

**WEST AFRICAN GAS PIPELINE PROJECT: LAW, PRACTICE AND MACHINERY\*****Abstract**

Since the country's gas discovery in the late 1960s, energy has been crucial for the economic and social development of every nation on the planet. Nigeria has a thriving gas pipeline business. With its abundant hydrocarbon resources, Nigeria has grown to be a significant global oil and gas exporter. It is also set to overtake South Africa as the region's top energy exporter. However, the West African Gas Pipeline Project (WAGP), an initiative of the Economic Community of West African States (ECOWAS) and the governments of Nigeria, Ghana, Benin, and Togo, was designed to substitute the plentiful and inexpensive natural gas from Nigeria for the expensive fuels used by the industrial and commercial sectors of the energy-strapped neighbours in Ghana, Benin, and Togo. This paper analyses the history of the West African Gas Pipeline Project (WAGP), the laws governing the project, and the systems in place to ensure the project's successful completion using a doctrinal approach. This paper will also examine the project's difficulties, drawbacks, and potential. The research found that the West African region is plagued by the problem of energy security in terms of its transmission, availability, and sustainability notwithstanding ECOWAS initiative on the WAGP project. According to the article, the region deals with issues including corruption, finance, inadequate technical expertise, and poverty, among others.

**Keywords:** Energy, West Africa, Gas Pipeline Project, Law, Practice, Machinery

**1. Introduction**

Globally, for a country to thrive economically and socially and in other aspect of human face, the availability and sustainability of Energy is very key. It determines the growth of such country and how it can be a force to reckon with among countries of the world. The Economic Community of West African States (ECOWAS) launched the West African Gas Pipeline (WAGP), which would transport gas from Nigeria's oilfield to its energy strapped neighbours in Ghana, Togo and Benin. It will stretch from Alagbado in Lagos through the Lagos beach, nesting in 33 to 75 meters water depth along the shore to Cotonou (Benin), Lome (Togo), then Tema and Takoradi (Ghana).<sup>1</sup> Although having a significant energy resource, the West Africa Region has one of the lowest per capita electricity consumption rates in the world. Given the limitations of previous attempts to achieve self-sufficiency for each country, a new strategy was required when faced with the essential power system expansion. The ECOWAS nations recognised the necessity of creating a cooperative power pooling mechanism to aid in integrating the operations of their national power systems into a unified electricity market. Such a technique would eventually guarantee the region with a steady and economical electricity supply.<sup>2</sup> Hence, the West African Power Pool (WAPP) project was inspired by the WAGP project, which is also at the forefront of electricity generation in the West African sub region.<sup>3</sup> Both projects would ensure energy security in the sub region and facilitate regional energy trade and cross-border utility interchange. This paper examines the background to The West African Gas pipeline project (WAGP), Laws regulating the project and the machinery in place for the successful delivery of the project. This paper will also peruse the challenges, criticisms and prospects of the project

**2. Background of the West African Gas Pipeline Project (WAGP)**

The Economic Community of West African States (ECOWAS), along with the governments of Nigeria, Ghana, Benin, and Togo, conceptualised the West Africa Gas Pipeline (WAGP) in the early 1980s. A treaty establishing

---

\*By **Oluwadamilare ADEYEMI, LLB (OAU Nigeria), LLM (U. I., Nigeria), BL, PhD (In view)**, Lecturer, Faculty of Law, Adeleke University, Department of Public Law, Email: adeyemioluwadamilarelaw@gmail.com. Tel. 234-8054932801;

\***Kingsley Osinachi N. ONU, LLB, LLM, BL, PhD**, Lecturer, Department of Public Law, Faculty of Law, Adeleke University Ede. Email: kingsleyonu2020@gmail.com. Tel. 234-8062905222;

\***Motunrayo Ibrinke JOSEPH-HUNVENU, LLB, LLM, BL, PhD (In view)**, Lecturer, Faculty of Law, Lagos State University, Ojo, Department of Business Law, Email: motog5\_16@yahoo.com. Tel. 234-8175313112; and

\***Olutosin Babajide ADEYEMI, LLB (Hons) OAU, LLM (in view), BL**, Legal Practitioner, Olutosin Adeyemi & Co, Ede, Osun State. Email: olutosinadeyemie@gmail.com. Tel: 09052842709.

