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PROTOCOL, DECISIONS, RESOLUTIONS, DIRECTIVES & FINAL COMMUNIQUE

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1. PROTOCOL

PROTOCOL A/P.1/7/91 ON THE COMMUNITY COURT OF JUSTICE

THE HIGH CONTRACTING PARTIES

MINDFUL of Article 5 of the Treaty of the Economic Community of West African States, establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the provisions of Article 4 paragraph (e) and Article II of the Treaty relating respectively to the Institutions of the Community and the establishment of a Community Court of Justice;

AWARE that the essential role of the Community Court of Justice is to ensure the observance of law and justice in the interpretation and application of the Treaty and the Protocols and Conventions annexed thereto, and to be seized with responsibility for settling such disputes as may be referred to it in accordance with the provisions of Article 56 of the Treaty and disputes between States and the Institutions of the Community;

DESIROUS of concluding a Protocol defining the composition, competence, statutes and other matters relating to the Community Court of Justice.

HEREBY AGREE AS FOLLOWS

Article 1 DEFINITIONS

In this Protocol, the following expressions shall have the meanings assigned to them hereunder;

"Treaty" means the Treaty of the Economic Community of West African States and includes Protocols and Conventions annexed thereto;

"Community" means the Economic Community of West African States established by Article 1 of the Treaty;

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

"Authority" means Authority of Heads of State and Government of the Community established by Article 5 of the Treaty;

"Chairman of the Authority" means the current Chairman of the Authority of Heads of State and Government of the Economic Community of West African States;

"Council" means the Council of Ministers of the Community established by Article 6 of the Treaty;

"Executive Secretariat" means the Executive Secretariat established in accordance with Article 8(1) of the Treaty;

"Executive Secretary" means the Executive Secretary of the Community appointed under Article 8(2) of the Treaty;

"Court" means the Community Court of Justice established by Article 11 of the Treaty;

"Member of the Court" or "Members of the Court" means a person or persons appointed as judge or judges in accordance with the provisions of Article 3.2 of the Protocol.

Article 2: ESTABLISHMENT OF THE COURT

1. The Community Court of Justice established under Article 11 of the Treaty as the principal legal organ of the Community shall be constituted and execute its functions in accordance with the provisions of this Protocol.

Article 3: COMPOSITION

1. The Court shall be composed of independent judges selected and appointed by the Authority from nationals of the Member States who are persons of high moral character, and possess the qualification required in their respective countries for appointment to the highest judicial officers, or are jurisconsults of recognised competence in international law.
2. The Court shall consist of seven (7) members, no two of whom may be nationals of the same State. The members of the Court shall elect a President and Vice President from among their number who shall serve in that capacity for a term of three (3) years.
3. A person who for the purposes of membership of the Court could be regarded as a national of more than one Member State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.
4. The Members of the Court shall be appointed by the Authority and selected from a list of persons nominated by Member States. No Member State shall nominate more than two persons.
5. The Executive Secretary shall prepare a list in alphabetical order of all the persons thus nominated which he shall forward to the Council.
6. The Authority shall appoint the Members of the Court from a shortlist of fourteen persons proposed by the Council.
7. No person below the age of 40 years and above the age of 60 years shall be eligible for appointment as a member of the Court. A member of the Court shall not be eligible for reappointment after the age of 65 years.

Article 4: TERMS OF OFFICE OF MEMBERS OF THE COURT

1. Members of the Court shall be appointed to serve in such office for a period of five years and may be eligible for reappointment for another term of five years only; provided, however, that of the members of the Court appointed for the first time, the terms of office of four members shall expire at the end of three years and the terms of the other three members shall expire at the end of five years.
2. The members of the Court whose terms are to expire at the end of the above-mentioned initial periods of three and five years shall be chosen by lot to be drawn by the Chairman of the Authority immediately after the first appointments have been made.
3. At the expiration of the term of a member of the Court, the said member shall remain in office until the appointment and assumption of office of his successor. Though replaced, he shall finish any cases which he may have begun.
4. In the absence of the President, or where it becomes impossible for the President to continue to carry out his duties and functions, the Vice-President shall assume these assignments of the President.
5. In the temporary absence of a member of the Court, another member shall be nominated to replace him in accordance with the provisions of the Rules of Procedure.
6. Where a member of the Court can no longer perform his duties, the Executive Secretary shall inform Council thereof. Council shall then propose to the Authority that a new member be appointed to replace him.
7. In the event of gross misconduct, inability to exercise his functions or physical or mental disability on the part of one of its members, the Court shall meet in plenary session to take cognisance of the fact. The Court shall then draw up a report which will be promptly transmitted to the Authority which may decide to relieve the member in question of his post.
8. Where the President of the Court cannot participate in the proceedings of a given case, he shall be replaced by the Vice-President or where the latter is absent he shall be replaced by another member of the Court appointed in accordance with the Rules of Procedure of the Court.
9. Where a member of the Court cannot participate in the proceedings of a given case, he shall inform the President of the Court who shall replace him with another member of the Court for the purposes of that case.

10. Whenever the Vice-President or any member of the Court replaces the President in accordance with the provisions of paragraph 8 of this Article, he shall exercise all the authority and powers vested in the office of the President of the Court.
11. No member of the Court may exercise any political or administrative function or engage in any other occupation of a professional nature

Article 5: OATH OF OFFICE OR SOLEMN DECLARATION

1. Before assuming office, members of the Court shall take an oath of office or make a solemn declaration before the Chairman of the Authority.
2. The oath or declaration shall be as follows:
"I.....solemnly swear (declare) that I will perform my duties and exercise my powers as Member of the Court honorably, faithfully, impartially and conscientiously".

Article 6: PRIVILEGES AND IMMUNITIES

1. The Court, and its members shall during the period of their tenure, enjoy privileges and immunities identical to those enjoyed by diplomatic missions and diplomatic agents in the territory of Member States, as well as those normally accorded to international courts and the members of such courts.
2. In this capacity, members of the Court shall not be liable to prosecution or arrest for acts carried out or statements made in the exercise of their functions.

Article 7: RESIGNATION

1. Member of the court may resign at any time by addressing a letter of resignation to the Executive Secretary, who shall forward the letter to the Authority.
2. In case of resignation of a member of the Court, his duties shall end. However, such a member shall continue to hold office until the appointment and assumption of office of his successor.
3. In case of resignation of any member to the Court, the Executive Secretary shall inform Council which shall propose two persons to the Authority who shall appoint one to fill the vacant post.

Article 8: REPLACEMENT OF ANY MEMBER OF THE COURT

A person nominated to replace a member of the Court, whose term of office has not expired shall be appointed under the same conditions as his predecessor and shall hold office for the remainder of his predecessor's term.

Article 9: COMPETENCE OF THE COURT

1. The Court shall ensure the observance of law and of the principles of equity in the interpretation and application of the provisions of the Treaty.
2. The Court shall also be competent to deal with disputes referred to it, in accordance with the provisions of Article 56 of the Treaty, by Member States or the Authority, when such disputes arise between the Member States or between one or more Member States and the Institutions of the Community on the interpretation or application of the provisions of the Treaty.
3. A Member State may, on behalf of its nationals, institute proceedings against another Member State or Institution of the Community, relating to the interpretation and application of the provisions of the Treaty, after attempts to settle the dispute amicably have failed.
4. The Court shall have any powers conferred upon it, specifically by the provisions of this Protocol.

Article 10: ADVISORY OPINION

1. The Court may, at the request of the Authority, Council, one or more Member States, or the Executive Secretary, and any other institution of the Community, express, in an advisory capacity, a legal opinion on questions of the Treaty.
2. Requests for advisory opinion as contained in paragraph 1 of this Article shall be made in writing and shall contain a statement of the questions upon which advisory opinion is required. They must be accompanied by all relevant documents likely to throw light upon the question.
3. Upon receipt of the request referred to in paragraph 2 of this Article the Chief Registrar shall immediately inform Member States, notify them of the time limit fixed by the President for receipt of their written observations or for hearing their oral declarations.
4. The Court shall give the advisory opinion in public.
5. In the exercise of its advisory functions, the Court shall be governed by the provisions of this Protocol which apply in contentious cases, where the Court recognises them to be applicable.

Article 11: APPLICATION TO THE TRIBUNAL

1. Cases may be brought before the Court by an application addressed to the Court Registry. This application shall set out the subject matter of the dispute and the parties involved and shall contain a summary of the argument put forward as well as the plea of the plaintiff.

2. The Chief Registrar of the Court shall immediately serve notice of the application and of all documents relating to the subject matter of the dispute to the other party, who shall make known his grounds for defence, within the time limit stipulated by the rules of procedure of the Court.

Article 12: REPRESENTATION BEFORE THE COURT

Each party to a dispute shall be represented before the Court by one or more agents nominated by the party concerned for this purpose. The agents may, where necessary, request the assistance of one or more Advocates or Counsels who are recognised by the laws and regulations of the Member States as being empowered to appear in Court in their area of jurisdiction.

Article 13: PROCEEDINGS BEFORE THE COURT

1. Proceedings before the Court shall consist of two parts; written and oral.
2. Written proceedings shall consist of the application entered in the Court, notification of the application, the defence, the reply or counter-statement, the rejoinder and any other briefs or documents in support.
3. Documents comprising the written proceedings shall be addressed to the Chief Registrar of the Court in the order and within the time limit fixed by the Rules of Procedure of the Court. A copy of each document produced by one party shall be communicated to the other party.
4. The oral proceedings shall consist of the hearing of parties, agents witnesses, experts, advocates or counsels.

Article 14: SITTINGS OF THE COURT

1. The President shall issue summons to the parties to appear before the court. He shall determine the roll of the Court and preside over its sittings.
2. Sittings and deliberations of the Court shall be valid when the President and at least two judges are present, but such that any sitting of the Court shall comprise of an uneven number of its members.
3. Sittings of the Court shall be public. The Court may however sit in camera at the request of one of the parties or for reasons which only the Court may determine.

Article 15: PRODUCTION OF DOCUMENTS

1. At any time, the Court may request the parties to produce any documents and provide any information or explanation which it may deem useful. Formal note shall be taken of any refusal.

2. The Court may also request a Member State which is not involved in the dispute or any Community Institution to make available any information which it deems necessary for the settlement of the dispute.

Article 16: ENQUIRIES AND EXPERT OPINION

The Court may, in any circumstance, and, in accordance with its Rules of Procedure, order any manner of judicial enquiry summon any person, organisation or institution to carry out an enquiry or give an expert opinion.

Article 17: EXAMINATION OF WITNESSES

1. Witnesses upon whom a summon has been served must appear before the Court. They shall be heard under conditions specified in the Rules of Procedure of the Court.
2. Experts may testify as witnesses under oath, in accordance with the provisions of the Rules of Procedure of the Court.
3. All hearings shall be recorded and signed by the President and the Chief Registrar of the Court.

Article 18: DEPOSITION UPON REQUEST

1. The Court may request the judicial authority of his place of residence to hear the evidence of a witness or an expert.
2. Such a request shall be made to the judicial authority in accordance with the conditions stipulated in the Rules of Procedure of the Court. Documents emanating from such hearing shall be transmitted to the Court under the same conditions.
3. Expenses incurred by this procedure shall be borne by the parties to the dispute.

Article 19: DECISIONS OF THE COURT

1. The Court shall examine the dispute before it in accordance with the provisions of the Treaty and its Rules of Procedure. It shall also apply, as necessary, the body of laws as contained in Article 38 of the Statutes of the International Court of Justice.
2. Decisions of the Court shall be read in open court and shall state the reasons on which they are based. Subject to the provisions on review contained in this Protocol, such decisions shall be final and immediately enforceable.
3. The Court shall give only one decision in respect of each dispute brought before it. Its deliberations shall be secret and its decisions shall be taken by a majority of the members.

Article 20: PROVISIONAL MEASURES AND INSTRUCTIONS

The Court, each time a case is brought before it, may order any provisional measures or issue any provisional instructions which it may consider necessary or desirable.

Article 21: APPLICATION FOR INTERVENTION

Should a Member State consider that it has an interest that may be affected by the subject matter of a dispute before the Court, it may submit by way of a written application a request to be permitted to intervene.

Article 22: EXCLUSIVITY OF COMPETENCE AND RECOGNITION OF THE DECISIONS OF THE COURT

1. No dispute regarding or application of the provisions of the Treaty may be referred to any other form of settlement except that which is provided for by the Treaty or this Protocol.
2. When a dispute is brought before the Court, Member States or Institutions of the Community shall refrain from any action likely to aggravate or militate against its settlement.
3. Member States and Institutions of the Community shall take immediately all necessary measures to ensure execution of the decision of the Court.

Article 23: INTERPRETATION OF DECISIONS

If the meaning or scope of a decision or advisory opinion is in doubt, the Court shall construe it on application by any party or any Institution of the Community establishing an interest therein.

Article 24: LEGAL COSTS

Unless the Court shall decide otherwise, each party to the dispute shall bear its own legal expenses.

Article 25: APPLICATION FOR REVISION

1. An application for revision for a decision may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the decision was given, unknown to the Court and also to the party claiming revision, provided always that such ignorance was not due to negligence.
2. The proceedings for revision shall be opened by a decision of the Court expressly recording the existence of the new fact, recognising that it has such a character as to lay the case open to revision and declaring the application admissible on this ground.
3. The Court may require prior compliance with the terms of the decision before it admits proceedings in revision.

4. No application for revision may be after five (5) years from the date of decision.
5. The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 26: SEAT OF THE COURT

1. The seat of the Court shall be fixed by the Authority
2. However, where circumstances or facts of the case so demand, the Court may decide to sit in the territory of another Member State.

Article 27: SESSION OF THE COURT

- 1 Sessions of the Court shall be convened by its President.
2. The dates and duration of the sessions shall be fixed by the President and shall be determined by the roll of the Court.
3. The President and other members of the Court shall be bound to attend all sessions of the Court unless they are prevented from attending by any reasons duly explained to the Authority or the President of the Court, as the case may be.
- 4(a) Subject to the provisions of this Protocol and its Rules of Procedure, the Court shall meet in plenary session when it is composed as stated in Article 3, paragraph 2 of this Protocol.
- 4(b) Where, however, the Court being thus constituted and one of its members cannot continue to participate in the proceedings, the Court may, nevertheless, continue its hearing provided that the parties to the dispute, so agree.
5. The Court may form one or more Chambers, composed of three or more members when, in its opinion, the nature of the business of the Court so requires.

Article 28: REMUNERATION AND FRINGE BENEFITS

Subject to the provisions of this Protocol, the remuneration, allowances and all other benefits of the President and other members of the Court shall be determined by the Authority.

Article 29: REGISTRARS AND OTHER STAFF OF THE COURT

1. The Court Registrar shall be by a Chief Registrar and Registrars. Subject to the provisions of this Protocol, the number of Registrars, the conditions of their appointments and their duties shall be determined by the Rules and Procedure of the Court.

2. Before taking office, the Chief Registrar and Registrars shall take an oath, or swear to a written declaration before the President of the Court as prescribed by the Rules of Procedure of the Court.
3. The Community shall appoint and provide the Court with the necessary officers and officials to enable it carry out its functions.

Article 30: EXPENSES OF THE COURT

All the operational expenses of the Court shall be charged to the budget of the Executive Secretariat of the Community.

Article 31: OFFICIAL LANGUAGES

The official languages of the Court shall be English and French.

Article 32: RULES OF PROCEDURE

The Court shall establish its own Rules of Procedure to be approved by the Council. Amendments thereto shall likewise be approved by Council.

Article 33: AMENDMENTS

1. Any Member State or the President of the Court, may after consultation with the other members, submit proposals for amendments of this Protocol.
2. All proposals shall be transmitted to the Executive Secretariat which shall forward them to Member States within thirty days of receipt. Such amendments shall be examined by the Authority on the expiration of the thirty days notice to Member States.

Article 34: ENTRY INTO FORCE

1. This Protocol shall enter into force, provisionally, upon signature by the Heads of State and Government of Member States and, definitively, upon ratification by at least seven (7) signatory States in accordance with the constitutional regulations in force in each Member State.
2. This Protocol and all instruments of ratification shall be deposited with the Executive Secretariat of the Community which shall transmit certified true copies of the Protocol to all Member States notify them of the date of deposit of the instruments of ratification and register the Protocol with the Organisation of African Unity, the United Nations and any other Organisations which may be determined by Council
3. This Protocol is annexed to the Treaty and shall form an integral part thereof.

