

# Logics of action in the decision process to set up a sanitary barrier: The case of poultry imports regulation in Senegal

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## Introduction

Recent decades have witnessed the proliferation of sanitary measures affecting international trade in animal products. These measures have been induced by several international crises such as mad cow crisis in the 1990s and more recently those of avian and swine influenza (World Bank, 2010). Following the spread of avian influenza in some countries during the year 2005, Senegal in particular has decided to suspend imports of poultry meat. This sanitary embargo was decided in December 2005 and remained in force in March 2011. Even if this measure is based on the recognition of the precautionary principle, it has nevertheless been the subject of controversy and protests from some partner countries who considered it as "protectionist". This debate may lead to interest in the complexity of policy-making process surrounding such trade measures and stakeholder involvement. In order to understand the logic of action that prevailed during the implementation of this measure, it is necessary to analyze the historical, economic, political, institutional and social context. The purpose of this communication is to clarify the logic of action development process and questioning the suspension of imports of poultry meat in Senegal, to better assess the degree of influence on this measure by different actors.

To this end, the instrumental approach to public policy that focuses on the types of instruments and the reasons governing their choice or their change was favored. Indeed, classical studies of instruments by focusing on the identification and typology of instruments<sup>5</sup>, especially focus on the criterion of coercion degrees and the criterion of resources involved, which makes it difficult to account for the change of its instruments and their results. In this perspective, Pierre LASCOUMES and Patrick LE GALES (2005) consider that the instruments are not "mere technical choices, but they also conceal political challenges and

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<sup>5</sup> Il s'agit entre autres :

Du Belge Etienne Sadi KIRSCHEN, 1964, Economic policy in our time, Chicago, Rand Mc Nally,

De l'américain Théodore LOWI, 1972, Four systems of policy, politics and choice, in Public administration review, n°32, Vol. 4, pp 290-310

De l'anglais Christopher HOOD, 1983, The Tools of Government, London, Mac millan, 178p.

Du Néerlandais Walter J. M. KICKERT, 1997, Public management and administrative reform in Western Europe, 304p.

induce specific effects independent of the objectives, and structure the public action<sup>6</sup>. The instrumental approach to public action therefore seems to be appropriate, to touch upon the implementation process of the sanitary measure in question here. For this, we chose to reconstruct this process in a diachronic perspective in order to highlight its origins, the various positions that have accompanied its definition, its adoption and its transformations. The goal is not to make a normative analysis or evaluation in terms of success or failure but to make more visible the stakeholders' behavior and actions and comprehensively grasp the stakeholders' logic, which are always strained by the logic of action<sup>7</sup>. Indeed, in view of the strategic analysis, the stakeholders' logic **links**, in an almost exclusive way, the strategic role to the role of power. The logics of action are more comprehensive because they include the stakeholders' logic and power relations that can be modified in each action situation. They provide the context of the activity of the stakeholder, his playground, ideas, rules, standards and constraints that guide action. They also take into account developments in technology, hierarchy, official guidelines, economic and financial constraints, environmental systems, objectives and strategies of the stakeholder and the organization, historic built etc.<sup>8</sup>

In the framework of the sociology of organized action, the processes of public policy making result from complex systems of individual or collective stakeholders. According to Erhard FRIEDBERG<sup>9</sup>, understanding organizations "(...) makes the same questions to the analysis in understanding the forms of collective action more diffuse, for example, the development and implementation of decisions, the progressive realization of a scientific or technical innovation or the emergence of a movement for social mobilization».

Trying to reconcile the approaches mainly focused on the strategic<sup>10</sup>, social-historic<sup>11</sup>, identity<sup>12</sup>, cultural, group, *pulsionnel*<sup>13</sup> and those focused on action situations<sup>14</sup>, the sociology

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<sup>6</sup> Pierre LASCOUMES et Patrick LE GALES, 2004, Gouverner par les instruments, Paris, Presses de sciences po, 370p.

<sup>7</sup> FRIEDBERG Erhard. Avril 1993 et Février 1997 pour la préface et la présente édition. *Le pouvoir et la règle : Dynamique de l'action organisée*, Editions du Seuil, 500p.

<sup>8</sup> Rôles et enjeux des centres de documentation et d'information dans l'innovation pédagogique en région Rhône Alpes, Jean-Paul Metzger (sous la responsabilité scientifique de), ERSICO, Janvier 1998, p.145

<sup>9</sup> FRIEDBERG Erhard. Avril 1993 et Février 1997 pour la préface et la présente édition. *Le pouvoir et la règle : Dynamique de l'action organisée*, Editions du Seuil, 21p

<sup>10</sup> CROZIER Michel et FRIEDBERG Erhard. 1977. L'acteur et le système : les contraintes de l'action collective, Paris, Seuil, 500p.

REYNAUD Jean Daniel. 2004. Les règles du jeu : l'action collective et la régulation sociale, Paris, Armand COLIN, 2ème édition, 348p.

<sup>11</sup> Pierre BOURDIEU cf. DURANT Jean Pierre et WEIL Robert. 1997. Sociologie contemporaine, Deuxième Edition Vigot, 775p.

<sup>12</sup> SAINSAULIEU. Reynaud. 1997, Sociologie de l'entreprise, Paris, Dalloz, 476p

<sup>13</sup> Philippe d'IRIBARNE, R. KAES et D. ANZIEU, Eugène ENRIQUES (cf. AMBLARD Henri, BERNOUX Philippe, HERREROS Gilles, LIVIAN Yves Frédéric. Avril 1996 et janvier 2005 pour le chapitre 5. Les nouvelles approches sociologiques des organisations, 3ème édition augmentée, Seuil, 291p)

<sup>14</sup> La sociologie de traduction de Michel CALLON et Bruno LATOUR cf. (COMPAGNONE Claude, Cours de Sociologie des organisations, ENESAD, Dijon, France)

of logic of action allows to better understand the reasons for the act situation. It examines both the conditions of the agreement and power relations.

Also, will the instrumental approach to public action be here combined with the sociology of logics of action in order to take into account the full complexity of the development process of the suspension of **poultry meat** imports, which involves several categories of stakeholders with different directions of action: the emphasis will be placed one hand on the stakeholders’ actions and their context that will track the entire process of **making decision** and, on the other hand, the ideas, rules, standards and strategies that underlie the different logics of action. An analysis of logics of action will focus on the differences between the interests of the stakeholders affected by the measure, their purposes and methods of interventions that combine each other.

In order to address these logics of action, interviews were conducted with leaders of civil society, state structures and some economic stakeholders from January 2008 to December 2010. Moreover, minutes of meetings, minutes of the suspension were able to reconstruct the process of development and implementation of the measure from 2002. Content analysis of interviews and documentary analysis based on the definition of categories that are the stakeholders, their actions, ideas, rules and strategies according to the context, that is to say, the periods before and after the suspension of imports.

