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ESTADOS DA AFRICA OCIDENTAL

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WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
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EIGHTY-FOURTH ORDINARY SESSION OF THE ECOWAS COUNCIL OF MINISTERS

Niamey, 5-6 September 2020

FINAL REPORT

ECOWAS Commission
Niamey, September 2020

INTRODUCTION

1. The Eighty-Fourth Ordinary Session of the ECOWAS Council of Ministers was held on 5 and 6 September 2020 in Niamey, Republic of Niger. The meeting, which was attended by Ministers in-charge of ECOWAS Affairs and Finance, was chaired by H.E. Kalla Ankourao, Minister of Foreign Affairs, Cooperation, African Integration and Nigeriens Abroad of the Republic of Niger.

2. The following Member States were represented:

   - Republic of Benin;
   - Burkina Faso;
   - Republic of Cabo Verde;
   - Republic of Côte d'Ivoire;
   - Republic of The Gambia;
   - Republic of Ghana;
   - Republic of Guinea;
   - Republic of Guinea Bissau;
   - Republic of Liberia;
   - Republic of Niger;
   - Federal Republic of Nigeria;
   - Republic of Senegal;
   - Republic of Sierra Leone;
   - Togolese Republic.

3. The Republic of Mali did not participate because of the suspension imposed on the Member State by the Authority of Heads of State and Government from participating in all ECOWAS activities until further notice.

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

   - ECOWAS Commission;
   - ECOWAS Parliament;
   - ECOWAS Community Court of Justice;
   - West African Health Organisation (WAHO);
   - Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);
   - Office of the Auditor General (OAG);
   - ECOWAS Centre for Renewable Energy and Energy Efficiency (ECREEE).

5. The Audit Committee of Council also participated in the meeting.

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

I. OPENING CEREMONY

7. In his welcome statement, the President of ECOWAS Commission, H.E Jean-Claude Kassi Brou, expressed sincere gratitude to the Government of the Republic of Niger for the warm welcome and generous hospitality accorded to members of the ECOWAS Council of Ministers, as well as for the excellent facilities put at their disposal to ensure a successful conduct of the deliberations.

8. He appreciated the strong participation of Council members which reflects their commitment to the Community's regional integration agenda. He also thanked them for their constant support to the ECOWAS Institutions in the discharge of their statutory functions.

9. The President of the Commission highlighted the salient points which would be addressed by Council, notably, the status of implementation of the Community Work Programme and tasks assigned by last ordinary session of Council, situation of COVID-19 in ECOWAS, report on the financial situation of the Community, the Auditor-General's Report, the report of the Administration and Finance Committee, and reports on the various programmes of the community.

10. On this note, he expressed his wish for a successful Council Session, as usual.

11. In his opening remarks, the Chairperson of Council, H.E. Kalla Ankourao, conveyed greetings from His Excellency Mahamadou Issoufou, President of the Republic of Niger and Chairperson of the Authority of Heads of State and Government of ECOWAS to the Council and warmly welcomed members of Council to the first physical meeting of Council since the advent of COVID-19 pandemic in February 2020 in the region.

12. The Chairperson expressed his condolences to the families of Community citizens who lost their lives since the last Council meeting. In addition, he

expressed condolences to the families of former Prime Minister of Cote d'Ivoire, Amadou Gon Coulibaly; former ECOWAS Commissioner of Macroeconomic Policy, Dr. Ibrahim Bocar Ba; and former Programme Officer at the ECOWAS Peace Support Operations Division, Lt. Colonel Kole Oyeango. In their memory, the Chairperson requested members to observe a minute silence.

13. His Excellency Kalla Ankourao recalled the important subjects relating to peace, security and the strengthening of democracy within ECOWAS, during the 44th Ordinary Session of the ECOWAS Mediation and Security Council, and highlighted the agenda items to be discussed. He reaffirmed all lessons learnt from COVID-19, particularly the need to speed up the integration process.

14. Thereafter, he solicited Council's cooperation in critically and selflessly scrutinizing the documents before them while also carefully examining the recommendations presented to enable them make informed decisions for the development of the Community.

15. On that note, he declared the 84th Ordinary Session of the Council of Ministers open and wished all members of Council fruitful and constructive deliberations.

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 Niger;
    - Rapporteurs - Republic of The Gambia;
      - Republic of Guinea Bissau.

III. ADOPTION OF AGENDA AND WORK PROGRAMME

18. The following agenda was adopted:

I. **OPENING CEREMONY**

- Welcome Statement by President of the ECOWAS Commission, **H.E. Mr. Jean-Claude Kassi Brou;**

- Opening Remarks by Chair of Council, **H.E. Mr. Kalla Ankourao**, Honourable Minister of Foreign Affairs, Cooperation, African Integration and Nigeriens Abroad;
- Group Photograph;

II. **CLOSE OF OPENING CEREMONY**

- Housekeeping Information

III. **CLOSED DOOR SESSION**

- Opening of Session by the Chair of Council
- Election of Bureau
- Adoption of Draft Agenda and Work Programme

ITEMS FOR DECISION

1. Presentation and Consideration of the 2020 Interim Report of the President of ECOWAS Commission
2. Presentation and Consideration of Memorandum on the Situation of COVID-19 in ECOWAS
3. Presentation and Consideration of Report on the Financial Situation of the Community
4. Presentation and Consideration of the Auditor General's 2019 Annual Report
5. Presentation and Consideration of Report of the 38th Meeting of the Audit Committee
6. Presentation and Consideration of the Final Report of the 27th Meeting of the Administration and Finance Committee
7. Presentation and Consideration of the Status of Tasks Assigned by the 83rd Ordinary Session of Council of Ministers
8. Presentation and Consideration of Draft Agenda of the 57th Ordinary Session of the ECOWAS Authority of Heads of State and Government

ITEMS FOR ENDORSEMENT

9. Presentation and Consideration of a Memorandum on Report of ECOWAS Ministers in-charge of Hydrocarbon regarding Regulation on the ECOWAS Regional Programme for the Popularisation of Liquefied Petroleum Gas (LPG) as Domestic Cooking Energy

10. Presentation and Consideration of a Memorandum on Report of the joint meeting of ECOWAS Ministers in-charge of Hydrocarbon and Ministers of Environment: Directive on the Harmonisation of Fuel Specifications and Vehicle Exhaust and Particulate Emission Limit in the ECOWAS Region

11. Presentation and Consideration of a Regulation relating to the Research and Innovation Support Program (PARI)

12. Presentation and Consideration of a Memorandum on the Regional Biosafety Regulation

13. Presentation and Consideration of a Memorandum on the Regional Environmental Action Plan for 2020-2026 period

14. Presentation and Consideration of a Memorandum on the Regional Roadmap on Fuel Economy

15. Presentation and Consideration of a Memorandum on Harmonized Regional Standards on Barrier Masks & Hydro-alcoholic Gel Hand Sanitizers and Solutions developed for containment of spread of COVID-19 pandemic in the ECOWAS region