<sup>1</sup>Yemi Oke, *Nigerian Energy Resources Law and Practice Oil & Gas Law* (Practice, Cases & Theories) (Princeton & Associates Publishing Co. Ltd. 2019)

<sup>2</sup>Dr. Mourad Belguedj, *The West Africa Gas Pipeline and Power Pool Project Building Blocks for Regional Energy Integration*. A report prepared for the International Gas Union VIII.D: Developing Gas Markets Gas as a Driver for Economic Development (2006)

<sup>3</sup>Babatunde Adeyemo, 'West African Power Pool' (2014) *South Asia Regional Workshop on Competitive Electricity Market, Sri Lanka*.

the Economic Community of the West African States (ECOWAS) was signed on May 28, 1975, in Lagos, Nigeria, by fifteen West African nations, including Benin, Burkina Faso, Cote d' Ivoire, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sierra Leone, Senegal, and Togo.)<sup>4</sup> Its goal is to encourage regional economic cooperation.<sup>5</sup>The vision behind the creation of ECOWAS was to integrate the 16 African Countries into an economic bloc with a single market economy so that West African Countries can thrive in the competitive Energy Global Market.<sup>6</sup> Given its mineral riches, advantageous geographic location that aids trade, and strong potential for agriculture, the West African region has tremendous chances for economic expansion. The availability, dependability, and cost of the energy supply as well as the absence of infrastructure, notably in the energy industry, are significant constraints. The governments of Benin, Ghana, Nigeria, and Togo have chosen to commission the US \$ 690 million WAGP in order to address these concerns. The 681 km offshore pipeline pipe line will eventually transport 450 Mcf/d of gas to Benin, Togo, and Ghana, helping to secure and stabilise their supply of affordable natural gas and assisting their power sector in more effectively coping with expensive solid or liquid fueled thermal power or drought-ridden, unreliable hydro power.<sup>7</sup> The Project aims to enhance the participating nations' ability to compete economically while boosting regional development and political integration in West Africa. The Project will supply the consuming nations with affordable, effective, and environmentally friendly fuel, which will reduce the cost of power in consuming nations and increase the competitiveness of goods and services.<sup>8</sup> The West African Power Pool (WAPP), which promotes energy security in West Africa, is complemented by the WAGP initiative as well.<sup>9</sup>

There are two fundamental paradigms that are recognised by public international law: the unified project model and the interconnector model. The interconnector model consists of two distinct pipelines that are connected at the line dividing two states. Each state maintains unique and separate sovereignty over the portion of the pipeline that is located on its soil. The unified project model consists of a single pipeline that crosses one or more boundaries in respect of which a single legal regime is created between the relevant states and is applicable to the length of the pipeline. Each country on its part of the pipeline applies national laws on taxation, employment, health and safety, etc separately.<sup>10</sup> The WAGP project got started when the (ECOWAS) proposed building a gas pipeline across West Africa. A feasibility study conducted in the early 1990s found that the project was financially feasible<sup>11</sup> and the participating nations signed a Memorandum of Understanding on August 11, 1999. In Ghana's Sekondi Takoradi, the project's groundbreaking ceremonies took place in 2004 after the WAGP implementation agreement was signed in 2003.<sup>12</sup> The pipeline was supposed to start functioning in, however that date was postponed after leaks were found in the supply pipes in Nigeria. Work on the pipeline began in December 23, 2007<sup>13</sup> The second delivery was supposed to begin running on February 13, 2008, but it was postponed because one of Willbros' contractors was slain by armed robbers in Nigeria<sup>14</sup> After the commissioning, regulating, and metering of stations in Takoradi, Tema, Ghana, Lagos Beach, Nigeria, Cotonou, Benin, Lome, and Togo in May 2008, gas deliveries were anticipated to begin by the end of 2009 but were delayed due to an irregular amount of moisture discovered inside the onshore gas pipeline<sup>15</sup> The WAGP was damaged on August 27, 2012, when pirates who were trying to escape the Togolese Navy's pursuit tried to board an oil tanker. With their anchor, they seriously destroyed the pipeline. Gas supplies to Ghana, Togo, and Benin was cut off for nearly a year, which resulted in severe power supply issues in the impacted nations<sup>16</sup>

---

<sup>4</sup> ECOWAS CEDEAO, About ECOWAS <<http://ecowas.int.com>> accessed 20 February 2023

<sup>5</sup> Ibid.

<sup>6</sup> Philippe Sands and Pierre Klein, *Bowett's Law of International Institutions* (Sweet and Maxwell, New Delhi. 2011)

<sup>7</sup> Ibid.