### **Avian influenza and the suspension of imports of poultry meat**

The recent outbreak of avian flu<sup>15</sup> back to 1997 and has spread in the early 2000s in Asia, Europe, Middle East and Africa where the first human casualties were reported between 2005 and 2006. Given the risks of a possible influenza pandemic and its consequences, Senegal, like other countries declared uninfected, decided to take measures to prevent this disease<sup>16</sup>. These measures were taken based on the Agreement on Sanitary and Phytosanitary or SPS and the General Agreement on Tariffs and Trade or GATT. In Article 5.7 of the SPS Agreement, it is stated:

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Théorie des économies de la grandeur de Luc BOLTANSKI et Laurent THEVENOT (cf. PLANE Jean Michel. 2003. Théorie des organisations, Paris, Edition Dunod, p.88-90)

<sup>15</sup> La grippe aviaire ou l’influenza aviaire est une infection provoquée par des virus grippaux de type A, et en particulier les sous-types H5, H7 et H9. C’est une maladie infectieuse affectant les oiseaux sauvages ou domestiques. Il peu arriver que des souches hautement pathogènes provoquent une maladie respiratoire chez l’homme. Dans ce cas, la contamination se fait par des contacts rapprochés avec les volailles infectés ou avec des objets contaminés.

<sup>16</sup> Lors du conseil des ministres tenu en Octobre 2005, le Président de la République annonça une série de mesures dont la mise en place d’un comité spécial de vigilance chargé de surveiller l’évolution de la grippe aviaire (Arrêté n° 005884/PM du 24 octobre 2005 portant création du Comité National de Prévention et de Lutte contre la Grippe Aviaire - CONAGA), et l’interdiction d’importations de poulets à titre préventif. Quelques jours après (le 25 octobre 2005), une réunion interministérielle portant sur la grippe aviaire et sur les mesures préventives fut organisée. Elle regroupa la Primature, du Ministère de l’élevage, du Ministère du Commerce, du Ministère de l’économie et des finances et du Ministère de la santé. Durant cette réunion, l’interdiction d’importations de produits et matériels avicoles furent recommandées. Par contre, il fut décidé que les poussins d’un jour destinés à la production continueraient à être importés sur présentation d’un certificat zoo sanitaire et les œufs à couvrir sur présentation d’un certificat d’origine et de salubrité (cf. Arrêté interministériel n° 7717, novembre 2005).

*«In cases where relevant scientific evidence is insufficient, a Member may provisionally adopt sanitary or phytosanitary measures on the basis of available pertinent information, including those emanating from international organizations as well as those from sanitary or phytosanitary measures applied by other members. In such circumstances, Members shall seek to obtain additional information necessary to conduct a more objective assessment of risk and review accordingly sanitary or phytosanitary measure within a reasonable time»<sup>17</sup>.*

In regard to the GATT agreement, whose main goal is free trade by lowering tariffs and reducing quantitative or qualitative restrictions on trade, it is composed of concrete rules and targeting trade rules exceptions advocating protection: the Article XX.b of the agreement stipulates that any member may take all measures *«necessary to protect the health and life of humans, animals or plant»<sup>18</sup>*, this will make it a source of controversy in the WTO countries exporting poultry meat<sup>19</sup>.

As in Senegal, in order to legitimize its actions highlighted at the time, weak technical capacity of its veterinary services for a possible attack of bird flu and its inadequate control and product traceability poultry equipment used. This was the question again in terms of both international and national stakeholders of poultry sector. Also, it is important to understand this process while highlighting the historical, economic, institutional, political and social context of these stakeholders.

### **Attempt to establish a protection of the poultry industry by professional organizations**

The process of drafting the measure to suspend imports of poultry meat is closely linked to the inter-professional dynamics of the poultry sector such as the federation of actors in the poultry sector (FAFA) and the national union of actors in the poultry industry (UNAF).

Training and supervision of farmers engaged by the National Centre for Poultry (NCP)<sup>20</sup> since its inception in 1962 were intended to boost the poultry industry with a level of organization and intensification would be closely linked to administrative and institutional changes of the NCP. Thus, after the establishment of the Poultry Farmers Group in Senegal (GAS) created since 1964, other groups were created in succession: the Poultry Farmers Cooperative in Senegal (COPAVIS) in 1976, the Association of Poultry Farmers of Cape Verde (AACV) in 1981 and the Interprofessional Committee of the Poultry in Senegal (APICS) in 1993.

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<sup>17</sup> Cf. <http://www.ladocumentationfrancaise.fr/dossiers/omc/d-precaution.shtml>

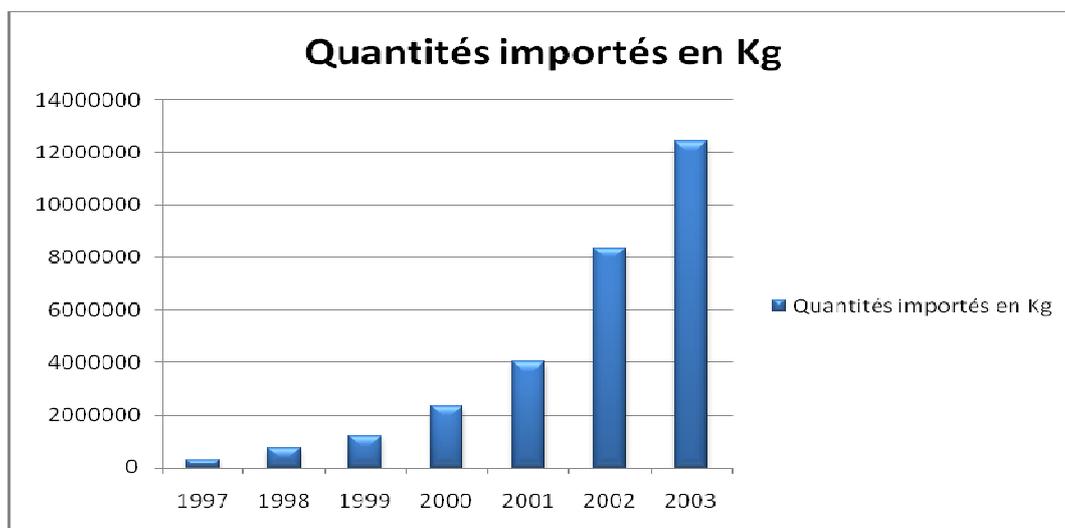
<sup>18</sup> Cf. <http://www.ladocumentationfrancaise.fr/dossiers/omc/d-gattartXX.shtml#top>

<sup>19</sup> L'OMS sera d'ailleurs forcée d'intervenir en ces termes pour apporter des précisions : « Dans les zones touchées par des flambées, les volailles et produits de volaille peuvent également être consommés sans danger à condition d'être bien cuits et correctement manipulés pendant la préparation » (cf. <http://www.who.int/features/qa/29/fr/index.html>).

<sup>20</sup> Ce centre a pour mission de contrôler, de coordonner et de superviser toutes les activités avicoles au Sénégal. Il est sous tutelle de la Direction de l'Élevage (DIREL) tous les autres acteurs de la filière. Elle a pour activités principales: la formation technique et l'enregistrement des données.