16. Presentation and Consideration of a Memorandum on the Report of the Meeting of ECOWAS Ministers of Higher Education on the Recognition and Equivalence of Certificates in the ECOWAS Region

ITEMS FOR INFORMATION

17. Presentation and Consideration of a Memorandum on Status of the Regional Stabilisation and Development Project

18. Presentation and Consideration of a Memorandum on the Status of the Human Capital Strategy

19. Presentation and Consideration of a Memorandum on Status of the African Continental Free Trade Area (AfCFTA) Negotiations

20. Presentation and Consideration of a Memorandum on ECOWAS Member States' Applications for International and Regional Statutory positions

21. Any Other Business

22. Adoption of report of the meeting

23. Vote of Thanks

24. Closing Ceremony

IV. OUTCOME OF DELIBERATIONS

ITEMS FOR DECISION

Item 1: Presentation and Consideration of the 2020 Interim Report of ECOWAS

19. The ECOWAS interim report was presented by the President of the Commission. He noted that the first half of 2020 was marked by the continued impact of COVID-19 in the region, with devastating humanitarian (deterioration of the situation of the vulnerable population groups), educational (closure of educational institutions) and economic consequences. As at 31/08/2020, WHO reported 25,085,685 positive cases and 843,927 deaths worldwide, including 1,245,230 positive cases and 25,589 deaths in Africa. The ECOWAS region recorded 160,148 positive cases and 2,386 deaths.

20. Regarding the economy, H.E. Jean-Claude Kassi Brou stated that economic growth projections for 2020 have been revised downwards to -4.9% at the global level, -5.1% in Africa and -2.1% in West Africa. There is, however, a contrasted situation at ECOWAS Member States level. Five countries (Cabo Verde, Guinea Bissau, Liberia, Nigeria and Sierra Leone) are expected to be in recession in 2020, while the others will experience slowdowns in economic

growth. Consequently, the macroeconomic convergence profile of Member States would deteriorate in 2020.

21. He further noted that measures had been taken by Member States and ECOWAS institutions to contain the spread of the disease and revive economies. As part of consultations at the regional level, H.E. Muhammadu Buhari was appointed as ECOWAS Champion to coordinate the COVID-19 response with the support of three ministerial committees set up for this purpose.

22. Continuing his presentation, H.E. Brou said that six presidential elections will be held in 2020 (Togo already held, Guinea, Cote d'Ivoire, Burkina Faso, Ghana and Niger). In this regard, ECOWAS will continue its support to the Member States concerned through the deployment of different missions (training of stakeholders, election observation, pre-electoral survey and/or electoral evaluation). In addition, he recalled the operationalisation of the 2020-2024 Action Plan to end terrorism in the region, following the approval of the related activities and budgets for 2020 and 2021 by the Steering Committee.

23. With regard to other sectoral activities undertaken by the Commission, the presentation highlighted the following:

    a. postponement of the entry into force of the African Continental Free Trade Area (AfCFTA) to 1st January 2021;

    b. three-year extension to the application of supplementary protection measures as part of the implementation of the Common External Tariff (CET);

    c. negative impact of COVID-19 on the implementation of activities of the revised roadmap for the ECOWAS Single Currency Programme, whose evaluation was considered by the Convergence Council at its meeting of 13 July 2020 with subsequent recommendations to the Authority;

d. validation of the New Support Programme for West African Food Systems Resilience (USD 855 million);

e. insufficient Regional Food Security Reserve (stock of 9,611.5 tonnes of cereals) as at 30 May 2020 to meet intervention needs of nearly 17 million people;

f. creation of an ECOWAS Geo-extractive Observatory and Cadastre System and development of ECOWAS;

g. adoption of quality standards for the production of personal protective equipment such as face masks required to combat COVID-19;

h. overall progress of work standing at 60% for of the Nigeria-Cameroon Multinational Highway Programme and mobilisation of additional financial resources for the implementation of the Abidjan-Lagos Corridor Development Programme, whose technical studies are underway;

i. ongoing implementation of 12 regional projects and interconnection of 9 countries to the regional power grid; the other countries are expected to be interconnected by the end of 2020;

j. follow-up of the implementation of the regulation on regional Roaming and continued mobilisation of resources to fund the extension of ECOWAS Regional Radio to the other 14 countries;

k. implementation of the ENAAMS Student Academic Mobility Programme for 24 PhD students with the 2020 edition expected to launch soon;

l. organisation of sensitisation workshops in countries as part of the implementation of the ECOWAS Action Plan for the return of African cultural artefacts.

m. domestication of the Kampala Convention in 3 Member States and awareness campaigns for secondary school students in Sierra Leone; and surveys of facilities for the treatment and rehabilitation of drug addicts;

n. progress in the formulation of Vision 2050 and the Regional Human Development Strategy, and implementation of the Regional Stabilisation and Development Project;

o. activities are underway for the revision of the Staff Regulations, the staff skills audit and staff recruitment, but these have delayed due COVID-19;

p. implementation of the digitisation of operations (ECOLink) and the International Public Sector Accounting Standards (IPSAS);

q. finalisation and audit of the 2016, 2017 and 2018 financial statements, while the audit of the 2019 financial statements is still underway;

r. preparation of an assessment of the 9 management pillars as required by the EU.

24. Concerning the ECOWAS Parliament, President of the Commission stated that new members of the fifth legislature were inaugurated in Niamey, Niger, in March 2020 and H.E. Sidie Mohamed Tunis was elected Speaker of the Parliament.

25. With respect to the ECOWAS Court of Justice, there was a considerable drop in activities due to COVID-19, with 6 judgments rendered against 25 in mid-2019 and 139 cases pending against 112 in mid-2019. He also disclosed that all the Court's journals and legal documents have been labelled in the Library.

26. Regarding GIABA, the President stated that expert and report review missions had been fielded to some Member States and four mutual evaluation reports were currently awaiting consideration for approval (Benin, Sierra Leone, Nigeria and Niger).

27. Following exhaustive deliberations, Council thanked and congratulated the President for the quality of his presentation and made the following observations and recommendations:-

    i. Update macroeconomic data in the Interim Report;
    ii. Inform Council on the status of the single currency programme;
    iii. Focus on the implementation of integration programmes and ensure free movement of goods and persons in the region while respecting health measures in order to boost growth;
    iv. Provide support to Member States on their quest for cancellation of public debt service;
    v. Inform Council regularly on Tariff concessions within the framework of the African Continental Free Trade Agreement (AfCFTA).

28. While responding, Commission invited Member States to provide up-to-date macroeconomic data to the Commission. Thereafter, Council adopted the 2020 Interim Report of ECOWAS.

