of road checkpoints for goods and facilitate transit, an inter-State cross-border corridor management committee was set up in 2006. Its mission includes “encouraging reduction of the costs associated with freight transport and the implementation of improved customs transit procedures” [55]. This committee is non-functioning. At Customs Union level, the CET has been adopted but is subject to numerous exceptions which the countries have granted themselves unilaterally. In general, non-tariff barriers have not been harmonized. Moreover, free circulation (*librepratique*), one of the cornerstones of the Customs Union, is not being implemented. In fact, goods imported from third countries and cleared in a CEMAC member country are taxed again when they cross the border of another country. This has greatly retarded trade and it is contrary to the conditions stated in Article 24 of GATT.

Relations with the WTO

With the exception of Equatorial Guinea, all the CEMAC countries are former contracting parties to GATT 1947. However, they joined the WTO at different times [56]. The WTO grants “LDC” [57] status to the Central African Republic and Chad. This makes them eligible for the Enhanced Integrated Framework (EIF). The CEMAC countries are not parties to any of the multilateral agreements concluded under the aegis of the WTO. They grant at least MFN treatment to all their trading partners and have not been party to any dispute under the WTO as either complainant or respondent. Cameroon and Chad were third parties in the disputes *European Communities—Regime for the Importation, Sale and Distribution of Banana and United States—Subsidies on Upland Cotton*, respectively [58].

The five CEMAC countries that are members of the WTO each have a mission in Geneva. Where trade negotiations are concerned, they collectively belong to the following groups: ACP, African Group, G-90, and W52

sponsors. They coordinate their positions with those of the other countries that are members of these groups. Depending on their trade interests, these countries also associate themselves with other groups [59]. The CEMAC members have not yet established a framework for the coordination of their positions in the WTO.

CEMAC has observer status within the WTO Committee on Trade and Development [60]. However, since it is not represented in Geneva, it has difficulty in participating effectively in the activities of this Committee. The non-payment of contributions is another factor limiting the effective participation of some of these countries in the activities of the WTO. The Congo, the CAR, and Chad used to be among the members affected by “administrative measures”, because of arrears in contributions accumulated over at least 30 years. In 2010, they accepted a payment plan that rescheduled their arrears over several years. Since 2012; the CAR has again been affected by these measures. At the WTO’s Eighth Ministerial Conference in December 2011, Gabon was the only one of the five countries not to be represented [61]. The statements of the delegations at the plenary session reflected common as well as individual concerns. Thus, they recalled the importance of the Doha Round, deplored the slowness of the negotiating process, and argued for development issues to be taken into account in the negotiations.

Cameroon’s Trade Relations with Other Countries

Cameroon’s trade relations with other countries equally encourage and promote trade.

Relations with the United States

Proclaimed in October 2000, the African Growth and Opportunity Act (AGOA) is a US government initiative aimed at further opening up the United States market to products from a number of countries in Sub-Saharan Africa. Its objective is not only to expand and diversify trade between the US and Sub-Saharan Africa but also to give the countries incentives to open up their economies and move in the direction of a market economy. At present,

Cameroon, the Congo, Gabon, and Chad are eligible for the AGOA. Initially enforced till 2015, i.e., 15-year period of validity, the AGOA legislation was extended in 2015 by a further 10 years, to 2025 and the list of eligible countries is revised every year to reflect conformity with the admission criteria [62]. Cameroon and Chad are also eligible for the Third-Country Fabric Provision. Under this provision, they are not obliged to use fabric produced locally or in the sub region for their clothing exports to benefit from the advantages of the AGOA. However, this provision is not being used by Chad and is very little used by Cameroon. In 2011, out of a total of 199.9 million sq. m equivalent imported under this provision, Cameroon contributed only 0.016 million.

Not all African countries are AGOA-eligible, but Cameroon is among the 40 that are. Thanks to AGOA, Cameroonians have duty-free access to the American markets for over 6400 products. Cameroon trade relation with other developed countries has benefited it greatly. For instance, Cameroon enjoys preferential access to the US market under the GSP and, since 2 October 2000, under the program introduced by the US pursuant to the AGOA. Cameroon has also been eligible for the AGOA’s special clause on textiles since 1 March 2002. Cameroon’s exports to the US have not shown a particularly dynamic trend. Almost one-thirds of imports are composed of petroleum products and, despite MFN customs duty, one thirds of these oil imports do not come under the AGOA but under the MFN regime. The second largest import is cocoa paste, which the United States imports from Cameroon duty-free under the Generalized System of Preference (GSP) regime; it is followed by rubber, timber and coffee, which all enter the US under the MFN regime [63].