This role of supervision and training of the NCP had been taken over by the PRODEC or Project for Livestock Development in Short Cycle between 1995 and 1998, aimed to support the organization and creation of professional associations or group existing associations. Several associations then were established between 1998 and 2001: AAD<sup>21</sup> (2000), AVIDAK<sup>22</sup> (1999) and COTAVI<sup>23</sup> (1998), ASCOPA (2000) and UNIA (1999)<sup>24</sup>. This dynamic, supported by PACEPA<sup>25</sup> in 2002-2003, gave birth to the FAFA whose aim was the promotion of the poultry sector by establishing a framework for dialogue and advocacy in the sector. Only the industry association (UNIA) did not participate in the implementation of this interprofession because of disagreements between producers and manufacturers<sup>26</sup>.

**Graph n°1** : Evolution of imports from 1997 to 2003 (in kg)



**Source** : National Agency of Statistics and Demography (ANSD), 2006

Faced with the difficulties of the sector due to the sharp surge in imports, consultations with state actors were conducted and protests organized by the FAFA, aware of that year of 2002. These protests led to the temporary suspension of imports of poultry and the abolition of VAT on inputs poultry in October (Duteurtre, 2008). This measure was only temporary however, as evidenced by the remarks of the FAFA former President:

<sup>21</sup> L'Association des Aviculteurs de Dakar regroupe les aviculteurs de la région de Dakar

<sup>22</sup> Créée en 1999, l'Association des Avicultrices de Dakar est composée essentiellement de femmes suite à l'arrêt des activités de la Maison des Aviculteurs

<sup>23</sup> Le Collectif des Techniciens de Produits Avicoles est fondé en 1998 et regroupe tous les cliniciens, pharmaciens, vétérinaires, techniciens du secteur avicole.

<sup>24</sup> L'Union Nationale des Industriels de l'aviculture

<sup>25</sup> Le projet d'appui à la concertation entre l'État et la profession agricole avait, entre autres, pour mission de regrouper les associations en une interprofession.

<sup>26</sup> Faut-il rappeler que cette période avait coïncidé avec les difficultés de la filière locale, liées à la forte poussée des importations de cuisses de poulet et avec comme conséquence des difficultés de commercialisation des œufs de consommation et de la viande de volaille. Le graphique ci dessus renseigne sur l'évolution des importations de viande de volaille qui sont passées de 272780 à 12405192 kg entre 1997 à 2003.

*«The FAFA had organized a march (...). Following the march, the FAFA obtained the suspension of imports of poultry meat in October 2002. The rationale for this measure was precautionary. But this justification of the Ministry of Livestock was not robust enough to continue the suspension. That's why it lasted only two months» (O. LO, Former president of FAFA, 12 January 2010).*

Moreover, because of disagreements between manufacturers and producers, shares of the FAFA pleas were conducted in a separate dialogue initiatives between industry and government. This dialogue between state manufacturers and state services were aimed in particular at sensitizing policy makers on the adverse effects of soaring imports on the local industry. They were followed by the drafting by the Offices of the Ministry of Commerce of several notes on the recovery of the poultry industry in Senegal (Min Commerce, 2003 and 2005).

In order to align these actions with those of other industry stakeholders, a new interprofession was created in 2004, the National Union of actors in the poultry sector (UNAFSA). UNAFSA shall bring together some of the manufacturers and some members from the FAFA. From that moment, it is the UNAFSA which gradually brought most of the anti-advocacy imports, sometimes alongside the FAFA.

These actions to protect the local industry began to grow from 2004, thanks mainly to the many studies<sup>27</sup> revealing the negative impact of imports of chicken thighs conducted by FAO, research institutes, the NGOs, or even by journalists.

It is such studies that were the basis of the campaign, entitled "*Exports of chickens: Europe plucks Africa! Campaign for the right to protection of agricultural markets*», led by AGIR, in collaboration with GRET, CFSI, CCDF, SOS FAIM and GRESEA throughout the year 2005. The organizers of this event then specify:

*«This campaign aims to recognize the right of countries to protect their market against imports destabilizing their local agricultural sectors to complete policies for development and sustainable agriculture and solidarity " (cf. Exports of chickens: Europe plucks Africa! p.3).*

But after initial success, the campaign will know the difficulties related to a leadership conflict between FAFA and UNAFSA, yet both sponsored by Oxfam-GB: FAFA would retire soon afterwards.

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<sup>27</sup> Voir notamment :

**HORMAN Denis**, Chicken Connection : Le poulet africain étouffé par l'Europe, Agrobusiness, dumping, souveraineté alimentaire..., GRESEA, Octobre 2004, 136p

**SYFIA International**, Enquête, Impact des importations de volailles en Afrique de l'Ouest, Avril 2004, 42p

Sharma R., Nyange D., Duteure G., Morgan N. « The impact of import surges: country-case study results for Senegal and Tanzania », FAO Commodity and Trade Policy Research Working Paper, No. 11, January 2005, 27 p., available at <http://www.fao.org/es/ESC/>

DUTEURE Guillaume Papa Nuhine DIEYE et Djiby DIA. 2005, Ouverture des frontières et développement agricole dans les pays de l'UEMOA : L'impact des importations de volailles et de produits laitiers sur la production locale au Sénégal, ISRA 78p.

Diagne B. M., 2004 : « Etude de l'impact économique des importations de poulets entiers et en morceaux sur le développement de la filière avicole au Sénégal », Rapport Final, Oxfam International, Dakar, Sept 2004, 73 p.

In order to consolidate the professional organizations and harmonize their views, the Centre for Development of Enterprise (CDE)<sup>28</sup>, which was responsible for implementing a program of the ACP Group and the European Commission for investment promotion and transfer of technology in enterprises in ACP countries called PROINVEST, hired a consultant to conduct a broad consultation with all stakeholders in the sector, followed by sharing seminars.

At the end of this process, while lobbying activities were conducted by UNAFA with governments for the introduction of measures to protect the local commodity chain, actions to educate consumers about the risks of contamination by bird flu were undertaken by the Consumers Association of Senegal (ASCOSSEN)<sup>29</sup>

In this dynamic, UNAFA, FAFA and COTAVI wrote in a joint statement that the sector of local poultry industry was able to provide to Senegalese consumers quality chickens and in sufficient quantity if the Government decided to close the country to import poultry<sup>30</sup>.

Of course, this decision should collide with the interests of importers and traders of poultry meat which part belonged to UNACOIS (National Union of Traders and Manufacturers of Senegal). Traders and importers complained then the behavior of producers and manufacturers associations who wanted to replace them. That's what emerges from the interview with the Executive Secretary of UNACOIS M.S. NDIAYE:

*«The problem is that today, traders do not benefit from local production because the benefits are too low and production is not very significant. Some producers want to be at the same time traders» (January 13, 2010, Headquarters UNACOIS Dakar).*

This position was taken regularly by importers who tried to challenge the ban on imports a few years later.