Item 2: Presentation and Consideration of Memorandum on the Situation of COVID-19 in ECOWAS

29. The Director General of the West African Health Organization (WAHO), Prof. Stanley Okolo, gave a situation report of coronavirus pandemic (COVID-19) in ECOWAS. He stated that as at Monday, 31 August 2020, ECOWAS region had a

cumulative total of 160,704 cases including 134,216 recoveries and regrettably 2,389 deaths. Five ECOWAS Member States, namely, Nigeria, Ghana, Cote d'Ivoire, Senegal and Guinea contributed 86.7 percent of the cumulative COVID-19 load in the region, and together with The Gambia, Guinea-Bissau and Cabo Verde contributed 91 percent of the current cases of active COVID-19 infection.

30. The lessons from the Ebola epidemic of 2014-2016 resulted in the development of a robust disease surveillance and preparedness architecture in the region over the past 3 years which made ECOWAS more prepared in pubic health terms than in 2014. The National Public Health Insititution (NPHI) that was set up in each Member State with the support of WAHO and partners was well positioned to act as the technical engine for national response to the COVID-19 pandemic when it arrived.

31. This integration of epidemics surveillance, preparedness, response and laboratory efforts coupled with deliberate capacity building efforts such as massive training of frontline epidemiologists and strengthening of laboratory infrastructure ensured that Member States could coordinate, collaborate and communicate with each other, could activate Emegency Operating Centres, and could dedicate specialist personnel to the COVID-19 response.

32. Specific activities included development of robust surveillance and case management protocols, establishment of effective test, trace, and treat strategy, institution of reponsive risk communication strategies, and implementation of several non-pharmaceutical response measures, all these supported by a high-level multi-sectoral inter-ministerial coordinating committee in most Member States.

33. WAHO mobilized over $38 million out of a target of $51 million. This funding, which included $2 million from ECOWAS Commission and about $7 million

from WAHO programme budget and support from partners, enabled targeted funding for specific in-country needs, and sourcing of large quantities of critical medical supplies to supplement those procured by Member States - laboratory test kits, personal protective equipment, drugs, sanitizers, ventilators and other hospital equipment.

34. The Commission and WAHO are grateful to partners who provided funding – Germany (BMZ and KfW), France (AfD), European Union, World Bank, African Development Bank – and those who provided technical support for the COVID-19 response – UNDP, GIZ, BmGF, Tony Blair International, Africa-CDC and WHO- Africa Region..

35. The Commission and WAHO are extremely grateful to the ECOWAS COVID-19 Champion, H.E. President Muhammadu BUHARI, for his generosity in providing logistics support including a warehouse in Abuja and Nigeria Air Force cargo planes for the respective storage and distribution of critical medical supplies to all Member States.

36. Council commended the Commission and WAHO for supporting the three Ministerial Coordination Committees under the supervision of the ECOWAS Champion on the Fight against COVID-19. After extensive deliberations on the situation of COVID-19 in the region, Council adopted the Memorandum.

Item 3: Presentation and Consideration of Report on the Financial Situation of the Community

37. The Commissioner for Finance, Mrs. Halima Ahmed, presented the Report of the 2020 Financial Situation of the Community as at 30 June 2020. She recalled that the 83rd Ordinary Session of Council held in Abuja from 17 to 19 December 2019 considered and approved a Community budget of UA399,499,261 for fiscal year 2020, as recommended by the Administration and Finance Committee.

38. Community Levy remains the largest source of revenue to ECOWAS as Community Ley proceeds and arrears constitute 70.56 percent of the 2020 approved income budget while external funding constitutes 28.96 percent of the income budget. As regards expenditure, Institutions have the highest fund allocation of 86.21 percent of the Community's expenditure followed by Peace & Security (7.94%) due to the two ongoing peacekeeping missions in Guinea Bissau (ECOMIB) and The Gambia (ECOMIG). The remaining expenditure items are Statutory Obligations and Special Projects which respectively comprise 2.83% and 3.02% of the Community's budget.

39. As at 30 June 2020, the Community recorded a total revenue from all sources of UA141,603,678 or 35.4% of the 2020 approved income budget. Out of this total receipt, UA 25,973,193 was from Community Levy, representing 11.8% of the allocation under this income category. Reserves recorded 100% utilization, Other Income recorded UA 30,817 or 17.2%. Finally, External Funds receipts of UA 19,211,507 was recorded, representing 16.6% of approved budget under this category.

40. With respect to expenditure during the period under review, a total amount of UA 43,392,568 or 11% had been utilized to finance activities under the following chapters of the Community Budget: Institutions, Statutory Obligations, and Peace & Security. There was no expenditure under the fourth chapter: Special Programmes and Interventions.

41. The 2020 budget implementation has been affected by the incidence and spread of COVID-19 in the ECOWAS Region. The situation has definitely had a significant negative impact on the importation of goods from non-ECOWAS countries, which constitutes the tax base for Community Levy. It is, therefore, obvious that the Community may not have the necessary financial resources required to fully implement its 2020 programmes and activities as well as fully finance its administrative expenses.

42. Following clarifications sought, Council adopted the report.

Item 4: Presentation and Consideration of the Auditor General's 2019 Annual Report

43. The Auditor General, Dr. Alfred Braimah, presented his 2019 Full Year Report to the 84TH Ordinary Session of the Council of Ministers in accordance with Regulations CREG/17/2017 establishing the Office of the Auditor General (OAG). The Report was presented in two parts, Part A and Part B.

44. Part A reported on the Summary of Observations of all Audits, Inspections and Investigations covering all institutions, Agencies and Presidents Representation Offices except for PPDU and ARAA with an overall Audit Opinion of Limited Assurance. The community-wide risk implications indicated a high incidence of Non-Compliance with Community Laws and Regulations which require immediate remedial actions by Management.

45. The AG also updated Council on the status of ceding-off Control responsibility to Management. He informed Council that Three (3) out of Sixteen (16) Control Roles have been handed over to Management and made specific recommendations for Management action to facilitate full handing over. On the implementation of the Procurement Code, the AG highlighted areas of concern that required urgent attention and provided recommendations for Council to direct for immediate action.

46. Part B reported on the Income & Expenditure, Community levy & Contribution Arrears, Community Financial Trends and Staffing Analysis of the Commission. On Income and Expenditure, 48% of income was mobilized against budget, with the largest proportion coming from Community Levy with the expenditure execution rate being 41% against budget. However, against opening Cash Balances and Community Levy receipts by the institutions, an expenditure execution rate of 79% was achieved. This indicates that with higher levels of Community Levy receipts, a higher level of expenditure execution can be expected.

47. On Staffing, staff representation per Member State, Gender Balance and Staff Age Analysis were reported on. The Male-Female ratio is 71:29 which as

compared to AfDB of 70:30 shows good effort in the right direction. Focus on recruitment of staff in the age category of 20-29 and promotion of high performing G- staff into the P1 grade in line with the Staff Regulations was also recommended.

48. Council considered and approved the following recommendations made by the Auditor General:

i. Commission to ensure full implementation of all Directiveson the Control Function, Procurement Code and Financial Regulations, by the end of June 2021.

ii. Commission to submit to Council for approval the Procurement Code to be amended to reflect the following:
    a. Mandatory vetting of the Procurement process after the approval of the Review Committee before Contracts are signed.
    b. Minimum level of P3/P4 Grade for all members of the Evaluation Committee.
    c. Directors other than those responsible for procurement and / or payments shall chair the Review Committee and this position should be made rotational.

