

# Official Journal

of the Economic Community  
of West African States (ECOWAS)

Vol. 23

July, 1992

English Edition

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## CONVENTION A/P.1/7/92 ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS

### THE GOVERNMENTS OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Considering that the main objective of the Community is to achieve integration in all fields of activity of its Member States;

Believing that the adoption of common rules in the field of mutual assistance in criminal matters will contribute to this aim by furthering the development of integration;

Desirous of extending to each other the widest mutual legal assistance to combat offences of all kinds particularly of serious crimes, as an effective way of dealing with the complex aspects and serious consequences of criminality in all its forms and new dimensions;

Aware of the interest in the proper administration of justice while conscious of the need to respect human dignity and to assure the orderly pursuit of criminal proceedings among the Member States, thus reinforcing mutual assistance in criminal matters;

Have agreed as follows:

#### CHAPTER 1

#### DEFINITIONS

##### ARTICLE 1

For the purpose of this Convention, the following definitions shall apply:

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

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

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

"Requesting Member State" means a Member State which has made a request for assistance under this Convention;

"Requested Member State" means a Member State to which a request for assistance under this Convention has been made;

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

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

"Competent Authority" means the Minister of Justice of a Member State;

"Executive Secretariat" means the Executive Secretariat of the Community created by Article 8, paragraph 1 of the Treaty;

"Executive Secretary" means the Executive Secretary of the Community, appointed by virtue of Article 8, paragraph 2 of the Treaty;

"Offence" or "Offences" means the fact or facts which constitute a criminal offence or criminal offences under the laws of the Member State;

"Sanctions" means all penalties or measures incurred or pronounced as a result of a criminal offence;

"Proceeds of crime" means any property suspected, or found by a court, to be property directly or indirectly derived or realized as a result of the commission of an offence or to represent the value of property and other benefits from the commission of an offence.

#### CHAPTER II

#### MUTUAL ASSISTANCE

##### Article 2

##### Scope of Application

1. Member States undertake to afford to each other, in accordance with the provisions of this Convention, the widest measure of mutual assistance in proceedings or investigations in respect of offences the punishments of which, at the time of the request for assistance, falls within the jurisdiction of the judicial authorities of the requesting Member State.
2. Mutual assistance in the provisions of this Convention applies to:
  - (a) taking evidence or statements from persons;
  - (b) assisting in assuring the availability of detained persons or others to give evidence or assist in investigations;
  - (c) effecting service of judicial documents;
  - (d) executing searches and seizures;
  - (e) forfeitures and confiscations of the proceeds of crime;

- (f) examining objects and sites;
- (g) providing information and evidentiary items;
- (h) providing originals or certified copies of relevant documents and records, including bank, financial, corporate or business records.

### 3. The Convention does not apply to:

- (a) the arrest or detention of any person with a view to the extradition of that person;
- (b) the enforcement in the requested Member State of criminal judgements imposed in the requesting Member State except to the extent permitted by the laws of the requested Member State;
- (c) the transfer of persons in custody to serve sentences.

### Article 3

#### Competent Authority

Request for mutual assistance shall be made or received by the competent authority in a Member State.

### Article 4

#### Refusal of Assistance

1. Assistance may be refused if:
  - (a) the requesting Member State is of the opinion that the request, if granted, would prejudice its sovereignty, security and public order;
  - (b) the offence is regarded by the requested Member State as being of a political nature;
  - (c) there are substantial grounds for believing that the request for assistance has been made for the purpose of prosecuting a person on account of that person's race, sex, religion, nationality, ethnic origin or political opinions or that that person's position may be prejudiced for any of those reasons;
  - (d) the request relates to an offence that is subject to investigation or prosecution in the requested Member State or the prosecution of which in the requesting Member State would be incompatible with the requested Member State's law on double jeopardy;
  - (e) the assistance requested requires the requested Member State to carry out compulsory measures that would be contrary to its

laws and practice had the offence been the subject of investigation or prosecution under its own jurisdiction;

- (f) the request is in respect of offences related to military law which do not constitute offences under ordinary criminal law.

2. Assistance shall not be refused solely on the grounds of secrecy of banks and of similar financial institutions.
3. The requested Member State may postpone the execution of the request if its immediate execution would interfere with an ongoing investigation or prosecution in the territory of the requested Member State.
4. Before refusing a request or postponing its execution, the requested Member State shall consider whether assistance may be granted subject to certain conditions. If the requested Member State accepts assistance subject to these conditions, it shall comply with them.
5. Reasons shall be given for any refusal or postponement of mutual assistance.

### Article 5

#### Contents of Requests

1. Request for assistance shall be made in writing and shall include:
  - (a) the name of the competent authority coordinating the investigation or court proceedings to which the request relates;
  - (b) the purpose of the request and a brief description of the assistance sought;
  - (c) a description of the facts alleged to constitute the offence and a statement or text of the relevant laws, except in cases of a request for service of documents;
  - (d) the identity, nationality and address of the person to be served, where necessary;
  - (e) the reasons for and details of any particular procedure or requirements that the requesting Member State wishes to be followed, including a statement as to whether sworn or affirmed evidence or statements are required;
  - (f) specifications of any time-limit within which compliance with the request is desired;
  - (g) such other information as is necessary for the proper execution of the request.

2. Requests, supporting documents and other communications made pursuant to this Convention shall be written in one or the other of the official languages of the Community or in another language acceptable to the requested Member State.
3. If the requested Member State considers that the information contained in the request is not sufficient to enable the request to be dealt with, it may request additional information.

#### Article 6

##### Execution of Requests

1. Requests for assistance shall be carried out promptly, in the manner provided for by the laws and practice of the requested Member State. To the extent consistent with its laws and practice, the requested Member State shall carry out the request in the manner specified by the requesting Member State.
2. At the request of the requesting Member State the requested Member State shall state the date and place of execution of the demand. Officials and interested persons may be present if the requested Member State consents.

#### Article 7

##### Return of Material to the Requested State

Any property, as well as original records or documents, handed over to the requesting Member State under this Convention shall be returned to the requested Member State as soon as possible unless the latter waives its right of return thereof.

#### Article 8

##### Limitation on Use

The requesting Member State shall not, without the consent of the requested Member State use or transfer information of evidence provided by the requested Member State for investigation or proceedings other than those stated in the request. However, in cases where the charge is altered, the material provided may be used in so far as the offence, as charged is an offence in respect of which mutual assistance may be provided under this Convention.

#### Article 9

##### Protection of Confidentiality

##### Upon Request:

- (a) the requested Member State shall do its utmost to keep confidential the request for assistance, its contents and supporting documents as well as the fact of granting such assistance. If the request cannot be executed without breaching confidentiality, the requested Member State shall so inform the requesting Member State which shall then determine whether the request should be executed notwithstanding;
- (b) the requesting Member State shall keep confidential evidence and information provided by the requested Member State, except to the extent that such evidence and information is needed for the investigation and proceedings described in the request.

#### Article 10

##### Service of Documents and Decisions

1. The requested Member State shall effect service of writs and records of judicial verdicts which are transmitted to it for this purpose by the requesting Member State.
2. Service may be effected by simple transmission of the writ or record to the person to be served. If the requesting Member State expressly so requests, service shall be effected by the requested Member State in the manner so provided for the service of analogous documents under its own laws or in the special manner consistent with such laws.
3. Proof of service shall be given by means of a receipt dated and signed by the person served or by means of a declaration made by the requested Member State that service has been effected and stating the form and date of such service. One or the other of these documents shall be sent immediately to the requesting Member State. The requested Member State shall if the requesting Member State so requests, state whether service has been effected in accordance with the law of the requested Member State. If service cannot be effected, the reasons shall be communicated immediately by the requested Member State to the requesting Member State.
4. A request to effect service of summonses shall be made to a requested Member State not less than 60 days before the date on which the appearance of a person is required. In urgent cases, the requested Member State may reduce the time requirement.

**Article 11****Obtaining of Evidence**

1. The requested Member State shall, in conformity with its laws and upon request take the sworn or affirmed testimony or otherwise obtain statements of persons or require them to provide items of evidence for transmission to the requesting Member State.
2. Upon request of the requesting Member State, the parties to the relevant proceedings in the requesting Member State, their legal representatives and representatives of the requesting Member State may, subject to the laws and procedures of the requested Member State, be present at the proceedings.

**Article 12****Right or Obligation to Decline to Give Evidence**

1. A person who is requested to give evidence may decline where either;
  - (a) the laws of the requested Member State permit or require that person to decline to give evidence in similar circumstances in proceedings originating in the requested Member State; or
  - (b) that laws of the requesting Member State permit or require that person to decline to give evidence in similar circumstances in proceedings originating in the requesting Member State.
2. If a person claims that there is a right or obligation to decline to give evidence under the laws of the other Member State, the Member State where that person is present shall, with respect thereto, rely on a certificate of a competent authority of the other Member State as evidence of the existence or non-existence of that right or obligation.

**Article 13****Availability of Persons in Custody to Give Evidence or to Assist in Investigations**

1. At the request of the requesting Member State, and if the requested Member State agrees and its laws so permit, a person in custody in the territory of the requested Member State may, subject to his or her consent, be temporarily transferred to the territory of the requesting Member State to give evidence or to assist in the investigations.
2. While the person transferred is required to be held in custody under the laws of the requested Member State, the requesting Member State shall hold that person in custody and shall return that person in custody to the requested Member State at the conclusion of the matter in relation to which trans-

fer was sought or at such earlier time as the person's presence is no longer required.

3. Where the requested Member State advises the requesting Member State that the transferred person is no longer required to be held in custody, that person shall be set at liberty and be dealt with in accordance with Article 14 of this Convention.

**Article 14****Availability of Other Persons to Give Evidence or Assist in Investigations**

1. The requesting Member State may request the assistance of the requested Member State in inviting a person:
  - (a) to appear in proceedings in relation to a criminal matter in the requesting Member State unless that person is the person charged; or
  - (b) to assist in the investigations in relation to a criminal matter in the requesting Member State.
2. The requested Member State shall invite the person to appear as a witness or expert in proceedings or to assist in the investigations. Where appropriate, the requested Member State shall satisfy itself that necessary measures have been taken for the person's safety.
3. The request of the summons shall indicate the approximate allowances and the travel and subsistence expenses payable by the requesting Member State. This amount shall be determined by the two Member States concerned.
4. Upon request, the requested Member State may grant the person an advance, which shall be refunded by the requesting Member State.

**Article 15****Safe Conduct**

1. Subject to paragraph 2 of this Article, where a person is in the requesting Member State pursuant to a request made under Article 13 or 14:
  - (a) that person shall not be detained, prosecuted, punished or subjected to any other restrictions of personal liberty in the requesting Member State in respect of any acts or omissions or convictions that preceded the person's departure from the requested Member State.
  - (b) that person shall not, without that persons consent, be required to give evidence in any

proceedings or to assist in any investigation other than the proceeding or investigation to which the request relates.

2. Paragraph 1 of this Article shall cease to apply if that person, being free to leave, has not left the territory of the requesting Member State within a period of 15 consecutive days, or any longer period otherwise agreed on by the Member States, after that person has been officially told or notified that his or her presence is no longer required or, having left, has voluntarily returned.
3. A person who does not consent to a request pursuant to Article 13 or accept an invitation pursuant to Article 14 shall not, even if summons contains a notice of penalty, be subjected to any punishment or measure or restraint, unless subsequently he voluntarily enters the territory of the requested Member State and is there again duly summoned.