For its part, the State put up a small working group coordinated by the Ministry of Livestock in collaboration with the Ministry of Commerce (DCE and DCI), the Ministry of Economy and Finance (DGD) in order to revive the local poultry industry. The work of this group led to the development of document for the "*Revival of the poultry sector in Senegal: Diagnosis and Policy Implications*" in April 2004. Based on this work and face the many demands of interprofessions and consumer associations, the Prime Minister gave his approval for the establishment of an import surcharge and the downward revision of port charges on inputs and poultry equipment, in his letter No. 04710 PM/SGG/PAS/as on September 9th 2005.

It must be said that these actions in favor of the local sector's stakeholders were facilitated by low organizational dynamics from importers of poultry meat. Indeed, most major importers like Keur Mayoro Poul Trade, Soprodal, Companies Dame Ndiaye and CDA were not members of a professional organization. Only a few importers were members of the

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<sup>28</sup> Son objectif est d'accompagner le développement des entreprises du secteur privé Afrique Caraïbe Pacifique (ACP)

<sup>29</sup> Dès 2005, l'ASCOSSEN avait commencé à publier toutes les informations relatives à la grippe aviaire sur son site internet en vue de mieux informer les consommateurs sénégalais ;

<sup>30</sup> [http://www.ascosen.org/milnews.php?subaction=showfull&id=1130895358&archive=&start\\_from=&ucat=5&](http://www.ascosen.org/milnews.php?subaction=showfull&id=1130895358&archive=&start_from=&ucat=5&)

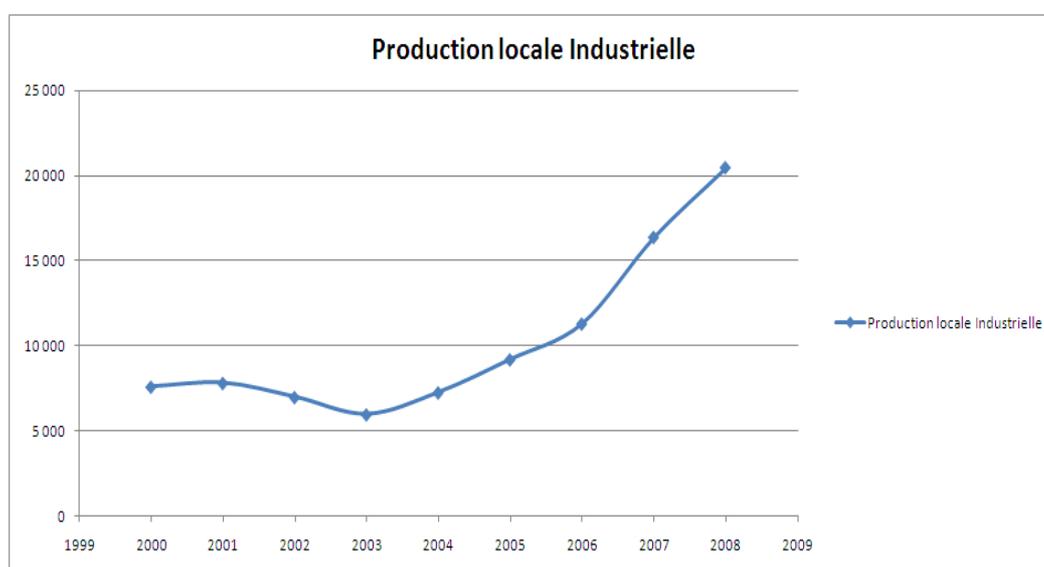
UNACOIS, which was not consulted in the end process. This probably explains the perception of the executive secretary of the UNACOIS which says:

*«The measure was taken because there was lobbying by local producers who believe that imports of chicken thighs are a hindrance to the development of local industry»* (January 13, 2010, Headquarters UNACOIS Dakar).

This decision seen as an opportunity for producers, however, is perceived as a threat for importers and exporters. It is up meeting on the main elements that have fueled debate and discussion on the impact of the embargo.

The measure has initially had a significant impact on local production that had to increase suddenly. Local production passed from 9200 tons in 2005 to over 20 000 tonnes in 2008 (Graph 2).

**Graph n°2** : Evolution of production of poultry meat in tons from 1999 to 2008



**Source** : National Centre for Poultry (CNA), 2008

Similarly, from the side of manufacturers of food, there is a trend of production with the emergence of new poultry feed manufacturing, as Touba Minoterie in Kébémér, AGRIDEV in Fatick, etc.. Production and turnover of food fariquants passed respectively from 88 000 to 156 000 tons and 16 to 39 billion between 2005 and 2007 (Table 1).

In regard to importers, we note a large decrease in their numbers after the measure. As an illustration, the company Mayoro Keur, which was one of the largest importers, closed its doors in 2009. Other companies suffered the same fate: a workforce of forty (40) importers, only a few of the larger (POUL TRADE, CDA, SOPRODAL, SOFIEX, enterprise Dame Ndiaye and CCF FALL) continued in 2010 their import activities of food products (mainly imports of red meat, especially buffalo meat). According to the Executive Secretary of UNACOIS: "The old poultry meat importers have been forced to fall back on the import of other products such as buffalo meat or dairy products to compensate for losses» (13 January 2010, Headquarters UNACOIS Dakar).

**Table n° 1:** Changes in production and turnover of poultry feed from 1992 to 2007

Year	Production (t)	Turnover (billion)
1992	43 202	04,14
1997	66 899	10,40
2000	60 953	11,79
2005	88 474	16,00
2006	105 080	19,57
2007	156 000	38,89

Source ?

Besides, the import data showed that companies that imported annually between 1000 and 3500 tons of poultry meat, are currently the largest importers of red meat (Veterinary Service Port Autonome of Dakar, 2005).

As for exporting countries, they will witness a considerable reduction of their exports, especially in 2006. Taking the case of Brazil, which is the largest exporter of poultry meat into Senegal, its total exports decreased from 2761970 to 2585710 tons between 2005 and 2006 (*Source* : official data FAO 2009)<sup>31</sup>.

