COMUNIDADE DOS ESTADOS DA
AFRICA DO OESTE

ECONOMIC COMMUNITY
OF WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

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SIXTY-EIGHTH ORDINARY SESSION

OF THE ECOWAS COUNCIL OF MINISTERS

Abidjan, 11th - 12th June 2012

FINAL REPORT

ECOWAS Commission
Abidjan, June, 2012

INTRODUCTION

1. The Sixty-Eighth Ordinary Session of the Council of Ministers was held from 11th to 12th June 2012 in Abidjan, Republic of Côte d'Ivoire. The meeting, which was attended by Ministers in-charge of ECOWAS Affairs and Finance, was chaired by H.E. Daniel Kablan Duncan, Minister of Foreign Affairs of Côte d'Ivoire and Chairman of Council.

2. The following Member States were represented:

- Republic of BENIN
- BURKINA FASO
- Republic of CAPE VERDE
- Republic of COTE D'IVOIRE
- Republic of The GAMBIA
- Republic of GHANA
- Republic of GUINEA
- Republic LIBERIA
- Republic of MALI
- Republic of NIGER
- Federal Republic of NIGERIA
- Republic of SENEGAL
- Republic of SIERRA LEONE
- TOGOLESE Republic

3. The following institutions and specialized agencies of ECOWAS were also represented:

- ECOWAS Commission;
- ECOWAS Parliament;
- Community Court of Justice;
- ECOWAS Bank for Investment and Development (EBID);
- West African Health Organisation (WAHO);
- Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);
- ECOWAS Regional Electricity Regulatory Agency (ERERA);

4. The list of participants is annexed to this report.

I. OPENING CEREMONY

5. In his opening address, the Chairman of Council, H.E. Daniel Kablan Duncan, Minister of State responsible for Foreign Affairs, welcomed all participants to the 68th Ordinary Session of Council and reiterated his gratitude for the friendship and honour

demonstrated by Council Members towards Cote d'Ivoire by their active involvement in the consolidation of the structures and management of their common organisation.

6. He subsequently recalled the progress made by ECOWAS 37 years after its establishment, with remarkable achievements, recognizing also some weaknesses encountered due to its methods of operation. He particularly stressed the need to judiciously guide ECOWAS towards a greater modernisation and strengthening of its management procedures.

7. Recalling Council's decision to postpone the allocation of statutory positions to this Ordinary Session, the Council Chairman urged Council Members to discuss the issue thoroughly in order to arrive at a consensus on the allocation of statutory positions. He also recalled Council's commitment to review, with the Commission, the decisions taken during the last Extraordinary Session of the Council of Ministers.

8. Stressing the need to move forward on the issue of a more inclusive participation of Member States in the building of the Community project, he recalled the instructions of the Authority of Heads of State and Government during their Extraordinary Session held on 18 October 2011. In that regard, the expediency to explore the possibility of creating other Commissioner positions, as an optimum approach in dealing with this outstanding issue was discussed.

9. Recalling the relevant resolutions taken during the 66th and 67th Council sessions, the Chairman urged Council to face up to its responsibilities and make brave decisions on the items on the agenda.

10. The Honourable Minister concluded his speech by wishing Council fruitful deliberations and a pleasant stay in Côte d'Ivoire.

11. Taking the floor, the President of the Commission, H.E. Kadré Désiré Ouédraogo, on behalf of the new Commission team welcomed all participants to the 68th Ordinary ECOWAS Council session

12. After referring to the ceremony for swearing-in the Commission Vice President and Commissioners, he renewed his gratitude to all members of Council for their commitment to Community ideals.

13. The President subsequently drew attention to the economic and financial difficulties in the Euro zone and the spill-over effects on our sub-region. He also drew Council's attention to the crises in the West Africa Region, particularly in Mali and Guinea Bissau,

and pointed out that the crises notwithstanding, the region recorded a 6.4% growth rate in 2011, and is envisaging a 6.3 growth rate in 2012.

14. Highlighting the efforts of our region to consolidate regional peace and security, the President of the Commission paid tribute to the Heads of State and Government for their determination to place peace and security issues at the core of the people's aspirations and the development of our region.

15. Concluding, he expressed gratitude to the President of the Republic of Cote d'Ivoire, Chairman of the ECOWAS Authority of Heads of State and Government, H.E. Alassane OUATTRA, emphasizing that his determination and commitment for a strong and united ECOWAS has always been a source of inspiration for the Commission's efforts towards a peaceful and prosperous ECOWAS.

16. The full texts of the speeches are attached to this report.

II. ELECTION OF BUREAU

17. The following bureau was elected:

- Chairman - Republic of Cote d'Ivoire
- Rapporteurs - Republic of Benin
  - Republic of Sierra Leone

III. ADOPTION OF AGENDA AND WORK PROGRAMME

18. The following agenda was adopted:

I **Opening Ceremony**
- Opening Statement by the Host Minister, Chairman of Council
- Statement by the President of the ECOWAS Commission

II Adoption of Draft Agenda and Work Programme

III Election of Bureau

IV Swearing-In of Vice-President and Commissioners

ITEMS FOR DECISION

V Presentation and Consideration of the 2012 Interim Report of the President of the ECOWAS Commission

VI Presentation and Consideration of the Status of Tasks Assigned by the 66th and 67th Ordinary Session of the ECOWAS Council of Ministers

VII Presentation and Consideration of the Acting Financial Controller's 2011 Annual Report

VIII Presentation and Consideration of the Report of the Audit Committee

IX Presentation and Consideration of the Report of the 11th Meeting of the Administration and Finance Committee

X Presentation and Consideration of the Report of the 1st Extraordinary Meeting of the Administration and Finance Committee

XI Presentation and Consideration of a Memorandum relating to the Adoption Process of Community Legal Instruments and a request for Re-submission of some Supplementary Acts to the 2012 Mid-year Session of the Authority of Heads of State and Government

XII Presentation and Consideration of a Memorandum on the Allocation of Statutory Positions to Member States

ITEMS FOR ENDORSEMENT

XIII Presentation of Ministerial Sectoral Reports

- Report of the 11th Meeting of the Ministers –in-charge of Telecommunications/ICT held in Yamoussoukro on 14th October, 2011
- Report of the 2nd Conference of ECOWAS of Science and Technology held in Yamoussoukro on 24th March, 2012
- Report of the Ministerial Meeting on the ECOWAS Humanitarian Affairs Policy and Plan of Action held in Cotonou on 9th March, 2012

ITEMS FOR INFORMATION

XIV Report on the Status of Ratification of Protocols

OTHER ITEMS

XV Any Other Business

- Consideration of the Draft Agenda of the 41st Ordinary Summit of Heads of State and Government

XVI Adoption of Report

XVII Closing Ceremony

- Vote of Thanks
- Closing Statement of the President of Council
- Press Conference

IV SWEARING-IN OF VICE PRESIDENT AND COMMISSIONERS

19. Following their presentation by the President of the ECOWAS Commission, the President of the Community Court of Justice, Justice Awa Nana Daboya, administered the oath of office to the Vice President and six (6) Commissioners of the ECOWAS Commission. They are:

▪ Vice President of the Commission	- Dr. Toga Gayewea McIntosh
▪ Commissioner for Administration and Finance	- Mrs. Khadi Ramatu Saccoh
▪ Commissioner for Agriculture, Environment and Water Resources	- Dr. Lapodini Marc Atouga
▪ Commissioner for Infrastructure	- Mr. Ebrima Njie
▪ Commissioner for Macroeconomic Policy	- Dr. Ibrahim Bocar Ba
▪ Commissioner for Political Affairs, Peace and Security	- Mrs. Salamatu Hussaini Suleiman
▪ Commissioner for Trade, Customs, Industry, Mines and Free Movement	- Mr. Ahmed Hamid

20. Council congratulated the Vice President and the Commissioners and urged them to perform their duties with utmost diligence and integrity.

V. OUTCOME OF DELIBERATIONS

Items for Decision

Item 5: Presentation and Consideration of the 2012 Interim Report of the President of the ECOWAS Commission

21. The 2012 Interim Report was presented by the President of the ECOWAS Commission, H.E. Kadré Désiré OUEDRAOGO.

22. The presentation reveals that the region's economic growth (6.4%) in 2011 stood at a significant level compared to the average observed in Sub-Saharan Africa, whose growth rate was 5.1% during the same year. This growth is expected to continue during 2012 in the region with a projected rate of 6.3%. Five Member States, namely Cote d'Ivoire (8.2%), Ghana (8.8%), Liberia (8.8%), Niger (11.4%) and Sierra Leone (35.9%) would record in 2012, a growth rate above 8%.

23. Regarding the implementation of the Community's work progarmme, the President highlighted the progress made during the first half of 2012. He noted that significant progress was made during the first half in the implementation of the work programme, and reaffirmed the commitment of the new management team to pursue efforts to achieve the mission assigned to it.

24. On economic and monetary integration, he gave an update on the implementation of the actions undertaken for the establishment of the monetary union through the multilateral surveillance mechanism and statistical harmonisation.

25. Concerning the establishment of the customs union, the President gave an update on the progress made in the finalisation of the ECOWAS Common External Tariff (CET) and requested the Member States' support for its finalisation as soon as possible and its implementation by January 2013.

26. Regarding the Economic Partnership Agreement (EPA) negotiations, he informed Council of the status of discussions and told members that he was planning to travel on 18 June with his counterpart from the UEMOA Commission to discuss the points of divergence, among other things, and give a new impetus to the negotiations. The joint mission will also discuss with its counterparts from the European Union the steps taken to ensure the effective use of resources placed at the disposal of the region, as part of the 10th EDF RIP, and advocate substantial support as part of the 11th EDF, which is in the formulation process.

27. He urged the Member States to get involved in the removal of non-tariff barriers to the free movement of goods and persons, and underscored the importance of quality infrastructures for enhancing and improving regional trade.

28. Regarding the development of natural resources in the region, he stated that the Commission had continued its efforts to expedite the implementation of programmes identified within the framework of agricultural and mineral resource development. The President also gave an update on the activities implemented during the first half of 2012 in the area of human development and institutional reforms.

29. Lastly, the President gave a comprehensive report on the security situation in the region. He particularly updated Council on the actions undertaken for the resolution of the crises in Mali and Guinea Bissau, following the coups d'état in those countries.

30. After outlining the prospects for the remainder of 2012, the President of the Commission urged all the political leaders to keep supporting ECOWAS programmes with a view to establishing a credible, viable and conducive regional economic space for the realization of the regional integration agenda.

31. Following the presentation, Council lauded the quality of the interim report and commended the Commission for the actions undertaken.

32. Council welcomed the Commission's efforts and in the region for the resolution of the crises in Mali and Guinea Bissau, following the coups d'état in those countries that halted electoral processes. Council reiterated the need for greater solidarity within the sub-region.

33. Council emphasized the need to adopt a consensual approach in the process for formulating and validating Community texts, particularly the ECOWAS Investment Code. It also recalled the need to prioritize actions to enable the impact of the said actions to be felt on the regional integration process. In that regard, steps should be taken to remove the obstacles to the effective application of the Protocol on Free Movement of Persons and Goods, and the Right of Residence.

34. Council made suggestions for improving future reports, placing particular emphasis on establishing implementation timetables and highlighting key challenges and constraints. It was important for Council to know where the region was and where it is headed in order for Council to arrive at concrete results.

Item 6: Presentation and Consideration of the Status of Tasks Assigned by the 66th and 67th Ordinary Session of the ECOWAS Council of Ministers

35. The Commission presented a report on the implementation status of tasks assigned indicating the status of implementation of each task as well as remarks on the tasks.

36. At the end of the presentation, Council members sought some clarifications on some of the tasks and adopted the report after the clarifications were provided.

Item 7: Presentation and Consideration of the Financial Controller`s 2011 Interim Report

37. The 2011 annual report of the Acting Financial Controller was presented to the Council of Ministers. The report covers the budgetary, financial and staffing situation of the

community institutions for the period 01January to 31st January, 2011. The report recalled that the Council of Ministers at its sixty-fifth Ordinary Session approved a total budget of UA 181,313,384 for community institutions for the year 2011, an increase of 7% over the preceding year of which UA 152,384,772 was to be funded from community levy, UA 5,200,000 from contribution arrears, UA 250,000 surplus funds from previous years, UA 23,364,588 from donor grants and UA 114,024 miscellaneous income. In all, about 87% of the budget was expected to be funded from the Community resources and 13% from donor funds.

