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PROTOCOL A/P1/1/03 RELATING TO THE DEFINITION OF THE CONCEPT OF PRODUCTS ORIGINATING FROM MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

THE HIGH CONTRACTING PARTIES

MINDFUL of Articles 7, 8, and 9 of the Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of paragraph 3, Article 38 of the Treaty of the Economic Community of West African States relating to possible amendments to the definition of the concept of products originating from Member States;

RECOGNISING the pressing need to harmonise the integration programmes of the Economic Community of West African States with those of the West African Economic and Monetary Union, with a view to creating a single economic zone in West Africa;

DESIROUS of ensuring that the definition of the concept of products originating from Member States is in conformity with the new regulations of the World Trade Organisation, and of amending the protocol relating thereto accordingly;

HAVE AGREED AS FOLLOWS:

Article 1: Definitions

In this Protocol,

"Treaty" means the revised Treaty of the Economic Community of West African States signed in Cotonou on 24 July 1993;

"Community" means the Economic Community of West African States whose establishment is reaffirmed in Article 2 of the Treaty;

"Member State" means a Member State of the Community;

"Authority" means the Authority of Heads of State and Government of the Community, established by Article 7 of the Treaty;

"Council" means the Council of Ministers of the Community established by Article 10 of the Treaty;

"Executive Secretariat" means the Executive Secretariat established by Article 17 of the Treaty;

"Commission" means the Trade, Customs, Taxation, Statistics, Money and Payments Commission established by Article 22 of the Treaty;

"Manufacture" means any form of processing or transformation, including assembly or any other special operation;

"Material" means any ingredient, raw material, component or part used in the manufacture of goods;

"Product" means a finished product, even if the product is to be used thereafter in the manufacture of another product;

"Goods" means materials and products;

"Import Duties" means all Customs duties and taxes of equivalent effect levied on goods upon importation;

"Customs value" means the value of an article determined in conformity with the 1994 agreement relating to the implementation of Article VII of the General Agreement on Tariffs and Trade (Agreement on the WTO Customs value);

"Value of materials" means the Customs value at the time of importation of non-originating materials to be used in a process of production or, where such value is not known or cannot be determined, the earliest ascertainable price paid for them in the Member State where they are used in a process of

production;

"Value-added" means the difference, expressed as a percentage, between the ex-factory price of the finished product before tax, and the CIF value of raw materials consumables and packaging of non-ECOWAS origin, used in the manufacture of the final product in the form under which it is released into circulation.

"Input" means any material, product used in the manufacturing process;

"Chapters" means the chapters used in the nomenclature of the harmonised system of designation and codification of goods, referred to in this protocol as the "Harmonised System" or "HS";

"Sub-headings" means the sub-headings (4 figures) used in the nomenclature of the harmonised system of designation and codification of goods, referred to in this protocol as the "Harmonised System" or "HS";

"Classified" means the classification of a product or a material under a particular subheading;

"Consignment" means all the products forwarded at the same time by an exporter to a consignee, or transported under the cover of a single document from an exporter to a consignee, or, in the absence of such a document, under the cover of a single invoice.

Article 2: Rules of Origin of Community Goods

1. For the purpose of the provisions of Chapter VIII of the Treaty relating to trade liberalisation, goods shall be considered as originating from Member States if:
   a) they have been wholly produced in Member States, in accordance with the provisions of Article 3 of this protocol;
   b) they have been produced in Member States but contain raw materials which were not wholly obtained from Member States, provided that such materials have undergone operations and processes that confer Community origin, as defined in Article 4 of this protocol.

2. Originating products consisting of materials wholly produced or sufficiently transformed in one or several Member States shall be considered as products originating from the Member State in which the last processing or transformation took place, inasmuch as the processing or transformation carried out there exceeds the processing and transformation defined in Article 5 of this protocol.

Article 3: Goods wholly produced in Member States

1. The following products shall be regarded as wholly produced in the Member States:

   a) live animals born and raised within the Member States;
   b) mineral products extracted from the ground, sub-soil or sea bed of Member States;
   c) vegetable products harvested within the Member States;
   d) products obtained from animals living or raised in Member States;
   e) products obtained by hunting or fishing within the Member States;
   f) products obtained from the sea, rivers and lakes within the Member States by vessels belonging to the Member States;
   g) products manufactured aboard ship factories belonging to Member States, exclusively from the products referred to in paragraph (f) of this Article;
   h) used articles fit only for the recovery of raw materials, provided that such articles have been collected from users within the Member States;
   i) scrap and waste resulting from manufacturing operations within Member States;

j) goods produced from the materials listed in paragraphs (b) to (i) of this article, used alone or mixed with other materials, provided that they represent at least 60% of the total quantity of raw materials used;

k) electric energy produced in the Member States.

2. The terms "vessels" and "factory ships" used in paragraph 1 (f) and (g) shall apply only to vessels and factory ships:

- which are registered in a Member State;
- which sail under the flag of a Member State;
- which carry a complement, inclusive of the Master thereof, of which not less than 50% are nationals of Member States.

Article 4: Operations and processes conferring origin

For the purpose of this protocol, the following operations and processes shall be considered as sufficient to support a claim of origin from a Member State:

Where

1) goods are not wholly produced in Member States and where their production requires the exclusive use of materials which are to be classified under a different tariff sub-heading from that of the product;

The above rule shall be accompanied by a list of exemptions mentioning the cases where the change in the sub-heading is not a determining factor, or imposing additional conditions. The list shall be established in by a Regulation of the Council of Ministers.

Or

2) goods are not wholly produced in Member States and where their production requires the use of materials which have received a value-added of at least 30% of the ex-factory price of the finished goods.

Article 5: The concept of originating industrial products

Originating industrial goods shall be those referred to in articles 2 and 3 (j) of this protocol, with the exception of hand-made articles or articles produced without the use of tools, instruments or implements directly operated by the manufacturer.

Article 6: Operations and processes not conferring origin

For the purpose of this Protocol, the following operations and processes shall be considered as insufficient to support a claim that goods originate from a Member State:

a) operations to ensure the preservation of merchandise in good condition during transportation and storage such as ventilation, spreading out, drying, freezing, placing in brine, sulphur dioxide or other aqueous solutions, removal of damaged parts and similar operations;

b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching, including the making up of sets of goods, washing, painting and cutting up;

c) (i) changes of packaging and breaking up or assembly of consignments;

(ii) simple bottling, placing in flasks, bags, cases, boxes, fixing on cards or boards and all other simple packing operations;

d) marking or labelling in order to

distinguish products or their packages;

e) simple mixing of products, even of different types, where one or several of the components do not satisfy the Community origin criteria set out in this Protocol;

f) simple assembly of parts of a product to constitute a complete product;

g) a combination of two or more operations specified in sub-paragraphs (a) to ; (f) of this Article;

h) slaughter of animals;

i) salting, placing in brine, drying or smoking of meat, fish, and shellfish;

j) freezing of meat, offal, fish, shellfish, fruits, vegetables or garden plants:

k) preparation and conservation of meat, offal, blood, fish, and shellfish from products listed in Chapters 2 and 3 of the nomenclature of the harmonised system;

l) cutting and processing of leaves and foliage of all types.

Article 7; Goods produced in free zones or under special economic regimes

Goods transformed within the framework of economic or suspensive Customs regimes or certain special regimes involving the suspension or partial or total exemption from Customs duties on inputs shall in no case be considered as originating products.

Article 8: Unit of qualification

1. For the purpose of this Protocol, the unit of qualification shall be the product used as the base unit in order to determine classification under on the nomenclature of the harmonised system.

   Consequently:

   - where a group, set or assembly of products is to be classified under a single heading, such group, set or assembly shall be treated as one product;
   - where a consignment is composed of a number of identical products classified under the same heading in the harmonised system, each product in the consignment shall be considered separately;

2. Where, in application of the General Rule No. 5 of the harmonised system, packaging is considered as forming a whole with the goods, the packaging shall be considered as forming a whole with the goods when determining origin.

Article 9: Accessories, spare parts and tools

Accessories, spare parts and tools which are imported with a material, machine, appliance or vehicle, and whose price is included in that of the product or for which no separate charge is made, shall be considered as forming a whole with the material, machine, appliance or vehicle under consideration.

Article 10; Proof of origin

Proof of the Community origin of goods shall be supported by a certificate of origin stating the conditions set out in this protocol.

However, a certificate of origin shall not be required for agricultural and livestock products as well as hand-made articles or articles produced without the use of tools, instruments or implements directly operated by the manufacturer.

The certificate of origin shall be issued by the competent authority designated for that purpose by the Member State of origin and countersigned by the Customs Department of that Member State.

Article 11: Identification of originating industrial products

Originating industrial products shall, where it is technically possible, carry an identification mark on them or on their packaging.

Article 12; Cooperation in administrative procedure

In order to ensure the proper and uniform implementation of this protocol, Member States shall, through the intermediary of their respective administrations and services, give mutual aid and assistance in the authentication of certificates of origin.

Article 13: Settlement of disputes

1. In the event that the origin of a product is contested, the Member State contesting the Community origin of the product shall, on its own initiative or that of any other party concerned, bring the issue to the attention of the competent authority in the issuing country.

2. The exporting Member State shall, within a period of forty-five (45) working days, furnish all necessary information on the conditions under which the contested certificate was issued.

3. Products whose origin is in dispute shall not be denied the advantages granted to originating products, provided that the importer deposits an amount as guarantee for the duties and taxes payable in the importing Member State.

Article 14:

Disputes which remain unresolved by the Member States concerned within the time-limit prescribed in article 13 above, shall be brought before the Commission by any of the parties concerned through the intermediary of the Executive Secretariat.

Article 15:

The Commission shall determine the merits and demerits of the case at its next session, and transmit the dossier of the case to the Council of Ministers which shall take a decision thereon and inform the parties concerned accordingly.

Article 16: Amendment and Revision

1. Any Member State may submit proposals for the amendment or revision of this protocol.
2. Any such proposals shall be submitted to the Executive Secretariat which shall send notice thereof to the Member States not later than thirty (30) days after their receipt. Amendments or revisions shall not be considered by the Authority unless Member States have been received one month's notice thereof.
3. Amendments or revisions shall be adopted by the Authority.

Article 17: Entry into force

1. This protocol shall enter into force provisionally upon signature by the Heads of State and Government. Accordingly, signatory Member States and the Executive Secretariat hereby undertake to commence implementation of all provisions of the protocol upon signature.

2. This protocol shall enter fully into force upon ratification by at least nine (9) signatory States, and in accordance with the constitutional procedures of each Member State.

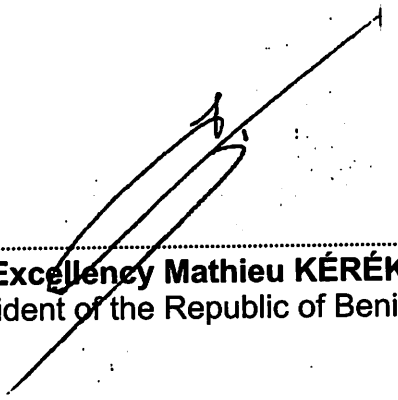
3. This protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies thereof to all Member States and notify them of the dates of deposit of instruments of ratification by the Member States and shall register this protocol with the Organisation of African Unity (OAU), the United Nations Organisation (UNO), and such other organisations as the Council may determine.

Article 18:

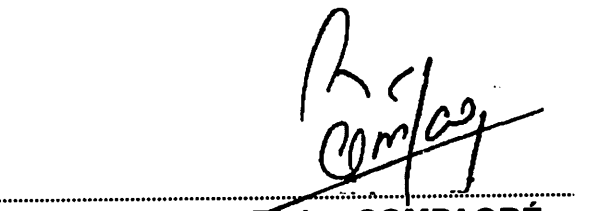
This protocol repeals and replaces all existing provisions which are incompatible with the above provisions.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HAVE SIGNED THIS PROTOCOL IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC

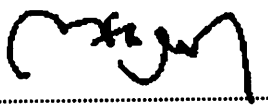
DONE AT DAKAR, THIS 31ST DAY OF JANUARY 2003



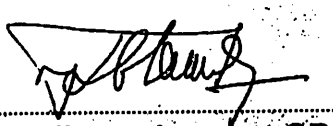
His Excellency Mathieu KÉRÉKOU
President of the Republic of Benin



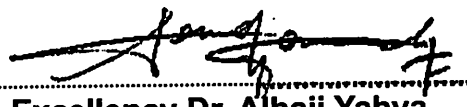
His Excellency Blaise COMPAORÉ
President of Faso,
Chairman of the Council of Ministers



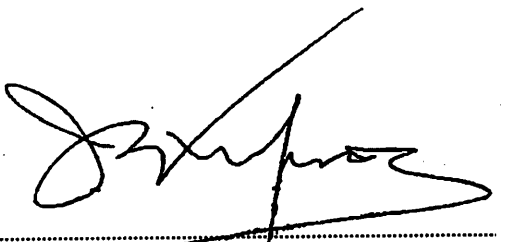
H.E. Madam Fatima VEIGA
Minister of Foreign Affairs, Cooperation and Communities,
For and on behalf of the President of the Republic of Cape Verde



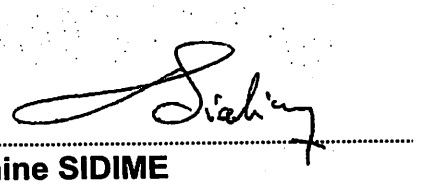
His Excellency Laurent GBAGBO
President of the Republic of
Côte d'Ivoire



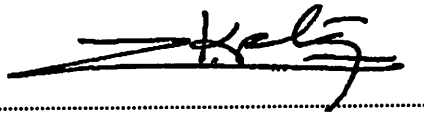
His Excellency Dr. Alhaji Yahya A.J.J. JAMMEH
President of the Republic of
The Gambia



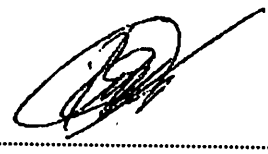
His Excellency John Agyekum KUFUOR
President of the Republic of Ghana



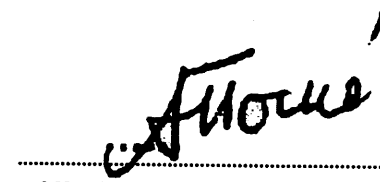
Hon. Lamine SIDIME
Prime Minister, representing the
President of the Republic of Guinea



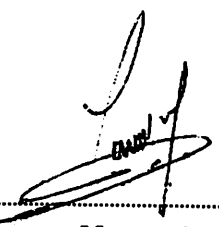
His Excellency Koumba Yala Kobde NHANCA
President of the Republic of Guinea-Bissau



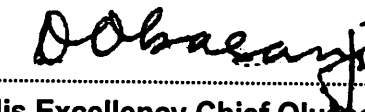
H.E. Moses Z. BLAH
Vice President of the Republic of Liberia
For and on behalf of the
President of the Republic of Liberia



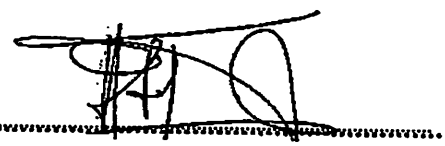
His Excellency Amadou Toumani TOURÉ
President of the Republic of Mali



His Excellency Mamadou TANDJA
President of the Republic of Niger



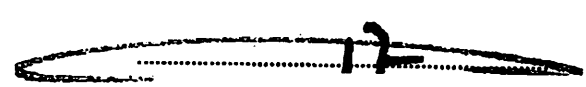
His Excellency Chief Olusegun OBASANJO
President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria



His Excellency Maître Abdoulaye WADE
President of the-Republic of Senegal



His Excellency Alhaji Dr. Ahmad Tejan KABBAH
President of the Republic of Sierra Leone



His Excellency Gnassingbé EYADEMA
President of the Togolese Republic

PROTOCOL A/P2/1/03 RELATING TO THE APPLICATION OF COMPENSATION PROCEDURES FOR LOSS OF REVENUE INCURRED BY ECOWAS MEMBER STATES AS A RESULT OF THE TRADE LIBERALISATION SCHEME

The High Contracting Parties,

Mindful of articles 7, 8 and 9 of the Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of article 48 of the Treaty relating to compensation for loss of revenue incurred by a Member State as a result of trade liberalisation;

Mindful of the protocol relating to the evaluation of loss of revenue registered by the ECOWAS Member States;

Mindful of protocol A/P1/7/96 relating to the conditions for the application of the Community levy;

Mindful of decision A/DEC.6/7/92 amending decision /1/5/83 relating to the adoption and implementation of a single ECOWAS trade liberalisation scheme;

Mindful of decision A/DEC. 19/5/80, dated 28 May, relating to the application of compensation procedures for loss of revenue incurred by the Member States;

Considering that one of the major obstacles to the implementation of the ECOWAS trade liberalisation scheme stems from the inadequacies observed in the system adopted for the compensation of the loss of Customs revenue;

Conscious that harmonisation of the trade liberalisation schemes operating in the sub-region is a necessary condition for the creation of a common market;

Desirous of enacting a protocol introducing a judicious and effective compensation system for loss of revenue;

Hereby agree as follows:

I. DEFINITIONS

Article 1

For the purposes of this protocol,

"Treaty" means the revised Treaty of the Economic Community of West African States signed in Cotonou, on 24 July 1993;

"Community" means the Economic Community of West African States whose creation was reaffirmed by article 2 of the Treaty;

"Member State" means a Member State of ECOWAS;

"Authority" means the ECOWAS Authority of Heads of State and Government of established by article 7 of the Treaty;

"Council" means the ECOWAS Council of Ministers established by article 10 of the Treaty;

"Executive Secretariat and Executive Secretary" mean the ECOWAS Executive Secretariat provided for and Executive Secretary appointed under articles 17 and 18 of the Treaty respectively.

Article 2

Under the terms of article 48 of the Treaty, compensation shall be paid to Member States incurring loss of Customs revenue from imports as a result of the implementation of the ECOWAS trade liberalisation scheme.

II. EVALUATION OF REVENUE LOST

Article 3

Loss of customs revenue incurred by a Member State is defined as total shortfall in receipts recorded by the Member State as a result of its importation of approved originating industrial products.

Article 4

Total loss of Customs revenue incurred by an ECOWAS Member State importing industrial products originating from another ECOWAS Member State, as a result of the application of the preferential intra-Community regime shall be assessed according to the following formula:

CRL = (Cde + Str), Vcif

Where

CRL	=	Customs revenue lost
Cde	=	Customs duty and taxes of equivalent effect
Str	=	statistical taxation rate
Vcif	=	GIF value of product.

Article 5

Shall be compensated, any Customs revenue lost as a result of the imposition of import duties and taxes assessed on the basis of the formula stipulated in article 4 above. This provisions shall not be applicable to domestic taxes levied on locally produced goods or goods imported from within the Community.

III. DURATION

Article 6

The duration of the compensation mechanism is fixed at four (4) years, dating from 1 January 2002.

Amounts payable as compensation shall be calculated on a decreasing scale in the following manner:

100% of loss incurred, in 2002
80% of loss incurred, in 2003
60% of loss incurred, in 2004
30% of loss incurred, in 2005
0% of loss incurred, with effect from 1 January 2006.

Article 7

Member States shall transmit to the Executive Secretariat, within a time-limit not exceeding six months from the date of reference, a list of Customs declarations processed under the ECOWAS trade liberalisation scheme, accompanied by the originals of the certificates of origin of each product, and copies of the declarations of release for consumption.

IV. COMPENSATION PROCEDURE

Article 8

The Executive Secretariat shall be given a time-limit of 90 days from the date of receipt of applications for compensation, to screen the applications, determine the amounts payable as compensation and effect payment.

Article 9

Payment of compensation shall be effected by the Executive Secretary who shall render account thereof to the Council of Ministers.

V. FINANCING

Article 10

Compensation for loss of revenue incurred by Member States shall be financed from the proceeds of the Community levy.

VI. INTERIM ARRANGEMENTS

Article 11

Pending the entry into full force of the Community

levy, the Executive Secretariat shall effect payment of the compensation, in consultation with the Member States, in accordance with the current rules.

VIII. FINAL PROVISIONS

Article 12: Amendment and Revision

1. Any Member State may submit proposals for the amendment or revision of this Protocol.

2. Any such proposals shall be submitted to the Executive Secretariat which shall notify the Member States, not later than thirty (30) days after receipt of the proposals. Amendments or revisions shall not be considered by the Authority unless Member States have been given at least one month's notice thereof.

3. Amendments or revisions shall be adopted by the Authority.

Article 13: Entry into force

1. This Protocol shall enter into force provisionally upon signature by the Heads of State and Government. Accordingly, signatory Member States and the Executive Secretariat hereby undertake to start implementation of all provision of the protocol upon signature.

2. This protocol shall enter into force upon ratification by at least nine (9) signatory State in accordance with the constitutional procedures of each Member State.

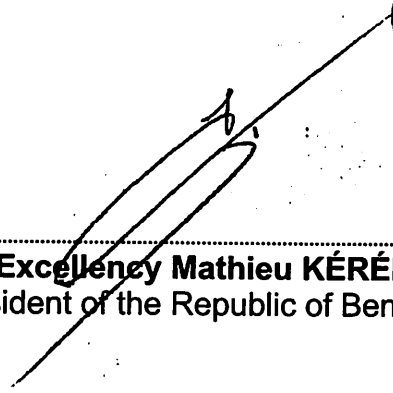
3. This protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies to all Member States and notify them of the dates of deposit of instruments of ratification by the Member States and shall register it with the Organisation of African Unity (OAU), the United Nations Organisation (UNO), and such other organisation as the Council may determine.

Article 14

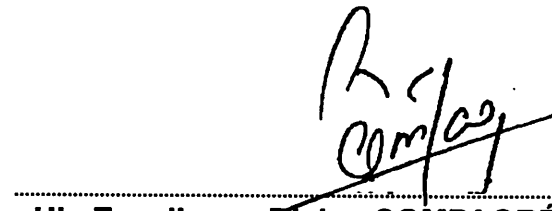
The protocol relating to the assessment of loss of revenue and decision A/DEC. 19/5/80, dated 28 May 1980, relating to the application of compensation procedure for loss of revenue and all the provisions therein shall be abrogated upon the entry into force of this protocol.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HAVE SIGNED THIS PROTOCOL IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC

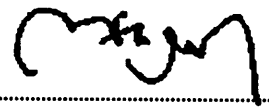
DONE AT DAKAR, THIS 31ST DAY OF JANUARY 2003



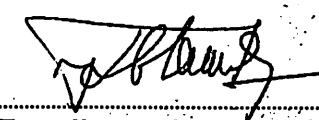
His Excellency Mathieu KÉRÉKOU
President of the Republic of Benin



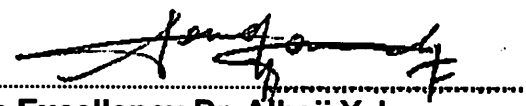
His Excellency Blaise COMPAORÉ
President of Faso,
Chairman of the Council of Minists



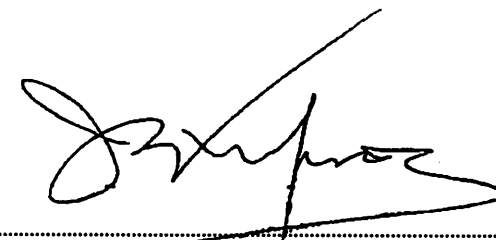
H.E. Madam Fatima VEIGA
Minister of Foreign Affairs, Cooperation and Communities,
For and on behalf of the President of the Republic of Cape Verde



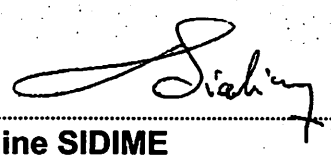
His Excellency Laurent GBAGBO
President of the Republic of
Côte d'Ivoire



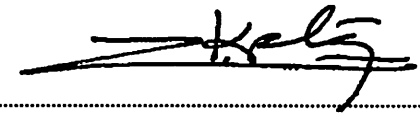
His Excellency Dr. Alhaji Yahya A.J.J. JAMMEH
President of the Republic of
The Gambia



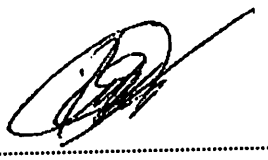
His Excellency John Agyekum KUFUOR
President of the Republic of Ghana



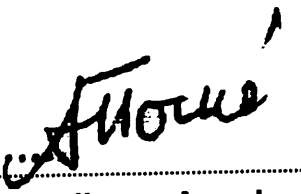
Hon. Lamine SIDIME
Prime Minister, representing the
President of the Republic of Guinea



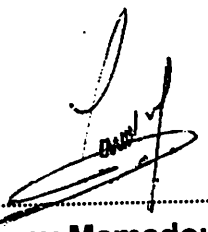
His Excellency Koumba Yala Kobde NHANCA
President of the Republic of Guinea-Bissau



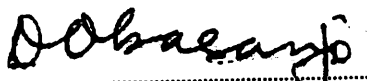
H.E. Moses Z. BLAH
Vice President of the Republic of Liberia
For and on behalf of the
President of the Republic of Liberia



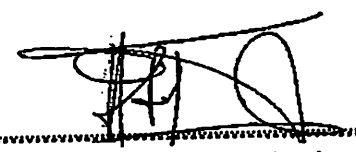
His Excellency Amadou Toumani TOURÉ
President of the Republic of Mali



His Excellency Mamadou TANDJA
President of the Republic of Niger



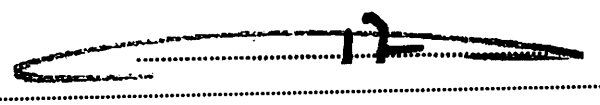
His Excellency Chief Olusegun OBASANJO
President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria



His Excellency Maître Abdoulaye WADE
President of the-Republic of Senegal



His Excellency Alhaji Dr. Ahmad Tejan KABBAH
President of the Republic of Sierra Leone



His Excellency Gnassingbé EYADEMA
President of the Togolese Republic

Twenty-seventh Session of the Authority of Heads of State and Government
Accra, 19 December, 2003

SUPPLEMENTARY PROTOCOL A/SP1/12/03 AMENDING ARTICLE 6 OF PROTOCOL A/P.2/1/03 RELATING TO THE APPLICATION OF COMPENSATION PROCEDURE FOR LOSS OF REVENUE INCURRED BY ECOWAS MEMBER STATES AS A RESULT OF TRADE LIBERALISATION.

THE HIGH CONTRACTING PARTIES,

Mindful of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of Article 48 of the Treaty on compensation for loss of revenue incurred by Member States as a result of trade liberalisation;

Mindful of Protocol A/P.2/1/03 dated 31 January 2003 on the application of compensation procedures for loss of revenue;

Considering that one of the major obstacles to the implementation of the ECOWAS trade liberalisation scheme stems from the inadequacies observed in the system adopted for the compensation of loss of Customs revenue;

Considering that the date fixed in Protocol A/P.2/1/03 for the take-off of the decreasing scale of compensation scale has proved unrealistic;

Determined to take account of the importance attached by Members to the payment of compensation for losses of revenue, when fixing a date for the take-of referred to above, in order to ensure effective implementation of the trade liberalisation scheme;

Desiring to set *a* new date for the take-off of the decreasing scale of compensation and, to this end, to amend Protocol A/P.2/1/03;

On the recommendation of the seventh extraordinary session of the Council of Ministers held in Cotonou on 1 and 2 September, 2003;

AGREE AS FOLLOWS:

Article 1

Article 6 of Protocol A/P.2/1/03 relating to the application of compensation procedure for loss of revenue incurred by Member States as a result of trade liberalisation is hereby amended and shall henceforth read as follows:

New Article 6

1. The duration of the compensation mechanism is fixed at four (4) years, dating from 1 January 2004;
2. Amounts payable as compensation shall be calculated on a decreasing scale in the following manner:

- 100% of loss incurred, in 2004
- 80% of loss incurred, in 2005
- 60% of loss incurred, in 2006
- 30% of loss incurred, in 2007
- 0% of loss incurred, with effect from 1 January 2008

Article 2

1. This Supplementary Protocol shall enter into force provisionaliy upon signature by the Heads of State and Government. Accordingly, signatory Member States and the Executive Secretariat hereby undertake to commence implementation of all provisions of the Protocol upon signature.

2. This supplementary Protocol shall enter into force upon ratification by at least nine (9) signatory States, in accordance with the constitutional procedures in each Member State.

3. This Supplementary Protocol and all instruments of ratification shall be deposited

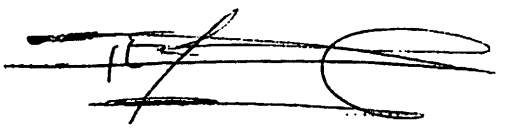
with the Executive Secretariat which shall transmit certified true copies to all the Member States and notify them of the dates of deposit of instruments by Member States and shall register it with the African Union, the United Nations Organisation, and such other organisations as the Council of Ministers may determine.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED THIS SUPPLEMENTARY PROTOCOL IN A SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC.

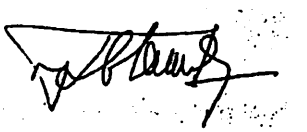
DONE AT ACCRA THIS 19TH DAY OF DECEMBER 2003



H. E Mathieu KEREKOU
President of the Republic of BENIN

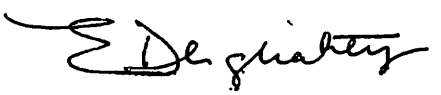


H. E Ernest Paramanga YONLI
Prime Minister
For and on behalf of the Republic of FASO

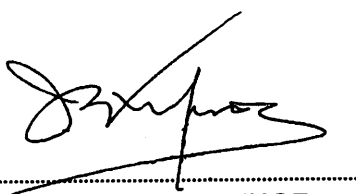


H. E Jose Maria NEVES
Prime Minister of the Republic of Cap Verde

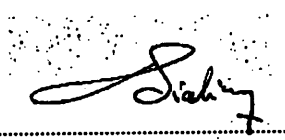
H. E Laurent GBAGBO
President of the Republic of CÔTE D'IVOIRE



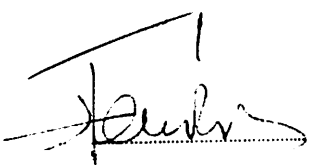
H. E Edward SINGHATEY
Secretary of State for Trade, Industry & Employment
For and on Behalf of the President of the Republic of THE GAMBIA



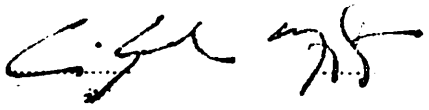
H. E John Agyekum KUFUOR
President of the Republic of GHANA



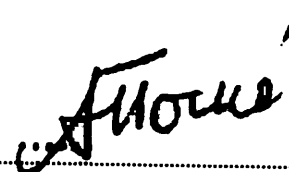
H. E Lamine SIDIME
Prime Minister
For and on Behalf of the President of the Republic of GUINEA



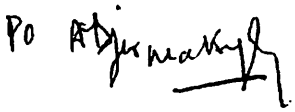
H. E Henrique Perreira ROSA
President of the Republic of GUINEA-BISSAU



H. E Gyude BRYANT
President of the National Transitional
Government of the Republic of LIBERIA



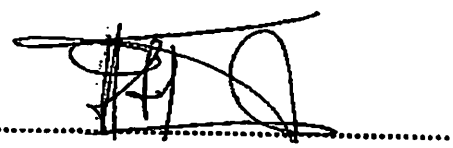
H. E Amadou Toumani TOURE
President of the Republic of MALI



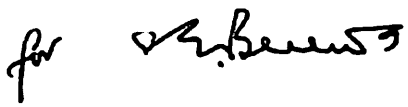
H. E Mamadou TANDJA
President of the Republic of NIGER



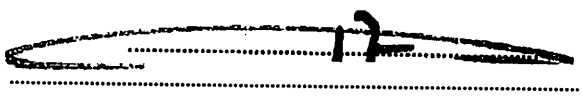
H. E Olusegun OBASANJO
President and Commander-in-Chief of
The Armed Forces of the Federal
Republic of NIGERIA



H. E Maître Abdoulaye WADE
President of the Republic of SENEGAL



H. E Alhaji Dr. Ahmed Tejan KABBAH
President of the Republic
of SIERRA LEONE



H. E Gnassingbé EYADEMA
President of the TOGOLESE Republic

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December 2003

DECISION A/DEC.1/12/03 ON THE ADOPTION OF PRIORITY PROJECTS FOR ZONE B OF THE WEST AFRICAN POWER POOL (WAPP) THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

Mindful of articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of decision A/DEC. 3/5/82 on the ECOWAS energy policy;

Mindful of decision A/DEC.5/12/99 setting up a coordinating body comprising the meeting of Ministers responsible for Energy and the Committee of Directors-General of national electricity companies, and defining its functions;

Recalling regulation C/REG.7/12/99 on the adoption of a master plan for the development of energy production facilities and the interconnection of the electricity grids of the ECOWAS Member States;

Also recalling the framework agreement on the West African Power Pool (WAPP) concluded in Lome on 29 September 2000, committing its signatory Governments;

Mindful of decision A/DEC.8/12/01 on the financing mechanisms for the WAPP projects adopted by the ECOWAS Heads of State and Government;

Bearing in mind the aims and objectives of ECOWAS which are the promotion of economic cooperation and integration for the purpose of establishing an economic union to improve the welfare of its peoples, maintaining and increasing economic stability, cementing relations between the Member States and contributing to the progress and development of the African continent;

Aware of the need to coordinate the efforts of Member Sates to implement ECOWAS priority action plans in relation to the interconnection of infrastructures;

Desirous of reducing the inequalities between the countries in zone A and those in zone B;

On the recommendation of the fifty-first session of the Council of Ministers held at Accra on from 15 to 18 December 2003;

Article 1

The Sambagalou-Kaleta project and the transport system developed by the Gambia River Development Authority is hereby adopted as a priority WAPP project.

Article 2

The project shall be included in the WAPP investment programme currently being prepared in collaboration with donors

Article 3

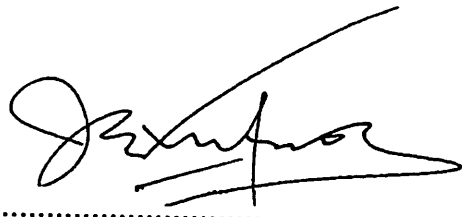
The ECOWAS Executive Secretariat shall take all necessary measures in collaboration with the Gambia River Development Authority:

I. To ensure implementation of the project;
II. To support the State in mobilising funds for the commissioning and preparation of the identified preliminary project studies and documents (detailed feasibility studies; environmental impact studies and tender documents)

Article 4

This Decision shall be published in the Official Journal of the Community within thirty (30) days of its signature by the current Chairman of the Authority. It shall also be published within the same time frame in the Official Gazette of each Member State.

DONE AT ACCRA THIS 19TH DAY OF DECEMBER 2003.



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H.E. JOHN AGYEKUM KUFUOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December 2003

DECISION A/DEC.2/12/03 RELATING TO THE EUROPEAN INITIATIVE ON ENERGY FOR POVERTY ERADICATION AND SUSTAINABLE DEVELOPMENT

Mindful of Articles 7, 8 and 9 of the Treaty establishing the Authority of Heads of States and Government and defining its composition and functions;

Considering that the ECOWAS Revised Treaty, of Duly 24, 1993, reaffirmed the principles set forth in the Treaty of May 28, 1975 establishing ECOWAS for the purpose of encouraging cooperation among the Member States in the areas of economic development and, to this end, favouring the free movement of people and goods between States;

Mindful of decision A/DEC.3/5/82 relating to the ECOWAS energy policy;

Considering that the Member States have demonstrated their will to coordinate their efforts with a view to implementing the ECOWAS priority action plans, notably those relating to the interconnection of infrastructure;

Considering that the Authority of Heads of State and government adopted the decision A/DEC.5/12/99, which in article 2 created a coordinating structure for the meeting of Energy Ministers and the Committee of Chief Executives of the Transmission System Operators of the Member States and defined its attributes;

Mindful of Regulation C/REG.7/12/99 relating to the adoption of a Master Plan to develop means of energy production and interconnection of electricity networks of the ECOWAS Member States promulgated by the Council of Ministers;

Mindful of the Memorandum of Understanding signed by the ECOWAS Ministers of Energy in Lome, on September 29, 2000, committing the signatory Governments;

Considering that at the Johannesbourg Summit the European Union announced the European Initiative promoting access to modern types of energy as an essential factor of sustainable development.

Considering that the European Initiative, related to the sustainable energy development of the ACP countries, aims to promote a strategic partnership between the ACP countries, on the one hand, and the European Commission and EU Member States on the Other hand, in order to integrate energy as a priority into the official development assistance program of the European Union;

Considering that the European Development Fund is a main instrument of the European Union for allocation of resources to public aid to the development of the ACP countries.

Considering that the European Parliament has adopted a 5-year program called « Intelligent Energy for Europe » of which the component "COOPENER" is designed to facilitate the «energy dialogue » between the European Union and its developing country partners to assist them in developing appropriate energy policies needed for their economic and social development;

Mindful of the European Initiative, related to the sustainable energy development of the ACP countries, aims to promote a strategic partnership between the ACP countries, on the one hand, and the European Commission and EU Member States on the other hand, in order to integrate energy as a priority into the official development assistance program of the European Union;

Considering resolution N°3 the ECOWAS Energy Ministers relating to the European initiative on energy for poverty eradication and sustainable development, adopted in Dakar on November 7, 2003,

ARTICLE 1

The ECOWAS Executive Secretariat is invited to review the regional PRSP with the aim to integrate energy sector investments into eligible programmes of the European Development Fund before the end of the first semester of year 2004 when the PRSP review is planned.

ARTICLE 2

In the same period, the Member States are invited to review national PRSPs and include Energy in their National Priority Development Program with the aim to integrate energy sector investments into eligible programs of the European Development Fund.