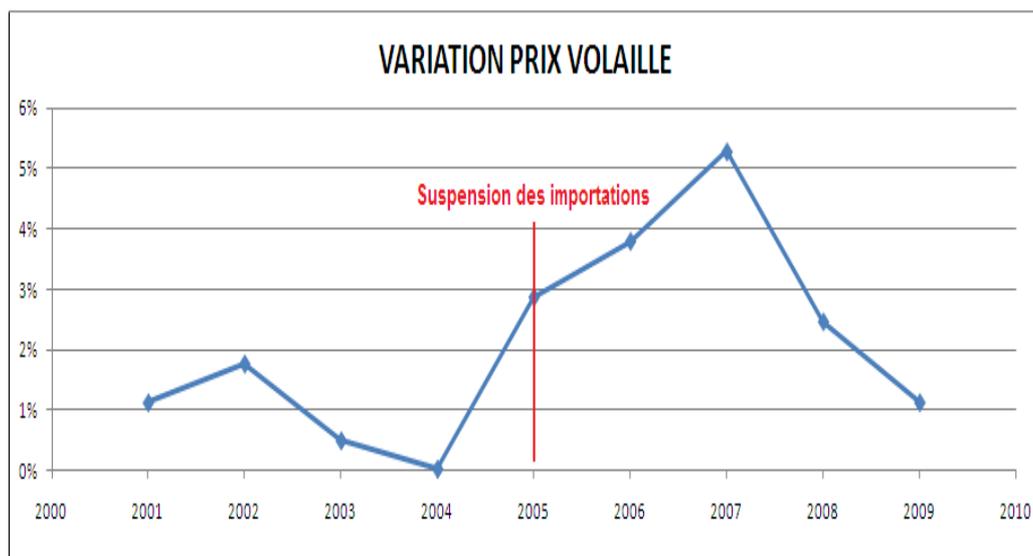
The effects of the measure on the accessibility of meat in terms of price, quantities and even in terms of quality for consumers sparked reactions from the import side, which put emphasis on the negative aspects of this measure. Indeed, the analysis of price data shows a rapid increase in prices from 2005 to 2007, with a growth rate from 3 to 5.5% between 2005 and 2007 (Graph 3), which accounts an adjustment period during which the local supply was in a small deficit. This adjustment period was followed by a steady decline in prices in the years 2008 and 2009 (Graph 4). Finally, outside of an adjustment period of two years following the implementation of the measure, the embargo does not seem to have had a major impact on prices of industrial poultry meat in the medium term. And it seems that the price of broiler meat have received long-term increase slower than the chicken meat in the country.

Finally, the embargo had a direct impact on the level of collection of customs taxes related to imports of poultry meat. Indeed, the share of liquidations<sup>32</sup> of poultry imports in the settlement overall was 1.7% in 2004, and reached 4, 3 billion CFA Francs in 2004, the year that the liquidations were the highest. However, following the implementation of the sanitary embargo, overall liquidations increased steadily, rising from 367 to 490 billion CFA francs

<sup>32</sup> La liquidation est la détermination du montant des droits et taxes à percevoir. Au Sénégal, les droits et taxes sont liquidés par le Service des Douanes et recouvrés par les comptables du Trésor. Ces droits et taxes sur les importations de viande de volaille étaient appliqués conformément tarif extérieur commun ou TEC de l’UEMOA. Ils comprennent un droit de douane de 20%, une redevance statistique de 1%, un prélèvement communautaire de la CEDEAO de 1%, un prélèvement communautaire de l’UEMOA de 0,5%, un prélèvement de 0,2% au profit du COSEC, un prélèvement fonds pastoral de 100 FCFA/ kg et une taxe sur la valeur ajoutée de 18% (Cf. Examen des politiques commerciales, Rapport du Gouvernement, 30 juin 2003, pp. 21-22)

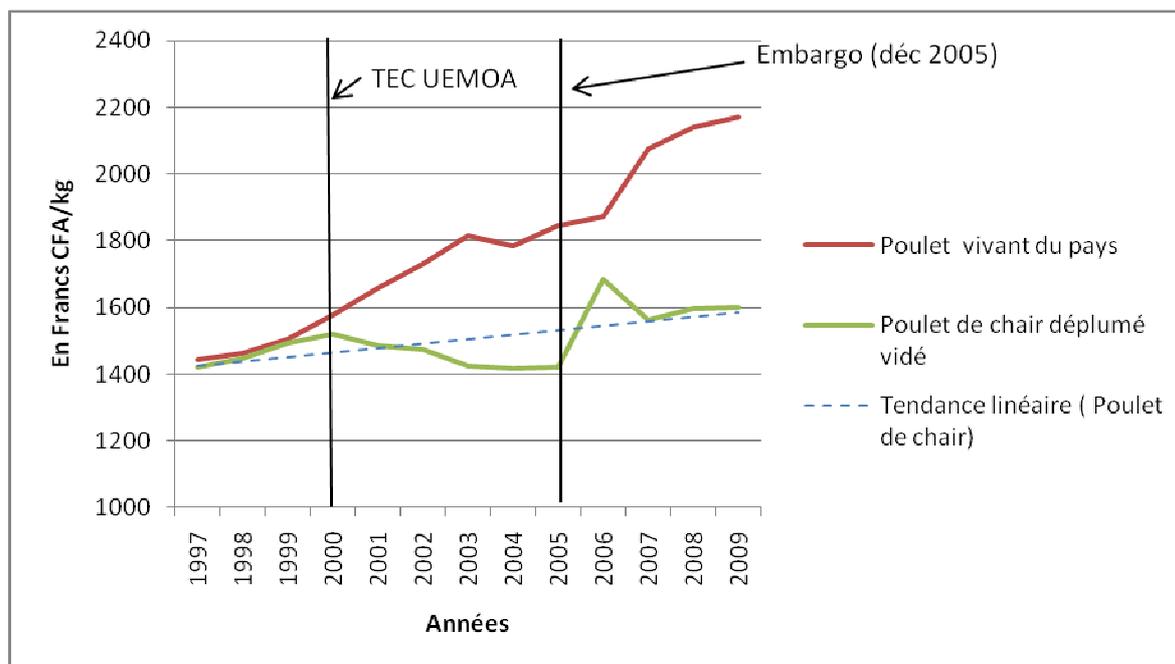
between 2004 and 2008. Revenue loss on meat imports were thus offset by other taxes on imports, which probably did not conducive to financial services to challenge the health measure for this strictly financial reason, at least until 2009. The graph below illustrates this idea.

**Graph n°3** : Evolution of the rate of price change



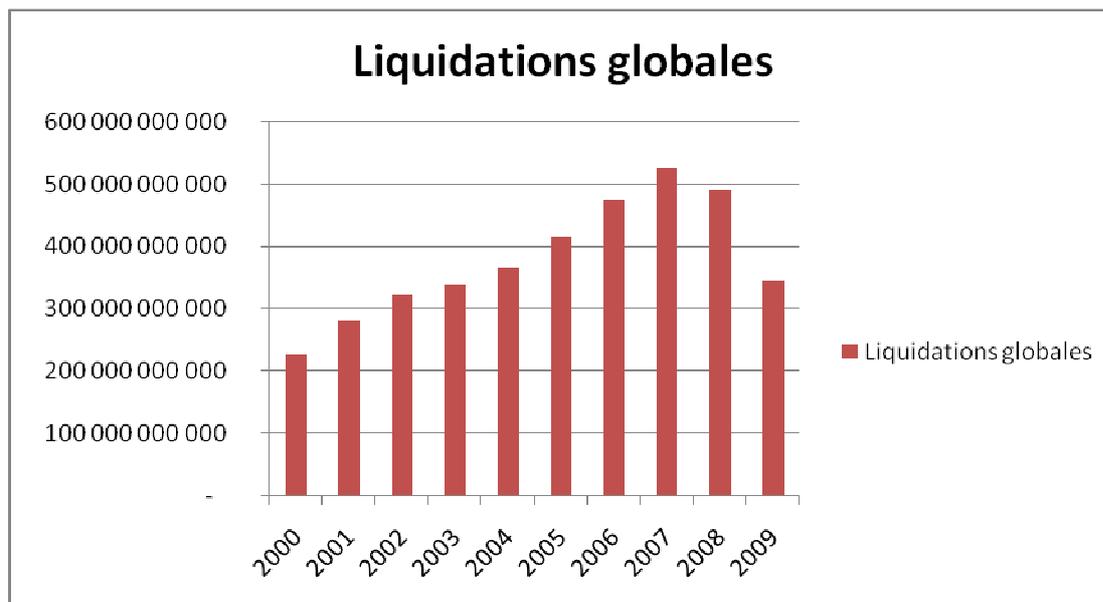
**Source** : National Agency of Statistics and Demography (ANSD), 2010