Relations with the European Union

Apart from the GSP, the CEMAC LDCs (CAR and Chad) are eligible for the European Union’s “Everything But Arms” (EBA) initiative, which allows them to export everything but arms to the EU Duty-Free and Ex-Quota (DFQF). Moreover, the CEMAC countries are participating in the negotiation of the EPA between the ACP States and the

European Union, in place of the Cotonou Agreement whose trade chapter expired in end 2007. As distinct from previous agreements, the EPAs must be compatible with WTO rules. The eventual tariff preferences are in process of being negotiated by the ACP countries within existing regional integration initiatives and will be granted on a reciprocal basis. In Central Africa, the negotiations are being conducted within the CEMAC framework extended to include Sao Tomé and Príncipe and the Democratic Republic of the Congo [64]. The negotiations are still continuing. In order to benefit from the trade preferences that it risked losing with the expiration of the Cotonou Agreement, Cameroon initialed in 2007, and then signed in 2009 an interim EPA with the EU. This agreement has not yet been ratified. Moreover, Cameroon has officially requested the postponement of the dismantling of its tariffs, which should have begun on 1 January 2010.

In addition to the EU and the US, under the GSP other countries accord preferential (non-reciprocal) tariff treatment to goods originating in Cameroon [65]. Since 1992, Cameroon has also been party to the Agreement on the Global System of Trade Preferences (GSTP) among developing countries. The tariff concessions cover three groups of products: chemical fertilizers, alumina and essential oils. According to the Customs, these preferences are not used. Cameroon has also signed trade agreements with various countries [66]. According to the authorities, these agreements establish an overall framework for cooperation but do not grant tariff preferences. Only the agreement with Senegal provides for exemption from customs duties and taxes (for all products) but, according to the authorities, it is not implemented.

Contingency Measures under the CEMAC

The anti-dumping and countervailing duty arrangements are governed by the CEMAC Customs Code [67]. Article 12 of the Code specifies the conditions under which these duties can be imposed. One prerequisite is that the goods in question “are causing or threatening to cause material injury to the domestic production of an identical or directly

competitive product of a member state”. In the case of countervailing duties, they are applicable only if the goods benefit abroad “from a direct or indirect bounty or subsidy, whatever its nature, origin or mode of attribution”. Anti-dumping duties can be applied to goods for which the price paid or payable is lower than the comparable price charged by the supplier for like goods in the country of origin or in any transit country. The procedures for applying these duties and the duty rates are determined by the Council of Ministers. At present, there are no texts relating to the application of these duties.

Under the Central African Economic Union (UEAC) Convention, at the request of a member state, the council of ministers may authorize a state, for a limited period, to take protective measures intended to deal with serious difficulties in one or more economic sectors. Article 22 of the Convention stipulates that in the event of a sudden economic crisis affecting, in particular, the balance of payments, a member State may, “as a precaution, take the safeguard measures that are indispensable”, but without further clarifying the nature of these measures. However, the measures must have only a minimal perturbing effect on the operation of the common market, not last for more than six months (possibly renewable) and be endorsed by the Council of Ministers. The latter may also decide to amend, suspend or abolish them.

Contingency Measures in Cameroon and the Use of Non-Tariff Trade Barriers

As of February 2007, Cameroon had not notified any contingency trade measures to the WTO. Since Cameroon's last Trade Policy Review, its legislation has not been modified in this respect. By March 2013, Cameroon had still not sent any notification to the WTO concerning its legislation on contingency measures. According to the authorities, Cameroon has not applied any countervailing or anti-dumping duty since 2007, nor has any safeguard measure been applied. The legislation on countervailing and anti-dumping duties and safeguard measures comprises community regulations which come on top of the domestic legislation, Law No. 98/012 of 14 July 1998 [68].

Neither one nor the other has been amended since the previous TPR in 2007. MINCOMMERCE has the authority to decide on whether or not to apply a contingency measure and MINFI is competent to determine the measure itself. The application of anti-dumping duties, countervailing duties and safeguard measures is governed by Law No. 98/012 supra and regional regulations. The institution responsible for investigations into the existence of injury or adverse effects on domestic production is the Anti-Dumping and Subsidies Committee, set up by Law No. 98/012. However, the functioning of this Committee had not yet been regulated and the domestic laws have never been applied. Nonetheless, a draft decree setting out the composition of the Anti-dumping and Subsidies Committee and procedures for its operation and the submission of cases has been drawn up [69]. The ministry of trade decides whether or not to apply contingency measures, and the ministry responsible for finance decides on the nature of the actual measures.

Anti-Dumping Duties and Countervailing Duties

Prohibited and actionable subsidies, which cause injury to the domestic industry, can not only be challenged multilaterally, but can also be offset by the application of a countervailing measure [70]. A member, whose domestic industry is injured because of subsidized imports, has the choice between:

- Challenging the subsidy concerned multilaterally, pursuant to Article 4 or 7 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement), and
- Unilaterally imposing countervailing duties on the subsidized imports.