IN FAITH WHEREOF, WE THE HEADS OF STATE
AND GOVERNMENT OF THE ECONOMIC
COMMUNITY OF WEST AFRICAN STATES HAVE
SIGNED THIS PROTOCOL.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991

IN SINGLE ORIGINAL IN ENGLISH AND FRENCH,
BOTH TEXT BEING EQUALLY AUTHENTIC.

H. E. Mr. Nicephore Dieudonné SOGLO
President of the Republic of BENIN

H. E. Alhaji Dawda Kairaba JAWARA
President of the Republic of THE GAMBIA

Hon. Mr. Frederic A. KORSAGA
Minister of Finance and Planning for and on behalf of
the President of FASO, Head of Government.

Hon. Alhaji Mahama IDRISSU
Member of the Provisional National Defence Council
(PNDC) of the Republic of GHANA, for and on behalf
of the Head of State of the Republic of GHANA

H. E. Carlos Wahanon de Carvalho VEIGA
Prime Minister and Minister of Defence, for and on
behalf of the President of the Republic of CAPE
VERDE

H. E. General Lasanna CONTE
Chairman of the Transitional Council for National
Recovery of the Republic of GUINEA

Hon. Mr. Essy AMARA
Minister of Foreign Affairs for and on behalf of the
President of the Republic of COTE D'IVOIRE.

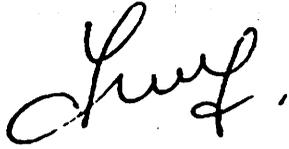
H. E. General Joac Bernardo VIEIRA
President of the Republic of GUINEA BISSAU

H. E. Prof. Amos C. SAWYER
President of the Interim Government of National Unity
of LIBERIA.

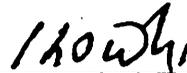
H. E. General Ibrahim Badamasi BABANGIDA
President, Commander-in-Chief of the Armed Forces
of the Federal Republic of NIGERIA.

H. E. Lt. Col. Amadou Toumani TOURE
Chairman of the Peoples Redemption Transitional
Committee, Head of State of the Republic of MALI.

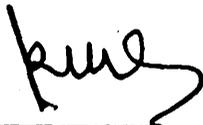
H. E. Mr. Abdou DIOUF
President of the Republic of SENEGAL



Hon. Sidi Mohamed Ould BOUBACAR
Minister of Finance, for and on behalf of the
President of the Islamic Republic of MAURITANIA



H. E. General Joseph Saidu MOMOH
President of the Republic of SIERRA LEONE



H. E Mr. Mahamidou ALIOU
Prime Minister, for and on behalf of the President of
the Republic of NIGER



Hon. Mr. Yagninin BITOKOTIPOU
Minister of Justice, for and on behalf of the President
of the TOGOLESE REPUBLIC.

2. DECISION

DECISION A/DEC. 1/7/91 ON THE GRANTING OF OBSERVER STATUS TO THE FEDERATION OF WEST AFRICAN MANUFACTURERS ASSOCIATION

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT.

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Recommendation A/REC. 1/5/83 dated 30th May, 1983, of the Authority of Heads of State and Government on the mobilisation of the various sections of the population in the integration process;

CONVINCED of the role played by the Federation of West African Manufacturers Association in the industrial development of the sub-region;

CONSIDERING the need for rational and effective coordination of industrial activities in the sub-region;

CONSIDERING Resolution C/RES. 1/12/90 of the Council of Ministers adopted at its twenty-eight session held in Abuja from 12 to 14 December, 1990.

DECIDES

Article 1

The status of observer in the institutions of the Economic Community of West African States is hereby granted to the Federation of West African Manufacturers Association.

Article 2

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA THIS 6TH DAY OF JULY, 1991



ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 2/7/91 ON THE RECOGNITION AND GRANTING OF OBSERVER STATUS TO THE ASSOCIATION OF AFRICAN JURISTS

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENTS

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Recommendation A/REC. 1/5/83 dated 30 May 1983, of the Authority of Heads of State and Government on the mobilisation of the different sections of the population in the integration process;

CONSIDERING Resolution C/RES. 3/12/90 of the Council of Ministers adopted at its Twenty-Eighth session held in Abuja from 12th to 13th December, 1990;

DECIDES

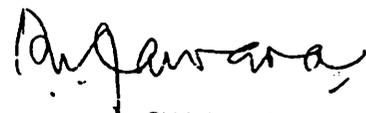
Article 1

The Status of observer within the institutions of the Economic Community of West African States is hereby recognised and granted to the Association of African Jurists.

Article 2

This decision shall be entered into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



CHAIRMAN,
FOR THE AUTHORITY

DECISION A/DEC. 3/7/91 RELATING TO THE SELECTION AND THE EVALUATION OF THE PERFORMANCE OF STATUTORY APPOINTEES OF THE COMMUNITY

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Articles 8 and 10 of the said Treaty and Article 28 of the Protocol relating to the Fund for Cooperation, Compensation and Development of the Economic Community of West African States relating to the appointment of Statutory Officers.

AWARE of the decision taken by the Authority of Heads of State and Government at its 11th session held at Lomé in June 1988, establishing the Ad Hoc Ministerial Committee for the Selection and Performance Evaluation of Statutory Appointees;

AWARE that job descriptions of the various statutory posts must define clearly the qualifications, experience and personal qualities required by the job holders;

CONSCIOUS of the need to appoint only officers possessing the highest standards of efficiency and technical competence;

CONVINCED of the need to constantly review and monitor the performance of the Statutory Appointees in order to improve their performance as well as improve the effectiveness of the Organisation as a whole;

MINDFUL of Resolution C/RES. 5/12/90 adopted by the Council of Ministers during its Twenty-eighth session held from the 12th to the 13th of December, 1990, in Abuja.

DECIDES

Article 1

The rules on the Selection Procedure, Renewal of Term of office of the External Auditor and Evaluation of the Performance of Statutory Appointees of the Community are hereby adopted as follows: —

A. SELECTION PROCEDURE

1. The Authority shall during the ordinary annual Session preceding the year when a statutory post shall fall vacant designate the Member State to nominate candidates for a vacant post;
2. There shall be a job description of the various statutory post which shall define clearly the role, and main tasks to be carried out as well as the qualifications, experiences and personal qualities required;

3. The evaluation of the qualification, experience and qualities required shall be based on the following nine criteria;

- (i) Educational and professional qualifications,
- (ii) Professional experience,
- (iii) Special qualifications,
- (iv) Personality,
- (v) Communication,
- (vi) Intelligence and common sense,
- (vii) Management and leadership,
- (viii) Adaptability, and
- (ix) Appearance.

4. All candidates shall fulfill the requisite selection criteria as stipulated in Annex 1 to this Decision. They must be nationals of ECOWAS Member States who have the approval of their respective countries.
5. Member States shall send to the Executive Secretariat the candidates application forms in the standard attached as Annex II to this Decision, together with the names and curriculum vitae of three candidates.
6. Upon receipt of the applications, the Executive Secretariat shall;
 - (a) acknowledge receipt thereof,
 - (b) list the candidates on a standard control sheet Form which is attached as Annex III to this Decision,
 - (c) advise the Chairman of the Council of Ministers to convene a meeting of the Ad Hoc Ministerial Committee on Selection and Evaluation of Statutory Appointees.
7. (1) The Chairman of the Council of Ministers shall convene a meeting of the Ad Hoc Ministerial Committee, members of whom shall comprise representatives of all Member States that have not presented candidates, to select and interview candidates;

(2) In assessing candidates during the interview the Committee shall use the Form attached as Annex IV to this Decision.

B. RENEWAL OF TERM OF OFFICE OF THE EXTERNAL AUDITOR AND EVALUATION REPORT

8. (1) The External Auditor whose term of office is for an initial period of two years may have his appointment renewed twice only each time for another term of two years.
- (2) However, the appointment of the External Auditor may be terminated before its expiry.

9. A Committee comprising four Members of the Ad Hoc Ministerial Committee on Selection and Evaluation of Statutory Appointees shall be constituted to appraise the performance of all Statutory Appointees. The Chairman of Council of Ministers and the Chairman of the Board of Directors of the Fund shall be members unless a Statutory Appointee is a national of their Member States.

10. The evaluation of performance of Statutory Appointee, with the exception of the External Auditor, shall be done annually while that of the External Auditor shall be done once every two years.

11. Reports of the evaluation exercise shall be submitted to Council of Ministers during the May/ June sessions in the Performance Evaluation Report Form attached as Annex V to this Decision.

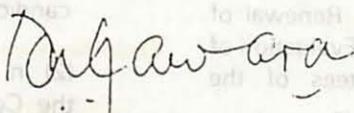
Article 2

This Decision on Selection and Evaluation of the Performance of Statutory Appointees shall not apply to the holders of Statutory posts in the Institutions of the Community as at the date of Signature.

Article 3

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA

CHAIRMAN

FOR THE AUTHORITY

W. 1991/1

ANNEX 1

Applicants shall be required to satisfy the following criteria: —

Professional Experience: —

At least 12 years experience in public accounting.

Executive Secretary**Qualification**

Post-Graduate qualification. Any other qualification in economics, law or management will be an advantage.

Professional Experience: —

At least 15 years experience. Experience in a similar organisation will be an advantage.

Knowledge of languages:

Excellent command of one of the official languages of the Community. Knowledge of the other languages will be an advantage.

Deputy Executive Secretary (Economic Affairs)**Qualification: —**

Post-Graduate qualification in economics with specialisation in planning statistics or development economics or international economic relations.

Professional Experience: —

At least 12 years experience in macro economics policies (customs, trade, monetary and finance matters) and experience in similar organisation will be an advantage.

Knowledge of languages: —

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

Deputy Executive Secretary (Administration)**Qualification: —**

Post-Graduate qualification in Human Resources Management. Any additional qualification in international management will be an advantage.

Professional Experience: —

At least 12 years in personnel management.

Knowledge of languages: —

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

Financial Controller**Qualification: —**

Post-Graduate qualification in Public Finance of similar qualification or Chartered Accountant.

Knowledge of languages: —

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

Managing Director of the Fund

Post-Graduate qualification in banking, finance, accounting or economics.

Qualification: —**Professional Experience: —**

At least 15 years experience in monetary and financial policies. Experience in investment financing will be an advantage.

Knowledge of languages: —

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

Deputy Managing Director of the Fund**Qualification: —**

Post-Graduate qualification in banking, finance and accounting.

Professional Experience: —

At least 12 years experience in monetary and financial policy. Experience in investment financing will be an advantage.

Knowledge of languages

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

External Auditor**Qualification: —**

Certificate of Chartered Accountant or equivalent qualification.

Professional Experience:

At least 12 years experience in public or private accounting. Must have a firm of accountants.

Knowledge of languages: —

Excellent command of one of the official languages of the Community. Knowledge of the other language will be an advantage.

ANNEX II

APPLICATION FORM

Surname (block capitals)		First Names:	
Address:			
Age:	Date of Birth	Nationality:	Place of Birth
Marital Status		Children 1 2 3 4	
		Sex:	
		Age:	
State of health (mention any disability or serious illness)			Height:
			Weight:

EDUCATION AND TRAINING

	Dates	Details, including dates, of examinations passed, diplomas and degrees (give class)
Secondary Schools		
University/Colleges		
Part time/other courses		
Professional and technical bodies (indicate grade of membership)		
Languages (indicate fluent)	Reading Fluent Fair	Writing Fluent Fair
		Speaking Fluent Fair

<p>PRESENT (OR LAST) APPOINTMENT</p> <p style="font-size: small; text-align: right;">Start with the most recent and work backwards. Include military service.</p>		
Employer's name and address		
Nature of business	Company turnover	Number employed
Position	Number supervised	
Responsible to (name and status)		
Basic salary	Other emoluments (bonus, profit sharing etc.)	Benefits (car, free house, etc.)
Date appointed	Date left and reason for leaving	Notice required
<p>Draw organisation chart, indicating your own position</p>		
<p>Describe responsibilities and duties performed</p>		

PREVIOUS APPOINTMENTS

Start with the most recent and work backwards. Include military service

Dates		Name of employer and nature of business	Position held and reason for leaving	Last salary
From	To			

SUPPLEMENTARY INFORMATION

Please give any other relevant particulars about your career and achievements

REFERENCES

Please give the addresses of three persons to whom reference may be made (business references preferred)

N.B.: Referees will not be approached without your permission

ANNEX III

	Vacancy					
	Name	Address	Nationality	Grading/ Knowledge	Interview	Final letter

ANNEX IV

ECOWAS STATUTORY APPOINTMENTS SELECTION FORM

NAME:

ADDRESS:

AGE:..... DATE OF BIRTH:..... NATIONALITY:

POST UNDER CONSIDERATION:.....

LAST POST AND WHERE:.....

1. Educational & Professional Qualifications (Professional and Degree qualifications)	Marks								
(Professional or Degree qualifications) <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: right;">Both</td> <td style="width: 50%; text-align: right;">20</td> </tr> <tr> <td style="text-align: right;">Professional</td> <td style="text-align: right;">15</td> </tr> <tr> <td style="text-align: right;">Relevant Degree</td> <td style="text-align: right;">12</td> </tr> <tr> <td style="text-align: right;">Unrelated Degree</td> <td style="text-align: right;">10</td> </tr> </table>	Both	20	Professional	15	Relevant Degree	12	Unrelated Degree	10	
Both	20								
Professional	15								
Relevant Degree	12								
Unrelated Degree	10								
2. Professional Experience (Consider number of years, type, variety, appropriateness, local overseas)									
3. Special Qualification (Has he direct experience relevant to the particular position. Has he a record of specific achievement in last 5 years)									
4. Personality (Consider mental alertness, first impression, mannerism, behaviour. Will he effectively represent ECOWAS at all levels)									

<p>5. Communication (Consider performance at interview, quality of written submission etc.)</p> <p style="text-align: right;">Range 10 – 1 *</p>	10
<p>6. Intelligence & Common Sense</p> <p style="text-align: right;">Range 10 – 1 *</p>	10
<p>7. Management & Leadership (Consider leadership traits, management ability displayed, ability to inspire confidence and motivate people).</p> <p style="text-align: right;">Range 10 – 1 *</p>	10
<p>8. Adaptability & Social Outlook Consider maturity of view. Flexibility).</p> <p style="text-align: right;">Range 5 – 1 *</p>	5
<p>9. Appearance</p> <p style="text-align: right;">Range 5 – 1*</p>	5
<p>* Highest Score is Best</p> <p style="text-align: right;">Total Marks</p>	
<p>Members general comments, noting those factors which influenced the award of the above marks.</p>	

RECOMMENDATION:

ANNEX V

CONFIDENTIAL	
PERFORMANCE REVIEW	
Sheet 1	
Name	Job title
Department	Section
Period covered by review – from :	
to:	
<p>Performance Analysis</p> <p>(a) Refer to agreed main task/objectives for period and summarize in the first column.</p> <p>(b) In the second column, comment on achievements during the period by reference to agreed indicator/measures.</p>	
Main tasks/objectives	Comments on achievement
1.	
2.	
3.	
4.	
5.	
6.	

PERFORMANCE REVIEW		Sheet 2
To be completed after the performance review meeting		
Overall Assessment: Indicate your opinion of overall performance by means of a tick against the appropriate heading.		
A	Outstanding	An exceptionally valuable member of the staff; performance is consistently well above the required standards for the job.
B	Very effective	Displays good all round level of effectiveness performance meets or exceeds requirements in all important tasks.
C	Satisfactory	A competent member of the staff; generally achieves the standards required.
D	Barely satisfactory	Performance does not always reach the required standards; room for improvement.
E	Unsatisfactory	Performance does not meet the required standards
All Members of the Sub-Committee shall sign below: — 1..... 2..... 3..... 4.....		