#### Article 16

##### Provision of Public Available Documents and Other Records

1. The requested Member State shall provide copies of documents or records in so far as they are open to public access as part of a public register or otherwise, or in so far as they are available for purchase or inspection by the public.
2. The requested Member State may provide copies of any other document or record under the same conditions as such document or record may be provided by its own law enforcement and judicial authorities.

#### Article 17

##### Search and Seizure

The requested Member State shall, in so far as its law permits, carry out requests for search and seizure and delivery of any material to the requesting Member State for evidential purposes, provided that the rights of *bona fide* third parties are protected.

### CHAPTER III

#### FORFEITURE OR CONFISCATION OF PROCEEDS OF CRIMES

#### Article 18

##### Request for Forfeiture or Confiscation

The requested Member State shall, upon request, endeavour to ascertain whether any proceeds of the crime alleged are located within its jurisdiction and shall notify the requesting Member State of the results of its enquiries. In making the request, the requesting Member State shall notify the requested Member State of the basis of its belief that such proceeds of crime may be located within its jurisdiction.

#### Article 19

##### Investigations for Forfeiture or Confiscation

1. In pursuance of a request made under Article 18, of this Convention, the requested Member State shall endeavour to trace assets, investigate financial dealings, and obtain other information or evidence that may help to secure the recovery of proceeds of crime.
2. Where, pursuant to Article 18 of this Convention suspected proceeds of crime are found, the requested Member State shall upon request take such measures as are permitted by its laws to prevent any dealing in, transfer or disposal of, those suspected proceeds of crime, pending a final determination in respect of those proceeds by a court of the requesting Member State.

#### Article 20

##### Effects of the Decision on Forfeiture or Confiscation

1. The requested Member State shall, to the extent permitted by its laws, give effect to or permit enforcement of a final order forfeiting or confiscating the proceeds of crime made by a court of the requesting Member State or take other appropriate action to secure the proceeds following a request by the requesting Member State.
2. The Member States shall ensure that the rights of bona fide third parties and victims shall be respected.

### CHAPTER IV

#### TRANSFER OF PROCEEDINGS IN CRIMINAL MATTERS

#### Article 21

##### Scope of Application

1. When a person is suspected of having committed an offence under the laws of a State, that State may, if the interests of the proper administration of justice so require, request another Member State to take proceedings in respect of this offence.

2. For the purposes of applying this Convention, the Member States shall take the necessary legislative measures to ensure that a request of the requesting Member State to take proceedings shall allow the requested Member State to exercise the necessary jurisdiction.

#### Article 22

##### Channel of Communication

The request, supporting documents and subsequent communications shall be transmitted to the competent authority in conformity with the provisions of Article 3 of this Convention.

#### Article 23

##### Contents of Requests

1. The request to take proceedings shall be made in writing and shall contain or be accompanied by documents containing the following information:
  - (a) the authority presenting the request;
  - (b) a description of the act for which transfer of proceedings is being requested, including the specific time and place of the offence;
  - (c) a statement on the results of investigations which substantiate the suspicion of an offence;
  - (d) the legal provisions of the requesting Member State on the basis of which the act is considered to be an offence;
  - (e) a reasonably exact statement of the identity, nationality and residence of the suspected person.
2. Request, supporting documents and other communications made pursuant to this Convention shall be written in one or the other of the official languages of the Community or in another language acceptable to the requested Member State.
3. If the requested Member State considers that the information contained in the request is not sufficient to enable the request to be dealt with, it may request additional information.

#### Article 24

##### Decision on the Request

The competent authorities of the requested Member State shall examine what actions to take on the request to take proceedings in order to comply, as fully

as possible, with the request under their own laws, and shall promptly communicate their decision to the requesting Member State

#### Article 25

##### Dual Criminality

A request to take proceedings can be complied with if only the act on which the request is based would be an offence if committed in the territory of the requested Member State.

#### Article 26

##### Grounds for Refusal

If the requested Member State refuses acceptance of a request for transfer of proceedings it shall communicate the reasons for refusal to the requesting Member State. Acceptance may be refused if:

- (a) the suspected person is not a national of or ordinary resident of the requested Member State;
- (b) the act is an offence under military law, which is not also an offence under ordinary criminal law;
- (c) the offence is regarded by the requested Member State as being of a political nature.

#### Article 27

##### The Position of the Suspected Person

1. The suspected person may express to either Member State his or her interest in the transfer of the proceedings. Similarly, such interest may be expressed by the legal representative or close relatives of the suspected person.
2. Before a request for transfer of proceedings is made, the requesting Member State shall, if practicable, allow the suspected person to present his or her view on the alleged offence and the intended transfer, unless that person has absconded or otherwise obstructed the course of justice.

#### Article 28

##### The Rights of the Victim

The requesting Member State and the requested Member State shall ensure in the transfer of proceedings that the rights of the victim of the offence, in particular his or her right to restitution or compensation, shall not be affected as a result of the transfer. If a

settlement of the claim of the victim has not been reached before the transfer, the requested Member State shall permit the representation of the claim in the transferred proceedings, if its laws provide for such a possibility. In the event of the death of the victim, these provisions shall apply to his or her dependents accordingly.

#### **Article 29**

##### **Effects of the Transfer of Proceedings on the Requesting Member State (non bis in idem)**

Upon acceptance by the requested Member State of the request to take proceedings against the suspected person, the requesting Member State shall provisionally discontinue prosecution, except necessary investigation, including judicial assistance to the requested Party, until the requested Member State informs the requesting Member State that the case has been finally disposed of. From that date on, the requesting Member State shall definitely refrain from further prosecution of the same offence.

#### **Article 30**

##### **Effects of the Transfer of Proceedings on the Requested Member State**

1. The proceedings transferred upon agreement shall be governed by the laws of the requested Member State. When charging the suspected person under its laws, the requested Member State shall make necessary adjustment with respect to particular elements in the legal description of the offence. Where the competence of the requested Member State is based on the provision set forth in paragraph 2 of Article 23, the sanction pronounced in that Member State shall not be more severe than that provided by the laws of the requesting Member State.
2. As far as compatible with the laws of the requested Member State, any act with a view to proceedings or procedural requirements performed in the requesting Member State in accordance with its law shall have the same validity in the requested Member State as if the act had been performed in or by the authorities of that Member State.
3. The requested Member State shall inform the requesting Member State of the decision taken as a result of the proceedings. To this end a copy of the final decision shall be transmitted to the requesting Member State.

#### **Article 31**

##### **Provisional Measures**

When the requesting Member State announces its intention to transmit a request for transfer of proceedings, the requested Member State may, upon a specific request made for this purpose by the requesting Member State, apply all such provisional measures, including provisional detention and seizure, as could be applied under its laws if the offence in respect of which transfer of proceedings is requested had been committed in its territory.

#### **Article 32**

##### **The Plurality of Criminal Proceedings**

When criminal proceedings are pending in two or more Member States against the same suspected person in respect of the same offence, the Member States concerned shall consult to decide which of them alone should continue proceedings. An agreement reached thereupon shall have the consequences of a request for transfer of proceedings.

### **CHAPTER V**

#### **VALIDATION AND COSTS**

#### **Article 33**

##### **Authentication and Certification of Documents**

A request under this Convention and the supporting documents thereto, as well as the documents and other materials supplied in response to such a request shall not require certification or authentication.

#### **Article 34**

##### **Costs of Executing Requests**

The ordinary costs of executing a request shall be borne by the requested Member State, unless otherwise determined by the Parties. If expenses of a substantial or extraordinary nature are or will be required to execute the request, the Parties shall consult in advance to determine the terms and conditions under which the request shall be executed, as well as the manner in which the costs shall be borne.

### **CHAPTER VI**

#### **FINAL PROVISIONS**

#### **Article 35**

##### **Arrangement**

1. The present Convention repeals all preceding Treaties, Conventions or Agreements concluded between two or several Member States on mutual

legal assistance in areas specified in Article 2 paragraph 2 and Article 23 of this Convention.

2. The Member States may conclude bilateral or multilateral agreements with one another on the matters dealt with in this Convention, for purposes of supplementing or strengthening its provisions or facilitating the application of the principles embodied in it.

**Article 36**

**Accession**

1. After entry into force of this Convention, the Council of Ministers may invite, by unanimous decision, any State not a member of the Community to accede to this Convention.
2. When a non-Member State of the Community requests to be invited to accede to this Convention, it shall submit this request to the Executive Secretary.
3. In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Executive Secretary.

**Article 37**

**Amendment and Review**

1. Any Member State may submit proposals for the amendment or review of this Convention.
2. All proposals shall be submitted to the Executive Secretary, who shall forward them to Member States within thirty (30) days upon receipt. Proposed amendments or reviews shall be considered by the Authority upon expiration of the thirty (30) days notice given to Member States.

**Article 38**

**Deposit and Entry into Force**

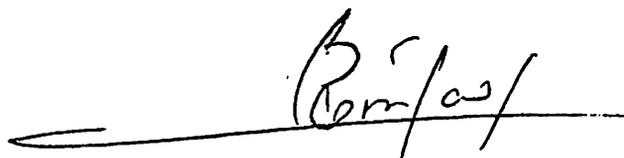
1. This Convention shall enter into force provisionally upon signature by Heads of State and Government of Member States and definitively upon ratification by at least seven (7) Member States, in conformity with the constitutional provisions of each Member State.
2. This Convention and all the instruments of ratification shall be deposited with the Executive Secretariat which shall forward certified true copies to all

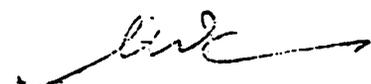
of the instruments of ratification and register this Convention with the Organisation of African Unity, the United Nations and any other organisation determined by Council.

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

DONE AT DAKAR, THIS 29TH DAY OF JULY, 1992  
IN A SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

  
.....  
H. E. Nicéphore Diéouodonné SOGLO President of the Republic of BENIN

  
.....  
H. E. Blaise COMPAORE President of FASO Head of Government BURKINA FASO

  
.....  
H. E. Carlos Wahanon DE Carvalho Veiga Prime

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

Lt. General Arnold QUAINOO Member of the Provisional National Defence Council for and on behalf of the Head of State of the Republic of GHANA

H. E. General Lansana CONTE Head of State President of the Republic of GUINEA

Honourable Luis SANCA Minister of Trade and Tourism for and on behalf of the President of the Council of State of the Republic of GUINEA BISSAU

H. E. Dr. Amos Claudius SAWYER President of the Interim Government of National Unity of LIBERIA

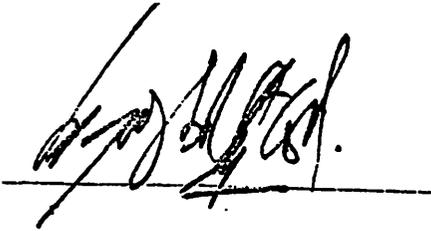
H. E. Alpha Oumar KONARE President of the Republic of MALI

Honourable Ahmed Ould ZEIN Minister, Secretary-General in the Office of the President for and on behalf of the Head of State of the Islamic Republic of MAURITANIA

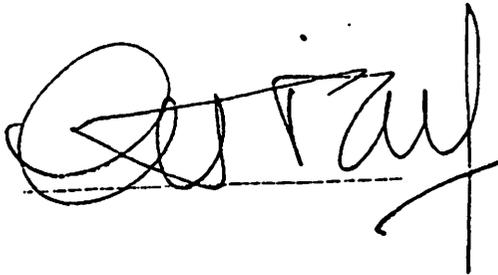
Honourable Amadou CHEIFOU Prime Minister Head of Government of the Republic of NIGER

H. E. Felix Houphouet BOIGNY President of the Republic of COTE D'IVOIRE

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



H. E. Captain Valentine E. M. STRASSER Chairman, Supreme Council of State of the National Provisional Ruling Council and Head of State of the Republic of SIERRA LEONE



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



.....  
Honourable Kwassivi Elias KPETIGO Minister of Finance and Economy for and on behalf of the Prime Minister, Head of Transitional Government of the TOGOLESE REPUBLIC

mobilisation of the different sections of the population in the integration process;

Considering the importance Member States attach to youth activities within the Community;

Conscious of the need to involve the youths of Member States in the social development of the Community;

Considering Resolution C/RES.1/11/91 of the Council of Ministers meeting in Lomé (Togo) from 20 to 22 November, 1991;

**DECIDES**

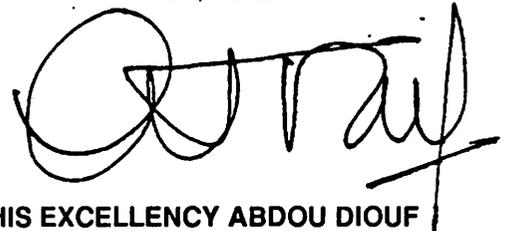
**Article 1**

The West African Youth Union (WAYU) is hereby recognised and granted the status of an observer within the Institutions of the Community.