ARTICLE 3

This Decision shall be published in the Official Journal of the Community by the ECOWAS Executive Secretariat within (30) thirty days of its signature by the current chairman of Authority of Heads of States and Government. It shall also be published within the same timeframe in the National Gazette of each Member State.

DONE AT ACCRA THIS 19TH DAY OF DECEMBER 2003.



.....

H.E. JOHN AGYEKUM KUFUOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December 2003

DECISION A/DEC.3/12/03 ON THE REGIONAL RURAL ELECTRIFICATION PROGRAMME

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

Mindful of articles 7,8 and 9 of the revised ECOWAS establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of Decision A/DEC. 3/5/82 on the ECOWAS energy policy; **Mindful** of Decision A/DEC.5/12/99 setting up a West African Power Pool;

Recalling Regulation C/REG.7/12/99 on the adoption of a master plan for the development of energy production facilities and the interconnection of the electricity grids of the ECOWAS Member States;

Bearing in mind the aims and objectives of ECOWAS which are the promotion of economic cooperation and integration for the purpose of establishing an economic union to improve the welfare of its peoples, maintaining and increasing economic stability, cementing relations between the Member States and contributing to the progress and development of the African continent;

Deploring the almost total inaccessibility of modern energy sources to the rural population of the sub-region;

Considering the millennium development objective fixed by the UNO of reducing poverty by half by 2015 and the objectives of the Poverty Reduction Strategy Papers (PRSPs);

Aware of the urgent need to accelerate the pace of the WAPP implementation process in order to made electricity available to all the peoples of West Africa within the shortest possible time;

Noting the will of the European Union Commission and its Member States, confirmed at the Nairobi conference on the European Union energy initiative, to include the energy development programmes of the ACP countries in the national and regional PRSPs;

On the recommendation of the fifty-first session of the Council of Ministers held at Accra from 15 and 18 December 2003;

DECIDES

Article 1

1. The Executive Secretariat shall prepare a policy paper on rural electrification, which shall include a regional strategy programme, a plan of action and an investment programme for electrification.
2. For the purposes of paragraph 1 above, the Executive Secretariat shall engage the services of a technical partner with proven experience in electrification, who is capable of mobilising the funds needed to ensure successful implementation of the programme.

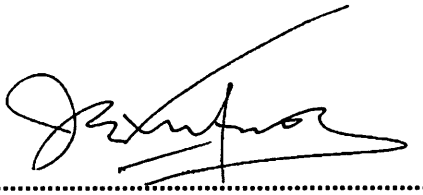
Article 2

The Executive Secretariat shall submit the proposed strategy to a regional forum for validation at the end of the first half of 2004, in preparation for its inclusion in the PRSPs of the European Union, the World Bank, or any other donor wishing to participate.

Article 3

This Regulation shall be published in the Official Journal of the Community within thirty (30) days of its signature by the current Chairman of the Council of Ministers. It shall also be published within the same time frame in the Official Gazette of each Member State.

DONE AT ACCRA THIS 19TH DAY OF DECEMBER 2003



H.E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT
Accra, 19th December, 2003

DECISION A/DEC.4/12/03 RELATING TO THE RENEWAL OF THE TENURE OF THREE JUDGES OF THE COMMUNITY COURT OF JUSTICE (CCJ)

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

MINDFUL of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Articles 6 and 15 of the Treaty establishing the Community Court of Justice (CO) as an institution of the Community;

MINDFUL of Protocol A/P. 1/7/91 defining the status, composition, powers procedure and other issues concerning the Community Court of Justice (CCJ);

MINDFUL of Article 3 of the said Protocol relating to the composition of the court and the appointment of the Judges;

MINDFUL of Decision A/Dec. 1/12/00 appointing the seven (7) Judges of the Community Court of Justice and recalling that the Judges took their oath of office in Bamako on 30th January, 2001, before the Chairman of the Authority;

MINDFUL of Article 4 (1) of the Protocol of the Court which prescribes the tenure of the Judges, their renewal or reappointment on the basis of eligibility for another period of five (5) years amongst other issues;

CONSIDERING that in view of the provisions of Article 4 (1) of the Protocol of the Court, the tenure of three (3) of the first time Judges of the Community Court of Justice shall expire by 29th January, 2004;

CONSIDERING also the report of the meeting of the Ad-Hoc Ministerial Committee on the Selection and

Evaluation of the Performance of Statutory Appointees held in Abuja, 20th November, 2003, in relation to the renewal of the tenure of the three (3) Judges;

DESIRING to ensure that the Community Court of Justice continues to function with its full complement of Judges in 2004 at the expiration of the tenure of the three (3) Judges mentioned as indicated in a preceding paragraph.

ON THE RECOMMENDATION of the Fifty-first session of the Council of Ministers held in Accra from 15 to 18 December, 2003.

DECIDES

Article 1

The tenure of the three (3) Judges of the Community Court of Justice whose terms of office expire in January, 2004 is hereby renewed for another five (5) year period in conformity with the renewal period prescribed under Article 4 (1) of the Protocol of the Court.

Article 2

The three (3) Judges referred to in Article 1 include:

(b) Justice Barthelemy Toe - Burkina Faso
(c) Justice Aminata Malle - Republic of Mali
(d) Justice El Hadji Mansour Tall - Republic of Senegal

Article 3

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER, 2003

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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY- SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19th December 2003

DECISION A/DEC.5/12/03 ON THE REMUNERATION OF THE EXTERNAL AUDITOR FOR THE AUDIT OF THE ACCOUNTS OF THE PARLIAMENT, THE COURT OF JUSTICE AND THE WEST AFRICAN HEALTH ORGANISATION

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

Mindful of Articles 7, 8 and 9 of the revised Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of Article 75 of the revised Treaty relating to the External Auditor;

Mindful of Decisions A/DEC.6/12/99 and A/DEC. 12/12/01 appointing the firm Coopers, Leybrand & Dieye as External Auditors to the ECOWAS institutions;

Mindful of the contract concluded between ECOWAS and the firm of Coopers, Lybrand &. Dieye, dated 26 February 2000 for the services to be provided by the External Auditors to the ECOWAS Institutions;

Considering the fact that, at the time of the appointment of Coopers, Lybrand & Dieye, the Executive Secretariat and the ECOWAS Fund for Cooperation, Compensation and Development were the only ECOWAS institutions for which its services were engaged;

Considering the need to extend the services of Coopers, Lybrand & Dieye to the ECOWAS Parliament, the ECOWAS Court of Justice and the West African Health Organisation;

Desirous of providing a budgetary allocation to

cover the fees of the External Auditors for the aforementioned services;

On the recommendation of the fifty-first session of the Council of Ministers, held in Accra on 15 to 18 December 2003.

DECIDES

Article 1

The Chairman of the Council of Ministers is hereby authorised to negotiate with the firm of Coopers, Lybrand & Dieye, the cost of the additional service of the auditing the accounts of the ECOWAS Parliament, the ECOWAS Court of Justice and the West African Organisation.

Article 2

This decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority of Heads of State and Government.

It shall also be published within the same time frame in the National Gazette of each Member State.

DONE AT ACCRA THIS 19TH DAY DECEMBER, 2003.

.....

H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December, 2003

DECISION/A/DEC.6/12/03 RELATING TO THE LIBERALISATION OF THE AIR TRANSPORT SECTOR IN WEST AFRICA

The Authority of Heads of State and Government;

Mindful of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of the 1999 Yamoussoukro Decision relating to the liberalization of the air transport market in West and Central Africa;

Recalling that the Yamoussoukro Decision aims at facilitating access to air transport markets in Africa;

Deploring the numerous obstacles impeding the implementation of the Yamoussoukro Decision in Africa;

Aware of the need to facilitate free movement of persons and goods within the Community and to interconnect the capitals of Member States with a view to making them accessible to national air transporters;

Desiring to adopt an action plan and measures capable of transforming the air transport sector into a sub-regional liberalized market;

On the recommendation of the fifty-first session of the Council of Ministers, held in Accra from 15 to 18 December, 2003;

DECIDES

Article 1

The attached Action Plan for the implementation of

the Yamoussoukro Decision on the liberalization of the air transport sector in West and Central Africa is hereby approved.

Article 2

Member States shall expedite action on the implementation of all the measures and activities identified in the action plan.

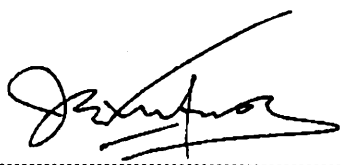
Article 3

The Executive Secretariat shall monitor the implementation of the measures and activities referred to in Article 2 of this decision and submit a report to the Council of Ministers.

Article 4

This decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority. It shall also be published within the same time frame in the National Gazette of each Member State.

DONE AT ACCRA THIS 19TH DAY OF DECEMBER, 2003



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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December 2003

DECISION A/DEC.7/12/03 ON THE ESTABLISHMENT OF AN ECOWAS TECHNICAL COMMISSION ON TO ADDRESS ISSUES RELATING TO GENDER EQUALITY

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and its functions;

MINDFUL of Article 63 of the Treaty on Women and Development which mandates all Member States to formulate, harmonise, coordinate and establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural conditions of women;

RECALLING our directives at our 49th Session for the establishment of a Gender Management Systems Structure in the Sub-region which will facilitate the application of Gender mainstreaming principles within the Community and the evolution of an ECOWAS Gender Policy;

CONSIDERING the recommendations of the meeting of Ministers of Women Affairs of ECOWAS Member States held in Abuja on 9th December 2002, for the establishment of a gender management systems structure in the sub-region which will facilitate the application of gender mainstreaming principles within Community and the evolution of an ECOWAS gender policy;

RECOGNISING that within the framework of ECOWAS integration objectives, a Gender Policy will enhance the participation and contribution of all sectors of the population, including women, and key partners in socio-economic development in a way that brings about social justice and equitable living

standards;

MINDFUL of Article 22 of the Treaty on the establishment of new technical Commissions for the Community;

DESIRING to create structures that will help develop Gender equality, programmes and projects and promote the establishment and maintenance of Gender equality principles within Member States of the Community;

ON THE RECOMMENDATION of the 49th Session of the meeting of Council of Ministers held in Dakar, 26-28 January 2003;

DECIDES

Article 1

An ECOWAS Technical Commission on Gender is hereby established to assist in the development of a gender policy and in the preparation of Community projects and programmes on Gender equality and also harmonise and coordinate the implementation of these programmes by Member States.

Article 2

This decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority. It shall also be published in the National Gazette of each Member State with the aforementioned time-frame.

DONE AT ACCRA THIS 19TH DAY OF DECEMBER, 2003

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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19 December 2003

DECISION A/DEC. 8/12/03 ON THE RATIFICATION OF ECOWAS PROTOCOLS AND CONVENTIONS

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING the relevant provisions of the ECOWAS protocols and conventions on entry into force, ratification and accession;

CONSIDERING that all protocols and conventions signed by the Heads of State and Government are prescribed to receive ratification from a required minimum number of Member States before entry into force;

AWARE that a substantial number of protocols and conventions, including the Protocol on the Conflict Prevention, Management and Resolution, Peace-keeping and Security, and the Protocol on Democracy and Good Governance, have not been ratified to date by enough Member States to allow their entry into force;

DESIROUS of avoiding the delays on the part of the Member States in ratifying ECOWAS acts and transmitting the instruments thereon to the Executive Secretariat;

ON THE RECOMMENDATION of the meeting of Ministers of Foreign Affairs held in Accra from 17 to 18 December 2003;

DECIDES

ARTICLE 1

1. Member States shall ratify all ECOWAS protocols and conventions which are yet to be ratified within the shortest possible time.

2 Those Member States which are yet to do so, shall ratify protocols A/P1/12/99 and A/SP12/01 on the Mechanism for Conflict Prevention, Management and Resolution, Peace-keeping and Security and on Democracy and Good Governance respectively, before the twenty-eighth session of the Authority.

ARTICLE 2

All Member States shall expeditiously transmit to the Executive Secretariat the instruments of ratification of the protocols and conventions which they shall have ratified in compliance with the provisions of article 1 above.

ARTICLE 3

This decision shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days after its signature by the current Chairman of the Council of Ministers. It shall also be published within the same time-frame in the National Gazette of each Member State.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER 2003

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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATES AND GOVERNMENT

Accra, 19th December 2003

DECISION A/DEC.9/12/03 RELATING TO THE ADOPTION OF A COOPERATION AGREEMENT ON CRIMINAL MATTERS BETWEEN MEMBER STATES POLICE FORCES

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

MINDFUL of Articles 7, 8, and 9 of the ECOWAS Treaty established the Authority of Heads of States and Government and defining its composition and functions;

MINDFUL of Convention A/P1/7/92 on Mutual Assistance in Criminal matters adopted by the Authority on 29th July 1992 which entered into force on 28th October 1998 and which provides a broad based framework for collaboration amongst Member States on Criminal matters;

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by the Authority of Heads of State and Government in December 1999 which places premium on the maintenance of sub-regional security by the Community and goes on to prescribe measures for addressing trans-border crime in the sub-region with a view to improving general security within the region;

CONSIDERING other initiatives and Protocols adopted by the Community in its fight against trans-border crimes all forms of criminality, in particular the establishment of the Inter-Government Action Group against money laundering, the Moratorium on small arms, the initial action plan against Trafficking in Persons, and the adoption of the Protocol on the fight against corruption;

RECOGNISING the importance of a multilateral approach to crime eradication, the need to enhance

the capacity of law enforcement agents, in particular, the police and establish effective tools for a more pragmatic approach to law enforcement and the control of crime;

DESIRING to ensure joint and collaborative action amongst Member States' Police Forces in the fight against crime within the sub-region;

ON THE RECOMMENDATION of the meeting of the Ministers of Foreign Affairs held in Accra, on 17th - 18th December 2003;

DECIDES

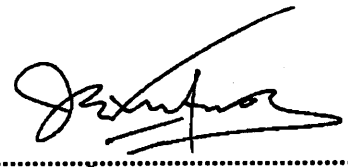
ARTICLE 1

There is hereby adopted a Cooperation Agreement on Criminal matters between Member States' Police Forces.

ARTICLE 2

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER 2003



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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATES AND GOVERNMENT

Accra, 19th December 2003

DECISION A/DEC. 10/12/03 RELATING TO THE GRANTING OF THE STATUS OF A SPECIALIZED CONSULTATIVE FORUM OF ECOWAS TO THE MEETING OF MINISTERS IN CHARGE OF SECURITY

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

MINDFUL of Articles 7, 8, and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by the Authority of Heads of State and Government in December 1999;

CONSIDERING that the aforementioned Protocol places a high premium on the maintenance of sub-regional security and in that regard, provides the Community with a formal mechanism to address issues pertaining to all aspects of security in the sub-region.

CONSCIOUS of the need to combat crimes which constitute a serious threat to the security peace and stability of countries in the sub-region and also impede the development of West Africa.

RECALLING the establishment in Abuja, Nigeria in 1997 of a platform for annual consultations among Ministers in charge of security and a Committee of West African Chiefs of Police;

RECONGNISING the role played by ECOWAS' Ministers in charge of Security in the fight against trans-border crime within the region and in the general maintenance of sub-regional security.

DESIRING to strengthen the effectiveness of the meeting of the Ministers in charge of Security by enhancing its position within the institutional framework of the Community;

ON THE RECOMMENDATION of the meeting of the Ministers of Foreign Affairs held in Accra, on 17th" 18th December 2003.

DECIDES

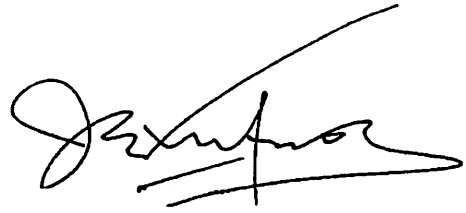
ARTICLE 1

The Meeting of the ECOWAS Ministers in charge of Security is hereby granted the status of a specialized consultative forum of the ECOWAS.

ARTICLE 2

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER 2003



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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATES AND GOVERNMENT
Accra, 19th December 2003

DECISION A/DEC. 11/12/03 RELATING TO THE GRANTING OF THE STATUS OF A SPECIALIZED INSTITUTION TO THE WEST AFRICAN POLICE CHIEFS COMMITTEE (WAPCCO)

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

MINDFUL of Articles 7, 8, and *9 of* the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the establishment of the West African Police Chiefs Committee in 2001 as a Consultative body for Regional Police Cooperation;

AWARE that WAPCCO's principal objective is the creation of a forum or a police cooperation area that would strengthen the fight against transnational crime, facilitate the development of a sub-regional strategy for that purpose, whilst coordinating and encouraging joint activities of Member State Police forces in the fight against crime;

CONSIDERING the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by the Authority of Heads of State and Government in December 1999, which reinforces the Treaty provisions on the maintenance of peace and security in West Africa;

CONSIDERING the pivotal role to be played by WAPCCO in maintaining security in the sub-region;

RECONGNISING the need to improve the effectiveness of WAPCCO by integrating it into the Institutional framework of ECOWAS;

DECIDES

Article 1

The West African Police Chiefs Committee is hereby granted the status of a Specialized Institution of ECOWAS.

Article 2

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER 2003

.....

H.E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 19th December 2003

DECISION A/DEC.12/12/03 RELATING TO THE EXTENSION OF THE ECOWAS INITIAL PLAN OF ACTION ON THE FIGHT AGAINST TRAFFICKING IN PERSONS (2002 - 2003)

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Articles 7,8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Peacekeeping and Security which relates to the maintenance of security and the control of trans-border crime within the Community;

RECALLING the Declaration A/DCL 2/12/01 on the Fight Against Trafficking in Persons which was issued at the twenty-fifth Summit of the Authority in Dakar, December 2001, unequivocally condemning the offence of trafficking in persons and asserting the unacceptability of trade in human beings;

ALSO RECALLING the Initial Plan of Action on the fight against trafficking adopted for the sub-region for the period 2002-2003 containing measures that addresses the deplorable phenomenon of trafficking in persons;

DEEPLY CONCERNED over the continued rise in the incidence of trafficking in persons within the West African sub-region and from our Member States to other parts o the World;

MINDFUL of the global fight against trafficking in persons, illustrate by the United Nations Conventions on Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and

Children and wishing to ensure that the West African sub-region remains a part of this global initiative;

RECOGNISING the ECOWAS Initial Plan of Action of 2002-2003 as an effective tool for sub-regional cooperation and for the enhancement of Member States' individual and collective capacities to fight the offence of trafficking in human beings and establish protective measures against that offence;

DESIRING to extend the life of the ECOWAS Initial Plan of Action on the Fight Against Trafficking in Persons to 2004-2005;

ON THE RECOMMENDATION of the meeting of Ministers of Foreign Affairs held in Accra on 17th - 18th December 2003;

DECIDES

ARTICLE 1

The ECOWAS Initial Plan of Action on the Fight Against Trafficking in Persons for the years 2002-2003 is hereby extended for continued implementation from 2004-2005.

ARTICLE 2

Member States shall give priority to necessary ratification processes in relation to all relevant international instruments as defined in the plan of action and adopt requisite legislative reforms thereto.

ARTICLE 3

Member States shall urgently, through the appropriate legal means, establish National Task Forces on Trafficking in Persons that will be responsible for the development of policy and national action plans against Trafficking in Persons.

ARTICLE 4

The Executive Secretariat of ECOWAS shall intensify its efforts in sensitizing Member States on related implementation measures, in resource mobilisation and also ensure that it plays effective supervisory role within the framework of its task as Coordinator.

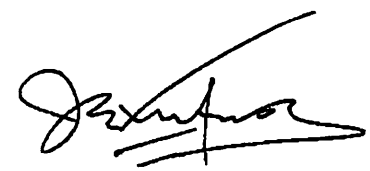
ARTICLE 5

All activities within the 2002-2003 action plan for which their completion dates were slated for specific months in 2002-2003 shall now have their completion dates slated for the corresponding months within the years 2004-2005 respectively.

ARTICLE 6

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the current Chairman of the Authority of Heads of State and Government. It shall also be published in the Official Gazette of each Member State within the same time frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER 2003



H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

TWENTY-SEVENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

ACCRA, 19TH DECEMBER 2003

DECISION A/DEC. 13/12/03 APPROVING THE LIST OF THE COUNCIL OF ELDERS 2004

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT;

MINDFUL of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security adopted in Lome on 10 December, 1999;

MINDFUL of Articles 15 and 20 of the afore-mentioned Protocol which authorizes the Executive Secretary to compile annually, a list of eminent personalities who, on behalf of ECOWAS, can use their good offices to play the role of mediators, conciliators and facilitators in crisis situations within the sub-region;

CONCERNED by the various conflicts that occur in several of our Member States;

DESIRING to implement all the aspects of the Protocol, in particular the establishment of a Council of Elders for 2004 as prescribed under Article 20 of the Protocol to undertake their role as peace negotiators;

ON THE RECOMMENDATION of the meeting of the Ministers of Foreign Affairs held in Accra on 17th -18th December, 2003;

DECIDES

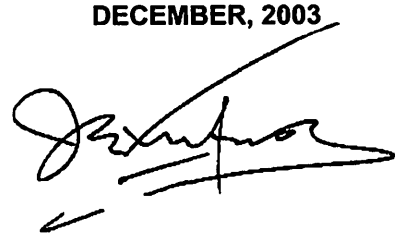
ARTICLE 1

The list of eminent personalities attached to this Decision is hereby approved as members of the Council of Elders for the year 2004, for the purpose of implementing the provisions of Article 20 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security.

ARTICLE 2

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER, 2003



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H. E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

Twenty-seventh Session of the Authority of Heads of State and Government

Accra, 19th December 2003

DECISION A/DEC. 14/12/03 RELATING TO THE ELECTION OF MEMBER STATES TO THE MEDIATION AND SECURITY COUNCIL

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security;

CONSIDERING that Protocol A/P1/12/99 referred to above establishes a Mediation and Security Council whose function is to take emergency decisions on critical issues of peace and security on behalf of the Authority of Heads of State and Government;

CONSIDERING Article 8 of the said Protocol provides that the Mediation and Security Council comprises nine (9) Members, two of which shall represent the countries of the current and immediate past chair of the Authority, whilst the other seven (7) Members shall be elected by the Authority for a two year renewable term;

MINDFUL of Decision A/Dec.2/12/01 dated 21st December 2003 relating to the designation of Member States to the current Mediation and Security Council;

CONSIDERING that the tenure of the Council designated above has expired;

DESIRING to sustain the authority of the Mediation and Security Council to take decisions on issues of peace and security on our behalf and to designate Member States that will constitute the Mediation and Security Council for the mandated period;

ON THE RECOMMENDATION of the meeting of Ministers of Foreign Affairs held in Accra on 17th December 2003;

DECIDES:

Article 1

The Mediation and Security Council shall be composed of nine (9) Member States which are the Member States of the current Chairman of the Authority and the immediate past Chair of the Authority, both of whom have an automatic right to membership, and seven (7) other elected Member States.

Article 2

(1) Without prejudice to the provisions of Article 8 of the Protocol on the Mechanism relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security and Article 1 above, the composition of the Mediation and Security Council shall for 2004 and 2005, comprise the following ten (10) Member States:

1) Republic of Ghana - Chairman (Current Chairman of Authority)
2) Republic of Senegal - Member (Immediate past Chairman of Authority)
3) Republic of Benin - Member
4) Burkina Faso - Member
5) Republic of Cote d'Ivoire - Member
6) Republic of Guinea - Member
7) Republic of Liberia - Member
8) Republic of Mali - Member
9) Republic of Nigeria - Member
10) Republic of Sierra Leone

(2) In addition to Member States listed under Article 2 (1), participation in the activities of the Mediation and Security Council within the current tenure, shall be open to all Member States who may wish to participate.

(3) The Executive Secretariat shall present for the consideration of the meeting of the Ministers of Foreign Affairs, clearly defined criteria governing membership for the Mediation and Security Council.

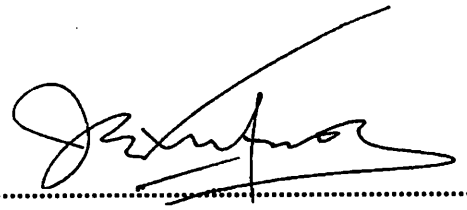
Article 3

(1) The Mediation and Security Council shall take decisions on issues relating to peace and security within the sub-region and implement the provisions of the Protocol relating to the Mechanism on Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10th December 1999.
(2) It shall perform all the functions defined under article 10(2) of that Protocol as amended.

Article 4

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority of Heads of State and Government. It shall also be published in the National Gazette of each Member State within the same time-frame.

DONE AT ACCRA, THIS 19TH DAY OF DECEMBER, 2003



H.E. JOHN AGYEKUM KUFOR
CHAIRMAN
FOR THE AUTHORITY

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-18 December 2003

REGULATION C/REG.1/12/03 APPROVING THE AUDITED FINANCIAL STATEMENTS OF THE EXECUTIVE SECRETARIAT FOR THE 2002 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 75 of the Treaty relating to the appointment of External Auditor for the Institutions of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedure of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

MINDFUL of the Authority Decision A/DEC.6/12/99 dated 10th December 1999 appointing the firm of Coopers, Lybrand & Dieve as External Auditors of the Community;

MINDFUL of Authority Decision C/AHSG/DEC. 1/2/2000 *confirming the* appointment of Coopers & Lybrand and Dieye as external auditors of the Institutions of the Community;

CONSIDERING the Contract Agreement between ECOWAS and Coopers Lybrand and Dieye defining the conditions of engagement of the External Auditors dated 26 February 2000;

HAVING EXAMINED the report of the firm of Coopers, Lybrand & Dieye on the financial statements of the Executive Secretariat for the 2002 Financial Year;

ON THE RECOMMENDATION of the Thirtieth meeting of the Administration and Finance Commission held in Accra from 8 to 15 December 2003.

ENACTS

Article 1

The Audited Financial Statements of the Executive Secretariat attached hereto for the 2002 financial year is hereby approved.

Article 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003

.....

HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 -18 December 2003

REGULATION C/REG.2/12/03 APPROVING THE AUDITED FINANCIAL STATEMENTS OF THE COMMUNITY PARLIAMENT FOR THE 2001 AND 2002 FINANCIAL YEARS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 75 of the Treaty relating to the appointment of External Auditor for the Institutions of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedure of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

MINDFUL of the Authority Decision A/DEC.6/12/99 dated 10th December 1999 appointing the firm of Coopers, Lybrand & Dieye as External Auditors of the Community;

MINDFUL of Authority Decision C/AHSG/DEC. 1/2/2000 confirming the appointment of Coopers, Lybrand & Dieye as external auditors of the Institutions of the Community;

CONSIDERING the Contract Agreement between ECOWAS and Coopers Lybrand and Dieye defining the conditions of engagement of the External Auditors dated 26 February 2000;

HAVING EXAMINED the report of the firm of Coopers, Lybrand & Dieye on the financial statements of the Community Parliament for the 2001 and 2002 Financial Years;

ON THE RECOMMENDATION of the Thirtieth meeting of the Administration and Finance Commission held in Accra from 8 to 15 December 2003.

ENACTS

Article 1

The Audited Financial Statements of the Community Parliament attached hereto for the 2001 and 2002 financial years is hereby approved.

Article 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.3/12/03 APPROVING THE AUDITED FINANCIAL STATEMENTS OF THE COURT OF JUSTICE OF THE COMMUNITY FOR THE 2001 AND 2002 FINANCIAL YEARS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 75 of the Treaty relating to the appointment of External Auditor for the Institutions of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedure of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

MINDFUL of the Authority Decision A/DEC.6/12/99 dated 10th December 1999 appointing the firm of Coopers, Lybrand & Dieye as External Auditors of the Community;

MINDFUL of Authority Decision C/AHSG/DEC. 1/2/2000 confirming the appointment of Coopers, Lybrand & Dieye as external auditors of the Institutions of the Community;

CONSIDERING the Contract Agreement between ECOWAS and Coopers, Lybrand &. Dieye dated 26 February 2000, defining the conditions of engagement of the External Auditors;

HAVING EXAMINED the report of the firm of Coopers, Lybrand & Dieye on the financial statements of the Court of Justice of the Community for the 2001 and 2002 Financial Years;

ON THE RECOMMENDATION of the Thirtieth meeting of the Administration and Finance Commission held in Accra from 8th to 15th December 2003.

ENACTS

Article 1

The Audited Financial Statements of the Court of Justice of the Community attached hereto for the 2001 and 2002 financial years is hereby approved.

Article 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 -18 December 2003

REGULATION C/REG.4/12/03 APPROVING THE WORK PROGRAMME OF *THE* EXECUTIVE SECRETARIAT FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

HAVING CONSIDERED the Work Programme of the Executive Secretariat for the 2004 Financial Year proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Executive Secretariat during the 2004 Financial Year.

ARTICLE 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of Council. It shall also be published by each Member State in its National Gazette within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 -18 December 2003

REGULATION C/REG.5/12/03 APPROVING THE WORK PROGRAMME OF THE COMMUNITY PARLIAMENT FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10,11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions;

HAVING CONSIDERED the Work Programme of the Community Parliament for the 2004 Financial Year proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Community Parliament during the 2004 Financial Year.

ARTICLE 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of Council. It shall also be published by each Member State in its National Gazette within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003

.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.6/12/03 APPROVING THE WORK PROGRAMME OF THE COURT OF JUSTICE OF THE COMMUNITY FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

HAVING CONSIDERED the Work Programme of the Court of Justice of the Community for the 2004 Financial Year proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Court of Justice of the Community during the 2004 Financial Year.

ARTICLE 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of Council. It shall also be published by each Member State in its National Gazette within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003

.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December 2003

REGULATION C/REG.7/12/03 APPROVING THE WORK PROGRAMME OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

HAVING CONSIDERED the Work Programme of the West African Health Organisation for the 2003 Financial Year proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the West African Health Organisation during the 2004 Financial Year.

ARTICLE 2

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of Council. It shall also be published by each Member State in its National Gazette within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 - 18 December 2003

REGULATION C/REG.8/12/03 APPROVING THE BUDGET OF THE EXECUTIVE SECRETARIAT FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 69 of the Treaty which relate to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Executive Secretariat proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8th to 15th December 2003;

ENACTS

ARTICLE 1

The budget of the Executive Secretariat for the 2004 Financial Year, balanced in income and expenditure at the sum of **Thirty four million, three hundred and fifty seven thousand, eight hundred and thirty seven Units of Accounts (UA 34,357,837) is** hereby approved.

ARTICLE 2

1. An amount of **Thirty one million, one hundred and eighty seven thousand, three hundred and thirty seven Units of Accounts (UA 31,187,337)** shall be derived from resources obtained from the Community Levy.

2. Additional amounts in the sum of **Three million, one hundred and seventy thousand, five**

hundred Units of Accounts (3,170,500 UA) shall be derived from arrears of contributions and from other sources.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003

.....

HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.9/12/03 APPROVING THE BUDGET OF THE COMMUNITY PARLIAMENT FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 13 of the Treaty establishing the Community Parliament;

MINDFUL of Protocol A/P.2/8/94 defining the composition, functions, powers and organisation of the Community Parliament;

MINDFUL of the provisions of Article 69 of the Treaty which relate to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Community Parliament proposed by the Thirtieth Meeting of the Administration and Finance Commission held in Accra, from 8 -15 December 2003;

ENACTS

ARTICLE 1

The budget of the Community Parliament for the 2004 Financial Year, balanced in income and expenditure at the sum of **Seven million, one hundred and three thousand, four hundred and fifty-five Units of Accounts (UA 7,103,455)** is hereby approved.

1. An amount of **Four million, two hundred and forty-six thousand, four hundred and**

seventy eight Units of Accounts(UA 4,246,478) shall be derived from the Community Levy.

2. An additional amount in the sum of **Two million, eight hundred and fifty six thousand, nine hundred and seventy seven Units of Accounts (UA 2,856,977)** shall be derived from arrears of contributions and from other sources.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.10/12/03 APPROVING THE BUDGET OF THE COMMUNITY COURT OF JUSTICE FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 15 of the Treaty establishing the Community Court of Justice;

MINDFUL of Protocol A/P.1/7/91 defining the status, composition, powers, procedure and other issues concerning the Community Court of Justice;

MINDFUL of the provisions of Article 69 of the Treaty which relate to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Community Court of Justice proposed by the Thirtieth meeting of the Administration and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The budget of the Community Court of Justice for the 2004 Financial Year, balanced in income and expenditure at the sum **of Three million, nine hundred and ten thousand, five hundred and three Units of Accounts (3,910,503 UA)** is hereby approved.

ARTICLE 2

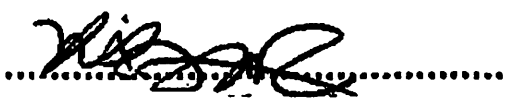
1. An amount of **Two million, eight hundred and sixty thousand Units of Accounts (UA 2,860,000)** shall be derived from the Community Levy.

2. An additional amount in the sum of **One million, and fifty thousand, five hundred and three Units of Accounts (1,050,503 UA)** shall be derived from arrears of contributions and from other sources.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.11/12/03 APPROVING THE BUDGET OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P2/7/87 on the establishment of the West African Health Organisation;

MINDFUL of the provisions of Article 69 of the Treaty which relate to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the West African Health Organisation proposed by trie TrifrtfetfT *meeting of the* ^dmj^jstratjon and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The budget of the West African Health Organisation for the 2004 Financial Year, balanced in income and expenditure at the sum of **Four million, seven and eighteen thousand, and seventy-four Units of Accounts (4,718,074 UA)** is hereby approved.

ARTICLE 2

1. An amount of **Two million, six hundred and three thousand, nine hundred and eighty seven Units of Accounts (UA 2,603,987)** shall be derived from the Community Levy.

0016. Royale Distribution (RODIS) Z. Ind. Yopougon 04BP 1282 Abidjan 04	3304.99.00	Autres préparations pour 1'entrticn de la peau / Other preparions for the care of the skin	384	0060	06	03
	3305.10.00	Shampooings / Shampoos	384	0060	07	03
	3305.20.00	Préparations pour l'ondulation ou le défrisage permanets / Preparation for permanent waving or straightening	384	0060	08	03
	3305.30.00	Laques pour cheveux / Hair lacqures	384	0060	09	03
	3305.90.00	Autres préparations capilaires / Other preparations for use on the hair	384	0060	10	03
	3306.10.00	Dentifrices / Dentifrices	384	0060	11	03
	3401.11.90	Savons de toilette / Toilet soaps	384	0060	12	03
	3923.21.00	Sacs te sachets en polymères de l'éthylène / Sacks and bags of polymers of ethylene	384	0060	13	03
	3923.29.00	Sacs et sachets en autres matières plastiques / Sacks and bags of other plastics	384	0060	14	03
	3923.30.00	Bonbonnes, bouteilles , flacons et articles similaires en matières plasiques / Carboys, bottles, flasks and similar articles of plastics	384	0060	15	03
	3924.10.00	Vaisselles et autres articles pour le service de la table ou de la cuisine en matières plastiques / Tableware and kitchenware of plastics	384	0060	15	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets	384	0060	16	03
	3924.90.90	Autres articles de ménage ou d'économie domestique en matières plastiques / Other household articles of plastics	384	0060	17	03
	4014.90.20	Poires à injetion poires compte gouttes et similaires en caoutchouc vulcanisé non urci / Bulbs for syringes and medecine droppers of vulcanised rubber	384	0060	18	03
	9403.70.00	Meubles en matiées plastiques / Furnitures of plastics	384	0060	19	03
	9506.62.00	Ballons gonflables / Balls, inflatable	384	0060	20	03
0017 Société Nouvelle de Chocolaterie et de Confiserie de Cote d'Ivoire SN CHOCODI	2106.90.90	Autres préparations alimentaires non dénommées, ni comprises ailleurs / Other food preparations not elsewhere specified or included	384	0038	06	03
0018. IMPRIPACK 21 Bp2811	3919.90.00	Autres étiquettes en PVC / Other self-adhesives of plastics	384	0061	01	03
	4811.41.00	Auto-adhésifs / Self-adhesive	384	0061	02	03

ARTICLE 2

1. An amount of **Two million, eight hundred and sixty thousand Units of Accounts (UA 2,860,000)** shall be derived from the Community Levy.

2. An additional amount in the sum of **One million, and fifty thousand, five hundred and three Units of Accounts (1,050,503 UA)** shall be derived from arrears of contributions and from other sources.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG.11/12/03 APPROVING THE BUDGET OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2004 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P2/7/87 on the establishment of the West African Health Organisation;

MINDFUL of the provisions of Article 69 of the Treaty which relate to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the West African Health Organisation proposed by trie TrifrtfetfT *meeting of the* ^dmj^jstratjon and Finance Commission held in Accra, from 8 to 15 December 2003;

ENACTS

ARTICLE 1

The budget of the West African Health Organisation for the 2004 Financial Year, balanced in income and expenditure at the sum of **Four million, seven and eighteen thousand, and seventy-four Units of Accounts (4,718,074 UA)** is hereby approved.

ARTICLE 2

1. An amount of **Two million, six hundred and three thousand, nine hundred and eighty seven Units of Accounts (UA 2,603,987)** shall be derived from the Community Levy.