DECISION A/DEC. 4/7/91 RELATING TO THE ESTABLISHMENT OF AN ECOWAS TRUST FUND FOR LIBERIA.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Article 2 of the said Treaty relating to the aims and objectives of the Community;

AWARE that the Liberian crisis has resulted in a total collapse of the political, economic, social, religious and ethnic cohesion of the Liberian society, and has caused a massive displacement of Liberians from their country;

CONSCIOUS of the various efforts embarked upon by the Community in the establishment of Reconciliation and Reconstruction Programmes for Liberia which culminated in the holding of the first Extraordinary Summit of Heads of State and Government in Bamako from the 27th and 28th November, 1990;

AWARE that the hundreds of thousands of Liberians who are now refugees in neighbouring Member States and beyond need the financial assistance of Member States and the rest of the International Community in order to lead a decent and purposeful life;

DETERMINED to continue every effort and explore every avenue to enable Liberians live normal lives in their countries of refuge;

CONSIDERING Resolution C/RES. 6/12/90 adopted by the Council of Ministers at its Twenty-Eighth Session held on 12 and 13 December, 1990, at Abuja;

DECIDES

Article 1

There is hereby established an ECOWAS Trust Fund for the Rehabilitation and Reconstruction of Liberia.

Article 2

Contribution into the Fund shall be on voluntary basis from Member States and the rest of the International Community.

Article 3

The Executive Secretary shall administer the Fund.

Article 4

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 5/7/91 RELATING TO NEGOTIATIONS WITH CONSORTIUM D'ENTREPRISE (C.D.E.) IN RESPECT OF DELAYS IN THE CONSTRUCTION OF THE ECOWAS FUND HEADQUARTERS IN LOME

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 relating to the construction of Headquarters of the Institutions of the Community, which established an Ad Hoc Ministerial Committee to monitor activities connected with the construction of Community Headquarters;

MINDFUL of Decision A/DEC. 4/7/86 relating to the financing of the ECOWAS Fund in LOME which fixed the total cost of the ECOWAS Fund Headquarters at five billion CFA Francs (CFA Francs 5,000,000,000);

MINDFUL of Decision A/DEC. 3/6/88 relating to Financing of Extra Works in respect of the Construction of the Headquarters of the ECOWAS Fund in Lome;

MINDFUL of Decision A/DEC. 3/6/89 Relating to the Interior Design and Decoration of the ECOWAS Fund Headquarters in Lome which fixed the total cost of the Interior Design and Decoration of the ECOWAS Fund Headquarters at one billion, three hundred and ten million francs (CFA 1,310,000,000).

MINDFUL of Contract dated 15th October 1986, between the ECOWAS Fund and Consortium d'Entreprise (C.D.E.) for the construction of the ECOWAS Fund Headquarters;

CONSIDERING the report of the Twenty-Ninth Session of the Council of Ministers held in Abuja from 30 June to 2 July, 1991.

DECIDES**Article 1**

The ECOWAS Fund should continue discussions with Consortium d'Entreprise (CDE) with a view to achieving an amicable settlement.

Article 2

A Sub-Committee of experts of the Ad Hoc Ministerial Committee for the Construction of the Headquarters of Community Institutions (Benin, Nigeria and Togo) made up of engineers and architects of high professional competence and impeccable character as well as the Control Bureau, SOCOTEC TOGO, shall conduct an assessment to determine the liquidated damages that might be charged to Consortium d'Entreprise on the one hand and liquidated damages that the ECOWAS Fund might have caused to Consortium d'Entreprise on the other hand.

Article 3

After the assessment mentioned in Article 2 a Sub-Committee of the Ad Hoc Ministerial Committee for the Construction of the Headquarters of Community Institutions, assisted by the Managing Director of the ECOWAS Fund, should negotiate with Consortium d'Entreprise an amicable agreement that is satisfactory to both parties and in the best interest of the Community

Article 4

The outcome of the negotiations shall be submitted to the Ad Hoc Ministerial Committee on the Construction of Headquarters of Community Institutions at its November 1991 session.

Article 5

The Chairman of the Council of Ministers, the Chairman of the Board of Directors of the ECOWAS Fund and the Managing Director of the ECOWAS Fund shall liaise with the Honourable Minister of Senegal responsible for ECOWAS Affairs to take all measures necessary to speed up the settlement of the dispute between the ECOWAS Fund and Consortium d'Entreprise.

Article 6

The Chairman of the Council of Ministers is hereby authorised to implement any possible agreement that may be concluded between the ECOWAS Fund and Consortium d'Entreprise, after such agreement shall have been approved by the Council of Ministers.

Article 7

In the case of failure by the ECOWAS Fund and Consortium d'Entreprise to settle their dispute, the matter shall be settled through arbitration in accordance with Article 27 of the contract signed between the

ECOWAS Fund and Consortium d'Entreprise on 15 October, 1986, for the construction of the ECOWAS Fund Headquarters.

Article 8

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

**DECISION A/DEC. 6/7/91 ON THE
ESTABLISHMENT OF A SPECIAL EMERGENCY
FUND FOR THE INTERIM ELECTIONS
COMMISSION FOR LIBERIA**

**THE AUTHORITY OF HEADS OF STATE AND
GOVERNMENT**

MINDFUL of Article 5 of the Treaty of ECOWAS establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING that the all Liberian National Conference held in Monrovia from 15 March to 20 April, 1991 established an Interim Electoral Commission;

CONVINCED that the conduct of free and fair elections leading to the installation of a democratically-elected government is of primordial importance in the quest for lasting peace in Liberia;

CONSIDERING the obvious necessity to provide the Interim Elections Commission with the resources necessary to ensure the independence and freedom required to guarantee its integrity and impartiality;

AWARE of the financial difficulties confronting the Interim Government of Liberia;

DECIDES**Article 1**

There is hereby established a Special Emergency Fund for the Interim Elections Commission in Liberia.

Article 2

The resources of the Special Emergency Fund shall be derived from voluntary contributions by Member States of the Community, other African countries and donor institutions and governments from outside the sub-region.

Article 3

1. Each Member State is strongly urged to make a special effort to contribute to the resources of the Special Emergency Fund.
2. An urgent appeal is hereby made to donor institutions and governments outside Africa to make generous contributions to the Special Emergency Fund in support of efforts being made by ECOWAS to restore peace and security to Liberia.

Article 4

The Interim Elections Commission of Liberia shall administer the Special Emergency Fund. The Executive Secretariat shall open a special account for the Fund and shall transfer the monies of the Fund to the Interim Elections Commission of Liberia.

Article 5

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991.



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY.

DECISION A/DEC. 7/7/91 ON THE CONSTITUTION OF AN ECOWAS OBSERVER GROUP TO MONITOR THE ELECTORAL PROCESS IN LIBERIA

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING that Decision A/DEC. 2/11/90 dated 28 November, 1990, adopting the ECOWAS Peace Plan for Liberia provides for the conduct and supervision of elections leading to the establishment of a democratically elected government in Liberia;

AWARE of the need to constitute an ECOWAS Observer Group to monitor the conduct and supervision of the elections in Liberia in order to ensure that they are free and fair

DECIDES**Article 1**

1. There is hereby constituted an ECOWAS Observer Group to monitor the conduct and supervision of the presidential and general elections in the Republic of Liberia in order to ensure that they are free and fair.

2. The ECOWAS Observer Group shall be composed of one representative from each Member State.

Article 2

Each Member State shall be responsible for the expenses incurred by the participation of its representative in the work of the Observer Group.

Article 3

The Executive Secretary shall be responsible for the effective implementation of this decision and shall present a report of the Observer Group at the session of the Authority of Heads of State and Government following the elections.

Article 4

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA ON 6TH JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 8/7/91 AMENDING ARTICLE 14 OF DECISION A/DEC. 19/5/80 DATED 28TH MAY, 1980, ON THE APPLICATION OF COMPENSATION PROCEDURES FOR LOSS OF REVENUE INCURRED BY MEMBER STATES AS A RESULT OF THE LIBERALISATION OF INTRA-COMMUNITY TRADE

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the Treaty of the Economic Community of West African States establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 9/5/80 dated 28 May, 1990, on the application of compensation procedures for loss of revenue incurred by Member States as a result of the liberalisation of trade;

CONSIDERING of Resolution C/RES. 5/7/91 adopted at its Twenty-ninth Session held in Abuja from 30 June to 3 July, 1991;

DECIDES

Article 1

Article 14 of Decision A/DEC. 19/5/80 dated 28 May, 1980, on the application of compensation procedures for loss of revenue incurred by ECOWAS Member States as a result of trade liberalisation is hereby amended as follows:—

Article 14:

Chapter IV — Modalities and Dates for payment

Payment of compensation shall be made within 30 days after the end of each quarter upon submission of applications for compensation, and subject to approval of said application.

The time limit for submission of claims in respect of compensation shall be three (3) years, beginning from the end of the fiscal year concerned.

Article 2

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the Official Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 9/7/91 ON THE ESTABLISHMENT OF THE WEST AFRICAN YOUTH UNION (WAYU)

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Article 4 of the ECOWAS Treaty relating to cooperation in social and cultural affairs;

MINDFUL of Recommendation A/REC. 1/5/85 relating to the mobilisation of the different sections of the population in the intergration process;

CONSCIOUS of the need to involve our youths in the social development of the Community;

CONSIDERING Resolution C/RES. 11/7/91 of the Council of Ministers Meeting in Abuja from 30 June to 3 July 1991;

DECIDES

Article 1

The establishment of the West African Youth Union (WAYU) is hereby approved.;

Article 2

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 10/7/91 RELATING TO THE APPOINTMENT OF THE EXTERNAL AUDITOR OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES FOR THE PURPOSE OF AUDITING THE 1990 FINANCIAL YEAR ACCOUNT

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Article 10 of the Treaty on the appointment of the External Auditor of the Community;

CONSCIOUS of the urgency and need to appoint an External Auditor for the purposes of auditing the accounts of the 1990 Financial Year as required by the Financial Regulations of the Community Institutions;

CONSIDERING the recommendation of the Council of Ministers at its 29th Session held in Abuja from 30 June to 3 July 1991;

DECIDES

Article 1

The firm of HAIBA and Company of Mauritania is hereby appointed External Auditors of the Economic Community of West African States for the purposes of auditing the 1990 Financial Year accounts only.

Article 2

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

DECISION A/DEC. 11/7/91 RELATING TO THE REMOVAL OF THE POST OF EXTERNAL AUDITOR FROM THE STATUS OF A QUOTA STATUTORY POST TO A NON-QUOTA STATUTORY POST

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Article 10 of the ECOWAS Treaty which provides that the External Auditor of the Community shall be appointed and removed by the Authority on the recommendation of the Council of Ministers;

MINDFUL also that the post of External Auditor is a statutory post having been established by the said Article 10 of the ECOWAS Treaty;

MINDFUL that the post of External Auditor had hitherto been rotated among Member States;

MINDFUL of its Decision A/DEC. 3/7/91 relating to the Selection and Evaluation of Statutory Appointees;

CONSIDERING the recommendation of the Council of Ministers at its 29th Session held in Abuja from 30 June to 3 July, 1991.

DECIDES

Article 1

The post of External Auditor of the Community is hereby designated a Non-Quota Statutory Post.

Article 2

A vacancy for the post shall be advertised by Member States in their respective Member States.

Article 3

Each Member State shall submit a shortlist of three Firms who are interested in the post of External Auditor to the Executive Secretariat.

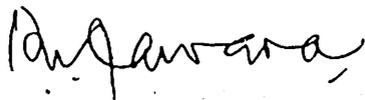
Article 4

The Executive Secretariat shall be responsible for the implementation of this Decision.

Article 5

This Decision shall enter into force upon signature and be published in the Official Journal of the Community and the National Gazette of each member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991.



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY.

**DECISION A/DEC. 12/7/91 RELATING TO THE
IMPLEMENTATION OF THE RATIONALISATION
OF INSTITUTIONAL ARRANGEMENTS
GOVERNING WEST AFRICAN INTEGRATION**

**THE AUTHORITY OF HEADS OF STATE AND
GOVERNMENT**

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and powers;

RE-AFFIRMING the collective desire of all the sixteen countries of the West African sub-region to strive together towards the achievement of full regional integration, as expressed through their signing and ratification of the Treaty establishing the Economic Community of West African States;

RECALLING its decision A/DEC. 8/5/83 of 30th May, 1983, relating to the rationalisation of cooperation efforts within the West African sub-region, which recognised the necessity for enhancing West African integration through the rationalisation of the multiplicity of Inter-Governmental Organisations existing within the sub-region;

RECALLING its decision A/DEC. 8/5/83 of 30th May, 1983 relating to the rationalisation of cooperation efforts within the West African sub-region which recognised the necessity for enhancing West African integration through the rationalisation of the multiplicity of Inter-Governmental Organisations existing within the sub-region;

RECALLING further its decision A/DEC. 5/5/90 of 30th May 1990 relating to the rationalisation of institutional arrangements governing West African integration, in which the commitment of all West African countries to the establishment of a single regional economic community was re-affirmed;

TAKING NOTE of the signing in Abuja on 3 June, 1991 of the Treaty establishing the African Economic Community which calls for the strengthening of regional economic commitment serve as the building blocks of the continental body;

RECOGNISING the imperative need to re-vitalise and accelerate the West African integration process for the effective development of the individual national economies in West Africa and the enhancement of their capacity to compete at the continental level;

CONSCIOUS of the mandate to the Executive Secretary, contained in its decision A/DEC. 10/5/90 of 30th May, 1990 on the setting up of a Committee of Eminent Persons for the Review of the ECOWAS Treaty, with a view to strengthening and accelerating the integration process in West Africa.

DECIDES

Article 1

The Economic Community of West African States (ECOWAS) is hereby designated as the single economic community in West Africa for the purpose of regional integration and the realisation of the objectives of the African Economic Community.

Article 2

Member States undertake to meet all their obligations to ECOWAS and to give every support to all efforts aimed at strengthening and re-vitalising the Community to enable it accelerate the West African integration and development processes.

Article 3

1. Member States hereby agree to progressively renounce, in accordance with a pre-established plan of rationalisation, the pursuit of the realisation of the economic community objectives within any other West African Inter-governmental Organisation (IGOs). Member States solemnly undertake to employ all measures necessary within such IGOs to give substance and practical meaning to this renunciation.

2. The rationalisation plan mentioned above shall be formulated within a period not exceeding two (2) years from the date of the signature of this Decision.

Article 4

The highest decision-making body of each IGO in the sub-region is hereby requested to reaffirm the commitment of its membership to ECOWAS as the single economic community for the sub-region, and to direct their respective Chief Executives to work in close collaboration with ECOWAS Secretariat to achieve the objective of the rationalisation exercise.

Article 5

1. The ECOWAS Executive Secretary is directed to engage the services of Consultants to prepare a study involving both ECOWAS and the other West African IGOs. The findings of the study shall form the basis for proposals that will lead to a flexible and practical plan for the rationalisation of all the IGOs of the sub-region under the umbrella of ECOWAS.

2. The study shall also review the activities of ECOWAS and propose reforms necessary for the strengthening of ECOWAS as the only sub-regional institution for integration.

3. The study shall further include an inventory of the other IGOs, giving details of the

- objectives of the IGOs
- on-going programmes
- achievements
- structures/buildings
- manpower, material and financial resources.

Article 6

1. The rationalisation plan shall be examined at an extraordinary meeting of the ECOWAS Council of Ministers which shall be preceded by a meeting of experts to which the Chief Executives of the other IGOs concerned shall also be invited.

2. The extraordinary meeting of Council shall approve a definitive plan for the rationalisation of IGOs in the sub-region for the integration of the sub-region. The ECOWAS Executive Secretary in collaboration with the Chief Executives of the other IGOs shall be responsible for the execution of this plan.

Article 7

This decision shall come into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H.E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN
FOR THE AUTHORITY

(b) OF THE COUNCIL OF MINISTERS

DECISION C/DEC. 1/7/91 ON THE ADOPTION OF THE EXECUTIVE SECRETARIAT PROGRAMME OF ACTIVITIES FOR TOURISM

THE COUNCIL OF MINISTERS..