**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 DAKAR, THIS 29TH DAY OF JULY, 1992



HIS EXCELLENCY ABDOU DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

**DECISION A/DEC.1/7/92 ON THE RECOGNITION AND THE GRANTING OF OBSERVER STATUS TO 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 49 of the ECOWAS Treaty relating to cooperation in Social and Cultural Affairs;

Mindful of Recommendation A/REC.1/5/83 of the Heads of State and Government relating to the

**DECISION A/DEC.2/7/92 APPROVING THE RULES AND REGULATIONS RELATING TO THE ECOWAS PRIZE FOR EXCELLENCE**

**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.14/5/82 of the Authority of Heads of State and Government relating to the ECOWAS Prize;

Conscious of the need to define modalities for the award of the ECOWAS Prize for Excellence;

Considering Resolution C/RES.2/11/91 of the Council of Ministers meeting in Lome (Togo) from 20 to 22 November, 1991.

## DECIDES

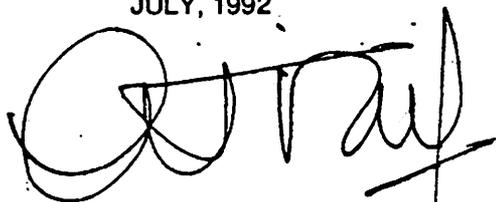
### Article 1

The Rules and Regulations relating to the ECOWAS Prize for Excellence as contained in the annex to this Decision are 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 DAKAR, THIS 29TH DAY OF  
JULY, 1992.



HIS EXCELLENCY ABDOU DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

## RULES AND REGULATIONS RELATING TO THE ECOWAS PRIZE FOR EXCELLENCE

### Article 1

There is hereby established by the Economic Community of West African States an international prize to be known as "*The ECOWAS Prize for Excellence*".

### Article 2

The ECOWAS Prize for Excellence is aimed at:

- stimulating research and creativity;

- rewarding persons or institutions of a Member State which have excelled in the areas of art, and literature, science and technology and any other field that could contribute to enhance the image of the Community.

### Article 3

The ECOWAS Prize for Excellence, which shall be the sum of 10 000 Units of Account, shall be awarded in the areas specified in Article 2, every two years, on a rotational basis.

### Article 4

To be eligible, works must have been previously patented, published in science publications of international repute or adequately circulated in Member States of the Community. Due level of circulation of works or inventions which are not published in any science publication shall be certified by a duly established press review.

### Article 5

- (a) Any author, research institute or editor wishing to enter for the ECOWAS Prize for Excellence, may send as many discoveries and works in either of the categories, to the relevant Ministry of the Member State in which he resides or whose nationality he possesses.
- (b) Each Member State shall be responsible for pre-selecting works and shall send its nominations to the Executive Secretariat which shall forward them to the Jury.
- (c) Any discovery or work may be entered only once.

### Article 6

- (a) The ECOWAS Prize for Excellence shall be awarded by an international Jury made up of seven (7) members chosen by virtue of their competence, by the Executive Secretariat and appointed by the ECOWAS Council of Ministers. The Jury shall elect one of their members as Chairman.
- (b) The Director of the Social and Cultural Affairs Department shall co-ordinate the activities of the Jury.

### Article 7

- (a) The list of works pre-selected by Member States shall be made public by the Executive Secretariat prior to the meeting of the international Jury.

- (b) At the meeting to select the final winner, the ECOWAS Prize for Excellence shall be awarded to the works with the highest number of votes.
- (c) The modalities for voting shall be established by the Jury.

#### Article 8

The Jury shall reserve the right not to award the ECOWAS Prize for Excellence where none of the works meets the required criteria, or to share the Prize between two or more winners.

#### Article 9

No candidate shall be a member of the Jury.

#### Article 10

Cases not covered by these rules shall be resolved by the Jury.

#### Article 11

The ECOWAS Prize for Excellence shall be presented by the current Chairman of ECOWAS at the Summit of the Authority of Heads of State and Government.

#### Article 12

By participating in the ECOWAS Prize for Excellence competition, competitors agree to be bound wholly by these rules as may be amended from time to time.

#### Article 13

Written published reports or press reviews shall be deposited with or sent by prepaid post, in 8 copies, to the Headquarters of the Economic Community of West African States as follows:

6, King George V Road  
P.M.B. 12745  
Onikan — Lagos  
Nigeria  
at least 3 months prior to the meeting of the Jury.

#### Article 14

The rules and regulations may be amended by the Authority of Heads of State and Government, when necessary.

### DECISION A/DEC.3/7/92 ON THE APPOINTMENT OF THE FIRM OF AKINTOLA WILLIAMS AND COMPANY AS EXTERNAL AUDITORS 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 Article 10 of the said Treaty on the appointment of the External Auditor;

Mindful of Decision A/DEC.3/7/91 relating to the Selection and the Evaluation of the Performance of Statutory Appointees of the Community particularly the provisions of Article 1 (B) on the renewal of the term of office of the External Auditors and Evaluation Report;

Mindful of Resolution C/RES.2/12/92 adopted by the Council of Ministers at its Thirty-first Session held from the 23 to 25 July, 1992 in Dakar, Senegal.

#### DECIDES

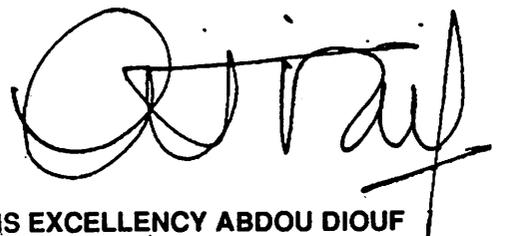
##### Article 1

The Firm of Akintola Williams and Company is hereby appointed as External Auditors of the Community for a term of two years, with effect from 1 August 1992.

##### 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 DAKAR, THIS 29TH DAY  
OF JULY, 1992.



HIS EXCELLENCY ABDOU DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

**DECISION A/DEC.4/7/92 RELATING TO THE TRANSFORMATION OF THE WEST AFRICAN CLEARING HOUSE (WACH) INTO AN AUTONOMOUS SPECIALISED AGENCY OF ECOWAS**

**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.6/5/87 of the Authority on the adoption of an ECOWAS Monetary Cooperation Programme, especially the policy measures to be adopted to achieve the short-term objective of strengthening and improving the WACH mechanism and the long term objective of achieving a single monetary zone;

Mindful of Decision A/DEC.12/7/91 of the Authority relating to the implementation of the rationalisation of institutional arrangements governing West African integration;

Desirous of bringing the activities of WACH into the integration framework of West Africa;

Considering Resolution C/RES.3/7/92 of the Council of Ministers on the transformation of WACH into an autonomous specialised agency of ECOWAS;

**DECIDES**

**Article 1**

The West African Clearing House (WACH) is hereby transformed into an autonomous specialised agency of ECOWAS in order to facilitate the process of monetary cooperation and integration in West Africa.

**Article 2**

The name of the transformed WACH shall be the West African Monetary Agency (WAMA).

**Article 3**

To achieve the objective contained in Article 1 of this Decision, the Committee of Governors, in collaboration with the Executive Secretariat of ECOWAS, shall take all the measures necessary to define the modalities for transforming the WACH into the monetary cooperation agency of the Community.

**Article 4**

The transformation process shall be undertaken and completed in accordance with the time-table and work programme attached to this Decision.

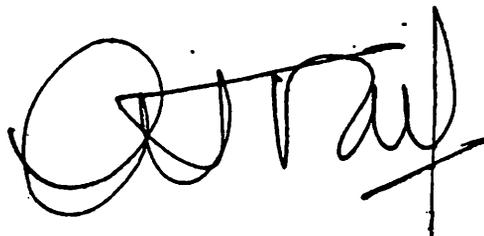
**Article 5**

The Committee of Governors and the Executive Secretariat of ECOWAS shall work together to ensure the smooth implementation of this Decision.

**Article 6**

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 DAKAR, THIS 29TH DAY  
OF JULY, 1992



**His Excellency Abdou DIOUF**  
CHAIRMAN  
FOR THE AUTHORITY

**TRANSFORMATION OF WACH: WORK PROGRAMME AND TIME-TABLE FOR IMPLEMENTATION**

NATURE OF ACTIVITY	DETAILS OF IMPLEMENTATION ACTIVITY	INSTITUTION CONCERNED	PERIOD OF IMPLEMENTATION	OBSERVATIONS
1. Preparation of protocol and necessary proposals	i) Collection of background information relating to ECOWAS Treaty, other agreements etc...	WACH/STUDY GROUP/ECOWAS	2 months	
	ii) Drafting of protocol covering - functions - other relevant features - institutional measures	WACH/STUDY GROUP/ECOWAS	3 months	
	iii) Submission of draft protocol to Governors and ECOWAS for comments	WACH/STUDY GROUP/ECOWAS	3 months	
	iv) Finalisation of protocol	WACH/STUDY GROUP/ECOWAS	}	
	v) Submission for approval and signature	WACH/ECOWAS GOVERNORS	}	} 1 month

NATURE OF ACTIVITY	DETAILS OF IMPLEMENTATION ACTIVITY	INSTITUTION CONCERNED	PERIOD OF IMPLEMENTATION	OBSERVATIONS
2. Modalities for implementing the protocol	i) Preparatory meeting between WACH and ECOWAS to draw up programme of action	WACH/ECOWAS/STUDY GROUP	3 months	
	ii) Setting up joint committee/ task force to translate protocol into reality  – details of restructuring required  – staff recruitment/ redeployment  – details of WACH organisational structure	GOVERNORS	1 month	
	iii) Meeting to approve recommendations of joint committee on practical modalities for implementation	WACH/ECOWAS/STUDY GROUP	1 month	
	iv) Agreement on date for take-off of the new institution	GOVERNORS		

**DECISION A/DEC.5/7/92 ON THE MINIMUM AGENDA FOR ACTION (1992/1993) ON FREE MOVEMENT OF PERSONS AND GOODS**

**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 2, 3, 12 and 27 of the ECOWAS Treaty;

Mindful of Protocol A/P.1/5/79 dated 29 May, 1979 on Free Movement of Persons, Right of Residence and Establishment,

Mindful of Convention A/P.4/5/82 relating to Inter-State Road Transit of Goods;

Mindful of Decision A/DEC.1/5/83 relating to the adoption and implementation of a single trade liberalisation scheme for industrial products originating from Member States;

Mindful of Decision A/DEC.2/7/87 relating to the adoption of an ECOWAS Monetary Cooperation Programme;

Noting that the major problem hindering ECOWAS integration efforts is the non-implementation, by Member States, of approved policies and programmes;

Convinced that the implementation of a Minimum Agenda for Action in such key areas as free movement of persons and goods would re-vitalise and enhance the West African integration process;

Considering Resolution C/RES.4/7/92 of the Council of Ministers adopted at its Thirty-first Session held in Dakar from 23 to 25 July, 1992.