2. An additional amount in the sum of **Two million, one hundred and fourteen thousand, and eighty seven Units of Accounts (UA 2,114,087 UA)** shall be derived from arrears of contributions and from other sources.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its Nation^ Gazette w'rthta the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 - 18 December 2003

REGULATION C/REG. 12/12/03 APPROVING THE BUDGETS FOR COMPENSATION OF LOSS OF REVENUE INCURRED BY ECOWAS MEMBER STATES AS A RESULT OF THE LIBERALISATION OF I NT RA-ECO WAS TRADE FOR VARIOUS PERIOD FROM 1999 TO 2003

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 19/5/80 of the Authority of Heads of State and Government, dated 28 May 1980, on the application of procedures for the compensation of loss of revenue incurred by the ECOWAS Member States as a result of the liberalisation of intra-ECOWAS trade;

MINDFUL of Decision A/DEC. 1/5/83 of the Authority of Heads of State and Government on the adoption and application of a single trade liberalisation scheme for industrial products originating from the ECOWAS Member States, and the subsequent amendment of decision A/DEC.6/6/89, dated 30 June 1989;

MINDFUL of the Decisions and Regulations listing the enterprises and products approved to benefit under the ECOWAS trade liberalisation scheme;

CONSIDERING the applications for compensation for loss of revenue submitted by Benin, Ghana and Togo for the years 2000, 2001, 2002 and 2003, in respect of imports of approved industrial products;

CONSIDERING the report of the forty-sixth meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission held in Accra from 4 to 6 December 2003;

ON THE RECOMMENDATION of the thirtieth meeting of the Administration and Finance Commission held in Accra from 8th to 15th December 2003;

ENACTS

ARTICLE 1

The compensation budgets for loss of revenue incurred by ECOWAS Member States as a result of the liberalisation of intra-ECOWAS trade, are hereby approved in the amounts of:

1. One billion, nine hundred and eighty four million, seven hundred and three thousand eight hundred and seventy eight (1,984,703,878) CFA francs in the case of Benin;

2. Eighty five billion four hundred and seventy two million, seven hundred and seventy nine Thousand five hundred and fifty (85,472,779,550) cedis in the case of Ghana;

3. Eighty eight million, six hundred and fifty six thousand, nine hundred and twelve (88,656,912) CFA francs in the case of Togo.

Tables I, II, III annexed hereto show the amounts to be contributed by each exporting Member State to the compensation budget.

ARTICLE 2

An exporting Member State which has not contributed to the estimated budget or whose contribution is less than the amount of its debt, shall pay into EBID the amount of the compensation for losses incurred as a result of its exports.

ARTICLE 3

The ECOWAS Executive Secretariat and the EBID shall be responsible for payment to Member State that have suffered the loss of revenue of the amounts recorded in the compensation budgets for the years 1999, 2000, 2001, 2002 and 2003.

ARTICLE 4

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty days of its signature by the Chapman of Council, It shaff afso be published *by each Member State in the National* Gazette within the same timeframe.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

	3209.10.20	Autres peintures à base de polymères acrylitiques ou vinlytiques / Other paints based on synthetic polymers	384	0055	06	03
	3214.10.10	Mastics / Mastics	384	0055	07	03
	3214.10.20	Enduits utilisés en peintures / Painters' fillings	384	0055	08	03
	3506.10..00	Produits de toute espèce à usage de colles ou d'adhésifs conditionnès pour la vente au détail / Products suitable for use as glues or adhesives, put up for retail sale	384	0055	09	03
	3814.00.00	Solvants et diluants organiques / Organic composite solvants and thinners	384	0055	10	03
	6807.10.00	Ouvrages en asphalte ou produits similaires en rouleaux / Articles of asphalt or of similar material	384	0055	11	03
0012. Mnufacture Emballage de Côte d'Ivoire (MICI) 01 BP 2809 Abidjan 01	4819.10.00	Boîtes et caisses en papier ou cartons ondulés / Cartons, boxes and cases, corrugated paper or paperboard	384	0056	01	03
0013. Manufacture d'Industrie et Cartonage	4817.20.00	Cartes-lettres, cartes postales no illustrées et cartes pour correspondance / letter cars, plain postcards and correspondences cards	384	0057	01	03
	4819.20.00	Boites et cartonnages, pliants en papiers ou en carton non ondulés	384	0057	02	03
	4819.50.00	Autres emballages en papier, y compris les pochettes pour disques / Other packing containers, including record sleeves	384	0057	03	03
	4821.10.00	Etiquettes de tous genres, en papier ou carton, imprimées / Paper or paperboard labels of all kinds, pinted	384	0057	04	03
	4901.99.10	Livres, brochures et imprimés similaires scolaires ou scientifiques / Scientific or school printed books, brochures, leaflets and similar printed matter	384	0057	05	03
	4910.00.00	Calendrier de tous genres, imprimés, y compris les blocs de calendriers à éffeuiller / Calendars of any kind, printed, including calendar blocks	384	0057	06	03
	4911.10.00	Imprimés publicitaires, catalogues commerciaux et similaires / Trade advertising material, commercaial catalogues and the like	384	0057	07	03
	4911.99.90	Autres impriés / Other printed matter	384	0057	08	03

0014. Ivoiriennede Fabrication de Chaussures Plastiques (IFDCP) Z I de Koumassi 01 BP3930 Abidjan 01	6402.20.00	Chaussures plasliqucs avecdessus lanières ou brides fixées à la semelle par des ttétons / Footwear with upper straps or thongs assembled to the sole by means of plugs	384	0058	01	03
	6402.99.00	Autres chaussures plastiques / Other footwear of rubber or plastics	384	0058	02	03
	6404.19.00	Autres chaussures / Other footweaf with outer soles of rubber or plastics	384	0058	03	03
0015.Indus-Cb.imie Zone kid. Koumassi. 10BP 1304 Abidjan 01	3208.90.10	Autres vernis / Other varnishes	384	0059	01	03
	3208.90.20	Autres peintures / Ather paints	384	0059	02	03
	3209.10.20	Peintures à base de polymères acrylitiques ou vinyliques / Paints based on acrylitic or vinyl polyesters	384	0059	03	03
	3212.90.00	Autres matières colorantes dans des formes ou emballage pour la vente au détail / Other colouring matter put in forms or packing for retail sale	384	0059	04	03
	3214.10.10	Mastics / Mastics	384	0059	05	03
	3506.91.00	Adhésifs à base de polymères des n° 3901. À 3913. ou de caoutchouc / Adhesives based on rubber or plastics	384	0059	06	03
	3808.10.10	Insecticides conditionnés pour la vente au détail / Insecticides put up for retail sale	384	0059	07	03
	3808.40.00	Désinfectants / Disinfectants	384	0059	08	03
	3814.00.00	Solvants et diluaflts organiques composites /Organic composite solvents and thinners	384	0059	09	03
	3816.00.00	Ciments, mortiers, bétons et compositions similaires réfractaires autre? que les produits du N° 38.01./ Refractory cements, mortars, concrete and similar compositions, other than products of heading N° 30.01	384	0059	10	03
	330190.00	Autres huiles ess°ntielles / Other essential oils	384	0060	01	03
	3303.00.10	Parfums liquides contenant de d'alcool / Liquid perfums containing alcohol	384	0060	02	03
	3303.00.20	Parfums liquides ne contenant pas d' alcool / Liquid perfums, not containing alcohol	384	0060	03	03
	3303.00.90	Autres parfums tft eaux de toilette / Other perums and toilet water	384	0060	04	03
	3304.91.00	Poudres y compris les poudres compacts / Powders, whether or not compressed	384	0060	05	03

0016. Royale Distribution (RODIS) Z. Ind. Yopougon 04BP 1282 Abidjan 04	3304.99.00	Autres préparations pour 1'entrticn de la peau / Other preparions for the care of the skin	384	0060	06	03
	3305.10.00	Shampooings / Shampoos	384	0060	07	03
	3305.20.00	Préparations pour l'ondulation ou le défrisage permanets / Preparation for permanent waving or straightening	384	0060	08	03
	3305.30.00	Laques pour cheveux / Hair lacqures	384	0060	09	03
	3305.90.00	Autres préparations capilaires / Other preparations for use on the hair	384	0060	10	03
	3306.10.00	Dentifrices / Dentifrices	384	0060	11	03
	3401.11.90	Savons de toilette / Toilet soaps	384	0060	12	03
	3923.21.00	Sacs te sachets en polymères de l'éthylène / Sacks and bags of polymers of ethylene	384	0060	13	03
	3923.29.00	Sacs et sachets en autres matières plastiques / Sacks and bags of other plastics	384	0060	14	03
	3923.30.00	Bonbonnes, bouteilles , flacons et articles similaires en matières plasiques / Carboys, bottles, flasks and similar articles of plastics	384	0060	15	03
	3924.10.00	Vaisselles et autres articles pour le service de la table ou de la cuisine en matières plastiques / Tableware and kitchenware of plastics	384	0060	15	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets	384	0060	16	03
	3924.90.90	Autres articles de ménage ou d'économie domestique en matières plastiques / Other household articles of plastics	384	0060	17	03
	4014.90.20	Poires à injetion poires compte gouttes et similaires en caoutchouc vulcanisé non urci / Bulbs for syringes and medecine droppers of vulcanised rubber	384	0060	18	03
	9403.70.00	Meubles en matièes plastiques / Furnitures of plastics	384	0060	19	03
	9506.62.00	Ballons gonflables / Balls, inflatable	384	0060	20	03
0017 Société Nouvelle de Chocolaterie et de Confiserie de Cote d'Ivoire SN CHOCODI	2106.90.90	Autres préparations alimentaires non dénommées, ni comprises ailleurs / Other food preparations not elsewhere specified or included	384	0038	06	03
0018. IMPRIPACK 21 Bp2811	3919.90.00	Autres étiquettes en PVC / Other self-adhesives of plastics	384	0061	01	03
	4811.41.00	Auto-adhésifs / Self-adhesive	384	0061	02	03

ABJ.21Z.Industriel Yopougon	4811.59.00	Autres papiers etcartons enduits, imprégnés ou recouverts de matières plastiques / Other paper and paperboard coated, impregnated or covered with plastics	384	0061	03	03
	4819.20.00	Boltes et cartonnges, plaints, en papier ou carton non ondule / Folding cartons, boxes and cases, of non-corrugated paper or paperboard	384	0061	04	03
	4819.50.00	Autres emballages y compris les pochettes de disques / Other packing containers, including record sleeves	384	0061	05	03
	4821.90.00	Autres étiquettes en papier / Other paper or paperboard labels	384	0061	06	03
	4901.99.10.	Livres, brochures et imprimés similares scolaires ou scientifiques / Sientific or school printed books brochures, leaflets and similar printed matter	384	0061	07	03
	4910.00.00	Calendriers de tous genres, imprimés, y compris les blocs de calendriers à effeuiller / Calendars of any kind, printed, including calendar blocks	384	0061	08	03
	4911.10.00	Imprimes publicitares, catalogues commerciaux et similaires / Trade advertising material, commercial catalogues and the like	384	0061	09	03
	7607.20.00	Feuilles et bandes minces en aluminium sur support/ Aluminium foil, backed	384	0061	10	03
0019. AGRISUD 15BP430 ABJ. 15 Z. Industriel de Vridi	3304.99.00	Autres produits de beauté / Other beauty or make-up preparations	384	0062	01	03
	3305.10.00	Shampooings i Shampoos	384	0062	02	03
	3305.20.00	Préparations pour l'ondulation ou défrisage permanents / Preparations for permanent waving or straightening	384	0062	03	03
	3305.90.00	Autres preparations capillaries / Other preparations for use on the hair	384	0062	04	03
	3401.11.90	Autres savons de toilette / Other toilet soaps	384	0062	05	03
GHANA 0021 Kinapharma Ltd PO Box 241 Trade Fair, La Accra	2936.90.00	Autres vitamins et provitamines y compris les concentrats naturels / Other provitamins and vitamins, including naturals concentrates	384	0051	01	03
	3004.20.00	Médicaments contenant d'autres antibiotiques / Medicaments containing other antibiotics	384	0051	02	03

	3004.39.00	Autres medicaments contenant des hormones / Other medicaments containing hormones	384	0051	03	03
	3004.90.00	Autres medicaments / Other medicaments	384	0051	04	03
0022. Polytex Indutries Ltd Nth Ind. AREA ACCRA	3701.30.00	Autres plaques et films / Other plates and films	288	0052	01	03
	3923.21.00	Sacs te sachets en polymères de l'éthylène / Sacks and bags of polymers of ethylene	288	0052	02	03
	3923.30.00	Bonbonnes, bouteilles , flacons et articles similaires en matières plasiques / Carboys, bottles, flasks and similar articles of plastics	288	0052	03	03
	3925.10.00	Réservoirs, foudres et recipients analogues en matières plastiques / Reservoirs, tanks, vats and silar containers of plastics	288	0052	04	03
0023. SOTREC GHANA LTD Mac Carthey Hill Accra	1601.00.90	Autres saucisses, saucissons et produits similaires de viande / Other sausages and similar products of meat	288	0053	01	03
0024. POLYPRINT Nth Industral Area Accra	3923.30.00	Bonbonnes, bouteilles , flacons et articles similaires en matières plasiques / Carboys, bottles, flasks and similar articles of plastics	288	0054	01	03
0025. GHANA MANUFACTURING COMPANY LTD PO Box 234 TEMA	5212.15.00	Autres tissues de coton imprimes / Other woven fabrics of cotton, printed	288	0055	01	03
0026. IRANI BROTHERS & OTHERS LTD TEMA	1101.00.00	Farine de blé / Wheat or muesli flour	288	0056	01	03
0027. AYENSU STARCH COMPANY LTD Awutu Bawjiase Central Region	3505.10.00	Dextrine et autres amidons et fécules modifies / Dextrines nd other modified starshes	288	0057	01	03
0028. INDO-GHANA enamel Indutral Ltd Tema	7323.94.00	Autres articles de ménage ou d'économie donestique en fer ou acier émaillés / Other household articles of iron, or steel, enamelled	288	0058	01	03
0029. BURGER FOOD INDUSTRIES PO BoxTA 470 TAIFA Accra	2008.11.90	Autres arachides / Other ground-nuts	288	0059	01	03
0030. Barbex Technology POBox 308 ACCRA	3301.29.10	Huiles essentielles de citronelle / Essential oils of citrnnela	288	0060	01	03

0031. Samartex Timber & Plywood Company LTD Samreboi GHANA	4407.99.00	Autres bois sciés ou dédossés longitudinalement / Other wood sawn or chipped lengthwise	288	0062	01	03
	4408.90.00	Autres feuilles pour pour placage et pour contreplaqués en bois tropicaux / Other veneer sheets and sheets for pywood	288	0062	02	03
	4409.20.00	Bois profilés autres que de conifères / Non coniferous woodcontinously shaped	288	0062	03	03
	4412.19.00	Autres bois contrplaqués constitués exclusivement de feuilles de bois dont chacune a une épaisseur n'excédant pas 6 mm /Other plywood consisting solely of sheet of wood, each only not exceeding 6mm thickness	288	0062	04	03
0032. Trusty Food Ltd Plot N° IN/A/25/2A Tema	2001.10.00	Concombres et comichons / Cucumres and guerkins	288	0041	03	03
	2001.90.00	Autres légumes , fruits et parties de plantes, préparés ou conservés au vinaigre ou à l'acide acétique / Other vegetables, fruit and other edibles parts of plants, prepared or preserved by vinegar or acetic acid	288	0041	04	03
	2004.90.00	Autres legumes et mélange de legumes / Other vegetables and mixtures of vegetables	288	0041	05	03
	2005.51.00	Haricots en grains préparés ou conservés autrement qu'au vinaigre / Beans , shelled, prepared or preserved otherwise than by vinegar	288	0041	06	03
	2009.90.00	Mélange de jus / Mixtures of juices	288	0041	07	03
0033. OTARI GHANA LTD Nth Ind. Area	9603.21.00	Brosses a dents / Tooth brushes	288	0063	01	03
0034. ROSEVERA INDUSTRIES LTD	3304.99.00	Autres preparations pour l'entretien de la peau / Other preparations for the care of the skin	288	0064	01	03
	3305.10.00	Shampooings / Shampoos	288	0064	02	03
	3305.20.00	Préparations pour l'ondulation ou le défrisage permanents / Preparations for permanent waving or straightening	288	0064	03	03
	3305.90.00	Autres préparations capilaires / Other preparations use on the hair	288	0064	04	03
0036. ITALYS PLASTICS Co Ltd. P O Box 313 OSU ACCRA	3922.20.00	Sièges et couvercles de cuvettes d'aisance en matières plastiques / Lavatory seats and coverts	288	0065	01	03
	3923.21.00	Sacs te sachets en polymères de l'éthylène / Sacks and bags of polymers of ethylene	288	0065	02	03

	3023.30.00	Ronbonncs. bouteillcs , flacons el articles similaires en matières plasiques / Carboys, bottles, flasks and similar articles of plastics	288	0065	03	03
	3924.10.00	Vaisselles et autres articles pour le service de la table ou de la cuisine en matières plastiques / Tableware and kitchenware of plastics	288	0065	04	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets	288	0065	05	03
	3924.90.90	Autres articles de ménage ou d' économic domestique en matières plastiques / Other household articles of plastics	288	0065	06	03
	3926.10.00	Articles de bureau et articles scolaires / Office or school supplies	288	0065	07	03
0037. R.H.A LTD Spintex Road, Baatsona	7321.11.10	Réchauds à gaz avec deux bruleurs au plus / Gas cookers with a maximum of two burners	288	0066	01	03
	7321.11.90	Autres réchauds à gaz / Other gas cookers	288	0066	02	03
NIGERIA 0028.NIGERIA WEAVING & PROCESSING Co Ltd 40/42 Ind. Avenue ILUPEJU LAGOS	5402.20.00	Fils à haute tenancité de polyesters / High tenacity yam of polyesters	566	0064	01	03
	5403.41.00	Autres fils, retors ou cablés de rayonne vicose/ Other yarn, multipleb (folded) or cabled, of viscose rayon	566	0064	02	03
	5508.10.00	Fils à coudre de fibres synthétiques discontinues/ Sewingthreadof synthetic staple fibres	566	0064	03	03
	5508.20.00	Fils à coudre de fibres artifcciellles discontinues meme conditionnées pour la vente au détail / Sewing thread of artificial staple fibres	566	0064	04	03
	5509.22.00	Fils de fibres synthétiques discontinues non conditionnés pour la vente au détil , retors ou cablés/ Yam of syntheticstaple fibres, not put up for retail sale, multiple (folded) or cabled	566	0064	05	03
	5509.42.00	Autres fils , contenant au moins 85 % en poids de fibres synthétiques/ Other yarn, containing 85 % or mo by weight of synthetic staple fibres	566	0064	06	03
	5509.53.00	Autres fils de fibres discontinues de polyester mélanges principalement ou uniquement avec du coton / Other yam, of polyester staple fibres, mixed mainly or solely with cotton	566	0064	07	03
0029 CORMART NIGERIA	3505.10.00	Dextrines et autres amidons et fécules modifies / Dextrins	566	0065	07	03

LTD Plot 20, Chief BENSON Anorue Street, AJAO ESTATE LAGOS		and other modified starches				
0030. REGAL PLASTICS LTD 1, Adebayo Akande Street, Oregun Ikeja LAGOS	3923.10.00	Boîtes, caisses, casiers et articles similaires en matières plastiques / Boxes, cases, crates and similar articles of plastics	566	0066	01	03
	3923.21.00	Sacs, sachets, pochettes et conet en polymères de l'éthylène / Sacks and bags of polymers of ethylene	566	0066	02	03

	3923.29.00	Sacs, sachets, pochettes ct conct en autres matières plastiques / Sacks and bags of other plastics	566	0066	03	03
	3924.10.00	Vaisselle et autres articles pour le service de table ou de la cuisine en matières plastiques /Tableware and kitckchenware of plastics	566	0066	04	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets of plastics	566	0066	05	03
	3924.90.90	Autres articles de ménage ou d'économie domestique en matières plastiques / Ohter household articles of plastics	566	0066	06	03
0031 .SUPERTEX LIMITED 1, Mahommed Road PMB 2399, KADUNA	5208.12.00	Tissus de cotton ecru à armure toile, d'un poids excédant 100g/mV Woven fabrics of cotton, unbleached, plain weave, weighing more than 100g/m^2	566	0067	01	03
0032 INDUSTRIAL CARTONS LTD. AGIDINGBI IKEJA-LAGOS	4821.10.00	Etiquettes de tous genres, en papier ou carton, imprimées / Paper or paperboard labels of all kinds, pinted	566	0068	01	03
0033. SEYDEL INDUSTRIES Ltd. 3, Blind Centre Road Cappa- Oshodi-LAGOS	3402.19.00	Autres agents de surface organiques , même conditionnés pour la vente au détail / Other organic surface-active agents, whether or not put up for retail sal	566	0069	01	03
	3404.90.00	Autres cires artificielles et cires préparées / Other artificial waxes and prepared waxes	566	0069	02	03
	3405.40.00	Pates, poudres etautres préparations à recurer / Scouring pastes, and other scouring preparations	566	0069	03	03
	3504.00.00	Peptones et leurs déivés ; autresmatières protéiques et leurs dérivés ; poudre de peau traité ou non au chrome/ Peptones and their derivatives ; other protein substance and their derivatives ; hide powder, whetheror not chromed	566	0069	04	03
	3505.10.00	Dextrines et autres amidons et fécules modifies / Dextrins and other modified starches	566	0069	05	03
	3506.10.00	Produits de toutes espèces à usage de colles ou d'adhésifs, conditionnés pour la vente au detail comme colles ou adhesives, d'un poids net n'excédant pas 1 kg / Products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg	566	0069	06	03

	3923.30.00	Bonbonnes, bouteilles, flacons et articles similaires en matieres plastiques / Carboys, bottles, flassks and similar articles of plastics	566	0069	07	03
0034. CHI LIMITED Plot 20 Benson Anorue Street, AJAO ESTATE LAGOS	1901.90.00	Autres preparations alimentaires de farine, gruaux, semoules, amidons ou extrait de malt / Othert food preparations of flour, meal, starch or malt extract	566	0070	01	03
0035. VISTA International Ltd. Block I, Plot 44, Jimoh ODUTOLA Street SURULERE LAGOS	4817.10.0	Enveloppes / Envelopes	566	0009	04	03
0036. CHEMLAP Nig. LTD ABA ABIA State Old Aba / Oweri Road Osisioma ABA	3506.10.00	Produits de toutes espèces à usage de colles ou d'adhésifs, conditionnés pour la vente au detail comme colles ou adhesives, d'un poids net n'excédant pas 1 kg / Products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg	566	0071	01	03
	3506.91.00	Adhésifs à base de polymères des n° s 39.01 à 39.13 ou de caoutchouc / Adhesives based on polymers of heading 39.01 to 39.13 or on rubber	566	0071	02	03
0037. NEIMETH Int'l Pharm.PLC 1, Henry Can-Street, Ikeja LAGOS	2936.29.00	Autres vitamins et leurs derives / Other vitamins and their derivatives	566	0072	01	03
0038. CELPLAS EXPORT LTD 17 Ind. Avenue Ilupeju, Lagos.	3923.10.00	Sacs, sachets, pochettes et cornets en polymères de l'éthylène, / Boxes, cases, crates and similar articles of plastiques	566	0073	01	03
	3923.30.00	Bonbonnes, bouteilles, flacons et articles similaires en matières plastiques / Carboys, bottles, flassks and similar articles of plastics	566	0073	02	03
	3923.50.00	Bouchons, couvercles, capsules et autres dispositifs de fermeture en matières plastiques / Stoppers, lids, caps and other closures of plastics	566	0073	03	03
	3924.10.00	Vaisselle et autres articles pour le service de table ou de la cuisine en matières plastiques /Tableware and kitckchenware of plastics	566	0073	04	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets of plastics	566	0073	05	03

	3924.90.90	Autres articles de ménage ou d'économie domestique en matières plastiques / Ohter household articles of plastics	566	0073	06	03
	9403.70.00	Meubles en matières plastiques / Furniture of plastics	566	0073	07	03
	9617.00.00	Bouteilles isolantes et autres écipients isothermiques montés, dont l'isolation est assurée par le vide, ainsi que leurs parties (à l'exclusion des ampoules en verre)./ Vacuum flasks and other vacuum vessels, complete with cases, parts thereof other than glass inners;	566	0073	08	03
0039. UNITED Nigerian Textile PLC P.O BOX 365 Kaduna South KADUNA	5208.12.00	Tissus de coton écru à armure toile, d'un poids excédant 100g/m^2/ Woven fabrics of cotton, unbleached, plain weave, weighing more than 100g/m^2				

0040. GURMRET N1G. LTD Plot 1 , Ikoyi Road Oregun Industrial Layout IKEJA LAGOS	8714.91.00	Cadres et fourches, et leurs parties / Frames and forks, and parts thereof	566	0074	01	03
	8714.92.00	Jantes et rayons / Wheel rims and spokes	566	0074	02	03
0041. A&P FOOD Ltd. 239C, KOFO Abayomi Street Vitoria Island LAGOS	1704.90.00	Autres sucreries sans cacao / Other sugar confectionery, not containig cocoa	566	0075	01	03
	1806.20.00	Autres preparations contenant du cacao présentées soit blocs ou en barres d'un poids excédant 2 kg, soit à l'état liquide ou pateux, ou en poudre, granules ou formes similaires, en recipients ou en emballages immédiats, d'un contenu excédant 2 kg / Other preparations containing cocoa, in blocks, slabs or bars wrighing more than 2 kg or in liquid, paste,powder, granular or otherbulk form in containers or immediate packings, of content exceeding 2 kg	566	0075	02	03
	1905.31.00	Biscuits additionnés d'édulcorants / Sweet biscuits	566	0075	03	03
	1905.32.00	Gaufres et gaufrettes / Waffles and wafers	566	0075	04	03
0042. HONDA Manufacturing Nig Ltd. Kilo 6, OTA/Idioroko Ogon State	8714.19.00	Autres parties et accessories de motocycles (y compris les cyclomoteurs) / Other parts and accessories of motorcycles (including mopeds)	566	0076	01	03
0043. KING Manufacturing Ltd. AJAO Estate LAGOS	5703.30.00	Tapis et autres revêtement de sol en d'autres matières textiles synthétiques ou de matières textiles artificielles / Carpets and other textile floor covering, of other man-made textile materials	566	0076	01	03
0044.Rivers Vegetable Oil Co Ltd. Port Harcourt	3401.11.90	Savons de toilette / Soap for toilet	566	0077	01	03
	3402.20..00	Préparations tensio actives , préparations pour lessive conditionnées pour la vente au détail / Surface-active preparations, washing preparations put up for retail sale	566	0077	02	03
	3402.90.00	Autres préparations tensio actives , préparations pour lessive / Other surface-active preparations and washing preparations	566	0077	03	03
0045. VIK Industries Ltd 25, Asa Afariogun Street, Ajao estate Apakun Oshodi Lagos	3922.10.00	Baignoires en matieres plastiques / Baths of plastics	566	0078	01	03
	3924.10.00	Vaisselle et autres articles pour le service de table ou de la cuisine en matières plastiques /Tableware and kitckchenware of plastics	566	0078	02	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets of plastics	566	0078	03	03

	3924.90.90	Autres articles de ménage ou d'économie domestique en matières plastiques / Ohter household articles of plastics	566	0078	04	03
0046. Saponria Indutries Ltd 122-132 Oshodi- Apapaz EXP Way, Isolo LAGOS	3401.11.90	Savons de toilette / Soap for toilet	566	0079	01	03
	3401.19.10	Savons ordinaires / Household soaps	566	0079	02	03
	3401.20.00	Savons sous autres formes / Soap in other forms	566	0079	03	03
	3402.11.00.	Agents de surface organiques, même conditionnés pour la vente au détail, anioniques / Organic surface-actives agents, whether or not put up for retail sale, annionic	566	0079	04	03
	3402.90.00	Autres préparations tensio actives , préparations pour lessive / Other surface-active preparationsand washing preparations	566	0079	05	03
0047. Hong Kong synthetic Fibre Co Ltd 158 , Ilogbo Road, Otta Ogun State	5407.94.00	Autres tissues de fils de filaments synthétiques: imprimés / Other woven fabrics of synthetic filament yarn : printed	566	0080	01	03
0048. ENPEE Industries Plc ILUPEJU/ISOLO LAGOS	5208.12.00	Tissus de colon contenant au moins 85% en poids de cotton écru à armure toile, d'un poids excédant 100g/m^2/ Woven fabrics of cotton, containing less than 85% by weight of cotton, unbleached, plain weave, weighing more than 100g/m^2	566	0016	04	03
	5208.22.00	Tissus de coton contenant au moins 85% en poids de coton blanchi, à armure toile, d'un poids excédant 100g/m^2/ Woven fabrics of cotton, containing less than 85% by weight of cotton, bleached, plain weave, weighing more than 100g/m^2	566	0016	05	03
	5210.11.00	Tissus de cotton contenant au moins 85% en poids de coton , melange principalement ou uniquement avec des fibres synthétiques ou artificielles, écru à armure toile/ Woven fabrics of cotton, containing less than 85% by weight of cotton, mixed mainly or solely with man-made fibres unbleached, plain weave	566	0016	06	03
0049.SADHWANI Nig. Ltd 19, Ereko Street Lagos	3923.10.00	Sacs, sachets, pochettes et comets en polymères de l'éthylène, / Boxes, cases, crates and similar articles of plastiques	566	0081	01	03
	3923.90.00	Autres articles de transport ou d'emballage en matiere plastique / Other articles for the conveyance or packing of good, of plastics	566	0081	02	03

	3924.10.00	Vaisscltc ct aulres articles pour le service de table ou de la cuisine en matières plastiques /Tableware and kitckchenware of plastics	566	0081	03	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets of plastics	566	0081	04	03
	3924.90.90	Autres articles de ménage ou d' économic domestique en matières plastiques / Ohter household articles of plastics	566	0081	05	03
	3926.10.00	Articles de bureaux et articles scolaires en matières plastiques / Other articles of plastics for office or school supplies	566	0081	06	03
	3926.90.00	Autres articles en matières plastiques / Other articles of plastics	566	0081	07	03
	9617.00.00	Bouteilles isolantes et autres récipients isothermiques / Vacuum flasks and other vacuum vessels	566	0081	08	03
0050. Aminch Commercial Enterprise Ltd. 227 Apapa Road IGAMU LAGOS	2851.00.00	Eaux distillees/ Distilled water	566	0082	01	03
0051 Ulysses Nig. Ltd 227 Apapa Road IGAMU LAGOS	3304.99.00	Autres preparations pour 1'entretien de la peau / Other preparations for the care of the skin	566	0083	01	03
0052. KGM Industries Ltd. A Plot 6, Isolo Scheme LAGOS	3923.30.00	Bonbonnes, bouteilles, flacons et articles similaires en matières plastiques / Carboys, bottles, flassks and similar articles of plastics	566	0084	01	03
	3924.10.00	Vaisselle et autres articles pour le service de table ou de la cuisine en matières plastiques /Tableware and kitckchenware of plastics	566	0084	02	03
	3924.90.10	Cuvettes et seaux en matières plastiques / Wash basins and buckets of plastics	566	0084	03	03
	3924.90.90	Autres articles de ménage ou d'économic domestique en matières plastiques / Ohter household articles of plastics	566	0084	04	03
	9403.70.00	Meubles en matières plastiques / Furnitures of plastcs	566	0084	05	03

0053.ELDOMIRA JACKE Tanks Ltd. 27. Henry Carr Street IKEJA Lagos	7310	Rréservoirs, fûts, tambours, bidons, boîtes et récipients similaires, pour toutes matières (à l'exception des gaz comprimés ou liquéfiés), en fpnte, fer ou acier : /Tanks. casks, drums, cans, boxes and similarcontainers for any material (other than compressed or liquified gas) of iron or steel :	566	0085	01	03
	7310.29.10 7310.29.00	- d'une contenance de 50 litres ou plus / - of a capacity of 50 liters or more	566	0085	02	03
		- autres d'une contenance de moins de 50 litres / -Other of a capacity of less than 50 liters	566	0085	03	03
0054. ELDORADO NIG. LTD. PO Box 237 IKEJA LAGOS	6810.91.00	Autres ouvrages en amiante-ciment, cellose ciment ou similaire / Other articles of asbestos-cement, of concrete or artificial stone	566	0086	01	03
	7308.90.90	Autres constructions et parties de contructions en fote, fer ou acier / Other Structures and parts parts of structures of iron or steel	566	0086	01	03
0055. DANGOTE IND. LTD 1 , Alfred Rewane Road IKOYI, LAGOS	1701.11.00	Sucres de canne, buts sans addition d'aromatisants ou de colorants / Raw sugar of cane not containing added flavouring or colouring matter	566	0032	02	03
	1901.20.00	Mélanges et pates pour la préparation des produits de la boulangerie, de la pâtisserie ou de la biscuiterie du n° 19.05 / Mixes and doughs for the preparation of bakers' wares of heading No 19.05	566	0032	03	03
0056.AGRICULTURAL Packing Co LTD 10, Oremeji Close Ikeja Lagos	4819.10.00	Boites et caisses en papier en papier ou carton ondulé / Cartons, boxes and cases, of non-corrugated paper or paperboard	566	0087	01	03
0057. PREMIER Bottling Co Ltd 33, Challawa Industrial Estate KANO	2201.10.00	Eaux minerals / Minerals waters	566	0088	01	03
SENEGAL	2828.90.10	Hypochlorite de sodium (Eau de Javel) / Sodium hypochlorite (Bleach)	686	0006	01	03
0003. Atol Industrie SARL BP 23723 Dakar- Ponty	3206.41.00	Autres matiéres colorantes et autres préparations : Outremer / Other colouring matter and other preparations: Ultramarine and preparations thereon	686	0006	02	03

	3402.20.00	Préparations tensio-actives, préparations pour lessive et préparations pour nettoyage conditionnées pour la vente au détail/ Surface-active preparations, washing preparations and cleaning preparaions put up for retail sale	686	0006	03	03
	3402.90.00	Autres préparaions tensio-actives, préparations pour lessive et préparations pour nettoyage / Other surface-active preparations, washing preparations and cleaning preparaions	686	0006	04	03
0004. Société Nouvelle des Salins du SINE SALOUM SN. KLK 1965. B 10668 DIORHANE KAOLACK BP 200 KAOLACK	2501.00.20	Sel dsetiné à l'alimentation humaine / Salt for human consumption includind table salt	686	0007	01	03
	2501.00.90	Autre sel / Other salt	686	0007	02	03

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 - 18 December, 2003

REGULATION C/REG. 14/12/03 ON THE ESTABLISHMENT OF A UNIT FOR GENDER, CHILD AND YOUTH MATTERS WITHIN THE HUMAN DEVELOPMENT DEPARTMENT OF THE EXECUTIVE SECRETARIAT OF ECOWAS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its compositions and functions;

MINDFUL of Article 63 of the Treaty on Women and Development which mandates all Member States to formulate, harmonise, coordinate and establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural conditions of women;

CONSIDERING the recommendations of the meeting of Ministers of Women Affairs of ECOWAS Member States held in Abuja on 9th December 2002, for the establishment of a Gender Management Systems Structure in the Sub-region which will facilitate the application of Gender mainstreaming principles within the Community and the evolution of an ECOWAS Gender Policy;

RECOGNISING that within the framework, of ECOWAS integration objectives, a Gender Policy will enhance the participation and contribution of all sectors of the population, including women, and key partners in socio-economic development in a way that brings about social justice and equitable living standards;

MINDFUL of the responsibility of the Council of Ministers as prescribed under Article 10 (3) f of the ECOWAS Treaty to approve the organizational structure of the Institutions of the Community;

DESIRING to create structures at the level of the Executive Secretariat that will ensure development of Gender policies, programmes and projects and promote the establishment and maintenance same within Member States of the Community;

ON THE RECOMMENDATION of the forty-ninth session of the Council of Ministers held in Dakar, 26-28 January 2003;

ENACTS

ARTICLE 1

A Unit for Gender, Child and Youth matters is hereby established in the Human Development Department of the Executive Secretariat of ECOWAS.

ARTICLE 2

This Unit shall, amongst other duties, ensure the development of a gender policy for the sub-region, prepare and coordinate related programmes and projects, and facilitate the harmonization of gender policies within the Member States.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall be published in the National Gazette of each Member State within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONAKU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December, 2003

REGULATION C/REG.15/12/03 RELATING TO THE RESTORATION AND UPWARD REVIEW OF THE COMPENSATORY HOUSING ALLOWANCE PAYABLE TO THE GENERAL SERVICES AND AUXILIARY STAFF OF ECOWAS

THE COUNCIL OF MINISTERS ;

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 25 (c) of the ECOWAS Staff Regulations of December, 1999 which provides for the payment of a compensatory Housing Allowance to the General Services and Auxiliary Staff of ECOWAS taking into consideration the actual situation of their duty station;

RECALLING Council's directives to the Executive Secretariat on relocation of the Secretariat to Abuja to rent houses for the G & M Staff in Abuja in lieu of the normal allowances which were found to be inadequate for the leasing of residential accommodation;

RECALLING also Council directives that a permanent solution be found to address the issue of housing of G & M staff in Abuja;

TAKING NOTE of the options recommended as solutions by the Executive Secretariat arising out of a technical study on the problem of housing conducted by Consultants retained by the Secretariat.

DESIRING to find a short term solution to the problem which will ensure continued extension of assistance to the G & M Staff towards the provision of residential accommodation whilst the search for a longer term solution is pursued by the Secretariat.

ON THE RECOMMENDATION of the thirtieth meeting of the Administration and Finance held in Accra, from 8 to 15 December, 2003.

ENACTS

ARTICLE 1

The Compensatory Housing Allowance payable to G & M Staff of Institutions of the ECOWAS is hereby restored as a short term measure towards the provision of residential accommodation.