**Graph n°4** : Evolution of average retail prices of poultry meat in Senegal (1997-2009)



**Source** : National Agency of Statistics and Demography (ANSD), 2010

**Graph n°4** : Evolution of overall liquidations from 2000 to 2009



**Source** : General Department of Customs (DGD) 2010

### Attempts to call into question the suspension measure

While organizations of local producers seemed to be satisfied with the suspension, the major exporters of poultry meat to Senegal (EU and Brazil, who held the major share markets) began a series of initiatives to question of the suspension, especially after 2008.

Representations in Senegal from these both countries sent repeatedly matches whose purpose was to ask the government of Senegal to review the suspension, arguing that they were each free of **avian influenza**. From these matches, as a member of the WTO, Senegal had to respect the agreements to allow trade to continue.

Brazil even prompted importers to create an association to defend their interests with state authorities. That's what was behind the creation in 2008 of the Collective of importers and distributors of poultry meat. This group consisted of importers such as CDA, SOLIDIS SOPRODAL, Dame Ndiaye Ets, SORECI, Samba FALL Ets, Keur Mayoro Ets, SOFIEX, PATISEN, SAPROLAIT, POUL TRADE and Senegal Free Store. According to the head of Poul Trade, "*Brazil had supported us to write a letter to the Government in 2008 with arguments justifying the lifting of the embargo, but it failed*" (Interview with OBALI, April 1, 2010, Rufisque Street, Dakar). The rationale of these importers based in part on the effects of the measure on companies importing and distributing the product, and secondly on the accessibility of poultry meat in terms of price, quantity and quality. Thus, the figures insisted on both the availability of poultry meat in sufficient quantity especially near religious holidays (Korité, Christmas and New Year holiday) when demand increases, high prices. Importers have also highlighted the impact of the measure on the revenue that the state drew in imports.

However, it must be said that there was no real loss of revenue on imports, which could push the State to challenge the measure (see Graph 4).

Aware that their arguments could not be valid in the long term, and the many demands of importers and exporters, the Ministry of Commerce took the initiative to convene in September 2008 a working group including the participation of the Ministry of Economy and Finance and the Ministry of Livestock. Four in number, these meetings at the direction of foreign trade of Ministry of Commerce, were held in the context of a resurgence of **avian influenza** worldwide. The objective was to assess the appropriateness of the measure to suspend imports of poultry meat for health reasons<sup>33</sup>.

In 2010, Brazil tried again, to make known his case to the Government of Senegal, but without success. The minutes of the 7th session of the Joint Committee Senegal Brazil held in Dakar on 8 and 9 March 2010 reflects these discussions:

*«The Brazilian Party seeks Senegalese authorities that the measure prohibiting the importation of poultry and poultry equipment complies with the rules of the World Organization for Animal Health (OIE) and the Agreement on Sanitary and Phytosanitary Measures of World Trade Organization » (see Minutes of that meeting).*

In the same text for the Senegalese side, the maintenance of the measure is justified by a low capacity of technical services, which can affect the checks, surveillance at borders and control of traceability on products and poultry equipment users.

Following this attempt, Brazil has decided to refer the court to the committee on Sanitary and Phytosanitary measures (SPS) of the WTO. In general, even if a country violates a WTO rule, the dispute settlement body intervenes only if the country (ies) concerned complained. In other words, even if the application of the suspension of imports is not consistent with WTO rules, exporting countries is to bring the matter to the SPS Committee.

Faced with this situation, Senegal is trying to deepen the results of work of the small group within the National Committee on International Trade Negotiations (CNNCI)<sup>34</sup>, specifically within the sub-committee of the agricultural products trade of the CNNCI, particularly those

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<sup>33</sup> Cette évaluation préconisait de mettre l’accent sur d’autres arguments pour faire perdurer la mesure ou faire prendre d’autres mesures de protection. D’ailleurs, les quatre réunions tenues ont abouti à l’élaboration d’un document intitulé « *politique commerciale en appui à la filière avicole* » : ce document, partant du fait que la mesure a influé de façon positive sur la production de la filière et que l’argument sanitaire n’était que provisoire, avait mis l’accent sur la nécessité de fixer d’autres moyens de protection de la filière avicole. Il s’agit de maintenir la mesure au titre de l’accord SPSS (article 5 et 7), de mettre en place une taxation spécifique, d’utiliser les Mécanismes de Sauvegarde (MS) de l’UEMOA et de la CEDEAO pour élaborer une taxation spécifique, de trouver un accord sur les quantités maximums à importer, des restrictions sur les abats et des morceaux de poulets pour des raisons sanitaires et de renégocier les droits consolidés conformément à l’article 18 du GATT. En mars 2011, aucune décision n’avait été encore prise pour remplacer la mesure d’embargo sanitaire par de telles mesures de taxation spécifique.

<sup>34</sup> Créé par le décret n° 2001-1072 du 14 décembre 2001, le CNNCI constitue l’outil de formulation et de pilotage stratégique de la politique commerciale extérieure du Gouvernement. Il a été instauré pour définir et défendre les positions du Sénégal dans les négociations commerciales multilatérales, plurilatérales, régionales et bilatérales. Il est composé de plusieurs sous comités regroupant les représentants des Ministères en charge des questions concernées par les négociations commerciales, le secteur privé et la société civile (cf. Note sur le comité national des négociations commerciales internationales au Sénégal, Direction du Commerce Extérieur, 2003).

aimed to reflect the concerns of **stakeholders** in the local sector. The CNNCI serves as an interface between national actors and the Permanent Mission of Senegal in Geneva who is responsible, among other things, to follow the negotiations at the WTO on behalf of the country. Thus, all questions regarding the suspension are brought to the attention of the permanent mission.

The analysis of the overall process shows a configuration of state actors, civil society and economic activities which aim to defend their interests sometimes contradictory. These actions appear on one hand influenced by the ideas of NGOs, research and even international agencies, and, secondly, partially subservient to the rules set by international agreements. On this basis, the logical action of different actors reconstructed from literature reviews and analysis of content of the interviews can be presented under four aspects that are ideas, rules, standards and strategies. The analysis of the development process of questioning the suspension of imports of poultry meat can distinguish four types of logics of action<sup>35</sup>: institutional logic, cognitive logic, strategic logic and civic logic (Table 2).

