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ECONOMIC COMMUNITY OF WEST AFRICAN STATES

REPORT OF THE FIFTH MEETING OF THE  
COUNCIL OF MINISTERS

DAKAR, MAY 2 - 4 1979

1. The Fifth Meeting of the Council of Ministers of the Economic Community of West African States (ECOWAS) was held in Dakar, in the Republic of Senegal from May 2 - 4, 1979. All the Member States were present at the meeting (see Appendix I).

2. The Chairman of the Council, Mr. Ousmane SECK, in his opening address welcomed once again members to Dakar on behalf of the President of the Republic, the government and people of Senegal (see Appendix II).

3. He noted that historic decisions were necessary to be taken at this critical stage of the development of the Community in a spirit of unity equally matched with a spirit of understanding in order to put the Community on its proper footing. He recalled that at the last Council Meeting the priority programmes of the Community were identified and approved and that in pursuance of the execution of these programmes he had worked in close contact with the Executive Secretary to see to the extent to which they have been carried out.

The Chairman thanked the Executive Secretary for the dynamism he had used to organise ECOWAS meetings even though the Secretariat was handicapped by shortage of staff. The Chairman then reiterated that when he visited Lagos to brief the current Chairman of the Community, His Excellency General Olusegun ORASAMJO, on the work programme of the Community and the difficulty facing the organisation on the recruitment exercise he was told to do everything possible to see that Members who registered reservation on this matter withdrew. He said he was happy to say that Liberia had withdrawn her reservation and that other Member States had watered down their reservation on the appointment exercise.

Speaking briefly on the agenda for the meeting the Chairman invited Members to focus attention mainly on the report of the Trade, Customs Immigration, Monetary and

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Payments Commission and Transport and Telecommunications Commission.

He then concluded his welcome address by expressing the hope that the deliberations of the Council would be acceptable to the Heads of State and Government when they meet later this month.

4. The Secretariat was designated Rapporteur for the meeting.

5. ADOPTION OF AGENDA

The provisional agenda was slightly amended as follows:-

A. Report of the Executive Secretary

B. Consideration of the Report and Recommendation of Payments Commission.

(i) Report of 2 - 8 April, 1979 meeting in Lagos

(ii) Matter relating to the consolidation period

a) Extension of the Provisions of Article 13.2

b) Decision of the Authority on the entry into force of the consolidation period.

(iii) Matters relating to ECOWAS Rules of Origin

a) Rules and Procedures relating to the movement of goods within the Community including harmonised certificates of Origin, Movement Certificate and Customs Declaration Forms, with Explanatory Notes.

b) Modification of Articles 1, 11.1 (c) and 11.2 of the Protocol relating to originating products.

c) Suspension of Articles 11.2, VII, and VIII of Protocol relating to originating Products

d) Extension of the Provisions of the Protocol on Re-exportation to cover goods of Community Origin.

(iv) Matters relating to Free Movement of Persons, Right of Residence and Establishment.

- Draft Protocol on Free Movement of Persons, Right of Residence and Establishment.







C. Consideration of the Report and Recommendation of the Transport, Telecommunications and Energy Commission

- (i) Report of the 3 - 5 April, 1979 meeting in Lagos
- (ii) Proposed Telecommunication Network for the Community.

D. Formulation of Draft Agenda for the Summit of Heads of State and Government.

E. Consideration of the Report of the Financial Controller.

F. Consideration of the Report of the External Auditor

G. Date and Venue of next meeting

H. Any other matters.

6. EXECUTIVE SECRETARY'S REPORT

The Executive Secretary presented a resumé of his Report to the Council, in which he summarised the activities of the Secretariat since the last meeting of the Council in November, 1978.

7. AMENDMENT TO THE REPORT OF FOURTH COUNCIL OF MINISTERS MEETING

The following amendment was made to the Report of the Meeting of the Council of Ministers held in Dakar from 20th to 21st November, 1978.

- (i) Page 6: Paragraph 12: The effective date of the conversion of salaries was amended to read "This conversion will take effect from 21st November, 1978" and not "July 1977" as was originally reported.
- (ii) Liberia requested and it was agreed that her letter to the Executive Secretary expressing reservations on the appointments made by the Special Appointments Committee be attached as an Appendix to the Report of the Council of Ministers Meeting held in Dakar in November, 1978.



- (iii) Members again reaffirmed their earlier decision on the nature of the participation of ECOWAS Ambassadors accredited to Lagos at ECOWAS Meetings held outside Lagos. They felt that the Executive Secretary should not have written member States to allow their Ambassadors in Lagos to attend meetings organised outside Lagos when Council had decided that the Chairman of ECOWAS Ambassadors alone should attend meetings organised outside Lagos. The Chairman then advised the Executive Secretary to adhere strictly to the spirit and letters of the decision of the Council of Ministers.