ARTICLE 2

An upward review of the said compensatory allowance is hereby adopted for the category of Staff and shall be paid as follows :

(i) M1 to G2 = N350,000 per person per year
(ii) G3 to G4 = N400,000 per person per year; and
(iii) G4 to G6 = N450,000 per person per year

ARTICLE 3

The Executive Secretariat shall, as a long term option assist the General Services and Auxiliary Staff in the procurement of housing loans from credible Funding agencies and establish the necessary repayment schedules for the staff;

ARTICLE 4

The Executive Secretariat of ECOWAS as from January, 2004 shall cease to contract new leases or renew expired leases for the residential accommodation of General and Auxiliary Staff of ECOWAS in Abuja;

ARTICLE 5

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National

Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONAKU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 -18 December 2003

REGULATION C/REG.16/12/03 AMENDING REGULATION C/REG.9/12/2001 TO INCLUDE SECURITY GUARDS AND EXTENDING PAYMENT OF DUTY ALLOWANCE TO OTHER ELIGIBLE LOCALLY RECRUITED STAFF OF THE INSTITUTIONS OF THE COMMUNITY

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of paragraph (a), Article 29 of the Staff Regulations of the Institutions of the Community which provide for the payment of duty allowances to staff members who discharge extra responsibilities and are often called upon to put in extra hours of work;

RECALLING that Decision C/DEC.5/12/94 of the Council of Ministers temporarily suspended the payment of responsibility allowance for a period of one year with effect from 1st January 1995, alongside other allowances paid to staff of the Community Institutions, due to the then precarious financial situation of Member States;

MINDFUL of Regulation C/REG.9/12/2001 which restored payment of duty allowance to certain categories of locally recruited staff of the Institutions of the Community;

DESIRING to extend this allowance to additional staff within the locally recruited staff cadre and also correct an omission in Regulation C/REG.9/12/2001 by the inclusion of "security guards" in the list of beneficiaries;

ON THE RECOMMENDATION of the thirtieth Meeting of the Administration and Finance Commission, held in Accra from 8th to 15th December, 2003;

ENACTS

ARTICLE 1

Article 1 of Regulation C/REG.9/12/2001 is hereby amended to include "Security Guards" in the category of staff eligible for payment of duty allowance.

ARTICLE 2

1. The following categories of staff are also eligible for the payment of duty allowance which shall be calculated as a percentage of their monthly basic salaries as follows:

Audit Assistant:	15%
Clerks:	10%
Dispatch Rider:	10%
Library Assistant:	10%
Technicians:	10%

2. The Head of each Institution shall from time to time establish a list of staff that will be entitled to the payment of this allowance.

Article 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published within the same time frame by each Member State in its National Gazette.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Acrra, 15 - 18 December 2003

REGULATION C/REG. 17/12/03 RELATING TO THE RENEWAL OF LEASE AGREEMENTS ON THE RESIDENCES OF THE PROFESSIONAL STAFF OF THE EXECUTIVE SECRETARIAT IN ABUJA

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10,11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING the need for the construction of vital additional works by the Executive Secretariat at its Staff Quarters at Katampe;

CONSIDERING that the estimated completion period for the provision by the Nigerian Government of access roads and other infrastructure! facilities at the Katampe Housing Estate will extend up to the end of the year 2004;

NOTING that the leases on most of the residences rented for the staff of the Executive Secretariat in 2002 will expire before the completion of the work at the Katampe Housing Estate;

CONSIDERING that only two (2) years leases can be negotiated by prospective tenants for residential accommodation in Abuja;

AWARE of the need to renew the leases of the residences of professional staff in Abuja and to take into account the projected recruitment of new staff for the Executive Secretariat in 2004;

Desirous of making available, adequate resources for the renewal of the leases for residential accommodation of the Professional staff;

ON THE RECOMMENDATION of the Thirtieth Meeting of the Administration and Finance Commission held in Accra from 8-15 December

2003;

ENACTS

Article 1

The sum of **one million two hundred and three thousand Units of Account (1,203,OOOUA)** is hereby approved for the Executive Secretariat of ECOWAS to cover renewal and contracting of new leases for 2004.

Article 2

The Executive Secretariat shall prepare estimates of the overall financial implications of leases to cover all the new posts approved by the sixth extra-ordinary session of the Council of Ministers. Such estimates shall be submitted to the Administration and Finance commission for consideration.

Article 3

This Regulation shall be published by the Executive Secretariat in the official journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall be published in the national gazette of each Member State within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONAKU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15 -18 December 2003

REGULATION C/REG.18/12/03 ON THE CONDUCT OF A FEASIBILITY STUDY FOR THE CONSTRUCTION OF RESIDENTIAL ACCOMMODATION FOR THE PROFESSIONAL STAFF OF THE ECOWAS INSTITUTIONS IN ABUJA

THE COUNCIL OF MINISTERS;

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treating establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC.23/12/01 establishing the seat of the ECOWAS Court of Justice in Abuja, Federal Republic of Nigeria;

MINDFUL of Article 25a of the Staff Regulations of the ECOWAS institutions under which ECOWAS provides accommodation to the professional staff against a deduction of five per cent (5%) of their gross annual salary;

CONSIDERING that leasing of residential accommodation for professional staff is becoming increasingly difficult as a result of the extremely high rents in Abuja;

CONSIDERING that, with the expansion of the ECOWAS institutions and the subsequent recruitment of permanent professional staff, the continued leasing of residential accommodation will impose a huge financial cost on the Community;

AWARE that leasing is only a temporary response to the obligation to provide residential accommodation for professional staff;

DESIROUS of finding a permanent solution to the professional staff housing problem and constructing residential accommodation for this category of staff of the ECOWAS institutions with their headquarters in Abuja;

ACTING on a request by the President of the Community Court of Justice for approval to construct residential accommodation for the staff of the Court in Abuja;

ON THE RECOMMENDATION of the thirtieth meeting of the Administration and Finance Commission held in Accra from 8 to 15 December 2003;

ENACTS

Article 1

The Community shall construct accommodation for the professional staff of its institutions whose headquarters are in Abuja.

Article 2

The construction of the accommodation referred to in Article 1 of this regulation shall be overseen by the ad hoc Ministerial Committee on the Construction of the Headquarters of the ECOWAS Institutions, set up by Decision A/DEC. 17/5/82, which comprises the following Member States: Benin, Guinea, Nigeria, Senegal, Sierra Leone and Togo.

Article 3

1. The Executive Secretariat shall be the main contractor for the construction of the residential accommodation of the professional staff of the ECOWAS institutions with their headquarters in Abuja.

2. The Executive Secretariat shall, in collaboration with the other ECOWAS institutions with their headquarters in Abuja, harmonise the types of houses to which the different categories of staff are entitled.

Article 4

1. A budgetary allocation of one hundred and fifty thousand units of account (DA 150, 000) is hereby granted to the Executive Secretariat to facilitate the preparation of a comprehensive feasibility study on the projects referred to in Articles 1 and 2 above.

2. The findings of the study shall be submitted, through the ad hoc Ministerial Committee referred to in Article 2 of this regulation, to the session of the Council of Ministers scheduled for June 2004, for consideration.

Article 5

This regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days upon signature by the current Chairman of the Council of Ministers.

It shall also be published within the same time-frame in the National Gazette of each Member State.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003.

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HON. (DR) KOFI KONAKU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 - 18 December, 2003

REGULATION C/REG. 19/12/03 RELATING TO THE ESTABLISHMENT OF A SMALL ARMS UNIT WITHIN THE ECOWAS EXECUTIVE SECRETARIAT

THE COUNCIL OF MINISTERS;

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 58 of the Treaty on "Regional Security" providing for the establishment of appropriate mechanisms for the timely prevention and resolution of intra-state and inter-state conflicts;

MINDFUL of the Declaration of a 3-year Moratorium on the Importation, Exportation and Manufacture of Light Weapons adopted by the Authority on 31st October 1998 as a means of controlling the proliferation of small arms within the region and eliminating its potential for fostering conflicts within the sub-region;

MINDFUL of the ECOWAS Plan of Action and Code of Conduct for the implementation of the Moratorium;

RECALLING the extension of this Moratorium in 2001 for another 3-year period;

AWARE of the existence of the UNDP Regional Project, the Programme of Coordination and Assistance for Security and Development (PCASED) based in Mali, which operates as the main implementation arm for the Moratorium;

MINDFUL of the Protocol on the Mechanism relating to Conflict Prevention, Management, Resolution, Peace-keeping and Security of 10th December 1999 which provides the Community with a structured framework for addressing peace and security issues and which under its Article 50 adopts the Moratorium as an important strategy for preventing conflicts;

MINDFUL of the Directive of the Heads of State and Government issued at their Dakar Summit on 31st January 2003 for the establishment of a Small Arms Unit in the Executive Secretariat, which will collaborate with PCASED and more importantly, strengthen ECOWAS Political ownership in the implementation of the Moratorium;

CONSIDERING Article 10 (3) (f) of the ECOWAS Treaty which empowers this Council to approve the organizational structure of the Institutions of the Community;

DESIRING therefore to reinforce the Executive Secretariat's institutional capacity to effectively implement the Moratorium;

ON THE RECOMMENDATION of the thirtieth Meeting of the Administration and Finance Commission held in Accra from 8th to 15th December 2003;

ENACTS

ARTICLE 1

There is hereby established a Small Arms Unit within the ECOWAS Executive Secretariat to assist in the implementation and monitoring of the ECOWAS Moratorium on the Importation, Exportation and Manufacturing of Light Weapons.

ARTICLE 2

The Small Arms Unit shall be located within the Department of the Political Affairs, Defence and Security of the Executive Secretariat.

ARTICLE 3

The Executive Secretariat shall make necessary budgetary allocation for the running of the Unit and shall also undertake, in collaboration with PCASED, intensive resource mobilization from external donors to provide assistance funding for the Unit.

ARTICLE 4

This Regulation shall be published in the Official Journal of the Community by the ECOWAS Executive Secretariat within (30) thirty days of its signature by the Chairman of the Council of Ministers. It shall also be published within the same timeframe in the National Gazette of each Member State.

DONE IN ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15th - 18th December 2003

REGULATION C/REG.20/12/03 RELATING TO THE ESTABLISHMENT OF A MISSION PLANNING AND MANAGEMENT CELL WITHIN THE EXECUTIVE SECRETARIAT OF ECOWAS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 58 of the Treaty on the maintenance of Regional security;

CONSIDERING the increasingly greater role of ECOWAS in conflict prevention and management brought about by the growing number, intensity and duration of conflicts in West Africa, resulting in the death and displacement of peoples, in addition to the deleterious effect on development, political and economic stability;

MINDFUL of the Protocol on the Mechanism relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10 December 1999, which provides mechanisms for attaining collective security and the maintenance and consolidation of peace and security within the sub-region;

MINDFUL of the establishment of an office for Political Affairs, Defence and Security in the Executive Secretariat that is charged with undertaking the activities relating to the implementation of the ECOWAS Mechanism on Conflict Prevention and noting that such activities often involve the planning and deployment of humanitarian and peacekeeping missions in conflict areas within the region;

RECALLING the decisions of the meetings of the ECOWAS Ministers of Foreign Affairs held in Dakar on 28th and 30th January 2003, the Mediation and Security Council and its Defence and security

Commission on the need for the setting up of a Mission Planning Cell within the office for Political Affairs, Defence and Security, to enhance the capabilities of the Executive Secretariat in planning and managing ECOWAS peace missions;

DESIRING to establish an operational structure within the office for Political Affairs, Defence and Security that will accomplish this objective;

ON THE RECOMMENDATION of the thirtieth meeting of the Administration and Finance Commission held in Accra from 8th to 15th December 2003;

ENACTS

Article 1

A Mission Planning and Management Cell is hereby established within the office for Political Affairs, Defence and Security of the Executive Secretariat of ECOWAS;

Article 2

The Mission Planning and Management Cell shall perform crisis assessments and also plan, coordinate and manage all missions in accordance with the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.

Article 3

The Executive Secretariat shall make periodic adjustments modifying the size and structure of the planning cell where missions within the sub-region are either reduced or completed.

Article 4

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council. It shall also be published in the National Gazette of each Member State within the aforementioned time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15th - 18th December 2003

REGULATION C/REG.21/12/03 RELATING TO THE ESTABLISHMENT OF A PEACE FUND FOR ECOWAS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 58 of the ECOWAS Treaty which provides that Member States shall undertake to cooperate with the Community in establishing appropriate mechanisms for the timely prevention and resolution of intra-state and inter-state conflicts;

MINDFUL of the Protocol on the Mechanism relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10 December 1999 providing the legal framework for ECOWAS operations in the area of peace and security;

CONSIDERING the enormous resources required by the Community in order to implement the activities prescribed within the Protocol, in particular, the deployment of ECOWAS Peace missions in identified conflict areas;

MINDFUL of Article 36 of the aforementioned Protocol that requires the Executive Secretariat to make provision in its annual budget for financing the activities of the Mechanism and prescribing also the allocation of a percentage of the ECOWAS Community Levy for these activities;

AWARE of the ad hoc approaches often adopted by the ECOWAS Authority and the Executive Secretariat in an attempt to mobilize resources from within and outside the sub-region to support ECOWAS peacekeeping initiatives and missions in countries in the sub-region;

RECOGNISING that this ad hoc approach for the obtainance of funds is inimical to the development of a strategic and long term plan for ECOWAS activities in the area of peace and security;

MINDFUL of the recommendations of the meeting of the Ministers of Foreign Affairs held in Dakar from 28 - 30 January 2003 for the activation of the Fund provided for under the terms of Article 36;

DESIRING to put in place the necessary financial framework that will assure the efficient operationalisation of all ECOWAS peace and security initiatives;

ON THE RECOMMENDATION of the thirtieth meeting of the Administration and Finance Commission held in Accra from 8th to 15th December 2003;

ENACTS

Article 1

The Peace Fund provided for under Article 36 of the Protocol on the Mechanism relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10th December 1999 is hereby established.

Article 2

i. The Executive Secretary is responsible for the management of the Peace Fund.

ii. The Executive Secretary and the Financial Controller shall ensure that the management of the Peace Fund conforms with all ECOWAS financial regulatory provisions. They shall ensure that the principles of transparency and probity are observed in the management system of the Fund.

Article 3

Contributions to the Peace Fund shall be made up of a percentage of the Community Levy and contributions obtained from ECOWAS development partners and the Donor Community.

Article 4

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council. It shall also be published in the National Gazette of each Member State within the aforementioned time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15-18 December, 2003

REGULATION C/REG.22/12/03 RELATING TO THE REVISION OF THE ORGANIZATIONAL STRUCTURE OF THE EXECUTIVE SECRETARIAT OF ECOWAS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10,11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 10 (3) (f) of the Treaty which empowers the Council of Ministers to approve the organizational structure of the Institutions of the Community;

RECALLING Regulation C/REG.9/12/99 approving the restructuring of the Secretariat and adopting a new organigram with a view to establishing a more efficient and result oriented Secretariat that will pursue the integration objectives of the Community;

MINDFUL of Dec. A/Dec. 4/12/01 restoring the post of the Financial Controller of the institutions of the Community who shall be assisted by Internal Auditors in discharging the responsibility of pre-auditing all financial and budgetary transactions of all the Institutions of the Community;

CONSIDERING the need to create a Sectoral Database Coordination Division within the Community Computer Centre (CCC) of the Secretariat to enhance the work of the CCC;

DESIRING to revise the approved organizational structure of the ECOWAS Secretariat to reflect the newly restored position of the Financial Controller, and his/her supervisory role over the office of the Internal Audit, to reflect the position of the sectoral Database Coordination Division within the CCC; as well as the ECOWAS Liaison Office in Brussels;

ON THE RECOMMENDATION of the Thirtieth meeting of the Administration and Finance Commission held in Accra, 8-15 December, 2003

ENACTS

Article 1

The Organizational Structure of the Executive Secretariat of ECOWAS is hereby revised to reflect the position of the office of the Financial Controller, the altered position of the office of the Internal Audit, the position of the Sectoral Database Coordiantion Division within the Community Computer Centre (CCC) as well as the ECOWAS Liaison Office in Brussels.

Article 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15-18 December, 2003

REGULATION C/REG.23/03 ADOPTING VERSION 2002 OF THE NOMENCLATURE OF THE HARMONISED SYSTEM OF DESIGNATION AND CODIFICATION OF GOODS (HS)

THE COUNCIL OF MINISTERS;

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 37 of the Treaty relating to the common external tariff and to the common customs and statistical nomenclature;

MINDFUL of Decision C/DEC.3/7/93 adopting the common customs and statistical nomenclature based on the Harmonised System of Designation and Codification of Goods (HS.)

CONSIDERING that it is important to update the Harmonised System in relation to the International Convention on the Harmonised System of Designation and Codification of Goods, and also taking into account the new amendments to the nomenclature of Harmonised System approved on the recommendation of the Customs Cooperation Council made on 25 June, 1999 and which entered into force on 1 January, 2002.

RECALLING the meeting held by ECOWAS and UEMOA with a view to integrating these amendments contained in Version 2002 into their nomenclature and the validation of the meeting report by the World Customs Organisation;

ON THE RECOMMENDATION of the 46th meeting of the Trade, Customs, Taxation, Statistics, Money and Payments held in Accra from 4 to 6 December, 2003;

ENACTS

Article 1

The Version 2002 of the Harmonised System (HS) are hereby adopted and shall be integrated into the ECOWAS Customs and Statistical Nomenclature;

Article 2

The Common Customs and Statistical Nomenclature adopted by Decision C/DEC.3/93 of 20 July, 1993 is, therefore, hereby amended.

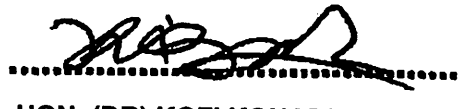
Article 3

Member States shall take necessary measures to implement Version 2002 of the ECOWAS Common Customs and Statistical Nomenclature based on the HS;

Article 4

This Regulation shall be published in the Official Journal of the Economic Community of West African States by the Executive Secretariat within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published within the same time frame in the National Gazette of each Member State.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15-18 December 2003

REGULATION C/REG.24/12/03 ON THE OPERATIONALISATION OF THE ECOWAS ENERGY OBSERVATORY

THE COUNCIL OF MINISTERS,

Mindful of articles 10,11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of decision A/DEC. 3/5/82 on the ECOWAS energy policy;

Mindful of decision A/DEC.5/12/99 setting up a West African Power Pool (WAPP);

Bearing in mind the aims and objectives of ECOWAS which are the promotion of economic cooperation and integration for the purpose of establishing an economic union to improve the welfare of its peoples, maintaining and increasing economic stability, cementing relations between the Member States and contributing to the progress and development of the African continent;

Aware of the need to coordinate the efforts of the Member States to implement the ECOWAS priority plans of action for the interconnection of infrastructures;

Convinced of the need to render the energy observatory operational without loss of time in order to endow the sub-region with a functional information and communication system to warn Member States of possible short-falls in energy levels, and identify preventive measures against such eventualities;

Considering the resources provided by donors of the WAPP project for equipment, technical assistance and capacity building, as well as the human, material and financial resources contributed by the national electricity companies;

On the recommendation of the meeting of Ministers in charge of Energy held in Dakar on 7 November 2003;

ENACTS

Article 1

1. The organogramme for the basic structure and the programme of action of the energy observatory attached hereto are hereby approved;

2. The Executive Secretariat is hereby authorised to launch the observatory with a skeleton staff comprising the Coordinator and two specialist engineers, an accountant and a secretary;

3. The accountant and secretary shall be recruited locally.

Article 2

During the initial 3-year transition period the Executive Secretariat shall earmark the sum of US$ 31,000 (thirty one thousand dollars only) for the requirements of the observatory.

Article 3

The salaries of the staff seconded to the observatory shall be aligned with the salary scale of the ECOWAS Executive Secretariat. Staff salaries shall be paid by the electricity companies from which they are seconded.

Article 4

1 Contributions from the Member States shall be paid into a bank account opened in Cotonou in the name of the observatory.

2 Procedure governing expenditure shall be conformity with the ECOWAS Tender Code and the Financial Regulations and Manual of Accounting Procedures.

Article 5

1. The following arrangements are hereby adopted:

The Minister of Energy of Benin shall appoint the Managing Director of the Societe Beninoise d'Eau et d'Electricite (Beninese Water and Electricity Company) as the Chief Authorising Officer, and The Coordinator shall be the Deputy Authorising Officer.

2. Funds shall consequently be allocated for the adopted arrangements.

Article 6

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days after signature by the current Chairman of the Council of Ministers.

It shall also be published within the same time frame in the Official Gazette of each Member State.

Done at Accra this 18th day of December 2003.



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

ACCRA, 15 - 18 DECEMBER, 2003

REGULATION C/REG. 25/12/03 RELATING TO THE STATUS OF THE HEAD OF THE ECOWAS OFFICE IN BRUSSELS

The Council of Ministers,

Mindful of Articles 10.11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of Decision A/DEC. 12/01/03 establishing An ECOWAS Liaison Office in Brussels;

Considering the nature and importance of the work to be undertaken by the ECOWAS Liaison Office in Brussels which includes preparation and participation in ECOWAS/EU negotiations for the Economic Partnership Agreements, the promotion of greater cooperation between institutions and organs of ECOWAS and the European Union;

Recognising that the ECOWAS Liaison Office in Brussels operates on the same level as foreign diplomatic missions involved in diplomacy and the forging of bilateral and multilateral relations;

Desiring to ensure that the Liaison office is maned by officials with the requisite standing with which to promote the international stature of the office and ensure the efficient discharge of the mandate of that office;

On the Recommendation of the Thirtieth Meeting of the Administration and Finance Commission held in Accra from 8-15 December, 2003.

ENACTS

Article 1

The conditions of service, remuneration and status of the Head of the ECOWAS Liaison Office in Brussels shall be enhanced and aligned to match those of Heads of diplomatic missions or similar representation offices.

Article 2

This regulation shall be published by the Executive Secretariat in the Official Journal of the Economic Community of West African States within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published within the same time frame in the National Gazette of each Member State.

DONE AT ACCRA THIS 18TH DAY OF DECEMBER, 2003



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-18 December, 2003

REGULATION C/REG. 26/12/03 AUTHORISING THE DIRECTOR GENERAL AND THE DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION TO REMAIN IN OFFICE PENDING THE RENEWAL OF THEIR APPOINTMENTS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P.2/7/87 establishing the West African Health Organisation (WAHO) as a specialised Institution of ECOWAS and as the single health organisation of the sub-region;

MINDFUL of Article 1 paragraphs 2 and 4 of the said Protocol on the appointment of the Director-General and Deputy Director-General of WAHO by the Council of Ministers on the recommendation of the Assembly of Ministers of Health of WAHO;

RECALLING Regulations C/Reg. 6/8/99 and Regulation C/Reg. 10/12/99 appointing Dr. Kabba Joiner as Director-General and Professor Moussa Adama Maiga as Deputy Director-General for one (1) renewable period of 4 years respectively;

CONSIDERING that the tenure of the Director-General and the Deputy Director-General shall expire on 24th February, 2004 and 1st March, 2004 respectively;

MINDFUL of Decision A/Dec.3/7/91 on the Evaluation and Performance of Statutory Appointees of the Community which directs that the evaluation of Statutory Appointees with the exception of the External Auditors, shall be done annually;

CONSIDERING that the next evaluation exercise for Statutory Appointees will take place in March 2004 after the official expiration of the tenure of the Director-General and Deputy Director-General of WAHO;

DESIRING to ensure that the Management of WAHO and the implementation of its programmes are not interrupted or compromised due to vacancies at the management level;

DESIRING to ensure that the management staff of WAHO is retained in order to carry on with the Administration of that Institution;

ON THE RECOMMENDATION of the Executive Secretariat of ECOWAS

ENACTS

Article 1

The Director-General and Deputy Director-General of the West African Health Organisation shall remain in office after the expiration of their tenure on 28th February, 2004 and 1st March, 2004 respectively, pending decision of the Council of Ministers on the renewal of their appointments by the Council of Ministers.

Article 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall be published in the National Gazette of each Member State within the same time frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15th - 18th December 2003

REGULATION C/REG.27/12/03 AUTHORISING THE EXTERNAL AUDITORS OF THE COMMUNITY MESSRS COOPERS, LYBRAND AND DIEYE TO RETAIN THEIR APPOINTMENTS BEYOND THEIR TENURE OF 31ST DECEMBER 2003 PENDING A RECOMMENDATION FROM COUNCIL FOR THE RENEWAL OF THEIR APPOINTMENT

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and its functions;

MINDFUL of Article 75 of the Treaty relating to the appointment of an External Auditor to the Institutions of the Community for a two-year period renewable twice only for a two year period at each renewal;

MINDFUL of Decision A/DEC.6/12/99 and DEC.C/AHSG/DEC. 1/2/2000 on the appointment of Coopers, Lybrand and Dieye as External Auditors to the Community Institutions and that their initial two year term of office expired on 25 February 2002;

RECALLING Decision A/DEC. 12/12/01 relating to the 1st renewal of the term of office of Coopers, Lybrand and Dieye for another two-year period which commenced 26 February 2002;

CONSIDERING that the External Auditors present appointment shall expire on 31st December 2003;

MINDFUL of Decision A/DEC.3/7/91 on the evaluation and performance of Statutory Appointees of the Community which directs that evaluation of the External Auditors shall be done every two years;

CONSIDERING that the next meeting of the next exercise for Statutory Appointees will take place in March 2004 after the official expiration of the tenure of the External Auditors;

ON THE RECOMMENDATION of the Executive Secretariat of ECOWAS;

ENACTS

Article 1

The External Auditors of the Institutions of the Community, Messrs Coopers, Lybrand and Dieye shall retain their appointments after the official expiration of their tenure of office for a period of six (6) months with effect from 1st January 2004 pending the recommendation of the Council of Ministers on the renewal of their appointment.

Article 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published in the National Gazette of each Member State with the aforementioned time-frame.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS
Accra, 15-18 December, 2003

REGULATION C/REG.28/12/03 ADOPTING THE TERMS OF REFERENCE FOR THE STUDIES ON THE ENHANCEMENT OF THE POWERS OF THE ECOWAS PARLIAMENT AND THE ELECTION OF ITS MEMBERS BY DIRECT UNIVERSAL SUFFRAGE

THE COUNCIL OF MINISTERS,

Mindful of articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of the provisions of paragraph 50 of the Final Communique, issued by the twenty-fifth session of the Authority of Heads of State and Government directing the Executive Secretary to commission a study on the ECOWAS Parliament with a view to the enhancement of its powers;

Mindful of the directives of the first meeting of the ad hoc Ministerial Committee on the harmonisation of ECOWAS texts endorsed by the 50th session of the Council of Ministers, and mandating the Executive Secretariat and the Community Parliament to prepare the terms of reference for the study on the enhancement of the powers of the ECOWAS Parliament and submit a report thereon to the end of year budget session;

Considering the need to conduct a study on the election of the members of the ECOWAS Parliament by direct universal suffrage;

Desirous of adopting, for the aforementioned purposes, terms of reference for the studies to be prepared by consultants on the enhancement of the powers of the ECOWAS Parliament and the election of its members by direct universal suffrage;

ON THE RECOMMENDATION of the Executive Secretariat and the ECOWAS Parliament;

ENACTS

Article 1
The attached terms of reference for the studies on the enhancement of the powers of the ECOWAS Parliament and the election of its members by direct universal suffrage are hereby adopted.

Article 2

i) The studies shall be undertaken by an inter-institutional team composed of Officers of the Executive Secretariat and the Community Parliament;

ii) The team shall carry out necessary information gathering missions in parliamentary institutions of similar regional integration organizations, national parliaments of Member States and in other relevant institutions or competence;

iii) The Executive Secretariat and the Parliament shall bear all costs arising from the conduct of the studies.

Article 3

The Executive Secretary in compliance with the directives of the Twenty-fifth Summit of the Authority of Heads of State and Government shall oversee conduct of the studies and on their completion, present the findings thereof to the Council of Ministers.

Article 4

This Regulation shall be published in the Official Journal of the Community within thirty (30) days of its signature by the current Chairman of the Council of Ministers. It shall also be published within the same time frame in the Official Gazette of each Member State.

DONE AT ACCRA THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTIETH SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-18 December 2003

REGULATION C/REG.29/12/03 ON THE DELEGATION OF POWERS TO THE BOARD OF GOVERNORS OF EBID FOR THE APPOINTMENT OF MANAGING DIRECTORS OF THE SUBSIDIARIES

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 21 of the ECOWAS Treaty as amended by Protocol A/P1/12/01 of 21 December 2001, establishing the ECOWAS Bank for Investment and Development (EBID) with two subsidiaries, the ECOWAS Regional Development Fund (ERDF) and the ECOWAS Regional Investment Bank (ERIB),

MINDFUL of Protocol A/P2/12/01 relating to EBID;

HAVING CONSIDERED the Memorandum of the Board of Governors of EBID on the delegation of powers by the Council of Ministers to the Board of Governors of EBID for the appointment of Managing Directors of the subsidiaries;

ENACTS

ARTICLE 1

The power to appoint Managing Directors for the subsidiaries of EBID is hereby delegated to the Board of Governors of EBID.

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published within the same time frame by each Member State in its National Gazette.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December, 2003

REGULATION C/REG.30/12/03 EXPANDING THE MINISTERIAL FACILITATING TEAM ESTABLISHED WITHIN THE FRAMEWORK OF NEGOTIATIONS ON THE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN WEST AFRICA AND THE EUROPEAN UNION

THE COUNCIL OF MINISTERS,

Mindful of articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of regulation C/REG.2/09/03 on the launching of the negotiations on the economic partnership agreement (EPA) between West Africa and the European Union;

Considering that the need to prepare the West African side more carefully for the EPA negotiations demands inputs from a wide spectrum of contributors;

Noting the interest manifested by Niger and Senegal in joining the Ministerial facilitating team established for the purposes identified above;

Desirous of expanding the Ministerial facilitating team and to that end modifying its composition;

ENACTS

Article 1

1. The composition of the Ministerial facilitating team established by regulation C/REG.2/09/03, dated 2 September 2003, is hereby modified.

2. The Ministerial facilitating team shall henceforth comprise the following Member States: Benin, Burkina Faso, Cote d'Ivoire, the Gambia, Ghana, Niger, Nigeria and Senegal.

Article 2

This regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days upon signature by the current Chairman of the Council of Ministers. It shall also be published within the same time-frame in the National Gazette of each Member State.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003.



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-18 December 2003

RECOMMENDATION C/REC.I/12/03 ON THE ADOPTION OF PRIORITY PROJECTS FOR ZONE B OF THE WEST AFRICAN POWER POOL (WAPP)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of decision A/DEC. 3/5/82 on the ECOWAS energy policy;

MINDFUL of decision A/DEC.5/12/99 setting up a coordinating body comprising the meeting of Ministers responsible for Energy and the Committee of Directors-General of national electricity companies, and defining its functions;

RECALLING Regulation C/REG.7/12/99 on the adoption of a master plan for the development of energy production facilities and the interconnection of the electricity grids of the ECOWAS Member States;

ALSO RECALLING the framework agreement on the West African Power Pool (WAPP) concluded in Lome on 29 September 2000, committing its signatory Governments;

MINDFUL of decision A/DEC.8/12/01 on the financing mechanisms for the WAPP projects adopted by the ECOWAS Heads of State and Government;

BEARING IN MIND the aims and objectives of ECOWAS which are the promotion of economic cooperation and integration for the purpose of establishing an economic union to improve the welfare of its peoples, maintaining and increasing economic stability, cementing relations between the Member States and contributing to the progress and development of the African continent;

AWARE OF the need to coordinate the efforts of Member Sates to implement ECOWAS priority action plans in relation to the interconnection of infrastructures;

DESIROUS OF reducing the inequalities between the countries in zone A and those in zone B;

ON THE PROPOSAL of the ECOWAS Energy Ministers Meeting held in Dakar on 7th November 2003;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the decision attached hereto on the Adoption of Priority Projects for Zone B of The West African Power Pool (WAPP).

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-18 December 2003

RECOMMENDATION C/REC.2/12/03 ON THE EUROPEAN INITIATIVE ON ENERGY FOR POVERTY ERADICATION AND SUSTAINABLE DEVELOPMENT

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of decision A/DEC.3/5/82 relating to the ECOWAS energy policy;

CONSIDERING that the Authority of Heads of State and government adopted the decision A/DEC.5/12/99, which in article 2 created a coordinating structure for the meeting of Energy Ministers and the Committee of Chief Executives of the Transmission System Operators of the Member States and defined its attributes;

MINDFUL of Regulation C/REG.7/12/99 relating to the adoption of a Master Plan to develop means of energy production and interconnection of electricity networks of the ECOWAS Member States promulgated by the Council of Ministers;

MINDFUL of the Memorandum of Understanding signed by the ECOWAS Ministers of Energy in Lome, on September 29, 2000, committing the signatory Governments;

CONSIDERING that the European Initiative, related to the sustainable energy development of the ACP countries, aims to promote a strategic partnership between the ACP countries, on the one hand, and the European Commission and EU Member States on the other hand, in order to integrate energy as a priority into the official development assistance program of the European Union;

CONSIDERING that at the Johannesburg Summit the European Union announced the European Initiative promoting access to modern types of energy as an essential factor of sustainable development.

CONSIDERING that the European Development Fund is a main instrument of the European Union for allocation of resources to public aid to the development of the ACP countries.

CONSIDERING that the European Parliament has adopted a 5-year program called « Intelligent Energy for Europe » of which the component "COOPENER" is designed to facilitate the «energy dialogue » between the European Union and its developing country partners to assist them in developing appropriate energy policies needed for their economic and social development;

MINDFUL of the European Initiative, related to the sustainable energy development of the ACP countries, aims to promote a strategic partnership between the ACP countries, on the one hand, and the European Commission and EU Member States on the other hand, in order to integrate energy as a priority into the official development assistance program of the European Union;

ON RECOMMENDATION of the ECOWAS Energy Ministers Meeting held in Dakar on 7th November 2003;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the decision attached hereto on the European Initiative on Energy for Poverty Eradication and Sustainable Development.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 - 18 December 2003

RECOMMENDATION C/REC.3/12/03 ON THE REGIONAL RURAL ELECTRIFICATION PROGRAMME

THE COUNCIL OF MINISTERS,

Mindful of articles 10,11 and 12 of the revised Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of decision A/DEC. 3/5/82 on the ECOWAS energy policy;

Mindful of decision A/DEC.5/12/99 setting up a West African Power Pool;

Recalling regulation C/REG.7/12/99 on the adoption of a master plan for the development of energy production facilities and the interconnection of the electricity grids of the ECOWAS Member States;

Bearing in mind the aims and objectives of ECOWAS which are the promotion of economic cooperation and integration for the purpose of establishing an economic union to improve the welfare of its peoples, maintaining and increasing economic stability, cementing relations between the Member States and contributing to the progress and development of the African continent;

Deploring the almost total inaccessibility of modern energy sources to the rural population of the sub-region;

Considering the millennium development objective fixed by the UNO of reducing poverty by half by 2015 and the objectives of the Poverty Reduction Strategy Papers (PRSPs);

Aware of the urgent need to accelerate the pace of the WAPP implementation process in order to made electricity available to all the peoples of West Africa within the shortest possible time;

Noting the will of the European Union Commission and its Member States, confirmed at the Nairobi conference on the European Union energy initiative, to include the energy development programmes of the ACP countries in the national and regional (PRSPs);

Having considered the memorandum from the Executive Secretariat on the regional rural electrification programme;

RECOMMENDS

To the Authority of Heads of State and Government to adopt the decision attached hereto on the regional rural electrification programme.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR THE COUNCIL

FIFTY-FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December, 2003

RECOMMENDATION C/REC.4/12/03 RELATING TO THE RENEWAL OF THE TENURE OF THREE (3) 3UDGES OF THE COMMUNITY COURT OF JUSTICE (CCJ)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Articles 6 and 15 of the Treaty establishing the Community Court of Justice (CCJ) as an Institution of the Community;

MINDFUL of Protocol A/P.1/7/91 defining the status, composition, powers procedure and other issues concerning the Community Court of Justice (CCJ);

MINDFUL of Article 3 of the said Protocol relating to the composition of the court and the appointment of the Judges;

MINDFUL of Decision A/Dec.1/12/00 appointing the seven (7) Judges of the Community Court of Justice and recalling that the Judges took their oath of office in Bamako on 30th January, 2001, before the Chairman of the Authority;

MINDFUL of Article 4 (1) of the Protocol of the Court which prescribes the tenure of the Judges, their renewal or reappointment on the basis of eligibility for another period of five (5) years amongst other issues;

MINDFUL of Decision A/Dec. 1/12/00 appointing the seven (7) Judges of the Community Court of Justice and recalling that the Judges took their oath of office in Bamako on 30th January, 2001, before the Chairman of the Authority;

CONSIDERING that in view of the provisions of Article 4 (1) of the Protocol of the Court, the tenure of three (3) of the first time Judges of the Community Court of Justice shall expire by 28th January, 2004;

CONSIDERING also the report of the meeting of the Ad Hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Abuja on 25th November, 2003 in relation to the renewal of the tenure of the three (3) Judges;

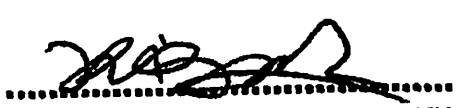
DESIRING to ensure that the Community Court of Justice continues to function with its full complement of Judges in 2004 at the expiration of the tenure of the three (3) Judges as indicated in a preceding paragraph.

HAVING CONSIDERED the presentation of the Executive Secretariat and the Community Court of Justice on the renewal of the tenure of 3 Judges of the Community Court of Justice (CCJ),

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the decision attached hereto on the renewal of the tenure of 3 Judges of the Community Court of Justice (CCJ).