49. After clarifications sought, Council stressed the need to accelerate the gradual handing over of the control function to the management in order to avoid the risk of conflict of role. Thereafter, Council adopted the Report and the recommendations contained therein.

Item 5: Presentation and Consideration of Report of the 38th & 39th Meetings of the Audit Committee

50. Mr. Amadou Saley Oumarou, acting for the Chairperson of the Audit Committee, presented the report of the 38th and 39th Audit Committee Meetings to Council. The report focused on the following;
    i. 2019 Full-year Report of the Auditor General to the Council of Ministers;

ii. The State of Implementation of the Audit recommendations carried out by the Office of the Auditor General in the Institutions and Agencies;
iii. The review of the revised 2020 Budget and Audit Plan in relation to the COVID-19 pandemic;
iv. The Audited Financial Statements of Institutions and Agencies for the 2019 financial year; and
v. Recommendations of the Audit Committee to the Council of Ministers.

51. The Audit Committee thereafter made the following recommendations for the Council's recommendation to the Authority for Adoption:

a) Approve the Audited Financial Statements for the 2019 Financial Year of ECOWAS Institutions and Agencies with the exception of those of the ECOWAS Regional Electricity Regulatory Authority (ERERA).

b) Take note of the Audit and Inspection Reports of the Office of the Auditor General and instruct Management to continue implementing the recommendations, in particular the training, deployment and the effective use of the ECOLink system and the IPSAS training for accountants of the ECOWAS Institutions and Agencies.

c) Direct the Commission to propose to Council policies and strategies with emphasis on the recruitment of young men and women in order to promote better representation of young people in the workforce community and ultimately reduce the human resources imbalance and insufficiency, especially that of women, in all ECOWAS Institutions and Agencies.

d) Approve the amendment proposed by the Auditor General to the Procurement Code, in particular:

i. Members to sit on the Evaluation committee must be a minimum grade P3;

ii. Directors involved in procurement and/or payments from the Community Levy and Grants should not chair the Review Committee;

iii. The function of Chairman of the Audit Committee must be made to rotate;

52. The Audit Committee commends Management for starting to implement the recommendations below and encourages them to do everything possible to facilitate the use of the Procurement Code, which is a critical document. The Committee recommends to the Commission to:

i. align, as a matter of urgency, the Public Procurement Code with the relevant regulations, in particular the Financial Regulations.

ii. accelerate the finalization of work relating to the Procurement Manual and for its commissioning after translation into the three (3) languages for consistent application;

iii. have the Procurement Code and Financial Regulations translated, as a matter of urgency, into all three (3) languages of the Community to ensure its uniform application in all Institutions and Agencies;

iv. comply with the process aimed at ensuring the publication of the Public Procurement Code in all Member States and in their official journals;

v. urgently hire the consultant (already approved by Council) to help them in the definition of roles, delegation of authority to competent staff and preparation of a timetable of authorities..

53. Council commended the Audit Committee for the quality of the report presented and considered the report for adoption. Thereafter, Council adopted the recommendations of the Audit Committee.

Item 6: Presentation and Consideration of the Final Report of the 27th Meeting of the Administration and Finance Committee;

54. The final report of the 27th Meeting of the Administration and Finance Committee was presented by Mr. Boubacar Seyni, Head of the ECOWAS National Office in Niger and Chair of the Administration and Finance Committee (AFC). The report covered the following:

- Presentation and Consideration of Status of Tasks Assigned to Community Institutions by the 26th Meeting of the Administration and Finance Committee;
- Presentation and Consideration of Report on the 2020 Financial Situation of the Community;
- Presentation and Consideration of the Draft Revised 2020 Budget of Community Institutions;
- Presentation and Consideration of a Memorandum on the regularization of General Service Contract Staff recruited through non-competitive selection process;
- Presentation and Consideration of a Memorandum on conversion of contract staff into permanent positions;
- Presentation and Consideration of a Memorandum on the Organogram of the ECOWAS Regional Radio;
- Presentation of the Auditor General's 2019 Annual Report;
- Presentation of Memorandum on the status of ECOWAS Vision 2050;

- Presentation of Memorandum providing an Update on the on-going recruitment process;

- Presentation of Memorandum on the Status of Construction of the ECOWAS Logistics Depot;
- Presentation of a Memorandum providing update on the on-going Staff Skills Audit Study;

- Presentation of a Memorandum providing update on the ECOWAS Staff Training Policy;

- Presentation of Memorandum on the Status of Implementation of the ECOWAS Regional Electricity Market.

55. After deliberations on the report presented, Council adopted all the recommendations contained therein and directed the Commission to:

    i. remove all the administrative obstacles to allow the firm awarded the contract to proceed with the construction works at the Lungi Depot;
    ii. undertake to pay SOGEFEL S.a.r.l the advance for the start of work in accordance with the terms of the contract;
    iii. accelerate the recruitment of staff for the Office of the Auditor General;
    iv. accelerate the implementation of the recommendations contained in the Final Report of the Forensic Audit of ECOWAS Institutions.

56. The Council, after examining the item relating to the recruitment of permanent staff, noted that recruitment takes place:
    i. by open publication of positions to all candidates from Member States with due regard for professional qualification and experience;
    ii. by giving priority to internal candidates in the event of a tie at the end of the interviews;

57. Council directs the Commission to present an audit report on the skills of ECOWAS officials at its next session.

58. The Council took note of the comments made by Nigeria requesting the Commission to:
    i. comply with the provisions of the Staff Rules;
    ii. give priority to internal staff;
    iii. take into account in recruitment the demographic weight and the amounts of financial contributions.

59. In addition, Council approved the revised 2020 budget of the Community, totaling UA373,656,465, with the following details:

	APPROVED 2020 BUDGET (UA)	VARIATIONS -COVID19 RESPONSE (UA)	APPROVED REVISED 2020 BUDGET (UA)	APPROVED REVISED 2020 BUDGET (%)
INCOME				
Community Levy	220,953,098	-52,762,093	168,191,005	45.0%
Arrears of Community Levy Proceeds	60,894,454	0	60,894,454	16.3%
Arrears of Contribution	1,768,710	0	1,768,710	0.5%
Reserves	0	26,919,297	26,919,297	7.2%
Other Income	179,545	0	179,545	0.0%
External Funding	115,703,454	0	115,703,454	31.0%
TOTAL – INCOME	**399,499,261**	**-25,842,796**	**373,656,465**	**100.0%**
EXPENDITURE				
Institutions	344,405,537	-25,842,796	318,562,741	85.3%
Statutory Obligations	11,307,660	0	11,307,660	3.0%
Special Programmes	12,050,322	0	12,050,322	3.2%
Peace & Security	31,735,742	0	31,735,742	8.5%
TOTAL – EXPENDITURE	**399,499,261**	**-25,842,796**	**373,656,465**	**100.0%**

Item 7: Presentation and Consideration of the Status of Tasks Assigned by the 83rd Ordinary Session of Council

60. The Vice President of the Commission, H.E. Madam Finda Koroma, presented a status report on the implementation of the sixteen (16) tasks assigned to

the ECOWAS Community Institutions by the Council of Ministers at its 83rd Ordinary Session held in Abuja from 17 to 19 December 2019.