8. ECOWAS FEDERATION OF CHAMBERS OF COMMERCE.

The Chairman announced the presence of the representative of the ECOWAS Federation of Chamber of Commerce as observer and wondered whether the Council would want to confer on the Organisation a higher status. However, the Council decided that for the meantime the organisation should be accorded observer status. The Executive Secretary was however requested to look into the prospect of granting the Federation a higher status in future.

9. REPORT AND RECOMMENDATION OF THE TRADE, CUSTOMS, IMMIGRATION, MONETARY AND PAYMENTS COMMISSION

- (i) On the subject of matters relating to the consolidation period i.e. (a) Extension of the provisions of Article 13(2) and (b) Decision of the Authority on the Entry into force of the consolidation Period the Council, after a brief discussion decided that this matter fell within the exclusive competence of the Authority to make any change as to the effective date. The Council, however, decided to recommend to the Authority to make 1st July, 1979 the deadline for submission of all the relevant customs legislations to the Secretariat in view of the harmonisation exercise currently going on among some member countries and the difficulty in submitting the various customs legislations of Member States to the Secretariat between now and May 28th, 1979.



(ii) Matters relating to ECOWAS Rules of Origin:

The Council decided to adopt the recommendations of the Commission contained under sub-sections (a), (b), (c) and (d) with minor amendments to (b), dealing with "Modification of Articles I, II(c) and II(2) of the Protocol relating to originating products. The Council also decided that the definition of value-added in French text of the Protocol relating to originating product should be aligned with the English text which was found to be more in the overall interest of the Community.

(iii) Matters relating to Free Movement of Persons, Right of Residence and Establishment.

The draft Protocol was examined at length and after making some amendments, the Council decided to adopt it. However, the question of the definition of the "Community Citizen" attracted a protracted debate and it was decided that the matter should be brought to the attention of the Authority. The Executive Secretary was, however, requested to convene a meeting of legal experts to determine the precise definition of "the Community Citizen". The Executive Secretary was similarly requested to convene a meeting of experts to look into the problems connected with the chapter dealing with movement of vehicles.

10. REPORT OF THE TRANSPORT, COMMUNICATION AND ENERGY COMMISSION SUB-COMMISSION OF TELECOMMUNICATION

The Executive Secretary introduced the Report and this was followed by a discussion. The attention of the Council was drawn to the fact that there was no mention in the report of a proposed training centre for telecommunications technicians although the proposal had been approved at the Experts' level. However, it was noted that the omission was deliberate because of the complex and expensive nature of the project. Commenting on the question of financing the project the Managing Director of the Fund assured the Council that notwithstanding the magnitude of the project and the high cost involved, it should be possible for the Fund to



investigate possible sources of financing it and present the Council with a viable proposal for funding.

The report was later adopted and the Executive Secretary was requested to work in collaboration with the Managing Director of the Fund in seeking the funds and report to the Council in due course.

11. PROVISIONAL AGENDA FOR THE CONFERENCE OF HEADS OF STATE AND GOVERNMENT

The Agenda for the forthcoming conference of Heads of State and Government as proposed by the Chairman was as follows:-

May 28th, 1979 - Opening Ceremony - Main Hall, Trade Fair

- (i) Welcome Address By His Excellency the President of the Republic of Senegal.
- (ii) Opening Address By His Excellency the Head of State of the Federal Military Government of Nigeria, the out-going Chairman of the Authority.
- (iii) Election of the next Chairman of the Authority.
- (iv) Report of the Executive Secretary of ECO
- (v) Report of the Council of Ministers on:-
  - a) Period of Consolidation of Customs Tariffs
  - b) Rules of Origin
  - c) Free Movement of Persons, Residence and Establishment
  - d) Telecommunications Matters
- (vi) Signing of Protocols
- (vii) Any other business.

The Executive Secretary was requested to ensure the Heads of State and Government as well as the Ministers received all necessary conference documents by 15th May 1979 at the latest.

12. MEETING OF COUNCIL OF MINISTERS

It was decided that the Council of Ministers should reconvene on Sunday, May 27th in Dakar to finalise outstanding business in preparation for meeting of the Authority.

13. REPORTS OF THE FINANCIAL CONTROLLER AND THE EXTERNAL AUDITOR

The Council decided to consider the above reports in camera. The report on this meeting would be considered at the next meeting of the Council.

THE COUNCIL



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