<sup>8</sup> The World Bank & MIGA, Project Appraisal Document on A Proposed Ida Partial Risk Guarantee In The Amount Of Us\$50 Million For Ghana And A Proposed Miga Guarantee In The Amount Of Us\$75 Million For Sponsors Equity To The West African Gas Pipeline Company Limited For The West African Gas Pipeline Project <<http://www.worldbank.com>>> accessed 20 February 2023

<sup>9</sup> Ibid.

<sup>10</sup> International law regime of transboundary pipeline, Herbert Smith Energy Exchange. Issue no 7

<sup>11</sup> Ibid.

<sup>12</sup> West African Gas Pipeline<<http://en.m.wikipedia.org>> accessed 20 February 2023

<sup>13</sup>Alexander Gas and Oil, West Africa Gas delayed <<http://www.upstreamonline.com>> accessed 20 February 2023

<sup>14</sup> Ibid.

<sup>15</sup> West African Gas Pipeline<<http://en.m.wikipedia.org>> accessed 20 February 2023

<sup>16</sup> Ibid.

### 3. Law, Practice and Machinery

The West Africa Gas Pipeline (WAGP) is a cross border and transit oil project which the supply source country sends across national frontiers to a final country whereby all the nations crossed by the pipelines are able to offload the throughput along service lines.<sup>17</sup> Cross-border pipeline projects require harmonious cooperation among the contracting states hence the need for an adequate legal and institutional structures to drive the project. Article I of the treaty provides for the Interpretation and Definition of words and expressions. Article II of the treaty provides for the General Principles Construction and operation of the WAGP. According to Article III of the treaty, each signatory nation is required to ensure that the WAGP Authority is fully and solely authorised to exercise the rights and duties granted to it by the treaty, as well as that the enabling legislation of each nation ratifies the agreement. The West African Gas Pipeline Authority (WAGP) Authority is created under ARTICLE IV and is a global organisation with legal identity and financial independence. The WAGP Authority's jurisdiction, powers, and functions are outlined in Section 2(1) of Article IV. The WAGP Authority is authorised to act on behalf of the State Parties and make the following decisions: approve any changes to the Company's legal corporate structure; keep an eye on the Company's compliance with its obligations under the International Project Agreement; conduct audits of the Company in accordance with Clause 10 of the International Project Agreement. The roles of the WAGP Authority include regulatory, facilitation, and representational roles. According to Article IV's section (3), the Committee of Ministers has the authority to add to or modify the duties and powers of the WAGP Authority in writing. The WAGP Authority shall have a Board of Governors constituted of four (4) members, according to Section (5) of Article IV. Each State Party's Head of State shall appoint one (1) member. Except for the first members appointed by two of the State Parties (one from a French-speaking State Party and another from an English-speaking State Party), who shall be appointed for a term of two (2) years, all members of the Board of Governors shall be appointed for a term of four (4) years. Each member must possess credentials pertinent to the WAGP Authority's operations. Article IV's Section (6) details how the project will be staffed. The State Parties shall be responsible for providing or obtaining money for the WAGP Authority, according to section 7 of article IV. The WAGP Authority shall be located in one of the four State Parties, as selected by the Committee of Ministers, on the advice of the Board of Governors, as stated in Section 8 of Article IV. The WAGP Authority's official languages are French and English, according to section (9) of article IV. Subject to the Board of Governors' review of the WAGP Authority's decisions and if the Company or any of the State Parties are unhappy with any decisions made by the Board of Governors in accordance with section 12(2) of this Article or with any action or decision of the Director General authorised by the Board of Governors, the WAGP Authority shall prepare an annual Report of the Authority on the implementation of the Project and on its activities during each preceding year.