38. It was reported that for the period under review, total income recorded was UA 238,786,971 or 32% more than the budgeted income for the year. Of the total income recorded as received for the period, community levy accounted for UA 194,383,792 constituting 81% of total receipts and representing 28% of the community levy budget. Out of the total levy received, UA 106,480,642 or 55% was disbursed to Community Institutions to finance their programmes and activities. Contribution arrears received from Member States during the period under review, amounted to UA1, 206, 505, Donor grants received amounted to, UA 8,725,727 or 37% of the grants budgeted and miscellaneous income recorded stood at, UA 173,326. The rate of income achieved for the period was very good from the main source of income, the Community Levy.

39. The Acting Financial Controller expressed satisfaction, but said there was still room for improvement in the management of the Community levy. He pointed out that the statements on levy deposits and assessments continued to be behind schedule, which makes it difficult to ascertain the levy balance due from Member States at the end of the period. The report also stated that contrary to the decision of the Authority A/DEC.4/01/05 and Council Regulation C/REG.1/9/03 some Member States continue not to fully implement the decision. He reminded Council to come up with a lasting solution to this lingering problem. Furthermore, he emphasized in his report the need to assess and build the human and material capacity of the Commission Unit responsible for the management of the Community Levy funds.

40. The Acting Financial Controller also reiterated the need for Institutions to improve the mobilization, budgeting and accounting for donor funds and accelerate the implementation of plans geared towards these.

41. On the expenditure side, the report recorded UA 144,192,247 as committed for the period of January to December 2011 representing 79% of the budget for the year. Programme expenditure recorded was UA83, 922, 922 or 58% of the total expenses committed, administrative expenditure was UA 51,265,780 representing 36% of the total expenses committed whilst amount spent on governing bodies was UA7,104, 679 and

others stood at UA 1,898,796. The overall rates of budget and programme implementation improved considerably compared to those of the same period of the preceding years.

42. The performance per institution varied from 73% to as high as 100%.The rate of implementation of the budget for administration of 94% was also higher than that achieved under the programme budget of 76%. Programme to administrative expenditure ratio was reported to be 62:38

43. The report highlighted a number of challenges faced by the institutions in programme implementation and expenditure management, procurement, mission planning, delegation of authority and staffing.

44. On the staffing situation, it was reported that during the period under review, the total staff strength in ECOWAS institutions was nine hundred and ninety-eight (998) comprising twenty (20) statutory appointees, three hundred and eighty-two (382) professionals and five hundred and ninety-six (596) local staff. The total female staff is two hundred and seventy-two (272) representing 27% of total staff strength and a slight increase of 2% as compared to the previous year. Staff expenditure of UA 47,258,543 was reported committed representing 84% of the staff expenditure budget for the year and accounting for 33% of the total expenditure for the period.

45. On the financial situation, the Acting Financial Controller reported that a total of UA 259.33 million was held in various bank accounts by the community institutions at the end of the period, of which UA 175.17 million were community funds.

46. At the end of the report eleven (11) recommendations were made for the consideration of the Council of Ministers.

47. Council commended the Acting Financial Controller on the quality of his report.

48. In the deliberations that ensued, Council expressed grave concern about the issue of expenditure being incurred by certain Institutions and Agencies without vetting by the Office of the Financial Controller as required by extant Community Regulations. In this connection, Council directed the President of the Commission as the Principal Authorizing Officer of the Community to ensure strict adherence to Community regulations guiding expenditure by all Institutions and Agencies, and submit a progress report at its next session.

49. After deliberations, Council adopted the report and all the recommendations contained therein with the exception of the recommendation on the issue of the restrictions

placed by the Federal Republic of Nigeria on the Community Levy account held at the Central Bank of Nigeria.

Item 8: Presentation and Consideration of the Report of the 25th and 26th Meetings of the Audit Committee

50. The synopsis report of the 25th and 26th meetings of the Audit Committee were presented by its Vice Chairman, Mr Benjamin Codjoe, the report covered the following issues:

- Recruitment of External Auditors for ECOWAS for 2011 and 2012;
- Update on status of preparation of 2011 financial statements by Community Institutions and Agencies;
- Terms of reference for the Diagnostic Study of ECOWAS;
- Progress on the consultancies on Job Evaluation and Recruitment Manual
- Progress on the International Public Sector Accounting Standards (IPSAS/SAP);
- Update on the finalisation and implementation of Tender Code and Procurement Practices;
- Implementation roadmap/action plan for comprehensive reform of Travel Management;
- Discussion on the establishment of the Community Levy Unit and modalities for Management of 4.5% annual allocation to National Units
- ECOWAS Code of Conduct
- Establishment and implementation of responsible reporting of wrong doing (whistle blower charter);
- 2012 work plan of the Financial Controller;
- 2012 Internal Audit work plan and situation of Internal Audit reports for the period to May 2012;
- Presentation of final version of Tasks Assigned Monitoring System (TAMOSYS) and roll-out of the system to the Institutions;
- 2010 Performance Appraisal of staff of the office of the Chief Internal Auditor;
- Consultancy services for the Evaluation of the office of the Chief Internal Auditor.

51. After the presentation of the report, Council congratulated the Audit Committee for the quality of the report presented and adopted the report and the recommendations contained therein. Council further directed that the issue of collaboration between the Offices of the Chief Internal Auditor, Financial Controller and the Audit Committee should

be a matter of routine. Council also directed that in future, recommendations by the Audit Committee for its adoption should be accompanied by timelines for implementation.

Item 9: Presentation and Consideration of the Report of the 11th Meeting of the Administration and Finance Committee

52. The final report of the 11th meeting of the Administration and Finance Committee was presented by the Chairman of the Committee, Mr. TANON Félix, Technical Adviser to the Minister in-charge of African Integration in the Ministry of Foreign Affairs of Côte d'Ivoire. The report dealt mainly with the following issues:

- The proposed Task-Assigned Monitoring System for ECOWAS Institutions;
- Transport Allowances of General Services Staff;
- Provision of Installation Allowance and Increase in Housing Allowance For Statutory Appointees;
- Supplementary Budget for the 2012 Operations of the National Coordinating Committees (NCCs) of the ECOWAS Multilateral Surveillance Mechanism;
- Supplementary Budget for the Approved 2012 Programmes of the ECOWAS Youth and Sports Development Centre (EYSDC);
- the Official Residence of the President of the Commission;
- Amendment to Rule 17 (3) of the Commission's Rules of Procedure regarding acting Positions of Commissioners;
- Request for Approval of Expenses of the External Auditor related to the Audit of the Accounts of ECOWAS Institutions for the 2011 and 2012 Financial Year

53. Following deliberations, Council adopted the report and all the recommendations made by the Administration and Finance Committee with the exception of the upward review in the housing allowances of Statutory Appointees. On this issue, Council further directed that the matter should be resubmitted for its consideration at its next session, after the conduct of a global study covering all the Institutions of the Community.

54. On the issue of the official residence of the President of the Commission, an acceptable solution has been reached after consultation between the Nigerian delegation, the President of the Commission and the current Chairman of Council of Ministers.

Item 10: Presentation and Consideration of the Report of the 1st Extra-Ordinary Meeting of the Administration and Finance Committee

55. On the directive of the 11th Extra-Ordinary Session of Council, the Administrative and Finance Committee held an extraordinary meeting in Abuja on 4th and 5th June 2012 to examine the request by the Commission for the partial lifting of the freeze on staff

recruitment to enable the new management to fill 18% which is equivalent to fifty-two (52) critical positions that would underpin the achievement of their mandate.

56. The Chairman of the AFC, Mr. Felix Tanon presented the recommendations as follows:

a) In order to get the new Management team to carry out their mandate and to be held accountable, it is necessary for the team to be given the minimum resources;

b) The conduct of the Institutional review is a priority and must be carried out to its logical conclusions as directed by Council before the full lifting of the freeze on recruitment.

c) To recommend to Council the request of the Commission to recruit 18% which is equivalent to fifty-two (52) staff to fill critical positions. However, the delegations of Nigeria and Senegal expressed their reservations on this recommendation and insisted that the Institutional reforms be concluded before recruitments are carried out.

57. After deliberations, the delegations of Senegal and Nigeria withdrew their reservations on the issue. Council then adopted the report of the 1st Extraordinary Session of AFC on the condition that:

- The recruitment process be closely monitored to avoid the recurrence of the issues that necessitated the freeze on recruitment;
- A preliminary report on the recruitment process be presented to Council before proceeding to the appointment of candidates.

Item 11: Presentation and Consideration of a Memorandum relating to the Adoption Process of Community Legal Instruments and a request for Re-submission of some Supplementary Acts to the 2012 Mid-year Session of the Authority of Heads of State and Government

58. The ECOWAS Commission in its presentation of this Memorandum sought to;

a) Acquaint Council with the evolution and adoption process of all Community Legal instruments;

b) Call for a strengthening of existing national mechanisms regarding consultation and consideration of ECOWAS activities and projects as well as Community Legal texts;

c). Re-submit to the 41st Session of the Authority of Heads of State and Government of some Supplementary Acts which were not signed by some Member States at the 40th Ordinary Summit of the Authority of Heads of State and Government.

59. In the presentation, the Commission highlighted the developmental process for the Community legal regimes, including the involvement of Member States in the process prior to the signing of the Supplementary Acts. It expressed concern over a situation where the Heads of State at an Authority Session refrained from signing these acts because of a gap in communicating the purport of the Acts to them. It therefore called for the strengthening of these evolutionary processes leading to the adoption of Community Legal Texts and concluded by requesting Council to adopt the following: -

- That all of the Supplementary Acts which were not fully signed at the last Ordinary Summit be represented at the mid-year Summit of the Authority for signature, and that the presentation of these Acts be accompanied by a summary of the purpose and relevance of the Acts to the integration process;

- That Council at its sessions undertake more rigorous examination of the subject matter of these Acts with the support of a representative of the appropriate sector Ministerial Committee, the Commission or any other relevant Institution or Agency of the Community in order to be able to provide greater assurances to the Heads of State meeting;

- That Ministries in charge of ECOWAS matters in Member States strengthen their national units and also strengthen national mechanisms for the consideration of all ECOWAS matters, including its draft legal instruments in anticipation of their adoption either by the Council of Ministers or by the Authority of Heads of State and Government.

60. After extensive deliberations, Council adopted the memorandum and the recommendations contained therein. It directed the Commission to ensure timely despatch of these legal texts and put in place other mechanisms that will improve the signing process.

Item 12: Presentation and Consideration of a Memorandum on the Allocation of Statutory Positions to Member States

61. The President of the Commission recalled the decision of the meeting of the Authority of Heads of State and Government at its 40th Ordinary Session which directed the Chairman of Council to convene a meeting to consider the allocation of Statutory Positions that have become and will be vacant in 2012 and 2013 respectively.

62. He also recalled the guidelines which were also adopted in Supplementary Act A\SP.14\02\12, specifically, Article 14 (3) of the Supplementary Act which gives the President of the Commission the duty of submitting proposals to the Authority through the Council for the allocation of Statutory positions.

63. After a lengthy deliberation, Council took note of the Memorandum of the President of the Commission and decided to recommend to the Authority of Heads of State and Government to increase the number of Commissioners from nine (9) to twelve (12) in order to give each Member State a feeling of inclusiveness. Consequent on the adoption of this recommendation by the Authority, the Council will reconvene to consider the allocation of positions to Member States.

Items for Endorsement

Item 13: Presentation of Sectoral Council of Ministers Reports

a) Report of the 11th Meeting of the Ministers –in-charge of Telecommunications/ICT held in Yamoussoukro on 14th October, 2011

64. The Report of the 11th Meeting of the ECOWAS Ministers in-charge of Telecommunications was presented by Dr. Guibessongui Severin, Deputy Director of Cabinet, representing Mr. Bruno N. Kone, Minister of Posts and Information and Communication Technologies of the Republic of Cote D'Ivoire, who chaired the meeting.

65. The meeting submitted for Council's adoption of the following: -

- The status report on the national incorporation of Community Acts on Telecommunications/ICT;
- Strategy paper on implementation of identified priority projects for the next five (5) years;
- The dotAfrica Project;
- Draft Regulation on the Conditions for access to Submarine Cable Landing Stations.

66. Council adopted the report with the exception of the creation of new structures in the Commission, particularly that of a Directorate for Information, Communication Technologies and Posts, under the Department of Infrastructure.

b) Report of the 2nd Conference of ECOWAS Ministers of Science and Technology held in Yamoussoukro on 24th March, 2012

67. The Report of the Second Conference of ECOWAS Ministers of Science and Technology was presented by Dr. Ibrahim Cissé Bacongo, Minister in Charge of High Education and Scientific Research of Côte d'Ivoire. Dr. Cissé indicated that the deliberations of the 2nd Conference of ECOWAS Ministers of Science and Technology examined and adopted, the recommendations of the experts on Science and Technology relative to the institutional mechanisms for coordination and facilitation of regional cooperation in Science, Technology and Innovation.

