

Brief # 1: Road Harassment

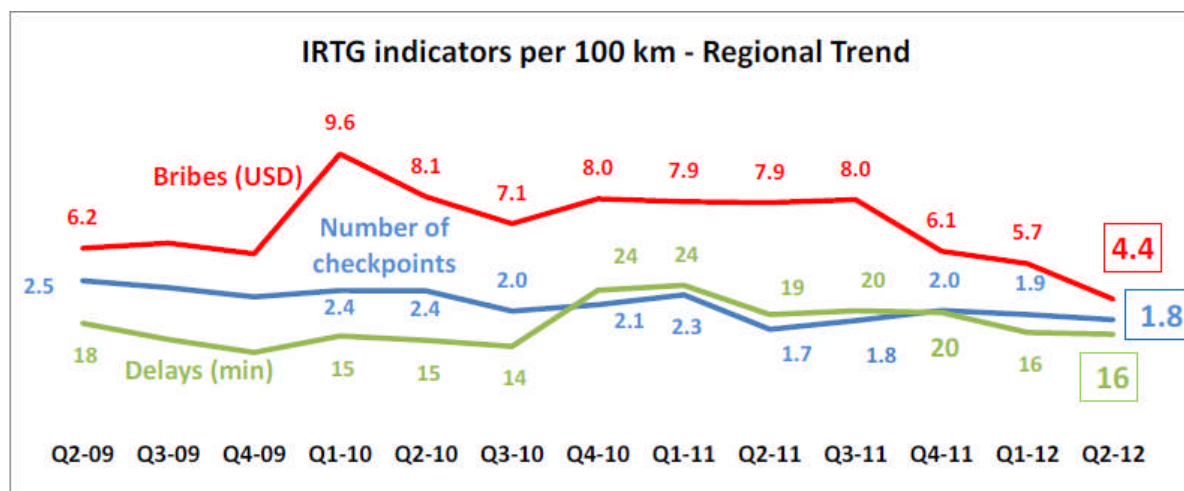
What is the policy?

According to agreements signed by all 15 ECOWAS member states, West Africans should have the right to trade freely across borders, provided that they follow certain agreed-upon procedures. The ECOWAS Trade Liberalization Scheme (ETLS) provides for many goods to move within countries and across borders without unjustified fees, payments to officials, or demands for unnecessary paperwork or inspections.

What is the gap between policy and reality?

Checkpoints, delays, and bribes are some of the traders' top issues for advocacy and reform. In response, border officials say that the transporters and truckers themselves contribute to the problem. The Improved Road Transport Governance (IRTG) project, a USAID/UEMOA initiative covering six major West African trade corridors, shows an abundance of checkpoints, delays, and bribes. These and other reports can be found at www.borderlesswa.com. These constraints violate the letter and spirit of the ETLS, and directly impede the flow of trade in food and other goods.

The following chart illustrates the extent of bribes, the number of checkpoints, and the delays experienced on the corridors monitored by the IRTG project.



The reasons for the present circumstances are, in some measure, self-perpetuating. Officials may take advantage of individuals' ignorance of their rights. Truckers carrying perishables do not know that these goods should pass easily and quickly across borders, rendering them easy targets for intimidation and bribery. Along many of the routes and at crossings, the formal institutions are weak, and the complexity and lack of transparency of rules and regulations governing cross-border trade encourage harassment and illegal behavior by officials as well as opportunism by traders.

Although there have been encouraging signs of improvement thanks to efforts led by UEMOA, ECOWAS and USAID, and the Borderless Alliance, among others, road harassment continues to persist. During the closing months of 2012, the following situations—noted by observers on major corridors in the region—illustrate the persistence of the problem.

- Dakar, Senegal/Bissau, Guinea corridor—In November, after unloading in Bissau, the empty truck was stopped repeatedly by the Guinean police. The papers were in order, but payments of 30,000 FCFA were requested each time. The driver considered himself fortunate to be able to negotiate the price down to 10,000 FCFA, 6,000 FCFA, and 12,000 FCFA (\$20, \$12, \$24) for each stop.
- Lome, Togo/Ouagadougou, Burkina Faso corridor—Although Togo has made great improvements in reducing checkpoints, there have been reports that bribes have, at points, become institutionalized. Drivers passing checkpoints are accustomed to submitting their requested paperwork with 3,000 FCFA in the package, which gives passage after removal of cash but with no review of documents.
- Niamey, Niger/Cotonou, Benin corridor—Truckers on this route experienced another twist on solicitation of illegal payments. A car alongside the road with a helmet on the hood is a signal to the driver to stop and give money to the officer in the car.

Although studies show a reduction in official checkpoints along many routes, there are increasing reports of the vacuum being filled by unofficial checkpoints and demands for money operated by various transport unions. The unions may simply set up a folding chair under an umbrella and demand payments for inspection of union identification.

What are the costs and who pays?

Road harassment discourages regional trade, prevents the development of modern, official regional trade, and raises the cost of food every day in West Africa. Even trucks with all required documentation often have to pay bribes to proceed. Traders and transporters get discouraged by this deterioration of road governance. Some feel that if they must pay bribes, they have less incentive to maintain their vehicles to legal standards, keep their loads to legitimate weight restrictions, or secure appropriate licensing and paperwork. All of this contributes to a sense of lawlessness and corruption between drivers, customs, police, and government, and discourages compliance by the truck owners and drivers.

West Africa's road transportation costs are high for a variety of reasons, including lack of competition, crumbling infrastructure, an aging truck fleet, and poor logistics. Road harassment contributes to the problem; one recent study indicated costs ranging from \$1.31/100km in Togo to \$8.39/100km in Mali. It should be noted that statistics mask considerable country variations, both in terms of bribes demanded and number of checkpoints encountered. Rankings from the beginning of 2012, from fewest bribes and checkpoints through most, are as follows:ⁱ

- Bribes: Ghana, Togo, Senegal, Burkina Faso, Côte d'Ivoire, Mali
- Checkpoints: Togo, Senegal, Burkina, Côte d'Ivoire, Ghana, Mali

While truckers pay in cash and time, these costs are passed on to the consumer eventually.

What are the ingredients for successful reform?

Over the last several years, data on the scale and cost of harassment have become available, and practices that used to be undocumented are now traceable to perpetrators. Video monitoring of transit points and border crossings has also contributed to greater transparency. Public education has helped. When traders and truckers know their rights and responsibilities, they are less vulnerable to fines, bribes or unnecessary delays. When public officials are made aware of trade rules and regulations, they engage in less illegal behavior. When UEMOA and ECOWAS see clear evidence of unfair policies and practices, they are more likely to act. Information and awareness are critical to enforcing regulations, simplifying procedures, training actors and providing avenues for public-private advocacy.

ⁱ Source: 20th Road Governance Report. These rankings are for IRTG monitoring. The corresponding ranks for ATP/E-ATP monitoring are:

- Bribes: Ghana, Senegal, Burkina Faso, Mali, Benin
- Checkpoints: Benin, Ghana, Burkina Faso, Senegal, Mali