61. Three tasks were fully implemented while the remaining thirteen tasks were at various stages of implementation. The fully implemented tasks relate to receipt of comments on the Terms of Reference (ToR) on the feasibility study on re-admission of Mauritania and admission of Morocco as members of ECOWAS as well as admission of Tunisia as an observer.

62. The other fully implemented tasks concern payment of responsibility allowance to contract accounting staff and the organization of a meeting of the ECOWAS Trade Liberalization Scheme (ETLS) Task Force by the end of January 2020 under the supervision of H.E. Mr Roch Marc Christian Kaboré, President of Faso and Champion of the implementation of the protocol on free movement.

63. As regards the tasks that were not fully implemented, a major reason was the incidence and spread of COVID-19 pandemic in the ECOWAS region with its attendant lockdown measures. The lockdown measures included travel restrictions at both intra-and inter-country levels.

64. After presentation, Council took note of the report and urged the Commission to ensure faster completion of the outstanding tasks.

Item 8: Presentation and Consideration of the Preliminary Draft Agenda of the 57th Ordinary Session of the ECOWAS Authority of Heads of State and Government

65. The President of the Commission presented the preliminary draft agenda of the 57th Ordinary Session of the Authority of Heads of State and Government.

66. After consideration, Council adopted the draft agenda annexed to this report.

ITEMS FOR ENDORSEMENT

Item 9: Presentation and Consideration of a Memorandum on Report of ECOWAS Ministers in-charge of Hydrocarbons regarding Regulation on the ECOWAS Regional Programme for the popularisation of Liquefied Petroleum Gas (LPG) as domestic cooking energy

67. The Minister of Environment, Urban Sanitary and Sustainable Development of Niger, Mr Almoustapha Garba, on behalf of the Chair of the second meeting of ECOWAS Ministers in charge of Hydrocarbons, presented the report of the meeting held in Ouagadougou, Burkina Faso, on 7 February 2020. The two main items considered were (i) the adoption of the draft Regulation relating to the ECOWAS regional strategy for the popularisation of Liquefied Petroleum Gas (LPG) as a domestic cooking energy and (ii the status of implementation of Phase 1 of the West African Gas Pipeline Extension Project.

68. The regional strategy for the popularisation of Liquefied Petroleum Gas (LPG) as a domestic cooking energy is the product of a study that has undergone several reviews by Member States' Experts during validation workshops.

69. The Council of Ministers welcomed the adoption of this Strategy which aims to make this source of energy the preferred cooking energy for households in the region by 2030, i.e. to achieve a household use rate of 45% by 2030 against 12% in 2018. This would significantly improve the environment and people's health.

70. The Council of Ministers, after considering the report of sector Ministers and having taken into account the resolution of the ECOWAS Parliament which adopted the Regulation at its extraordinary session held from 21 to 25 July 2020, endorsed the report as well as the resulting decisions.

71. Consequently, the Council of Ministers adopted the document below:
    - Draft Regulation relating to the ECOWAS regional strategy for the popularisation of Liquefied Petroleum Gas (LPG) as a domestic cooking energy.

72. Futhermore, the Council of Ministers directed the ECOWAS Commission to carry out an intensive awareness campaign in Member States for an effective popularisation of LPG in the region and allocate the necessary funds for the implementation of programmes resulting from this Strategy.

73. Finally, the Council of Ministers took note of the status of implementation of phase 1 of the West African gas pipeline extension project. Council directed the ECOWAS Commission to fast-tract the process for the implementation of this regional project in conjunction with all stakeholders.

Item 10: Presentation and Consideration of a Memorandum on Report of the joint meeting of ECOWAS Ministers in-charge of Hydrocarbon and Ministers of Environment: Directive on the Harmonisation of Fuel Specifications and Vehicle Exhaust and Particulate Emission Limit in the ECOWAS Region

74. The Minister of Environment, Urban Sanitary and Sustainable Developmenteum of Niger, Mr Almoustapha Garba, on behalf of the Chair of the second meeting of ECOWAS Ministers in charge of Hydrocarbon, presented the report of the meeting held in Ouagadougou, Burkina Faso, on 6 February 2020. The meeting considered the report of the study on the harmonisation of fuel specifications and limits for exhaust and particulate matter emissions from vehicles in the ECOWAS region.

75. The two Directives ensuing from this study were adopted by the sector Ministers, particularly (i) the Directive on harmonised fuel (petrol and diesel) specifications in the ECOWAS region and (ii) the Directive on the harmonisation of limits for exhaust and particulate matter emission from light-duty, heavy-duty, two-wheel vehicles, tricycles and quadricycles, and the age limit for the importation of vehicles.

76. The Council of Ministers welcomed the adoption of the two Directives which involve (i) the application of the new fuel specifications (petrol and diesel) from 1st January 2021 for all imports from third countries, and 1st January 2025 for products from local refineries in the region and (ii) age limit for the importation of vehicles being five years for light-duty vehicles and ten years

for heavy-duty vehicles. A ten-year transition period shall be granted to countries that are yet to implement the age limit, to enable a gradual upgrade.

77. The Council of Ministers, after considering the report of sector Ministers and having taken into account the resolution of the ECOWAS Parliament (which gave a favourable opinion to the two texts at its extraordinary session held, via videoconference, from 21 to 25 July 2020), endorsed the report as well as the resulting decisions.

78. Consequently, the Council of Ministers adopted the documents below:
    - Directive on harmonised fuel (petrol and diesel) specifications in the ECOWAS region;
    - Directive on the harmonisation of limits for exhaust and particulate matter emission from light-duty, heavy-duty, two-wheel vehicles, tricycles and quadricycles, and the age limit for the importation of vehicles.

79. Futhermore, the Council of Ministers recommended that the two adopted Directives be submitted to the Authority of Heads of State and Government, at its next session, for endorsement.

Item 11: Presentation and Consideration of a Regulation relating to the Research and Innovation Support Programme (PARI)

80. The regulations on the Research and Innovation Support Programme (PARI Programme) and its Code of Ethics presented to Council were validated by the 3rd meeting of ECOWAS Ministers in charge of Science and Technology held in Cotonou on 8 December 2018 on the main theme: ***"Focus on Science, Technology and Innovation for the Transformation of the Economies of ECOWAS Member States by 2023"***.

81. The Ministers discussed the issue of financing Research and Innovation in the region. The research and innovation sector is facing enormous challenges, including the need for increase in investment research and development, the acquisition of high-performance equipment and maintenance services for

research institutions and laboratories, the promotion of research results, the sharing of data at the regional level and the succession by young people with consideration for gender.