DONE AT ACCRA, THIS 16TH DAY OF DECEMBER, 2003



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December 2003

RECOMMENDATION C/REC.5/12/03 ON THE REMUNERATION OF THE EXTERNAL AUDITOR FOR THE AUDIT OF THE ACCOUNTS OF THE PARLIAMENT, THE COURT OF JUSTICE AND THE WEST AFRICAN HEALTH ORGANISATION

THE COUNCIL OF MINISTERS,

Mindful of articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of Article 75 of the Treaty relating to the External Auditor;

Mindful of Decisions A/DEC.6/12/99 and A/DEC. 12/12/Olappointing and reviewing the appointment, respectively of the firm Coopers, Lybrand & Dieye as External Auditors to the ECOWAS institutions;

Mindful of the contract concluded between ECOWAS and the firm of Coopers, Lybrand & Dieye, dated 26 February 2000 for the services to be provided by the External Auditors to the ECOWAS Institutions;

Considering the fact that, at the time of the appointment of Coopers, Lybrand & Dieye, the Executive Secretariat and the ECOWAS Fund for Cooperation, Compensation and Development were the only ECOWAS institutions for which its services were engaged;

Considering the need to extend the services of Coopers, Lybrand &. Dieye to the ECOWAS Parliament, the ECOWAS Court of Justice and the West African Health Organisation;

Desirous of providing budgetary allocation to cover the fees of the External Auditors for the aforementioned services;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the draft decision attached hereto on the Remuneration of the External Auditor for the Audit of the Accounts of the Parliament, the Court of Justice and the West African Health Organisation.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 -18 December 2003

RECOMMENDATION C/REC.6/12/03 RELATING TO THE LIBERALISATION OF THE AIR TRANSPORT SECTOR IN WEST AFRICA

THE COUNCIL OF MINISTERS;

Mindful of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

Mindful of the 1999 Yamoussoukro Decision relating to the liberalization of the air transport market in West and Central Africa;

Recalling that the Yamoussoukro Decision aims at facilitating access to the air transport market in Africa;

Deploring the numerous obstacles impeding the implementation of the Yamoussoukro Decision;

Aware of the need to facilitate free movement of persons and goods within the Community and to interconnect the capitals of Member States to make them directly accessible to national air transporters;

Desiring to adopt an action plan and measures capable of transforming the air transport sector into a sub-regional liberalized market;

RECOMMENDS

To the Heads of State and Government to adopt the attached draft decision relating to the liberalization of the air transport sector in West Africa.

DONE AT ACCRA THIS 18TH DAY OF DECEMBER, 2003

HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

FIFTY- FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 - 18 December 2003

RECOMMANDATION C/REC.7/12/03 ON THE ESTABLISHMENT OF AN ECOWAS TECHNICAL COMMISSION TO ADDRESS ISSUES RELATING TO GENDER EQUALITY

THE COUNCIL OF MINISTERS,

MINDFUL of articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 63 of the Treaty on Women and Development which mandates all Member States to formulate, harmonise, coordinate and establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural conditions of women;

CONSIDERING the recommendations of the meeting of Ministers of Women Affairs of ECOWAS Member States held in Abuja on 9th December 2002, for the establishment of a Gender Management Systems Structure in the Sub-region which will facilitate the application of Gender mainstreaming principles within the Community and the evolution of an ECOWAS Gender Policy;

RECOGNISING that within the framework of ECOWAS integration objectives, a Gender Policy will enhance the participation and contribution of all sectors of the population, including women, and key partners in socio-economic development in a way that brings about social justice and equitable living standards;

MINDFUL of Article 22 of the Treaty on the establishment of new technical Commissions for the Community;

DESIRING to create structures that will help develop Gender equality, programmes and projects and promote the establishment and maintenance of gender equality principles within Member States of

the Community;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the draft Decision attached hereto on the on the Establishment of an ECOWAS Technical Commission to address Issues relating to Gender Equality.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

MEETING OF MINISTERS OF FOREIGN AFFAIRS
Accra, 18 December 2003

RECOMMENDATION MFA/REC. 1/12/03 RELATING TO THE ADOPTION OF A COOPERATION AGREEMENT ON CRIMINAL MATTERS BETWEEN MEMBER STATES POLICE FORCES

THE MINISTERS OF FOREIGN AFFAIRS;

Mindful of Article 19 (3) (c) of the ECOWASTreaty providing for the organisation of sectoral meetings at Ministerial level to consider sectoral issues which contribute to the attainment of the objectives of the Community;

MINDFUL of Convention A/P1/7/92 on Mutual Assistance in Criminal matters adopted by the Authority on 29th July 1992 which entered into force on 28th October 1998 and which provides a broad based framework for collaboration amongst Member States on Criminal matters;

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by the Authority of Heads of State and Government in December 1999 which places premium on the maintenance of sub-regional security by the Community and goes on to prescribe measures for addressing trans-border crime in the sub-region with a view to improving general security within the region;

CONSIDERING other initiatives and Protocols adopted by the Community in its fight against trans-border crimes all forms of criminality, in particular the establishment of the Inter-Government Action Group against money laundering, the Moratorium on small arms, the initial action plan against Trafficking in Persons, and the adoption of the Protocol on the fight against corruption;

RECOGNISING the importance of a multilateral approach to crime eradication, the need to enhance

the capacity of law enforcement agents, in particular, the police and establish effective tools for a more pragmatic approach to law enforcement and the control of crime;

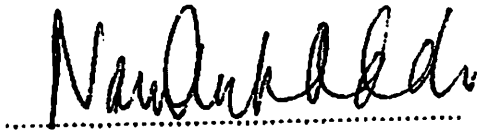
DESIRING to ensure joint and collaborative action amongst Member States' Police Forces in the fight against crime within the sub-region;

ON THE RECOMMENDATION of the meeting of Ministers in charge of Security held in Lome on 7th March 2003;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the attached draft Decision relating to the adoption of a Cooperation Agreement on Criminal Matters between Member States' Police Forces.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER 2003



H.E. NANA AKUFO ADDO
CHAIRMAN
FOR THE MEETING

AGREEMENT ON COOPERATION IN CRIMINAL MATTERS BETWEEN THE POLICE OF MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

PREAMBLE

The Governments of the Member States of the Economic Community of West African States;

Mindful of articles 7,8 and 9 of the Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

Mindful of the provisions of Chapter III, article 6 of the Treaty on the creation of the ECOWAS institutions;

Mindful of article 58 of the ECOWAS Treaty on regional security;

Mindful of the ECOWAS Protocols on Free Movement of Persons, Right of Residence and Establishment, and recalling the introduction of the ECOWAS passport;

Mindful of Convention A/P2/7/92, dated 29 July 1992 on Mutual Assistance in Criminal Matters;

Mindful of the Convention on Extradition, A/P1/8/94, dated 6 August, 1994;

Mindful of the Protocol on the ECOWAS Mechanism for Conflict Prevention, Management and Resolution, Peace-keeping and Security, dated 10 December 1999;

Mindful of Protocol A/P3/12/01, dated 21 December 2001, on the fight against Corruption and the ECOWAS Plan of Action against Trafficking in Persons;

Mindful of the Cooperation Agreement between the Economic Community of West African States (ECOWAS) and the International Criminal Police Organisation, Interpol;

Conscious of the need to combat crimes which constitute a serious threat to the security, peace and stability of countries in the sub-region and also impede the development of West Africa;

Convinced that the fight against this form of crime will require concerted action involving the movement of security agents from one country to another;

Considering that the fight against transnational crime is a common cause for concern, and as such, necessitates joint action on the part of the ECOWAS Member States;

Convinced that by pooling their resources and sharing experiences, the security agencies of the Member States will be able to accelerate investigations and increase their effectiveness, thereby combating trans-national crime more effectively

Desirous of promoting closer cooperation between the relevant security agencies of Member States of the Community in order to ensure greater protection of human lives and property;

Resolved jointly to take new measures to improve the training of security agents in order to equip them to respond to the challenges of cooperation in the fight against transnational crime;

Determined to harmonise the ECOWAS institutions and instruments with a view to correcting the inadequacies in the cooperation between the police services of all the ECOWAS Member States;

Realising the need to adapt this cooperation to the realities facing the ECOWAS Zone;

Considering the existence of a form of cooperation between the police services of the contracting parties through the National Central Bureau of the International Criminal Police Organisation (NCB-Interpol) within the framework of Interpol;

Bearing in mind the principles of the United Nations Charter, the charter of the Organisation of African Unity(African Union)/Constitutive Act of the African Union and their Supplementary Protocols;

Bearing in mind also the Inter-governmental Action Group Against Money Laundering (GIABA), the West African Chiefs of Police Committee, and the Drug Control Unit established within ECOWAS, as well as those of the sub-regional Interpol Office in Abidjan;

HAVE AGREED AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

Article 1 Definitions

For the purpose of this Agreement,

"NCB-Interpol" means the National Central Bureau of the International Criminal Police Organisation;

"WAPCCO" means the Committee of West African Chiefs of Police;

"ECOWAS" means the Economic Community of West African States, establishment of which has been reaffirmed by Article 2 of the ECOWAS Treaty;

"Crime" or "Transnational Organised crime" means any act involving illicit trafficking in drugs, terrorism, trafficking in persons, money laundering, counterfeiting, and other forms of crimes;

"Member State" means a Member State of the Community;

"ICPO-Interpol" means the International Criminal Police Organisation;

"Executive Secretariat" means the ECOWAS Executive Secretariat;

"Security Services" means the Police,

Gendarmerie, Customs, and other law enforcement agencies;

"Sub-region" means the West African sub-region;

"Treaty" means the Treaty of the Economic Community of West African States, signed in Cotonou on 24 July 1993;

"SRB" means the Interpol sub-regional bureau in Abidjan.

Article 2

There is hereby established between the Contracting Parties a cooperation agreement on criminal matters. The objectives of the Agreement are:

1. To promote cooperation among police forces in the ECOWAS Sub-Region;
2. To institute a dynamic operating mechanism for the structures established to facilitate cooperation.

Article 3

1. The security services of each Contracting Party shall, within their respective territories, cooperate in the search for persons wanted in connection with a common law offence and in tracing any crime-related objects and properties.
2. The relevant security services of the Contracting Parties shall, as the occasion demands, undertake joint routine or specific police operations against particular types of transnational crime.
3. The security services involved In participating in the joint operations referred to in paragraph 2 above, shall comply with the instructions of the appropriate authorities of the State within whose territory such operations are conducted.

Article 4

1. The National Central Bureaux of the International Criminal Police Organisation (NCB-Interpol) of each country will act as the liaison between the different security services of the Contracting Parties within the framework of this agreement.

Article 5

1. The Interpol sub-regional office in Abidjan, shall, at least once a year, assess the level of crime and the degree of police cooperation within the framework of this agreement.
2. The SRB shall submit a detailed report thereon to WAPCCO;
3. WAPCCO shall submit this report together with any recommendations to the meeting of Ministers responsible for security matters.

CHAPTER II

EXCHANGE OF INFORMATION

Article 6

1. In order to effectively prevent and combat crime in the ECOWAS sub-region, the security services of the Contracting Parties shall, within the framework of this Agreement, and in conformity with article 46 of the ECOWAS Protocol on the Mechanism for Conflict Prevention, Management and Resolution, Peace-keeping and Security, exchange information relating to criminal investigation, crime prevention, and general police matters as follows:-

   a. Information in Relation to Criminal Investigation

   The police services of the Contracting Parties shall investigate and exchange information on:

   * authors and co-authors of common law crimes as well as their accomplices;
   * objects connected in any way to a crime or an attempted crime;
   * elements needed to establish proof of a crime or an attempted crime;
   * arrests and police investigations into the activities of nationals of other Member

States and persons residing in their territories.

b. Crime Prevention

The police services of the Contracting Parties shall investigate and exchange information on:

- modus operandi;
- notification of the passage at a border crossing point of persons needing protection, persons wanted by the police, persons to be placed under close surveillance, suspected vehicles, dangerous or banned objects, etc.

c. Police Information of a General Nature

The police services of Contracting Parties shall exchange police information of a general nature as follows:-

* sudden or accidental death;
* serious road accidents;
* suspension or authentication of driving licences issued in another country in the sub-region;
* notices of missing persons;
* requests for search for missing and identifiable valuables
* notice of authentication of vehicle registration etc.

Article 7

1. Requests for information and transmission of such information under the terms of Article 6 of this Agreement may be effected by any legal and safe means of communication;

2. However, each receiving service may demand written confirmation of information communicated orally or by telephone.

CHAPTER 3
MISSIONS ABROAD

Article 8

1. The Contracting Parties mutually undertake to permit criminal investigation missions to be conducted in their respective territories;
2. Officials authorised to participate in the conduct of criminal investigations abroad, shall be those officials authorised to carry out such activities under the laws of the Contracting Parties;
3. The appropriate police services of the Contracting Parties shall, in compliance with articles 2 and 3 of this Agreement, endeavour to facilitate any authorised criminal investigation mission in their territory;
4. Investigations conducted by the Police Department of the host country in connection with a mission by police officials of the requesting country shall be carried out in accordance with the internal procedures of the host country.
5. However during the course of such missions, police officials of the Contracting Parties may be authorised by the host country to take part in the investigations.

Article 9

1. All movements of officials of the Police Department of the Contracting Parties outside their national territories shall be prepared and organised with the assistance of NCB-Interpol and shall require the official authorisation of the requested State.

2. To this end, the requesting NCB-Interpol shall address a written request to the corresponding unit in the requested country for authorisation to conduct a

liaison or investigative mission.

3. Requests for authorisation as provided for in paragraph 2 of this Article shall be transmitted expeditiously through the NCB of the requesting and requested State respectively.

4. Responses must reach the requesting fifteen days.

5. Any refusal to authorise a mission by officials of the security services of one of the Contracting Parties must be substantiated and the requesting State duly notified of such refusal within the time frame stipulated in paragraph 8 of this article.

6. For the purposes of the implementation of article 2 of this Agreement, the Contracting Parries are urged to use the NCBs as intermediaries to access Interpol cooperation instruments, and, in particular, the red alert system signaling persons wanted internationally for arrest or extradition, and the crime database of the Interpol General Secretariat.

Article 10

1. The Heads of Interpol NCBs shall interact with the appropriate authorities in order to facilitate procedure for the authorisation and conduct of foreign police missions.

Article 11

1. Suspects apprehended during the course of an investigation abroad may be handed over by the authorities of the host country to the foreign police officials if they are of the same nationality.

2. Suspects apprehended under the same circumstances, who are nationals of other ECOWAS countries, shall appear before the appropriate court of the requested State, which shall determine the measures to be taken against them.

3. Any other person wanted by the authorities of an ECOWAS State, discovered by accident in the territory of another ECOWAS Member State may be arrested and brought before the judicial authorities which shall pronounce sentence, with or without a warrant for committal, pending the completion of the procedures prescribed by national law and the terms of existing agreements between the Contracting Parties.

4. The application of the provisions of paragraphs 1, 2 and 3 above shall in no way contravene national laws or any agreements existing between the Contracting Parties.

Article 12

1. In order to facilitate investigations during police missions abroad, the officials of the requesting country may be accompanied by any person who may play a useful role in the investigations;

2. Where the persons referred to in paragraph 1 above are implicated, they may be placed under surveillance by the security services of the requested State at the request of the visiting officials.

CHAPTER 4
SEIZURES AND TRANSMISSION

Article 13

The Police Departments of the Contracting Parties shall, in conformity with their National laws, transmit the following to each other:

* objects seized on the grounds that they are the proceeds of, or are connected with a

common-law crime;

* lost property or property belonging to a deceased or missing foreign national;

* police reports of investigations of citizens of one of the Contracting Parties, which may include investigation records, witness interrogation records, records of searches of premises, body searches, seizures etc.

Article 14

1. The objects referred to in article 13 above shall be transmitted by post. However, in cases of emergency, or when special precautions are necessary by reason of the nature of the object, it may be transmitted by any other appropriate means.

2. The application of the provisions of this article shall not be detrimental to the rights of third parties.

CHAPTER 5
TRAINING

Article 15

1. The Contracting Parties shall organise professional seminars or advanced training courses in the following, and other areas, as the occasion demands:

* crime prevention techniques and methods;
* criminal identification methods;
* criminal information analysis techniques;
* gathering of evidence etc.;
* disaster victim identification techniques;
* identification techniques for weapons and explosives;
* new information and communication techniques.

2. The Contracting Parties shall encourage the organisation of language teaching programmes with a view to facilitating cooperation between the security services of the different Contracting Parties.

CHAPTER 6
FINAL PROVISIONS

Article 16

1. This Agreement shall enter into force provisionally upon signature by Heads of State and Government. Accordingly, signatory Member States, the Executive Secretariat, and the Interpol National Central Bureaux hereby undertake to start implementing all provisions of this Agreement upon signature.

2. This Agreement shall enter into force definitively upon ratification by at least nine (9) signatory States in accordance with the constitutional procedures of each Member State.

Article 17

This Agreement and all instruments of ratification/accession shall be deposited with the Executive Secretariat which shall transmit certified true copies to all Member States and notify them of the dates of deposit of instruments of ratification/accession by the Member States and shall register it with the African Union (AU), as well as the United Nations (UN) and any other Organisation as may be decided by the Authority.

Article 18

1. Any Member State wishing to withdraw from this Agreement shall give a one-year written notice to the Executive Secretary who shall inform Member States thereof. At the end of this period of one year, if such notice is not withdrawn, such a State shall cease to be party to the Agreement.

2. During the period of one year referred to in the preceding paragraph, such a Member State shall nevertheless continue to observe the provisions of this Agreement and discharge its obligations thereunder.

Article 19

1. Any Member State may submit proposals in writing for the amendment or review of this Agreement.

2. All proposed amendments or revisions shall be submitted to the Executive Secretary who shall inform the Member States thereafter no later than thirty (30) days from the date of receipt. The amendments or revisions shall be considered by the meeting of Ministers in charge of security who shall thereafter make recommendations to the Authority of Heads of State and Government.

3. Amendments or revisions to this Agreement shall also enter into force following the procedure prescribed under Article 16 above.

Article 20

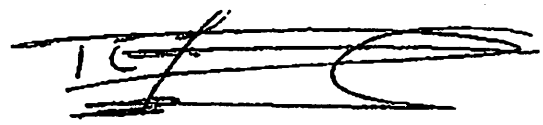
Any dispute which may arise between the Contracting Parties regarding the interpretation or application of this Agreement which cannot be settled through negotiations shall be referred to the ECOWAS Mediation and Security Council for arbitration.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS), HAVE SIGNED THIS AGREEMENT.

DONE AT ACCRA, THIS 19™ DAY OF DECEMBER 2003, IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH, AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC.

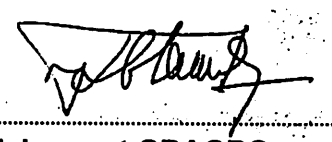


H. E. Mathieu KEREKOU
President of the Republic of BENIN

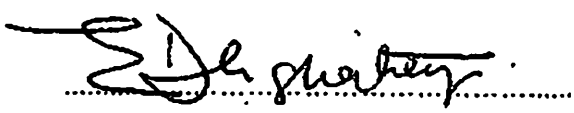


H. E. Ernest Paramanga YONLI
Prime Minister
For and on Behalf of the Republic of FASO

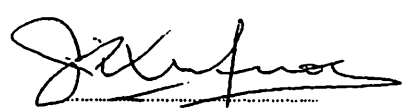
H. E. Jose Maria NEVES
Prime Minister of the Republic
of Cape Verde



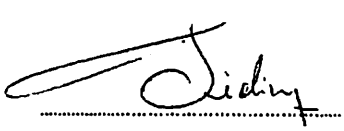
H. E. Laurent GBAGBO
President of the Republic of CÔTE
D'IVOIRE



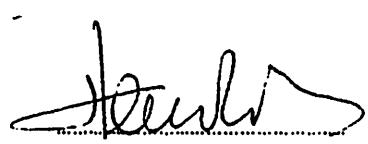
Mr. Edward SINGHATEY
Secretary of State for Trade, Industry &
Employment
For and on Behalf of the President of the
Republic of the GAMBIA



H. E. John Agyekum KUFUOR
President of the Republic of GHANA



H. E. Lamine SIDIME
Prime Minister
For and on Behalf of the President
of the Republic of GUINEA



H. E. Henrique Perreira ROSA
President of the Republic of
GUINEA-BISSAU

H. E. Gyude BRYANT
President of the National Transitional
Government of the Republic of LIBERIA

H. E. Amadou Toumani TOURE
President of the Republic of MALI

H. E. Mamadou TANDJA
President of the Republic of NIGER

H. E. Olusegun OBASANJO
President and Commander-in-Chief of
The Armed Forces of the Federal
Republic of NIGERIA

H. E. Maitre Abdoulaye WADE
President of the Republic of SENEGAL

H. E. Alhaji Dr. Ahmad Tejan KABBAH
President of the Republic of
SIERRA LEONE

H. E. Gnassingbe EYADEMA
President of the TOGOLESE Republic

MEETING OF MINISTERS OF FOREIGN AFFAIRS

Accra, 18 December 2003

RECOMMENDATION MFA/REC.3/12/03 RELATING TO THE GRANTING OF THE STATUS OF A SPECIALIZED INSTITUTION TO THE WEST AFRICAN POLICE CHIEFS COMMITTEE (WAPCCO)

THE MINISTERS OF FOREIGN AFFAIRS;

Mindful of Article 19 (3) (c) of the ECOWAS Treaty providing for the organisation of sectoral meetings at Ministerial level to consider sectoral issues which contribute to the attainment of the objectives of the Community;

MINDFUL of the establishment of the West African Police Chiefs Committee in 2001 as a Consultative body for Regional Police Cooperation;

AWARE that WAPCCO's principal objective is the creation of a forum or a police cooperation area that would strengthen the fight against transnational crime, facilitate the development of a sub-regional strategy for that purpose, whilst coordinating and encouraging joint activities of Member State Police forces in the fight against crime;

CONSIDERING the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security adopted by the Authority of Heads of State and Government in December 1999, which reinforces the Treaty provisions on the maintenance of peace and security in West Africa;

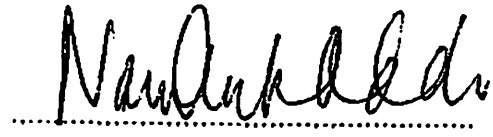
CONSIDERING the pivotal role to be played by WAPCCO in maintaining security in the sub-region;

RECOGNISING the need to improve the effectiveness of WAPCCO by integrating it into the Institutional framework of ECOWAS;

RECOMMENDS

To the Authority of Heads of State and Government to adopt the draft Decision attached hereto relating to the granting of the status of a specialized Institution to the West African Police Chiefs Committee (WAPCCO).

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



H. E. NANA AKUFO-ADDO
CHAIRMAN
FOR THE MEETING

REVISED CONSTITUTION OF THE WEST AFRICAN POLICE CHIEFS COMMITTEE (WAPCCO)

PREAMBLE

CONSIDERING the Interpol General Secretariat's Circulars DII.RCB/BR.AFR/249 of 11th May 1995 and DII.RCB/BR.AFR/96/469 of 18th January 1996 relating to the establishment of Interpol Sub-Regional Committees in Africa;

CONSIDERING the resolutions adopted by the 1st meeting of West African Police Chiefs Held on 20th and 21st March 1997 in Abuja, Nigeria;

CONSIDERING the resolutions adopted by the 2nd meeting of the West African Police Chiefs Committee held from 18th to 22nd June 1998 in Ouagadougou, Burkina Faso;

CONSIDERING the willingness expressed by the Interpol General Secretariat and by the Executive Secretariat of the Economic Community of West African States [ECOWAS) to harmonise their action programmes in the field of police co-operation and the fight against crime in West Africa;

CONSIDERING the need to create within West Africa a police co-operation area and to strengthen the fight against transnational crime;

CONVINCED of the need for such a co-operation framework;

THE CHIEFS OF POLICE OF THE FOLLOWING WEST AFRICAN STATES:

* Republic of Benin,
* Burkina Faso,
* Republic of Cape Verde,
* Republic of Côte d'Ivoire,
* Republic of Gambia,
* Republic of Ghana,
* Republic of Guinea,
* Republic of Guinea-Bissau,
* Republic of Liberia,
* Republic of Mali,
* Republic of Niger,
* Federal Republic of Nigeria,
* Republic of Senegal,
* Republic of Sierra Leone,
* Togolese Republic

HEREBY **ADOPT** the following :

CHAPTER I : ESTABLISHMENT, AIMS AND PRINCIPLES OF CO-OPERATION

Article 1 : Creation

(1) The Contracting Parties hereby establish the West African Police Chiefs Committee (WAPCCO) hereinafter referred to as "the Committee".

(2) WAPCCO is a specialized institution of the Economic Community of West African States (ECOWAS) and a consultative body for regional police cooperation for an indefinite period of time and with no permanent Headquarters.

(3) The members of the WAPCCO are Chiefs of Police of the Member States of Africa cited in the preamble.

Article 2 : Aims and missions

1. The aims of the West African Police Chiefs Committee (WAPCCO) shall be to;

   a) Improve co-operation between the police forces of West African States;
   b) Increase effectiveness in crime prevention and countering cross-border crime in the sub-region.

2. With a view to achieving those aims, the WAPCCO's missions are to:

   a) Define a sub-regional strategy for combating crime;

b) Identify the emergence of new forms of crime insofar as there are real indications of the scale and serious nature of the crime or the presence of an organized criminal structure in at least three (3) West African countries;

c) Co-ordinate co-operation activities for combating crime throughout West Africa;

d) Periodically inform national and sub-regional authorities responsible for security matters about the crime situation and about planned action programmes to combat crime.

Article 3 : Principles of co-operation

Co-operation between police forces of the countries in the sub-region within the WAPCCO framework shall be based on the following principles:

1. Respect of the national sovereignty of Members' States;
2. Equality between the national police forces of the States concerned;
3. Co-operation limited to ordinary law crimes;
4. Mutual advantages for all Members;
5. Respect for human rights;
6. Non-discrimination and flexible working methods;
7. Respect for any rules on international police co-operation matters likely to prpmote the aims and objectives of the WAPCCO;
8. Co-operation based on mutual respect and goodwill.

CHAPTER II: STRUCTURE AND ORGANISATION

Article 4: Chairman and Vice-Chairman

(1) The position of Chairman and the Vice Chairman of the Committee shall be open to all Chiefs of Police of West African countries, be they founding members or sub sequent members.

(2) The: Police Chief of the host country shall be the Chairman of the Committee for a period of one (1)

(3) He shall be assisted by a Vice Chairman who shall be elected among the members of by two-third majority for a term of office for one (1) year renewable, except the committee decides otherwise.

(4) Members shall be called upon to stand for election as Chairman and Vice-Chairman. The candidate obtaining the largest number of votes for the post considered shall be elected.

(5) During his term of office, the Chairman of the Committee shall be answerable to the Forum of Ministers responsible for police matters with regard to the implementation of regional directives to combat crime.

(6) For routine administrative work the Chairman shall appoint one or more officials from his Executive Office to perform secretarial duties in conjunction with the Committee's Permanent Secretariat for the duration of his term of office.

(7) If the Chairman is temporarily unable to fulfil his duties, the Vice-Chairman shall stand in for him. The Chairman or the Vice-Chairman shall notify the other members of the Committee of the interim.

(8) If the position of Chairman becomes vacant, the new Chief of Police of the country of origir;of the Chairman shall take over the presidency for the remainder of the term of office: The Chief of

Police shall inform members of the Committee, Sub-Committees, the Committee's Secretariat and the Forum of Ministers of the new situation as soon as possible.

(9) The procedure referred to in paragraph (8) above applies if the position of Vice-Chairman of the Committee becomes vacant.

Article 5 : The Committee

1. The terms; of office of Committee members is indefinite, except for the cases provided for in Article 14(2) and Article 15(1, a) and 15 (1,b).

2. The Chairman shall convene an ordinary session of the Committee once a year unless it is decided otherwise.

3. However, extraordinary sessions may also be held when necessary.

4. The arrangements for convening and organizing the Committee sessions, choosing the host country and the composition of delegations shall be defined in the Committee's Rules of Procedure.

Article 6 : Technical organs

1. The WAPCCO shall be assisted by technical bodies. These are:

   * Two (2) standing technical Sub-Committees, the Sub-Committee on Harmonisation of Legislation and the Sub-Committee on Training and Co-ordir|ation of Operational Activities;

   * A Permanent Secretariat.

2. There shall be no limit on the number of bodies within the WAPCCO depending on co-operation requirements, the Committee may decide to set up other subsidiary bodies to assist it in fulfilling its missions as defined in Article 2 (2) of the present Constitution.

Article 7 : Sub-committee on harmonisation of legislation

1. The Sub-Committee on Harmonisation of Legislation shall be mainly composed of Police officials and possibly representatives from other national enforcement services appointed by the countries concerned. The subcommittee shall be placed under the authority of a co-ordinator elected from among the Subcommittee members for a period of one (1) year. Each country shall be represented on the Sub-Committee by one (1) official or several officials.

2. The Sub-Committee shall be responsible for, inter alia:

   a) Questions relating to the implementation of the West African Police Co-operation Agreement;

   b) Questions relating to the harmonisation of legislation with regard to the Specific types of crime affecting West Africa;

   c) Monitoring and implementing recommendations made by the Committee and resolutions adopted by the Interpol General Assembly which concern international police co-operation;

   d) Monitoring the implementation of service standards by West African NCBs.

   e) Collecting and circulating information relating to the legal and practical conditions applying to co-operation missions and investigations carried out between West African police forces;

Article 8 : Sub-committee on training and co-ordination of Operational police activities

1. The Sub-Committee on Training and Co-ordination of Operational Police Activities shall be mainly composed of police officials and possibly representatives from other national law

enforcement services appointed by the countries concerned. The Sub-Committee shall be placed under the authority of a co-ordinator elected from among the subcommittee members for a period of one (1) year. Each country shall be represented on the Sub-Committee by one (1) official or several officials.

2. The Sub-Comrrlittee shall be responsible for, inter alia:
   a) Training and harmonisation teaching programmes in the sub-region's police colleges;
   b) Prompting international police co-operation at West African national police colleges and possibly Gendarmerie colleges;
   c) Documenting, planning organising and supervising joint or simultaneous police operations against particular forms of crime.

Article 9 : Sub-Committee reporting

The Technical Sub-Committees referred to in Articles 5 and 6 shall report to the Chairman of the Committee at least twice yearly and as often as necessary through the Permanent Secretariat.

Article 10 : Permanent Secretariat

In addition to its Interpol status, the Interpol Sub-Regional Bureau (SRB) for West and Central Africa shall be designated as the Permanent Secretariat of the West African Police Chiefs Committee.

Article 11 : Aims and object of the Permanent Secretariat

In conformity with Article 10, the Permanent Secretariat, in conjunction with the technical Sub-Committees, shall be responsible for the following at West African level:

1. Analysing and assessing police information concerning the sub-region of West Africa;
2. Studying and providing regular reports on international crime in the sub-region;
3. Guaranteeing the exchange of information during large-scale investigative missions or specific joint operations organized in the sub-region;
4. Becoming-involved in organizing regional and international meetings and conferences on crime in the sub-region;
5. Identifying new requirements and studying and making proposals for improving International police co-operation in the sub-region;
6. Coordinating Interpol activities with those of other international organisations in areas of mutual concern within the sub-region;
7. Developing initiative and encouraging practices likely to strengthen cooperation within the framework provided by the WAPCCO;
8. Such a framework shall not constitute an obstacle to bilateral agreements between countries whose nationals are members of the Committee.

Article 12 : Right to vote

Each member shall have the right to vote and shall have one vote.

Article 13: Adoption of resolutions

1. The quorum required shall be half the number of the Committee members present plus one;
2. An absolute majority of the members shall be required for the approval of the resolutions pertaining to the adoption or amendment of the present Constitution as provided for in Article 17, and the adoption or amendment of the Rules of Procedure of the Committee, as provided for in Article 27.

3. All other resolutions must be adopted by a two-third majority of the Committee members present.

CHAPTER III : MEMBERSHIP OF WAPCCO AND LOSS OF THE RIGHT OF MEMBERSHIP

Article 14: Membership of WAPCOO

(1) Membership of the WAPCCO shall be open *ex-officio* to chiefs of Police of those West African countries, which are signatories to the present constitution or accede to

(2) The right to join and be a member of WAPCCO shall be linked to the position of the Chief of Police. If a Committee member no longer holds that position, the right will be transferred to the new Chief of Police.

Article 15: Loss of the right of membership

(1) The right of membership shall be forfeited by any WAPCCO member who :

(a) Decides to resign from the committee
(b) No longer holds the position of national Chief of police, as referred to in Article 14 (2).

(2) Letters of resignation shall be addressed to the Chairman or Vice Chairman who will inform other members immediately. The Committee shall take note of the decision of the resigning member.

CHAPTER IV; SETTLEMENT OF DISPUTES

Article 16: Procedure for settlement of disputes

1. Disputes linked to the functioning of the WAPCCO between Committee members or their respective police forces shall, irrespective of the reasons for the dispute, be settled within the WAPCCO through negotiation.

2. Negotiations to end a dispute shall be led by at least two (2) Committee members appointed for this purpose by the Chairman.

3. Should the Committee members thus appointed to lead negotiations fail to settle a dispute, they shall inform the Chairman who may intervene in person.

4. Should the Chairman himself be involved in a dispute, the next most senior member will appoint at least two members to settle the dispute.

CHAPITRE V : FINAL PROVISIONS

Article 17 : Amendment and entry into force

1. The present Constitution may be amended whenever necessary. Amendments may be proposed by any member and should be addressed to the Chairman of the WAPCCO through the Permanent Secretariat.

2. The present Constitution shall abrogate the resolution founding the WAPCCO which was adopted at the first meeting of West African Police Chiefs, held in Abuja in 1997.

3. The present Constitution shall enter into force when it is adopted and signed by the Members of WAPCCO.

4. The Executive Secretariat of ECOWAS is the depository for the present Constitution.

Done in Abuja, this 23rd Day September of the year 2004, in three (3) originals in English, French and Portuguese languages, all texts being equally authentic.

The Chief of Police of:

The Republic of Benin .....

The Burkina Faso .....

The Republic of Cape Verde .....

The Republic of Côte d'Ivoire .....

The Republic of The Gambia .....

The Republic of Ghana.....

The Republic of Guinea.....

The Republic of Guinea Bissau.....

The Republic of Liberia .....

The Republic of Mali .....

The Republic of Niger .....

Federal Republic of Nigeria .....

The Republic of Senegal.....

The Republic of Sierra Leone.....

The Togolese Republic .....

MEETING OF FOREIGN AFFAIRS

Accra, 18 December 2003

RECOMMENDATION MFA/REC.4/12/03 RELATING TO EXTENSION OF THE ECOWAS INITIAL PLAN OF ACTION ON THE FIGHT AGAINST TRAFFICKING IN PERSONS (2002 - 2003)

THE MEETING OF FOREIGN AFFAIRS,

Mindful of Article 19 (3) (c) of the ECOWAS Treaty providing for the organisation of sectoral meetings at Ministerial level to consider sectoral issues which contribute to the attainment of the objectives of the Community;

MINDFUL of the Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security which relates to the maintenance of security and the control of trans-border within the Community;

RECALLING the Declaration A/DCL 2/12/01 on the Fight Against Trafficking in Persons which was issued at the twenty-fifth Summit of the Authority in Dakar, December 2001, unequivocally condemning the offence of trafficking in persons and asserting the unacceptability of trade in human beings;

ALSO RECALLING the Initial Plan of Action on the fight against trafficking adopted for the sub-region for the period 2002-2003 containing measures that address the deplorable phenomenon of trafficking in persons;

DEEPLY CONCERNED over the continued rise in the incidence of trafficking in persons within the West African Sub-region and from our Member States to other parts of the World;

MINDFUL of the global fight against trafficking in persons illustrated by the United Nations Convention on Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and wishing to ensure that the West African sub-region remains a part of this global initiative;

RECOGNISING the ECOWAS Initial Plan of Action of 2002-2003 as an effective tool for sub-regional cooperation and for the enhancement of Member States' individual and collective capacities to fight the offence of trafficking in human beings and establish protective measures against that offence;

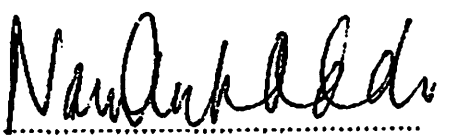
DESIRING to extend the life of the ECOWAS Initial Plan of Action on the Fight Against Trafficking in Persons to 2004-2005;

HAVING CONSIDERED the Memorandum from the Executive Secretariat on the need to extend the life of ECOWAS Initial Plan of Action on the Fight Against Trafficking in Persons;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the attached draft decision relating to Extension of the ECOWAS Initial Plan of Action in the Fight Against Trafficking in Persons to 2004 - 2005.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



H.E. NANA AKUFO-ADDO
CHAIRMAN
FOR THE MEETING

ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003)

ECOWAS PLAN OF ACTION AGAINST TRAFFICKING IN PERSONS (2002-2003)

This document outlines the most urgent actions against trafficking in persons to be taken by ECOWAS Member States within the years 2002 - 2003, with a focus on criminal justice responses. A more detailed and far-reaching action plan should be developed in the year 2003 on the basis of an in-depth evaluation of the implementation of the Initial Plan of Action.

Legal Framework and Policy Development

1. States who have not yet done so, shall ratify forthwith and fully implement *ECOWAS Convention A/P1/7/92 on Mutual Assistance in Criminal Matters* and *ECOWAS Convention A/P1/8/94 on Extradition.*

Input:	National Government
Success indicator:	Conventions ratified
To be completed by:	as soon as possible, but not later than December 2002

2. States who have not yet done so, shall sign, ratify, and fully implement the *African Charter on the Rights and Welfare of the Child.*

Input:	National Government
Success indicator:	Charter ratified
To be completed by:	as soon as possible, but not later than December 2002

3. States who have not yet done so, shall sign, ratify, and fully implement the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention.*

Input:	National Government, ODCCP/CICP
Success indicator:	Convention and Protocol ratified
To be completed by:	as soon as possible, but not later than December 2002

4. States shall adopt laws criminalizing trafficking in human beings in line with the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children thereto.*

Input:	National Government
Success indicator:	Criminal Code amended
To be completed by:	December 2003

5. States shall adopt and implement the laws and administrative structures needed to support the provisions of *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children,* supplementing the Convention, governing international co-operation and assistance in preventing, investigating and prosecuting cases of trafficking by organized criminal groups.