Where a State Party or the Company disagrees with a decision made by the Committee of Ministers in accordance with sections 13(2) or 13(3) of this Article, the State Party or the Company in question may submit a request to the WAGP Tribunal for a review of the WAGP Authority's decisions. According to Section 16(1), the State Parties are responsible for ensuring that the WAGP Authority fulfils the duties and obligations outlined in the Treaty and complies with it in every way. The nomination of a liaison person by each of the State Agencies involved in the Project is outlined in Section 16 Subsection 2..The fiscal revenue among the State Parties is outlined in Article 5. A Fiscal Evaluation Board made up of the heads of the Revenue Authorities of the four contracting countries oversees the project's financial component. The Fiscal Review Board is established and given jurisdiction under ARTICLE VI, section 4. (1) Creates and specifies the WAGP Tribunal's jurisdiction. The WAGP Tribunal is an ad hoc body that should only be formed when necessary to consider a review application falling under its purview. The WAGP Tribunal will have five judges on it. Depending on whether the disagreement relates to the Agreed Fiscal Regime or the legality of a WAGP Authority decision, each State Party shall select and designate four (4) judges from among the judges of its highest court with the authority to hear tax or administrative law disputes. The President of the ECOWAS Court of Justice will choose the fifth judge, who would preside over proceedings, from among the other judges who have been appointed to the court but are not citizens of any of the State Parties.<sup>18</sup> Article VII provides that the treaty's Project Documentation provision states that the Committee of Ministers must sign it on behalf of the State Parties.<sup>19</sup>

The West African Gas Pipeline and the rights and obligations of the State Parties, the Company, and the WAGP Authority with regard to it shall be exclusively governed by the following instruments, rules, and principles: (a) this Treaty; (b) the International Project Agreement; (c) the Enabling Legislation (with regard to such rights and obligations as are recognised by domestic law of each State Party); and (d) the Rules of Procedure; (e) all other

---

<sup>17</sup> Kato Gogo Kingston and Etheldred Ego Woha, A Legal Inquiry into The Sustainability Of The West African Gas Pipeline Project [2020] (10)(1) *Journal Of Mineral Resources Law*, 2.

<sup>18</sup> Section 5 (1) of article VI

<sup>19</sup> Section 1 (1) of article VIII

instruments forming part of and/or implementing the Agreed Regime; (f) all such general principles of international law, international treaties and domestic legislation as may be applicable to the Project, to the extent not inconsistent with any of the instruments contemplated in paragraphs (a), (b), (c), (d) or (e) above.<sup>20</sup> In accordance with Article VII Section 3's Action in Case of Treaty Breach, Part A, States Parties Affected by a Breach or by the Actions of Another State Party Shall Serve a Notice Concerning the Breach on the Offending State Party With a Request to Cease and Cure the Breach, and the State Party in Breach Shall Cease Any Such Actions and Cure Any Such Breach Promptly Upon Receipt of the Notice of Breach Shall In accordance with the principle of freedom of transit in Article 45.2 of the ECOWAS Treaty and Article 7 of the ECOWAS Energy Protocol, Article VIII 1 of the treaty calls for the consent of State Parties, and each State Party agrees to respect the general rules of public international law in relation to the transit of Natural Gas across its territory. Except as specifically provided for in the International Project Agreement, the State Parties shall not interrupt or reduce the existing flow of Natural Gas, permit any entity subject to their jurisdiction or control to interrupt or reduce, or require any entity subject to their jurisdiction or control to interrupt or reduce Article VIII 2 of the WAGP treaty provides that:

Each State Party reserves the right, acting in good faith, to restrict by lawful regulation the transit of Natural Gas within its territory or across its territorial boundaries in the event of a national emergency declared in accordance with its Constitution. Any such restriction shall be strictly proportionate to the exigencies of the situation. Each State Party acknowledges, consents and agrees that any such restriction shall be in force only for as long as the national emergency requires it to be in force, and thereafter the State Party in question shall take all necessary or appropriate steps to lift any restrictions imposed and assist the Company to restore its operations.

According to Article IX, the Corporation shall build and operate the West African Gas Pipeline at the request of the State Parties as a Build-Operate-Own project. The West African Gas Pipeline and all other assets intended to be employed in the building or operation of the West African Gas Pipeline shall always be owned and operated exclusively by the Company. The Relevant Minister from each State Party makes up the Committee of Ministers established by Article X. Moreover, Article X (2) outlines the committee's duties. In accordance with Article XI, the State Party concerned shall attempt to resolve such issue by talks in accordance with section 3 of Article X when a dispute between two or more State Parties results from the interpretation or application of this Treaty. Any of the parties to the dispute may refer the dispute to the ECOWAS Court of Justice, which will ultimately settle the dispute in accordance with the Rules of Procedure of the ECOWAS Court of Justice, if the relevant State Parties are unable to come to an agreement within a period of six (6) months from the date the dispute first arose.<sup>21</sup> According to Article XII, the Treaty and its Exhibit must be submitted with the Executive Secretary of ECOWAS. The English and French texts of the Treaty are equally authentic. The ECOWAS Executive Secretary will send the State Parties properly attested copies. The Treaty must be ratified and/or accepted by the State Parties, according to Article XIII. Ratification and/or acceptance instruments must be deposited with the Depository. According to Article XIV, the Treaty will take effect and become legally binding on the State Parties on the day that each State Party has deposited their respective documents of ratification and/or acceptance. Also, for states that are acceding, the Treaty takes effect the day following the date that such state deposits its instrument of accession Any State Party may submit a proposal for a change to this Treaty to the Depository pursuant to Article XVI, and the Committee of Ministers shall examine such proposal on behalf of the State Parties at a meeting called in accordance with Article X.