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Minister and defining its composition and functions;

MINDFUL of Decision C/DEC. 7/7/85 dated 3 July, 1985 of the Council of Ministers establishing a Consultative and Coordinating Committee for the Programming of trade fairs and similar events in ECOWAS Member States;

CONSIDERING the importance of tourism for the economies of ECOWAS Member States;

AWARE of the need to coordinate tourism development measures in Member States in order to achieve sub-regional integration in this sector of activity;

ON THE RECOMMENDATION of the Ministers of Tourism at their second meeting held in Dakar from 18 to 19 February, 1991;

DECIDES

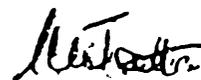
Article 1

The ECOWAS Executive Secretariat programme of activities for tourism attached hereto is hereby adopted;

Article 2

The Executive Secretariat shall be responsible for the implementation of the adoption which shall enter into force upon signature, and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

ANNEX

PROGRAMME OF ACTIVITIES

1. The ECOWAS Executive Secretariat shall focus its efforts on areas of Community interest, through assistance, intermediation, incentives, harmonisation and facilitation programme, in coordination and agreement with Member States, with a view to formulating a progressive sub-regional tourism policy. Emphasis will therefore be laid on the development of the following areas: —

A. STUDIES

- (i) The Executive Secretariat shall conduct a comprehensive study on the development and integration of tourism in ECOWAS Member States. It will examine in detail the constraints on the development of tourism in the sixteen Member States, with a view to producing a detailed analysis that will enable the Secretariat to complement on-going Community measures adopted on the basis of data gathered during visits to certain Member States.
- (ii) Other studies relating to specific aspects of the tourism industry may be undertaken by the Executive Secretariat at the request of Member States.

B. INCREASING HOTEL SUPPLY

Only one option is open to people visiting ECOWAS Member States; either a luxury hotel with rates beyond the reach of the average wage earner, or a small hotel often of doubtful quality and offering unacceptable services. However, owing specifically to the current financial crisis, the demand for medium-range hotels is constantly increasing. Their advantage is that they can develop circuit and State tourism

- The Secretariat shall focus its efforts on assistance which would be in the form of security funding for the conduct of feasibility studies for such establishments. First, it will embark on a stock-taking exercise, and then select national projects in collaboration with the relevant national administrations.

C. TRAINING

- The problem of human resources in the development and promotion of economic activities is of special importance since a man is the motive force and the principal actor in every form of development. The issue assumes a special dimension particularly when it involves an activity as sensitive as tourism. Information gathered in the field and findings in a number of hotels, demonstrate that there is an urgent need for refresher courses in many Member States of the Community where it is observed that the planning

of initial training courses is largely improvised. In response to these essential needs, training centres have been established in a number of Member States, while others plan to establish them.

- This situation, which could ultimately compromise sub-regional programmes, needs to be given prompt and active consideration. The Executive Secretariat shall therefore view to formulating concerted requirements, with a view to formulating concerted training policy, taking into account the content of training programmes and the need for training centres of Community scope.
- The Secretariat shall also assist in the mobilisation of funds to organise short training and refresher courses lasting a maximum of three (3) months, with the collaboration of organisations for technical and financial cooperation, as a means of improving the performance of agents and officers in the national tourism sector.
- Finally, the Executive Secretariat shall develop expertise in Member States by calling primarily upon competent and experienced national officers in the tourism sector, to act as consultants or provide expertise. A list of national tourism consultants and experts shall be drawn up for this purpose.

D. PROMOTION AND MARKETING OF TOURISM PRODUCTS

The Secretariat shall operate in the following four areas:

- a census of sites, and proposals on inter-State tourism circuits;
- support measures for the launching and promotion of inter-State circuits;
- promotion of national tourism focusing especially on youth;
- promotion of traditional handicrafts as a component of the tourism product.

(a) Census of Tourists Sites and Proposals on Inter-State Tourism Circuits

Tourism sites are the basic components of the tourism product. An inventory of such sites constitutes useful instrument for the formulation of a tourism development policy, the preparation and implementation of tourism promotion plans, and relevant tourism circuits.

- A detailed inventory of basic data is necessary to the identification of national tourism products, creation of a characteristic image for them
- Information gathered in the field indicates that, in most cases, despite all efforts, Member States have remained within the inherited framework of the early post-independence period as far as site identification is concerned.
- Prompt preparation of an inventory of tourism sites will provide each State with a catalogue containing a rich and varied collection of photographs. This will widen tourism potential and provide the basic elements for the establishment of inter-State circuits within an intra-Community cooperation policy. The considerable financial assistance required to draw up this inventory will be obtained from Member States and, from external sources.

(b) Support Measures for the Launching and Promotion of Tourism Products and Inter-State Circuits

- The purpose of this measure is to use the major tourism fairs, and information provided by receptive agencies in Member States, to identify tour operators who are most interested in destinations within the sub region, and associated them closely in the drive to promote tourism within the Community.
- Extending tourism beyond national boundaries across the sub-region will widen its potential and increase its chances of success by offering a greater number of locations and circuits in Member States. However, it is necessary to institute measures capable of extending its positive effects to all Member States.

(c) Promotion of Domestic Tourism Particularly among the Youth.

- The development of intra-Community tourism should remain secondary to the ultimate objective of developing domestic tourism, which constitutes the prime factor in determining demand. The youth are to be the motive force behind demand for the tourism product.
- The Executive Secretariat shall intensify its efforts in this direction, and approach specialised international institutions and foundations for funds to finance youth mobilisation projects at Community level. This drive shall complement existing activities such as school and university exchange programmes and workshops. The Secretariat shall also encourage harmonisation of national laws on school holidays in order to put the structures for supply to more effective use.

(d) Promotion of Traditional Handicrafts as a Part of Tourism

In recognition of the unquestionably important role of traditional arts and crafts as an attraction in the promotion of tourism, the Secretariat shall pursue its efforts to fully implement on-going Community projects geared towards the promotion of handicraft products. The Secretariat shall also initiate action aimed at consolidating the organisation of cottage industries at national level and encouraging promotion of handicrafts through events such as the Ouagadougou International Handicraft Fair (SIAO) which focus on tourism and handicrafts.

E. FACILITATION

- The development of tourism necessarily generates the need for incentives without which growth is hindered. One such incentive is facilitation.

At Community level, considerable efforts have been made to promote facilitation specifically with regard to the signature and implementation of the protocols on free movement of persons, goods and services applicable to nationals of countries within the sub-region. No common stand has however been adopted with regard to the policing of foreign nationals.

The introduction of a group tourism visa valid for all member States could be the ideal solution to this problem. The Secretariat will have to look into the matter.

- OACI embarkation and disembarkation forms, and the arrival and departure forms required at land border are undoubtedly useful for statistical purposes. They are, however, a nuisance to the tourist, especially since the information requested varies from one country to the other.

As regards customs forms, only the principle reflects an attempt at harmonisation. The tariffs payable are calculated on a multiple, heterogeneous basis which definitely needs to be reviewed if the purpose, meaning and full impact of customs forms are to be retained. The Secretariat shall prepare a study on the harmonisation of customs forms.

Regulations governing hunting, fishing and border formalities are heterogeneous changeable and unfamiliar to visitors.

- The Secretariat plans to prepare a study on the harmonisation of all these areas, similar to the study already carried out in Member countries of the Conseil de l'Entente which are also full of Members of the Community.

F. THE STATISTICS OF TOURISM AND TRAVEL

- The Executive Secretariat shall work in collaboration with national tourism administrations and with the support of the World Tourism Organisation to prepare a study on the standardisation of statistical collection systems. This will assist comprehension in an area where there are at present different methods and interpretations in use. It is most necessary to come to agreement as to the uses, methods and techniques of data collection, seen as a proper basis for tourism development and planning policy for Member States.

G. OTHER MEASURES

- Government departments can not exclude professional associations and other groups from the daily management of tourism development because they are the consultants, coordinators and promoters of state policy measures in the tourism development sector.
- The Secretariat shall encourage the emergence in Member States of professional tourism and hotel management associations, which will comprise travel agents and organisers on the one hand, and hotel and restaurant owners on the other. These organisations shall serve as consultative and coordinating bodies capable of truly integrating with government bodies and participating positively in the development of tourism.
- In order to cushion the obvious impact of the payments made by states or their economic operators to hotel management transnationals, the Secretariat shall draw up to promote the emergence, in association with professional organisations, of small national hotel management chains which will eventually acquire Community or international status.
- Finally, the Secretariat proposes to work in collaboration with organisations of professionals of the tourism sector to encourage the emergence of Community tour operators who will be responsible for marketing intra-regional tourism, thereby reducing the excessive dependency of the industry on tour operators from the traditional source markets, and on operators in the target countries, to which category all our Member States belong. The final objective of this collaboration will be the establishment of a Community tourism body.

H. REGULATIONS GOVERNING TOURISM AND HOTEL MANAGEMENT

- The Secretariat shall collaborate with Member States to prepare studies on the harmonisation of regulations governing tourism. The studies shall provide the basis for streamlining certain procedures and standards in order to boost the

harmonised development of tourism in the Community. On the basis of observations made in the field, the following measures need to be taken:

(a) Harmonisation of Regulations Governing Accommodation and other Tourism Facilities

- There is great disparity between one country and another in the level of comfort and the quality of service provided by hotels and tourism agencies ostensibly belonging to the same category. This lack of uniformity is a real draw-back to joint promotion of tourism products. It works out mainly in favour of source countries contract allotment negotiations.

- The Secretariat shall prepare a study on the harmonisation of the different standards used for hotel classification in the Member States with a view to arriving at common standards for the Community.

(b) Harmonisation of Rules Governing Commercial and Financial Relations between Tourism Establishments in Community Member States and other countries particularly Source Countries

- The relations are presently governed by international agreements that are neither clear nor standardised. The terms are highly unfavourable, with the multinational companies remaining the major beneficiaries.

- The Executive Secretariat shall prepare a study on this subject. Seminars and workshops shall also be organised on the topic, to further enlighten major promoters in Member States.

(c) Harmonisation of Procedure for Tourism Investment and Finance

- There is need for a comparative study on the tourism code for Member States. The study shall be undertaken by the Secretariat and will be an attempt at harmonising foreign investment procedure and attracting foreign partners, given the low level or unavailability of local capital.

(d) Harmonisation of Tourism Taxes

- There is a noticeable proliferation of taxes in this area. The Secretariat will therefore have to undertake a standardised or common approach here. A study will strengthen existing facilitation instruments and improve the image of receiving Member States.

I. PROFESSIONAL MEETING

- The Secretariat shall increase the frequency of professional meetings, seminars, colloquia, symposia, and workshops with specialise agencies and airlines to enable public and private tourism operators to update their knowledge.

J. PROMOTION OF INTERNATIONAL COOPERATION WITH OTHER TECHNICAL AND FINANCIAL BODIES

- The Executive Secretariat shall contact and work in close collaboration with international agencies such as the WTO, which are directly or indirectly involved in tourism.

K. COMPILATION OF A DATA FILE ON HOTELS

- National hotel promoters and Member States generally have difficulty in selecting valid partners to manage their hotels. This is due to the fact that there is little or no available information on hotel management transnationals. The Secretariat shall prepare a synopsis of information on the most highly recommended hotel chains to assist national hotel operators in making a judicious choice of partners.

L. PREPARATION OF A MODEL DRAFT HOTEL MANAGEMENT CONTRACT FOR NATIONAL PROMOTERS

- The vast majority of international hotel chains have a model for the management contracts drawn up between themselves and hotel owners. The main provisions of such contracts are basically the same no matter which hotel chain is involved. This is in marked contrast to the disparity in the attitudes and comportment of national promoters due to the absence of reference documents and manuals of procedure.
- The Secretariat shall be required to remedy this situation, and bring together all useful information in the form of a handbook for the guidance of national hotel promoters during negotiations leading to the conclusion of management contracts with hotel chains.

M. CREATION OF A DATA BANK AT THE EXECUTIVE SECRETARIAT

- In order to avoid duplication of efforts, the Secretariat shall request individual Member States to send in all completed studies on tourism. This will be built up into a data bank which will be regularly up-dated with statistics on tourism and travel from each Member States, and used to facilitate dissemination of tourism information within the Community.

PREPARATION OF A MARKETING STUDY ON TOURISM WITHIN THE SUB-REGION

- It is necessary to prepare a marketing study on tourism in the sub-region, indicating the strengths and weaknesses of the tourism products of Member States and the segmentation of the tourism market. This study will make it possible to

place the products more advantageously, and build up trade around them

- As an immediate measure, contract should be established with the EEC, which has already conducted marketing surveys on their nationals travelling abroad. It will then be possible to properly assess the reasons which lead tourists to visit ECOWAS countries.

O. DEVELOPMENT OF RESEARCH IN THE TRAINING INSTITUTIONS IN THE SUB-REGION

- The Secretariat shall institute and develop research studies on tourism, in collaboration with existing professional training institutions, on the same pattern as those being carried out in sectors such as agriculture, industry, water resources and forestry.

P. ENLIGHTENMENT CAMPAIGNS IN MEMBER STATES TO OBTAIN INCLUSION OF ENVIRONMENTAL CONSIDERATION IN THE DEVELOPMENT OF TOURISM ACTIVITIES

- Protection of our natural heritage is an essential fact of tourism development, since there can be no tourism without a clean and properly protected environment.

Q. PREPARATION OF A STUDY ON ASSESSMENT OF INCOME FROM TOURISM

- This study is indispensable for an assessment of the impact of earnings from tourism on the economies of Member States, and shall be carried out by the Secretariat with the assistance of the World Tourism Organisation (WTO).

R. CENTRALISATION OF ANNUAL WORK PROGRAMMES OF NATIONAL TOURISM ADMINISTRATIONS AT THE SECRETARIAT TO FACILITATE DISSEMINATION OF INFORMATION AND PERMIT COORDINATION OF JOINT ACTIVITIES

- Information of the programming of important projects, and events of importance to the tourism profession is insufficiently disseminated among Member States and professionals of the tourism sector.
- Centralisation of this information at the Secretariat will facilitate dissemination and build up trade between States.

- The Secretariat shall be responsible for organising this information pool.

The implementation time frame for these measures is as follows:

SHORT-TERM MEASURES

- (a) Preparation of a global study on the development and integration of tourism in ECOWAS Member State
- (b) Harmonisation of rules applicable to tourist activities and the hotel industry.
- (c) Introduction of group tourist visas.
- (d) Harmonisation of ICAO embarkation and disembarkation forms.
- (e) Harmonisation of customs papers.
- (f) Census of tourist sites, and proposals for inter-State tourist circuits.
- (g) Preparation of a file on hotel management transnationals (hotel chains)
- (h) Centralisation of annual work programmes of national tourism administrations at the Secretariat to facilitate dissemination of information and permit coordination of joint action.
- (i) Enlightenment campaigns in Member States to prepare the need to take into account the protection of nature, and environmental conservation in the development of tourist activities.
- (j) Creation of a data bank at the Executive Secretariat.

MEDIUM AND LONG-TERM MEASURES

- (a) Preparation of a study on training requirements.
- (b) Harmonisation of data acquisition systems.
- (c) Preparation of a model draft hotel management contract for national promoters.
- (d) Preparation and adoption of a marketing study on tourism within the sub-region.

- (e) Preparation of a study on assessment of income from tourism.

PERMANENT MEASURES

- (a) Implementation of specific studies on the development of the African tourism sector.
- (b) Improvement of hotel services.
- (c) Organisation of training and refresher courses.
- (d) Development of expertise.
- (e) Promotion and marketing of tourism services.
- (f) Facilitation
- (g) Awareness and enlightenment campaigns
- (h) Organisation of professional meetings.
- (i) Development of international cooperation with other technical and financial bodies.
- (j) Development of research in training institutions in the sub-region.
- (k) Introduction of a West African Tourism and Leisure Fair.

3. The measures described above shall be carried out by the Secretariat in response to the need for coordination consultation and harmonisation which should now be a paramount objective in the orientation of tourism development policy in Member States.

4. The pragmatic approach adopted by the Secretariat designates the major objectives as coordination of tourism resources, encouragement of professional training, and presentation of requests for studies and assistance for Community projects are likely to enhance the development of tourism in Member States.

DECISION C/DEC. 2/7/91 ON THE INSTITUTIONALISATION OF AN ANNUAL TOURISM AND LEISURE FAIR BY ECOWAS MEMBER STATES

THE COUNCIL OF MINISTERS

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision C/DEC. 7/7/85 dated 3 July 1985, on the Establishment of a Consultant and Co-ordination Committee between ECOWAS Member States for the programming of Trade Fairs and similar commercial events;

CONSIDERING importance of tourism to the economy of every ECOWAS Member State;

RECOGNISING the need to coordinate tourism development measures in Member States in order to achieve sub-regional integration in this sector of economic activity.

ON THE RECOMMENDATION of the Second Meeting of the Ministers of Tourism held in Dakar from 18 to 19 February 1991.