**DECIDES**

**Article 1**

1. Member States shall create an enabling environment for Community citizens and economic operators to pursue their respective callings and vocations by removing all obstacles to free movement of persons and goods. To this end, each Member State shall implement the various policies and programmes stipulated in the attached Minimum Agenda for Action (1992/1993) on Free Movement of Persons and Goods.
2. Member States shall implement, by the relevant dates thereof, the various policies and programmes of the said Agenda.

**Article 2**

Each Member State shall submit a report, through the Executive Secretary, to the Sixteenth Ordinary Session of the Authority, indicating the action taken at national level to give effect to this Decision.

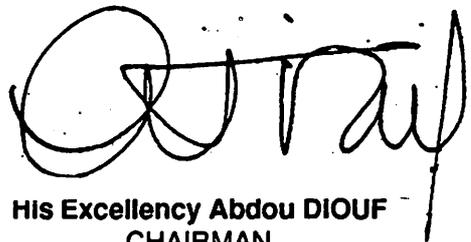
**Article 3**

The Executive Secretariat shall monitor the implementation of this Decision and shall, where necessary, assist Member States in the organisation of seminars to sensitise government officials on approved transit and customs procedures and on the provisions of the ECOWAS Protocol relating to Free Movement of Persons, Right of Residence and Establishment.

**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 DAKAR, THIS 29TH DAY  
OF JULY, 1992



His Excellency Abdou DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

**MINIMUM AGENDA FOR ACTION (1992/1993) ON FREE MOVEMENT OF PERSONS AND GOODS**

**A. FREE MOVEMENT OF PERSONS**

1. Member States shall immediately remove all administrative procedures impeding free movement of persons, goods and services,
2. Member States shall reduce security checkpoints to one combined checkpoint between the nearest city and official points of entry and exit at border posts.
3. The following transit procedures shall be respected and implemented by Member States:

(a) National passports and ECOWAS Travel Certificates presented by Community citizens at official points of entry and exit shall be stamped without the need to fill any forms.

(b) In order however to cater for exceptional areas where a record is required by the immigration authorities, a harmonised entry and exit form shall be introduced. The harmonised immigration form shall be a multi-copy carbonised form. After the top copy is removed, the rest of the form shall be released to the traveller for presentation at subsequent border posts.

4. The Executive Secretariat shall prepare a model harmonised form which shall be approved by the Trade, Customs, Immigration, Money and Payments Commission.

#### **B. TRANSIT PROCEDURES**

5. In order to reduce congestion at the official points of entry and exit at border posts and facilitate speedier processing of documents for vehicles in transit, Member States hereby undertake to institute the following measures:

(a) special counters shall be set up for transit vehicles at all official entry and exit points at the borders;

(b) the processing time for documents in respect of customs-sealed vehicles, passenger vehicles and private vehicles in transit shall be instantaneous;

(c) for other transit vehicles not sealed and which need inspection, the time for processing of documents shall not exceed three hours;

(d) the ECOWAS Secretariat shall work with Member States to define the modalities for the introduction of these counters.

#### **C. PRINTING OF CUSTOMS DOCUMENTS**

6. Member States which have not done so shall, not later than 31 December 1992, print and put in use basic ECOWAS customs documents including Certificates of Origin and harmonised Declaration Forms.

#### **D. IMPORT PROHIBITIONS**

7. Member States that have instituted either absolute or conditional restrictions to the free flow of goods covered by the ECOWAS Trade Liberalisation Scheme shall immediately remove all such non-tariff barriers.

8. The ECOWAS Secretariat shall regularly draw to the attention of Member States non-tariff barriers instituted against approved Community products so that immediate action can be taken by the Member States concerned to remove them.

#### **E. PAYMENTS ARRANGEMENTS**

9. Member States undertake to eliminate all restrictions on the exchange and use of national currencies by travellers and businessmen. In this regard, each Member State shall, immediately, start the process of liberalisation by the introduction of practical measures aimed at removing existing restrictions. Such measures include:

(1) lifting of restrictions on the use of national currencies for purchase of air tickets by resident and non-resident ECOWAS citizens;

(2) elimination of restrictions on the exchange and use of national currencies by travellers and businessmen.

The Executive Secretariat shall without delay conduct a study on the modalities for the implementation of these arrangements.

**WORK-PROGRAMME AND TIME-TABLE OF MINIMUM AGENDA  
FOR ACTION: 1992 — 1993**

NATURE OF ACTION	IMPLEMENTATION ACTIVITIES INVOLVED	INSTITUTIONS INVOLVED	PERIOD OF IMPLEMENTATION	OBSERVATIONS OF MEMBER STATES
<p><b>1. Free Movement Improvement in Transit procedures</b></p> <p>i) <b>Agreement on Transit</b></p> <p>ii) <b>Establishment of Transit Counter</b></p> <p>iii) <b>Reduction of Security Checkpoints</b></p>	<p>i) <b>Contacts with Member States</b></p> <p>ii) <b>Reaching agreement</b></p> <p>i) <b>Contacts with Member States</b></p> <p>ii) <b>Reaching agreement</b></p> <p>i) <b>Contacts with relevant authorities</b></p> <p>ii) <b>Reaching agreement</b></p> <p>iii) <b>Organisation of periodic seminars to sensitise officials on provisions of ECOWAS Free Movement and Transit and Customs Procedures to reduce incidence of harrassment, corruption and delays</b></p>	<p>Member States ECOWAS</p> <p>Member States ECOWAS</p> <p>Member States ECOWAS</p> <p>Member States ECOWAS</p> <p>Members States ECOWAS</p>	<p>Before end December 1992</p> <p>Before end March 1993</p> <p>Before end December 1992</p> <p>2 Seminars Before end December 1992</p> <p>2 Seminars 1st half 1993</p>	

NATURE OF ACTION	IMPLEMENTATION ACTIVITIES INVOLVED	INSTITUTIONS INVOLVED	PERIOD OF IMPLEMENTATION	OBSERVATIONS OF MEMBER STATES
<p>iv) Issuance of ECOWAS Travel Certificate</p> <p>v) Introduction of Multicopy Transit Forms</p> <p>2. Payment Arrangments</p> <p>Liberalisation of restrictions on use of national currencies</p> <p>Arrangement on use of national currencies for travel and purchase of air tickets</p>	<p>i) Printing of the ECOWAS Travel Certificate</p> <p>ii) Issuance of the Certificate</p> <p>Printing of Forms</p> <p>i) Contacts with Monetary Authorities to discuss and convince them about viability</p> <p>ii) Study on the issue</p>	<p>Member States</p> <p>Member States</p> <p>Member States</p> <p>Member States ECOWAS</p> <p>ECOWAS</p>	<p>Before and December 1992</p> <p>Before and December 1992</p> <p>Before and December 1992</p> <p>Before and October 1993</p>	

NATURE OF ACTION	IMPLEMENTATION ACTIVITIES INVOLVED	INSTITUTIONS INVOLVED	PERIOD OF IMPLEMENTATION	OBSERVATIONS OF MEMBER STATES
<p>3. Printing of Customs Forms</p> <p>Agreement on deadline for printing and use of certificates of origin and harmonised customs documents</p>	<p>Contacts with national authorities on issue</p>	<p>Member States ECOWAS</p>	<p>Before end December 1992</p>	
<p>4. Trade Liberalisation Scheme</p> <p>i) Exemption of regional goods from import prohibition list</p>	<p>Contacts with national authorities to issue exemption notices</p>	<p>Member States ECOWAS</p>	<p>Before end December 1992</p>	

**DECISION A/DEC.6/7/92 AMENDING DECISION A/DEC.1/5/83 RELATING TO THE ADOPTION AND IMPLEMENTATION OF A SINGLE TRADE LIBERALISATION SCHEME FOR INDUSTRIAL PRODUCTS ORIGINATING FROM ECOWAS STATES**

**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.1/5/83 dated 30 May, 1993 relating to the adoption and implementation of a single Trade Liberalisation Scheme for Industrial Products originating from Member States of the Community;

Aware of the difficulties encountered in effectively implementing the trade liberalisation scheme particularly in respect of fulfilling the rules of origin, the minimum national participation in the equity capital of production enterprises, and the structure of the scheme involving the categorisation of industrial products as priority and non-priority goods;

Concerned with the need to simplify the scheme in order to speed up effective implementation;

Considering Résolution C/RES.5/7/92 adopted by the Thirty-first Session of the Council of Ministers held in Dakar from 23 to 25, July 1992.

**DECIDES**

**Article 1**

Decision A/DEC.1/5/83 dated 30 May, 1983 relating to the adoption and amendment of a Single Trade Liberalisation Scheme for Industrial Products originating from Member States of the Community is hereby amended as follows:

Group	Period within which tariffs are to be eliminated	Rate of reduction of Customs duties and taxes
<b>Group I</b> Cape Verde, The Gambia, Guinea Bissau, Burkina Faso, Mali, Mauritania, Niger	10 years	10% reduction each year
<b>Group II</b> Benin, Guinea, Liberia, Sierra Leone, Togo	8 years	12.5% reduction each year
<b>Group III</b> Côte d'Ivoire, Ghana, Nigeria, Senegal	6 years	16.6% reduction each year

**New Article 5**

The Trade Liberalisation Scheme for Industrial Products originating from Member States of the Community as well as the time-table for the elimination of tariffs on the said products by the groups of Member States as classified in Article 4 above are fixed as shown in the table below.

**New Article 6**

The provisions of Decision C/DEC.3/5/82 dated 26 May, 1982 relating to the list of priority industrial products for the implementation of the Trade Liberalisation Scheme are hereby repealed.

**New Article 7**

The level of participation of nationals of Member States in the equity capital of industrial enterprises whose products shall benefit from preferential taxation as provided for in the Treaty, is fixed at a single minimum rate of 25%.

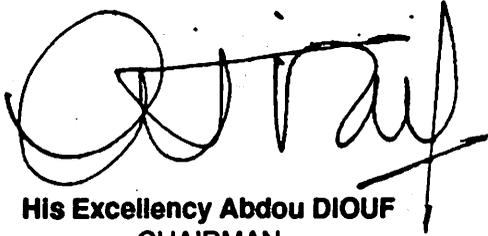
**Article 2**

1. The provisions of Article 8 of Decision A/DEC.1/5/83 dated 30 May, 1983 of the Authority of Heads of State and Government of ECOWAS relating to the liberalisation of trade in industrial products are hereby repealed.
2. Consequently, Articles 9, 10, 11 and 12 of the said Decision shall be renumbered 8, 9, 10 and 11 respectively.