Dumping is defined in Article 2.1 of the WTO Anti-dumping Agreement (1994). It has a narrow, technical meaning which is in sharp contrast with the popular notion of “dumping”. According to Article 2.1 of WTO (1994), a product is considered as being dumped, that is, introduced in to the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than the comparable

price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country. According to the provisions of Law No. 98/012, dumping occurs when the sale price of the imported good is lower than that “normally” charged by the supplier of the product or a like product in the exporting country or a third country. Once injury to domestic production has been established by the Anti-dumping and Subsidies Committee, an anti-dumping duty, whose rate must not exceed the margin of dumping and which may be in place only for the time necessary to offset the dumping, may be imposed.

Countervailing duties may be imposed on subsidized imported products whose distribution threatens or causes adverse effects to the domestic industry because of the price difference between the imports and the domestic products, the aim being to remove the adverse effects [71].

Safeguards

According to Law No. 98/012, a safeguard measure may be applied if a product is imported in increased quantities such as to threaten or cause serious injury to the domestic production of the like or directly competing product. Such measures may take the form of quantitative restrictions or the suspension of concessions or other obligations [72]. If the time-limit set for completion of an investigation causes damage that is difficult to repair, a provisional safeguard measure may be imposed for no longer than 200 days in the form of an increase in customs duties (refunded in the event of a no injury finding). The safeguard measures are applied only for the period needed to prevent or repair the injury and facilitate adjustment of the domestic industry [73].

Standards and Technical Requirements

Cameroon has notified the WTO of the Committee for Standardization and Quality replaced in 2005 by the Division of Standardization and Quality (DNQ), under the ministry of industry, mines and technological development (MINIMIDT), as being the national enquiry point for all questions concerning technical barriers to trade [74]. The

DNQ is also the national contact for the International Standardization Organization (ISO). The ministry of trade (MINCOM) also has a standardization committee, the Committee for Standardization and Consumer Protection (CNPC), which oversees application. Cameroon has made no notifications to the WTO regarding standards and technical requirements, or SPS measures.

Sanitary and Phytosanitary (SPS) Measures

Cameroon joined the Food and Agricultural Organization (FAO) International Plant Protection Convention on 5 April 2006. It is also a member of the FAO/WHO Codex Alimentarius Commissions, and of the World Animal Health Organization (OIE). At the national level, considerable efforts have been made with legislation for phytosanitary measures since Cameroon's last Trade Policy Review, with a law on phytosanitary protection; decrees establishing procedures for phytosanitary protection, procedures for carrying out plant quarantine operations; conditions for approval and control of phytosanitary products; and the decree on the organization of the National Phytosanitary Council. Cameroon has made no notifications to the WTO regarding sanitary and phytosanitary measures since 2001 and trade is protected and regulated in this domain.

Prohibitions, Licensing and Controls

Cameroon has ratified several conventions allowing the control of imports or exports of certain products for environmental, health, moral, or security reasons. The products that may not be imported include genetically modified rice "LL 62", bovine meat from Europe and poultry of any origin (SPS reasons), non-iodized salt, some vegetable oils, certain alcohols and cosmetics, all for health or food security reasons. In 2012, analogue televisions were also banned. These are measures to protect and encourage economic growth.

Quantitative Restrictions and Controls

Cameroon forwarded to the WTO the notification containing its replies to the questionnaire on import licensing procedures [75]. According to this notification, Cameroon

has no import licensing regimes, but for reasons of health or security makes the import of a list of products, subject to authorization or "technical endorsement" issued by the competent ministries. This list does not appear to be available on MINCOMMERCE's website [76].

CAMEROON AND THE ECONOMIC PARTNERSHIP AGREEMENT (EPA): CONTRIBUTIONS TO THE LIBERALIZATION OF TRADE

A number of countries have formed coalition in the WTO. These groups often speak with one voice using a single coordinator or negotiating team. Cameroon is a member of these groups in the negotiations: ACP, African group, G. 90, Paragraph 6 countries" W52" sponsors (ACP – African, Caribbean and Pacific countries with preferences in the EU). Cameroon agreed to an interim EPA with the EU on 17 December 2007. This agreement is a regional agreement open to other Central African countries. It was negotiated primarily to prevent disruption to Cameroon's exports to the EU after the trade provisions of the Cotonou Agreement expired on 31 December 2007.