Article XVII provides that the State Parties shall be entitled to terminate or withdraw from this Treaty only upon or after the termination of the International Project Agreement. The West Africa Gas Pipeline treaty was signed on the 31 January 2003 by the Head of States of the four countries and ratified by their respective national legislatures. The treaty 'establishes a comprehensive and harmonized, legal, fiscal and regulatory framework for the project including the establishment of a single regulatory authority to oversee project development and operations'<sup>22</sup> The treaty created the synchronized structures for legal, financial and business management in the countries of the contracting parties.<sup>23</sup> It sets up the WAGP command and control system for the regulation and administration of cross-border natural gas transmission. Within the administrative framework, the WAGPA is managed by an appointed Board of Governors that works alongside a Committee of Ministers drawn from all

---

<sup>20</sup> Section 1 (1) of article VIII

<sup>21</sup> ARTICLE XI 2

<sup>22</sup> The new Humanitarian, Gas pipeline project treaty signed' <<http://thenewhumanitarian.org>> accessed 20 February 2023

<sup>23</sup> See Article ii and Article III of the WAGP treaty

four nations.<sup>24</sup> The treaty created the following supplementary institutions, namely: The WAGP Tribunal consisting of five judges, that is, one judge from each nation with the fifth judge (being the presiding judge, appointed from a neutral country). It is important to note that the presiding judge is appointed by the President of the ECOWAS Court of Justice. The monetary aspect of the project is overseen by a Fiscal Review Board consisting of the head of the Tax Authority of each of the four contracting nations.<sup>25</sup> However, despite the impressive treaty frameworks guiding the West African Gas Pipeline project, there are no laid down guidelines for institutional reform within specified timelines and it is not certain how the institutions intend to tackle the existing uncommon principles and the divergence in national specificities. Also, the treaty of the WAGP project also fails to lay down an effective framework for monitoring the technical life of the pipelines. It is crucial to note that pipelines suffer degradation, wear and tear.<sup>26</sup>

Furthermore, there are social, legal and political risks that usually hamper the sustainability of investment within the developing nations. Amongst other, the WAGP project is susceptible to the following risks, and, the contracting parties are yet to design action plans to prevent the possible occurrence of the risks. Furthermore, there are social, legal and political risks that usually hamper the sustainability of investment within the developing nations. Amongst other, the WAGP project is susceptible to the following risks, and, the contracting parties are yet to design action plans to prevent the possible occurrence of the risks.<sup>27</sup> The West Africa Gas Pipeline Project Act, 2005, which was passed in Nigeria, establishes the national laws necessary to carry out Nigeria's duties under the WAGP Treaty and the international project agreement for the West African Gas Project, which involves Nigeria, Benin, Ghana, and Togo. Part 1 of the act provides for corporate matters such as local incorporation of West African Pipeline Company etc, Part ii deals with power of WAGP Authority I.e the committee, Part iii talks about grants, condition and duration of license Part iv deals with the WAGP Regulations i.e power of the Minister to make and implement WAGP Regulations, Part V deals with financial provisions, Part vi deals with environmental provisions such as general environmental liability etc part vii deals with miscellaneous provisions.

The four West African States of Togo, Ghana, Nigeria and Benin work together to practise WAGP. The following are the four States' implementing organisations:

- a. Republic of Benin: Cotonou, Benin Republic of, Ministry of Mines, Energy, and Hydraulic
- b. Ghana: Accra, Ghana, Ministry of Energy
- c. Abuja, Nigeria: Federal Republic of Nigeria Ministry of Petroleum Resources
- d. Republic of Togo: Lomé, Togo, Ministry of Equipment, Mines, Energy, Posts, and Telecommunications<sup>28</sup>

The WAGP Authority was created by the four States through a treaty to, among other things:

- (a) Keep track of West African Gas Pipeline Company Limited's (WAPCo) adherence to the International Project Agreement (IPA) commitments;
- b) Approve pipeline construction and design plans;
- (c) Agree on the licences and access code through negotiation with WAPCo;
- (d) Conclude negotiations with a third-party pipeline system operator;
- e) Arrange any expansion plans through negotiation;
- f) Act on behalf of the respective tax authorities of the four States;
- (g) Agree to modifications in tariff methodology through negotiation with WAPCo and take all reasonable steps to ensure that each State conforms to the IPA and any applicable enabling laws. Tariffs are not set by the WAGP Authority because they are governed by contracts.<sup>29</sup> The project's foundation is the:

- a. Producers will sell natural gas to N-Gas under long-term Gas Purchase Agreements, including Nigerian National Petroleum (NNPC), Chevron Nigerian Limited (CNL), Shell Petroleum Development Company (SPDC), ELF Petroleum Nigerian Limited, and Nigerian Agip oil Company Ltd.
- b. In accordance with long-term Gas Transportation Agreements, N-power will work with the Transporters to move the gas, namely Nigerian Gas Company (NGC) and West African Gas Pipeline Company Ltd (WAPCo).

---

<sup>24</sup> See Article iv of the WAGP treaty

<sup>25</sup> Ibid.

<sup>26</sup> P. MacAvoy, *The Natural Gas Market Sixty Years of Regulation and Deregulation* (London: Yale University Press, 2000).

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> See Article IV of the WAGP treaty

- c. Under long-term Gas sales contracts, N-Gas will sell to the Foundation Clients (i.e., VRA and Communaute Electrique du Benin (CEB)).

The West African Gas Pipeline Company Ltd (WAGPCo), a business that the four West African nations jointly own, is in charge of managing the pipeline project. Chevron (36.7%), Nigerian National Petroleum Corporation (25%), Royal Dutch Shell (18%), Volta River Authority of Ghana (16.3%), Société Togolaise de Gaz (SoToGaz - 2%) and Société Beninoise de Gaz S.A. are the joint venture partners for the project. "(SoBeGaz - 2%)".<sup>30</sup> The Sponsors project that the new pipeline will cost around \$590 million; additional compression-related costs are projected to cost around \$10 million over the course of 20 years (which would be required if the capacity requirement increases from the initial 200,000 MMBtu/day target to the 474,000 MMBtu/day target by the Sponsors under the agreed-upon demand forecast\*). The initial US\$590 million cost will be covered by direct equity from the Sponsors and shareholder loans to WAPCo, and the ongoing capital expenditures linked to compression are anticipated to be covered by operating cash flow. In accordance with its Gas Transportation Agreements (GTAs) with N-Gas and other potential shippers, WAPCo will recoup its investments through gas transportation charges.<sup>31</sup> The World Bank Group was crucial in introducing private sector knowledge and funding to the energy industries of Benin, Ghana, and Nigeria. By assisting the policy discussion with the governments of Ghana and Benin and by creating awareness among the governments and stakeholders of the need for power sector reform, the World Bank Group's involvement in the WAGP Project has additionally contributed to the sector reform process.<sup>32</sup>

#### **4. Problems and Prospects of the Project**

The challenges of the WAGP Project are that of sustainability as African Countries encounter the problem of Energy Sustainability. Also, the demand projection for petrol consumption does not come to pass as expected. In Ghana, Togo, and Benin, power plants are not being built in time to satisfy anticipated demand. The difficulty of a gas supply disruption, some countries' high debt profiles, and the turmoil in the Niger Delta Region all affect the delivery of gas to the pipeline.<sup>33</sup> The WAGP Project will solve some of the aforementioned problems in the energy sector, specifically: (i) lowering petrol flare-up in Nigeria and switching to cleaner fuels in Ghana, Togo, and Benin; (ii) lowering the cost of energy supply reducing gas flaring; and (iii) promoting economic and regional integration in West Africa. The main barriers to effective cooperation in energy trading among ECOWAS members are: (a) a lack of regional infrastructure; (b) inconsistent legal and regulatory frameworks; and (c) inadequate regional data on the costs and availability of energy in participating countries as well as the countries' investment plans in the energy sector. The proposed Project would promote regional cooperation as well as national coordination and cross-country cooperation on energy-related issues.<sup>34</sup>

---

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Micheal Eboh 'Nigeria to address challenges facing West Africa Gas Pipeline Project' *Vanguard* (Lagos: June 11 2018)

<sup>34</sup> Ibid.