Input:	National Government
Success indicator:	Criminal Code amended
To be completed by:	December 2003

6. States shall adopt legal provisions for the protection of victims of trafficking, and ensure that their domestic legal systems contain measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Input:	National Government
Success indicator:	Criminal and/or Civil Code and Procedures amended as appropriate

To be completed by: December 2003

7. States shall ensure that their laws and administrative practices provide information to victims about the status of relevant criminal and other legal proceedings and an opportunity to voice their views and concerns in a manner not prejudicial to the rights of the defense and that the status of any such proceedings are considered prior to any repatriation of the victim.

Input:	National Government
Success indicator:	Criminal and/or Civil Code and Procedures amended as appropriate
To be completed by:	December 2003

8. States shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in their territory, temporarily or permanently, in appropriate cases; and shall give appropriate consideration to humanitarian and compassionate factors in the consideration of permitting victims of trafficking to remain in their territory.

Input:	National Government
Success indicator:	Immigration code and regulations amended
To be completed by:	December 2003

9. States shall take responsibility for victims of trafficking in persons, who are their nationals, or persons with the right of permanent residence in their territory at the time of entry into the territory of the receiving State by facilitating and accepting, with due regard for the safety of such persons, the return of such persons without undue or unreasonable delay.

Input:	National Government
Success indicator:	Immigration and emigration regulations amended, system of repatriation established
To be completed by:	December 2003

10. States shall take measures that permit the denial of entry into the country and/or the revocation of visas of persons wanted for the commission of crimes related to the trafficking in persons.

Input:	National Government
Success indicator:	Immigration and emigration regulations amended
To be completed by:	December 2003

11. States shall establish a National Task Force on Trafficking in Persons that will bring together relevant Ministries and Agencies in developing policy and taking action against trafficking in persons, and calling on Inter-Governmental Organizations, Non-Governmental Organizations, and other representatives of civil society, as necessary.

Input:	National Government, Inter-Governmental Organizations, Non-Governmental Organizations and other representatives of civil society
Success indicator:	National Task Force designated and operating
To be completed by:	June 2002

12. The National Task Force designated by each State shall develop recommendations for a national plan of action against trafficking in persons. The National Task Force should also monitor and report through their government to the ECOWAS Secretariat on the progress of the implementation of this Initial Plan of Action.

Input:	National Government, IGOs, NGOs and other groups
Success indicator:	National Task Force

	completes preliminary draft of the national plan of action in 2002 and reports regularly to ECOWAS
To be completed by:	December 2002 / ongoing

13. A Unit for the co-ordination of the efforts to combat trafficking in persons shall be established within the ECOWAS Secretariat. Pending the establishment of this Unit, the Legal Department of ECOWAS Executive Secretariat shall co-ordinate and monitor the implementation of this Plan of Action and follow-up on other related developments in Member States in the fight against trafficking in persons.

Input:	ECOWAS Secretariat and ECOWAS Member States
Success indicator:	Office staffed, equipped and funded
To be completed by:	Unit to be operational by December 2002

Protection and Support of Victims of Trafficking in Persons

1. States, in co-operation with NGOs and other representatives of civil society as appropriate, shall take measures to create or develop the capacity of the reception centres where victims of trafficking in persons can be sheltered. These centres shall provide physical security, basic material assistance, medical care, and counseling and information to victims of trafficking, particularly on legal assistance, and reporting and filing complaints, taking into account the special needs and legal status of children.

Input:	National Government (Ministries of Justice /Social Affairs), and local NGOs; IGOs and NGOs for material support and expertise, as required.
Success indicator:	Reception centres open and receiving clients
To be completed by:	At least one centre open in each country by June 2003

2. States shall encourage victims of trafficking to testify in the investigation and prosecution of cases of trafficking in persons, by giving due consideration to the safety and security of victims and witnesses at all stages of legal proceedings, permitting them to remain in their territory.

Input:	National Government (Ministries of Justice /Social Affairs), NGOs, and other civil society groups
Success indicator:	Relevant codes amended, Victim/witness protection available
To be completed by:	Victim/witness support program operational by June 2003.

3. ECOWAS shall establish a fund for victims of trafficking. The fund shall be used in particular to provide support to States for the repatriation of victims of trafficking.

Input:	ECOWAS Secretariat and National Government
Success indicator:	ECOWAS fund for victims of trafficking established and minimum funding provide
To be completed by:	December 2003

Prevention and Awareness Raising

1. States, in partnership with NGOs, other civil society groups, and public and private media, || shall develop and disseminate public awareness materials focusing on (a) raising public understanding that trafficking in persons is a crime, and (b) discouraging the demand that If leads to trafficking, particularly by addressing those who might exploit victims of trafficking, <j | for example as child domestics or farm labourers.

Input: Government social service agencies; Government media and public education agencies, media outlets, local NGOs, international NGOs and IGOs, particularly IOM, ILO and UNICEF.

Success indicator: Various types of awareness raising undertaken, including radio spots, broadcasts, newspaper advertisements. Material support and expertise provided.

To be completed by: December 2002

2. States, in partnership with NGOs, other civil society groups, and public and private media,]! shall develop and implement public awareness campaigns aimed at potential victims of']| trafficking, using both traditional channels of information as well as the mass media. Such]I materials and activities should aim to raise the awareness of potential victims to the types j| of enticements and recruitment methods used by traffickers. Awareness campaigns should!:?! reflect local cultures and traditions and offer information in local languages. Initially, such|| campaigns should target vulnerable groups, particularly children likely to be trafficked^ within the sub-region for labour exploitation, and women and children likely to be trafficked j | for sexual exploitation internationally.

Input: Government social service agencies; Government media and public education agencies; Government and private education systems, media outlets, NGOs and IGOs, particularly IOM, ILO and UNICEF Success indicator: Radio spots broadcast, leaflets distributed in majority of schools, as well as information campaigns addressing local communities and community leaders undertaken. Material support and expertise provided.

To be completed by: December 2003

3. States, NGOs and other civil society groups, in consultation with the ECOWAS, shall prepare information materials concerning the practice and risks of trafficking in persons. Such materials shall, where appropriate, be disseminated to visa applicants, and distributed to any other part of the travelling public at international borders and on public transportation and carriers.

Input: Government diplomatic services, other relevant Government agencies, media and public education agencies, Government and private education systems, NGOs, IGOs particularly IOM, ILO and UNICEF.

Success indicator: Materials available at embassies and consulates for

distribution to visa applicants and others. Materials available for distribution at ports of entry and on carriers

To be completed by: December 2002

Collection, Exchange and Analysis of Information

1. States shall establish direct channels of communication between their border control agencies. They shall initiate or expand efforts to gather and analyze data on trafficking in persons, including on the means and methods used, on the situation, magnitude, nature, and economics of trafficking in persons, particularly of women and children. States shall share such information, as appropriate, within ECOWAS, and with law enforcement agencies and other agencies of countries of origin, transit and destination, as well as with the United Nations Center for International Crime Prevention and other relevant international organizations.

Input:	National Government (Passport Offices and Immigration Agencies, Law Enforcement Agencies, Border Control Agencies, Social Service Agencies, National Statistical Offices), ODCCP/CICP, Interpol, and other relevant IGOs.
Success indicator:	Standardized formats for collection of information agreed and data collection procedures in place. Material support and data available.
To be completed by:	December 2002

2. States with shared borders shall establish joint border patrols trained in the prevention of trafficking in persons. The ECOWAS Unit for the co-ordination of the efforts to combat trafficking in persons should facilitate, upon request, such coordination efforts.

Input:	ECOWAS Secretariat, Government immigration and border control agencies.
Success indicator:	Joint border control established and staff trained.
To be completed by:	December 2002

Specialization and Training

1. States shall create special units, within existing law enforcement structures, with a specific mandate to develop and effectively target operational activities to combat trafficking of persons. States shall also consider the establishment of joint investigation units.

Input:	Government law enforcement agencies; Government personnel and training agencies, ODCCP/CICP, Interpol and other law enforcement agencies to provide material support and expertise.
Success indicator:	Specialized units created and operational
To be completed by:	December 2003

2. States shall provide and strengthen training for law enforcement personnel, customs and immigration officials, prosecutors and judges, and other relevant officials, on the prevention of trafficking in persons. The training should focus on the methods used in preventing such

trafficking, prosecuting the traffickers, and protecting the rights of victims, including protecting the victims from the traffickers. This training should also take into account the need to consider human rights and child- and gender-sensitive issues, and it should encourage co-operation with non-governmental organizations and other elements of civil society

Input:	Relevant government agencies, including their training centers; including ODCCP/CICP, relevant IGOs, Interpol, bilateral support and relevant NGOs.
Success indicator:	Training curricula formulated, training materials prepared and training sessions held.
To be completed by:	December 2003.

3. States shall prepare training materials concerning trafficking in persons for embassy and consulate staff who deal with immigration and visa services. Materials will be developed in consultation with the ECOWAS Unit for the coordination of the efforts to combat trafficking in persons.

Input:	Government diplomatic services and other relevant Government agencies
Success indicator:	Training materials completed and training sessions underway.
To be completed by:	June 2002

Travel and Identity Documents

1. States shall establish procedures to verify whether a person who is the victim of trafficking in persons is a national or has the right of permanent residence in the State of origin, and to provide such travel documents or other authorization as may be necessary to enable a victim of trafficking in persons who is without proper documentation to travel to and re-enter its territory, on the request of a receiving State.

Input:	National Government Passport Offices and Immigration Agencies
Success indicator:	Immigration regulations and code amended, procedures in place.
To be completed by:	December 2002

2. States, at the request of another State, when presented with suspected cases of trafficking in persons, shall verify, within a reasonable time, the validity of travel and identity documents issued or purported to have been issued in their name and suspected of being used for trafficking of persons.

Input:	National Government (Passport Offices and Immigration Agencies)
Success indicator:	Immigration codes and regulations amended, procedures in place
To be completed by:	December 2002

3. States shall take such measures as may be necessary, within available means: (a) to ensure that the birth certificates, and travel and identity documents, they issue are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated, or issued; and (b) to ensure the integrity and security of travel or identity documents they issue, and to prevent their unlawful creation, issuance, and use. In this regard, States shall implement Decision C/DEC.I */5/2000* signed in Abuja on 29th May *2000* relating to the Adoption of an ECOWAS Passport.

Input:	Government immigration services and document services, consular services, health services, law enforcement agencies, the agencies and services of other States, IGOs, ODCCP/CICP, particularly Interpol and law enforcement and other relevant agencies of third countries.
Success indicator:	ECOWAS sub-regional meeting with relevant officials and experts held on ways to improve integrity and security of identity and travel documents. Implementation of Decision C/DEC.1 /5/2000 relating to the Adoption of an ECOWAS Passport
To be completed by:	December 2002

4. States shall encourage commercial carriers to take precautions against their means of transport being used in the trafficking of persons, and require, where appropriate and without prejudice to applicable international conventions, such carriers to ascertain that all passengers are in possession of travel documents required for entry into the receiving State. States shall further adopt provisions requiring that all documents for minors travelling alone be held for them by the carrier until they have reached their destination.

Input:	Government transport regulation agencies, immigration services, border control agencies, law enforcement agencies, international IGOs, particularly Interpol and ODCCP/ CICP; other law enforcement agencies to provide material support and expertise.
Success indicator:	Amendment of relevant transport regulations.
To be completed by:	December, 2002

Monitoring and Evaluation of the Initial Plan of Action

1. States, through their Task Force on Trafficking in Persons, shall coordinate and monitor the ongoing implementation of this Initial Plan of Action at the national level and report, on a bi-annual basis, to the ECOWAS Secretariat.

Input:	Government agencies, reporting to the Government Task Force
Success indicator:	Progress reports on the Initial Plan of Action provided to relevant Ministries, and to ECOWAS every 6 months
To be completed by:	Every six months (June and December 2002 and 2003)

2. The ECOWAS Secretariat shall coordinate and monitor the implementation of this Initial Plan of Action and report on the progress achieved every 6 months to the Ministerial Meeting of the Mediation and Security Council.

Input:	Government Task Force reporting through their State to the ECOWAS Unit for the co-ordination of the efforts to combat trafficking in persons
Success indicator:	Annual reports prepared by Ministerial Meeting of the Mediation and Security Council and submitted to the ECOWAS Authority of Heads of State and Government
To be completed by:	Every six months (June and December 2002 and 2003)

3. The ECOWAS Secretariat shall organize an Expert Group Meeting for 2003 that shall evaluate the implementation of this Initial Action Plan, and make recommendations for further actions to be taken against trafficking in persons.

Input:	ECOWAS Secretariat and the ECOWAS Member States
Success indicator:	Expert Group Meeting held in 2003
To be completed by:	3rd quarter, 2003

MEETING OF MINISTERS OF FOREIGN AFFAIRS

ACCRA, 18TH DECEMBER, 2003

RECOMMENDATION MFA/REC.5/12/03 APPROVING THE LIST OF THE COUNCIL OF ELDERS 2004

THE MINISTERS OF FOREIGN AFFAIRS;

MINDFUL of Article 19 (3) (c) of the ECOWAS Treaty relating to the duty of the Executive Secretary to convene meetings of sectoral Ministers to examine sectoral issues which promote the attainment of the objectives of the Community;

MINDFUL of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security adopted in Lome on 10 December, 1999;

MINDFUL of Articles 15 and 20 of the afore-mentioned Protocol which authorizes the Executive Secretary to compile annually, a list of eminent personalities who on behalf of ECOWAS can use their good offices to play the role of mediators, conciliators and facilitators in crisis situations within the sub-region;

CONCERNED by the various conflicts that occur in several of our Member States;

DESIRING to implement all the aspects of the Protocol, in particular, the establishment of a Council of Elders for 2004 as prescribed under Article 20 of the Protocol to undertake their role as peace negotiators;

HAVING CONSIDERED the memorandum from the Executive Secretariat on the approval of the list of the Council of Elders for 2004;

RECOMMENDS

To the Authority of Heads of State and Government to adopt the draft Decision attached hereto relating to the approval of the list of the Council of Elders for

2004.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



H. E. NANA AKUFO-ADDO
CHAIRMAN
FOR THE MEETING

Meeting of Ministers of Foreign Affairs Accra, 18th December 2003

RECOMMENDATION MFA/REC.6/12/03 RELATING TO THE ELECTION OF MEMBER STATES TO THE MEDIATION AND SECURITY COUNCIL *THE MINISTERS OF FOREIGN AFFAIRS*

MINDFUL of Article 19 (3) (c) of the ECOWAS Treaty relating to the duty of the Executive Secretary to convene Meetings of Sectoral Ministers to examine sectoral issues which promote the attainment of the objectives of the Community;

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security;

CONSIDERING that Protocol A/P1/12/99 referred to above establishes a Mediation and Security Council whose function is to take decisions on critical issues of peace and security on behalf of the Authority of Heads of State and Government;

CONSIDERING that Article 8 of the said Protocol provides that the Mediation and Security Council comprises nine (9) members , two of which shall be countries of the current and immediate past chair of the Authority, whilst the other seven (7) members are to be elected by the Authority for a two year renewable term;

MINDFUL of Decision A/Dec.2/12/01 dated 21st December 2001 relating to the designation of Member States to the Mediation and Security Council;

CONSIDERING that the tenure of the Council designated above has expired;

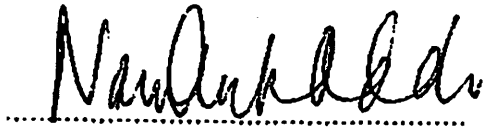
DESIRING to sustain the authority of the Mediation and Security Council to take decisions on issues of peace and security on behalf of the Authority; and to designate Member States that will constitute the Council for the years 2004 and 2005;

HAVING CONSIDERED the memorandum from the Executive Secretariat on the designation of Member States to the Mediation and Security Council;

RECOMMENDS

To the Authority of Heads of State and Government to adopt the draft decision attached hereto on the election of Member States to the Mediation and Security Council.

DONE AT ACCRA THIS 18TH DAY OF DECEMBER 2003



H. E. NANA AKUFO-ADDO
CHAIRMAN
FOR THE MEETING

RULES OF PROCEDURE FOR THE FORUM OF MINISTERS IN CHARGE OF SECURITY IN MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

PREAMBLE

The Ministers of the Member States of the Economic Community of West African States in charge of Security;

Mindful of the ECOWAS Treaty and its supplementary texts;

Mindful of the ECOWAS Protocol on free movement of persons;

Mindful of Convention A/P. 1/7/92 on Mutual Assistance in Criminal Matters dated 29 July 1992;

Mindful of Convention A/P. 1/8/94 on extradition dated 6 August 1994;

Mindful of the Protocol relating to the Mechanism for Conflict Prevention, Management and Resolution, peace-keeping and Security of 10 December 1999;

Mindful of the Protocol A/P.33/12/01 on the fight against Corruption dated 21 December 2001 and the ECOWAS Plan of Action on the Fight Against Trafficking in Persons;

Conscious of the need to combat crimes which constitute a serious threat to the security, peace and stability of countries in the sub-region and also impede the development of West Africa;

Convinced that the adoption of a common policy on trans-border crime constitutes the most appropriate means of ensuring lasting peace and promoting balanced socio-economic development;

Desirous of promoting closer cooperation between the security agencies of Member States of the Community in order to ensure greater protection of human lives and property;

Determined to harmonise Community instruments, with a view to addressing the existing lapses in the area of cooperation between the police forces of ECOWAS Member States;

Recalling the establishment in Abuja (Nigeria) in 1997 of a platform for annual consultations among Ministers in charge of security and a Committee of West African Chiefs of Police;

Bearing in mind the principles set out in the United Nations Charter, the Charter of the Organisation of African Unity/Constitutive Act of the African Union and their supplementary protocols;

Also bearing in mind the directives of the Authority of Heads of States and Government of 28 May 2000 relating to the establishment of a Criminal Intelligence and Investigation Bureau, the principles and objectives of the Committee of West African Chiefs of Police (WAPCCO), the Intergovernmental Action Group Against Money Laundering (GIABA), and the Drug Control Unit established by ECOWAS, as well as those of the Interpol sub-regional Office in Abidjan;

HAVE AGREED AS FOLLOWS:

CHAPTER 1: DEFINITIONS

Article 1

For the purpose of this Agreement,

"ICPO-Interpol" means International Criminal Police Organisation;

"WAPCCO" means the Committee of West African Chiefs of Police;

"ECOWAS" means the Economic Community of West African States;

"Authority" means the Authority of Heads of State and Government established by Article 7 of the ECOWAS Treaty;

"Council of Ministers" means Council of Ministers established by article 10 of the ECOWAS Treaty;

"Community" means the Economic Community of West African States,

"Crime" or "Organised crime" means any act involving illicit trafficking in drugs, terrorism, trafficking in persons, money laundering, counterfeiting, and other forms of transnational crime;

"Member State" means a Member State of the Community;

"NCB-Interpol" means the National Central Bureau of the International Criminal Police Organisation;

"Executive Secretary" means the ECOWAS Executive Secretary appointed in accordance with Article 18 of the ECOWAS Treaty;

"Executive Secretariat" means the ECOWAS Executive Secretariat established by article 17 of the Treaty;

"Security services" means the Customs, Gendarmerie, Police and other law enforcement agencies;

"Sub-region" means the West African sub-region;

"Treaty" means the Treaty of the Economic Community of West African States signed in Cotonou (Benin) on 24 July 1993;

CHAPTER II: NAME AND MANDATE

Article 2 Name

1. The framework for consultation established in Abuja (Nigeria) in 1997 between the Ministers in charge of security in the Member States of the Economic Community of West African States (ECOWAS) is hereby transformed into the forum of Ministers in charge of security.
2. The Forum of Ministers in charge of security shall be a specialized consultative organ of ECOWAS.
3. In accordance with the provisions of Article 6.2 of the ECOWAS Treaty, the Forum shall act within the limits of the powers conferred on it by the Treaty and the supplementary protocols.

Article 3: Mandate

The Forum of Ministers in charge of security shall:

a). Implement the directives issued by the Authority of Heads of State as they relate to the fight against transnational crime in West Africa;

b). Submit to ECOWAS Member States proposals for the amendment and harmonization of laws relating to the fight against certain forms of crime;

c). Issue necessary directives to WAPCCO and CUB and to all other agencies established by ECOWAS for the purpose of combating crime;

d). Approve statutory documents, work programmes, as well as decisions and recommendations by WAPCCO and CUB decision-making authorities;

e). Recommend to the Council of Ministers the appointments of the Director-General, Deputy Director-General and the Financial Controller of CUB;

f). Take whatever initiatives it may deem necessary, with a view to ensuring security and strengthening cooperation in the fight against crime in West Africa.

CHAPTER III: CHAIRMANSHIP AND MEETING OF THE FORUM: PROCEEDINGS AND DISCUSSIONS

Article 4: Chairmanship of the Forum

Article 5: Meetings of the Forum

1. The Forum of Ministers in charge of security shall meet at least once a year in ordinary session.

2. Whenever the need arises, the Forum may meet in an extraordinary session, at the initiative of the Chairman or on the directives of the Authority of Heads of State and Government or at the request of an ECOWAS Member State provided that such request is supported by a simple majority of the members.

3. The Executive Secretary shall issue letters of invitations to participants for the meetings of the Forum.

Article 6: Venue of the Sessions of the Forum

1). The ordinary and extra-ordinary sessions shall be held in countries that are willing to host. The Chairman of the session shall call for volunteers from amongst the Ministers present.

2). The ordinary and extra-ordinary sessions may also be held at the Executive Secretariat.

Article 7: Chairmanship of the meeting

1. The Minister of the Member State elected as Chairman of the Authority shall preside over the meetings of the forum.

2. In the absence of the Chairman, the Minister of the host country shall chair the meeting;

3. Where such a Minister is not available the Ministers present at the meeting shall elect one from among themselves to chair the meeting.

Article 8: Delegations

1. Each Member State shall be represented at meetings of the Forum by its Minister in charge of security.

2. However, in the event that the Minister cannot attend the meeting, he may be represented by a member of his delegation whom shall recieve from his State, full powers to take decisions in the name of his country.

3. Where necessary, the delegations may be accompanied by specialists or experts on the issues on the agenda of the meeting.

4. Regional and international organizations may be invited to attend sessions of the Forum as observers.

Article 9: Seating arrangement

In the meeting room, the delegations shall be arranged in alphabetical order of the countries.

Article 10: Agenda of meetings

The Executive Secretary of ECOWAS shall prepare a draft agenda which shall be sent to participating countries.

Article 11: Items on the agenda of an ordinary Session.

The main items to be included in the agenda of an ordinary session of the Forum shall be the following:

a). Report by the outgoing Chairman on the status of implementation of the decisions and recommendations of the preceding meeting;

b) Issues prescribed by the Authority for consideration;
c). Issues proposed by the West African Chiefs of Police;
d). Issues proposed by any Member State;
e). Issues proposed by the Executive Secretariat;
f). Activity report of the C.I.I.B;

Article 12: Adoption of agenda

The agenda shall be adopted at the beginning of the meeting based on a list of items established according to priority.

Article 13: Open and close door sessions

The Forum shall deliberate in closed sessions. Only the opening and closing ceremonies shall be open to the press and the invited guests.

Article 14: Conduct of the Meeting

1. Proposals or draft Recommendations for consideration at a meeting of the Forum shall be submitted in writing to the Executive Secretary who shall communicate the text in advance of the meeting to Member States of the Forum. However the forum may, if it deems it expedient or desirable, consider a proposal or draft recommendation in respect of which no text has been circulated in advance of a meeting.

2. A proposal or draft Recommendation may be amended or withdrawn by the member who sponsored it.

3. During the consideration of any matter at a meeting of the Forum, the Chairman may read out a list of speakers and with the consent of the meeting, declare the list closed.

4. Participants take the floor during the course of the meeting on the authorisation of the chairman.

5. Notwithstanding the provision of paragraph 3 of this article , the chairman may decide to grant any member of the forum the right of reply if a speech made after the list of speakers is closed, justifies that decision.

6. During the consideration of any matter, any member of the forum may raise a point of order and the chairman shall make his ruling immediately.

7. During the consideration of any matter any Member of the Forum may move that the meeting be suspended or adjourned.

8. The following motions shall take precedence in the order in which they are set out hereunder, over any other proposals or motion, that may be made or moved.

a). To raise a point of procedure, order or information;
b). To suspend the meeting;
c). To adjourn the meeting;
d). To adjourn the meeting to a fixed day or hour
e). To postpone consideration of the matter until a fixed day or sine die;
f). To introduce an amendment;
g). To end the consideration of a matter.

Article 15: Intervention by Observers

1. Observers may be allowed to take the floor during plenary sessions of the Forum, with the permission of the Chairman.
2. However, the intervention of observers shall be limited to technical matters.

CHAPTER IV: Quorum Recommendation and Votes

Article 16: Quorum

Meetings shall be properly constituted when at least nine (9) Member States are duly represented.

Article 17 Recommendations

1. The forum of Ministers shall make recommendations to the Authority for adoption. Such recommendations are made during plenary sessions.

2. The recommendations of the forum which are adopted by the Authority shall be binding on the Member States and on the Institutions of the Community

Article 18: Votes

1. Each delegation shall be entitled to one vote.

2. Only the Ministers shall have the right to vote. In the absence of a Minster, his duly authorized representative may vote on his behalf, in accordance with Article 6.2 above.

3. Observers shall have no right to vote.

Article 19: Voting procedure

1. Resolutions adopted during meetings of the Forum shall be by a simple majority of the members present.

2. Voting shall be by show of hands, except in cases where secret ballot is necessary.

CHAPTER V: SECRETARIAT AND WORKING LANGUAGES

Article 20: Secretariat

1. The Executive Secretary shall attend all sessions of the Forum. He may be represented.

2. The Executive Secretary in Consultation with the Chairman of WAPCCO and the Director-general of CUB shall ensure that the working documents are prepared and deligently distributed. He shall service the sessions of the Forum in collaboration with the chairman of WAPCCO, the Director-General of CUB and the competent authorities of the host country.

Article 21: Reports of meetings

1). The sessions of the forum shall have a report of their proceedings which shall be adopted by the participants and signed by the chairman. Such reports shall be drafted in the working languages of the Community and may either be confidential or made public;

Article 22: Working languages

The working languages of the meeting of the Forum of Ministers in charge of security shall be the official Community languages: English, French and Portuguese.

CHAPTER VI: FINAL PROVISIONS

Article 23: Entry into force

The present Rules of Procedure shall enter into force upon signature by the Ministers in charge of security.

Article 24: Amendment

1. The present Rules of Procedure may be amended. Proposals for amendement may be made by the Forum of Ministers, a member country, or on the directives of the Authority of Heads of State and Government.

2. All amendments to the present Rules of Procedure shall be compatible with the provisions of the ECOWAS Treaty and supplementary protocols.

3. The Forum shall examine and adopt the proposals for amendment

DONE AT LOME, THIS 7th DAY OF MARCH 2003, IN THREE ORIGINAL IN THE ENGLISH, FRENCH, AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC.

Republic of Benin

Burkina Faso

Republic of Cape Verde

Republic of Cote d'Ivoire

Republic The Gambia

Republic of Ghana

Republic of Guinea

Republic of Guinea Bissau

Republic of Liberia

Republic of Mali

Republic or Niger

Federal Republic of Nigeria

Republic of Senegal

Republic of Sierra Leone

Togolese Republic

THE STATUTE OF THE WEST AFRICAN CENTRAL BANK (WACB)

DECEMBER 2003

THE HIGH CONTRACTING PARTIES

DESIRING to lay down the Statute of the West African Central Bank as provided for in the West African Monetary Zone Agreement.

HAVE AGREED upon the following provisions:

PART 1
DEFINITIONS

Article 1

1.1 For the purpose of this Agreement:

"Authority" means the Authority of the Heads of State and Government of Member States of the West African Monetary Zone.

"Board of Directors" means the Board of Directors of the West African Central Bank.

"Branch" means the Institutions which existed before the coming into force of this Statute as the National Central Bank.

"Sub-branch" means branches of National Central Banks existing before the coming into force of the Statute of the WACB and such sub-branches as may be created by the WACB.

"Council" means the Convergence Council of the West African Monetary Zone established under Article 8 of the Agreement of the WAMZ and also means the Governing Council as from the inception of the WACB.

"Court of Justice" means the Court of Justice of ECOWAS established under Article 15 of the Treaty.

PART II

ESTABLISHMENT, LEGAL STATUS AND CAPITAL

Article 2

Establishment

2. The West African Central Bank established under Article 10 of the Agreement of the West African Monetary Zone (WAMZ) and in accordance with the Accra Declaration of 20th April 2000 shall perform its tasks and activities as provided for in the Agreement of the WAMZ and in this Statute.

Article 3

Legal Status

3.1 The WACB is an international financial Institution with legal personality.

3.2 The WACB has the power to enter into contracts and acquire, hold and dispose of movable and immovable property.

Article 4

Capital of the WACB

4.1 The authorised capital of the WACB denominated in the currency of the WAMZ shall be equivalent to US$200 million.

4.1.1 The initial call-up capital of the WACB denominated in the currency of the WAMZ shall be equivalent to US$100 million.

4.1.2 The Member States in the Zone shall be the sole subscribers to and holders of the capital of the WACB.

4.1.3 The subscription of capital shall be in accordance with the ECOWAS budgetary contribution formula referred to in Article 4.3

below.

4.1.4 The capital may be increased by such amounts as may be decided by the Board of Directors on the basis of weighted vote.

6.2 The WACB shall have in each of the Member States such number of sub-branches as may be determined by the Board of Directors.

PART III

OBJECTIVES AND FUNCTIONS OF THE WACB

Article 7

Objectives

7.1 The primary objective of the WACB is to maintain price stability.

7.2 The WACB shall support the general economic policies of Members States with a view to contributing to the achievement of the WAMZ objectives of co-operation and integration, without prejudice to the objective of price stability.

Article 8

Functions

8.1 The main functions of the WACB shall be to:

i. issue a common convertible currency within the WAMZ; *
ii. define and implement the monetary policy of the WAMZ;
iii. conduct foreign exchange operations consistent with the provisions and objectives of price stability;
iv. hold and manage the official foreign reserves of the Member States;
v. promote the smooth operation of the payment systems;
vi serve as banker to financial Institutions and fiscal agents to governments;
vii. contribute to the conduct of policies relating to the prudential supervision of credit and financial Institutions; and
viii. such other matters as are incidental or conducive to its functions under this Statute.

8.2 The annual policy statement of the WACB shall specify the inflation target as set by the Council.

Article 11

International Co-operation

11.1 The WACB may participate in the activities of international monetary and financial Institutions.

11.2 The Board of Directors shall decide how the WACB shall be represented in the field of international co-operation involving the tasks entrusted to the WACB.

PART IV

ORGANISATION OF THE WACB

Article 12

Independence

12. Subject to Article 9.1 of the Agreement on WAMZ, neither the WACB nor any member of its decision-making body shall seek or take instructions from Institutions of the Zone, from any government of a Member State or from any other body when exercising the powers and carrying out its functions and duties. The Institutions, bodies and governments of the Member States shall respect this principle and not seek to influence the members of the decision-making body of the WACB in the

performance of their functions.

Article 13

The Board of Directors

13.1 The WACB shall be governed by its Board of Directors.

13.2 The Board of Directors shall comprise the members of the Executive Board of the WACB, the Governors and one member appointed from each of the Member States. The Governors and members appointed from the Member States shall have alternates who shall be notified to the President.

13.12 A quorum for the meeting of the Board of Directors shall be two thirds of the members.

13.13 A Director appointed by a Member State pursuant to this section shall be a person of recognised economic, financial or banking experience.

Article 14

The Executive Board

14.1 The Executive Board shall comprise the President, two Vice Presidents and three Executive Directors who shall be nationals of Member States.

14.2 The President, Vice President and the three Executive Directors shall be appointed by the Authority on the recommendation of the Council. They shall be selected from among persons of integrity and of recognised professional standing and experience in economic, financial or banking matters. The term of office of the President shall be five years which may be renewable for a further_term of five years only. The term of office of the Vice Presidents and the Executive Directors shall be four years, and may be renewable for a further term once only for another four years.

14.3 The terms and conditions of employment of the President, Vice Presidents and the Executive Directors of the WACB, in particular their salaries, pensions and other social security benefits shall be determined by the Council. The Council shall also determine the fees and/or other remuneration to be paid to the members of the Board of Directors.

14.4 No person shall be appointed President, Vice President or a member of the Executive Board if he/she:

i) has been convicted of a felony or other offences involving fraud;
ii) has been adjudged bankrupt by a court of competent jurisdiction;
iii) has been guilty of serious misconduct in relation to his/her professional duties;
iv) is of unsound mind.

14.5 The members shall perform their duties on a full time basis. Their offices shall prohibit participation, remunerated or otherwise, in the activities of a private or public enterprise, in any Member State or elsewhere.

Article 15

Responsibilities of the Board of Directors and Executive Board

Board of Directors

15.1 The Board of Directors shall formulate policies including appropriate guidelines necessary for the achievements of the objectives of the WACB as provided for under the Agreement of the WAMZ and this Statute.

15.2 The Board of Directors shall be responsible

for the definition and formulation of the monetary policy of the Zone, including exchange rate and financial sector policies and shall establish the guidelines for its implementation.

15.3 The Board of Directors shall adopt Rules of Procedure which shall determine the internal organisation of the WACB and its decision-making bodies.

15.4 The Board of Directors shall exercise the advisory functions referred to in Article 9 and take the decisions on international relations referred to in Article 11.

15.5 The Board of Directors shall be responsible for approving the Budget of the WACB.

15.6 The Board of Directors may establish such committees of the Board as it deems necessary.

15.7 The Board of Directors may delegate such of its powers as are necessary for the committee to carry out its mandate.

Executive Board

15.8 The Executive Board shall implement the policies and decisions of the Board of Directors.

15.9 The Board of Directors may delegate to the Executive Board such of its functions and powers as it may determine.

Article 18

Banknotes and Coins

18.1 The Board of Directors of WACB shall have the sole right to authorise the issue of bank notes and coins which shall be the only such notes and coins to have the status of legal tender in the Member States of the Zone.

18.2 It shall undertake the design, determine their nominal values and fix their numerical denominations. The bank notes shall bear the signature of the President of the WACB and the Principal Officer in charge of currency operations.

PART V

OPERATIONS OF THE WACB

Article 19

Accounts with the WACB

19. In order to conduct its operations, the WACB may open accounts for financial Institutions and Member States of WAMZ and such other entities as the Governors may prescribe, and accept marketable assets as collateral.

Article 20

Open Market and Credit Operations

20.1 The WACB may undertake the following credit and market operations in the course of carrying out its functions and achieving its objectives:

i) operate in the financial markets by buying and selling outright (spot and forward) or under repurchase agreement and by lending or borrowing claims and marketable instruments, whether in the common currency or foreign currencies, as well as precious metals;

23.2 The direct purchase of debt instruments from the entities mentioned in Article 23.1 by the WACB shall also be prohibited.

23.3 The WACB may act as fiscal agent of central governments, regional, local or other public

authorities, other bodies governed by public law, or public undertakings of Member States or Institutions or bodies of the Zone.

Article 24

Clearing and Payments Systems

24. The WACB shall ensure efficient and sound clearing and payments systems within the Zone and with other countries. The WACB shall provide facilities for such clearing and payments systems.

Article 25

External Operations

25.1 The WACB shall where appropriate, establish relations with central banks and financial Institutions in other countries and, with international organisations; acquire and sell, (spot and forward) hold and manage aN types of foreign exchange assets and precious metals, including securities and all other assets in the currency of any country or units of account and in whatever form held.

25.2 The WACB may assist the Member States in their relations with the IMF and other international financial Institutions.

25.3 The WACB may conduct all types of banking transactions with third countries and international organisations, including borrowing and lending operations.

25.4 The WACB shall establish general principles and guidelines for its borrowing and lending operations.

28.2 The Board of Directors shall establish the principles for the Executive Board to draw up the annual accounts of the WACB. The audited accounts shall be laid before and be approved by the Board of Directors and submitted to Council not later than four months from the last day of December.

Article 29

Auditing

29.1 The accounts of the WACB shall be audited by independent external auditors recommended by the Board of Directors and appointed by the Council. The auditors shall have full powers to examine all books and accounts of the WACB and obtain full information about its transactions.

29.2 The remuneration of the auditors shall be determined by the Board of Directors.

Article 30

Assets and Liabilities transferred to the WACB

30.1 Upon the coming into force of this Statute, the Board of Directors may call up such amount of the assets and liabilities of National Central Banks of Member States as it may determine. The WACB shall have the full right to hold and manage the assets that are transferred to it and to use them for the purposes set out in this Statute.

30.2 The Board of Directors shall take additional measures necessary for the application of this Article.

Article 31

Allocation of Monetary Income

31.1 The operational surplus of the WACB shall be distributed to Member States in proportion to their paid up shares in the capital of the WACB.

33.2 The Regulations of the WACB shall have general application and shall be binding and directly applicable in all Member States.

The WACB Directives shall be binding upon those to whom they are directed.

33.3 The WACB may decide to publish its Regulations and Directives.

33.4 The WACB may impose fines or other sanctions for failure to comply with obligations under its Regulations and Directives.

Article 34

Judicial Matters

34.1 Disputes between the WACB, on the one hand, and its creditors, debtors or any other person, shall be decided by the Court of Justice, or any international or national court or Tribunal of competent jurisdiction.

34.2 The contractual liability of WACB shall be governed by the law applicable to the contract in question. In the case of non-contractual liability, the WACB shall, in accordance with the national laws of Member States, make good any damage caused by it, or by its staff in the course of performance of their duties.

Article 35

Administration

35.1 The President or in his/her absence, one of the Vice Presidents nominated by him/her, shall be in charge of the day to day management of the WACB and shall be answerable to the Board for his/her acts and decisions.