68. The presentation further indicated that the 2nd Conference of ECOWAS Ministers of Science and Technology also examined and adopted the ECOWAS Policy on Science and Technology (ECOPOST), the Action Plan, the Regulation on Centres of Excellence and the Directive on Science, Technology and Innovation and made specific recommendations to the ECOWAS Commission and to Member States.

69. Council adopted the report, but subjected the creation of the proposed directorate of Science, Technology and Innovation to an assessment of its institutional impact and the outcome of the envisaged institutional reforms.

70. Council recommended to the Authority of Heads of State and Government the adoption of the ECOWAS Policy on Science and Technology, its Action Plan, the Regulation on Centres of Excellence and the Directive on Science, Technology and Innovation.

c) Report of the Ministerial Meeting on the ECOWAS Humanitarian Affairs Policy and Plan of Action held in Cotonou on 9th March, 2012

71. The Report of the Ministerial Meeting on ECOWAS Humanitarian Affairs Policy and Plan of Action, held on 9th March, 2012, in Cotonou, Benin, was presented by Mr. Nebout Jean François, Technical Advisor to the Minister of State for the Interior of Côte d'Ivoire, representing the Honourable Minister, Mr. Hamed Bakayoko. In his presentation, he highlighted the presentations of the Report of the Expert Meeting on the Draft ECOWAS Humanitarian Policy and Action Plan held from 5th – 7th March, 2012 and the Specific recommendations contained therein, the ECOWAS Humanitarian Action Plan, the Draft

Plan of Action on the Implementation of International Humanitarian Law (IHL) in West Africa and the outcome of the deliberations.

72. In conclusion, he indicated that the Report was endorsed at the Ministerial meeting and invited Council to adopt the ECOWAS Humanitarian Policy and Plan of Action. Council adopted the report and agreed to recommend the ECOWAS Humanitarian Policy and Plan of Action to the Authority of Heads of State and Government for adoption.

Items for Information

Item 14: Presentation and Consideration of the Memorandum on the Status of the Ratification of ECOWAS Conventions and Protocols

73. The Commission presented a Memorandum on the Status of the Ratification of ECOWAS Conventions and Protocols. In the memorandum, it was stated that ECOWAS has adopted a total of fifty-three (53) Conventions and Protocols on diverse areas relating to its mandate of regional integration and development since its establishment. It also indicated that all these legal Instruments after adoption are subject to ratification before they enter into force and are applied in Member States. Prior to 2008, entry into force requirements call for ratification by nine (9) Member States, before any law is said to be in force.

74. As at 30th April, 2012, only thirty-eight (38) of these instruments have entered into force whilst the Community still awaits the entry into force of fifteen (15) important ECOWAS legal Texts. Furthermore, it was stated that not all Member States have ratified those Conventions that had entered into force. This is due to the fact that some Member States have either not commenced internal ratification procedures or may have not completed the required procedures.

75. The Commission concluded its presentation by imploring Council to urge Member States to direct the relevant national authorities to take immediate measures for the ratification of ECOWAS Conventions and Protocols which are yet to be ratified.

76. Council supported the Commission's memorandum and re-emphasized the importance of prompt ratifications of conventions and protocols to the integration process.

77 The Commission presented the draft agenda of the 41st Ordinary Summit of ECOWAS Heads of State and Government. Council examined the agenda presented and requested the Commission to include the issue of allocation of statutory positions in the agenda.

78. Council expressed condolences to the Government and people of the Federal Republic of Nigeria for the loss of lives for the recent plane crash. Equally, condolences were expressed to the Government and people of Niger for the peacekeepers who lost their lives on the Liberia-Côte d'Ivoire border.

Item 16: Adoption of the Report

79. This report was adopted after amendments.

Item 17: Closing Ceremony

80. The Chairman of Council, H.E. Daniel Kablan DUNCAN, in his closing remarks, thanked Council members for their contributions during the deliberations and for the spirit of camaraderie, which prevailed during their session. Thereafter, he declared the Sixty-Eighth Ordinary Session of Council closed, and wished all participants safe journey back to their respective destinations.

DONE AT ABIDJAN THIS 12TH DAY OF JUNE 2012



HIS EXCELLENCY DANIEL KABLAN DUNCAN

MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF CÔTE D'IVOIRE

CHAIRMAN

FOR: THE COUNCIL OF MINISTERS

VOTE OF THANKS

The participants at the Sixty-Eighth ordinary session of the ECOWAS Council of Ministers held in Abidjan, from 11th – 12th June, 2012 express their profound gratitude to His Excellency Alassane Ouattara President of the Republic of Cote D'Ivoire and Chairman of the Authority, and to the Government and people of Côte D'Ivoire for the warm African hospitality extended to them during their stay in Abidjan and for the facilities placed at their disposal to ensure the success of their meeting.

DONE AT ABIDJAN THIS 12th DAY OF JUNE, 2012

THE SESSION

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

REGULATION C/REG.1/06/12 AMENDING REGULATION C/REG.17/11/10 AND REVISING THE TRANSPORT ALLOWANCE FOR THE GENERAL SERVICES STAFF OF ECOWAS INSTITUTIONS

THE COUNCIL OF MINISTERS,

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

MINDFUL of Regulation C/REG/17/01/05 adopting the New ECOWAS Principles for Staff Employment and the Revised ECOWAS Staff Regulations;

CONSIDERING that Article 36 (d) of Regulation C/REG.17/01/05 provides for the payment of monthly transport allowance to staff and for a periodic review of the allowance;

MINDFUL of Regulation C/REG.17/11/10 revising the transport allowance for the General Services Staff of the ECOWAS Institutions;

CONSIDERING the constant increase in transport costs in most Member States and in Member States hosting the ECOWAS Institutions in particular, and the need to assist staff address the burden of constant increases in transport costs;

CONSIDERING Regulation C/REG.17/11/10 which sought to increase the transport allowance for General Service staff;

RECALLING that the said Regulation did not provide a basis for the computation of the prescribed increase in transport allowance;

WISHING to maintain a parity in the applicable percentage rate of increase of transport allowances for all staff of the Community;

DESIROUS therefore of amending Regulation C/REG.17/11/10 and of adopting a Regulation that is easily applicable and which will take account of the identified problems;

ON THE RECOMMENDATION of the 11th Administration and Finance Committee meeting held in Abidjan on 15 and 16 May 2012;

ENACTS

ARTICLE 1

A review of the transport allowance is hereby approved.

ARTICLE 2

The review shall be calculated as 5% of the basic salary of the concerned staff whilst payment of the transport allowance takes effect from 1st January 2012.

ARTICLE 3

1. A total sum of **two hundred and fifty eight thousand one hundred and forty one and eighty five Units of Accounts (UA258,141.85)** is hereby approved to supplement the existing funds earmarked for the payment of transport allowance for the General Services staff of ECOWAS Institutions for the year 2012.

2. The President of the Commission is authorized to take the necessary measures to finance the funds referred to under paragraph 1 of this Article through an internal virement process.

ARTICLE 4

This Regulation hereby abrogates Regulation C/REG.17/11/10 adopted in November 2010 on the review of the transport allowance for the General Services Staff of ECOWAS Institutions.

ARTICLE 5

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days upon its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its Official Gazette within thirty (30) days after notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012

.....

H. E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 –12 June 2012

REGULATION C/REG.2/06/12 AUTHORISING PAYMENT OF INSTALLATION ALLOWANCE TO CERTAIN CATEGORIES OF STATUTORY APPOINTEES AND AMENDING ARTICLE 35 (a) OF THE STAFF REGULATIONS OF ECOWAS INSTITUTIONS

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 69 of the said Treaty relating to the Budget of the Community Institutions;

MINDFUL of Article 35 of the ECOWAS Staff Regulations providing for the payment of installation allowance to the Professional Staff of the Community Institutions;

MINDFUL of Regulation C/REG.16/12/07 on the conditions of service of the Statutory Appointees of the Community Institutions;

RECALLING that the payment of Installation allowances is an initiative that is meant to cover the initial costs of relocation of newly appointed staff in their new duty station, where they are provided with temporary accommodation in a hotel prior to the completion of the assumption of duty processes;

RECOGNIZING that Statutory Appointees also have to address those costs associated with relocation to a new duty station;

ALSO RECOGNISING the need to assist the new Statutory Appointees with meeting the extra expenditure associated with relocation prior to the payment of approved monetized benefits and movement into residential homes;

NOTING the need to amend the relevant portions of the current Staff Regulations to give effect to this additional payment;

DESIROUS therefore of authorizing the payment of installation allowance to the Statutory Appointees excluding the Heads of Institutions;

ON THE RECOMMENDATION of the Administration and Finance Committee meeting held in Abidjan on 15 and 16 May 2012;

E N A C T S

Article 1

1. All Statutory Appointees with the exclusion of Heads of Institutions shall be paid an Installation allowance to cover the extra-expenditure of settling in at a new duty station.

2. The installation allowance shall amount to one (1) month of the basic salary of the Statutory Appointee.

Article 2

Article 35 (a) of the 2005 ECOWAS Staff Regulations is hereby consequentially amended and reads as follows:

"All Statutory Appointees with the exception of Heads of Institutions who have free residential accommodation, as well as all Professional Staff shall be paid an installation allowance upon arrival at their duty station to cover

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

ELEVENTH MEETING OF THE ADMINISTRATION AND FINANCE COMMITTEE

ABIDJAN, 15 – 16 MAY 2012

RECOMMENDATION N° 3 GRANTING INSTALLATION ALLOWANCE TO CERTAIN CATEGORIES OF STATUTORY APPOINTEES

THE ADMINISTRATION AND FINANCE COMMITTEE,

HAVING CONSIDERED the Memorandum presented by ECOWAS Commission relating to the granting of installation allowance to certain categories of Statutory Appointees

RECOMMENDS

TO THE COUNCIL OF MINISTERS to adopt the Regulation C/REG.3/06/12 granting installation allowance to certain categories of Statutory Appointees.

DONE AT ABIDJAN, THIS 16TH DAY OF MAY 2012

.....

MR. FELIX TANON

CHAIRMAN

FOR THE COMMITTEE

the extra expenditure of settling in. The allowance shall amount to one (1) month of the staff member's salary".

Article 3

The payment of the installation allowance referred to under Article 1 of this Regulation takes effect from the 1st March 2012.

Article 4

The President of the Commission shall ensure the proper application of this Regulation in all Community Institutions hosting Statutory Appointees.

Article 5

The ECOWAS Commission shall publish this Regulation in the Official Journal of the Community within thirty (30) days upon its signature by the Council of Ministers Chairman. It shall also be published by each Member State in its Official Gazette within thirty (30) days following notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012

.....

H. E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

SIXTY EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan 11 – 12 June 2012

REGULATION C/REG.3/06/12 ALLOCATING A SUPPLEMENTARY BUDGET TO THE NATIONAL COORDINATING COMMITTEES ON THE MULTILATERAL SURVEILLANCE MECHANISM FOR THE 2012 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 74 of the said Treaty which provides that the Financial Regulations and Manual of Accounting Procedures of the Community Institutions shall govern all financial transaction of the Community;

MINDFUL of the current Financial Regulations of the Community adopted in 2009;

MINDFUL of Article 69 of the ECOWAS Treaty on the budgets of the Community Institutions;

MINDFUL of Decision A/DEC.2/7/87 adopting the monetary cooperation programme aimed at creating a single monetary zone within ECOWAS;

MINDFUL of Decision A/DEC.7/12/99 adopting the macroeconomic convergence criteria within the framework of the ECOWAS monetary cooperation programme;

MINDFUL of Decision A/DEC.17/12/01 establishing the multilateral surveillance mechanism for the economic and financial policies of the ECOWAS Member States;

MINDFUL of the Report of the Convergence Council meeting held in Lome, Togo on 14 October 2011;

MINDFUL of Regulation C/REG.18/12/11 allocating budget to the National Coordinating Committee;

CONSIDERING that the deadline set for the utilization of the external funds put in place to finance the National Coordinating Committees on the Multilateral Surveillance Mechanism has expired whereas the activities of the said Committees should continue in the 2012 financial year to ensure the successful realization of their mandate;

CONSIDERING that Article 2 of Regulation C/REG. 18 /12/11 had deferred the payment of the balance of the funds that should be allocated to the National Coordinating Committees on the Multilateral Surveillance Mechanism to the 2012 session of the Administration and Finance Committee;

AWARE of the need to improve the efficiency and operation of the National Coordinating Committees on the ECOWAS Multilateral Surveillance Mechanism by allocating a supplementary budget to the said Committees for the 2012 financial year;

DESIROUS of effecting the allocation;

ON THE RECOMMENDATION of the 11th Administration and Finance Committee meeting held on 15 and 16 May 2012 in Abidjan;

ENACTS

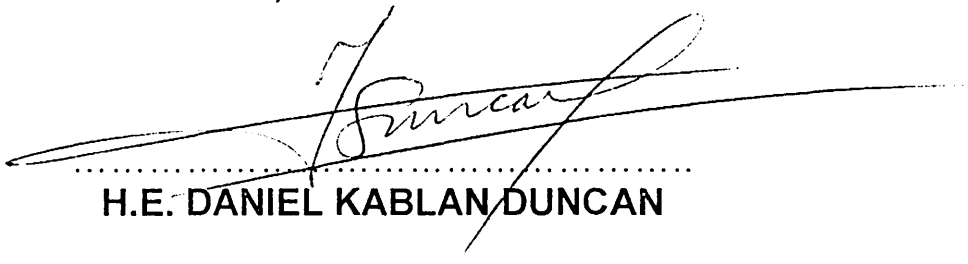
Article 1 :

This Regulation hereby approves the sum of **One hundred and forty two thousand, four hundred and ninety five Units of Accounts (UA 142,495)** to the National Coordinating Committees (NCC) on the Multilateral Surveillance Mechanism for the payment of the salaries of the NCC Macro-economic and Bilingual Secretary for the second half of the year 2012 (July – December).