**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 DAKAR, THIS 29TH DAY OF JULY, 1992



**His Excellency Abdou DIOUF**  
CHAIRMAN  
FOR THE AUTHORITY

**DECISION A/DEC.7/7/92 ON THE RECOGNITION  
AND THE GRANTING OF OBSERVER STATUS  
TO THE WEST AFRICAN UNION OF ROAD  
TRANSPORTERS (UTRAO)**

**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 the provisions of Articles 40 and 41 of the said Treaty relating to the evolution of a common transport and communications policy and on the provision of all-weather roads within the Community respectively;

Mindful of Protocols A/P2/5/82 regulating Inter-State Road Transportation and A/P4/5/82 relating to Inter-State Road Transit of Goods;

Desirous of ensuring effective implementation of the Community legislations on transport in order to facilitate the free movement of persons, goods and services in the region;

Considering Resolution C/RES.6/7/92 of the Council of Ministers meeting in Dakar, Senegal from 23 to 25 July, 1992;

**DECIDES**

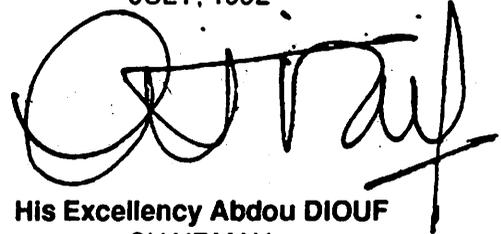
**Article 1**

The West African Union of Road Transporters (UTRAO) is hereby recognised and granted the status of Observer within the Institutions of the Community.

**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 DAKAR, THIS 29TH DAY OF  
JULY, 1992



**His Excellency Abdou DIOUF**  
CHAIRMAN  
FOR THE AUTHORITY

**DECISION A/DEC.8/7/92 RELATING TO SANCTIONS  
AGAINST CHARLES TAYLOR AND THE  
NATIONAL PATRIOTIC FRONT OF 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;

Mindful of the ECOWAS Protocol on Non-Aggression adopted in Dakar on 22 April, 1978 and the Protocol on Mutual Assistance on Defence adopted in Freetown on 29 May, 1981;

Mindful of Authority Decisions A/DEC.9/5/90 relating to the establishment of the Standing Mediation Committee and A/DEC.1/8/90 on the ceasefire and establishment of an ECOWAS Ceasefire Monitoring Group for Liberia (ECOMOG);

Mindful of Decision A/DEC.1/11/90 relating to the approval of the decision of the Community Standing Mediation Committee taken during its first session from 6 to 7 August, 1990 held at Banjul, Republic of the Gambia;

Mindful of Decision A/DEC.2/11/90 relating to the adoption of an ECOWAS Peace Plan for Liberia;

Mindful of the Final Communiqué of the Authority adopted at its Fourth Summit Conference in Abidjan, 1991;

1991 which designated the Committee of Five as an adjunct to the ECOWAS Standing Mediation Committee;

Recalling further the meeting of the Standing Mediation Committee of 12 to 13 February, 1991 in Lome at which the warring factions signed a Ceasefire Agreement;

Convinced that the provisions of the Yamoussoukro Accord as contained in the Final Communique issued in Yamoussoukro on 30 October, 1991 offers the best possible framework for resolving the Liberian crisis;

Aware of the clarifications to the Programme of Implementation made by the Geneva Meeting of the Committee of Five;

Convinced that much more could have been achieved but for the lack of cooperation by the NPFL which frustrated all attempts by ECOMOG to implement the terms of the Yamoussoukro Accord;

Noting that the uncooperative conduct of the NPFL, especially with regard to the encampment and disarmament of its combatants and the insertion of a buffer zone along the Liberia-Sierra Leone border, continued to pose a serious threat to the peace, stability and security of the West African region;

## DECIDES

### Article 1

The Community and its Member States shall spare no effort to bring the conflict situation in Liberia to an early end.

### Article 2

The Field Commander of ECOMOG shall complete the implementation of the programme contained in the Yamoussoukro Accord of 30 October 1991 clarified by the Geneva meeting of the Committee of Five not later than 30 days from the conclusion of the Fifteenth Session of the Authority.

### Article 3

Unless Charles Taylor and the NPFL comply fully with the implementation of the said programme, the Authority shall impose comprehensive sanctions against Charles Taylor and the NPFL controlled areas of Liberia, and any other party that fails to comply with the implementation of the programme.

### Article 4

All the Member States of ECOWAS shall take all necessary measures to give full effect to this Decision.

### Article 5

The Committee of Five, in consultation with the Standing Mediation Committee, shall seek the assistance of the Security Council of the United Nations to make whatever sanctions are imposed, effective and binding on all members of the international community in accordance with the provisions of the United Nations Charter.

### Article 6

1. The Authority hereby invites the Secretary-General of the United Nations to take all necessary measures to facilitate the verification and monitoring of the electoral process in Liberia by the United Nations.
2. The Authority extends a similar invitation to the International Negotiation Network (INN) of President Jimmy Carter.

### Article 7

The Authority strongly condemns the murder of some ECOMOG forces by Charles Taylor and the NPFL, and pays tribute to the courage and sense of sacrifice of all ECOMOG servicemen who have fallen in Liberia.

### Article 8

The Authority also pays tribute to the Member States on the Community Standing Mediation Committee and the Committee of Five for the sacrifices they are making on behalf of the Community in human and material terms in seeking the restoration of peace, stability and security to Liberia.

### Article 9

The Authority calls on the Member States which do not have contingents in ECOMOG to endeavour to send troops in order to enhance and strengthen ECOMOG's capacity.

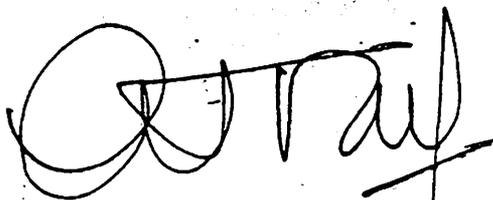
### Article 10

The Authority once more calls on the entire international community to provide every assistance to ECOMOG to ensure the success of its peace-keeping efforts in Liberia.

**Article 11**

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 DAKAR, THIS 29TH DAY OF



His Excellency Abdou DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

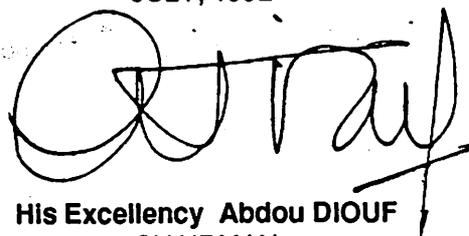
Convinced of the urgent need to conclude an international cocoa agreement before the opening of the new marketing season in October 1992;

Conscious of the heavy losses that cocoa producers would suffer if the said agreement is not concluded before October 1992;

**APPEALS**

To the European Economic Community (EEC), and other consumer countries to conclude with producer countries by the 30th of September 1992 an international cocoa agreement which takes into account the interests of both producers and consumers.

DONE AT DAKAR, THIS 29TH DAY OF  
JULY, 1992



His Excellency Abdou DIOUF  
CHAIRMAN  
FOR THE AUTHORITY

**RESOLUTION A/RES.1/7/92 RELATING TO THE RENEWAL OF THE INTERNATIONAL COCOA AGREEMENT**

**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;

Noting that the solution to the economic and financial problems of Member States is closely linked to obtaining a significant rise in the price of agricultural, mining and mineral resources;

Conscious of the important role of cocoa in the West African economy;

Convinced that an improvement of the price of raw materials can be obtained through negotiations between producers and consumers;

Noting the positive results of the last meeting on the international cocoa agreement held in Geneva from 6 to 21 July, 1992 under the sponsorship of the United Nations Conference on Trade and Development (UNCTAD);

**DECISION C/DEC.1/7/92 ON THE PREPARATION AND IMPLEMENTATION OF REGIONAL DEVELOPMENT PROGRAMME (RDP)**

**THE COUNCIL OF MINISTERS**

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

Having noted that certain measures taken under the Structural Adjustment Programmes adopted in Member States have posed, and continue to pose, problems of harmonisation with certain measures contained in the ECOWAS economic integration programmes;

Considering the need for Member States to undertake coordinated action at regional level to combat the negative effects of the crisis facing their economies;

Having examined and taken note of the report of the second joint meeting of Ministers of Planning and

Finance held in Cotonou, Republic of Benin, on 23 and 24 March, 1992 to consider the effects of Structural Adjustment Programmes on the ECOWAS economic integration programmes and assess the contribution of the ECOWAS Economic Recovery Programme;

## DECIDES

### Article 1

The Community Institutions are hereby mandated to prepare a regional development programme (RDP) comprising regional sectoral policies (RSPs) and regional investment programmes (RIPs).

### Article 2

The regional sectoral policies shall comprise economic integration policies adopted by ECOWAS and national macro-economic policies to be harmonised at regional level, including:

- fiscal policies, including internal taxation measures; and
- national investment codes.

### Article 3

Measures relating to financing of budget deficits and to monetary policies (removal of economic distortions which affect prices, exchange rates and subsidies) shall be undertaken in stages, in accordance with the time-table adopted under the Community Monetary Cooperation Programme.

### Article 4

Member States and the Community Institutions shall identify together projects of the regional investment programmes on the basis of pre-determined selection criteria such as the priority status and integration potential of projects.

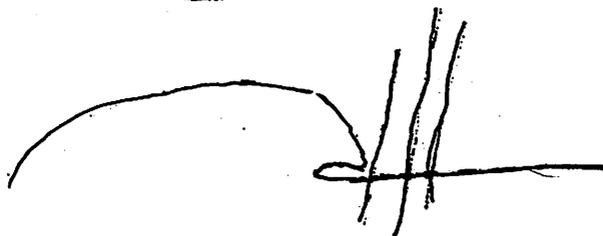
### Article 5

The regional investment programme component in each Member State shall be determined in relation to the absorptive capacity of that economy.

### Article 6

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

DONE AT DAKAR, THIS 25TH DAY OF  
JULY, 1992



Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL

## DECISION C/DEC.2/7/92 ON THE ESTABLISHMENT OF A MECHANISM OF CONSULTATIONS BETWEEN THE NATIONAL AUTHORITIES RESPONSIBLE FOR NATIONAL STRUCTURAL ADJUSTMENT PROGRAMMES (SAPs), ECOWAS INSTITUTIONS AND RELEVANT INTERNATIONAL INSTITUTIONS

### 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 need to devise better alternatives to resolve the problems besetting our national economies;

Considering the need to streamline and harmonise certain measures taken under national structural adjustment programmes and as part of regional economic integration efforts;

Considering the need to set up an appropriate mechanism for consultation as a way of coordinating at the Community level, the different national development policies;

Having considered and taken note of the report of the second joint meeting of Ministers of Planning and Finance held in Cotonou on 23 and 24 March, 1992 to study the effects of SAP on the ECOWAS economic integration programmes and to assess the contribution of the ECOWAS Economic Recovery Programme.

**DECIDES****Article 1**

There is hereby established a mechanism of consultations in the form of periodic meetings (twice yearly) between the National Authorities responsible for national SAPs, the Community Institutions and relevant international organisations, particularly the World Bank, IMF and the African Development Bank (ADB).

**Article 2**

This consultative body shall be responsible for:

- (i) harmonising and coordinating the various aspects of national economic policies, including fiscal provisions in the areas of investment codes, customs codes and other key areas of integration, etc.;
- (ii) ensuring that account is taken in the Structural Adjustment Programmes of the regional minimum investment programme adopted by ECOWAS in order to accelerate the integration process. This regional programme would include, among other things, the most vital programmes and projects for the Community, which would have been identified during consultations referred to above.

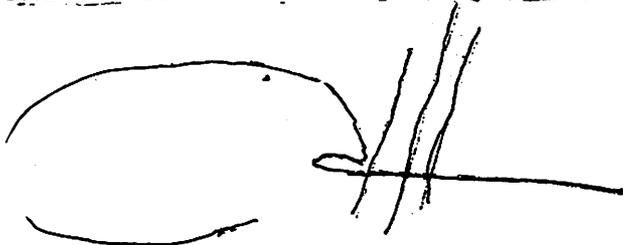
**Article 3**

Decisions adopted at regional level should be considered as binding conditions to be taken into account during negotiations relating to national Structural Adjustment Programmes.