In the meantime, since 1 January 2008 the EU Market Access Regulation 1528/2007 has provided for a unilateral and provisional advance application of the benefits of this interim agreement, meaning that Cameroon's export products enjoy unprecedented free access to EU markets. These include bananas, aluminum, processed cocoa products, plywood and other fresh and transformed agricultural products. The interim EPA was approved by the European Parliament on 13 June 2013 and ratified by Cameroon on 22 July 2014 [77]. Provisional application became effective as from 4 August 2014. This agreement has also provided time to negotiators of the region to conclude a more comprehensive regional EPA. Negotiations have continued since then with the aim of replacing this interim agreement with a comprehensive regional arrangement [78].

The rest of the Central African region is largely made up of LDCs. These LDCs have

free access to the EU under the Everything but Arms (EBA) scheme while full EPA negotiations continue [79].

Main Features of the Interim EPA: Its Benefits to Cameroonian Trade

We examined these features based on the following:

Trade in Goods

The provisions on trade in goods cover:

- Duty-free, quota-free access into the EU for all imports from Cameroon as of 1st January 2008;
- An asymmetric and gradual opening of its markets to EU goods, taking full account of the differences in levels of development between Cameroon and the EU;
- A chapter on trade defense with bilateral safeguards allowing each party to reintroduce duties or quotas if imports from the other party disturb or threaten to disturb their economy;
- A chapter on Technical Barriers to Trade (TBT) as well as Sanitary and Phyto-Sanitary (SPS) measures, to help Cameroonian exporters meet EU standards; and
- A chapter aiming at facilitating trade through measures such as more efficient customs procedures and better cooperation between administrations (and between administrations and business).

Goods Liberalized in the Interim EPA

All imports from Cameroon have entered the EU duty free and quota free since 1 January 2008 and without any time limit. This is an improvement over the previous Cotonou trade regime. In return, Cameroon will liberalize 80% of imports from the EU over 15 years [80]. These are mostly inputs used by Cameroon's industries which are not produced locally. Eliminating import duties will reduce the costs of inputs for local businesses and will also benefit consumers.

Goods Not Liberalized in the Interim EPA

Cameroon excluded a number of agricultural and non-agricultural processed goods from liberalization of EU imports, mainly to ensure the protection of certain sensitive agricultural markets and industries but also to maintain fiscal revenues. The excluded products include

most types of meat, wines and spirits, malt, milk products, flour, certain vegetables, wood and wood products, used clothes and textiles, paints, and used tires.

CHALLENGES FACED BY CAMEROON IN THE IMPLEMENTATION OF WTO PRINCIPLES AND RECOMMENDATIONS

Cameroon is lacking in many domains as far as the implementation and compliance of the WTO's principles are concerned, particularly relating to trade. Some of the reasons include:

- a) The lack of an effective governing body to supervise the compliance and implementation of the WTO's principles and rules is a crucial problem. It is due to the weakness of this implementation that the WTO had to improve the WTO reference center in Yaoundé. The WTO upgraded the reference center at the ministry of trade in Yaoundé, Cameroon, on the 16th June 2015 and held a four-day national workshop along with a notification seminar. WTO experts provided training for government officials on the use of WTO online resources, including the WTO website and databases, and provided guidance on notification procedures. Cameroon's minister of commerce at the time, Mr. Luc Magloire Mbarga Atangana, met with the WTO officials and expressed his appreciation for the upgrading of the center. He said that this had come at an opportune time as Cameroon wanted to raise public awareness of the WTO and to increase the involvement of the private sectors in trade issues. He stressed his commitment to ensuring the sustainability of the reference center, including through ensuring that a budget would be allocated towards maintaining the equipment and financing the smooth running of the center [81]. It is submitted that if this center is improved upon, it will go a long way to facilitate international trade.
- b) There is equally a weakness in the domain of taking case to the Dispute Settlement Body (DSB). Cameroon has just been a third party in the case of *European Community – Regime for the importation,*

sale and distribution of bananas [82]. The lack of WTO trade experts to give a succinct interpretation of the WTO's trade rules particularly the rules under the Dispute Settlement System (DSS) and Trade Policy Review Mechanism (TPRM) is also a major drawback. More so, the numerous waivers made by Cameroon under the WTO have equally discouraged its participation in the World Trade governing body. This has gone a long way to discouraged investors to invest in Cameroon since no investor will love to invest in a country where the trade policies and rules are not made obvious. Therefore, there is a need to train experts in these domains to help give a better interpretation of the WTO principles and its applicability. This will go a long way to encourage trade and investment.