Article 2

The ECOWAS Commission shall publish this Regulation in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Council. It shall also be published by each Member State in its Official Gazette thirty (30) days after notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012



.....

H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 - 12 June 2012

REGULATION C/REG.4/6/12 ALLOCATING A SUPPLEMENTARY BUDGET TO THE ECOWAS YOUTH AND SPORTS DEVELOPMENT CENTRE FOR THE 2012 FINANCIAL YEAR

THE COUNCIL OF MINISTERS ;

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

MINDFUL of the provisions of new Article 17 of Supplementary Protocol A/SP1/06/06 amending the Revised Treaty establishing the ECOWAS Commission and defining its composition;

MINDFUL of the provisions of Article 72 of the said Treaty on the Community Levy;

MINDFUL of the provisions of Article 69 of the Treaty on the Budget of the Community Institutions;

MINDFUL of Regulation C/REG.5/05/09 adopting the Financial Regulations of the Economic Community of West African States (ECOWAS);

MINDFUL of Regulation C/REG.10/12/11 relating to the budget of the Commissions, Agencies, Centres and Bureaux for the year 2011 allocating an amount of **Two million four hundred and twenty three two hundred**

and eighty two Units of Accounts (UA2,423,282) to the ECOWAS Youth and Sports Development Centre for its programme and administrative expenses.

RECALLING that as a result of the marginal increase allowed in the overall 2012 budget of the Commission, the ECOWAS Youth and Sports Development Centre received a total programme budget allocation of **One million five hundred and fifteen thousand, five hundred and fifteen Units of Accounts (UA1,515,515),** only, for its 2012 programmes against the requested amount of **Two million two hundred and twenty three four hundred and sixty five Units of Accounts (UA2,223,465).**

CONSIDERING that the ECOWAS Youth and Sports Development Centre was constrained to suspend the implementation of some of its vital programmes due to the insufficiency of its budget;

CONVINCED that the ECOWAS Youth and Sports Development Centre has to be granted sufficient resources to enable it implement important training and capacity building programmes for the youths in the region;

DESIROUS therefore of approving a supplementary budget for the ECOWAS Youth and Sports Centre for its planned programmes in 2012

ON THE RECOMMENDATION of the 11th Meeting of the Administration and Finance Committee meeting held in Abidjan on 15 and 16 May 2012;

E N A C T S

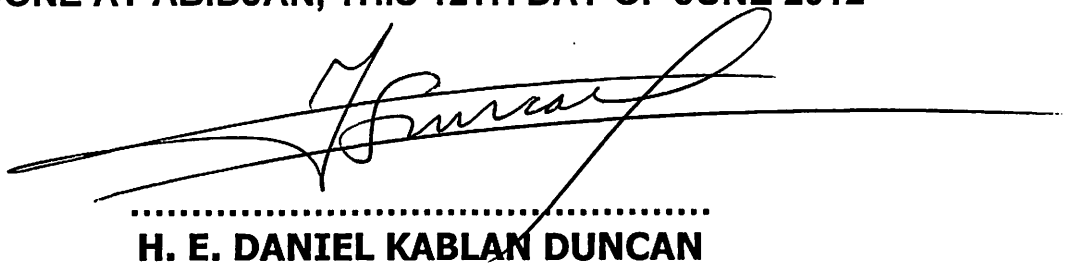
ARTICLE 1

A Supplementary Budget for the ECOWAS Youth and Sports Development Centre in the 2012 Financial Year in the amount of **four hundred and forty five nine hundred and fifty five thousand nine hundred and fifty five Units of Account (UA445,955)** is hereby approved.

ARTICLE 2

The ECOWAS Commission shall publish this Regulation in the Official Journal of the Community within thirty (30) days upon its signature by the Council of Ministers Chairman. It shall also be published by each Member State in its Official Gazette within thirty (30) days following notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012



.....

H. E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
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ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

REGULATION C/REG.5/06/12 ON THE PAYMENT OF THE PROFESSIONAL FEES TO KPMG/GHANA FIRM, AS EXTERNAL AUDITORS OF COMMUNITY INSTITUTIONS

THE COUNCIL OF MINISTERS;

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

MINDFUL of Article 75 of the said Treaty relating to the appointment of the External Auditor,

RECALLING that the tenure of the former External Auditors of the Community Institutions, Deloitte and Touche, Côte d'Ivoire expired in 2010;

CONSIDERING that by virtue of Article 75 of the Treaty referred to above, the External Auditors Auditor shall be appointed for a period of two years renewable once;

MINDFUL of Decision A/DEC.15/01/06 establishing the ECOWAS Audit Committee and adopting its mandate and terms of reference;

MINDFUL of the Audit Committee's evaluation report on Accounting Firms dated 25 November 2011 recommending KPMG/Ghana as Auditor of the Community Institutions after the completion of the required due process for recruitment;

RECALLING that the Council of Ministers at its 67th Session which took place in Abuja 19 – 21 December 2011, recommended the appointment of KPMG Firm, Ghana to the Authority of Heads of State and Government;

MINDFUL of Decision A/DEC.1/02/12 adopted by the Authority of Heads of State and Government appointing KPMG, Ghana as the new External Auditors of Community Institutions;

CONSIDERING the need to make available for payment, the professional fees of the New External Auditors of Community Institutions;

HAVING NOTED that the Commission has insufficient funds budgeted to offset the said professional fees.

DESIROUS of extending the necessary approval for the payment of the professional fees of the External Auditors of Community Institutions;

ON THE RECOMMENDATION of the 11th Administration and Finance Committee meeting held in Abidjan on 15 and 16 May 2012;

ENACTS

Article 1 :

1. Approval is hereby granted for the payment of the sum of **One hundred and forty five thousand Units of Accounts (UA145,000)** as professional fees for the External Auditors of the Community

2. The President of the Commission is authorized to adopt the necessary administrative and Financial measures to ensure appropriation of the outstanding balance of **Forty five thousand Units of Accounts (UA45,000)** to supplement the 2012 budgeted funds earmarked for the professional fees of the External Auditor.

Article 3 ;

The ECOWAS Commission shall publish this Regulation in the Official Journal of the Community within thirty (30) days upon its signature by the Chairman of Council. It shall also be published by each Member State in its Official Gazette within thirty (30) days following notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012

.....

H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
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WEST AFRICAN STATES

SIXTY EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

REGULATION C/REG.06/06/12 ON CONDITION FOR ACCESS TO SUBMARINE CABLES LANDING STATIONS

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 33 of the said Treaty relating to Posts and Telecommunications, which provides that Member States shall undertake to develop, modernise, coordinate and standardise their national telecommunications networks with a view to providing reliable interconnection between Member States and promoting private-sector participation in the provision of telecommunications services;

MINDFUL of Supplementary Act A/SA.2/01/07 on access and interconnection of the Information and Communication Technology (ICT) sector networks and services;

MINDFUL of Supplementary Act A/SA.3/01/07 on the legal regime applicable to Telecom operators and service providers;

CONSIDERING the Community framework for the Telecom and ICT sector and, in particular, Supplementary Act A/SA.1/01/07 on the harmonisation of the policies and regulatory framework of the Information and Communication Technology (ICT) sector;

CONSIDERING that interconnection of modern telecommunications systems among Member States is a pre-requisite for economic integration in the sub-region;

CONSIDERING that the new sub-marine cable projects for connecting Africa could put an end to the high cost of ICT services due to lack of national and international fibre optic infrastructures - terrestrial as well as sub-marine - and help reduce prices on condition that a regulatory framework is established to enable free access and the development of competition on international routes;

CONSIDERING the adoption of the guidelines on access to submarine cables at the 9th WATRA Annual General Meeting in Accra, Ghana, held from 2nd to 3rd June 2011, further to their amendments at the ECOWAS meeting of national experts in charge of

telecommunciation and ICT in Lomé, Togo, from 22 to 25 March 2011 and their validation at the WATRA workshop in Monrovia, Liberia, from 7 to 9 December 2010.

RECALLING that the development of these guidelines was launched at the WATRA Workshop on Sub-marine Cable Regulation inAccra, Ghana, from 17 to 18 November 2009, taking into account issues of access, pricing and capacity identified by participants regarding cable landing stations, as well as the capacity services offered, particularly as a result of monopolies on cable landing stations and backhaul, leading to extremely high charges;

RECALLING the need for Member States to strive to apply the principles of interconnection and open access as enshrined in the ECOWAS Supplementary Acts, namely, non-discrimination, transparency and cost-oriented pricing in the context of Reference Interconnect Offers and access to submarine capacities, as well as the award of licences to cable landing station operators;

RECALLING the specific challenges of landlocked countries which can only have access to cables landing stations by going through other countries for the establishement of a common ICT market in the ECOWAS space

EQUALLY RECALLING the principles of interconnection and open access enshrined in the aforementioned Supplementary Acts, as well as the principle of non-discrimination among operators, including among those established in the different Member States;

CONVINCED that open access to capacities transported on submarine cables is necessary for rendering affordable international bandwith, thereby encouraging the growth of each of the domestic markets;

DESIROUS of adopting a harmonised framework for submarine cable access in West Africa to promote the development of permanent and fair competition for the benefit of network operators and subscribers in the telecommunications and ICT sector;

UPON THE RECOMMENDATION of the meeting of Ministers responsible for Telecommunications/ICT held on 14th October 2011 in Yamoussoukro;

HAVING CONSULTED the ECOWAS Parliament;

HEREBY ENACTS

Article 1 Definitions

For the application of this Regulation, the definitions set out in Supplementary Act A/SA.1/01/07 on the harmonisation of the policies and regulatory framework of the Information and Communications Technology (ICT) sector, Supplementary Act A/SA.3/01/07 on the legal regime applicable to network operators and service providers, and Supplementary Act A/SA.2/01/07 on access and interconnection of networks and services in respect of the ICT sector, shall apply.

The following definitions shall equally apply:

Access and connection services offered by Submarine Cable Landing Station Operators to Eligible Operators: these are services provided by a CLS operator to an Eligible Operator for the deployment, establishment and maintenance of the connection between the Eligible Operator's co-location equipment located at the landing station site or any other location indicated in the Reference Interconnect Offer concerning the landing station, and the submarine cable system, to enable the Eligible Operator:

- access capacities belonging to him, or on any one of the cables connected to the landing station system in question; and
- access cable capacities held by third parties on any of the cables connected to the landing station.

Backhaul Services: the location of the links between the landing station and the facilities of the Eligible Operator.

Cable Landing Station Operator: an operator of a submarine cable landing station **(CLS Operator).**

Co-location: the facilities and resources (including the building space, power, environmental, security and maintenance services) offered by the cable landing station operator to an Eligible Operator;

Eligible Operator: a telecommunications operator who can request access to international capacity and co-location on the site of a cable landing station.

An eligible operator must:

- be in compliance with the regulations in the country concerned or another ECOWAS Member State;
- be a network operator and/or telecommunications service provider;
- hold beforehand some rights on the international capacity available at the cable landing station either as capacity owner (consortium member), an Indefeasible Right of Use (IRU) holder, or an International Private Leased Circuits (IPLCs) holder.

- Internet service providers and Internet Exchange Points are also eligible to request such access depending on the scope of the applicable legal regime in their national jurisdictions.