**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 DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

**DECISION C/DEC.3/7/92 ON THE ESTABLISHMENT OF A COMMODITY INFORMATION EXCHANGE SYSTEM****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 of the ECOWAS Council of Ministers establishing a Consultation and Coordination Committee between ECOWAS States for the Programming of Trade Fairs and similar commercial events;

On the recommendation of the Trade, Customs, Immigration, Money and Payments Commission meeting in Lagos from 1st to 5th July, 1992;

**DECIDES****Article 1**

There is hereby established a Commodity Information Exchange System to be operated during international trade fairs organised by Member States.

**Article 2**

The objective of the Commodity Information Exchange System is to enhance the development of international trade and, in particular, to intensify intra-Community trade.

**Article 3**

The Commodity Information Exchange System will comprise computerised data bank containing commercial information and their products.

**Article 4**

The Executive Secretary shall take all necessary measures to ensure the implementation of this Decision.

**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 DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

**DECISION C/DEC.4/7/92 COMPLETING DECISION C/DEC.3/6/88 DATED 21/6/88 DEFINING THE PROCEDURE FOR APPROVAL OF INDUSTRIAL PRODUCTS AND ENTERPRISES TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME**

**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.3/6/88 dated 21 June, 1988 of the Council of Ministers defining the procedure for approval of industrial products and enterprises to benefit from the ECOWAS Trade Liberalisation Scheme;

Mindful of Decision C/DEC.14/6/89 dated 27 June, 1989 establishing the modalities for the allocation of numbers to industrial enterprises and products approved to benefit from the trade liberalisation scheme;

Noting that the case of withdrawal of approval already granted to products is not addressed in the said Decision C/DEC.3/6/88;

Considering the need for completing the said Decision;

On the recommendation of the Trade, Customs, Immigration, Money and Payments Commission which met in Lagos from 1 to 5 July, 1992;

**DECIDES**

**Article 1**

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 to benefit from the trade liberalisation scheme is hereby completed by the insertion of a new Article 8 which reads as follows:

**New Article 8**

Withdrawal of approval shall be effected by the Council of Ministers in a decision passed at the express request with relevant justification of a Member State, or following accusations of fraudulent practices in the operation of trade in approved products raised by one or more States or upon a proposal to that effect submitted by the Executive Secretariat after due investigation.

The following reasons may be accepted as a basis for withdrawal of approval:

- (i) change in the legal status of an enterprise;

- (ii) the approved products no longer comply with the rules of origin;
- (iii) the enterprise is liquidated;
- (iv) the enterprise suffers a case of force majeure;
- (v) use of the ECOWAS certificate of origin meant for approved industrial products to import or export unapproved products or products originating from third countries into or from Member States;
- (vi) extension of the tariff applied to an approved product to third products, manufactured in Member States or to non-approved products (false declaration of nature of product);
- (vii) use of fraudulent markings on industrial products imported from third countries or non-approved industrial products manufactured in Member States; or
- (viii) any other reason which may be deemed acceptable by the Council of Ministers.

The present Article 8 of Decision C/DEC.3/6/88 dated 21 June, 1988 shall now be renumbered as Article 9.

**Article 2**

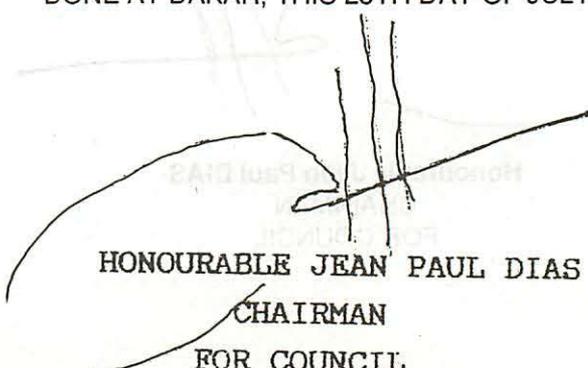
Application for approval from enterprises wishing to benefit from the ECOWAS trade liberalisation scheme shall conform to the new specimen application form which is attached as an annex to this Decision.

The old application forms specified in Article 2 of C/DEC.3/6/88 are hereby repealed.

**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 DAKAR, THIS 25TH DAY OF JULY, 1992

  
HONOURABLE JEAN PAUL DIAS  
CHAIRMAN  
FOR COUNCIL

## **ECONOMIC COMMUNITY OF WEST AFRICAN STATES**

### **APPLICATION FOR ADMISSION TO THE ECOWAS TRADE LIBERALISATION SCHEME**

N.B. This questionnaire must be completed by enterprises wishing to benefit from the scheme.

**IDENTITY OF THE ENTERPRISES**

- BUSINESS NAME
- LEGAL STATUS
- HEADQUARTERS
- LOCATION

TABLE I

BREAKING OF THE CAPITAL AND COMPOSITION OF STAFF

SHARE CAPITAL					PROFESSIONAL STAFF				
Nature of Activity	Amount	Percentage owned by Member State	Percentage owned by Nationals of Member State	Percentage owned by Nationals of other Member States in ECOWAS	Percentage owned by Foreigners (non-ECOWAS citizens)	Nationals	Nationals of other ECO WAS Member States	Nationals of third Countries	Total Employed

TABLE II

PRODUCTION: GOODS ELIGIBLE FOR ECOWAS PREFERENTIAL TARIFFS

Type of Goods and Tariff N° Item	Production Capacity	Production during past three (3) years			Production planned for next three (3) years			Local Raw Material		Imported Raw Materials Inputs			Value Added Product (1)
		19 ...	19 ...	19 ...	19 ...	19 ...	19 ...	Quantity (% of total inputs)	Value (% of total inputs)	Origin	Quantity (% of total inputs)	Value (% of total inputs)	Ex-Factory value (%)

(1) State in detail the formula for the calculation of the value added (refer to table IV attached relating to the determination of the ex-factory cost price and value added.)



TABLE IV

## DETERMINATION OF THE EX-FACTORY COST PRICE AND VALUE ADDED

	Total Cost	Specific cost per product			
		Product N°1		Product N°2	
		Cost	Percentage	Cost	Percentage
<b>I. Cost of Inputs (1)</b>					
(a) – Raw materials of ECOWAS origin					
(b) – Raw materials of foreign origin					
– Other inputs of ECOWAS origin (2)					
– Other inputs of foreign origin (2)					
– Import duties and taxes					
– Other charges on input (internal transportation, storage, transit charges (3))					
<b>II. Cost of non-reusable packaging (1)</b>					
(a) – Packaging of ECOWAS origin					
(b) – Packaging of foreign origin					
– duties and taxes paid on packaging					
– Other charges paid on packaging					
<b>III. Other expenses borne by the Enterprises</b>					
– Salaries and wages					
– Duties and taxes (borne by enterprise)					
– Works, supplies and services provided by external sources					
– Transport and travels					
– Miscellaneous management expenses					
– Financial charges					
– Amortisation (Building and equipment)					
<b>IV. Ex-factory Cost Price</b>					
(I + II + III)					
<b>V. Value Added</b>					
IV – ( + II)   in percentage ex-factory cost price					
(i) CIF of imported raw materials and packaging inputs.					

	Total Cost	Specific cost per product			
		Product N°1		Product N°2	
		Cost	Percentage	Cost	Percentage
<p>NB. 1) The following factors are not taken into account in the determination of the ex-factory cost price</p> <ul style="list-style-type: none"> <li>- Tax on profit</li> <li>- Value added tax</li> <li>- Tax on turnover</li> </ul> <p>(2) "Other inputs" semi-finished products, and component used in the production of goods.</p> <p>(3) The transportation of raw materials and other inputs will be taken into account in the assessment of the value added.</p>					

**TABLE V**  
**DESCRIPTION OF MANUFACTURING PROCESS SUBMITTED FOR APPROVAL**

<b>TYPE OF PRODUCT AND TARRIF N°</b>	<b>MANUFACTURING PROCESS</b>

**DECISION C/DEC.5/7/92 ON THE LIST OF INDUSTRIAL ENTERPRISES AND PRODUCTS ELIGIBLE TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME**

**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 Protocol relating to the definition of the concept of products originating from ECOWAS Member States and its subsequent amendment Acts and Decisions;

Mindful of Decision A/DEC.15/5/80 of the Authority of Heads of State and Government, fixing the level of participation in the equity capital of industrial enterprises wishing to benefit from preferential taxation under the intra-Community trade liberalisation scheme;

Mindful of Decision A/DEC.1/5/83 dated 28 May, 1993 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.3/5/88 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 1 to 5 July, 1992;

**DECIDES**

**Article 1**

Industrial enterprises and goods fulfilling the

ECOWAS rules of origin and approved as being eligible for preferential treatment under the intra-Community trade liberalisation scheme are those contained in the list attached as an annex to this Decision.

**Article 2**

The list referred to in Article 1 may be amended 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.

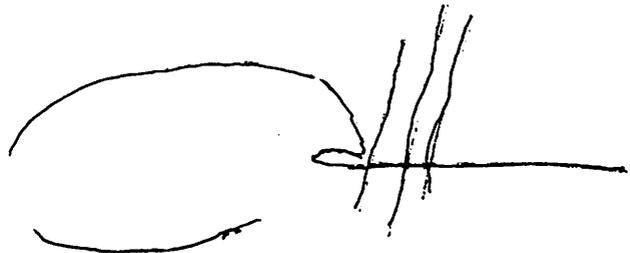
**Article 3**

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

**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 DAKAR, . THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL**

Etat Membre D'Export Exporting Member State	N°/Nomenc- lature	Produit/Product		N° D'agrement/approval Number		
		Designation/Description	Code Pays/ Country Code	N°. Entr. Entr. N°	N°. Prod. Prod. N°	Année Year
Entreprise / Company						
GBO/MDS	33-03	Produits Analgesiques/Analgesics (Tops-Taps)	566	011	01	92
BORSPAK	48-19	Boîtes et Caisses en papier ou cartons ondules/Corrugated Paper cases	566	012	01	92
	48-19	Cartons pliants/Folding cartons	566	012	02	92
	48-21	Etiquettes en papier/Paper labels	566	012	03	92
UAC FOODS	16-01	Saucissons "Gala"/Gala sausage rolls	566	013	01	92
	16-01	Saucissons "Satis"/Satis sausage	566	013	02	92
	21-05	Crèmes glacées/Wall's ice cream	566	013	03	92
A. T. & P.	44-12	Contreplaques/Plywood	566	014	01	92
	44-07	Bois scie (éléments d'ameublement) / Sawn timber (furniture components)	566	014	02	92
	44-01	Particle board/Plaquettes de bois	566	014	03	92
	44-12	Particle board (Venerod)/bois plaqués	566	014	04	92

