Attached hereto is the text of the Protocol of Agreement concerning the achievement of a complete Customs Union between the five States of Equatorial Africa and of Cameroon, signed at Fort-Lamy on 11 February 1964.

This text has been transmitted by the President of the Conference of the Heads of State of Equatorial Africa.
PROTOCOL OF AGREEMENT

THE HEADS OF STATE OF THE FEDERAL REPUBLIC OF CAMEROON,
THE CENTRAL AFRICAN REPUBLIC, THE REPUBLIC OF THE CONGO,
THE GABON REPUBLIC AND THE REPUBLIC OF CHAD,

HAVING REGARD to the Protocol of Agreement signed at Bangui on
23 June 1961;

Desirous of advancing in the progressive creation of a common market
between the five States and by stages the establishment of a Customs Union;

HAVING REGARD to the Convention of 23 June 1961 regulating economic and
customs relations between the member States of the Equatorial Customs Union
and the Federal Republic of Cameroon;

HAVING REGARD to the rules of procedure of the Joint ECU-Cameroon
Commission, annexed to Decision No. I/62-CM-2 dated 30 June 1962;

HAVING REGARD to Decree No. 62/DF-223 of 27 June 1962 instituting in the
Federal Republic of Cameroon an external customs tariff common to that Federal
Republic and to the member States of the Equatorial Customs Union and specifying
the relevant implementing provisions;

HAVING REGARD to Act No. 16/62-UDE-209 of the Management Committee of the
Equatorial Customs Union, instituting in the member States of the Equatorial
Customs Union an external customs tariff common to those States and to the
Federal Republic of Cameroon and specifying the relevant implementing provisions;

Having taken cognizance of Recommendation No. I/63 adopted by the Joint
ECU-Cameroon Commission;

Having examined the draft of a treaty creating a Customs Union between
Cameroon and the States of Equatorial Africa, drawn up by Cameroon experts
at the request of the Joint Commission;

HAVE DECIDED

to achieve a common market and a Customs Union between the five States according
to the principles and programme set forth hereunder:

I. Institutional framework

(a) Organic bodies:

Establishment of three organic bodies.
The Council of Heads of State shall determine the customs and economic policy of the organization and shall in the last instance deal with questions within the competence of the Management Committee.

The Management Committee shall be the permanent deliberative body being so delegated by the Heads of State.

The General Secretariat shall be responsible for executive functions and for liaison.

(b) **Competence of the Management Committee:**

- tariff and statistical nomenclature
- common external customs tariff
- tariff of import duties and fiscal charges
- single charge
- customs code
- customs legislation and regulations
- harmonization of industrialization projects, development plans and transport policy
- investment code
- harmonization of direct and indirect internal taxes
- consultation regarding exit duties, export information and also wage and social system.

II. **Functioning of the Customs Union - Principle of the common market**

Merchandise to be offered for consumption in the State of destination, the entire proceeds of the import duties and taxes accruing to the budget of that State (general transit régime).

Should this not be possible, the merchandise to be made available for consumption at the customs office of entry into the Customs Union, after compulsory declaration by the State of consumption, the duties and taxes levied accruing to the budget of that State.

Creation of a common fund, in a spirit of solidarity, to take account of errors in declarations and of advantages deriving from transit activities for the coastal States.

Procedure for harmonization of industrialization projects, development plans and transport policy, covering the Customs Union as a whole.

Regulations governing the movement of persons, capital and goods - right of establishment.
III. Programme of preparatory work

(a) Meeting at Brazzaville on 11 May 1964 of a Committee of Experts of the five States with the following tasks:

- to draw up the institutional part of the draft treaty as well as the part relating to the procedure for harmonizing industrialization projects, development plans and transport policy;

- to make a comparative study of investment codes with a view to their harmonization.

(b) Meeting at Yaoundé on 12 October 1964 of a Committee of Experts with the following tasks:

1. To propose provisions for unifying and simplifying the fiscal system applicable to imports, on the basis of the following documents to be drawn up by each Government:

   - a statement indicating for each tariff sub-item the nature and rate of duties and taxes levied on imported products, the amount of the global levy in percentage terms, the value of merchandise on the basis of statistics for 1962 and if possible 1963, the total of the levies in absolute terms, as well as the nature of any total or partial exemptions;

   - a statement of the levies charged on imported products showing the nature of each duty and charge for 1962 and 1963.

2. To draw up a complete draft text of the Treaty.

(c) Examination by the Joint ECU-Cameroon Commission, at its first meeting after that of each of the Committees of Experts mentioned above, of the conclusions reached by those Committees.
Transmission of the draft treaty by the Joint Commission to the Heads of States before 15 December 1964.

Fort-Lamy, 11 February 1964

THE PRESIDENT OF THE FEDERAL REPUBLIC
OF CAMEROON

Ahmadou AHIDJO

THE PRESIDENT OF THE REPUBLIC OF THE
CONGO

Alphonse MASSAMBA-DEBAT

For the PRESIDENT OF THE GABON
REPUBLIC (absent) and by
delegation THE MINISTER OF
NATIONAL ECONOMY

Gustave ANGUILE

COPY CERTIFIED EXACT:

The Secretary General,

(signature)
J.F. GILLET

THE PRESIDENT OF THE REPUBLIC
OF CHAD

François TOMBALBAYE