RIO: Reference Interconnection Offer

Submarine cable: Any physical, signal-bearing medium installed in a marine environment for the routing of electronic communications or transmission of electric power.

Submarine Cable Landing Station or **Cable landing station (CLS)**: Set of technical installations for the landing and operation of the submarine cable in order to provide electronic communication or electric power transmission services.

Virtual Co-location:

- Connection to the cable landing station by a link between a remote or virtual co-location point and the cable landing station.
- This point shall be located outside the cable landing station, whether adjacent to the station or at a reasonably distant location, depending on the options.

The Eligible Operator shall be authorised to install its equipment at that point so as to access the submarine cable capacity from the cable landing station.

Article 2 Objective

This Regulation is aimed at:

i. increasing the international bandwidth capacity of each country;
ii. laying down conditions for fair access to international bandwith with a view to facilitating the development of a competitive national market; and
iii. ensuring significant reduction in international communication charges for each Member State.

Article 3 Scope of Application

1. This Regulation shall apply to:
   i. the licensees operating submarine cable landing stations in a Member State;
   ii. access to available broadband capacities on submarine cable(s) landing at sub-marine cable stations controlled by a single company or by operators considered as having Significant Market Power (**dominant operator**), as per Article 19 of Supplementary Act A/SA.2/01/07 on access and interconnection of networks and services in the ICT sector. The entity that controls all cable landing stations in a Member State, or the entity as defined in the above Supplementary Act, shall be presumed to wield significant market power. This

2. Regulation shall apply without prejudice to the Member States' right to maintain or introduce, in compliance with ECOWAS regulations, measures containing provisions more detailed than those set out in this Regulation and/or not falling within the latter's scope of application, particularly regarding other types of access to local infrastructures.

Article 4 Grant of landing station licences

1. Member States shall encourage the grant of licences to new cable landing stations with appropriate provisions within the licenses awarded.
2. The licenses and specifications shall at least include:

   i. conditions, in conformity with the annexes to Supplementary Act A/SA.3/01/07 on the legal regime applicable to network operators and service providers, for

preventing anti-competitive behaviour in telecommunication markets, and particularly measures designed to ensure that tariffs are not discriminatory and do not distort competition.

ii. an obligation to cooperate with the other cable landing stations (established across the Member States' territories) in providing mutual assistance in case of breakdown.

iii. In that regard, provisions on open access to cable landing stations and on the offer of international capacities on non-discriminatory basis, must be included in the licences and/or associated specifications; and

Article 5 Modification of existing licenses

Member States shall amend the existing licenses and corresponding specifications of CLS operators to conform to the principles enshrined in this Regulation, and introduce the obligation of non-discrimination and prohibition of anti-competition practices on the international capacity access market.

Article 6 Withdrawal of restrictions on access to international capacities

Whatever the technology used (terrestrial or submarine fibre, satellite, *and microwave* links), Member States shall not include any restriction on access to international capacities in any licences or authorisation (including the corresponding specifications) issued to any operator on that Member State's territory.

Article 7 Guarantee of fair and effective access

1. National Regulators must ensure fair and effective access to the available capacity on any cable systems landing at any landing station operated by an SMP Operator.

2. Consequently, the SMP-CLS operator shall:

   i. provide Eligible Operators with access to the station and related international sub-marine cable capacity, and facilitate connection to any sub-marine cable landing at the cable landing station on fair and non-discriminatory terms and conditions;

   ii. allow all providers of capacities, holding right on capacities available on submarine cables landings on the CLS, to sell their capacities in the countries where the cable is landing (in the form of either Irrevocable Right of Use – IRU, or International Leased Circuits – IPLC) or any entity willing to buy capacity, to buy it from these providers provided that they are in compliance with the national regulation.

3. There shall be no exclusive rights for national members of the consortium to sell capacities. In that regard, the National Regulatory Authority (NRA) shall be informed of the conditions of the consortium MOU and/or construction and maintenance agreement (C & MA) signed by its members to ascertain that there

is no exclusive right for the CLS operator to sell international capacity on the national territory.

4. The SMP-CLS operator shall provide the Eligible Operator with Co-location and Backhaul services as defined below:

Article 8 Co-location service

1. The SMP-CLS operator shall provide the Eligible Operator with Co-location and Backhaul services as defined in Article 3.
2. In cases where the SMP-CLS operator is unable to provide physical co-location due to space limitation or any other legitimate reasons, it must take reasonable measures to propose an alternative solution. Such alternative solutions may include options such as virtual co-location, provisioning additional equipment space, optimising the use of existing space, or finding adjacent space.
3. The Eligible Operator shall bear the relevant and reasonable costs invested by related services (electricity, air conditioning, etc).
4. The virtual co-location tariff shall include expenses related to the works carried out the SMP-CLS operator in providing additional space and equipment, optimising the use of existing space, or finding adjacent sites and, in the last case, providing a link between virtual co-location and the cable landing station.
5. Where the works are carried out for the exclusive needs of one Eligible Operator, the operator shall be invoiced for the total amount of works.
6. Where they are carried out by several operators, each Eligible Operator using the co-location service shall be invoiced in proportion to the above total amount calculated on a transparent and non-discriminatory basis.
7. Where a new Eligible Operator moves into a co-location space that has already been financed by operators already installed in that space, the new entrant shall pay the operators a share of the expenses they incurred in accessing the co-location space.

Article 9 Minimum period of access and co-location

1. The SMP-CLS operator must provide a minimum period of co-location ensuring a reasonable balance between the need to encourage competition and that of safeguarding a reasonable return on the investments made for the co-location.
2. National Regulatory Authorities shall ensure that the minimum period commitment above is no less than 3 years and the co-location offer can be extended beyond the initial period.

Article 10 Backhaul services

The National Regulatory Authority should ensure that the SMP-CLS Operator provides a leasing backhaul facility at cost-oriented prices in order that Eligible Operators do not pay unreasonable charges for the service.

Article 11 Transparency obligations

1. The SMP-CLS shall be required to:

   i. publish the terms and conditions of Connection Services and co-location facilities, including landing facilities for any submarine cables wishing to land at the CLS, and Backhaul services in a " Cable Landing Station Reference Interconnect Offer" (CLS-RIO);

   ii. submit its Reference Interconnect Offer for prior approval. The NRA may use its power to modify the RIO in accordance with national regulation. A CLS Operator desirous of making any modification whatsoever to its CLS-RIO shall submit all such modifications to the Authority for prior approval.

2. The CLS-RIO must include the following points:

   i. the detailed terms and conditions of provided Connection services, co-location facilities (including virtual), backhaul services, and maintenance of co-location equipment in co-location space;

   ii. the ordering and provisioning procedure;

   iii. technical information connected with the installation and infrastructure of the SMP-CLS Operator needed by third operators to request the above-mentioned services;

   iv. service level guarantees;

   v. charges for the above services;

   vi. payment conditions;

   vii. time limit for execution; and

   viii. minimum period of access and co-location.

3 National Regulatory Authorities shall monitor compliance with the conditions attached to the licenses and provisions of submarine cable Reference Interconnect Offers, and other obligations under the ECOWAS regulatory framework.

Article 12 Tariff Monitoring

1. Charges for Connection services, Co-location facilities, Backhaul services, and operation and maintenance shall be in accordance with the principle of the relevant cost calculation framework set by the NRA.
2. On the basis of the cost calculation framework set by the National Regulatory Authority, the SMP-CLS Operator shall determine the charges taking into account the cost involved in Connection services, operation and maintenance

provisioning of co-location facilities and Backhaul services, and submit them to the National Regulatory Authority.

3. The SMP-CLS Operator shall submit the CLS-RIO to the National Regulatory Authority for approval, setting out the details of cost of the network elements, costing methodology, and calculation sheets or any other calculation methods.
4. The charges shall be approved by the National Regulatory Authority on the basis of the existing costing methodology already in use at the NRA.
5. Prior approval by the National Regulatory Authority shall ensure transparency, fairness and reasonability, and also the SMP-CLS Operator shall not tend to adopt an arbitrary approach in prescribing various charges.
6. If an Operator fails to provide the required documentation, the National Regulatory Authority may make its own cost calculations in order to estimate the cost on the basis of information at its disposal.
7. If a National Regulatory Authority lacks sufficient information or has not yet implemented methods for calculating costs in accordance with the relevant provisions of the Supplementary Act on Access and Interconnection in respect of ICT Sector Networks and Services, it may, in a transitional way, implement the tariff monitoring proposed by the SMP-CLS Operator on the basis of an international benchmark in order to ensure that consumer charges do not discourage uptake.

Article 13 Guarantees of quality Service Level

National Regulatory Authorities shall ensure that SMP-CLS Operators provide a Service Level Guarantee consistent with international best practices and equivalent to those applied to their own services or to those of their subsidiaries or partners.

Article 14 Dispute resolution

1. Where the CLS Operator and an Eligible Operator fail to reach an agreement on access to the station and associated services such as Co-location and Backhaul, the dispute shall be brought before the National Regulatory Authority according to the dispute resolution mechanism provided for by the National Telecom/ICT Law.

2. In case of dispute between the CLS Operator and co-location operator, the former shall give the third party a reasonable time-frame determined by the National Regulatory Authority to propose an alternative arrangement before the termination of the co-location agreement.

Article 15 NRA collaboration

National Regulatory Authorities of the ECOWAS Member States shall define a framework for collaboration amongst the regulators regarding the rules or regulations governing sub-marine cable access in the sub-region. The Member States shall inform the ECOWAS Commission about any initiative taken on this matter.

Article 16 **Publication**

This Regulation shall be published by the ECOWAS Commission 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 thirty (30) days after due notification by the Commission.

DONE AT ABIDJAN THIS 12TH DAY OF JUNE 2012

.....

H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR THE COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

ECONOMIC COMMUNITY
OF WEST AFRICAN STATES

SIXTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

REGULATION C/REG.7/06/12 ADOPTING THE CRITERIA FOR THE ESTABLISHMENT OF CENTRES OF EXCELLENCE IN THE ECOWAS REGION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 27 of the said Treaty relating to Science and Technology;

MINDFUL of ECOWAS Protocol A/P3/1/03 on Education and Training;

CONSIDERING the objectives of the Economic Community of West African States (ECOWAS) which seek to achieve growth and sustainable and equitable socio-economic development as well as poverty eradication;

CONSIDERING the need to establish in the ECOWAS region, sustainable institutional and structural mechanisms for common regional programmes in science, technology and innovation;

CONSIDERING that pursuant to the provisions of Article 8 B) of Protocol A/P3/1/03, Member States have committed themselves to establish, in collaboration with Universities and Research Institutes, Centres of Excellence in critical research areas, with a view to optimising the scant financial resources and research infrastructures acquired at great expense;

CONSIDERING that the establishment and distribution of Centres of Excellence aim at achieving regional balance in terms of location;

RECALLING that Member States have also pledged to consult with Universities and Research Institutes to define the modalities for selecting the Centres and priority research areas;

CONVINCED of the need to define the criteria for the establishment and identification of the Centres of Excellence in the sub-region;

ANXIOUS to define the mechanisms for optimising the scant financial resources and research infrastructures;

DESIROUS of adopting the criteria for the establishment of Centres of Excellence in the ECOWAS region;

ON THE RECOMMENDATION of the second Meeting of ECOWAS Ministers of Science, Technology and Innovation held in Yamoussoukro (Cote d'Ivoire) on 12th March 2012;

HAVING CONSIDERED THE OPINION of the ECOWAS Parliament;

HEREBY ENACTS:

SECTION I : DEFINITION AND KEY FEATURES OF THE CENTRES OF EXCELLENCE

ARTICLE 1 Definition

According to the UNESCO, the definition of a "Centre of Excellence" should be broad. It could embrace a variety of national, regional or international institutions able to provide services at a standard sought by Member States or regions, and a satisfactory rationale for investment in their activity by interested customers. A Centre of Excellence could therefore be a research or training institution, university or one of its departments, laboratory, science museum, cultural museum, library and other appropriate entities.

ARTICLE Key Features of Centres of Excellence

A Centre of Excellence should have the following key features:

a) a "**critical mass**" of eminent scientists;

b) be a well-defined structure (based mostly on existing structures) with its own research programme;

c) be able to integrate related fields and combine additional expertise/skills;

d) be able to maintain constant interactions among skilled human resources;

e) play a dynamic role in the innovation system in which it finds itself (adding value to knowledge);

f) enjoy high international visibility and scientific or industrial connection/link;

g) show an acceptable long-term stability in terms of finance and operations (prerequisites for investing in staff and building partnerships), and;

h) in the long run, not depend on Government for its sources of finance. Since the Centre is subject to continuous changes, it should have a skilled workforce in order to ensure internal economic growth and attract private investments.