- c) Even though the Cameroonian authorities notified the WTO that an ad hoc Commission responsible for monitoring and implementing the TRIPS Agreement in Cameroon has been set up within the ministry of industrial and commercial development, this Commission, which is made up of representatives from the public and private sectors, has not become operational [83]. Thus, this has also served as a weakness on the part of Cameroon. Things will not remain the same if this commission goes operational.
- d) Enforcement of the legislation on intellectual property rights continues to be problematic. A number of products, such as books (and cultural works generally), medicines and also cosmetic, agricultural and textile products and electrical household appliances are frequently counterfeited. According to the authorities, African print fabrics, cigarettes and vehicle spare parts are among the main imported counterfeit products. The authorities also indicate that the legislation has been poorly enforced largely because little has been invested in training and consciousness-raising. To remedy this, an Intellectual Property Training Centre (CFPI), "Centre de Formation Denis Ekani", was set up in 2004 under the auspices of OAPI and become operational in the course of 2007. We recommend an

effective management of this institution. As concern commerce, commercial law is to a large extent derived from CEMAC legislation and the rules of the Organization for the Harmonization of Business Law in Africa (OHADA) (Chapters 2, 3 and 4). In addition, at the national level, the creation of commercial companies and their activities are governed by Law No. 90/031 of 10 August 1990 regulating business activities in Cameroon. This law, which in principle governs all business activities in Cameroon, determines the principle of free enterprise for both foreign and Cameroonian natural and legal persons. Articles 8 et seq., however, specify prior approval requirements and reciprocity for non-Cameroonians engaging in business activities [84].

- e) As far as Cameroon trade laws are concerned, the trading system faces challenges especially with the application of the non-discrimination principle. This is because Cameroon has waived many WTO's provisions. It has not notified interest in most of the WTO provisions to the WTO committee on trade. In 2004, Cameroon forwarded to the WTO the notification containing its replies to the questionnaire on import licensing procedures [85]. According to this notification, Cameroon has no import licensing regimes, but for reasons of health or security makes the import of a list of products subjects to authorization or "technical endorsement" issued by the competent ministries. By March 2013, Cameroon had still not sent any notification to the WTO concerning its legislation on contingency measures. According to the authorities, Cameroon has not applied any countervailing or anti-dumping duty since 2007, nor has any safeguard measure been applied. The legislation on countervailing and anti-dumping duties and safeguard measures comprises Community regulations (common report, Chapter 3.1.12), which comes on top of the domestic legislation, Law No. 98/12 of 14 July 1998. Neither one nor the other has been amended since the previous TPR in 2007.

MINCOMMERCE has the authority to decide on whether or not to apply a contingency measure and MINFI is competent to determine the measure itself. There is thus the need for these laws to be amended to suit the atmosphere of trade in Cameroon. In June 2012, a large percentage of the phytosanitary products sold on local markets were counterfeit. The problems in combating violations of the IPR legislation include the lack of financial resources to track down banned products and services and the traffickers. The Customs is responsible for enforcing IPRs but encounters numerous problems in carrying out its task and can only intervene at the request of the holder of the IPR. Furthermore, because of the few resources devoted to training and promoting awareness, many consumers opt for counterfeit goods because of their relatively low cost in comparison with that of goods protected by IPRs. It is recommended that the government should put in place laws that will help to fight against these ills.

- f) Cameroon's participation in the activities of the WTO had showed some decline. More so, as far as infrastructure is concerned, since October 2006, Cameroon has had three reference centers and four national enquiry points on sanitary and phyto-sanitary measures, technical barriers to trade, trade-related aspects of intellectual property rights, and services with MINCOMMERCE as the focal point. According to the latter, however, the reference center is not operational as there is no internet access. These structures have to be reconstituted and made operational.
- g) There have equally been very few changes in procedures for importing goods in to Cameroon since the previous TPR and they are still costly and burdensome. The government's objective at present, originally formulated in the 1990s and updated in 2012 with assistance from the World Bank, is the "full and effective dematerialization of import-export transactions in Cameroon"; it is still far from being achieved. It consists of interconnecting the computer systems of each participant through a common

electronic platform for the purpose of exchanging data, notably MINCOMMERCE, the Customs, customs brokers, forwarding agents and stevedores. By March 2013, none of these participants had been linked electronically. This also has to be taken into consideration.

CONCLUSION

Despite the fact that Cameroon is a founding member of the WTO, it is still lacking in the domain of the implementation of the WTO policies. As discussed above, however, this is mostly as a result of the lack of the necessary facilities and resources to implement the rules. Nevertheless, with Cameroon involvement in other regional trading agreements like the EU-EPA, CEMAC, AGOA, amongst others, it has help to boast out its trade potentials. With all this, we still recommend an overhaul of the trade system to meet up with new facilities in order to encourage trade, investment and economic growth. The public authorities have fixed as a goal making Cameroon an emerging economy by 2035. "Vision 2035", which is its medium-term operational framework, gives trade an important role and considers it to be a powerful catalyst for creating wealth and promoting development. At the internal level, the government's objectives for boosting trade consist of ensuring regular supplies in the domestic market under healthy conditions of competition and, at the international level, seeking new markets for Cameroon's goods and services, particularly those with high value added. The government's trade policy objectives also include African trade integration, mainly with Nigeria and within the Economic Community of Central African States (ECCAS). For the country to achieve all these, its trade and policy systems must be harmonized in strict compliance with the WTO rules.