**Table n°2** : Logics of actions from our observations

<b>Types of Logics of Actions</b>	<b>Justification</b>
Institutionnal	The action is influenced by formal or informal rules derived from agreements and compromises between actors. Legal rules or standards are a set of conditions which clearly establish the functioning of a social world or practice.
Cognitive	The action builds on the ideas and knowledge conveyed by reputable organizations which produce opinions checked.
Strategic	The action is guided by the strategies of actors concerned. The strategies are understood as behaviors systematically oriented toward goals or objectives
Civic	The action is guided by the general interest

The logics of action are unevenly distributed by type of actor. Similarly, shares of the same category of actor can base on many logics of action.

## **Logics of action in the development process and questioning the suspension of imports of poultry meat**

### ***NGOs and international organizations: a cognitive logic***

For a better analysis of cognitive approaches to action, we must go back to the founding fathers of international trade theories in economics. These authors can be grouped into three groups according to the position they develop vis-à-vis free trade: the defenders of

<sup>35</sup> AMBLARD et al. (2005) n’ont pas mis en exergue les types de logiques d’action particuliers. Cependant, l’application de leur théorie dans des cas concrets, par certains auteurs en sociologie (Manuel BOUCHER, Marie LEQUIN etc.), révèle différentes type de logiques d’action. Sans remettre en cause ces typologies, il semblerait que les logiques d’action soient multiples varient en fonction du cas étudié. Cette typologie est élaborée à partir des idées, des règles, des stratégies et des normes des acteurs impliquées dans le processus d’élaboration et de remise en cause de l’embargo sanitaire.

protectionism<sup>36</sup>, free trade advocates<sup>37</sup> and authors who develop the arguments in favor of both<sup>38</sup>. The debate on the protection or liberalization of the economy has long fueled economic studies. It also structured the positions of most international and national NGOs and international bodies like the IMF, the World Bank and WTO.

Trade liberalization is rather driven by the WTO, international body governing international trade. While international NGOs (especially those whose mission is to contribute to development in developing countries) have strongly embraced the protectionist arguments. These NGOs particularly emphasize the unfairness of international trade rules, had regard to subsidies to farmers in Northern and protectionist measures in those countries. This is true of some members of NGO Coordination Sud<sup>39</sup> as GRET, Oxfam France Agir ICI, CFSI or SYFIA International.

In sum, on the side of NGOs and the WTO, the cognitive logic essentially based on ideas and knowledge using research in economics has been dominant.

The third position, which attempts to reconcile the two positions for better results, had rarely been highlighted in the framework of the elaboration process and implementation of the measure to suspend imports of poultry meat.

These three positions are also fed into the discussions on the development and the attempted challenge to the suspension of imports of poultry meat, the side of national actors.

### ***Interprofessions***

The analysis of logical actions of the inter-sectors shows that the cognitive, strategic and civic logics base their actions. Their arguments were rather economic, social and health. Thus, they say, the protection of poultry industry has increased incomes for producers, traders, resorption rate of youth unemployment and reduced public health risks associated with the onset of avian

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<sup>36</sup> Le protectionnisme est une politique économique interventionniste menée par un État. Il vise à protéger de la concurrence internationale, le marché intérieur d'un pays par différentes mesures que sont le droit de douane, les contingentements et autres obstacles non tarifaires variés (cf. Ahmed Silem et Jean Marie Albertine, 2008, p.636). Il a été abordé par les mercantilistes (XVI<sup>ème</sup> et XVII<sup>ème</sup>), les nationalistes (XIX<sup>ème</sup>), les économistes structuralistes, etc.

<sup>37</sup> La libéralisation est un ensemble de mesures visant à faciliter le développement des échanges commerciaux internationaux, à ouvrir les marchés à la concurrence, en réduisant les tarifs douaniers, les subventions aux producteurs nationaux et à supprimer les contingentements. En sciences économiques, le libre échange a été développé par des auteurs classiques comme Adams Smith (Recherches sur la nature et les causes de la richesse des nations, 1776), David Ricardo (Des principes de l'économie politique et de l'impôt, 1817), Alfred Marshall (Somme aspect of competition, 1890), Paul Samuelson (Protections and Real Wages, 1941), John Stuart Mill (Essays on Some Unsettled and Maximum Revenue Tariffs, 1950), etc.

<sup>38</sup> Cette thèse a été développée par des économistes qui prônent le libre échange ou le protectionnisme mais qui préconisent la mise en place de mesures protectionnistes ou libérales dans certaines conditions. Autrement dit, aussi bien la libéralisation que la protection a ses limites et il appartient aux pays, par rapport aux opportunités que lui offre telle ou telle branche de l'économie, d'utiliser les deux en vue de meilleurs résultats. Les partisans du libre échange comme Jean Batiste Say (1767-1832), John Maynard Keynes (1883-1946) et ceux du protectionnisme comme Frederick List (1789-1846) ont développé cette thèse.

<sup>39</sup> Elle est la coordination nationale des ONG françaises de solidarité internationale. Créée en 1994, elle rassemble 6 collectifs et 132 ONG françaises qui mènent des actions humanitaires d'urgence, d'aide au développement, de protection de l'environnement, de défense des droits humains auprès des populations défavorisées et aussi des actions d'éducation la solidarité internationale et de plaidoyer (<http://www.coodinationsud.org> Répertoire collectifs et ONG membres de Coordination Sud : coordonnées, domaines et pays d'intervention, édition 29 Octobre 2010)

influenza and failure of the cold chain of the arrival of the imported product at the port to the places of consumption.

Based on the discourse of NGOs and researchers, as the actions of inter-sectors like UNAFA and FAFA have brought, throughout the process, this speech. According to them, "*Some retailers do not always comply with conservation standards either through ignorance or by sub-equipment or irregular power supply*". This put forward the idea of protection, solving their problem of marketing, but also the need to provide the consumer a good quality of poultry meat.

### ***Importers***

Even if the importers had adhered to the idea of working with poultry producers to market their product, they never conveyed the idea of any protection of this sector. Thus, according to the official of Mayoro Keur, M. Ngom, "*local production is not only insufficient but is extremely expensive for the average Senegalese. In reality, the Senegalese consumer is the biggest loser*». In this same vein, the letter to state authorities by the Collective of importers and distributors of poultry had insisted that imports facilitated accessibility in quantities in terms of consumer prices in Senegal. Their actions were based on defending the interests of consumers, and their strategy was to magnify the positive effects of liberalization of the sector. So the civic, strategic and cognitive logic bases their actions.

### ***The representatives in Senegal of meat exporting countries like Brazil***

The logic of action of commercial services of the Brazilian Embassy was first strategic and institutional. Its collaboration with importers, its negotiations with state structures were based on offensive strategies, but also defensive<sup>40</sup>, while its decision to refer the matter at the SPS Committee has been guided by the operating rules of the WTO of which he is a member.