DECIDES

Article 1

The holding of a Tourism and Leisure Fair by ECOWAS Member States on an annual basis is hereby institutionalised;

Article 2

The modalities concerning the organisation and holding of the Tourism and Leisure fairs are left to the initiative of the Executive Secretariat in consultation with Member States.

Article 3

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 2ND DAY OF JULY, 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DECISION C/DEC. 3/7/91 ON THE ADOPTION OF THE FEASIBILITY STUDIES ON THE SELECTED CATTLE BREEDING CENTRES AT KEDOUCOU (SENEGAL) KAEDI (MAURITANIA), FAMOILA (GUINEA), UPPER OGUN (NIGERIA), EZZILO (NIGERIA).

THE COUNCIL OF MINISTERS

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Minister and defining its composition and functions;

CONCERNED at the persisting economic and social effects of natural disasters (drought, diseases, etc.) on a large proportion of the livestock population in ECOWAS Member States;

TAKING into account the measures contained in the agricultural development strategy as laid down by Decision A/DEC. 4/5/82.

CONSIDERING the need to ensure harmonious livestock development in the sub-region;

ON THE RECOMMENDATION of the Industry, Agriculture and Natural Resources Commission.

DECIDES

Article 1

The feasibility studies on the Group II selected cattle breeding centres at Kedougou (Senegal), Kaedi (Mauritania), Famoila (Guinea), Upper Ogun (Nigeria) and Ezzilo (Nigeria) are hereby adopted.

Article 2

The ECOWAS Executive Secretariat and the Fund shall take due account of the technical observations made by the Industry, Agriculture and Natural Resources Commission during the evaluation of the Centres, to ensure proper implementation of the projects concerned by this decision.

Article 3

This decision shall enter into force upon signature and be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY, 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DECISION C/DEC. 4/7/91 ON THE ADOPTION OF THE FEASIBILITY STUDIES ON THE SELECTED FOUNDATION SEED PRODUCTION CENTRES AT LOSSA (NIGERIA) KAEDI (MAURITANIA) RICHARD TOLL (SENEGAL)

THE COUNCIL OF MINISTERS

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and establishing its composition and functions;

AWARE of the importance of developing agriculture and boosting food production in the Sub-region;

CONSIDERING the need to produce adequate quantities of quality selected seeds to meet the requirements of the Sub-region;

ON THE RECOMMENDATION of the Industry, Agriculture and Natural Resources Commission.

DECIDES

Article 1

The feasibility studies on the seed production centres at Lossa (Niger), Kaedi (Mauritania), Richard Toll (Senegal) are hereby adopted;

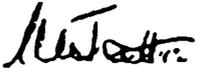
Article 2

The ECOWAS Executive Secretariat and the Fund shall take due account of the technical observations made by the Industry, Agriculture and Natural Resources Commission during the evaluation of the Centres, to ensure proper implementation of the projects concerned by this decision.

Article 3

This decision shall enter into force upon signature and be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991


HON. MBEMBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

DECISION C/DEC. 5/7/91 ON THE ADOPTION OF THE STAFF REGULATIONS OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 71 of the 1983 Staff Regulations of the Economic Community of West African States empowering the Council to amend the Regulations.

ON THE RECOMMENDATION of the Seventh Meeting of the Administration and Finance Commission held in Lagos from 29 April to 8 May 1991;

DECIDES

Article 1

The Staff Regulations of the Economic Community of West African States are hereby adopted as contained in the annex to this Decision.

Article 2

The Staff Regulations shall take effect from the 1st day of January, 1992, and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991


HON. MBEMBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

**DECISION C/DEC. 6/7/91 ON THE ADOPTION OF
PER DIEM RATES APPLICABLE WITHIN THE
INSTITUTIONS OF THE COMMUNITY**

ON THE RECOMMENDATION of the Seventh Meeting of the Administration and Finance Commission held in Lagos from 29 April to 8 May 1991;

DECIDES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING that the existing per diem rates have proved inadequate due to inflation and exchange rate fluctuations;

Article 1

The following per diem rates are hereby adopted for the institutions of the Community.

**PER DIEM RATES APPLICABLE WITHIN THE
INSTITUTIONS OF THE COMMUNITY**

	AFRICA Latin America	EUROPE	USA, Canada, Japan, Asia
Ministers	\$ 243	\$ 311	\$ 338
Executive Secretary & Managing Director	\$ 243	\$ 284	\$ 297
Other Statutory Appointees	\$ 182	\$ 270	\$ 284
Professional Staff (i) Directors	\$ 182	\$ 256	\$ 270
(ii) Others	\$ 152	\$ 230	\$ 257
Consultants	\$ 152	\$ 230	\$ 257
General Service Staff	\$ 132	\$ 175	\$ 203
Auxiliary Service Staff	\$ 101	\$ 135	\$ 162

Article 2

This Decision shall take effect from the 1st day of January, 1992, and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



**HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL**

DECISION C/DEC. 7/7/91 RELATING TO THE ROAD TRAFFIC REGULATIONS BASED ON THE 11.5 TONS AXLE LOAD TO PROTECT ROAD INFRASTRUCTURES AND ROAD TRANSPORT VEHICLES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 4 of the Convention regulating Inter-State Road Transportation between ECOWAS Member States signed in Cotonou on the 28th May, 1982, which stipulates that the maximum axle load on the various types of vehicles authorised to carry out Inter-State Transportation should not exceed 11.5 tons.

AWARE that the purpose of the said Article 4 is to obtain the appropriate standardized total weights in the Sub-Region:

DESIROUS of reducing the cost of construction and maintenance of roads as well as reducing the cost of transport vehicles;

AWARE that the problem of overloading be solved by increasing the number of average axles per vehicle and by the gradual elimination of trailers with four axles as well as by the control of possible overloads;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

DECIDES

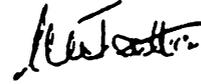
Article 1

The attached Road Traffic Regulations based on the 11.5 tons axle load aimed at protecting road infrastructures and road transport vehicles are hereby adopted.

Article 2

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

**ROAD TRAFFIC REGULATIONS BASED ON 11.5 TONS AXLE
ROAD TO PROTECT ROAD INFRASTRUCTURES AND
ROAD TRANSPORT VEHICLES**

1. With the exception of vehicles with exceptional or non-standard dimensions, axle loads and gross weights of vehicles authorized to operate within the Community should not exceed the following weights:—

<i>(a) AXLE LOAD</i>	
DESCRIPTION OF THE AXLES	AUTHORIZED WEIGHTS
1. Single fore-axle	6 tons
2. Single, intermediate or rear axle	12 tons
3. Double or tandem intermediate or rear axle:—	
— Type 2 vehicle	21 tons
— Type 4 vehicle	20 tons
4. Triple axle with uncompleted wheels	24 tons
5. Container vehicle, type 4: double or tandem rear axle	25 tons
<i>(b) GROSS WEIGHT</i>	
CATEGORY OF VEHICLES	PERMISSIBLE WEIGHTS
1. Vehicle with 2 axles: 6 + 12 t	18 tons
2. Vehicle with 3 axles, 2 of which are completed: 6 + 21 t	27 tons
3. Articulated lorry with 3 axles 6 + 12 + 12 t	30 tons
4. Articulated lorry with more than 4 axles: 6 + 12 + 20 t	38 tons
5. Vehicles with 5 axles with 1 tridem 6 + 12 + 25 t	43 tons
6. Vehicles with 5 axles with 2 tandem 6 + 20 + 20t	46 tons
7. Trailer type 4 : 6 + 12 + 24 t	42 tons
8. Articulated lorry with 6 axles 6 + 20 + 25 t	51 tons

2. Vehicles with exceptional or "non-standard" dimensions passing through each ECOWAS Member State shall, after seeking approval from the competent authorities in accordance with the regulations in force.
3. Axle loads and gross weights of heavy-duty vehicles shall be verified on weight-bridges and at weighing states provided for the purpose.
4. Pending harmonization of legislations, any person contravening these regulations shall be liable to sanctions in accordance with the legislation in force in each Member State.
5. In case of non-respect of limited fixed loads by the Member States, the Administrations concerned with the protection of the infrastructures have every right to arrest the vehicle with overload and reduced the load to the admissible level. The transporter shall be responsible for the unloaded goods, the Administrations are not responsible for any loss or deterioration of the unloaded goods.
6. Measures relating to type 4 container vehicles will be in force for a period of 3 years starting from the date of adoption of this document giving room to the transporters to acquire the required container vehicles.

DECISION C/DEC. 8/7/91 ON THE ADOPTION OF A COMPENSATION BUDGET ESTIMATE FOR 1991 FOR PROJECTED LOSS OF REVENUE BY MEMBER STATES AS A RESULT OF INTRA-COMMUNITY TRADE LIBERALISATION

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 8/5/79 dated 29 May, 1979, of the Authority of Heads of State and Government of ECOWAS on the consolidation of customs duties and taxes of equivalent effect and non-tariff barriers;

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

MINDFUL of Decision A/DEC. 1/5/83 dated 30 May, 1983 of the Authority of Heads of State and Government of ECOWAS on the adoption and implementation of a single trade liberalisation scheme for industrial products originating from Member States of the Community;

MINDFUL of Decision A/DEC. 6/6/89 dated 30 June, 1989 of the Authority of Heads of State and Government fixing 1st January, 1990 as the date for the take-off of the trade liberalisation scheme for industrial products originating from Member States of the Community;

MINDFUL of Decisions C/DEC. 6/12/88 and C/DEC. 2/5/90 of the Council of Ministers establishing a list of industrial products approved to benefit under the trade liberalisation scheme;

ON THE RECOMMENDATION of the Trade, Customs Immigration, Money and Payments Commission, meeting in Lagos from 22 to 26 April, 1991;

ON THE ADVICE of the Administration and Finance Commission, meeting at Lagos from 29 April to 8 May 1991.

DECIDES

Article 1

The budget for the compensation of projected loss of revenue by Member States as a result of the implementation of the intra-Community trade liberalisation scheme which stands at One million, five hundred and ninety thousand, three hundred Units of Accounts (UA 1,590,300) is hereby adopted for compensation of projected loss of revenue for 1991.

This amount shall be paid into a special fund under the management of the ECOWAS Fund and shall constitute the permanent resource of the fund which shall be used exclusively for payment for loss of revenue suffered by Member States as a result of trade liberalisation.

Article 2

1. A table showing the position of each Member State in respect of payment of contributions to the budget is hereto attached.
2. However, products from the Republic of Senegal which were approved as eligible under the provisions of Decision C DEC. 2/5/90 dated 27 May 1990 are withdrawn and will therefore be temporarily excluded from intra-Community trade under the Scheme.

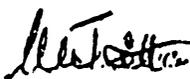
Article 3

The ECOWAS Executive Secretariat and the Managing Director of the Fund shall be responsible for the implementation of this Decision.

Article 4

This decision shall come into force upon signature and shall be published in the Official Journal of the Community and in the Official Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

**CONTRIBUTION DES ETATS MEMBRES AU BUDGET DE COMPENSATION
POUR 1991/CONTRIBUTION OF MEMBER STATES TO THE 1991
COMPENSATION BUDGET**

ETAT MEMBRE/ MEMBER STATE	EXPORTATIONS/EXPORTS PRODUITS AGREES POUR 1991/PRODUCTS CERTIFIED IN 1991 VALEUR EN UC/ VALUE IN UA	COEFFICIENT DE CONTRIBUTION AU BUDGET/ CONTRIBUTION COEFFICIENT	MONTANT DES CONTRIBUTIONS EN UC/ CONTRIBUTIONS TO THE BUDGET IN UA
GHANA	9,043,683	0.607	965,312
NIGERIA	5,856,643	0.393	624,988
TOTAL	14,900,326	1.000	1,590,300

DECISION C/DEC. 9/7/91 ON THE ADOPTION OF MONTHLY RATES PAYABLE AS TRANSPORT ALLOWANCE TO LOCALLY RECRUITED STAFF

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 34 of the ECOWAS Staff Regulations;

ON THE RECOMMENDATION of the Seventh Meeting of Administration and Finance Commission held in Lagos from 29 April to 8 May 1991;

DECIDES

Article 1

Locally recruited staff shall be paid the following monthly transport allowance.

TRANSPORT ALLOWANCE

G5 – G6	:	16.1 UA per month
G3 – G4	:	13.3 UA per month
M1 – G2	:	11.1 UA per month

Article 2

This decision shall take effect from the 1st day of January 1992 and shall be published in the Official Journal of the Community and in the National Gazette of each Member State

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DECISION C/DEC. 10/7/91 ON THE ADOPTION OF ANNUAL RATES PAYABLE AS LEAVE TRANSPORT ALLOWANCE TO LOCALLY RECRUITED STAFF

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 34 of the ECOWAS Staff Regulations;

ON THE RECOMMENDATION of the Seventh Meeting of Administration and Finance Commission held in Lagos from 29 April to 8 May 1991;

DECIDES

Article 1

Locally recruited staff shall be paid the following rates as leave transport allowance for themselves and their dependents while proceeding on annual leave: –

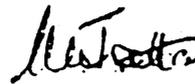
LEAVE TRANSPORT ALLOWANCE

G5 – G6	:	42.5 UA per annum
G3 – G4	:	35.3 UA per annum
M1 – G2	:	28.2 UA per annum

Article 2

This decision shall take effect from the 1st day of January, 1992, and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

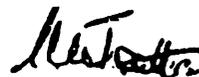
DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

**DECISION C/DEC. 11/7/91 AMENDING
PARAGRAPH 1.4(c) OF THE ARTICLE 1 OF THE
DECISION C/DEC. 3/12/88 RELATING TO THE
ADOPTION OF THE REGULATIONS GOVERNING
MEDICAL EXPENSES**

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN,
FOR THE COUNCIL

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Council of Ministers Decision No. C/DEC. 3/12/88 dated 6th Day of December, 1988, on the regulations governing Medical Expenses of Community Institutions.

MINDFUL of the difficulties encountered by the Institutions of the Community in the application of the regulations;

ON THE RECOMMENDATION of the Seventh Meeting of Administration and Finance Commission in Lagos from 29 April to 8 May 1991;

DECIDES

Article 1

Paragraph 1.4(c) of Council Decision C/DEC. 3/12/88 relating to the adoption of the Regulations governing Medical Expenses is hereby amended by the introduction of the phrase "in the duty station" in the second sentence, and the addition of the sentence "requests for re-imburement of expenses incurred by dependants of staff resident outside the duty station shall be made within three months of the date of expenditure" at the end of the Paragraph to read as follows: -

Paragraph 1.4(c)

All requests for re-imburement shall be submitted to the Department of Administration or Finance depending on the practice in each institution. Such requests shall in a duty station; be made within one month (from the date of bill), along with relevant supporting documents (prescriptions, certificates, bills, receipts) where such expenditure was not incurred in a clinic or hospital of an approved physician.

Request for re-imburement of expenses incurred by dependants of staff resident outside the duty station shall be made within three months of the date of expenditure.

Article 2

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

**DECISION C/DEC. 12/7/91 ESTABLISHING THE
LIST OF INDUSTRIAL ENTERPRISES AND
PRODUCTS TO BENEFIT UNDER THE
LIBERALISATION OF TRADE BETWEEN ECOWAS
MEMBER STATES**

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and function;

MINDFUL of the Protocol relating to the concept of products originating from ECOWAS Member States and subsequent amendment acts and decisions;

MINDFUL of Decision A/DEC. 15/5/80 dated 28 May 1980 of the Authority of Heads of State and Government fixing the level of participation in the authorised capital of industrial enterprises wishing to benefit from preferential taxation under the intra-Community trade system.

MINDFUL of Decision A/DEC. 1/5/83 dated 28 May, 1983 of the Authority of Heads of State and Government on the adoption and implementation of a single trade liberalisation scheme for industrial products originating from Member States of the Community;

MINDFUL of Decision C/DEC. 3/5/80 dated 25 May, 1980 of the Council of Ministers and relating to proof and verification of the Community origin of products and the procedures applicable to the movement of goods within the Community;

MINDFUL of Decision C/DEC. 3/6/88 dated 21 June, 1988 of the Council of Ministers defining the procedure for approval of industrial products and enterprises eligible for the ECOWAS trade liberalisation scheme.

ON THE RECOMMENDATION of the Trade, Customs, Immigration, Money and Payments Commission meeting in Lagos from 22 to 26 April, 1991;

HEREBY DECIDES

Article 1

Industrial enterprises and goods conforming to the ECOWAS Rules of Origin and approved as being eligible for inclusion in the intra-Community trade liberalisation scheme are those contained in the list hereto attached.

Article 2

The list referred to in Article 1 may be amended or completed by the Council of Ministers, on the advice of the Trade, Customs, Immigration, Money and Payments Commission in accordance with the approved procedure stipulated by Decision C/DEC. 3/6/88 dated 21st June 1988.

Article 3

Member States and the Executive Secretariat shall take all measures necessary for the implementation of this Decision.

Article 4

The Executive Secretary shall give each enterprise concerned a number which must feature on the certificate of origin and on the ECOWAS Customs Declaration forms and inform Member States accordingly.

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

LISTE DES ENTREPRISES ET PRODUITS INDUSTRIELS AGREES
LIST OF AGREED ENTERPRISES AND INDUSTRIAL PRODUCTS

July 1991

Official Journal of the ECOWAS

Vol. 19

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ETAT MEMBRE D'EXPORT/ EXPORTING MEMBER STATE/COMPANY	No. NOMEN- CLATURE	PRODUIT/PRODUCT	No. D'AGREEMENT/APPROVAL NUMBER			
			CODE PAYS COUNTRY CODE	No. ENTERPRISE ENTERPRISE No	No. PRODUIT PRODUCT No	ANNEE YEAR
		DESIGNATION/ DESCRIPTION				
GHANA						
Aluworks Ltd.	76.06	Aluminium circles/Profilés en Aluminium	288	001	01	91
AMEEN Sangari Industries Ltd.	76.06	Corrugated Sheets/Tôles ondulées	288	001	02	91
	34.01	Soap/Savon	288	002	01	91
	15.11	Glycerine/ Glycerine	288	002	02	91
	15.07	Palm Oil/Huile de palme	288	002	03	91
Lever Brothers Ghana Ltd.	34.01	Soap (Key)/Savon (Key)	288	003	01	91
	34.01	Soap (Guardian)/Savon (Guardian)	288	003	02	91
	34.01	Soap (Sunlight)/ (Sunlight)	288	003	03	91
	15.02	Fry V. Oil/Suifs comestibles	288	003	04	91

LISTE DES ENTREPRISES FT PRODUITS INDUSTRIELS AGREES
LIST OF AGREED ENTERPRISES AND INDUSTRIAL PRODUCTS

ETAT MEMBRE D'EXPORT/ENTREPRISE EXPORTING MEMBER STATE/COMPANY	No. NOMEN - CLATURE	PRODUIT/PRODUCT DESIGNATION/ DESCRIPTION	No. D'AGREEMENT/APPROVAL NUMBER			
			CODE PAYS COUNTRY CODE	No. ENTREPRISE ENTERPRISE No.	No. PRODUIT PRODUCT No	ANNEE YEAR
NIGERIA Cadbury Nigeria Ltd.	19.02	Other preparation containing cocoa (Bournvita). Autres préparations alimentaires contenant du cacao	566	001	01	91
	11.04	Pounded Yam/ Farine d'igname	566	001	02	91
	17.04	Sugar confectionery, not containing cocoa/Sucreries sans cacao	566	001	03	91
	19.02	Other preparations containing cocoa (PRONTO)/Autres préparations alimentaires contenant du cacao	566	001	04	91
	20.02	Tomato puree (Tomapep)/ Purée Tomate	566	001	05	91

LISTE DES ENTREPRISES ET PRODUITS INDUSTRIELS AGREES
LIST OF AGREED ENTERPRISES AND INDUSTRIAL PRODUCTS

ETAT MEMBRE D'EXPORT/ENTERPRISE EXPORTING MEMBER STATE/COMPANY	No. NOMEN - CLATURE	PRODUIT/PRODUCT DESIGNATION/ DESCRIPTION	No. D'AGREEMENT/APPROVAL NUMBER			
			CODE PAYS COUNTRY CODE	No. ENTREPRISE ENTERPRISE No.	No. PRO PRODUCT No	ANNEE YEAR
BATA NIG. Ltd.	64.2	Other footwear of artificial plastic material/Autres chaussures en matière plastique	566	002	01	91
CMB TOYO GLASS Nigeria Ltd.	40.01	Crumb rubber/Latex de caoutchouc	566	002	02	91
	70.10	Glass containers/Containers en glasse	566	003	01	91
ABPLAST Products	39.07	Kitchen Ware and other household articles of plastic/ Articles de déménagement et d'économie domestique en matière plastique	566	004	01	91
SIERRA LEONE SierraLeone Enterprise Ltd.	22.02	Soft drinks/Boissons sucrées	694	001	01	91

DECISION C/DEC. 13/7/91 AUTHORIZING THE EXECUTIVE SECRETARY TO SIGN A TECHNICAL COOPERATION AGREEMENT BETWEEN THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES AND THE UNION OF PRODUCERS, CONVEYORS AND DISTRIBUTORS OF ELECTRIC POWER IN AFRICA (UPDEA)

THE COUNCIL OF MINISTERS.

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 48 of the ECOWAS Treaty on cooperation in the energy and mineral resources sectors;

MINDFUL of Decisions A/DEC. 3/5/81 and A/DEC. 3/5/82 of the Authority of Heads of State and Government of ECOWAS Member States;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission, meeting in Lagos from 2 to 8 April, 1991;

DECIDES

1. The Executive Secretary is hereby authorised to sign a technical cooperation agreement between the Economic Community of West Africa States (ECOWAS) and the Union of Producers, Conveyors and Distributors of Electric Power in Africa (UPDEA) in the area of interconnexion of electricity grids in the sub-region.
2. This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991.



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

3. RESOLUTIONS

(a) OF THE COUNCIL OF MINISTERS.

RESOLUTION C/RES. 1/7/91 RELATING TO NEGOTIATIONS WITH CONSORTIUM D'ENTREPRISE (C.D.E.) IN RESPECT OF DELAYS IN THE CONSTRUCTION OF THE ECOWAS FUND HEADQUARTERS IN LOME

THE COUNCIL OF MINISTERS.

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 relating to the Construction of Headquarters of the Institutions of the Community, which established an Ad Hoc Ministerial Committee to monitor activities connected with the construction of Community Headquarters;

MINDFUL of Decision A/DEC. 4/7/86 relating to the financing of the ECOWAS Fund in LOME which fixed the total cost of the ECOWAS Fund Headquarters at five billion CFA Francs (CFA Francs 5,000,000,000)

MINDFUL of Decision A/DEC. 3/6/88 relating to Financing of Extra Works in respect of the Construction of the Headquarters of the ECOWAS Fund in LOME;

MINDFUL of Decision A/DEC. 3/6/89 Relating to the Interior Design and Decoration of the ECOWAS Fund Headquarters in Lome which fixed the total cost of the Interior Design and Decoration of the ECOWAS Fund Headquarters at one billion, three hundred and ten million Francs CFA (CFA 1,310,000,000).

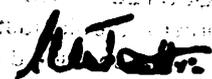
MINDFUL of contract dated 15th October 1986 between the ECOWAS Fund and Consortium d'Entreprise (C.D.E) for the construction of the ECOWAS Fund Headquarters;

UPON the recommendation of the Ad Hoc Ministerial Committee for the Construction of the Headquarters of Community Institutions at its meeting held at ABUJA from 29 to 30 June 1991;

PROPOSES TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

TO ADOPT the attached Draft Decision Relating to Negotiations with Consortium d'Entreprise (C.D.E) in respect of delays in the construction of the ECOWAS Fund Headquarters in LOME.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DRAFT DECISION A/DEC. 5/7/91 RELATING TO NEGOTIATIONS WITH CONSORTIUM D'ENTREPRISE (C.D.E) IN RESPECT OF DELAYS IN THE CONSTRUCTION OF THE ECOWAS FUND HEADQUARTERS IN LOME

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 relating to the construction of Headquarters of the Institutions of the Community, which established an Ad Hoc Ministerial Committee to monitor activities connected with the construction of Community Headquarters;

MINDFUL of Decision A/DEC. 4/7/86 relating to the financing of the ECOWAS Fund in LOME which fixed the total cost of the ECOWAS Fund Headquarters at five billion CFA Francs (CFA Francs 5,000,000,000);

MINDFUL of Decision A/DEC. 3/6/88 relating to Financing of Extra Works in respect of the Construction of the Headquarters of the ECOWAS Fund in Lome;

MINDFUL of Decision A/DEC. 3/6/89 Relating to the Interior Design and Decoration of the ECOWAS Fund Headquarters in Lome which fixed the total cost of the Interior Design and Decoration of the ECOWAS Fund Headquarters at one billion, three hundred and ten million Francs CFA (CFA 1,310,000,000).

MINDFUL of Contract dated 15th October 1986 between the ECOWAS Fund and Consortium d'Entreprise (C.D.E.) for the construction of the ECOWAS Fund Headquarters;

CONSIDERING the report of the Twenty-Ninth Session of the Council of Ministers held in ABUJA from 30 June to 2 July 1991.

DECIDES

Article 1

The ECOWAS Fund should continue discussions with Consortium d'Entreprise (CDE) with a view to achieving an amicable settlement.

Article 2

A Sub-Committee of experts of the Ad Hoc Ministerial Committee for the Construction of the Headquarters of Community Institutions (Benin, Nigeria and Togo) made up of engineers and architects of high professional competence and impeccable character as well as the Control Bureau, SOCOTEC TOGO, shall conduct an assessment to determine the liquidated damages that might be charged to Consortium d'Entreprise on the one hand and liquidated damages that the ECOWAS Fund might have caused to Consortium d'Entreprise on the other hand.

Article 3

After the assessment mentioned in Article 2, a Sub-Committee of the Ad Hoc Ministerial Committee for the Construction of the Headquarters of Community Institutions, assisted by the Managing Director of the ECOWAS Fund, should negotiate with Consortium d'Entreprise an amicable agreement that is satisfactory to both parties and in the best interest of the Community.

Article 4

The outcome of the negotiations shall be submitted to the Ad Hoc Ministerial Committee on the Construction of headquarters of Community Institutions at its November 1991 session.

Article 5

The Chairman of the Council of Ministers, the Chairman of the Board of Directors of the ECOWAS Fund and the Managing Director of the ECOWAS Fund shall liaise with the Honourable Minister of Senegal responsible for ECOWAS Affairs to take all measures necessary to speed up the settlement of the dispute between the ECOWAS Fund and Consortium d'entreprise.

Article 6

The Chairman of the Council of Ministers is hereby authorised to implement any possible agreement that may be concluded between the ECOWAS Fund and Consortium d'Entreprise, after such agreement shall have been approved by the Council of Ministers.

Article 7

In the case of failure by the ECOWAS Fund and Consortium d'Entreprise to settle their dispute, the matter shall be settled through arbitration in accordance with Article 27 of the contract signed between the ECOWAS Fund and Consortium d'Entreprise on 15 October 1986 for the construction of the ECOWAS Fund Headquarters.

Article 8

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN,
FOR THE AUTHORITY

**RESOLUTION C/RES. 2/7/91 ON THE
ESTABLISHMENT OF A SPECIAL EMERGENCY
FUND FOR THE INTERIM ELECTIONS
COMMISSION FOR LIBERIA**

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the Treaty of ECOWAS establishing the Council of Ministers and defining its composition and functions;

CONSIDERING that the All Liberian National Conference held in Monrovia from 15 March to 20 April 1991 established an Interim Elections Commission;

CONVINCED that the organisation of free and fair elections leading to the installation of a democratically-elected government envisaged in the ECOWAS Peace Plan for Liberia is of primordial importance in the quest for lasting peace in Liberia;

CONSIDERING the obvious need to provide the Interim Elections Commission of Liberia with the resources necessary to ensure the independence and freedom required to guarantee its integrity and impartiality;

AWARE of the financial difficulties confronting the Interim Government of Liberia;

PROPOSES to the Authority of Heads of State and Government to approve and adopt the attached draft decision on the establishment of a Special Fund for the Interim Elections Commission of Liberia.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



H. E. MBEMBA JATTA
CHAIRMAN,
FOR THE COUNCIL

**DRAFT DECISION A/DEC. 6/7/91 ON THE
ESTABLISHMENT OF A SPECIAL EMERGENCY
FUND FOR THE INTERIM ELECTORAL
COMMISSION FOR LIBERIA**

**THE AUTHORITY OF HEADS OF STATE AND
GOVERNMENT,**

MINDFUL of Article 5 of the Treaty of ECOWAS establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING that the All Liberian National Conference held in Monrovia from 15 to 20 March 1991 established an Interim Electoral Commission;

CONVINCED that the conduct of free and fair elections leading to the installation of a democratically-elected government is of primordial importance in the quest for lasting peace in Liberia;

CONSIDERING the obvious necessity to provide the Interim Electoral Commission with the resources necessary to ensure the independence and freedom required to guarantee its integrity and impartiality;

AWARE of the financial difficulties confronting the Interim Government of Liberia;

DECIDES

Article 1

There is hereby established a Special Emergency Fund for the Interim Electoral Commission in Liberia.

Article 2

The resources of the Special Emergency Fund shall be derived from Voluntary contributions by Member States of the Community, other African countries and donor institutions and governments from outside the sub-region.

Article 3

1. Each Member State is strongly urged to make a special effort to contribute to the resources of the Special Emergency Fund.
2. An urgent appeal is hereby made to donor institutions and governments outside Africa to make generous contributions to the Special Emergency Fund in support of efforts being made by ECOWAS to restore peace and security to Liberia.

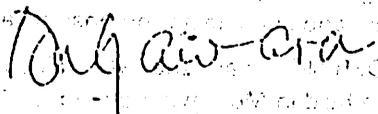
Article 4

The Interim Elections Commission of Liberia shall administer the Special Emergency Fund. The Executive Secretariat shall open a special account for the Fund and shall transfer the monies of the Fund to the Interim Elections Commission of Liberia.

Article 5

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY 1991



H.E. ALHAJI DAWDA KAIRABA JAWARA
 CHAIRMAN
 FOR THE AUTHORITY.

RESOLUTION C/RES. 3/7/91 ON THE CONSTITUTION OF AN ECOWAS OBSERVER GROUP TO MONITOR THE ELECTORAL PROCESS IN LIBERIA

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions

CONSIDERING that Decision A/DEC. 2/11/90 dated 28 November 1990, adopting an ECOWAS Peace Plan for Liberia and the entire West African sub-region, provides for the supervision of elections leading to the establishment of a democratically-elected government in Liberia;

AWARE of the need to constitute an ECOWAS Observer Group to monitor the holding of free and fair elections in Liberia;

HEREBY proposes to the Authority of Heads of State and Government;

TO APPROVE and adopt the attached draft decision on the constitution of an ECOWAS Observer Group to monitor the electoral process in Liberia.

DONE AT ABUJA, THIS 3RD DAY OF JULY, 1991



HON. MBEBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

DRAFT DECISION A/DEC. 7/7/91 ON THE CONSTITUTION OF AN ECOWAS OBSERVER GROUP TO MONITOR THE ELECTORAL PROCESS IN LIBERIA

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING that Decision A/DEC. 2/11/90 dated 28 November 1990, adopting the ECOWAS Peace Plan for Liberia provides for the conduct and supervision of elections leading to the establishment of a democratically-elected government in Liberia;

AWARE of the need to constitute an ECOWAS Observer Group to monitor the conduct and supervision of the elections in Liberia in order to ensure that they are free and fair;

DECIDES

Article 1

1. There is hereby constituted an ECOWAS Observer Group to monitor the conduct and supervision of the presidential and general elections in the Republic of Liberia in order to ensure that they are free and fair.

Article 2

Each Member State shall be responsible for the expenses incurred by the participation of its representative in the work of the Observer Group.

Article 3

The Executive Secretary shall be responsible for the effective implementation of this decision and shall present a report of the Observer Group at the session of the Authority of Heads of State and Government following the elections;

Article 4

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA ON 6TH JULY, 1991



H. E. ALHAJI DAWDA KAIRABA JAWARA
 CHAIRMAN
 FOR THE AUTHORITY

RESOLUTION C/RES. 4/7/91 RELATING TO THE DEVELOPMENT OF TOURISM IN ECOWAS MEMBER STATES

THE COUNCIL OF MINISTERS.

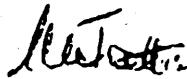
MINDFUL OF Article 6 of the ECOWAS Treaty, establishing the Council of Ministers and defining its composition and functions; and

CONSIDERING the recommendation of the Second Meeting of the Ministers of Tourism held in Dakar, Republic of Senegal from 18 to 19 February 1991;

REQUESTS the Member States:

2. The ECOWAS Observer Group shall be composed of one representative from each Member State.
 1. To enlighten national tour operations and encourage them to form professional associations at national level and later at community level. The national tour operators should function as advisory and coordinating bodies for the promotion and development of tourism in the sub-region.
2. To establish national facilitation committees whose composition shall be determined by the Member States themselves.
3. To enlighten the population, in particular the youth, and teach them to respect and value their environmental heritage, in order to achieve harmonious development of tourism in Member States.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

RESOLUTION C/RES. 5/7/91 RELATING TO THE AMENDMENT OF ARTICLE 14 OF DECISION A/DEC. 19/5/80 DATED 28 MAY, 1980 ON THE APPLICATION OF COMPENSATION PROCEDURES FOR LOSS OF REVENUE INCURRED BY MEMBER STATES AS A RESULT OF THE LIBERALISATION OF INTRA-COMMUNITY TRADE

THE COUNCIL OF MINISTERS.

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

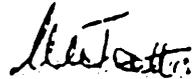
MINDFUL of Decision A DEC. 9 5 80 dated May, 1980, on the application of compensation procedures for loss of revenue incurred by Member States as a result of the liberalisation of trade;

ON THE RECOMMENDATION of the Trade, Customs, Immigration, Money and Payments Commission, at its meeting held in Lagos from 22 to 26 April, 1991;

PROPOSES TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT:

to adopt the attached draft decision amending Article 14 of Decision A DEC. 19 5 80, on the application of Compensation Procedures for loss of revenue incurred by Member States as a result of the liberalisation of intra-Community trade.

DONE AT ABUJA, THIS 3RD DAY OF JULY, 1991



HON. MBEMBA JATTA
CHAIRMAN,
FOR THE COUNCIL

DRAFT DECISION A/DEC. 8/7/91 AMENDING ARTICLE 14 OF DECISION A/DEC. 19/5/80 DATED 28 MAY, 1980, ON THE APPLICATION OF COMPENSATION PROCEDURES FOR LOSS OF REVENUE INCURRED BY MEMBER STATES AS A RESULT OF THE LIBERALISATION OF INTRA-COMMUNITY TRADE

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 5 of the Treaty of the Economic Community of West African States establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 9/5/80 dated 28 May, 1990, on the application of compensation procedures for loss of revenue incurred by Member States as a result of the liberalisation of trade;

CONSIDERING of Resolution C/RES. 5/7/91 adopted at its Ninth Session held in Abuja from 30 June to 3 July, 1991;

DECIDES

Article 1

Article 14 of Decision A/DEC. 19/5/80 dated 28 May, 1980, on the application of compensation procedures for loss of revenue incurred by ECOWAS Member States as a result of trade liberalisation is hereby amended as follows:—

Article 14

Chapter IV — Modalities and Dates for Payment

Payment of compensation shall be made within 30 days after the end of each quarter upon submission of applications for compensation, and subject to approval of said application.

The time limit for submission of claims in respect of compensation shall be three (3) years, beginning from the end of the fiscal year concerned.

Article 2

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the Official Gazette of each Member State.

DONE AT ABUJA, THIS 6TH DAY OF JULY, 1991



H.E. ALHAJI DAWDA KAIRABA JAWARA
CHAIRMAN,
FOR THE AUTHORITY

RESOLUTION C/RES. 6/7/91 ON FINANCIAL SUPPORT FROM THE COMMUNITY FOR INDUSTRIAL AGRICULTURAL AND NATURAL RESOURCES, PROGRAMMES AND PROJECTS

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING the importance of agriculture, industry and natural resources for the economies of Member States;

CONSIDERING THE NEED TO SUPPORT THE Secretariat in its efforts to achieve effective development in these sectors within the sub-region;

ON THE RECOMMENDATION of the Industry, Agriculture and Natural Resources Commission.

STRONGLY URGES ECOWAS Member States to give financial support to Community industrial, Agricultural and natural resources programmes and projects, in order to achieve effective development in these sectors.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

RESOLUTION C/RES. 7/7/91 URGING MEMBER STATES TO TAKE INTO ACCOUNT ECOWAS DECISIONS DURING NEGOTIATIONS FOR THE FINANCING OF TRANSPORT PROJECTS

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 20/5/80 of the Authority of Heads of State and Government relating to the Transport Programmes of the Community;

MINDFUL of the provisions of Article 40 of the ECOWAS Treaty on the Common Transport and Communications policy of Member States;

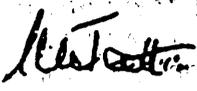
AWARE of the need to observe the standards set by the Decision-making Organs of the Community during construction of Transport infrastructures;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

REQUESTS MEMBER STATES

To take all relevant ECOWAS decisions into account during negotiations for the financing of their Transport projects.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991


HON. MBEMBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

RESOLUTION C/RES. 8/7/91 RELATING TO ROUTE NETWORK AND FLIGHT SCHEDULES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 44 of the ECOWAS Treaty which provides for coordination amongst Member States in all matters of Air Transport;

CONSCIOUS of the need to coordinate and improve the Route Network and Flight Schedules in the Sub-Region;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

REQUESTS MEMBERS STATES TO:

1. Conclude among themselves bilateral air transport agreements in order to facilitate the economic and political integration of the Sub-Region; and
2. To negotiate among themselves the 5th Freedom Traffic Rights for better operations along the existing or projected air routes.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991


HON. MBEMBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

RESOLUTION C/RES. 9/7/91 RELATING TO THE REGISTRATION OF VEHICLES FROM ECOWAS MEMBER STATES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A DEC. 2 5 81 relating to the harmonisation of highway legislations in the Community;

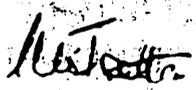
AWARE of the necessity to associate all relevant services in the search for solutions to the transport problems for better efficiency;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

REQUESTS MEMBER STATES

To seek information from relevant Authorities in the State to original registration of a vehicle from an ECOWAS Member State regarding the authenticity of its vehicle documents before it is registered. Such vehicles may only be registered where no reply is received from the country of original registration after six months.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991


HON. MBEMBA JATTA
 CHAIRMAN
 FOR THE COUNCIL

RESOLUTION C/RES. 10/7/91 APPEALING TO MEMBER STATES TO MAKE ANNUAL BUDGETARY PROVISIONS TO HOST TRANSPORT MEETINGS

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

AWARE of the need for a fair and equitable distribution of the benefits of cooperation among Member States;

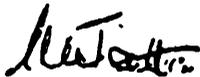
CONVINCED that it is necessary to pool together all expertise in order to increase efficiency and find solutions to Transport problems within the Community;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

REQUESTS MEMBER STATES

To make budgetary provisions on their annual budgets to host Transport Meetings.

DONE AT ABUJA, THIS 3RD DAY OF JULY, 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

4. DIRECTIVE

(a) OF THE COUNCIL OF MINISTERS

DIRECTIVE C/DIR. 1/7/91 TO SPONSOR EXPERTS OF WORKING GROUPS

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

AWARE of the need to associate all authorities in the search for solution to ECOWAS problems and for better efficiency;

CONSCIOUS of the important role played by national experts in Working Groups;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission;

DIRECTS THE EXECUTIVE SECRETARIAT

To include a budgetary allocation in its annual operational budget for the sponsorship of experts of Working Groups.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DIRECTIVE C/DIR. 2/7/ 91 ON THE PREPARATION OF A STUDY ON A COMMUNITY PROGRAMME FOR THE PRODUCTION, SUPPLY AND DISTRIBUTION OF PETROLEUM, PETROLEUM PRODUCTS AND GAS

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 48 of the Treaty relating to cooperation in the energy and mineral resources sectors;

MINDFUL of Decisions A/DEC. 3/5/81 and A/DEC. 3/5/82 of the ECOWAS Authority of Heads of State and Government on the ECOWAS Energy Programme and the ECOWAS Energy Policy respectively;

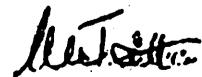
ON THE RECOMMENDATION of the Transport, Communications and Energy Commission, meeting in Lagos from 2 to 8 April 1991

DIRECTS

The Executive Secretariat to prepare a study on a Community Programme for the Production, Supply and Distribution of Petrol, Petroleum Products and Gas, which study shall identify the modalities of implementing this programme.

This Directive shall take effect from the date of signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY



HON. MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DIRECTIVE C/DIR. 3/7/91 ON THE RESTRUCTURING OF THE ECOWAS/UNESCO NEW AND RENEWABLE ENERGY INFORMATION PILOT PROJECT

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 48 of the ECOWAS Treaty on cooperation in the area of energy and mineral resources;

MINDFUL of Decisions A/DEC. 3/5/81 and A/DEC. 3/5/82 of the ECOWAS Authority of Heads of State and Government on the ECOWAS energy programme and policy respectively;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission which met in Lagos from 2 to 8 April 1991;

1. Directs that the ECOWAS/UNESCO new and renewable energy information pilot project be restructured by the Executive Secretariat in collaboration with the CRES, CILSS and CEAO to cover all sixteen ECOWAS Member States.

2. This Directive takes effect upon signature and shall be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON MBEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

DIRECTIVE C/DIR. 4/7/91 ON THE STUDY ON THE RENEWABLE ENERGY EQUIPMENT REQUIREMENTS OF ECOWAS MEMBER STATES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 48 of the ECOWAS Treaty on cooperation in the area of energy and mineral resources;

MINDFUL of Decisions A DEC. 3 5 81 and A DEC. 3/5/82 of the ECOWAS Authority of Heads of State and Government on the ECOWAS energy programme and policy respectively;

ON THE RECOMMENDATION of the Transport, Communications and Energy Commission which met in Lagos from 2 to 8 July April 1991;

1. DIRECTS that the Executive Secretariat undertake a study on the renewable energy equipment requirements of ECOWAS Member States, and a prefeasibility study for the establishment of a renewable energy equipment production plant within the Community.

2. This DIRECTIVE shall take effect upon signature and shall be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, THIS 3RD DAY OF JULY 1991



HON. MEMBA JATTA
CHAIRMAN
FOR THE COUNCIL

5. FINAL COMMUNIQUE

FINAL COMMUNIQUE OF THE FOURTEENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT ABUJA, JULY, 1991

The Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) held its Fourteenth Ordinary Session in Abuja, Federal Republic of Nigeria from 4 to 6 July, 1991 under the Chairmanship of His Excellency Alhaji Sir Dawda Kairaba Jawara, President of the Republic of The Gambia.

2. Present at the Summit were the following Heads of State and Government or their duly accredited representatives:

-- His Excellency Nicephore Dieudonné SOGLO, President of the Republic of BENIN.

-- His Excellency Captain Blaise COMPAORE, President of FASO, Head of Government BURKINA FASO

- His Excellency Alhaji Sir Dawda Kairaba JAWARA, President of the Republic of THE GAMBIA.

- His Excellency General Lansana CONTE, Chairman of the Transitional Council for National Recovery, President of the Republic of GUINEA.

- His Excellency General Joao Bernardo VIEIRA, President of the Council of the State of the Republic of GUINEA BISSAU,
 - His Excellency Dr. Amos C. SAWYER President of the Interim Government of National Unity of the Republic of LIBERIA.
 - His Excellency Lt.-Col. Amadou Toumani TOURE, Chairman of the People's Redemption Transitional Committee Head of State of the Republic of MALI.
 - His Excellency General Ibrahim Badamasi BABANGIDA, President, Commander-in-Chief of the Armed Forces of the Federal Republic of NIGERIA.
 - His Excellency Abdou DIOUF, President of the Republic of SENEGAL.
 - His Excellency Major-General Dr. Joseph Saidu MOMOH, President of the Republic of SIERRA LEONE.
 - Honourable Carlos Wahanon de Carvalho VEIGA, Prime Minister and Minister of Defence, representing the President of the Republic of CAPE VERDE.
 - Honourable Mahamidou ALIOU, Prime Minister, representing the President of the Republic of NIGER.
 - Honourable Essy AMARA, Minister of Foreign Affairs, representing the President of COTE D'IVOIRE.
 - Honourable Alhaji Mahama IDDRISSU, Member of the Provisional National Defence Council (PNDC), representing the Head of State of the Republic of GHANA.
 - Honourable Sidi Mohamed Ould BOUBACAR, Minister of Finance, representing the President of the Islamic Republic of MAURITANIA.
 - Honourable Bitokotipou YAGNINIM, Attorney-General and Minister of Justice, representing the President of the TOGOLESE Republic.
3. Attending the Fourteenth Session as observers were:
- The Secretary-General of the Organisation of African Unity (OAU).
 - The Executive Secretary of the Economic Commission for Africa (ECA).
 - The Executive Secretary of the West African Clearing House (WACH).
 - The President of the Federation of West African Chambers of Commerce (FWACC).
 - The President of the West African Women's Association (WAWA).
 - The Executive Secretary of the African Groundnut Council (AGC).
 - The President of the West African Development Bank (BOAD).
 - The President of the Federation of West African Manufacturers' Association (FEWAMA).
 - The Governor of the Central Bank of West African States (BCEAO).
 - The Representative of the United Nations Development Programme (UNDP).
 - The Representative of the African Development Bank (ADB).
 - The Representative of the West African Economic Community (CEAO).
 - The Representative of ECOBANK.
 - The Representative of the Pan-African News Agency (PANA).
 - The Representative of the United Nations High Commission for Refugees (UNHCR).
 - The Representative of the World Bank.
 - The Representative of the International Monetary Fund (IMF).
 - The Representative of the European Economic Community (EEC).
 - The Representative of the United Nations Conference on Trade and Development (UNCTAD).
 - The Representative of the Food and Agriculture Organisation (FAO).
 - And a large number of High Commissions and Ambassadors accredited to the Federal Republic of Nigeria.
- COMMISSIONING OF THE COMMUNITY HEADQUARTERS BUILDING**
4. The Fourteenth Session of the Authority was preceded by the formal commissioning in the morning of 4th July, 1991, of the new Executive Secretariat and Conference Complex of the ECOWAS Headquarters at Asokoro in Abuja. In his address before commissioning the Complex, the Chairman of the Authority, His Excellency Alhaji Sir Dawda Kairaba Jawara, President of the Republic of The Gambia expressed the immense

pride and satisfaction of the entire Community for this achievement. The Chairman of the Authority stated that the magnificent ultra-modern edifice would be a source of inspiration to all Community citizens to strive harder towards the realisation of West African integration.

THE WEST AFRICAN ECONOMY

5. The Authority of Heads of State and Government, in its review of the economic situation in West Africa, noted that the 1990 growth rate of the sub-regional economy estimated at 3.5 per cent was only slightly higher than that of population growth. This modest economic performance was due mainly to the freak rise in export prices of crude oil during the second half of 1990. Generally, fragility continued to characterise the economies of Member States. Grave concern was expressed by the Authority over the fact that current total output was still well below the 1980 level of production, when the effects of the world economic crisis began to be severely felt. Setting this slow pace of economic recovery in West Africa against the inexorable rise in population, the inevitable result of continued deterioration in the standard of living of the average West African was generally acknowledged.

6. The Authority was particularly concerned that the economic situation had remained difficult in spite of the austere reform measures applied over the years by all Member States and the enormous socio-economic sacrifices their citizens have had to make. The Authority noted that, despite its earlier appeal to West African creditors for absolute debt reduction, the external debt of the sub-region had continued to grow, and had exceeded \$70 billion at the end of 1990. It was, therefore, stressed that unless ECOWAS Member States, most of whom are least developed, were granted substantial debt relief, their efforts at economic recovery would continue to yield minimal results.

7. The Authority acknowledged that, in order to overcome the economic difficulties of Member States, remunerative prices must be obtained for their agricultural, mineral and other raw material exports. Without this, no real economic development could be achieved by the Member States of the sub-region in particular and Africa in general. The Authority therefore appealed for collective action by the Member States of the sub-region so that together they could fight for remunerative prices for their raw materials.

8. The Heads of State and Government expressed their satisfaction that, in line with the previous recommendation of the Authority, a number of Member States in 1990 had adopted longer-term development programmes. The Authority welcomed the proposal by ECOWAS Ministers of Planning and Finance to review national structural adjustment programmes for the purpose of ensuring that regional and long-term aspects of economic reforms were incorporated in future programmes. The Heads of State and Government also welcomed the growing acceptance by the international multilateral institutions of the need to support regional cooperation initiatives. The Authority consequently

directed the Community Institutions to ensure that assistance from these sources contribute meaningfully to the regional integration and development process.

REVIEW OF POLITICAL DEVELOPMENTS

9. The Authority considered the many dramatic and fundamental changes taking place in the international political and economic landscape, particularly the replacement of the communist regimes of Eastern Europe by democratically elected governments, and the introduction of market-oriented economies.

10. The Heads of State and Government also considered the wave of popular expressions of demands for political pluralism sweeping throughout Africa. They noted that an increasing number of countries were now accepting political pluralism and were making necessary adjustments to the body politic to accommodate change. The authority further acknowledged the renewed pre-occupation everywhere with the reassertion of the fundamental and inalienable rights and freedoms of the individual. In the face of all these developments, the Heads of State and Government reaffirmed their common belief in these principles and agreed to subscribe to a Declaration of Political Principles which is annexed to this Communiqué.

IMPLEMENTATION OF COMMUNITY ACTS AND DECISIONS

11. The Authority reviewed the West African integration process, particularly the activities of the Community during the past year. It expressed satisfaction that substantial progress had been achieved over the year with regard to the ratification of ECOWAS Protocols and Conventions. In this regard, it noted that 23 out of 26 Protocols had definitively entered into force, having received the requisite number of ratifications. The Authority commended the Member States which had ratified all the Protocols and Conventions of the Community and urged those which had not yet completed the process, to endeavour to do so without further delay.

12. The Authority, however, expressed its general dissatisfaction at the slow pace of implementation of Community Acts and Decisions at the national level. Special concern was expressed over the persistence of the problems impeding the implementation of ECOWAS cooperation programmes in Member States, particularly such Community priority programmes as the trade liberalisation scheme, trade related programmes and the immigration programme. Heads of State and Government therefore decided that all Member States should take urgent action to accelerate the implementation of these programmes. The Authority also urged that the highest national priority should be accorded to regional integration and that the necessary national legislative and administrative action be taken to give effect to Community Acts and Decisions.

It was agreed that each Member State would report at the next Summit meeting of the Authority on the level of implementation of Community Acts and Decisions at the national level.

FINANCIAL CONTRIBUTIONS OF MEMBER STATES

13. After an assessment of the degree of compliance with its decision on the re-scheduled payment of Member States' financial contributions, the Authority commended the effort made during the year to clear outstanding arrears for 1990. While recognising the budgetary difficulties facing the Governments of Member States, the Authority urged all Member States to endeavour to settle all their outstanding arrears of contributions to the Institutions of the Community in order to avoid the application of sanctions.

REVITALISATION AND STRENGTHENING OF ECOWAS

(a) Rationalisation of West African IGOs

14. The Authority re-affirmed its decision to rationalise the institutional arrangements for the integration of West Africa. To this end, the Authority designated ECOWAS as the single economic community in West Africa for the purpose of regional integration and the realisation of the objectives of the African Economic Community. Consequently, the Authority requested the highest decision-making body of each West African inter-governmental organisation (IGO) to re-affirm its commitment to ECOWAS as the single economic community for West Africa and to direct their respective Chief Executives to work in close collaboration with the ECOWAS Executive Secretary to achieve the objectives of the rationalisation exercise.

15. The Authority directed that a study involving both ECOWAS and the other West African IGOs be conducted to formulate a pragmatic and flexible plan of rationalisation. The Heads of State and Government agreed to progressively renounce, in accordance with the said plan, the pursuit of the realisation of the economic community objectives within any other West African IGOs. Member States solemnly undertook to employ all measures necessary within such IGOs to give substance and practical meaning to this renunciation.

(b) Review of the ECOWAS Treaty

16. The Authority took note of the report that the Committee of Eminent Persons set up to review the ECOWAS Treaty had been constituted and that, under the Chairmanship of General Dr. Yakubu Gowon, it had started its work in Abuja on May 26 1991. The Authority directed that every effort should be made by the Committee to submit the results of its work to the Authority's Session in 1992.

(c) Implementation of the Protocol on Mutual Assistance in Defence

17. The Authority reaffirmed that peace and stability were essential to progress in regional economic integration efforts. Recalling therefore that the Protocol on Mutual Assistance in Defence signed in Freetown in 1981 had envisaged a defence mechanism, the Authority mandated the Executive Secretary to implement it after obtaining the necessary financial provision from the Council of Ministers when it meets at the end of this year.

(d) Meetings of ECOWAS Foreign Ministers

18. In recognition of the growing need to address the political dimensions of regional integration, the Authority decided that a meeting of ECOWAS Ministers of Foreign Affairs be held as and when necessary. The Authority directed that ECOWAS Foreign Ministers should report regularly through the Council of Ministers on political issues and on relations among Member States and between the Community and the rest of the world. The Authority called on Member States to ensure that they are always represented on the Council of Ministers by two Ministers. The Executive Secretary was requested to bring the matter of the composition of the Council of Ministers to the attention of the Committee of Eminent Persons for the Review of the ECOWAS Treaty.

(e) Enhancement of the Financial Resources of the ECOWAS Fund

19. Recalling its earlier decisions on the enhancement of the financial resources of the ECOWAS Fund, the Authority agreed that the initial work on this matter be undertaken by the Fund, involving the preparation of the promotional project document, the evaluation of the assets of the Fund and the preparation of new legal texts basing itself on the ROCs Report and the earlier decisions of Council and the Authority. It was also agreed that the Ad Hoc Ministerial Committee should supervise this exercise.

THE LIBERIAN SITUATION

(a) Standing Mediation Committee

20. The Authority took note of the report presented by the Chairman of the Standing Mediation Committee and commended the members for their tireless and painstaking efforts to bring peace and normalcy to Liberia, and for the immense sacrifices they were making on behalf of the Community, both in human and material terms. The Authority also commended the men in ECOMOG for their effective peace-keeping role in Liberia, in the face of great odds and difficulties.

(b) The Yamoussokro Meeting

21. The Authority received a report on a meeting held in Yamoussokro on 29 and 30 June 1991 by the Heads of State and Government of Burkina Faso, Côte d'Ivoire,

The Gambia, Nigeria and Togo at the invitation of His Excellency Felix Houphouët-Boigny, President of Côte d'Ivoire. The Authority paid homage to President Houphouët-Boigny for his initiative and expressed the hope that the spirit of reconciliation born out of the Yamoussokro meeting would make it possible for a final solution to be found to the Liberian crisis and for lasting peace to be re-established for the welfare of the peoples of the sub-region in particular and Africa in general.

22. The Authority welcomed the establishment by the Yamoussokro Meeting of a Five-Member Committee comprising the Heads of State of Côte d'Ivoire, The Gambia, Guinea-Bissau Senegal and Togo under the Chairmanship of His Excellency President Houphouët-Boigny as an adjunct to the Standing Mediation Committee. The Authority agreed that this Five-Member Committee would work within the framework of the ECOWAS Peace Plan and in this regard commended to it the established practice of the Standing Mediation Committee in inviting the countries neighbouring Liberia to its meetings.

23. The Five-Member Committee would have as its mandate the monitoring of the non-violation of the cease-fire as well as the electoral process leading to the holding of presidential and general elections in Liberia within six months.

24. To this end, the Authority endorsed the request made by the Yamoussokro Meeting to Mr. Jimmy Carter, former President of the United States, for the assistance of the International Negotiations Network (INN) in monitoring the electoral process. It was also agreed that the Interim Government of Liberia and the National Patriotic Front of Liberia should undertake to maintain security in the respective zones under their control until the beginning of the electoral process.

25. The Authority stressed the need for the Five-Member Committee to ensure that a proper environment conducive to the holding of free and fair elections is firmly established in Liberia before the elections are held; such environment includes the effective supervision and control of the armed forces belonging to each of the parties, the facilitation of the repatriation and resettlement of Liberian refugees prior to the elections, and the effective restoration of conditions necessary to guarantee free movement of persons and unfettered campaigning by the political parties. Considering that the elections are envisaged to be held within a period of six months, the Authority requested the Committee of Five to do everything possible to expedite the creation of these necessary conditions. Recalling the fact that the All-Liberian National Conference had agreed on the composition of the Interim Elections Commission, the Authority requested the Interim Government of Liberia to expedite the constitution of the Commission to enable it commence its work.

26. The Authority reaffirmed its belief in the need for other ECOWAS Member States to respond without

further delay to the appeal made at its Extraordinary Session in Bamako by contributing troops to strengthen the capacity of ECOMOG so that it could more effectively discharge its peace-keeping functions and responsibilities in Liberia.

(c) ECOWAS Observer Group for the Liberian Elections

27. As a contribution of the Community towards guaranteeing democratic free and fair elections in Liberia, the Authority established an ECOWAS Observer Group for the proposed Liberian elections. Each ECOWAS Member State was invited to nominate a representative to the Group and to meet the cost involved.

(d) Establishment of Special Fund for Liberian Elections Commission

28. The Authority took note of the creation of an Interim Electoral Commission by the All-Liberian National Conference held in Monrovia in March, 1991. It was considered necessary that the Electoral Commission should enjoy independence and freedom necessary to assure its integrity and inspire public confidence. The Authority therefore established a Special Emergency Fund for the Interim Elections Commission for Liberia. The resources of the Fund would be derived from voluntary contributions and would be administered by the Interim Elections Commission of Liberia. The Authority strongly urged Member States and other African countries, to contribute to the Fund. A special appeal was also made to donor institutions and governments outside Africa to make generous contributions to this Fund.

(e) Establishments of an ECOWAS Trust Fund for Liberia

29. The Authority recognised the enormous task of reconstruction that the Republic of Liberia has to undertake as a result of the total collapse of its economic and social infrastructure. In order to assist the people of Liberia in this formidable task of reconstruction, the Authority established an ECOWAS Trust Fund for the Rehabilitation and Reconstruction of Liberia. The resources of the Trust Fund would be generated through voluntary contributions. The Authority appealed for generous contributions from all Member States and other African countries as well as from the rest of the international community.

AGGRESSION AGAINST THE REPUBLIC OF SIERRA LEONE

30. The Authority condemned the recent violation of the sovereignty and territorial integrity of the Republic of Sierra Leone and all Member States were exhorted to give every necessary assistance — financial, human and material — to the Government and people of Sierra Leone in their effort to repulse the invasion and preserve the territorial integrity of their fatherland.

ADOPTION OF STATUTES OF COMMUNITY COURT OF JUSTICE

31. The Authority acknowledged that the scope and degree of regional integration ECOWAS had embarked on now required the setting up of a Community Court of Justice. Heads of State and Government therefore decided to approve the Protocol setting up the Community Court of Justice and directed the Executive Secretary to take the necessary steps to make the Court operational.

GRANTING OF OBSERVER STATUS

32. The Authority recognised the Association of African Jurists and the Federation of West African Manufacturers' Association and granted them the status of observer within the Institutions of the Community.

ELECTION OF CHAIRMAN

33. The Authority elected the Republic of Senegal as Chairman for the year 1991-1992.

DATE AND VENUE OF NEXT MEETING

34. The Authority accepted the kind invitation of the Government of the Republic of Senegal to hold its Fifteenth Ordinary Session in Dakar in 1992.

VOTE OF THANKS

35. The Authority warmly commended and expressed its deep appreciation to the outgoing Chairman, His Excellency Alhaji Sir Dawda Kairaba Jawara, President of the Republic of The Gambia for so successfully directing the affairs of the Community during the year 1990-1991. The Authority paid a special tribute to President Jawara for the personal concern shown and his untiring effort at restoring peace in Liberia.

36. The Authority expressed its sincere gratitude to His Excellency General Ibrahim Badamasi Babangida, President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria and to the entire Nigerian Government and people for the very warm and authentic African welcome extended to all delegations and for the excellent facilities made available to ensure the success of its meetings.

DONE AT ABUJA THIS 6TH DAY OF JULY, 1991

DECLARATION OF ECOWAS POLITICAL PRINCIPLES ABUJA, 6 JULY 1991

THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

MEETING in Authority in Abuja, Federal Republic of Nigeria on 4, 5 and 6 July 1991;

COMMITTED to the imperative of upholding the ideals of the Treaty establishing ECOWAS;

DETERMINED to realise the aims and objectives of ECOWAS especially the integration of the countries of our sub-region through the harmonisation of our national economic, social and political policies;

REAFFIRMING the objective of promoting better relations among ourselves by ensuring a stable and secure political environment in which our peoples can live in freedom under the law and in true and lasting peace, free from any threat to or attempt against their security, in which we can pursue a speedy and effective realisation of the objectives of ECOWAS;

DETERMINED to concert our efforts to promote democracy in the sub-region on the basis of political pluralism and respect for fundamental human rights as embodied in universally-recognised international instruments on human rights and in the African Charter on Human and Peoples Rights;

DEEPLY CONSCIOUS of the rapidly changing international political and economic landscape in favour of a resurgence of economic regionalism which imposes on the Members of ECOWAS a special awareness of the need to intensify and strengthen their own integration efforts and to resist all forms of foreign interference aimed at undermining their solidarity and integration efforts;

HEREBY DECLARE our full adherence to the following principles in order to enhance the prospects of advancing our economic cooperation and integration in a political environment of peace, security and stability;

1. We reaffirm the provisions of the Protocol on Non-Aggression adopted on 22 April 1978 and our commitment to securing peace and maintaining stability in the ECOWAS sub-region by promoting increasingly better relations among ourselves, strengthening good neighbourliness and ensuring conditions in which our peoples can live in freedom under the law and in true and lasting peace, free from any threat to or against their security.
2. We reaffirm our determination to refrain in our mutual relations, as well as in our international relations in general, from any threat or use of force, directly or indirectly, against the territorial integrity or political independence of any Member State.
3. We reaffirm also our determination to settle all disputes among ourselves by peaceful means in such a manner as not to endanger the peace, security and stability of our sub-region.
4. We will respect human rights and fundamental freedom in all their plenitude including in particular freedom of thought, conscience, association, religion or belief for all our peoples

- without distinction as to race, sex, language or creed.
5. We will promote and encourage the full enjoyment by all our peoples of their fundamental human rights, especially their political, economic, social, cultural and other rights inherent in the dignity of the human person and essential to his free and progressive development.
 6. We believe in the liberty of the individual and in his inalienable right to participate by means of free and democratic processes in the framing of the society in which he lives. We will therefore strive to encourage and promote in each of our countries, political pluralism and those representative institutions and guarantees for personal safety and freedom under the law that are our common heritage
 7. We reaffirm our determination to speak with one voice under the aegis of ECOWAS on all international issues which touch and concern the vital interests of our development and prosperity. We will therefore resist any attempt by forces outside our sub-region to undermine the expression of our collective will and determination.
 8. We re-dedicate ourselves and reaffirm our collective determination to take all necessary measures to ensure the speedy and effective realisation of the aims and objectives enshrined in the ECOWAS Treaty and related instruments and to fulfil in good faith all our obligations under them

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

DONE AT ABUJA THIS 6TH DAY OF JULY
IN SINGLE ORIGINAL IN ENGLISH AND FRENCH,
BOTH TEXTS BEING EQUALLY AUTHENTIC.

personal safety and freedom under the law that are our common heritage.

We reaffirm our determination to speak with one voice under the aegis of ECOWAS on all international issues which touch and concern the vital interests of our development and prosperity. We will therefore resist any attempt by forces outside our sub-region to undermine the expression of our collective will and determination.

We re-dedicate ourselves and reaffirm our collective determination to take all necessary measures to ensure the speedy and effective realization of the aims and objectives enshrined in the ECOWAS Treaty and related instruments and to fulfil in good faith all our obligations under them.

without distinction as to race, sex, language or creed.

We will promote and encourage the full enjoyment by all peoples of their fundamental human rights, especially their political, economic, social, cultural and other rights inherent in the dignity of the human person and essential to his free and progressive development.

We believe in the liberty of the individual and in his inalienable right to participate by means of free and democratic processes in the framing of the society in which he lives. We will therefore strive to encourage and promote in each of our countries political pluralism and free representative institutions and guarantees for

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