REFERENCES

1. It is the fundamental principle of WTO and it is made up of the unconditional Most-Favored-Nation Clause and National Treatment Clause.
2. The country that recently gained accession into the WTO is Seychelles on the 26 of April, 2015 (www.wto.org, visited 4 May 2018).

3. The WTO is governed by a Ministerial Government Conference which meets every two years. A General Council that implements the conference policy's decisions. It is responsible for a day to day administration. A director general is appointed by a ministerial conference.
4. See Marrakesh Agreement Establishing the World Trade Organization, pmbl., cl.3, Apr. 15, 1994, 1867 U.N.T.S. 154, 33 I.L.M. 1144 (1994) [hereinafter WTO Agreement].
5. Basically, discussing Cameroon and the TPRM and further elaborating on the use of WTO trade measures like contingency measures, anti-dumping and countervailing duties, safeguards, standards and technical requirements, Sanitary and phytosanitary (SPS) measures amongst others.
6. Exploiting the exceptions under the principles of non-discrimination by engaging into regional trade agreements. Our case file here will be centered on Cameroon and the Economic Partnership Agreement (EPA) and its contributions to the promotion of trade in Cameroon.
7. The WTO is the successor to the GATT which was created in 1947 and continued to operate for almost five decades as a *de facto* international organization.
8. www.wto.org/english/thewto_e/countries_e/cameroon_e.htm visited 4 September 2017.
9. It should be noted that developing countries constitute about two third of the WTO.
10. GATT was provisional with a limited field of action, but its success over 47 years in promoting and securing the liberalization of much of world trade is incontestable.
11. Under the General Agreement on Trade in Services hereinafter referred to as GATS.
12. Agreement on Trade – Related Aspects of Intellectual Property Rights, hereinafter referred to as TRIPS.
13. The WTO replaced GATT as an international organization, but the General Agreement still exists as the WTO's umbrella treaty for trade in goods, updated as a result of the Uruguay Round negotiations. Trade lawyers distinguish between GATT 1994, the updated parts of GATT, and GATT 1947, the original agreement which is still the heart of GATT 1994.
14. Mbi LN. (2013)-free trade and custom control in the developing countries: the case study of Cameroon within the CEMAC ZONE, post graduate Diploma in business law, thesis defended in university of Dschang 2013. p.3 (unpublished).
15. Hereinafter referred to as PGE.
16. Ndiefouo NG. *la Douanne Camerounaise a l'ère de la facilitation des échanges commerciaux* paris, Harmattan. (2011); 17.
17. The Central African Economic and Monetary Community (CEMAC) is composed of six States, of which five are also Members of the WTO and form the subject of this report: Cameroon, the Republic of the Congo, Gabon, the Central African Republic (CAR), and Chad. Equatorial Guinea has observer status in and applied for accession to the WTO in 2007.
19. Cameroon is also a member in other regional trade agreement and integration. For example, African Union, the associated African economic community (AEC), CEMAC, and the economic community of central African state (ECCAS) – see common report chap 2.
20. For example, during the period of 2006 to 2012, Cameroon continued to benefit from the technical assistance and the training provided by the WTO. The organization has spent around sw fr.1, 13 million (not including the salary of the WTO staff involved) mainly for travel and accommodation for the persons designated by the government of Cameroon for training in the various topics dealt with by the WTO. In all, 135 persons took part in 97 activities, an average of 20 each.) See generally WT/TPR/S/285. Cameroon.
21. MFN clause is discussed under Article 1 of the GATT, article 2 of the GATS and Article 4 of the TRIPS. Article 1 of the GATT (1994) states that “any advantage, favor, privilege or immunity granted to one contracting party should be immediately and unconditionally applied to all other contracting parties”.