SECTION II: GENERAL CRITERIA FOR ECOWAS CENTRES OF EXCELLENCE

ARTICLE 3: Identity of the Centre of Excellence

3.1 The Centres of Excellence shall be physically located within the ECOWAS Region with specific rules, standards and operational guidelines. They should contribute to the implementation of the ECOWAS strategic Vision 2020 and meet the developmental goals of Member States.

3.2 They should also be able to develop networks, programmes and deliver results so as to contribute to the objectives of sustainable development set by each Member State and ECOWAS.

3.3 The Centre should have a specific geographical address and a website providing information on its organisation, useful contacts, activities, etc.

1	Institutional data	• Name • Location • Website • Number of years of establishment • Status of the Centre • Proof of its existence in law			
2.	Key management personnel of the Center	• Vice chancellor /Director General	Name	Email Address	Telephone
		• Director of the Centre			
		• Other personnel of the center			
3	Institutional vision, mission and strategic goals	To be concerned with local, national and international development programmes (ECOWAS)			

ARTICLE 4: Objectives and Indicators of the General Policy or Leadership

4.1. Objectives

This criterion shall apply to all the Centres. This general policy or leadership shall also be called ***Governance***. It shall detail the duties of the Management of the Centre through a management structure with an organizational chart and clearly defined functions for its administrative and technical personnel as well as a governance system to ensure effective consultation with all the stakeholders. This criterion shall seek to ensure:

a) the effectiveness of governance, especially the quality of the organisation and administration, development of its mission statement, vision, core values and ethics;

b) the quality of policy as well as research and training processes;

c) the strengthening of the culture of excellence in all the personnel;

d) the existence of monitoring and evaluation mechanisms in order to assess the effective realization of these objective, and;

e) the existence of a mechanism for maintaining hygiene and safety while being environmentally-friendly and complying with regulations (***For example:*** *solid and/or liquid waste management, single document for risk assessment and individual risk analysis*)

4.2. Indicators

	OBJECTIVE	INDICATORS
1	Governance	• Quality of governance and administration by the Director General, in charge of the Centre in keeping with its vision, mission and objectives
2	Policy, Research and training procedures	• Availability of a clear Policy in keeping with the institutional vision, its mission and strategic goals; • Availability of clear research objects and programmes • Availability of a staff career development policy
3	Culture of excellence for personnel/monitoring and evaluation/qualifications/ skills/safety and hygiene	• Existence of a code of ethics ✓ Existence of a monitoring mechanism supported by the availability of progress reports; ✓ Staff performance appraisal form (monthly, quarterly or yearly); ✓ Qualifications of personnel in keeping with the

		Centre's requirements; ✓ Proof of capacity building needs assessment; ✓ Proof of organising training in keeping with the results of the needs assessment survey. ✓ Language immersion; ✓ Environmental health assessment of the Centre; ✓ Availability of drinking water/electricity in the Centre; ✓ Availability of safety measures in keeping with national and international regulations

ARTICLE 5: Human Resource Objectives and Indicators

5.1. Objectives

The concept of "**critical mass**" is a key element in the various components of a Centre of Excellence. It deals with human potential and contribution to human development. It is also about the presence within the Centre of a mass of scientists and/or technologists, technicians, inventors of regional and international repute. To this end, the mass of scientists should not only have the capacity to develop, strengthen and maintain the required skills (human resources, etc.), but also undertake some activities which aim at contributing to human development, a key factor to the development of scientific knowledge in the region. The existence of personnel tailored to the needs of the Centre and imbued with excellence virtues.

5.2. Indicators

OBJECTIVES	INDICATORS
Capacity to have high-quality human resources	• Number of employees (percentage of professional staff, officers, percentage of permanent or temporary staff, etc.); • Number of scientists (percentage based on category); • Number of national and international award winners • Availability of staff regulations; • Staff salary (basic salary); • Frequency of persons assessed; • Classification of the workforce based on Gender
Human Resource Development Capacity	• Availability of career profile; • Availability of incentives and performance allowances; • Percentage of trained and effectively utilized staff; • Share of budget allocated to capacity building;

	• Number of national missions (tasks in which the institute is involved); • Percentage of staff growth • Share of budget allocated to sensitization/education, marketing, market study, advertising, Internet, etc.)

ARTICLE 6: Scientific and Technological Productions

6.1. Objectives

This criterion aims at ensuring scientific production capacity. This capacity is expressed in terms of:

a) Top-notch international scientific production (*For example: quality and regularity of scientific production*);

b) National and international recognition and outreach (joint projects and collaborations with the outside world, awards, quantified impact ...) of researchers and teacher-researchers from the Centre;

c) Mobility of researchers and teacher-researchers (from the Centre to organizations or industry);

d) Impacts in terms of innovation and transfers to industry, services, social and cultural component/sphere of the Centre's research topics and results;

e) Strategy for the promotion and dissemination of research.

6.2. Indicators

OBJECTIVES	INDICATORS
Development capacity of scientific production	• Number of indexed publications; • Number of research papers; • Number of national, regional and international patents; • Number of honorary distinctions; • Percentage of sustainable development related projects such as environmental protection, improvement of water quality, energy economies. .

ARTICLE 7: Infrastructure and Facilities

7.1. Infrastructure

The objectives of this criterion are to ensure good quality national and international infrastructure. This criterion will lay emphasis on internal and external environment, social utilities and infrastructure, hygiene and security.

a) The analysis of the external environment will make it possible to assess the geographical area's location, accessibility, vicinity which will identify possible problems and risks;

b) The study of the Centre's internal environment will make it possible to assess the strength of the establishment (wall, ventilation, entrance to the building, space layout, enclosure, playground, etc), general architecture, materials, arrangements, building area, (reception area, specialised rooms, library, etc.), administrative area, various rooms, facilities (furniture, telephone, fax, computers, other equipment);

c) Social facilities and infrastructure shall lay emphasis on air-conditioning, lighting, ventilation, provision of canteen, cafeteria, waiting room, sick-bay, estate, sport field, etc;

d) Finally, the criterion for hygiene and security shall be the availability of toilets (number, distribution, cleanliness, dustbins and availability of information on security, emergency exits and evacuation, fire-hydrants, extinguishers, etc.

7.2. Facilities for excellence

a) All research activities are determined by the facilities available. The use of good quality and regularly serviced scientific equipment which complies with international standards has become a necessary condition for international competitiveness in many science disciplines. This may be modelling sciences that require more effective calculation methods, some equipment or human and social sciences database, physics, land sciences, life sciences which revolve around experimental platforms.

b) These interim equipment will promote inter-team and inter-disciplinary synergy, and also public and private research and are strong tools for competition in an ever-increasing competitive international environment. As the case of heavy equipment has proved, access to high quality research instruments has a positive impact on scientific production and promotes partnership with the economic world, particularly research development. This is why particular attention should be given to les equipments de base et de pointes.

ARTICLE 8: Partnership, Stability, Networking

8.1. Objective

The objective of this criterion is to ensure international openness of the centers' teams and infrastructure. This involves the development and maintenance of partnership network with sister bilateral and multilateral institutions.

8.2. Indicators

OBJECTIVE	INDICATORS
Develop and maintain a partnership network with multilateral institutions and partners	• Number of partnership framework agreements; • Number of persons who are members of renowned regional and international networks; • Number of networks to which the institution belong; • Number of regional and international programmes; • Number of regional and international professional associations.

ARTICLE 9: Financing

9.1. Objectives

The objectives of this criterion are to enable the center guarantee its capacity for mobilising resources and to have a sustained financial process in order to maintain its long-term viability.

9.2. Indicators

OBJECTIVES	INDICATORS
Mobilisation Resource Capacity	• Percentage of generated own resources; • Percentage of budget increase; • Percentage of external resources (Member States, bilateral and multilateral donors); • ECOWAS Commission; • Existence of a Manual of Procedures
Capacity for long-term financial autonomy	• Percentage of projects executed as scheduled; • Percentage of center-funded projects; • Positive evolution of funds.

ARTICLE 10: Specific criteria

Specific criteria shall be elaborated and linked with the general criteria in accordance with science and technology specification.

SECTION III: AREAS OF EXCELLENCE, INTERNATIONAL JURY AND METHODOLOGY

ARTICLE 11: Areas of excellence

11.1. Given the diversity of science and technology disciplines, the areas of excellence shall be identified in relation to activities, national and regional exigencies.

11.2. However, the distribution of the centres shall be harmonious in all ECOWAS Member States in order to contribute to the integration of the people.

ARTICLE 12: International Jury

12.1. Taking due account of the specific nature of the proposed centres of excellence and ensuring an effective, objective and transparent location, an international jury shall be set up.

12.2. The creation, composition, operation, financing and role of the Jury shall be defined by an Implementation Regulation of the President of the ECOWAS Commission.

12.3. The members of the Jury shall be proposed by the ECOWAS Commission from among recognised and renowned international experts.

ARTICLE 13 : Accreditation Framework Methodology

13.1: Fact-finding/Evaluation

a) The shortlisting of centers shall be by a call for nomination in all the selected sectors.

b) Fact-finding/evaluation missions with a clear road map shall be organised for the real evaluation of technical and operational capacities of the centre's candidates.

c) The data gathered at this stage shall be used in preparing a decision matrix (strength, weakness, opportunities and risks) of all the institutions.

13.2. Choice of Institutions of Excellence and Duration of the Approval

a) At the end of the study, institutions that have met the relevant criteria defined and approved by an international jury shall be selected as centres of excellence.

b) The centers of excellence that have been selected shall sign a memorandum of understanding with ECOWAS and a list of the Centres shall be published in the ECOWAS Official Journal.

c) ECOWAS approval shall be valid for five (5) years, renewable after evaluation of criteria.

SECTION IV : IMPLEMENTATION AND PUBLICATION

ARTICLE 14 : Implementation

Member States and ECOWAS Institutions shall ensure the effective implementation of this Regulation.

ARTICLE 15 : Publication

This Regulation shall be published by the ECOWAS Commission 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 Official Gazette within the same time-frame upon notification by the Commission.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012

.....

H. E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

ELEVENTH MEETING OF THE ADMINISTRATION
AND FINANCE COMMITTEE

ABIDJAN, 15 – 16 MAY 2012

RECOMMENDATION N° 1 AMENDING REGULATION C/REG.17/11/10 AND REVISING THE TRANSPORT ALLOWANCE FOR THE GENERAL SERVICES STAFF OF THE ECOWAS INSTITUTIONS

THE ADMINISTRATION AND FINANCE COMMITTEE,

HAVING CONSIDERED the memorandum presented by the ECOWAS Commission seeking to amend Regulation C/REG.17/11/10 and to revise the transport allowance for the General Services Staff of the ECOWAS Institutions

RECOMMENDS

TO THE COUNCIL OF MINISTERS to approve the Regulation C/REG.1/06/12 amending Regulation C/REG.17/11/10 and revising the transport allowance for the General services Staff of the ECOWAS Institutions.

DONE AT ABIDJAN, THIS 16TH DAY OF MAY 2012

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MR. FELIX TANON

CHAIRMAN

FOR THE COMMITTEE

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 - 12 June 2012

RECOMMENDATION C/REC.1/06/12 RELATING TO THE ADOPTION OF THE ECOWAS HUMANITARIAN POLICY

THE COUNCIL OF MINISTERS;

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

MINDFUL of Articles 40 and 41 of the 1999 Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security on the obligation of ECOWAS to coordinate and deliver humanitarian assistance within the region;

MINDFUL of Regulation MSC/REG.1/01/08 on the ECOWAS Conflict Prevention Framework particularly paragraphs 93 to 96 which amongst other issues, set out the scope and capacity requirements for ECOWAS humanitarian intervention.