35.2 The Board of Directors may appoint such officers and employees as are necessary for the purposes of the WACB.

35.3 The Board of Directors shall determine the conditions of employment of the staff of the WACB.

Article 39

Relations with the Executive Secretariat of ECOWAS

39. The WACB shall co-operate with the Secretariat in the performance of its functions and in the context of the overall economic and monetary integration of ECOWAS.

Article 40

Working Languages

40. The working languages of the WACB shall be English and French.

PART IX

REPEAL OF NATIONAL CENTRAL BANK ACTS AND COMPLIANCE WITH WACB STATUTE

Article 41

Repeal and Compliance

41.1 Each Member State shall upon the entry into force of this Statute repeal its National Central Bank legislation.

41.2 Member States and their authorities shall ensure that all legislation or legislative measures relating to banking and financial matters are consistent with this Statute.

vi) Where there is a reference in any enactment or document to a national Central Bank, the reference shall be construed as a reference to the"WACB.

PART XI

AMENDMENT OF THE STATUTE

Article 43

Amendment Procedure

43.1 A proposal for the amendment of this Statute may be made by the Council acting on its own by unanimous vote, or on a recommendation from the Board of Directors also taken by unanimous vote.

43.2 Amendments may be adopted by the Authority of Heads of State and Government and shall enter into force in accordance with Article 44.1 of this Statute.

Article 44

Entry into Force

44.1 This Statute shall enter into force upon signature and ratification by at least two Member States.

44.2 This Statute shall be deposited with the Secretariat, which shall transmit certified true copies to all Member States informing them of the dates on which the instruments were signed. The Secretariat shall register this Statute with the African Union and the United Nations.

44.3 This Statute shall be annexed to and form an integral part of the WAMZ Agreement.

IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE WEST AFRICAN MONETARY ZONE (WAMZ) HAVE SIGNED THIS STATUTE ON THIS ..19.. DAY OF *DECEMBER*....., 2003 IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES ALL TEXTS BEING EQUALLY AUTHENTIC.

SIGNED SIGNATURE

.....

For the Republic of The Gambia
His Excellency
Col. (Rtd) Alhaji Dr. Yahya A.J.J. JAMMEH
President of the Republic of The Gambia

.....

For the Republic of Ghana
His Excellency John Agyekum KUFUOR
President of the Republic of Ghana

.....

For the Republic of Guinea
His Excellency General Lansana CONTE
President of the Republic of Guinea

.....

For the Federal Republic of Nigeria
His Excellency Olusegun OBASANJO
President,
Commander-in-Chief of the Armed Forces
of the Federal Republic of Nigeria

.....

For the Republic of Sierra Leone
His Excellency Ahmad Tejan KABBAH
President of the Republic of Sierra Leone

TREATY ON THE WEST AFRICAN GAS PIPELINE PROJECT BETWEEN THE REPUBLIC OF BENIN AND THE REPUBLIC OF GHANA AND THE FEDERAL REPUBLIC OF NIGERIA AND THE TOGOLESE REPUBLIC

WHEREAS

The State Parties to the present Treaty,

Considering the Heads of Agreement for the Supply and Transmission of Natural Gas signed by the State Parties on September 5. 1995 and the Memorandum of Understanding on the West African Gas Pipeline signed on August 11, 1999, by the State Parties on the one hand and Chevron Nigeria Limited, Ghana National Petroleum Corporation (replaced by the Volta River Authority), Nigerian National Petroleum Corporation, The Shell Petroleum Development Company of Nigeria Limited, Societe Beninoise de Gas S.A. and Societe Togolaise de Gas S.A, on the other hand.

Confident that the West African Gas Pipeline will provide a new market for Natural Gas and expanded sources of energy in the West African Region, will greatly improve the balance of energy requirements and resources in the region and will foster closer relations between the State Parties.

DESIROUS to contribute to the development of relations and exchanges between the Members State Parties of ECOWAS and to the development of their energy programmes in accordance with Article 28 of the Revised Treaty of ECOWAS.

DESIROUS Also to permit the construction, the ownership and operation of the West African Gas Pipeline by the private sector.

Recognising that the West African Gas Pipeline should be governed by a harmonised legal and fiscal regime, regulated by a joint authority and made subject to the jurisdiction of a common judicial body.

Recognising therefore that the effective and harmonised implementation of the West African Gas Pipeline will require that each State Party adopts uniform legislation governing the West African Gas Pipeline and that a WAGP Authority and a WAGP Tribunal be hereby established.

DO HEREBY AGREE AS FOLLOWS

ARTICLE I

Interpretation

Definition of words and expressions

1. The words and expressions that appear in this Treaty shall have the respective meanings given to them in this Article:

Board of Governors means the Board of Governors of the WAGP Authority; ***Committee of Ministers*** means the committee to be set up in accordance with Article

the Company means West African Gas Pipeline Company Limited;

Depository means the Depository of this Treaty in accordance with Article XII;

Director General means the director general of the WAGP Authority;

Enabling Legislation means the domestic legislation passed by each State Party to govern the West African Gas Pipeline;

Fiscal Review Board means the fiscal review board established under Article VI;

International Project Agreement means the agreement to be signed by the State Parties and the Company in accordance with Article VII, a true copy of which is to be added as an Exhibit to this Treaty in accordance with Article VII;

Report of the Authority has the meaning assigned to it under Article IV;

Rules of Procedure means the rules of procedure to be established by the Committee of Ministers in accordance with Article VI;

State Parties means the Republic of Benin, the Republic of Ghana, the Federal Republic of Nigeria and the Togolese Republic, as well as all other such states that have acceded to this Treaty in accordance with Article XV;

Treaty means this treaty between the State Parties;

WAGP Authority means the West African Gas Pipeline Authority established under Article IV;

WAGP Regulations means regulations governing the construction and operation of the Pipeline System, to be made or adopted by the Relevant Minister of each State Party under the Enabling Legislation;

WAGP Tribunal means the tribunal established under Article VI; ***West African Gas Pipeline*** *(or WAGP)* has the meaning assigned to it under Article 11(3).

Other terms and expressions

2. (1) All other terms and expressions that appear in this Treaty shall have the meaning assigned to them in the International Project Agreement.

(2) Words in the singular include the plural unless the context otherwise requires.

(3) Unless otherwise indicated, references to "Articles", "Sections" and "Paragraphs" refer to articles, sections and paragraphs of this Treaty.

ARTICLE II

General Principles

Construction and operation of the WAGP

1 (1) The State Parties undertake to permit the construction and operation of the West African Gas Pipeline and to take, jointly or severally, all measures that are necessary or expedient for its construction and operation.

(2) The West African Gas Pipeline shall be developed and operated in accordance with the terms of the legal instruments specified in Article VII.

(3) The West African Gas Pipeline, as more particularly described in the International Project Agreement, shall be a high pressure Natural Gas pipeline, with assorted compression and metering stations, interconnection points and laterals to Cotonou Lome and Tema (together with such extensions and expansions as the State Part.es shall from time to time agree) which shall link the outlet point of the Escravos-Lagos Natural Gas pipeline at Alagbado (Nigeria) to Takoradi (Ghana) transiting through the territorial waters of Benin, Togo and Ghana.

Purpose and nature of WAGP

2 (1) The West African Gas Pipeline is intended to transport Natural Gas to electricity-generating companies and other industrial buyers and users of Natural Gas in the West African region.

(2) The West African Gas Pipeline shall be an open access transporter to the extent contemplated in the International Project Agreement.

ARTICLE III
Legislative and Regulatory Measures

Approval of the Treaty by State Parties' Legislature

1. To the extent required under its Constitution, each State Party shall as soon as practicable after signature of this Treaty and the addition of the Exhibit as provided in Article VII:-
   (a) take all steps necessary to present this Treaty to its Legislature for ratification and/or acceptance and use its best endeavours to secure any such ratification and/or acceptance; and

   (b) take all steps necessary to present a draft of the Enabling Legislation to its Legislature and use its best endeavours to secure its enactment.

Enabling Legislation and WAGP Regulations

2. (1) In each State Party, the West African Gas Pipeline shall be specifically governed by the Enabling Legislation and the WAGP Regulations, to the exclusion of any other legislation or regulations on the same subject matter.

   (2) Each State Party shall take such measures, including by way of provisions in the Enabling Legislation or the WAGP Regulations, as may be necessary to ensure that the WAGP Authority is fully and exclusively empowered to exercise in each such State Party the powers and functions conferred upon it under this Treaty (in particular the power to monitor compliance with, and enforce, the WAGP Regulations).

Agreed Regime

3. Each State Party shall take all necessary or appropriate steps to make, give or implement within its respective jurisdiction all other legal instruments, decisions, approvals, exemptions or regimes as are necessary to give effect to and to implement the Agreed Regime.

ARTICLE IV
West African Gas Pipeline Authority

Establishment

L. (I) The State Parties hereby establish the WAGP Authority which shall be an international institution having legal personality and financial autonomy.

(2) The WAGP Authority shall, in each of the State Parties, be recognised as a legal person capable under the laws of that State Party of assuming rights and obligations and of being a party to legal proceedings before the courts of that State Party.

Jurisdiction, Powers and Functions of the WAGP Authority

2.(1) The WAGP Authority has the exclusive jurisdiction to exercise the powers and perform the functions specified in section 2(2) of this Article. It shall not have any powers or functions other than those that are specifically provided in section 2(2) of this Article, except those that may be necessary for the proper exercise of those powers or functions.

(2) The WAGP Authority shall have the following powers and functions:

(a) Representation functions

The WAGP Authority is empowered to take the following actions and decisions in the name and on behalf of the State Parties:

(I) give its consent to changes to the legal corporate structure of the Company as provided in Clause 5.2 of the International Project Agreement or

to a transfer by the Shareholders of shares in the Company as provided in Clause 5.5 and 5.6 of the International Project Agreement;

(Ii) monitor compliance by the Company of its obligations under the International Project Agreement;

(iii) give interim and final approvals to the Company of the design of the Pipeline System and the plans for its fabrication or construction, in accordance with Clause 16 and Schedule 17 of the International Project Agreement;

(iv) approve the Conceptual Design Package arid the Front End Engineering Design Package in accordance with Schedule 17 of the International Project Agreement;

(v) negotiate and agree the terms of and approve the Pipeline development Plan with the Company, including amendments to the Approved Pipeline Development Plan;

(vi) negotiate and agree with the Company the terms of amendments to the conditions on which Pipeline Licences are granted;

(vii) negotiate and agree with the Company the terms of the Access Code and any amendments thereto, in accordance with Clause 26 of the International Project Agreement;

(viii) negotiate and agree with the Company waivers of the requirements of the Access Code or of Clause 26 of the International Project Agreement, as contemplated in Clause 26 of the International Project Agreement;

(ix) consult with the Company on the text of the WAGP Regulations and (following notification by it of the proposed changes) consult with the Company on the terms of any amendments thereto, in accordance with Clause 12.1 of the International Project Agreement;

(X) negotiate and agree the appointment of a third party operator of the Pipeline System in accordance with Clause 23.2 of the International Project Agreement;

(xi) consult with the Company on proposals for amendment to the Enabling Legislation, in accordance with Clause 8.4 of the International Project Agreement;

(xii) negotiate and agree with the Company any matters arising in connection with any expansion of the Pipeline System as contemplated in Clause 24 and Schedule 19 of the International Project Agreement;

(xiii) give to the Company notice of failure to comply with the Access Code, in accordance with Clause 26.7 of the International Project Agreement;

(xiv) give to the Company notice to remedy a breach of the International Project Agreement, in accordance with Clause 37.2 of the International Project Agreement;

(xv) give to the Company a Notice of Default, in accordance with Clause 37.4 of the International Project Agreement;

(xvi) resolve the consequences of a default of the International Project Agreement by the Company, in accordance with Clause 37 of the International Project

Agreement;

(Xvii) co-ordinate the administration of the Fiscal Laws in accordance with Schedule 8 of the International Project Agreement, including the giving of Notices of Assessment, negotiating and agreeing interest rate deductibility mechanisms or approving the terms of loan agreements for interest rate deductibility purposes;

(xviii) act on behalf of the State Parties' respective Tax Authorities in respect of any proceedings brought by the Company against any or all of the State Parties before the WAGP Tribunal;

(Xix) report to the Committee of Ministers on the implementation by the State Parties of their obligations under this Treaty and, in particular, where it appears that a State Party or State Authority is failing to comply with the provisions of this Treaty or the Enabling Legislation to the detriment of a Company, a Project Contractor, a Buyer, a Seller or a Shipper;

(xx) carry out audits of the Company under Clause 10 of the International Project Agreement;

(Xxi) prepare and notify to the Company its funding requirements for the operation of the WAGP Authority as specified in Clause 9.4(b) and 9.4(c) of the International Project Agreement and agree certain changes to the funding of the WAGP Authority as referred to in Clause 9.4(i) of the International Project Agreement;

(Xxii) discuss with and give the Company prior written permission to enter into Gas Transportation Agreements (other than Foundation Gas Transportation Agreements) other than in accordance with the Access Code;

(xxiii) provide the Company such approvals or consents as may be required pursuant to the International Project Agreement;

(xxiv) negotiate and agree upon inclusion of items in the Exempt Goods List as well as future additions to the Exempt Goods List;

(Xxv) negotiate and agree maintenance standards with the Company in accordance with Schedule 9 to the International Project Agreement;

(Xxvi) negotiate and agree changes to the Approved Tariff Methodology with the Company in accordance with Schedule 7 of the International Project Agreement;

(xxvii) establish and agree with the Company the Certification System;

(xxviii) give notice of intention of acceptance of transfer of the Pipeline System following cessation of operation by the Company as specified in Clause 41.4 of the International Project Agreement;

(Xxix) make certain notifications as are specified in the International Project Agreement or in the WAGP Regulations;

(Xxx) agree with the Company on a replacement index as referred to in Clause 49 of the International Project Agreement; and

(Xxxi) in the event of any challenge to the Project Authorisations or Supplemental Authorisations, intervene as provided in Clause 32.2 of the International Project Agreement;

(b) *Facilitation functions*

(i) facilitate the grant, renewal or extension of Project Authorisations and Supplemental Authorisations in accordance with Clauses 16 and 17 of the International Project Agreement;

(ii) receive, review, consult with the Technical Authorities and comment on Conceptual Design Package and the Front End Engineering Design Package in accordance with Schedule 17 of the International Project Agreement;

(Iii) receive, review, and respond to the draft and final Pipeline Development Plan and proposed amendments to the Approved Pipeline Development Plan;

(Iv) receive, review, respond to the draft and final Environmental Impact Assessment and Environmental Management Plan, and co-ordinateand facilitate all necessary environmental approvals;

(v) coordinate amendments to the Environmental Management Plan in accordance with Clause 19 and Schedule 2 of the International Project Agreement;

(vi) provide administrative services for the Fiscal Review Board and the WAGP Tribunal in accordance with the Rules of Procedure;

(vii) receive reports and notifications from the Company as specified in the International Project Agreement or in the WAGP Regulations;

(viii) distribute the original and amended Emergency Response Plan; and

(ix) notify relevant agencies of occurrence of an Emergency Condition; and

(c) *Regulatory functions*

(i) review, and respond to the Company on, submissions associated with Approvals to Operate and grant Approvals to Operate, in accordance with Clause 16.5 of the International Project Agreement and the WAGP Regulations;

(ii) enforce the WAGP Regulations and exercise the powers and responsibilities conferred on it under the WAGP Regulations, including inter alia its powers to inspect the design, construction and operation of the Pipeline System in accordance with Clauses 16.5 and 22.8 of the International Project Agreement and the WAGP Regulations;

(iii) if at any time the Access Code is imposed by regulation in accordance with Clause 26.7 of the International Project Agreement, monitor compliance with and enforce the Access Code and exercise the powers and responsibilities conferred on it under the Access Code and those implementing regulations;

(iv) intervene and use its best endeavours to ensure the compliance by a State Party or a

State Authority with the International Project Agreement or the Enabling Legislation where such State Party or State Authority has failed to comply to the detriment of a WAGP Company, a Project Contractor, a Buyer, a Seller or a Shipper; and

(v) act as a mediator between the Company and an aggrieved person who wishes to become a Shipper.

(3) The Committee of Ministers shall have the power to amend or supplement the functions and powers of the WAGP Authority, by written instrument.

Decisions and actions of the WAGP Authority

3(1) The decisions of the WAGP Authority provided in sub-paragraphs (v), (xiii), (xiv), (xv), (xxvi) and (xxviii) of section 2(2)(a) of this Article shall be subject to the prior consent of the Board of Governors.

(2) The decisions, actions and proceedings of the WAGP Authority shall be conducted in accordance with the Rules of Procedure, which shall contain deta.led rules and requirements governing the proceedings of the WAGP Authority including public hearings (where applicable). Any decision taken by the WAGP Authority in furtherance of its functions and powers as provided in section 2(2) of this Article shall be in writing.

(3) The WAGP Authority shall exercise its functions and powers specified in section 2(2) of this Article in accordance with the principles of natural justice and in a manner consistent with this Treaty, the Enabling Legislation, the WAGP Regulations and the International Project Agreement.

(4) The Director General and the members of the Board of Governors are barred from taking decisions in which they have any direct personal financial interest.

(5) The WAGP Authority shall not offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a public official in any of the State Parties, for that official or for a third party, in order that the official acts or refrains from acting in relation to the performance of official duties.

(6) The decisions of the WAGP Authority shall be fully effective in the legal systems of each State Party and shall have the same authority as the final decisions of the national authorities of the State Parties whose jurisdiction in respect of the West African Gas Pipeline has been transferred to the WAGP Authority.

Director General

4. (1) There shall be a Director General of the WAGP Authority who shall be the chief executive officer of the WAGP Authority and shall make all the decisions and take such actions as described in section 2(2) of this Article, subject to the obligation for prior consent of the Board of Governors, as provided in section 3(1) of this Article.

(2) The Director General shall be appointed by the Committee of Ministers upon the recommendation of the Board of Governors for a period of five (5) years from candidates that are qualified for the position by virtue of their education, training and experience. The Director General of the WAGP Authority shall be a national of a State Party.

(3) The Committee of Ministers may remove the Director General for good cause upon the recommendation of the Board of Governors. The Director General shall be replaced at the end of his term of office unless expressly maintained in office for a further five (5) year

term by a decision of the Committee of Ministers upon the recommendation of the Board of Governors. In the event of revocation, resignation, non renewal or death of the Director General or in the event of any other cause of termination of his functions, the Director General shall be replaced by a new Director General to be appointed for a term of five (5) years and in accordance with this section.

(4) In the event of the sudden departure of the Director General, the Board of Governors shall nominate an officer of the WAGP Authority to act as Director General until such time that a new Director General appointed in accordance with this section effectively assumes his functions.

(5) The Director General shall be the legal representative of the WAGP Authority and his decisions and actions within the scope of his powers under this Treaty and the WAGP Regulations shall bind the WAGP Authority.

Board of Governors

5.(1) The WAGP Authority shall have a Board of Governors composed of four (4) members. The Head of State of each State Party shall appoint one (1) member. The members of the Board of Governors shall be appointed for a term of four (4) years, 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. Each member shall have qualifications relevant to the activities of the WAGP Authority.

(2) The members of the Board of Governors may have alternates. The alternate of a member shall chosen by such member among his or her immediate assistants.

(3) The Board of Governors shall be presided over by one of its members for a period of one year at a time on an alphabetical rotational order of State Party name.

(4) The Board of Governors shall meet from time to time to:

(a) consider recommendations to the Committee of Ministers on appointment, revocation and replacement of the Director General;

(b) give its prior consent to a decision or action of the Director General in respect of the matters specified in sub-paragraphs (v), (xiii), (xiv), (xv), (xxvi) and (xxviii) of section 2(2)(a) of this Article;

(c) consider recommendation to the Committee of Ministers in respect of any change of the location of the headquarters of the WAGP Authority;

(d) approve of the funding requirements of the WAGP Authority;

(e) determine the organisational structure of the WAGP Authority; and

(f) consider requests for review of the decisions and actions of the Director General under section 12(1) of this Article.

(5) The Board of Governors shall convene at the request of any of its members, of the Director General or of the Company to decide upon any of the matters specified in section 5(4) of this Article.

(6) The decisions of the Board of Governors shall be subject to a majority vote of its members, except for decisions in a matter contemplated in section 2(2)(a) of this Article which shall be subject to a unanimous vote. Each member of the Board of Governors shall have one (1) vote. The Board of Governors shall convene at the request of

any of its members, of the Director General or of the Company. The required quorum shall be three (3) members or alternates present. A member of the Board of Governors may grant a proxy to another member to vote in its name. In the event that any urgent matter is referred to the Board of Governors, the Board of Governors shall be able to deliberate via any means of communications, subject to the provision of written minutes.

Staff

6.(1) The WAGP Authority may employ permanent staff and retain or engage external experts, consultants and other specialist staff, as may be necessary or appropriate to enable it to discharge its functions under this Treaty and the WAGP Regulations. Any staff and consultants engaged by the WAGP Authority shall be qualified by virtue of their education, training or experience.

(2) The Director General and the staff of the WAGP Authority (including consultants engaged by it) shall have no financial interest in the Company or any Shipper, Buyer, Seller or Project Contractor. They shall be obliged to keep information to which they may have access by virtue of their functions or their employment by the WAGP Authority confidential during and after their term of office.

(3) The Director General and all staff of the WAGP Authority who report directly to the Director General shall, in the territory of each of the State Parties, have such privileges and immunities as are provided under the ECOWAS General Convention on Privileges and Immunities of 22 April 1978.

(4) The salary and benefits of the Director General and the staff of the WAGP Authority shall be determined on the basis of salary scales and benefit plans of ECOWAS staff.

Funding

7.(1) The State Parties shall be responsible for providing or procuring funding for the WAGP Authority.

(2) The State Parties shall arrange the funding for the costs of the WAGP Authority primarily from the WAGP Authority Charge to be paid by the Shippers on the West African Gas Pipeline and from such other sources of funding as are identified in the funding provisions of Clause 9 of the International Project Agreement.

(3) The State Parties shall ensure at all times, and particularly in the event of any shortfall of funds paid to the WAGP Authority under the International Project Agreement (irrespective of the reason for such shortfall), that the costs of the WAGP Authority in excess of available resources are funded from the State Parties' budget so as to allow the WAGP Authority to continue to perform properly its functions.

(4) The State Parties shall further ensure that staffing levels and other costs incurred by the WAGP Authority are reasonable having regard to the functions of the WAGP Authority as provided in this Treaty and in the WAGP Regulations.

(5) The State Parties shall assist the WAGP Authority in seeking and obtaining from international agencies or other sources any further funding that may be required for its operations.

(6) The costs of the WAGP Authority not covered by the WAGP Authority Charge or other sources in any Tax Year shall be assumed by the State Parties in proportion to the respective Apportionment Percentages

that applies to each State Party in that Tax Year in accordance with the Agreed Fiscal Regime.

(7) At the latest 3 months prior to the commencement of each calendar year, the Director General shall establish the funding requirements of the WAGP Authority as contemplated in Clause 9.4 of the International Project Agreement. Within fifteen (15) days of the establishment of the draft funding requirements, the Director General shall notify to the Board of Governors the draft funding requirements, with all appropriate details necessary for it to be discussed by the Board of Governors. The Board of Governors shall meet within 1 month of receipt of the draft funding requirements, to review the draft funding requirements and may approve, reject or request amendments to the same. The Board of Governors in taking a decision under this subsection shall base its decision on the WAGP Authority's reasonable funding requirements and their consistency with the functions and powers of the WAGP Authority, as set out in this Treaty and the WAGP Regulations.

(8) Where the Board of Governors requests changes to the draft funding requirements, the Director General shall establish revised funding requirements which shall be notified to the Board of Governors within fifteen (15) days from the decision of the Board of Governors. The Board of Governors shall subsequently meet, in the presence of the Director General, within fifteen (15) days of the notification by the Director General of the revised funding requirement, with a view to finally resolving any outstanding issues and to adopt the final funding requirements of the WAGP Authority. The decision of the Board of Governors shall be final.

(9) The final funding requirements shall be notified by the Director General to the Company and to the State Parties, in accordance with Clause 9.4 of the International Project Agreement.

Site of the WAGP Authority

8. The WAGP Authority shall be located in one of the four State Parties, as shall be determined by the Committee of Ministers, upon the recommendation of the Board of Governors.

Official languages of the WAGP Authority

9. The official languages of the WAGP Authority shall be English and French.

Reporting of the WAGP Authority

10.(1) 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. The Report of the Authority for each preceding year shall contain:

(a) a description of the main stages of implementation of the Project;

(b) a description of the activities undertaken by the WAGP Authority;

(c) the sources and uses of funds of the WAGP Authority;

(d) a description of the implementation of this Treaty and the International Project Agreement by the State Parties and the Company.

(2) The Report of the Authority shall be submitted by the Director General to the Committee of Ministers at the latest on 31 March of the year following the year to which the Report of the Authority relates.

(3) The Committee of Ministers may request at any time from the WAGP Authority any information or documents it considers

appropriate in order to carry out its review of the WAGP Authority's activities.

Records

11. The premises, archives and records of the WAGP Authority (and all documents belonging to or held in the WAGP Authority) shall be inviolable at all times and wherever they may be located.

Review by the WAGP Tribunal

15. (1) Where any State Party or the Company is dissatisfied with any decision of the Committee of Ministers pursuant to section 13(2) or 13 (3) of this Article, the relevant State Party or the Company may file an application with the WAGP Tribunal for a review of the decisions of the WAGP Authority (or, as the case may be, of the decision of the Committee of Ministers which is substituted therefore) on the grounds that:

(a) the relevant decision or action of the WAGP Authority exceeds the scope of powers and functions of the WAGP Authority as defined in section 2(2) of this Article or in the WAGP Regulations; or

(b) the WAGP Authority has improperly exercised its regulatory powers under section 2(2)(c) by engaging in:

(i) any malicious or fraudulent act, act in bad faith, or any act carried out for an illegal or an improper purpose;

(ii) any act which would amount to an abuse of power or which is inconsistent with this Treaty, the Enabling Legislation or the WAGP Regulations;

(iii) any act or decision which is arbitrary, capricious, made without adequate basis, or made without taking into account relevant consi taking into account considerations; or

(iv) any decision, order, san measures which is or are disproportionate or ex respect to the desired o situation.

(2) Any application pursuant to shall have to be filed within th such time that the decision decision of the Committee the decision to decline a section 13(3) of this Article) attention of the party filing Pending the determination Tribunal, enforcement of the review shall be suspended.

(3) The review of the actions o WAGP Authority by the under this section shall b accordance with the provis of Procedure. Where the R provide for specific heari any matters contemplated of this Article, any revie proceedings by the WAGP Tribunal shall be conducted in accordance with specific requirements set out in the Rules of Procedure.

(4) Any action or decision of the WAGP Authority (or of the Committee of Ministers deemed to be a decision of the WAGP Authority) held by the WAGP Tribunal to have exceeded the powers of the WAGP Authority under section 2(2) of this Article or the WAGP Regulations shall not be recognised by any of the State Parties and shall cease to have any legal effect under their respective legal systems.

State Party support

16. (1) The State Parties shall ensure that the WAGP Authority carries out and performs its functions and obligations set out in, and complies in all respects with, this Treaty.

(2) In order to ensure proper coordination of the State Authorities' activities, the State Parties shall ensure that each of their respective State Authorities involved in the Project shall appoint a liaison officer who shall be in charge of relations with the WAGP Authority in connection with the matters within their scope of activity.

ARTICLE V
Agreed Fiscal Regime

General

1. The State Parties hereby agree to and shall ensure that their respective Tax Authorities shall fully apply the Agreed Fiscal Regime to the Company and all Applicable Persons.

Apportionment of fiscal revenue among the State Parties

2. (1) For the purpose of determining the liability of the Company in each State Party to Income Tax, all Assessable Income, Allowable Expenses and Capital Allowances for a Tax Year ***(Apportionable Items)*** shall be apportioned between each State Party in accordance with section 2(2) of this Article, irrespective of where or how such Assessable Income might have been earned or accrued or Expenses incurred. The final share of all Apportionable Items that is attributed to each State Party in accordance with the calculation set out in section 2(2) of this Article shall constitute its Apportionment Percentage.

(2) The Apportionable Items shall be divided between the State Parties as follows: 45% of the Apportionable Items will be divided between the State Parties in proportion to the distance of the Pipeline System within each State Party, 45% of the Apportionable Items will be divided between the State Parties in proportion to the Reserved Capacity for delivery in each State Party, and 10% of the Apportionable Items will be divided between the State Parties equally. Accordingly, in each Tax Year the Apportionment Percentage.

$$AP_S = 45 \times ((L_S - L_T) + (RC_S - RC_T)) + 2.5$$

where:

AP_s = the Apportionment Percentage of a State Party, expressed as a percentage;

L_s = the length of pipeline comprised in the Pipeline System situated within the State Party concerned as at 1 January in that Tax Year, which has been commissioned (for which purpose the length of the pipeline within a State Party shall be determined by the as built survey carried out by the Company, and the length of lateral pipelines shall be included);

L_T = the total length of pipeline comprised in the Pipeline System as at 1 January in that Tax Year, which has been commissioned (for which purpose the length of the pipeline shall be determined by the as built survey carried out by the Company, and the length of lateral pipelines shall be included);

RCs = the sum of the quantities of Reserved Capacity which are reserved at any time for transportation of Natural Gas as at 1 January in that Tax Year, for delivery out of the Pipeline System in the State Party concerned, and

RC_T = the total sum of the quantities of Reserved Capacity which are reserved

at any time for transportation of Natural Gas as at 1 January in that Tax Year.

(3) The Apportionment Percentages to apply in any Tax Year, or the method of determining the Apportionment Percentages, may be adjusted by the State Parties by written notice signed by each Relevant Minister and delivered to the Company prior to that Tax Year; provided however that:

(a) the total of the Apportionment Percentages to apply in a Tax Year shall always equal one hundred percent (100%);

(b) If a methodology is to be used to determine the division of the Apportionment Percentages between the State Parties, the Apportionment Percentages shall be readily ascertainable on or before 1 January in the Tax Year concerned; and

(c) If on 1 January in a Tax Year adjusted Apportionment Percentages which the State Parties intend to apply in that Tax Year are not readily Apportionment Percentages which applied in the previous Tax Year shall continue to apply.

(4) The mechanism for certifying the Apportionment Percentages and the timing of that certification shall be set out in the International Project Agreement.

ARTICLE VI
Fiscal Review Board and WAGP Tribunal

Establishment and Jurisdiction of the Fiscal Review Board

1 .(1) The Fiscal Review Board is hereby established.

(2) The Fiscal Review Board shall be an *ad hoc* body to be constituted only when required to hear an application for review within its jurisdiction.

(3) The Fiscal Review Board shall have exclusive jurisdiction to hear applications filed by any Applicable Person for review of a decision or action or inaction of a State Party, a Tax Authority, any other State Authority or the WAGP Authority in relation to the application of the Agreed Fiscal Regime (including Non-WAGP Regime matters which are modified by the implementation of the Agreed Fiscal Regime), including specifically:

(c) applications filed by any Applicable Person for review of (a) any Assessment or any amended or altered Assessment issued by any State Party or (b) the failure of any State Party to issue an amended Assessment following the submission of amended Returns in accordance with paragraph B.40 of Schedule 8 of the International Project Agreement;

(b) applications filed by any Applicable Person for review of any imposition of a withholding or deduction contrary to paragraphs B.50 or B.51 of Schedule 8 of the International Project Agreement or of the failure of any State Party to treat any withholding in accordance with paragraph B.52 of Schedule 8 of the International Project Agreement;

(c) Applications filed by any Applicable Person for review of any refund of VAT by any State Party or State Authority, or any refusal by any State Party or State Authority to make a repayment of VAT (in either case including as to the amount of any interest due), or any requirement of a State Party or State

Authority that VAT be paid or charged, or any refusal in whole or in part by any State Party or State Authority to allow a credit for Tax in respect of VAT paid and not refunded;

(d) applications filed by any Applicable Person for review of any imposition of any customs duties pursuant to Part D of Schedule 8 of the International Project Agreement by any State;

(e) applications filed by any Applicable Person for review of any imposition of any Tax by any State Party or State Authority contrary to the provisions of the Fiscal Laws or the failure of a State Party or State Authority or the WAGP Authority to comply with the Fiscal Laws or to correctly apply the Non-WAGP Regime as modified by the implementation of the Agreed Fiscal Regime; and

(f) applications filed by any Applicable Person for review of any imposition of any penalty under Part F of Schedule 8 of the International Project Agreement or any demand for interest by any Tax Authority under paragraph B. 49 of Schedule 8 of the International Project Agreement or any refusal of any Tax Authority or State Party to pay interest pursuant to paragraph B. 49 of Schedule 8 of the International Project Agreement.

Composition of the Fiscal Review Board

2.(1) The Fiscal Review Board shall consist of the head of the Tax Authority in each State Party (or his or her authorised representative). The Fiscal Review Board shall be constituted on the receipt by the WAGP Authority of a notice for review. Each State Party shall ensure that its representative on that Fiscal Review Board is duly appointed and duly participates in the hearing and determination of the review by that Fiscal Review Board.

(2) Every member of the Fiscal Review Board shall in respect of the business of that Fiscal Review Board act solely as a member of the Fiscal Review Board as an independent decision-maker and shall conduct the hearing and determination of the review in an independent and impartial manner in accordance with the general principles of international law. Each party to these proceedings shall be entitled to a fair and impartial hearing.

Procedure and decisions of the Fiscal Review Board

3.(1) The requirements and procedure that apply to notices, time limits for appeals and filings, submission of evidence and pleadings, hearings, procedural requests, the form of the decision of the Fiscal Review Board and all other procedural matters in respect thereof shall be as set out in the Rules of Procedure.

(2) The decisions of the Fiscal Review Board shall be binding on the parties to its proceedings, shall be recognised as final, effective and immediately enforceable as of their notification within the domestic legal and fiscal systems of all the Stale Parlies and as against any State Authorities of such State Parties (to the extent such State Parties were parties to or regularly joined into the proceedings), subject to the parties' right of appeal to the WAGP Tribunal under section 4 of this Article.

Establishment and Jurisdiction of the WAGP Tribunal

4. (1) The WAGP Tribunal is hereby established.

(2) The WAGP Tribunal shall be an *ad hoc* body to be constituted only when required to hear an application for review within its jurisdiction.

(3) The WAGP Tribunal shall have exclusive jurisdiction to:

(a) hear all appeals from any final decisions of the Fiscal Review Board filed by (i) any Applicable Person (ii) State Parties or State Authority, provided that if the matter being

appealed is a matter arising under Part B of Schedule 8 of the International Project Agreement (other than an appeal in relation to the application of paragraphs B.2, B.51, B.52. B.54. B.55 or B.56 of Schedule 8 of the International Project Agreement) then an appeal lies only if all State Parties or the equivalent State Authority in all Stale Parties join or are joined in the appeal;

(b) conduct the review contemplated in section 15 of Article IV: and

(c) hear and determine applications provided under article 2(b) of Part B of Schedule 8 of the International Project Agreement.

Composition of the WAGP Tribunal

5. (1) The WAGP Tribunal shall consist of five (5) judges. Four (4) judges shall be chosen and appointed by each State Party from judges of their respective highest court having jurisdiction to hear tax or administrative law disputes, depending on whether (he dispute is in relation to the Agreed Fiscal Regime or in relation to the legality of a WAGP Authority decision. The fifth (5th) judge, who shall be the presiding judge, shall be appointed by the President of the ECOWAS Court of Justice from the judges appointed to the ECOWAS Court of Justice that are not nationals of any of the State Parties.

(2) Each member of the WAGP Tribunal shall act as an independent decision-maker and not as a representative of any State Party or, as the case may be. of any ECOWAS state and shall conduct the hearing and determination of the appeal in an independent and impartial manner in accordance with this Treaty, the International Project Agreement, the WAGP Regulations, the Enabling Legislation and the general principles of international law. Each party to the proceedings shall be entitled to a fair and impartial hearing.

Procedure and decisions of the WAGP Tribunal

6. (1) The requirements and procedure that apply to notices, time limits for appeals and filings, submission of evidence and pleadings, hearings, procedural requests, the form of the decision of the WAGP Tribunal and all other procedural matters in respect thereof shall be as set out in the Rules of Procedure.

(2) The decisions of the WAGP Tribunal shall be binding on the parties to its proceedings, shall be recognised as final, effective and immediately enforceable as of their notification within the domestic legal and fiscal systems of all the State Parties and as against any State Authorities of such State Parties (to the extent they were all parties to or regularly joined into the proceedings).

Role of WAGP Authority

7. The WAGP Authority shall provide for the administration of the Fiscal Review Board and the WAGP Tribunal. Documents to be notified to the Fiscal Review Board or the WAGP Tribunal shall be notified to the WAGP Authority, and documents to be notified by the Fiscal Review Board or the WAGP Tribunal shall be notified by the WAGP Authority on their behalf.

State Parties and WAGP Authority to facilitate

8. The State Parties and the WAGP Authority shall use their best endeavours to facilitate any proceedings under this Article. Each State Party shall ensure that a representative from that State Party is duly appointed to the Fiscal Review Board or the WAGP Tribunal, as the case may be, and that such person duly participates in the business of the Fiscal Review Board or WAGP Tribunal in accordance with this Treaty.

Rules of Procedure

10. The Committee of Ministers shall as soon as practicable after the signature of this Treaty draw up and issue Rules of Procedure which

shall apply to the conduct of proceedings before the WAGP Authority, the WAGP Tribunal and the Fiscal Review Board. The Committee of Ministers may by instrument amend the Rules of Procedure.

ARTICLE VII
Project Documentation

International Project Agreement

1. (1) The State Parties shall, following signature of this Treaty, enter into an International Project Agreement with the Company. The International Project Agreement shall be executed on behalf of the State Parties by the Committee of Ministers. Following its execution, the Committee of Ministers shall sign an instrument which:

(a) reconfirms the undertakings of the State Parties hereunder in respect of the executed International Project Agreement; and

(b) identifies a true copy of the International Project Agreement.