22. The principle of National Treatment (NT) is outlined in Article III of GATT, Art XXVII of GATS and Article III of TRIPS, although once again, the principle is handled slightly differently in each of these.
23. GATT Article XXIV provides that regional integration may be allowed as an exception to the MFN rule only if the following conditions are met. First, tariffs and other barriers to trade must be eliminated with respect to substantially all trade within the region. Second, the tariffs and other barriers to trade applied to outside countries must not be higher or more restrictive than they were prior to regional integration.
24. ACP-EU Partnership Agreement signed in Cotonou on the 23 June 2000 (Cotonou Agreement).
25. This is a trade agreement that is formed between the African, Caribbean and Pacific countries and the European Union. In the framework of the ACP-EU Partnership Agreement, signed in Cotonou on the 23 June 2000 (Cotonou Agreement), the parties agreed to conclude new WTO-compatible trading arrangements, progressively removing barriers to trade between them and enhancing co-operation in all areas relevant to trade. This is provided for in Article 36 (1) of the Cotonou Agreement.
26. Free trade Zones in Cameroon – <http://www.hallelaw.com>. p2.
27. Hereinafter referred to as Ord. n° 90/001.
28. WTO document G/VAL/W/25 of 24 April 1998.
29. WTO document G/VAL/W/80 of 11 January 2001.
30. The law was completed by ministerial instruction N° 0246/MINEFI/DD of 30 June 2001.
31. These include; gifts to head of state; materials and product provided free of charge to member states; goods sent to diplomatic and consular services and to foreign members of some international bodies set up in members states; and goods sent to charities with national status.
32. See generally chapter II (4).
33. See law No. 2002/004 of April 19, 2002 on the Republic of Cameroon Investment Charter.
34. WTO website: www.wto.org. Visited 22 February 2018.
35. In a common knowledge means a government tax on imports and exports.
36. Ad valorem tariff much like a sales taxes is a fixed percentage of the value of the imported product as it enters the country.
37. Cameroon has a geographical position at the crossroads of trading routes on a continent with immense potential, vast and rich farm land, abundant raw materials, plentiful water resources, and a young bilingual population.
38. MINCOMMERCE.
39. MINCOMMERCE's services have set up a website. Viewed at: <http://www.mincommerce.gov.cm/>. Visited 20 February 2018.
40. Online information from the Cameroonian Customs. Viewed at: <http://douanescustoms-cm.net/>. Visited 22 February 2018.
41. Cameroon is also a member of the World Customs Organization (WCO). It is a contracting party to the Convention on Facilitation of International Maritime Traffic of the International Maritime Organization (IMO), and the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention).
42. http://www.wto.org/english/tratop_e/tpr_e/tp170_e.htm. Visited 10 October 2017.
43. WTO Document G/LIC/N/3/CMR/1 of 17 December 2004.
44. WTO document IP/N/1/CMR/1 of 17 May 2004.
45. TRIPS Article 69 says members agree to cooperate with each other to eliminate international trade in goods that infringe intellectual property rights.
46. WTO document IP/Q/CMR/1, IP/Q2/CMR/1, IP/Q3/CMR/1 and IP/Q4/CMR/1 of 7 June 2004.
47. http://www.wto.org/english/tratop_e/tpr_e/tp385_e.htm visited 10 May 2018.
48. UDEAC's mission was, in particular, the creation of a common market and the harmonization of its members' economic and industrial policies.
49. Treaty of 16 March 1994 Establishing CEMAC.

50. It should be recalled that the WTO has actually encouraged and visa the creation of Regional Trading Agreements between its members as per Articles 24 and 5 of GATT and GATS respectively.
51. WTO document WT/COMTD/N/13.
52. The institutions include: the Central African Economic Union (UEAC), the Central African Monetary Union (UMAC), the Community Parliament, the Court of Justice, and the Court of Auditors. Each of these institutions is governed by a convention. CEMAC's main decision-making bodies are: the Conference of CEMAC Heads of State, the UEAC Council of Ministers (Council of Ministers), the UMAC Ministerial Committee (Ministerial Committee), the CEMAC Commission, the Bank of Central African States (BEAC), the Development Bank of Central African States (BDEAC), and the Central African Banking Commission (COBAC).
53. Sanitary and Phyto-Sanitary measures.
54. More so, counterfeit publications and goods "bearing directly, or on their packaging, marks of a nature such as to lead a person to believe that they were manufactured or originated in a member State or in a State with which a relevant agreement has been signed" are banned from transit (Articles 156 and 157 of the Customs Code).
55. The Customs Code distinguishes between ordinary transit, which is available to all users, and international transit, which is reserved for certain, approved carriers. For ordinary transit, a detailed declaration must be lodged, and the goods must be examined under the same conditions as in the case of goods declared for release for consumption. Subject to sealing formalities, a summary declaration may be lodged for goods shipped in containers. The operator must carry out the transit operation under the conditions laid down by the customs authorities, in particular as regards security, time limits and routes.
56. This committee is composed of national representatives of the road transport industry and customs, together with representatives of the trade associations for carriers and forwarding agents.
57. Cameroon, Gabon and the Central African Republic acceded in 1995, Chad in 1996, and the Congo in 1997. Equatorial Guinea has observer status and applied for accession on 19 February 2007.
58. Least Developed Country.
59. http://www.wto.org/french/tratop_f/dispu_f/dispu_f.htm.
60. Thus, Cameroon and Congo are among the paragraph 6 countries; Congo is part of the G-33; Chad and the Central African Republic belong to the least developed country (LDC) group; and Chad to the Cotton-4 (C-4) Group.
61. UDEAC already had this status within the GATT Committee on Trade and Development.
62. Online information. Viewed at: http://www.wto.org/french/thewto_f/minist_f/min11_f/min11_f.htm.
63. The Central African Republic was removed from the list on 1 January 2004.
64. See generally yaounde.usembassy.gov/mobile//spb_05312012.html. Visited 10 October 2017.
65. A roadmap defining, among other things, the timetable for the negotiations and the topics to be dealt with was signed by the two parties at Brussels in July 2004.
66. These are the following: Australia, Belarus, Canada, Japan, New Zealand, Norway, Russia, Switzerland and Turkey.
67. These include such as Côte d'Ivoire (1962), Japan (1962), Senegal (1974), Morocco (1987), Nigeria (1963, revised in 1982), Tunisia (1999), Egypt (2000) and China (1972, updated in 2002).
68. The CEMAC Custom Code of August 2003.
69. Online information from the Government of Cameroon. Viewed at: <http://www.spm.gov.cm/fr/documentation/textes-legislatifs-et-reglementaires/article/loi-n-98-12-du-14-juillet-1998-relative-au-dumping-et-a-lacommercialisation-des-produits-dimporta.html>.
70. Décret No. 2005/1362/PM DU MAI 2005 fixant la composition, les modalités de fonctionnement et de saisine du comité Antidumping et des Subventions.