Etat Membre D'Export Exporting Member State	N°/Nomenclature	Produit/Product		N° D'agrement/approval Number		
		Designation/Description	Code Pays/ Country Code	N°. Entr. Entr. N°.	N°. Prod. Prod. N°	Année Year
Entreprise /Company						
New Draco Cie. Ng. Ltd.	19-05	Biscuits Croustillants/Biscuits Crispies	566	006	01	92
Passat Industries Ltd.	64-04	Chaussures en Cuir/Leather Shoes	566	007	01	92
Nigeria Tobacco Com. Plc	24-02	Cigarettes/Cigarettes	566	008	01	92
Biolutun Pharmaceutical Ltd.	27-10 27-10	Huile de Melange/Advanced fuel conditioner Huile de Moteur/Advanced Engine Oil Conditioner	566	009 566	01 009	92 02
UACN Plc: A.J. Seward (Conglomerate)	33-04	Crèmes de Beauté/Creams - Lotus - Eliza - Shied	566	010	01	92
	33-04	Lotions/Lotions - Fresh - Pears - Cocoa butter	566	010	02	92
	33-04 33-07	Pomades/Pomades Deodorant/Deodorants - Shield - Impulse	566 566	010 010	03 04	92 92
	33-05	Defrisants/Hair preparations - Satin Sheen	566	010	05	92
	33-05	Petroleum Jellies/Vaseline - Pears	566	010	06	92
	30-04	Balm/Baume	566	010	07	92

Etat Membre D'Export Exporting MemberState	N°/Nomenc- lature	Produit/Product		N° D'agrement/Approval Number		
		Designation/Description	Code Pays/ Country Code	N°. Entr. Entr. N°.	N°. Prod. Prod. N°	Année Year
Entreprise / Company						
<b>BENIN</b> Industrial Alimentaire SA BP. 412, Cotonou	19-03 19-03	Couscous sans oeufs/Couscous without eggs Autres pâtes alimentaires sans oeuf/Other pastes without egg	204 204	001 001	01 02	92 92
Société Beninoise de fabrication d'articles menagers (SOBEFAM) BP 412, Cotonou	73-38	Seaux galvanisés/Galvanised buckets	204	002	01	92
<b>NIGERIA</b> Crittal Hope Nig. Ltd.	76-10 76-10	Aluminium Windows 1/Cadres des fenetres en aluminium Aluminium doors 1/Cadres des portes en aluminium	566 566	001 001	01 02	92 92
Integrated Vegetable Oils	15-15	Refined Vegetable Oil/Huile de menage	566	002	01	92
Paterson Zochonis Industries	34-01 34-01 30-01 17-04 33-06 33-03	- Detergent/Detergent - Savon/Soaps - Articles Pharmaceutiques/Pharmaceuticals - Confiserie/Confectionery - Dentifrices/Toothpastes - Preparations Cosmetiques/Cosmetics	566 566 566 566 566 566	003 003 003 003 003 003	01 02 03 04 05 06	92 92 92 92 92 92
Associated Metals & Allied Works Ltd.	73-33	Enamelware/Article de menage en fer	566	004	01	92
Thermocool Eng. Co. Ltd.	84-15 84-18 84-12 39-23	- Refrigerateurs/Refrigerators - Congelateurs/Freezers - Climatiseurs/Air Conditioners - Glacières/Cooler boxes	566 566 566 566	005 005 005 005	01 02 03 04	92 92 92 92

**DECISION C/DEC.6/7/92 ON THE CO-OPERATION AGREEMENT BETWEEN THE WORLD TOURISM ORGANISATION AND 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;

Considering the recommendations of the Twenty-eighth Meeting of the Trade, Customs, Immigration, Money and Payments Commission held in Lagos from 1 to 5 July, 1992;

**DECIDES**

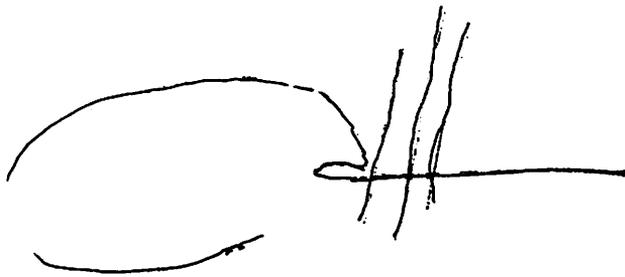
**Article 1**

The Executive Secretary is hereby authorised to finalise and sign a co-operation agreement between the World Tourism Organisation (WTO) and the Economic Community of West African States (ECOWAS)

**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 DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL**

lishing the Council of Ministers and defining its composition and functions;

Mindful of Article 30(2) of the Staff Regulations of the Community Institutions governing dependency allowance for locally recruited staff;

Considering the need to fix the amount of dependent spouse and child allowances for locally recruited staff of Community Institutions;

On the recommendation of the Administration and Finance Commission which met in Dakar from 13 to 18 July, 1992;

**DECIDES**

**Article 1**

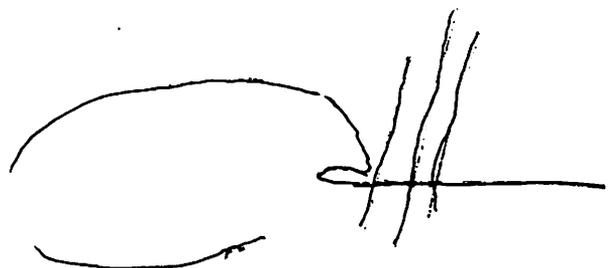
Locally recruited Staff of Community Institutions shall be entitled to the following dependency allowances:

- for a dependent spouse : 94 UA per annum; and
- for a dependent child : 71 UA per annum.

**Article 2**

This Decision shall enter into force on the 1st day of January, 1993 and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL**

**DECISION C/DEC.7/7/92 ON DEPENDENCY ALLOWANCE FOR LOCALLY RECRUITED STAFF OF COMMUNITY INSTITUTIONS**

**THE COUNCIL OF MINISTERS**

Mindful of Article 6 of the ECOWAS Treaty estab-

**DECISION C/DEC.8/7/92 ON THE CONDITIONS OF SERVICE FOR CONTRACT OFFICERS OF COMMUNITY INSTITUTIONS**

**THE COUNCIL OF MINISTERS**

Mindful of Article 6 of the ECOWAS Treaty estab-

lishing the Council of Ministers and defining its composition and functions;

Mindful of Article 19(4) of the ECOWAS Staff Regulations defining the nature of contract appointments in the Institutions of the Community;

Considering the need to provide for benefits and allowances for contract officers serving in the Institutions of the Community;

On the recommendation of the Administration and Finance Commission which met in Dakar from 13 to 18 July, 1992;

#### DECIDES

##### Article 1

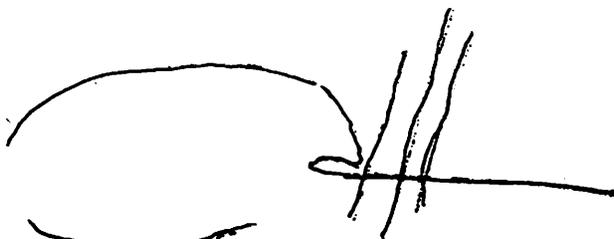
The following benefits and allowances shall be paid to Contract Officers recruited in accordance with the relevant provisions of the Staff Regulations:

- basic salary fixed in accordance with the scale used for officers of corresponding status in the Community;
- medical benefits for themselves and for their dependants;
- 10% of annual basic salary, as contract addition;
- 12.5% of annual basic salary for each year of service as gratuity;
- life insurance, housing, installation and resettlement allowance, dependency allowance, education grant and vacation leave as for professional staff.

##### Article 2

This Decision shall enter into force on the 1st day of January, 1993 and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

#### ADDITIONAL DECISION C/DEC.9/7/92 ON SEPARATION ALLOWANCE FOR STATUTORY APPOINTEES

##### 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.7/12/90 dated 13th December, 1990 on Separation Allowance for Statutory Appointees.

#### DECIDES

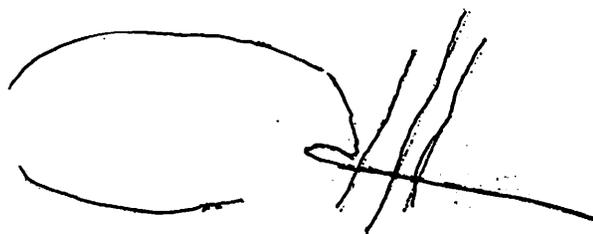
##### Article 1

The interest accruing from the placement of the separation allowance of each Statutory Appointee in a special interest-yielding account shall be paid to him, along with the separation allowance, upon his separation from the service of the Community.

##### 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 DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

#### DIRECTIVE C/DIR.1/7/92 ON THE PREPARATION OF A COMMUNITY PROGRAMME ON ROAD SAFETY AND ROAD ACCIDENT PREVENTION

##### 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 Articles 8 and 10 of Convention A/P2/5/82 regulating Inter-State Road Transportation between ECOWAS Member States;

Mindful of Decision A/DEC.2/5/81 of the Authority of Heads of State and Government relating to the harmonisation of Highway Legislations in the Community;

Noting the rapid increase in road accidents coupled with the high costs of accidents in Member States;

Conscious of the satisfactory results obtained by the setting up of National Road Safety bodies in some Member States;

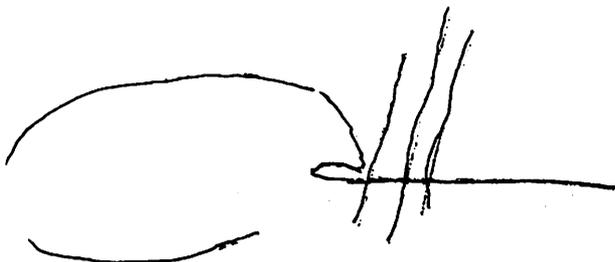
Desirous of reducing road accident rates, costs, as well as human suffering by road users;

On the recommendation of the Transport, Communications and Energy Commission which met in Lagos, from 5 to 8 May, 1992;

#### DIRECTS

The Executive Secretariat to prepare a Community Programme on Road Safety and Road Accident Prevention.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

#### RESOLUTION C/RES.1/7/92 ON THE CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS

##### 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 2, paragraph 2 (d) of the said Treaty which enjoins Member States to progressively

abolish obstacles to free movement of persons, right of residence and establishment;

Mindful of Protocol A/P1/5/79 dated 29 May, 1979 of Free Movement of Persons, Right of Residence and Establishment;

Considering the scope of criminal activity and the rate at which it spreads through the region;

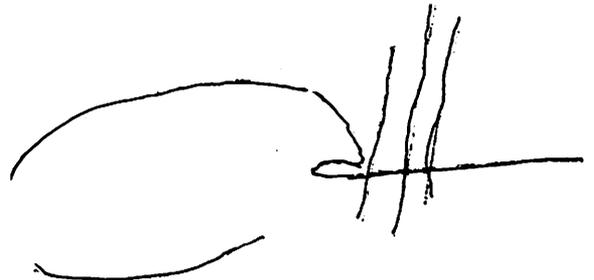
Aware that the Protocol on Free Movement of Persons, Right of Residence and Establishment may not be effectively applied unless the police and the judicial authorities of Member States possess an effective instrument for the implementation of a Community crime prevention policy;

On the recommendation of the Meeting of Ministers of Justice of Member States in Banjul on 14 and 15 May, 1992;

#### PROPOSES

To the Authority of Heads of State and Government to approve and adopt the Convention on Mutual Assistance in Criminal Matters between ECOWAS Member States.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

#### RESOLUTION C/RES.2/7/92 ON THE APPOINTMENT OF THE EXTERNAL AUDITOR OF THE INSTITUTIONS OF THE COMMUNITY

##### 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 10 of the said Treaty on the appointment of the External Auditor;

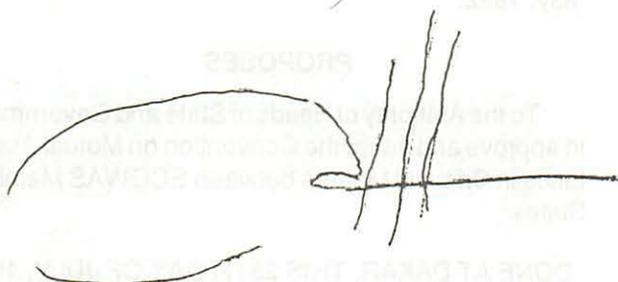
Mindful of Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community, particularly the provisions of Article 1 (B) on the renewal of the term of office of the External Auditor and evaluation report;

On the recommendation of the Ad-Hoc Ministerial Committee on the Selection and Evaluation of Statutory Appointees;

### PROPOSES

To the Authority of Heads of State and Government to adopt the Decision on the Appointment of the firm of Akintola Williams & Co. as the External Auditor of the Community.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

### RESOLUTION C/RES.3/7/92 ON THE TRANSFORMATION OF THE WEST AFRICAN CLEARING HOUSE (WACH) INTO AN AUTONOMOUS SPECIALISED AGENCY OF ECOWAS

#### THE COUNCIL OF MINISTERS

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

Considering Decision A/DEC.6/5/87 of the Authority on the adoption of ECOWAS Monetary Cooperation Programme especially the policy measures to be adopted to achieve the short-term objective of strengthening and improving the WACH mechanism and the long term objective of achieving a single monetary zone;

Considering further Decision A/DEC.12/7/91 of the Authority relating to the implementation of the *rationalisation of institutional arrangements* governing West African integration;

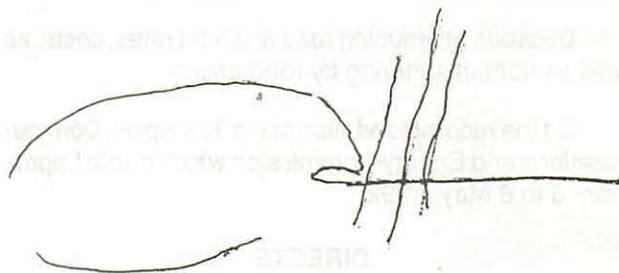
Considering the need to bring the activities of WACH into the integration framework of West Africa;

Considering recommendation COG/REC.1/7/92 of the Committee of Governors of West African Central Banks.

### PROPOSES

To the Authority of Heads of State and Government to approve and adopt the Decision on the transformation of the West African Clearing into an autonomous specialised agency of the Community.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

### RESOLUTION C/RES.4/7/92 ON THE MINIMUM AGENDA FOR ACTION (1992/1993) ON FREE MOVEMENT OF PERSONS AND GOODS.

#### 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 Protocol A/P1/5/79 dated 29 May, 1979 on Free Movement of Persons, Right of Residence and Establishment;

Mindful of Convention A/P4/5/82 relating to Inter-State Road Transit of Goods;

Mindful of Decision A/DEC.1/5/83 relating to the adoption and implementation of a Single Trade Liberalisation Scheme for Industrial Products originating from Member States;

Mindful of Decision A/DEC.2/7/87 relating to the adoption of an ECOWAS Monetary Cooperation Programme;

Noting that the major problems hindering ECOWAS integration efforts is the non-implementation of agreed policies and programmes by Member States;

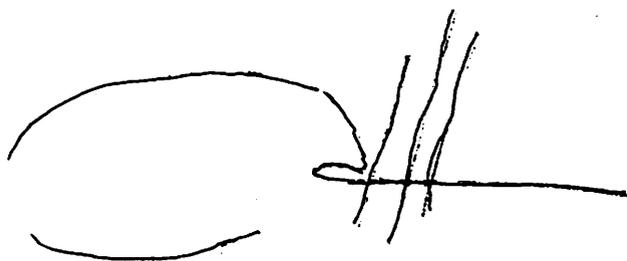
Convinced that the implementation of a minimum agenda for action in such key areas as free movement of persons and goods would revitalise and enhance the West African integration process;

On the recommendation of the Trade, Customs, Immigration, Money and Payments Commission held in Lagos from 1 to 5 July, 1992;

#### **PROPOSES TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

To adopt the Decision on the Minimum Agenda for Action (1992/1993) on Free Movement of Persons and Goods.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

**RESOLUTION C/RES.5/7/92 RELATING TO THE AMENDMENT OF DECISION A/DEC.1/5/83 DATED 30 MAY, 1983 ON THE ADOPTION AND IMPLEMENTATION OF A SINGLE TRADE LIBERALISATION SCHEME FOR INDUSTRIAL PRODUCTS ORIGINATING FROM ECOWAS STATES**

#### **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 provisions of the Protocol dated 5 November, 1976 relating to the definition of the concept of products originating from Member States of the Economic Community of West African States;

Considering the provisions of Decision A/DEC.1/5/83 dated 30 May, 1983 on the adoption and implemen-

tion of a single trade liberalisation scheme for industrial products originating from Member States of the Community;

Considering the provisions of Decision C/DEC.2/5/82 dated 26 May, 1982 of the Council of Ministers relating to the list of priority industrial products for the implementation of the trade liberalisation programme;

Aware of the difficulties encountered in effectively implementing the trade liberalisation scheme particularly in respect of fulfilling the condition relating to the minimum national participation in the equity capital of production enterprises, and the structure of the scheme which involves the categorisation of industrial products on a priority and non-priority basis;

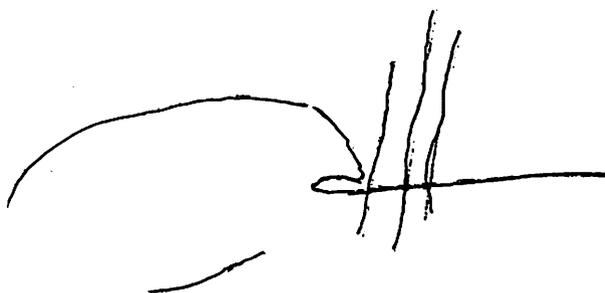
Concerned with the need to simplify the scheme in order to speed up its effective implementation;

Having examined the report of the meeting of the Trade, Customs, Immigration, Money and Payments Commission on the scheme held in Lagos from 1 to 5 July, 1992;

#### **RECOMMENDS**

To the Authority of Heads of State and Government to approve the Decision amending Decision A/DEC.1/5/83 dated 30 May, 1983 relating to the adoption and implementation of single trade liberalisation scheme for industrial products originating from Member States.

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

**RESOLUTION C/RES.6/7/92 ON THE RECOGNITION AND THE GRANTING OF OBSERVER STATUS TO THE WEST AFRICAN UNION OF ROAD TRANSPORTERS (UTRAO)**

#### **THE COUNCIL OF MINISTERS**

Mindful of Article 6 of the ECOWAS Treaty estab-

lishing the Council of Ministers and defining its composition and functions;

Mindful of the provisions of Articles 40 and 41 of the said Treaty relating to the evolution of a common transport and communications policy and on the provision of all-weather roads within the Community respectively;

Mindful of Conventions A/P2/5/82 regulating Inter-State Road Transportation and A/P4/5/82 relating to Inter-State Road Transit of goods;

Desirous of ensuring effective implementation of the transport decisions and protocols in order to facilitate the free movement of persons, goods and services in the region;

Mindful of Decision C/DEC.7/12/88 on the transfer of the Higher Committee on Land Transport (HCLT) to the ECOWAS Executive Secretariat;

Mindful of the provisions of paragraph (c) of Directive C/DIR.3/12/88 calling for ways and means to promote the setting up of a Community Union of Professional Associations of Road Transport Owners;

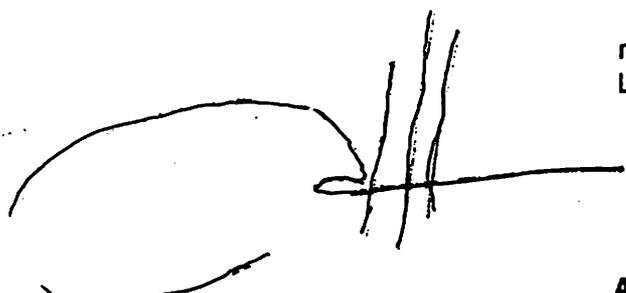
On the recommendation of the Transport, Communications and Energy Commission which met in Lagos from 5 to 8 May, 1992;

After examining the Statutes of the West African Union of Road Transporters (UTRAO);

#### **PROPOSES TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

To adopt the Decision on the Recognition and Granting of Observer Status to the West African Union of Road Transporters (UTRAO).

DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992



**Honourable Jean Paul DIAS**  
CHAIRMAN  
FOR COUNCIL

#### **RESOLUTION C/RES.7/7/92 ON THE INSTALLATION OF WEIGHBRIDGES TO ENSURE COMPLIANCE WITH THE RULE ON THE MAXIMUM AXLE LOAD OF 11.5 TONS**

##### **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 28 May, 1982, which stipulates that the maximum axle load of 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 standardised total weights in the region;

Bearing in mind Decision C/DEC.7/7/91 relating to the Road Traffic Regulations based on the 11.5 tons axle load to protect road infrastructure and road transport vehicles;

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

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

On the recommendation of the Transport, Communications and Energy Commission which met in Lagos from 5 to 8 May, 1992;

##### **REQUESTS MEMBER STATES**

###### **Article 1**

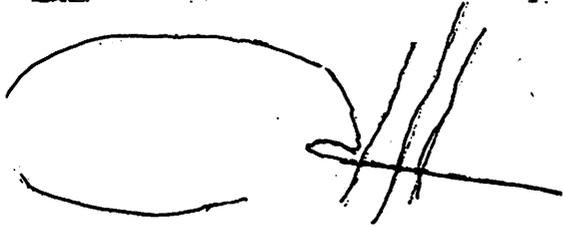
To install weighbridges in order to ensure that the rules on the maximum axle load of 11.5 tons are complied with.

###### **Article 2**

To review periodically transport fares in the

region in order to encourage transport operators to comply with the regulation on the maximum axle load.

**DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992**



**Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL**

**RESOLUTION C/RES.8/7/92 ON THE SETTING UP OF NATIONAL ROAD SAFETY BODIES IN ALL 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 Articles 8 and 10 of Convention A/P2/5/82 regulating Inter-State Road Transportation between ECOWAS Member States;

Mindful of Decision A/DEC.2/5/81 of the Authority of Heads of State and Government relating to the

harmonisation of Highway Legislations in the Community;

Noting the rapid increase in road accidents coupled with the high costs of accidents in Member States;

Conscious of the satisfactory results obtained by the setting up of national road safety bodies in some Member States;

Desirous of reducing road accident rates, costs, as well as human suffering by road users;

On the recommendation of the Transport, Communications and Energy Commission which met in Lagos from 5 to 8 May, 1992;

**APPEALS TO MEMBER STATES**

**Article 1**

To set up national road safety bodies in countries that have not already done so;

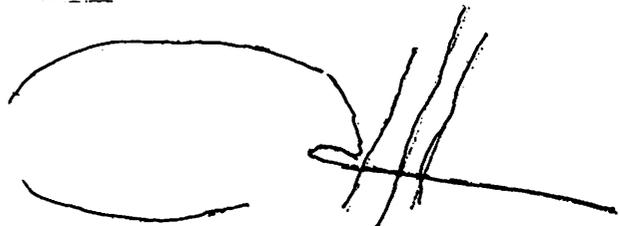
**Article 2**

To become members of the African Group of International Road Safety Organisation;

**Article 3**

To institute an ECOWAS Road Safety and Accident Prevention Day.

**DONE AT DAKAR, THIS 25TH DAY OF JULY, 1992**



**Honourable Jean Paul DIAS  
CHAIRMAN  
FOR COUNCIL**