82. The ECOWAS Research and Innovation Support Programme (PARI) is an ECOWAS response to funding Research and Innovation on a competitive basis from the best projects submitted by researchers through calls for application. It aims to finance research projects contributing to the fight against poverty and having an impact on the development of the region, to promote the mobility of researchers through the development of regional projects, to provide support to research laboratories in order to strengthen their capacities (equipment and connectivity) and access to scientific information and train young researchers to ensure the scientific success of research institutes in the region.

83. The regulation on the Research and Innovation Support Programme (PARI Programme) covers the scope of the PARI's programme, the project execution conditions and obligations of the beneficiary of ECOWAS funds, the conditions, grant recovery and issues of intellectual property.

84. The regulation and the Ethics Code of the PARI Programme establish good practices in terms of ethics and professional conduct, to guarantee, on the one hand, the purposes of the research work, respect for partners, people, living beings and environment or the objects of study and, on the other hand, on the conditions to be respected by all the actors involved in the activities of the PARI programme to guarantee the transparency of the processes, the respect of the selection criteria of the research projects and the good fund management.

85. Both regulation and Ethics Code were presented to the ECOWAS Parliament during the Fifth Legislature of the ECOWAS Parliament on 22 July 2020. Parliament gave a favourable opinion on them.

86. Council endorsed the memorandum and the accompanying Regulation.

Item 12: Presentation and Consideration of a Memorandum on the Regional Biosafety Regulation

87. The draft Regulation provides a legal and institutional framework to prevent, reduce or eliminate the real or potential risks associated with the use of modern biotechnology and any other technology related to biotechnology and derived products. It contains 11 titles and 74 articles, which:

a) sets out the guiding principles for the implementation of this Regulation;
b) establishes the bodies and mechanisms for a concerted approach to the prevention and management of risks in biotechnology;
c) lays down preventive measures and procedures for the assessment and management of risks associated with the use of modern biotechnology and products derived therefrom;
d) determines the principles and rules for liability and compensation for damage resulting from the use of Living Modified Organisms (LMOs) and products thereof.

88. The draft Regulation will be implemented, after its entry into force, for any use, including transboundary movement, transit, handling of living modified organisms and/or their products thereof that may have adverse effects on the environment, and in particular on the conservation and sustainable use of biological diversity, human and animal health. The draft text shall not apply to the transboundary movement of living modified organisms that are pharmaceuticals for humans falling within the scope of other relevant international agreements or bodies. The text does, however, provide that for the consideration of aspects related to any other technological advances in relation to modern biotechnology, the ECOWAS Commission may take, in conjunction with Member States, all necessary political, legal and administrative measures to address them.

89. Regional and national bodies shall be set up as part of the implementation of the Regulation. At the regional level, the ECOWAS Commission will serve as the Regional Biosafety Authority (Article 17). It will be supported by a Regional Biosafety Committee (RBC) and a Regional Biosafety Scientific and Technical Committee (RBSTC), Article 18.

90. Each Member State shall designate or establish national biosafety agencies responsible for the functions set forth in Article 24 and shall provide them with

the necessary support for their operation. It shall also have the right to take safeguard measures (Article 72).

91. The text contains transitional provisions that give the ECOWAS Commission a 3-year period to establish the institutional biosafety mechanism and adopt implementing measures after the entry into force of the Regulation1. During this period, the national regulations applicable in Member States on the use of LMOs and products thereof will remain in force. Similarly, LMOs and developed or authorised products thereof, duly regulated in a Member State in accordance with the regulations in force in that country, should continue to be allowed and used (Article 71).

92. After presentation, Council endorsed the report and the accompanying Regulation.

Item 13: Presentation and Consideration of a Memorandum on the Regional Environmental Action Plan for 2020-2026 period

93. The 2020-2026 Environment Action Plan (EAP) sets out the activities to be carried out in the next seven years, to protect, preserve and improve the environment in ECOWAS. This is whilst taking into account the new challenges and multilateral agreements including the Paris Agreement on climate.

94. The revised EAP is different from the previous 2009-2014 Plan with the inclusion of significant new changes, which are:

i. enhancement of environmental governance particularly through the strengthening of management tools including environmental assessments and cooperation among environmental agencies and bodies,
ii. greater attention paid to adapting to climate change and mitigating its effects,
iii. inclusion of emerging issues particularly biotechnologies, wildlife trafficking, electric and electronic waste, plastics and plastic waste, etc.,
iv. greater attention for marine and coastal resources management,

[1] It should, however be noted that almost all draft texts for the implementation of the Regulation (Implementing Regulation) are available. They will be finalised after the adoption of the draft Regulation.

v. special emphasis on reducing threats to the environment and health from chemicals, household and industrial wastes and nuisances,

vi. targeted measures contributing to the implementation of sectoral programmes in the region in agriculture, energy infrastructure, health infrastructure, etc.

95. The revised EAP contains a monitoring and evaluation plan (MEP) with indicators for monitoring and appraising activities. It also contains a section on "implementation methods" which promotes cooperation and collaboration among all member States and sub-regional organisations such as WASCAL and CILSS.

96. According to preliminary estimates, implementing the revised 2020-2026 EAP over seven years will require an investment of over US$250 million. ECOWAS alone is unable to provide the colossal sum required. However, the cost of inaction or delayed action will be higher. Thus, a call was made to partners and the international community, civil society organisation and the private sector, in order to jointly arrive at the required funds.

97. After presentation, Council endorsed the Regional Environmental Action Plan for the 2020-2026 period.

Item 14: Presentation and Consideration of a Memorandum on the Regional Roadmap on Fuel Economy

98. The Regional Roadmap on Fuel Economy seeks to gradually reduce fuel consumption by the global goal of 50% by 2050.

99. It will guide Member States in reducing CO2 and other emissions by the road transport sector. This is against the backdrop of rapidly growing numbers of light vehicles in the region and inadequate policy to promote the importation of greener, fuel efficient cars.

100. The current average consumption of 8l/100 km will be gradually reduced to a maximum of the equivalent of 4.2 litres of fuel / 100 km in 2050 in ECOWAS. Accordingly, the regional roadmap comprises two major stages which are:

- by 2030: achieve the target of 4.2 lge/100 km for all vehicles entering the zone for the first time with a mid-way target of 5 lge / 100 km by 2025.

- by 2050: achieve 4.2 lge/100 km for all vehicles in circulation, old or new.