71. A countervailing measure is also sometimes referred to as an anti-subsidy measure.
72. Subsidies are such as defined in the WTO Agreement on Subsidies and Countervailing Measures (Article 10 of Law No. 98/012.
73. If a quantitative restriction is used, the average of the three previous years' imports serves as a benchmark, unless a more stringent measure is necessary.
74. The period may not exceed four years (including the temporary measures). However, it may be extended once if it is established that the injury has not been repaired or that the adjustments to the domestic industry have not been completed.
75. WTO Document G/TBT/ENQ/28, 27 October 2006.) and sanitary and phytosanitary measures, and as the body dealing with notification procedures. (WTO Documents G/SPS/ENQ/20, 6 October 2006 and G/SPS/NNA/9, 25 January 2006.
76. WTO documents G/LIC/N/3/CMR/1-3.
77. Online information from MINCOMMERCE. Viewed at: <http://www.mincommerce.gv.cm>.
78. This implied that Cameroon on its part will gradually open its market to European exports over a transitional period set to run until 2023. However, a number of products are excluded from this process in order to ensure the protection of Cameroon's agricultural markets and industries which it regards as sensitive.
79. See generally europa.eu/rapid/press-release_IP-14-884_en.htm. Visited 10 October 2017.
80. The exceptions are Congo (Brazzaville) and Gabon. They have benefited from the regular EU GSP since 1 January 2008. In October 2012, the EU revised its GSP to focus on those countries that most need the GSP preferences. Upper middle income (UMI) countries such as Gabon have not been able to benefit from the revised GSP since 1 January 2014. Only an EPA will offer Congo and Gabon a free access to the EU through a partnership with the EU.
81. Liberalized EU imports are mainly industrial machines (pumps, generators, turbines, etc.), vehicles, and certain chemicals.
82. https://www.wto.org/english/news_e/news_15_e/refc_29jun15_e.htm. Visited 8 October 2017.
83. EC- Bananas III) (DS27 8 November 2012) (Complainant in this case were Ecuador; Guatemala; Honduras, Mexico; United States. Respondent: European committees and third parties = Belize, Cameroon, Canada, Colombia, Costa Rica, Dominica, Dominican Republic, Ghana, Grenada, India, Jamaica, Japan, Mauritius, Nicaragua, Panama, Philippines, Saint Lucia, Senegal, Suriname, Venezuela, Bolivarian Republic of, Cote D'Ivoire, Brazil, Madagascar. On the 8 November 2012, the parties notified the DSB of a mutually agreed solution pursuant to Article 3.6 of the DSU. (stat.wto.org/countryprofile/WSDBCcountryPFView.aspx?Country=CM&Language=E).
84. WTO document IP/Q/CMR/1, IP/Q2/CMR/1, IP/Q3/CMR/1 and IP/Q4/CMR/1 of 7 June 2004.
85. Its implementing decree reserves to Cameroonians the exercise of small-scale activities ("petits métiers"), namely, street vendors, hawkers ("buyam-sellam") and operators of family-run cafés.

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