### ***State Services***

For the side of the State, even if the inter-ministerial decree banning imports of poultry products and equipment was based on WTO rules (the precautionary principle and Article XX.b of the GATT)<sup>41</sup>, it is difficult to unify its logic of action during the development process and questioned the measure. Indeed, the three Ministries that have responsibility for the file have specific roles that seem contradictory. Therefore, the four different logics guided its actions throughout the process.

First, the Ministry of Commerce through the direction of domestic trade (DCI) has a mission to ensure the proper functioning of the internal market, ensure fair, transparency and

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<sup>40</sup> Les stratégies des acteurs ne sauraient donc se limiter à leurs objectifs clairement définis et à leurs projets cohérents mais comme un jeu, contingent au comportement et au vécu du participant. Ainsi, la stratégie de l'acteur revêt deux aspects : offensif pour saisir les opportunités et contraindre, et défensif pour agir et échapper aux contraintes (cf. Michel CROZIER et Erhard FRIEDBERG, L'acteur et le système: les contraintes de l'action collective, Paris, Seuil, 1977, p.56)

<sup>41</sup> C'est la logique institutionnelle

consumer safety. More precisely, while promoting and ensuring product quality, the DCI should also ensure adequate and regular supply of cities. In reality, these two goals seem contradictory even to the extent that studies have shown that most of the measures to protect the health of human being and animals had a negative impact on prices and hence on the frequency of consumption.

But throughout the process of implementation, the Ministry of Commerce has focused on the argument of protecting consumer's health. In any case that suggests an article in the newspaper *Le Soleil* the day after the workshop UNAFA in October 2005 at the Dakar Chamber of Commerce:

*«As trade minister, Mamadou Diop "Decroix». He revealed that Senegal spends annually nearly 12 billion CFA francs to the importation of chicken thighs. He also recalled the decisions taken by the authorities including the closure of air and sea borders and recommendations to the Director General of Customs»<sup>42</sup>.*

The civic logic and institutional logic are the basis of the shares of DCI.

As for the Foreign Trade Department or DCE of the same Ministry, whose mission is to promote the general development of foreign trade and to establish mechanisms to promote the integration of enterprises in foreign trade, the Department developed essentially an institutional logic based on the operating rules of the WTO. Thus, in the minutes of the meeting of Working Group on 19 September 2010, noted that "(...), *the technical Adviser said it seemed more difficult for Senegal to maintain the ban of imports of poultry products for health reasons which would affect all countries, including those who can prove they are free from avian influenza*».

The Ministry of Economy and Finance through the General Department of Customs (DGD), which is responsible for collecting customs duties and taxes, having the obligation to provide information on imports for a better assessment of the measure and verify whether the measure will have no negative effects on the global liquidations, also had an institutional position. Finally, the Ministry of Livestock, through the Department of Livestock (DIREL) and the Department of Veterinary Services (DSV) is responsible for providing assistance in all matters relating to livestock. It must not only control the origin and safety of products and by-products, but also propose measures to ensure the development of industries. To this end, the CONAGA or national committee to fight against *avian influenza*, will ensure the implementation of the measure in the evaluation conducted in 2008 reveal a weak capacity of technical services for health checks at borders, epidemiological surveillance of the disease and support for a possible crisis: EU will then support the Government of Senegal in the fight

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<sup>42</sup> [http://www.lesoleil.sn/article.php3?id\\_article=4968](http://www.lesoleil.sn/article.php3?id_article=4968)

against avian influenza, particularly through the joint program PAPLUGA or common program supporting national plan against the avian flu<sup>43</sup>.

In sum, it is the institutional logic and to a lesser extent, the cognitive logic, that have been put forward by the services of the Ministry (DIREL and DSV).

Ultimately, the analysis of the speech of state actors, actors of civil society and economic stakeholders, shows that the different logics of action have been unequally mobilized to justify, argue, and position themselves in relation to the suspension of imports decided in 2005 (Table 4).

**Table n°4** : Logic and categories of stakeholders

<b>Logic of action / Actors</b>	Institutional logic	Cognitive logic	Strategic logic	Civic logic
OMC		1		
ONG		1	1	
Interprofessions		1	1	1
Importers		1	1	1
Brazil	1		1	
DCI	1			1
DCE	1			
DGDD	1			
DIREL/DSV	1	1		
<b>Total</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>3</b>

*Source* : Surveys Yacine NGOM 2010

## Conclusion

The analysis of the process of drafting the measure to suspend poultry imports reveals that it stems the spread of **avian influenza** in the exporting countries. However, the diachronic study of logic involved in that decision reveals that the embargo is part of a much broader discussion about whether or not to protect the local poultry industry from foreign competition. Thus, this measure can be interpreted as a technically optimal solution, but rather as an institutional compromise resulting from the confrontation of different approaches, which go beyond the health field, and refers instead to the defense of interests of actors involved in the competition on the market for poultry meat.

Thus, the implementation of the measure to suspend imports of poultry meat has been facilitated by the work of international NGOs, organizational dynamics and the lobbying capacity of interprofessions and to a lesser extent, consumer associations and industrial input suppliers.

The effects felt differently by the actors are behind the attempt to challenge or even continuing the measure. Thus, exporters and importers who feel aggrieved have tried to

<sup>43</sup> Ce programme vise à limiter les risques de pandémie humaine par la contribution à la lutte mondiale contre l'épizootie de grippe aviaire. La coordination est assurée par la direction des services vétérinaires.

challenge the measure while the state, in collaboration with local industry stakeholders, tried to maintain or develop other protective measures more sustainable in the poultry sector in Senegal.

The logical analysis of action of actors reveals the importance of ideas, rules, standards and even strategies that are the basis for their actions. In reality, the ideas conveyed by research in economics and social rules of operation of the WTO (which is responsible for the regulation of trade), the operating rules of state structures and even the lobbying ability of interprofessions cause logics of action. From this perspective, our analysis has identified four types of action logic for understanding the positioning of these actors in relation to dominant discourses and trade rules: the institutional logic, the cognitive logic, the strategic logic and the civic logic, unevenly distributed by type of actor.

Thus, on the side of the WTO, NGOs, trade association, importers and Brazil, the cognitive logic was dominant. The institutional logic was common to all state services (DCI, DCE, DGDD, DSV and DIREL). Moreover, the strategic logic could justify the action of interprofessions, importers, NGOs and exporters such as Brazil. And finally, the civic logic has rarely been the basis for the action of these actors.

The analysis of these various logics of action shows that institutional and cognitive logics are those that occur most in the world of reference of actors, and they have heavily influenced the development process and questioned of the suspension of imports of poultry meat.

Other measures could be a similar study for a better understanding of the logic of action in the process of **making decision** related to agricultural marketing in the context of globalization of economies. In particular, the study of the development process of the suspension and recovery of VAT and customs duties on milk powder will address the role of actors in the context of increases in world prices of agricultural products which have affected this product in 2008 and 2010.

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