101. There are other measures contained in the roadmap including fiscal and non-fiscal measures to support the establishment of the Zero Emissions Vehicle (ZEV) project. The measures will be followed by policies targeting cars in use, such as the compulsory scrapping policy. Also, other steps will be taken as follows:

i. Preparing a harmonised regional framework for the compulsory declaration, collection and validation of data on imported vehicle characteristics

ii. Drafting of harmonised rules on fuel economy labels

iii. Determining a regulatory framework to facilitate the importation of electric cars and motorcycles

iv. Collecting, monitoring and evaluating the average annual fuel consumption in order to measure progress towards set targets.

v. Harmonising programmes to check emissions from vehicles in use

vi. Formulate regional standards on CO2 emissions and fuel economy for light vehicles

vii. Introducing fiscal policies based on vehicle CO2 emissions and fuel economy

viii. Introducing non-fiscal measures to support the setting up of the Zero Emission Vehicle (ZEV) project

ix. Developing alternative fuels, eco-driving and other sustainable mobility infrastructure, including improving sustainable public transport and non-motorised transport

x. Promoting enhanced communication, and awareness creation on fuel economy policies

xi. Selecting a lead agency for the implementation of clean and efficient vehicle policies at the national level.

102. After presentation, Council endorsed the Regional Roadmap on Fuel Economy and the accompanying Draft Regulation.

Item 15: Presentation and Consideration of a Memorandum on Harmonized Regional Standards on Barrier Masks & Hydro-alcoholic Gel Hand Sanitizers and Solutions Developed for Containment of Spread of COVID-19 Pandemic in the ECOWAS Region

103. The outcomes of the meeting of ECOWAS Ministers in-charge of standards and quality held on 25th June 2020 were presented for Council consideration. The main objective of the Ministerial Meeting was to validate two Draft Harmonized Regional Standards on Barrier Masks & Hydro-alcoholic Gel Hand Sanitizers and Solutions developed for containment of spread of COVID-19 pandemic in the region.

104. The meeting validated the following two harmonized standards and recommended for Council adoption:

i. ECOSTAND 082:2020 - Barrier Masks - Minimum Requirements, Methods of Testing, Making and Use (Serial Manufacture and Artisanal Making (or DIY));

ii. ECOSTAND 083:2020 - Hydro-alcoholic products–Hand Sanitizer - Specifications and Test Methods.

105. Also, the Ministerial meeting made the following recommendations to Member States and ECOWAS Commission:

i. To ensure that appropriate steps are taken to implement the two harmonized standards.

ii. To take adequate measures for the consolidation of the conformity assessment and accreditation systems.

iii. To ensure that the two products of which their standards are harmonized are available and affordable, and avoid the emergence of sub-standard products while efforts are made to sensitize the people on their use.

iv. To encourage pooling of resources around West African Health Organization (WAHO), the ECOWAS coordination body in the regional fight against COVID-19 pandemic, with a view to enabling Member States with the production and certification infrastructures for the two products to supply the regional and African markets and reduce the region's dependence on imports.

v. To ensure acceleration of the operation of the conformity assessment bodies and accreditation bodies within the region comprising the ECOWAS Accreditation System (ECORAS), Ghana Accreditation body (GhaNAS), Nigeria Accreditation Body (NiNAS) and the UEMOA's accreditation body (SOAC).

vi. ECOWAS to assist Member States without testing facility to build their capacity while supporting sensitization campaign on the application of the harmonized standards and the effective use of the two products (Barrier masks and Hydro-alcoholic Gel & Solutions) in the region.

106. Council endorsed the memorandum and adopted the two harmonized standards.

Item 16: Presentation and Consideration of a Memorandum on the Report of the Meeting of ECOWAS Ministers of Higher Education on the Recognition and Equivalence of Certificates in the ECOWAS Region

107. A Memorandum on the outcome of the Meeting of the ECOWAS Ministers on Higher Education held in Lomé, Togo on 13 December 2019 was presented for Council consideration and adoption. The main objective of the Ministerial Meeting was to apprise the Ministers on the Commission's approaches to the Recognition and Equivalence of Certificates and to adopt the implementation frameworks for Equivalence of Certificate in the ECOWAS region.

108. The Ministerial Meeting validated the following key documents for the Recognition and Equivalence of Certificates and recommend them to Council for adoption:

i. ECOWAS Benchmarks for the harmonization of university education; and

ii. ECOWAS Framework for the Recognition and Equivalence of Certificates.

109. Also, the Ministers made the following recommendations to ECOWAS Commission, Member States and Partners:

i. ECOWAS Commission to establish a regional Quality Assurance agency and deploy human and financial resources for networking, capacity building, data collection, regular publication and coordination of issues relating to Equivalence of certificates and harmonization of education systems;

ii. Member States should adopt and implement the ECOWAS Benchmarks for university education and the Framework for Equivalence of Certificates in the region;

iii. Member States which do not have a National Quality Assurance Agency should establish one and deploy human and financial resources for regular activities relating to Equivalence of Certificates and harmonization of education systems ;

iv. Strategic partners were implored to support the Community's integration agenda by supporting implementation of the ECOWAS programme on the Recognition and Equivalence of Certificates.

110. Council considered and endorsed the Memorandum.

ITEMS FOR INFORMATION

Item 17: Presentation and Consideration of a Memorandum on status of the Regional Stabilisation and Development Project

111. Council recalled that it approved, at its 81st Session held in Abuja, in December, 2018 the establishment of the ECOWAS Regional Stabilisation and Development Project (RSDP), with the support of the German International Cooperation (BMZ).

112. The objective of the project is to provide economic and social stabilisation measures, including private sector development and the creation of employment opportunities for the youth.

113. The pilot phase for this project was launched in The Gambia on 15 April, 2019 by the President of the Republic of The Gambia, in the presence of the Vice President of the ECOWAS Commission and senior representatives of the German government. The first meeting of the steering committee for the Gambia Stabilisation Programme was held in Banjul in November, 2019.

114. In July 2020, the ECOWAS Commission and KfW signed the agreement for the regional stabilisation and Development Project, which amounts to 19 million Euros. The ECOWAS commitment to date is at 2 million UA. This agreement paves the way for the extension of the project to other ECOWAS member-states, starting with Guinea Bissau, the Post-Ebola countries, the Sahel countries and North of Nigeria.

115. The ECOWAS Commission will contribute financially to the Fund, in addition to in-kind contributions through the provision of office space, the secondment or recruitment of ECOWAS staff to the (PMU), the provision of vehicle and other operational costs. Financial contributions made by ECOWAS will be managed and controlled by the ECOWAS Commission. [recast]

116. The funds committed by all parties will be utilized in a coordinated manner in accordance with the operations and financial manuals as well as the strategic decisions taken by the Steering Board of the Regional Project.

117. For the start the Fund will be designed as an "open programme" managed by an independent consultant as the Project Manager. The Steering Board will decide on beneficiary member states and intervention strategies. The Project Management Unit (PMU) will design calls for proposals and work with local project execution agencies for the implementation of the various activities.

118. Council took note of the information provided.

Item 18: Presentation and Consideration of a Memorandum on the status of the Human Capital Strategy

119. The Vice President of the ECOWAS Commission, presented an update on the ECOWAS Integrated Human Capital Strategy (2020-2030) that covers three thematic areas namely:
    a. Health and Nutrition
    b. Education, Skills and Labour Participation
    c. Entrepreneurship, Financial Inclusion and Digital payments

120. She also informed Council that a separate report on Gender Transformative Action on Human Capital which makes a case for gender parity, had been commissioned and would be embedded into the final regional strategy.