AWARE that the region has experienced grave humanitarian consequences caused by conflict and oftentimes natural disasters, all of which have worked untold hardship on our peoples and have given rise to the death and displacement of our peoples, increased refugee situation, destruction of property, in addition to having a deleterious effect on development, political and economic stability;

MINDFUL of Supplementary Act A/SA.8/01/07 adopting the ECOWAS Policy on Disaster Reduction which outlines measures for ensuring that the region is resilient to natural hazards;

CONSIDERING that Regulation MSC/REG.2/01/08 established the ECOWAS Emergency Response Team (EERT) as a mechanism for the delivery of emergency response within the framework of all ECOWAS Humanitarian interventions;

RECALLING Regulation C/REG.16/12/11 establishing the ECOWAS Humanitarian Response Mechanism that provides the necessary framework for internal coordination of delivery of assistance and mobilization of relief funds;

NOTING the need to establish a system at the level of the Commission that standardizes the practice of humanitarian action and fosters a balanced linkage between humanitarian action, human security and human development;

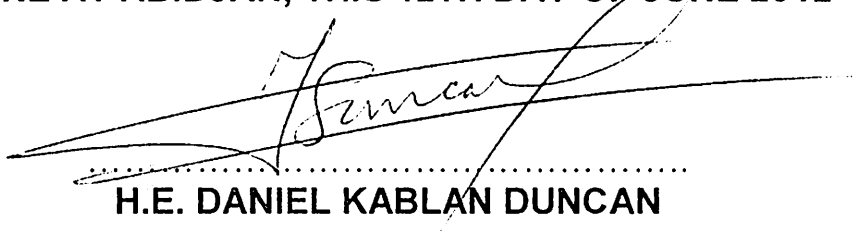
BEARING IN MIND that such a system should also be driven by a policy that fully reflects the ECOWAS mandate for maintaining regional security as well as the security and well being of the citizens of the region as a whole.

DESIROUS of adopting a humanitarian policy that underscores core humanitarian principles including humanity, solidarity sustainability responsibility and equality of treatment;

ON THE PROPOSAL of the Meeting of Ministers in charge of Humanitarian Affairs held in Cotonou, Republic of Benin from 5 to 9 March 2012

RECOMMENDS to the Authority of Heads of State and Government to adopt the attached Supplementary Act A/SA.../6/12 Adopting the ECOWAS Humanitarian Policy.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012



H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

FORTY FIRST SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Abidjan, 28 – 29 June 2012

SUPPLEMENTARY ACT A/SA..../06/12 ADOPTING THE ECOWAS HUMANITARIAN POLICY

THE HIGH CONTRACTING PARTIES;

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

MINDFUL of Articles 40 and 41 of the 1999 Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security on the obligation of ECOWAS to coordinate and deliver humanitarian assistance within the region;

MINDFUL of Regulation MSC/REG.1/01/08 on the ECOWAS Conflict Prevention Framework particularly paragraphs 93 to 96 which amongst other issues, set out the scope and capacity requirements for ECOWAS humanitarian intervention.

AWARE that the region has experienced grave humanitarian consequences caused by conflict and oftentimes natural disasters, all of which have worked untold hardship on our peoples and have given rise to the death and displacement of our peoples, increased refugee situation, destruction of property, in addition to having a deleterious effect on development, political and economic stability;

MINDFUL of Supplementary Act A/SA.8/01/07 adopting the ECOWAS Policy on Disaster Risk Reduction which outlines measures for ensuring that the region is resilient to natural hazards;

CONSIDERING that Regulation MSC/REG.2/01/08 established the ECOWAS Emergency Response Team (EERT) as a mechanism for the delivery of emergency response within the framework of all ECOWAS Humanitarian interventions;

RECALLING Regulation C/REG.16/12/11 establishing the ECOWAS Humanitarian Response Mechanism that provides the necessary framework for internal coordination of delivery of assistance and mobilization of relief funds;

NOTING the need to establish a system at the level of the Commission that standardizes the practice of humanitarian action and fosters a balanced linkage between humanitarian action, human security and human development;

BEARING IN MIND that such a system should also be driven by a policy that fully reflects the ECOWAS mandate for maintaining regional security as well as the security and well being of the citizens of the region as a whole.

DESIROUS of adopting a humanitarian policy that underscores core humanitarian principles including humanity, solidarity sustainability responsibility and equality of treatment;

ON THE PROPOSAL of the Meeting of Ministers in charge of Humanitarian Affairs held in Cotonou, Republic of Benin from 5 to 9 March 2012;

HAVING CONSIDERED THE OPINION OF THE ECOWAS Parliament;

AGREE AS FOLLOWS

Article 1

The ECOWAS Humanitarian Policy and its Plan of Action (2012-2017) attached hereto are hereby adopted;

Article 2

This Supplementary Act shall be published in the Official Journal of the Community by the Commission 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.

Article 3

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS Institutions undertake to start the implementation of its provisions upon its entry into force.

2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.

Article 4

This Supplementary Act shall be deposited with the Commission, which shall transmit certified true copies of this Act to all Member States and notify them of the dates of deposit of the instruments of ratification and shall register this Act with the African Union, the United Nations Organization and such other organizations as Council may determine.

Article 5

This Supplementary Act shall enter into force on the date of signature. It shall be published in the ECOWAS Official Journal within thirty (30) days of its signature by the Chairman of the Authority

of Heads of State and Government. It shall also be published by each Member State in its Official Gazette within the same time-frame upon notification by the Commission.

IN FAITH OF WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE IN YAMOUSSOUKRO, THIS 30TH DAY OF JUNE 2012

IN SINGLE ORIGINAL, IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL THREE TEXTS BEING EQUALLY AUTHENTIC

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

RECOMMENDATION C/REC.2./06/12 ADOPTING THE ECOWAS SCIENCE, TECHNOLOGY AND INNOVATION POLICY AND ITS PLAN OF ACTION

THE COUNCIL OF MINISTERS;

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

MINDFUL of Article 27 on Science and Technology;

MINDFUL of Protocol A/P3/1/03 on Education and Training
Mindful of the importance of Science and Technology and Innovation for the economic and social development of the region

CONSIDERING the objectives of the Economic Community of West African States (ECOWAS) aimed at growth and a sustainable and equitable socio-economic development and poverty eradication;

HAVING REGARD to the need to establish in the ECOWAS region, sustainable institutional and structural mechanisms in the service of common regional science, technology and innovation programmes;

HAVING REGARD to the cross-cutting importance of Science, Technology and Innovation (STI) in supporting all programmes aimed at sustainable and

equitable socio-economic growth and poverty eradication in the region through the implementation, **inter alia**, of the ECOWAS Community Programme (ECP), ECOWAS decisions and declarations, the New Partnership for Africa's Development (NEPAD), ECOPOST (ECOWAS Policy on Science, Technology and Innovation), and the Millennium Development Goals (MDG);

RECALLING the prime importance accorded science, technology and Innovation by the Community Development Programme as well as the need to develop the region's capacity to enable it coordinate collaboration in science, technology and innovation;

CONVINCED of the need to adopt a common STI policy in the desire to ensure a harmonized implementation of STI programmes and projects in the Member States;

AWARE that inequality of income between the rich and poor countries may be largely attributable to differences in the acquisition, accumulation, dissemination and utilization of STI;

DESIROUS of adopting the ECOWAS Science, Technology and Innovation Policy and its Plan of Action

HAVING SOUGHT the ECOWAS Parliament's opinion thereon;

ON THE RECOMMENDATION of the Sixty-Eighth Ordinary Session of the ECOWAS Council of Ministers held in Abidjan on 11 and 12 June 2012;

RECOMMENDS to the Authority of Heads of State and Government to adopt the attached Supplementary Act A/SA.../6/12 adopting the ECOWAS Science, Technology and Innovation Policy and its Plan of Action.

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012



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H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

FORTY FIRST SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Abidjan, 28 – 29 June 2012

SUPPLEMENTARY ACT A/SA..../06/12 ADOPTING THE ECOWAS SCIENCE, TECHNOLOGY AND INNOVATION POLICY AND ITS PLAN OF ACTION

THE HIGH CONTRACTING PARTIES;

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

MINDFUL of Article 27 on Science and Technology;

MINDFUL of Protocol A/P3/1/03 on Education and Training
Mindful of the importance of Science and Technology and Innovation for the economic and social development of the region

CONSIDERING the objectives of the Economic Community of West African States (ECOWAS) aimed at growth and a sustainable and equitable socio-economic development and poverty eradication;

HAVING REGARD to the need to establish in the ECOWAS region, sustainable institutional and structural mechanisms in the service of common regional science, technology and innovation programmes;

HAVING REGARD to the cross-cutting importance of Science, Technology and Innovation (STI) in supporting all programmes aimed at sustainable and

equitable socio-economic growth and poverty eradication in the region through the implementation, **inter alia**, of the ECOWAS Community Programme (ECP), ECOWAS decisions and declarations, the New Partnership for Africa's Development (NEPAD), ECOPOST (ECOWAS Policy on Science, Technology and Innovation), and the Millennium Development Goals (MDG);

RECALLING the prime importance accorded science, technology and Innovation by the Community Development Programme as well as the need to develop the region's capacity to enable it coordinate collaboration in science, technology and innovation;

CONVINCED of the need to adopt a common STI policy in the desire to ensure a harmonized implementation of STI programmes and projects in the Member States;

AWARE that inequality of income between the rich and poor countries may be largely attributable to differences in the acquisition, accumulation, dissemination and utilization of STI;

DESIROUS of adopting the ECOWAS Science, Technology and Innovation Policy and its Plan of Action

HAVING SOUGHT the ECOWAS Parliament's opinion thereon;

ON THE RECOMMENDATION of the Sixty-Eighth Ordinary Session of the ECOWAS Council of Ministers held in Abidjan on 11 and 12 June 2012;

HEREBY AGREE AS FOLLOWS

Article 1

the ECOWAS Science, Technology and Innovation Policy (ECOPOST), as well as the attached Plan of Action hereto is hereby adopted.

Article 2

The Member State, as well as the ECOWAS Commission, shall ensure the implementation of ECOPOST and its Plan of Action.

Article 3

This Supplementary Act shall be published by the Commission the Community Official Journal within thirty (30) days of its signature by the Chairman of the Authority. It shall also be published by each Member State in its Official Gazette thirty (30) days after notification by the Commission.

Article 4

. 1.This Supplementary Act shall enter into force once published. Consequently, the signatory Member States and the ECOWAS Institutions undertake to commence its implementation once it enters into force.

2.This Supplementary Act shall be appended to the Revised Treaty of which it forms an integral part..

Article 5

This Supplementary Act shall be deposited at the Commission which shall transmit certified true copies thereof to all Member States, and register it with the African Union, United Nations Organization, and all organizations designated by the Council of Ministers

IN WITNESS WHEREOF WE, HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HEREBY APPEND OUR SIGNATURES TO THIS SUPPLEMENTARY ACT

IN A SINGLE ORIGINAL IN FRENCH, ENGLISH AND PORTUGUESE
ALL THREE (3) TEXTS BEING EQUALLY AUTHENTIC

DONE AT YAMOUSSOUKRO THIS 29TH DAY OF JUNE 2012

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

SIXTY EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 11 – 12 June 2012

RECOMMENDATION C/REC.3/06/12 RELATING TO THE DIRECTIVE ON SCIENCE, TECHNOLOGY AND INNOVATION

THE COUNCIL OF MINISTERS;

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

MINDFUL of Article 27 on Science and Technology;

MINDFUL of Protocol A/P3/1/03 on Education and Training;

MINDFUL of the Supplementary Act adopting the ECOWAS Policy on Science, Technology and Innovation;

CONSIDERING the importance of Science, Technology and Innovation to the economic and social development of the region;

CONSIDERING the objectives of the Economic Community of African States (ECOWAS) relating to sustainable and equitable socio-economic growth and development and poverty eradication;

CONSIDERING the need for the establishment of sustainable institutional and structural mechanisms for common regional programmes on science, technology and innovation within the ECOWAS region;

CONSIDERING the potential of Science, Technology and Innovation (STI) in supporting support all programs aimed at achieving sustainable and equitable socio-economic growth and poverty eradication in the region through the implementation of the ECOWAS Community Programme (CDP), ECOWAS decisions and declarations, the New Partnership for Africa's Development (NEPAD), the ECOPOST (ECOWAS Policy on Science, Technology and Innovation), and the Millennium Development Goals (MDGs);

RECALLING the ECOWAS Protocol A/P3/1/03 on Education and Training in its Article 8(b) which urges ECOWAS Member States, in collaboration with universities and research institutions specialized in vital fields to fully harness the scarce financial resources and research infrastructures.