(2) The instrument and the copy of the International Project Agreement shall be lodged with the Depository, and the same shall be the Exhibit to this Treaty.

Agreed Regime and Stability

2. (1) The State Parties recognise and agree that the West African Gas Pipeline, and the rights and obligations of the State Parties, the Company and the WAGP Authority in respect thereof, shall be exclusively governed by the following set of instruments, rules and principles:
(a) this Treaty;
(b) the International Project Agreement;
(c) the Enabling Legislation (in respect of such rights and obligations as arc recognised by the domestic law of each State Party);
(d) the Rules of Procedure;
(e) all other 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.

(2) The State Parties further recognise and agree with one another that the harmonised and stable application of this Treaty, the International Project Agreement, the Enabling Legislation and all other elements of the Agreed Regime by all the State Parties, throughout the duration of the International Project Agreement and across all four (4) jurisdictions, is essential to protect the rights and interests of each of the State Parties in maintaining the West African Gas Pipeline as a common source of gas supply and/or as a common means of transport of indigenous gas.

(3) Each State Party therefore hereby agrees and undertakes that:

(a) it shall comply with this Treaty, the International Project Agreement, the Enabling Legislation and the other instruments forming part of and/or implementing the Agreed Regime;
(b) it shall not, whether by way of direct executive action, order, regulation or decision or by the entering into international agreements or otherwise, discontinue performance of, revoke, amend, suspend, terminate, repudiate or disable the legal effectiveness of this Treaty;
(c) it shall not promote, shall oppose and shall use its best efforts to ensure that its Legislature does not

bring about, any legislative change materially affecting the validity or continuing application of the provisions of this Treaty, the International Project Agreement, the Enabling Legislation or of any other instruments forming or contemplated under the Agreed Regime.

Action in event of breach of the Treaty

3. (1) In the event that any one or more State Parties should breach this Treaty or the International Project Agreement, or take any action inconsistent with section 2(3) of this Article:

(a) the State Parties affected by the 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;

(b) the State Party in breach shall cease any such actions and cure any such breach promptly upon receipt of the notice of breach contemplated in paragraph (a) above;

(c) any refusal or failure to cease such actions and/or adequately cure such breach shall entitle the State Party affected by the breach to take action against the offending State Party and to require and/or enforce any available remedy under this Treaty, under the ECOWAS Revised Treaty and under the general rules of international law;

(d) the State Parties (or any of them) that have sustained a loss as a result of any breach by one or more State Parties shall be entitled to claim monetary compensation, which shall be limited to the actual and direct loss sustained by that other State Party as a result of the breach and shall exclude any indirect loss or damage, except that no compensation shall be payable in respect of an interruption or termination of the construction or operation of the West African Gas Pipeline on grounds of national defence where it serves the defence interests of all the State Parties; and

(e) the provisions of the International Project Agreement shall apply to determine any consultative, corrective or compensatory measures to be taken in respect of the Company and any other party entitled to a remedy thereunder;

ARTICLE VIII

Transit of Natural Gas

Consent of State Parties to transit of Natural Gas

L. (I) The State Parties producing Natural Gas transported through the West African Gas Pipeline and the State Parties crossed by the West African Gas Pipeline shall, for the duration of the International Project Agreement, allow the export and transit of such Natural Gas on its territory:

(a) without discrimination as to the origin, destination or ownership of that Natural Gas;

(b) in no less favourable a manner than such Natural Gas originating in or destined for its own market;

(c) without imposing any unreasonable delays, limitations, quotas or charges; and

(d) without imposing any licence, permit or restrictions other than as may be required under the International Project Agreement or the Enabling Legislation.

(2) Each State Party shall take the necessary measures to facilitate the transit of Natural Gas through the West African Gas Pipeline consistently with the principle of freedom of transit in Article 45.2 of the ECOWAS Treaty and Article 7 of the ECOWAS Energy Protocol and will observe the general principles of public international law in relation to the transit of Natural Gas across its territory.

(3) Subject to section 2 of this Article, the State Parties shall not interrupt or reduce. permit any entity subject to its jurisdiction or control to interrupt or reduce, or require any entity subject to its jurisdiction or control to interrupt or reduce, the existing flow of Natural Gas except as specifically provided for in the International Project Agreement.

(4) Each State Party acknowledges and agrees with the others that if a State Party takes any action, fails to take any action or suffers or permits the taking of any action or the occurrence of an event which interrupts or otherwise impedes, or threatens to interrupt or impede, the Project, such State Party shall use all lawful and reasonable endeavours to eliminate the threat and rectify any interruption or impediment and promote restoration of all Project activities at the earliest opportunity.

(5) Each State Party where the Natural Gas is produced shall use all lawful endeavours to ensure that Natural Gas producers within their jurisdiction shall be allowed to operate (and shall benefit and continue to benefit from all such permits, licences and regimes as may be necessary to allow them to operate) all such proven reserves of gas as are available for the performance of the gas sales and purchase agreements for which transportation is arranged through the West African Gas Pipeline.

National emergency

2. 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.

ARTICLE IX

Ownership of the West African Gas Pipeline

Principle

1. The West African Gas Pipeline shall be built and operated by the Company at the request of the State Parties as a Build-Operate-Own project. The Company shall at all time have exclusive ownership and operating rights over the West African Gas Pipeline and all other assets intended to be used for the construction or operation of the West African Gas Pipeline (including without limitation the pipeline, the pipeline structures and equipment, whether on land or offshore, and all such real property rights and easements required for the construction, operation,

maintenance or ownership of the

Prohibition of expropriation

2. (1) Each State Party undertakes that the assets or shares of the Company or any Affiliate of the Company within its territory or jurisdiction shall not be the subject of an Expropriation Event.

(2) If an Expropriation Event occurs, the State Party or State Parties that has or have caused the Expropriation Event shall make to the affected person prompt, adequate and effective payment of compensation for such Expropriation Event, as determined under public international law, in accordance with Clause 44 of the International Project Agreement.

Rights upon termination

3. Upon the termination of the International Project Agreement, whether at the term of the International Project Agreement or prematurely for whatever reason, the rights enjoyed by the Company over the West African Gas Pipeline and all other assets belonging to the Company and intended to be used for the construction or operation of the West African Gas Pipeline (including without limitation the pipeline, the pipeline structures and equipment, whether on land or offshore, and all such real property rights and easements required for the construction, operation, maintenance or ownership of the pipeline and pipeline structures and equipment) shall remain vested in or otherwise with the Company, and the State Parties relinquish all rights to take possession or otherwise claim ownership rights over such assets (except to the extent permitted under the provisions of the International Project Agreement).

ARTICLE X

Consultation between State Parties

Committee of Ministers

1. There is hereby established a Committee of Ministers composed of the Relevant Minister of each State Party. The Executive Secretary of ECOWAS shall be invited to attend all meetings of the Committee of Ministers but shall have no voting right and his presence shall not be counted for purposes of determining the quorum required under this section.

Functions of the Committee of Ministers

2. The Committee of Ministers has the following functions:

(a) to consider the Report for the Authority on the operation and implementation of this Treaty and the International Project Agreement:

(b) to agree on any further measures which may be necessary or expedient to achieve the objectives of this Treaty;

(c) to discuss any matters arising from the implementation of this Treaty and the International Project Agreement;

(d) to endeavour to settle any dispute that arises under this Treaty or the International Project Agreement;

(e) to review decisions of the Authority in accordance with section 13 of Article IV of this Treaty;

(f) to amend or supplement by written instrument the powers and functions of the WAGP Authority; and

(g) upon request of any State Party, to deliberate on:

(i) any matter that relates to the interpretation or implementation of this Treaty, the Enabling Legislation or the International Project Agreement;

(ii) the consequences of any measures announced or taken which do or could substantially affect the construction or the operation of the West African Gas Pipeline;

(iii) any action proposed in relation to any rights or obligations of the State Parties under this Treaty, the Enabling Legislation or the International Project Agreement; and

(iv) the future of the West African Gas Pipeline and its continued development and operations, in the event of termination of the International Project Agreement for any reason.

3. Each Relevant Minister shall be the representative of its State Party in dealing with the other State Parties in respect of this Treaty, the International Project Agreement and the West African Gas Pipeline.

Meetings of the Committee of Ministers

4. (1) The Committee of Ministers shall meet at such times and places as it may determine but shall convene at the request of any of its members, the Authority or the Company.

(2) The Executive Secretary of ECOWAS shall be invited to attend meetings of the Committee of Ministers as an observer.

(3) The quorum of the Committee of Ministers shall be three (3) members or their alternates present; and a member may grant a proxy to another member to vote in its name.

(4) Decisions of the Committee of Ministers in the case of a review of a decision of the Authority in a matter provided for under section 2.(2)(a) of Article IV *(representation functions)* shall be subject to a unanimous vote of all the members, and in all other cases the decision of the Committee of Ministers shall be that of the majority.

(5) Each member of the Committee of Ministers has one (1) vote.

(6) Where any matter of an urgent nature is referred to the Committee of Ministers, it may deliberate on the matter via electronic means, subject to the establishment of written minutes.

ARTICLE XI

Dispute Resolution

Settlement of Disputes between State Parties

1. Where a dispute arises between two or more State Parties from the interpretation or application of this Treaty, the State Parties concerned shall endeavour to settle such dispute through consultations in accordance with section 3 of Article X.

Reference to ECOWAS Court of Justice

2. If the relevant State Parties are not able to reach an agreement within a period of six (6) months from the date the dispute arose, the dispute may be referred by any of the parties to the dispute to the ECOWAS Court of Justice, which shall finally resolve the dispute in accordance with the Rules of Procedure of the ECOWAS Court of Justice.

ARTICLE XII

Depository

1. This Treaty, of which the English and French texts are equally authentic, and its Exhibit, shall be deposited with the Executive Secretary of ECOWAS. Duly certified copies will be transmitted by the Executive Secretary of ECOWAS lo the State Parties.

Functions of the Depository

2. The functions of the Depository are to:

(a) keep custody of the original text of the Treaty and its Exhibit;

(b) prepare certified copies of the original text and transmitting them to the State Parties;

(c) receive any signatures to the Treaty and receive and keep custody of any instruments, notifications and communications relating to it;

(d) examine whether the signature or any instrument, notification or communication relating to the Treaty is in due and proper form;

(e) inform the State Parties to the Treaty when the number of signatures or of instruments of ratification or acceptance required for the entry into force of the Treaty has been received or deposited;

(f) inform the State Parties to the Treaty when any other state qualified to accede to the Treaty under Article XV has deposited its instruments of accession;

(h) register the Treaty with the Secretariat of the United Nations; and

(i) perform other functions specified in the provisions of the Vienna Convention on the Law of Treaties.

ARTICLE XIII

Ratification and/or Acceptance

This Treaty shall be subject to ratification and/or acceptance by the State Parties. Instruments of ratification and/or acceptance shall be deposited with the Depository.

ARTICLE XIV

Entry into Force

Entry into force of Treaty for State Parties

1. This Treaty shall enter into force and be binding on the State Parties as of the day that each of the State Parties have all deposited their instruments of ratification and/or acceptance.

Entry into force of Treaty for acceding states

2. For each State which accedes hereto, this Treaty shall enter into force on the day after the date of deposit by such state of its instrument of accession.

ARTICLE XV

Accession

This Treaty shall be open for accession by states other than the State Parties on terms to be approved by the State Parties, from the date of the deposit of the last instrument of ratification and/or acceptance by the State Parties. The instruments of accession shall be deposited with the Depository.

ARTICLE XVI
Amendment

(1) Subject to the restrictions provided in section 2(3) of Article VII, any State Party may propose to the Depository an amendment to this Treaty, which shall be considered by the Committee of Ministers on behalf of the State Parties at a meeting arranged in accordance with Article X. Any recommendations arising from that meeting shall be made to the Head of State of each State Party.

(2) Any amendments shall be adopted by unanimous decision of the State Parties.

(3) Any amendment to this Treaty which is adopted by the State Parties shall enter into force upon the receipt by the Depository of the instruments of ratification, acceptance or approval by at least two thirds of the State Parties, or on such later date as may be specified in the amendment.

(4) The Depository shall notify all of the State Parties of the entry into force of an amendment.

(5) Any amendment or addition to the functions and powers of the WAGP Authority made by the Committee of Ministers under section 2.(3) of Article IV. and the establishment or amendment to the Rules of Procedure under section 10 of Article VI. shall not constitute an amendment to this Treaty under this Article XVI.

ARTICLE XVII

Termination and Withdrawal
Termination of Treaty and International Project Agreement

L. (I) The State Parties shall be entitled to terminate or withdraw from this Treaty only upon or after the termination of the International Project Agreement.

(2) In the event the International Project Agreement is terminated prior to its term in accordance with Clause 39 of the International Project Agreement, this Treaty shall remain in force for the time, and to the extent, required by any State Party or by the Company to assert any rights arising from, protect any interests endangered by or bring any proceedings resulting from termination of the International Project Agreement.

(3) The termination of this Treaty in accordance with section 1(1) and 1(2) of this Article shall be subject to the prior consent of all State Parties (such consent not to be unreasonably withheld).

(4) The withdrawal from the Treaty by any individual State Party in accordance with section 1(1) and 1 (2) of this Article shall be subject to the prior consent of a)) other State Parties (such consent not to be unreasona6/y *withheld).*

Denunciation, withdrawal, suspension or other circumstances of termination of Treaty

2. The State Parties shall not be able to require the denunciation, withdrawal, suspension or termination of this Treaty in any circumstances other than those contemplated in section 1(1) and 1(2) of this Article, including in the event of material breach, supervening impossibility of performance, fundamental change of circumstances, severance of diplomatic or consular relations, or any other causes recognised under international law.

ARTICLE XVIII
Reservations

The State Parties have not expressed any reservations to any provision of this Treaty.

ARTICLE XIX
Transitional Arrangements

Termination of Heads of Agreement

1. This Treaty supersedes the Heads of Agreement between the State Parties dated 5 September 1995 which is referred to in the recitals to this Treaty. Upon this Treaty coming in to effect, the Heads of Agreement (and any other agreement solely between the State Parties in relation to the West African Gas Pipeline) shall terminate.

Transition of functions of Steering Committee

2. All such functions and powers conferred on the WAGP Authority under this Treaty, the Enabling Legislation, the WAGP Regulations and the International Project Agreement which were previously exercised in each State Party by the Steering Committee established by the State Parties under article 4.1 of the Heads of Agreement shall cease to be exercised by the Steering Committee in each State Party and shall vest in the WAGP Authority as of the date that the WAGP Authority is empowered to exercise its authority within the State Parties in accordance with the provisions of this Treaty.

IN WITNESS **WHEREOF,** the undersigned, being duly authorised by their respective Governments, have signed this Treaty.

Signed at Dakar, this 31st January, 2003, in six (6) authentic texts in the English and French languages.

For the Government of the Republic of Benin

H. E. Mathieu KEREKOU
President of the Republic

For the Government of the Repu

H. E. John AGYEKUM KUFUO
President of the Republic

For the Government of the Nigeria:

H. E. OLUSEGUN OBASANJO
President, Commander in Chief of the Armed Forces

For the Government of the Togolese Republic:

H. E. GNASSINGBE EYADEMA
President of the Republic

IN THE PRESENCE OF

The Executive Secretary of ECOWAS

Dr. Mohammed Ibn CHAMBAS

PROTOCOL OF COOPERATION BETWEEN THE CAMOES INSTITUTE AND THE ECONOMIC COMMUNITY OF THE WEST AFRICAN STATES (ECOWAS) FOR THE CREATION OF A CENTRE FOR PORTUGUESE LANGUAGE AT THE EXECUTIVE SECRETARIAT OF ECOWAS

The Institute Camoes (ICA) with headquarters at Rua Rodrigues Sampaio, n° 113,1150-279 Lisboa, herein represented by its President, **Simonetta Luz Afonso;**

And

The Economic Community of West African States, hereafter called ECOWAS, with headquarters at No 60 Yakubu Gowon Crescent, Asokoro-Abuja, herein represented by its Executive Secretary, **Dr. Mohamed Ion Chambas;**

CONSIDERING THAT:

- Portuguese is a working language in ECOWAS and the official language of two Member States of this Organisation;
- The interest in training Portuguese-language translators and interpreters providing the means to enable them to deepen their knowledge and perfect their skills.
- The constant development in the fields of translation and interpretation and the need for on-going bibliographical and technological updating;
- The advantages of both technical and management staff of ECOWAS in establishing a link to the network of Portuguese-speaking African countries that are members of this Organisation;
- The will of ECOWAS in creating a Training Centre for its staff;
- The Camoes Institute's vocation is to promote and disseminate the Portuguese language.

HAVE AGREED AS FOLLOWS:

Article 1: *Object*

The present Protocol establishes the *Portuguese Language Centre,* hereafter called the "Center" in ECOWAS, which will function as a multi purpose area in support of the use of the Portuguese language within the organization.

Article 2: *Purposes*

1. The Centre will be used for the following purposes:
   a) Support activities of Portuguese language translators and interpreters;
   b) Support training and improvement of Portuguese language translation and interpretation;
   c) Consultation of bibliography and multimedia materials;
   d) Place of access to and on-line communication with other Portuguese Language Centres.
2. The Executive Secretary of ECOWAS will nominate one of its staffs to the Centre. He/She will be responsible for attending to the public and carry out administrative duties.
3. The opening hours and weekly working hours of the person referred to in paragraph 2 above shall be agreed by mutual consent between the contracting parties.

Article 3: *Users*

1. The Centre is for all ECOWAS staff members and particularly for translators, interpreters

and other agents who work with the Portuguese language.

2. The contracting Parties may allow the utilisation of the premises and the attendance to courses by others who are interested, by means of previous and individual authorization.

Article 4: Management *of the Centre*

1. The Centre will be managed jointly by the Camoes Institute through its Director and the Executive Secretariat of ECOWAS.

2. The Director of the Centre will be the Senior Lecturer nominated by Camoes Institute.

3. The Director of the Centre will work in an office within the premises of the Centre.

Article 5: *Agreement between Parties*

1. The Camoes Institute agrees to:

a) provide the Centre with furniture and computer equipment;

b) make available bibliography, audiovisual and multi-media materials selected in accordance with the functions of the Centre and guarantee to update them regularly;

c) equip the Centre with materials mentioned in the preceding paragraphs within a maximum of sixty (60) days after the premises is made available by ECOWAS;

d) assure the payment of the Director of the Centre nominee;

e) grant scholarships for specialists in Portugal and in Mozambique, according to criteria to be defined in compliance with the projects that will be agreed by the contracting Parties namely for training translators and Conference interpreters' trainers.

2. ECOWAS agrees to:

a) provide the premises for the Centre with a minimum surface area of 60 sqm;

b) ensure that the premises is available within sixty (60) days after the signature of this Protocol;

c) place at the disposal of the Centre the staff member referred to in no.2 of article 2;

d) guarantee the payment for the running and maintenance costs of the Centre as well as the salary of the staff referred to above.

Article 6: *Management Regulation*

1. The Centre will have a management regulation drawn up by the Director of the Centre and approved by the Head of Training at the Executive Secretariat of ECOWAS.

2. The bibliographical, audiovisual and the multimedia materials provided by the Camoes Institute will be made available in accordance with the terms to be defined in the management of the Centre.

Article 7: *Annual Plan of Activities*

The Annual Plan of Activities of the Centre, related to the training courses for ECOWAS staff, will be presented as an appendix to the present Protocol and will be renewed each year.

The bibliographical, audiovisual and the multimedia materials provided by the Camoes Institute will be made available in accordance with the terms to be defined in the management of the Centre.

Article 8; *Entry into Force, Renewal and Effectiveness*

1. The present Protocol will enter into force on the first day of the next month after its signature and may be denounced by either Party, by giving at least three (3) months written notice.

2. In case of a beforehand denouncement of the Protocol by one Party, all the material goods made available by the Camoes Institute, will remain in its possession.

3. The present Protocol shall remain in force for a period of three (3) years and shall be renewed in writing at the end of the present 3-year term, for the same time-frame.

Done in Abuja, this 15th Day of November 2005

For: The Camoes Institute

Ita Luz Afonso
President

For: The Economic Community of West African States (ECOWAS)

Dr. Mohamed Ibn Chambas
Executive Secretary

TWENTY-SEVENTFTSESSION OF THE ECOWAS HEADS OF STATE AND GOVERNMENT
Accra 19th December 2003

FINAL COMMUNIQUE

INTRODUCTION

The twenty-seventh session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS), was held in Accra, on 19 December 2003, under the Chairmanship of His Excellency, John Agyekum Kufuor, President of the Republic of Ghana, and current Chairman of ECOWAS.

The following Heads of State and Government or their duly accredited representatives were present at the session:

- His Excellency Mathieu Karekou President of the Republic of Benin;
- His Excellency Laurent Gbago President of the Republic of Cote d'Ivoire
- His Excellency John Agyekum Kufuor President of the Republic of Ghar.a
- His Excellency Henrique Perreira Rosa President of the Republic of Guinee - Bissau
- His Excellency Amadou Toumani Toure President of the Republic of Mali
- His Excellency Olusegun Obasanjo President of the Federal Republic of Nigeria
- His Excellency Maitre Abdoulaye Wade President of the Republic of Senegal
- His Excellency Ahmed Teejan Kabbah President of the Republic of Sierra Leone
- His Excellency General Gnassingbe Eyadema President of the Togolese Republic
- His Excellency Gyude Bryant President of the National Transitional Government of the Republic of

Liberia

- His Excellency Jose Maria NevesPrime Minister of the Republic of Cabe Verde
- His Excellency Ernest Paramanga Yonfi
  Prime Minister Representing the President of Faso
- His Excellency Lamine Sidime
  Prime Minister, Representative of the President cf the Republic of Guinea
- Mr. Edward Sinjate, Representative of the President of the Republic of The Gambia
- Mr. Adamou Moumouni Djermakoye, Representative of the President of the Republic of Niger

The following dignitaries also attended the twenty-severer; session of the Authority as observers:

- His Excellency, Alpha Oumar Konare, Chairman of the African Union Commission;
- Mr. Moussa Toure, President of the UEMCA Commission;
- His Excellency, Ahmedou Ouid Abdallah, Representative of the Secretary General of the United Nations Organisation;
- His Excellency, Dr. K.Y. Amoako, Executive Secretary of the Economic Commission for Africa;
- Madam Carole Bellamy, Director General of UNICEF;
- Mr. Abdouille Janreh, Representative of the Administrator of UNDP

A list of participants is attached as an annex.

II. Opening Ceremony

The opening ceremony featured the welcome address of Dr. Monamed Ibn Chambas, ECOWAS Executive Secretary and the opening address of His Excellency John Agyekum Kufuor, President of the Republic of Ghana and current Chairman of ECOWAS, as well as the vote of thanks moved by His Excellency Olusegun Obasanjo, President of the Federal Republic of Nigeria.

The Authority decided to use these addresses as working documents. The Heads of State and Government reaffirmed their commitment to the consolidation of regional peace and security and to the regional integration process, as a means of freeing the peoples of the West African sub-region from the grip of poverty.

Messages of solidarity and support were delivered to the twenty-seventh session of the Authority by His Excellency Alpha Oumar Konare, Chairman of the African Union Commission, Mrs. Carole Bellamy, Director General of UNICEF, Mr. Ahmadu Ould Abdallah, representing Mr. Kofi Annan, Secretary General of the United Nations Organisation.

Declaration on the West African Child

In view of the serious threat to children as a result of their growing involvement in the armed conflicts of the region, the Authority adopted the Dakar Declaration on the West African Child. The Declaration envisages special measures for the improvement of the lot of the West African child in all aspects of life.

The Heads of State and Government committed themselves to the use of the Peer review mechanism for the monitoring of the measures adopted for better protection of children in the region.

The Authority directed the ECOWAS Executive Secretariat to take necessary measures to enhance the capacity of the Chile Protection Unit.

The Heads of States and Government also directed the Executive Secretary to accept ECOWAS Ambassadors for the Child.

Accelerating the Regional Integration Process ECOWAS Programmes

The Authority adopted the reports of the Executive Secretary, the different sessions of the Council of Ministers, and the Meeting of Ministers of Foreign Affairs. The reports focused on the following:

- Establishment of the ECOWAS Common Marker;
- Creation *of* the second monetary zone

(WAMZ) are the ECOWAS single monetary zone;

- WTO multilateral trade negotiations, and trade negotiations with the European Union within the framework of economic partnership agreements (EPAs);
- Production sector programmes and infrastructure;
- Human development programmes;
- Administrative and financial matters;
- Institutional matters;
- Regional peace and security.

The Authority took note of the presentation made by the Executive Secretary of the United Nations Economic Commission for Africa (EGA) Dr. K. Y. Amoako, on integration and development in West Africa.

The Heads of State and Government followed the presentation with great interest and thanked the EGA Executive Secretary on the quality of his presentation. The paper was followed by a lively debate, after which the Heads of State and Government stressed the need to identify the priorities on which the development efforts of the region should be focused. The Heads of State and Government called on ECOWAS and the ECA to work in collaboration with other development institutions to formulate proposals in this regard.

The ECOWAS Executive Secretary was also directed to prepare regular monthly reports on priority actions on integration for consideration, on the cabinet of Ministers of each Member State.

The Authority placed particular emphasis on economic and institutional matters, peace and security.

Economic Matters

NEPAD Implemention

The Heads of State and Government reiterated their commitment to the objectives, orientations and priorities of NEPAD, as the appreciate instrument for the integration and development of the economies of the African continent. The Authority urged the Executive Secretariat and Member States to speed up establishment of NEPAD focal points in all the Member States.

In view of the need to take stock of progress accomplished in the implementation of NEPAD, the Heads of State and Government welcomed the offer from the Republic Niger to host the meeting of Ministers responsible for NEPAD implementation. The Authority thanked development partners for their support in the operationalisation of the regional focal point for NEPAD implementation recently opened at the ECOV/AS Executive Secretariat.

The Authority also appealed to the international community, and particularly to our partners of the G8 to make good on the promises they made at the summits of Genoa in 2001, Kananaskis in 2002, and Evian in 2003. They were reminded to fulfil their undertakings of the Monterrey summit in 2002.

Regional Approach to the Fight against Poverty

The Authority underscored the need for a regional approach to the fight against poverty, in order to create synergy and enhance national programme within the framework of Poverty Reduction Strategy Papers.

The Heads of State and Government commended the efforts of the ECOWAS Executive Secretariat, the UEMOA Commission and the World Bank towards the formulation of a regional poverty reduction strategy paper. They requested that the work should be accelerated in order to adopt a regional framework for the fight against poverty.

Post-Cancum Perspectives Multilateral Trade Negotiations

Referring to the Doha Ministerial Declaration by which members of the WTO undertake to place the needs and interests of developing countries at the centre of multilateral trade negotiations, the Authority expressed its regret at the failure of the Canoun

meeting, and stressed the fact that post-Cancun negotiations had been planned to take into account the priorities of developing countries in general an of African countries in particular.

Acknowledging the importance of cotton for the development of some African countries in general and countries of the ECOWAS region in particular, as well as the urgent need to address the problem of the distortions affecting the international cotton trade, the Authority strongly supported the proposal for a cotton initiative within the WTO by Benin, Burkina Faso, Mali and Chad. The Authority stressed the need for special treatment of the cotton issue, separate from the WTO negotiations on agriculture.

The Authority therefore called on the industrialized countries involve to proceed with a total elimination of export subsidies and internal protective measures for cotton production.

The Authority expressed its unqualified support for the creation of a fund to sustain the cotton sector of cotton-producing least developed countries (LDCs), in line with the wishes of the four co-sponsors of the initiative.

In addition, the Authority underscored the need to prevail upon the international financing organisations such as the IMF, World Bank and African Development Bank to adapt the conditions for their interventions to the volatility of the raw materials market, and to improve, their debt reduction programme for the poorest countries, for the benefit; of the African countries.

Negotiations on the Regional Economic Partnership Agreement (EPA) with the European Union

The Authority welcomed the launching en 6 October 2003, of trade negotiations between West Africa and the European Union within the framework of the Cotonou agreement. The Authority stressed that the EPAs should, first and foremost, be an instrument for development in the fight against poverty. The EPAs should therefore be flexible enough to accommodate the low development level of our economies, the economic and social constraints and our limited ability to adapt to the new international environment. The EPAs should also take into account the development prorities of the ECOWAS countries.

The Authority adopted the amended regional negotiating structure which now includes a Ministerial facilitating team composed of the following countries: Benin, Burkina Faso, Cote d'Ivoire, The Gambia, Ghana, Niger, Nigeria and Senegal. The Authority Cock note of the roadmap for the EPA negotiations which was adopted by the Ministerial Monitoring Committee at its meeting on 17 November 2C03.

Common Market

The Authority exhorted all Member States to take concrete measures to establish a single regional market in West Africa through the effective implementation of the ECOWAS trade liberalisation scheme with effect from 1 January 2DG4. The Authority also called for an acceleration of the preparations towards the adoption of the ECOWAS common external tariff (CET). In this regard the Authority also called on Member States to remove all tariff and non-tariff barriers to the free movement: of products of ECOWAS origin. In view of the political will that must underpin the implementation of the scheme, the Heads of State undertook to issue the necessary directives to their respective governments to make the free trade area a reality.

Noting that the lapses observed in the application of the compensation system for less of customs revenue are one of the major obstacles to the implementation of the ECOWAS trade liberalisation scheme, the Authority decided to amend the provisions, of

Article 6 of the Protocol on the Application of Compensation Procedures. The duration for compensation of lost revenue has new been fixed for a period of three months.

Community Levy

The Authority recalled the decision it took in January 2003 in Dakar concerning the entry into force of the substantive regime of the Community levy as from i July 2003. The Authority took note of the measures adopted by the extraordinary session of Council of Ministers in September 2003 for the application of the said decision, it exhorted all Member States to apply the levy without further delay and to ensure the removal of all obstacles to the implementation of the previsions of the relevant protocol. This would ensure that adequate resources are generated for the operational budget of the ECOWAS institutions and the solidarity fund to be used to promote the balances development of the regional peace-Monetary Cooperation Programme

The Authority took note of the progress made towards the creation of a second regional monetary zone comprising the ECOWAS Member States outside the West African Economic and Monetary Union (UEMOA). It was recalled that the initiative is within the framework of the fast-tracking of the monetary integration process leading tc the establishment of the ECOWAS single monetary zone-.

The Heads of State and Government stressed the need to deepen the convergence of the macroeconomic policies and performance of Member States in order to increase the credibility of the second monetary zone and the 6CQWAS single monetary zone. In this context, they urged all Member States to redoubts efforts to fulfil the macroeconomic convergence criteria by improving their public finances and carrying out appropriate structural reforms for expanding the production base.

Free Movement of Persons, Right of Residence and Establishment

The Authority noted with regret the delays in the printing and introduction of the ECOWAS passport, which confers Community citizenship. The Heads of State appealed to those Member States, which have not yet done so, to take necessary measures to introduce this travel document of crucial importance within the shortest possible time.

The Heads of State and Government urged Member States to rake all necessary measures to implement the provisions of the protocol on free movement of persons, right of resident and establishment.

Energy Sector Programmes

The Authority commended the efforts mace by the Executive Secretariat to mobilise the necessary resources for the interconnection of the electric power grids of the West African countries.

The Authority endorsed the resolution of the Council of Ministers on:

- the ECOWAS initiative en rural electrification;
- the European energy initiative for poverty reduction and sustainable development;
- the short-term priority projects of Zone B of the West African Power Pool (WAPP) project.

The Authority commended the creation of the ECOWAS energy observatory which is a major component of the West African Power Peel project. It thanked the Beninese authorities for the facilities made available to the observatory and directed the Executive Secretariat to take necessary measures to ensure timely operationalisation of the observatory.

Maritime Transport

The Authority commended the commissioning of the first merchant ship belonging to the regional maritime company (ECOMARINE). It called on all Member States to lend support to the shipping company including making their pert facilities available at favourable rates. The Executive Secretariat was directed to undertake a study or the harmonisation of national maritime laws.

Air Transport

The Authority appealed to all Member States to take the necessary measures to effect the removal of all impediments to the efficacious application of the Yamoussoukro Declaration in the liberalisation of air traffic. Furthermore, the Executive Secretariat and Member States were called upon to ensure the implementation of the measures and activities contained in the plan of action for the liberalisation of air traffic.

Livestock

In view of the important role of livestock in the socio-economic development of Member States, the Authority requested the Executive Secretariat to undertake at! programmed activities and execute the ECOWAS strategic plan of action on pastoral ism and the development of the livestock sector. The Executive Secretariat was also directed to ensure the regular monitoring of conflicts arising out of transhumance in the region; reports en these matters should be submitted to the Council of Ministers on a regular basis.

Eradication of Poliomyelitis

The Authority expressed great concern a tout the resurgence of poliomyeiitis in severs: ECOWAS countries. It acknowledged the need to adept and implement a regional poliomyelitis eradication programme as a complement to national initiatives. To this end, it welcomed the initiative taken by the West African Health Organisation to implement the poliomyelitis eradication policy in West Africa, as a component of the global initiative for polio eradication by 2005.

New Information and Communication Technologies (NICT)

While informing the Authority about the outcome of the world summit held recently in Geneva on information technologies, His Excellency Maitre Abdoulaye Wade, President of the Republic of Senegal announced that the World Bank has made available to the West African region the sum of four hundred million dollars towards the development of new information and communication technologies (NICT). The ECOWAS Executive Secretary was directed to take all necessary measures for the optimal utilisation of the available resources. President Wade also indicated the imminent installation of regional networks which would make it possible to organise video-conferences between Heads of State.

Enhancement of the Resources of the ECOWAS Bank for Investment and Development (EBID)

The Authority noted with satisfaction the establishment of the ECOWAS Bank for investment and Development (EBID) whose operations took *off* in January 2003. The Authority took note of the payment of 80% of the first tranche of the called-up capital by Member States as their share of the capital of the Bank.

The Authority appealed to the Member States which had fallen behind in their payment to honour their obligations towards the financial institution of the Community. The Authority also invited the participation of external partners and development finance institutions in the capital of the said Bank.

Regional Peace and Security

The Authority had a lengthy discussion en the political and security situation in the region. It noted with satisfaction that significant progress has been achieved towards the process of resolving crises in the region particularly Cote d'Ivoire, Guinea Bissau and Liberia. Consequently, the Authority stressed the need for the Authority continued efforts in order to promote a lasting peace in the region.

Liberia

The Authority called on the United Nations to speed up troop deployment to the number authorised by the Security Council in order to secure the entire national territory and to create an atmcsphere conducive for the disarmament, demobilisation and reintegration

(DDR) programme.

Cote d'Ivoire

The Authority invited the "Force Nouvelle" to immediately rejoin the government of National Unity and requested all parties to fully implement the Lines Marcoussis Agreement. The Conference also recommended greater involvement of the UN Security Council m the implementation of the agreement.

Guinea Bissau

The Authority renewed the appeal to the international community for assistance to the democratisation process m Guinea Bissau, in order to facilitate the normalisation of the Situation in the country. The Authority recommended that a donor's conference should be organised as soon as possible to mobilise resources for the economic and financial recovery of the country. The Authority set up a monitoring committee on Guinea Bissau made up of Cap Vert, Ghana, Nigeria and Senegal.

Sierra Leone

The Authority called on the international community to pay greater attention to the situation of children and young ex-combatants in the country.

The Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security

The Authority noted the progress achieved towards the operationalisation of the mechanism. It called on Member States that: nave net ratified the Proceed en the mechanism for conflict prevention, management, resolution, peace keeping and security and the Supplementary Protocol on Democracy and Good Governance to do sc before the next Summit.

Establishment of an ECOWAS Peace Fund

The Authority welcomed the establishment of the Peace Fund and appealed to Member States that have not made their contributions to the Peace Fund to do so before the end of the first quarter of 2004. It also appealed to the international community to contribute to the fund.

Implementation of the Moratorium the importation, exportation and manufacture of Small Arms

The Authority renewed their commitment to the moratorium on importation, exportation and manufacture of small arms and called on the Executive Secretariat to take all necessary measures for the Full implementation of the plan of action.

Cooperation in Crime Control

The Authority called on Member States to cooperate on criminal matters in order to address effectively trans-border crime control in the region.

Renewal of Membership of the Mediation and Security Council and the Council of Elders

The Authority approved the list of members of the Mediation and Security Council as well as that of the Council cf Eiders.

Elections

The Authority called on the Executive Secretariat to continue its support and assistance to countries engaged in electoral processes in order to consolidate democracy and good governance.

International Cooperation

The Authority expressed its sincere appreciation and gratitude to all the development partners who have been contributing to the strengthening of regional peace and security, and also to the regional integration and development process.

Date and Venue of the Next Summit

The Heads of State and Government elected His Excellency John Agyekum Kufuor for a second term as the Chairman of the Authority of Heads of State and Government. The next ordinary session of the Authority shall be held *in* December 200- at a vence to be decided through consultation.

Vote of Thanks

The Heads of State and Government expressed their deep gratitude to His Excellency John Agyekum Kufuor, President of the Republic of Ghana and Chairman of the Community, for the leadership he has exercised in the promotion of regional peace and security and the strengthening of the ECOWAS integration and development process.

The Heads of State and Government expressed their best wishes for happiness to His Excellency John Agyekum Kufuor. They wished peace and prosperity for the people of Ghana.

Their Excellencies expressed particular appreciation for the excellent hospitality extended to them during their stay in Accra. The Heads of State lauded the contribution of President Kufuor towards regional integration and the entrenchment of democracy.

The Authority expressed its gratitude and appreciation to all the Heads of State and Government involved in the peace initiative towards finding an acceptable and durable solution to the conflicts in the region.

The Authority

Kolawole Olabode
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