121. The Vice President stated that the preliminary report covering 8 Member States namely Burkina Faso, Cabo Verde, Côte d'Ivoire, Ghana, Guinea, Niger, Sierra Leone, and Togo had been submitted to the ECOWAS Commission and was being validated by experts from Member States.

122. Council applauded the ECOWAS Commission for this very timely and important report. Furthermore, it took note of this progress that had been made and urged the ECOWAS Commission to complete the assessment of the remaining 6 Member States namely Benin, The Gambia, Guinea Bissau, Liberia, Mali and Senegal, noting that the Federal Republic of Nigeria already had a standalone Human Capital Strategy findings of which had been incorporated into the regional strategy.

123. The Vice President highlighted the financial contribution of USD$3,992,000 that has been made by the Bill and Melinda Gates Foundation and UA1,456,118.40 as counterpart fund from Community Levy funding in 2019 and 2020. The Commission encouraged the 15 ECOWAS Member States to continue to make strong efforts towards improving Human Capital Development outcomes in the region by leveraging both internal and external resources in order to achieve the stated goals at the national and regional levels, thereby allowing the region to remain competitive.

124. Council took note of the information provided.

Item 19: Presentation and Consideration of a Memorandum on Status of the African Continental Free Trade Area (AfCFTA) Negotiations

125. The Agreement establishing the African Continental Free Trade Area (AfCFTA) was signed at an Extraordinary Summit of the AU Assembly on 21 March, 2018 in Kigali – Rwanda. The AfCFTA will bring together 55 African countries with a combined population of 1.2 billion people and a combined GDP of more than US$3.4 trillion.

126. As at 30 June 2020, 54 of 55 African countries (including all ECOWAS Member States) had signed the AfCFTA Agreement and 33 of the 55 African countries (including 11 ECOWAS Member States) had signed the AU Free Movement Protocol, which complements the AfCFTA by providing for visa-free travel, the right of residency and the right of business or professional establishment for citizens between signatory countries.

127. The AfCFTA Agreement is a framework agreement, with comprehensive coverage of Trade in Goods, Services, Investment, Competition Policy and Intellectual Property Rights and E-Commerce as well as a mechanism for the Settlement of Disputes. Negotiations on the AfCFTA Phase II (Competition; Investment and Intellectual Property Rights) and Phase III (E-Commerce) issues are yet to commence.

128. Institutional arrangements for managing the administration of the AfCFTA include the African Union (AU) Assembly, AU Executive Council of Ministers, Committee of Senior Trade Officials and the AfCFTA Secretariat. The AfCFTA Secretariat is hosted by Ghana and H.E. Mr. Wamkele MENE was elected the first Secretary General of the Secretariat for an initial 4-year term.

129. Although the AfCFTA negotiations are Member States-driven, ECOWAS continues to coordinate the positions/approaches of its Member States in the AfCFTA negotiations to ensure that the Agreement builds on the ECOWAS acquis, taking into consideration existing obligations in Community Agreements.

130. The Commission informed Council that ECOWAS Member States were yet to complete and submit both the Draft ECOWAS Common Schedule of Tariff Concession and the Draft ECOWAS Common Schedule of Specific Commitments on Trade in Services for the AfCFTA.

131. Key issues of concern to ECOWAS in the negotiations and subsequent implementation of the AfCFTA relate to the following areas: progressive elimination of the ECOWAS Community Levy on intra-Africa trade; treatment of Customs Union; non-ratification of the AfCFTA by 5 ECOWAS Member States; and treatment of goods originating from Special Economic Zones.

132. In view of the foregoing, the ECOWAS Commission recommended to Council to:

a. Request the remainder of the 5 Member States to ratify the AfCFTA Agreement;

b. Direct the ECOWAS Commission to continue its efforts to ensure the signature and ratification of the AU Free Movement Protocol by all Member States as soon as possible;

c. Urge Member States to adopt common positions, facilitated by the ECOWAS Commission, in view of existing regional instruments;

d. Urge that all outstanding work on Tariff Concession; Rules of Origin and Specific Commitment on Trade in Services be finalized and submitted to the next session of the Council of Ministers; and

e. Recommend that start of trading under the AfCFTA, which was initially 01 July 2020, should be postponed to a date to be mutually agreed in 2021 taking into account the impact of the COVID-19 pandemic.

133. After presentation, the Republic of Ghana expressed gratitude to Member States for the immense support it received in the course of its bid for the hosting of the AfCFTA Secretariat.

134. Council took note of the memorandum.

Item 20: Presentation and Consideration of a Memorandum on ECOWAS Member States' Applications for International and Regional Statutory positions

135. To harmonize and give more chances to ECOWAS Member States applications to vacant positions in regional and international organisations, the ECOWAS Authority of Heads of State and Government2 requested Member States applying for these positions to submit their candidatures to the Chair of the Council of Ministers for arbitration in order to come up with single candidatures for different positions, which should be fully supported by the Community.

136. Request for support for 55 positions have been recorded since early 2019 as of 31st August 2020. Out these 55 positions, 26 are yet to be filled and it includes 7 statutory vacant positions3 at the African Union Commission (AUC) for the 2021-2025 period, for which the Commission received 26 applications from its Member states and submitted them to the AUC for shortlisting.

137. Currently four (4) positions for which support have been requested from the member states will require an arbitration after consultation with the applicants. These positions are: (i) Chairperson of the African Union for the 2022 – 2023 period Togo and Senegal); (ii) Member of the African Court on Human and Peoples' Rights (Mali and Ghana); (iii) Membership position in the Committee of Experts on Convention on the Elimination of All Forms of Discrimination Against Women (Nigeria, Mali and Côte d'Ivoire); (iv) Membership of the Committee on the Rights of the Child (Mali and Senegal).

138. To facilitate its work the Committee pleads with the Member States to (i) systematically notify to the ECOWAS Commission their applications to international and regional statutory positions, as well as their requests for the Community support; and to (ii) provide accurate and complete information regarding the positions (i.e. CV, election dates, venue, etc.).

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[2] Refers 49th Ordinary Summit on 4 June 2016 in Dakar, and the Chairperson of the Authority decision's on August 2016

Any Other Business

139. No issues were discussed under this agenda item.

Adoption of the Report

140. The report was adopted after amendments.

Closing Ceremony

141. The Chairperson of Council, H.E. Mr. Kalla Ankourao, in his closing remarks, thanked Council Members for their active participation and constructive contributions during the Council meeting. Thereafter, he declared the Eighty-Fourth Ordinary Session of Council closed, and wished all participants safe journey back to their respective destinations.

DONE AT NIAMEY THIS 6TH DAY OF SEPTEMBER 2020

H.E. KALLA ANKOURAO

MINISTER OF FOREIGN AFFAIRS, COOPERATION, AFRICAN INTEGRATION AND NIGERIENS ABROAD

CHAIRMAN

FOR: THE COUNCIL OF MINISTERS