RECALLING the paramount importance accorded to science, technology and innovation (STI) in the Community Development Programme (CDP) and the need to strengthen the region's capacities to coordinate its collaboration in science, Technology and Innovation;

CONVINCED that the Member States' capacity to create, acquire, accumulate, disseminate and exploit scientific and technologic know-how is an indispensable factor to industrial development;

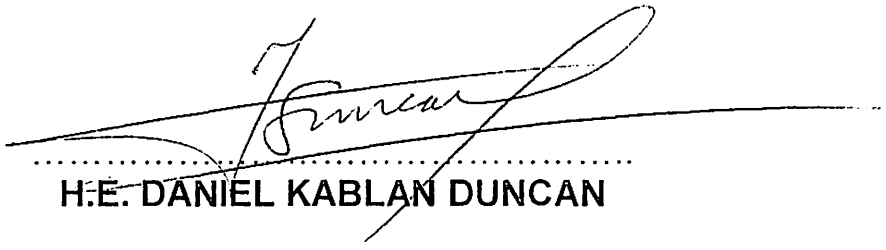
AWARE that income inequality between rich and poor countries is largely attributable to differences in the acquisition, accumulation, dissemination and use of STIs;

AWARE also of the importance of protecting intellectual property rights (IPRs) as part of the promotion of STI development and application;

DESIROUS of promoting the development, transfer and mastery of science, technology and innovation (STI);

RECOMMENDS to the Authority of Heads of State and Government to adopt the attached Directive A/REC..../06/12 ON SCIENCE, TECHNOLOGY AND INNOVATION

DONE AT ABIDJAN, THIS 12TH DAY OF JUNE 2012



H.E. DANIEL KABLAN DUNCAN

CHAIRMAN

FOR COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

FORTY FIRST SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Yamoussoukro, 28 – 29 June 2012

DIRECTIVE A/DIR.1/06/12 ON SCIENCE, TECHNOLOGY AND INNOVATION

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 Article 27 on Science and Technology;

MINDFUL of Protocol A/P3/1/03 on Education and Training;

MINDFUL of Supplementary Act .../.../12 adopting the ECOWAS Policy on Science, Technology and Innovation;

CONSIDERING the importance of Science, Technology and Innovation to the economic and social development of the region;

CONSIDERING the objectives of the Economic Community of African States (ECOWAS) relating to sustainable and equitable socio-economic growth and development and poverty eradication;

CONSIDERING the need for the establishment of sustainable institutional and structural mechanisms for common regional programmes on science, technology and innovation within the ECOWAS region;

CONSIDERING the potential of Science, Technology and Innovation (STI) ***in supporting*** support all programs aimed at achieving sustainable and equitable socio-economic growth and poverty eradication in the region through the implementation of the ECOWAS Community Programme (CDP), ECOWAS decisions and declarations, the New Partnership for Africa's Development (NEPAD), the ECOPOST (ECOWAS

Policy on Science, Technology and Innovation), and the Millennium Development Goals (MDGs);

RECALLING the ECOWAS Protocol A/P3/1/03 on Education and Training in its Article 8(b) which urges ECOWAS Member States, in collaboration with universities and research institutions specialized in vital fields to fully harness the scarce financial resources and research infrastructures.

RECALLING the paramount importance accorded to science, technology and innovation (STI) in the Community Development Programme (CDP) and the need to strengthen the region's capacities to coordinate its collaboration in science, Technology and Innovation;

CONVINCED that the Member States' capacity to create, acquire, accumulate, disseminate and exploit scientific and technologic know-how is an indispensable factor to industrial development;

AWARE that income inequality between rich and poor countries is largely attributable to differences in the acquisition, accumulation, dissemination and use of STIs;

AWARE also of the importance of protecting intellectual property rights (IPRs) as part of the promotion of STI development and application;

DESIROUS of promoting the development, transfer and mastery of science, technology and innovation (STI);

PRESCRIBE AS FOLLOWS:

ARTICLE 1
DÉFINITIONS

Unless the context otherwise requires: "**Centre of Excellence**" according to UNESCO should be defined broadly. It may include various national, regional and international institutions that are capable of offering services that meet certain criteria set by the Member States or regions, and satisfactorily justify the investments of clients interested in their activities. A center of excellence may therefore be a research or training institute, a university or any of its departments, a laboratory, a science museum, a cultural museum, a library, or any other appropriate entity. These centers should be geographically evenly distributed across the region and the choice of the locations should be made in mutual assent with a view to determining the selection criteria, the priority research areas and the appropriate monitoring and evaluation mechanisms to ensure that these centers discharge their duties satisfactorily.

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

"Regional Strategic Orientation Committee (RSOC)" means the advisory committee that acts as an organ which advises, assists and coordinates for scientific, technologic and innovative activities at regional level.

"Science and Technology" refers to Science, Technology and Innovation;

"Science" in its broadest sense is defined as the systematic knowledge in any field whatsoever. It applies more generally to the search for verifiable laws. Science refers to a specific intellectual approach and the organized set of knowledge resulting thereof. It is also the result of the logical sequence of ideas and actions occurring throughout the human history and enabling man to gradually discover the constituents of living and nonliving matters, i.e. the biological universe and physical universe as systems. It is the knowledge of phenomena obeying laws and verified by experimental methods. It involves three components: observation, experimentation and laws. Formerly appertaining to the branch of philosophy, science was restructured into scientific disciplines: mathematics, chemistry, biology, physics, mechanics, optics, astronomy, economics, medicine, social sciences, humanities, etc...

"Technology" means the development and improvement of methods for the effective use of various techniques whether applied in isolation, in groups or as a whole – be it of a technical, mechanical, physical or intellectual nature - to ensure the effective functioning of mechanisms relating to production, consumption, information, communication, recreation/entertainment, construction and destruction, as well as artistic and scientific research activities. It is also defined as the study of techniques, machineries, tools, etc... applied in the industry. It is **"the nomenclature employed by science when it relates to products and processes regarding the human industry."**

"STI" refers to the science, technology and innovation;

"Treaty" means the Treaty establishing the Economic Community of West African States;

"Court of Justice" means the Court of Justice of the ECOWAS Community, established under Article 15 of the ECOWAS Treaty.

ARTICLE 2
OBJECTIVES

The overall objective of this Directive is to promote cooperation and achieve sustainable economic and social development through the implementation of a policy of **"Science, Technology and Innovation"** to meet the current and future needs of the peoples and guarantee them a better quality of life.

The specific objectives include:

a) improve/develop the institutional framework and policy for Science, Technology and Innovation and the action plan in each Member State;

b) strengthen the financial capacities of scientific and technological research institutions;

c) strengthen human and technical capacities in science and technology;

d) promote technological development and transfer;

e) disseminate scientific and technological research results, promote a scientific and technological culture, local knowledge and the protection of intellectual property;

f) Promote private sector participation in the development of science and technology;

g) develop an enabling environment for scientific and technological creativity;

h) strengthen regional and international cooperation;

i) promote data management and develop indicators;

j) take science and technology into consideration in sectoral policies (Agriculture, Energy, Environment, etc.).

k) implement ECOPOST and other development programs on science, technology and innovation as agreed at regional and international forums;

l) develop human resources in the fields of science, technology and innovation, and work collectively to attract, motivate and secure scientists for the development of the region;

m) strengthen and consolidate the protection of intellectual property rights;

n) improve access to education and learning of basic sciences and mathematics at all levels of the educational system;

o) promote the quality of teaching and learning of basic sciences and mathematics at all levels of the educational system;

p) promote fairness and gender equality in teaching and learning of basic sciences and mathematics at all levels of the educational system.

ARTICLE 3
FOUNDAMENTAL PRINCIPLES

Member States shall strive to uphold the common objectives stipulated in this Directive, which shall be implemented in accordance with the following principles:

a) recognition of the equality of all Member States in terms of STI;

b) fair opportunities for Member States' participation and sharing of benefits in joint STI initiatives within the ECOWAS sub-region;

c) effective utilization of STI resources and need to avoid unnecessary duplication of efforts;

d) promotion of gender equity in all areas of science, technology and innovation;

e) peaceful application of science, technology and innovation in accordance with international standards;

f) commitment to the highest standards of ethics and the most stringent security measures in the conduct of scientific research and implementation of technological development.

ARTICLE 4
AREAS OF COOPERATION

Member States undertake to cooperate in science, technology and innovation, pursuant to this Directive and in the areas identified below:

a) implementation of the ECOPOST and other STI programmes as agreed at regional and international forums;

b) investment in human capital development with the aid of relevant policies and improved institutional conditions;

c) intensification of efforts to attract and secure scientific human capacity resources in the region for current technology-driven economies based on scientific knowledge;

d) promotion of gender equality and universal access to education in STI;

e) development of strong partnerships with the African Diaspora for the promotion of scientific and technological development in the region;

f) establishment of mechanisms for mobilization of skills and expertise among the African Diaspora to strengthen the scientific and technological development of the continent;

g) ensuring the sustainability of existing centers of excellence and the creation of new ones;

h) promotion and facilitation of the mobility of scientists and equipment as well as the utilization of science and technology infrastructures within the region;

i) promotion of public understanding of STIs through the launching of programmes aimed at demystifying science, technology and innovation, as articulated in the flagship programmes of the ECOPOST Plan of Action;

j) establishment of mechanisms that would enable sharing of knowledge on STI and technical know-how;

k) intensification of efforts aimed at securing at least 1% of the gross domestic product (GDP) for research and development expenditures by 2020;

l) harmonization of policies and regulatory frameworks in the field of STI, including the emergence of new technologies.

ARTICLE 5
INSTITUTIONAL ARRANGEMENTS

1. The institutional mechanisms for coordination and facilitation of regional cooperation in Science, Technology and Innovation shall comprise the following:

- the meeting of ECOWAS Ministers of Science, Technology and Innovation

- the ECOWAS Commission (the structure of the Commission in charge of Science, Technology and Innovation)

- the meeting of ECOWAS Experts in Science, Technology and Innovation as provided by the ECOWAS Revised Treaty fifteen (15) Member States

2. The Regional Strategic Orientation Committee (RSOC) shall be an advisory body that advises, assists and coordinates activities in science, technology and Innovation at the regional level. It shall be composed of fifteen (15) members representing member States, the ECOWAS Commission shall be the secretariat of the Committee. Its members shall be nominated based on their skills in scientific areas and known for their experience in STI.

3. The Regional Strategic Orientation Committee (RSOC) shall meet once a year in ordinary session and if necessary in extraordinary session. The members of the Committee shall serve for a renewable term of three (3) years ***upon evaluation on individual basis.***

ARTICLE 6
FINANCIAL PROVISIONS

1. Member States shall undertake to set up a competitive fund in order to ensure funding of the implementation of this Directive in their respective States.

2. The funding of Regional STI projects may be ensured from various sources, including organisations and partners.

3. The ECOWAS Commission shall provide resources for the implementation of this Directive by establishing a window within the ECOWAS Solidarity Fund.

ARTICLE 7
EXCHANGE OF INFORMATION

1. Member States shall ensure the availability of data and information on the development of science, technology and innovation and shall cooperate together to ensure their dissemination.

2. Data on STI indicators of any Member State must be collected and published ***in accordance with the provisions of the Supplementary Act A/SA.1/10 on personal data protection within ECOWAS.***

ARTICLE 8
MONITORING AND EVALUATION

1. Member States shall use established STI indicators to ensure the continuous monitoring and evaluation of the progress status and to strengthen the development of the policy as well as to ensure the harmonization of the implementation of this Directive with the ECOWAS sub-region.

2. The monitoring and evaluation unit of the ECOWAS Commission shall provide assistance in the follow up of the implementation of ECOPOST.

ARTICLE 9
COOPERATION WITH ECOWAS NON-MEMBER STATES AND OTHER SCIENTIFIC ORGANIZATIONS

In order to ensure the promotion of STI and the effective implementation of this Directive, Member States may conclude agreements with ECOWAS non-member States and other scientific organizations, provided that such agreements:

a) are not inconsistent with the overall objectives and other provisions of this Directive;
b) do not impose undue obligations on another Member State;
c) do not limit the ability of a Member State to fulfil its obligations under this Directive.

ARTICLE 10
NON GOVERNMENTAL ORGANISATIONS AND PRIVATE SECTOR

For the purposes of the implementation of this Directive, Member States shall promote the participation of NGOs and the private sector.

ARTICLE 11
PUBLICATION

This Directive shall be published by the Commission in the Official Gazette of the Community within thirty (30) days after the date of signature by the Chairman of the Authority of Heads of States and Government. It shall also be published by each Member State, in its National Gazette within thirty (30) days after notification from the Commission.

ARTICLE 12
IMPLEMENTATION

1. Member States shall adopt the relevant legislative, regulatory and administrative provisions to ensure effective compliance with this Directive, not later than 1st of January 2015.

2. When the provisions referred to in paragraph 1 of this Article shall be adopted by Member States, they shall contain citations of this Directive and be accompanied by such citations in their official journals.

3. Member States shall notify the ECOWAS Commission of such measures or provisions adopted to ensure effective compliance with this Directive.

4. Member States of the Community shall notify difficulties encountered in the implementation of this Directive to the President of the Commission, who shall report same to the next session of the Council of Ministers, which, in turn, shall the take appropriate measures to ensure the effective implementation of this Directive.

IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS), HAVE SIGNED THIS DIRECTIVE

DONE IN YAMOUSOUKRO THIS 29 DAY OF JUNE 2012 IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC.