



## **FORTY SEVENTH ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

Accra, 19 May 2015

### **SUPPLEMENTARY ACT A/SA.3. /05/15 RELATING TO EQUALITY OF RIGHTS BETWEEN WOMEN AND MEN FOR SUSTAINABLE DEVELOPMENT IN THE ECOWAS REGION**

#### **PREAMBLE**

#### **THE HIGH CONTRACTING PARTIES**

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

**MINDFUL** of article 63 of the Revised ECOWAS Treaty entitled "*Women and Development*" committing Member States" to formulate, harmonize, coordinate and establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural conditions of women";

**MINDFUL** of ECOWAS Supplementary Protocol on Democracy and Good Governance;

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

**MINDFUL** of Supplementary Act A/SA.4/12/08 of 19 December 2008 relating to the ECOWAS environmental policy;

**MINDFUL** of Supplementary Act A.SA. 13/02/12 of 17 February, 2012 on the imposition of sanctions against Member States that do not honor their obligations towards ECOWAS;

**MINDFUL** of Supplementary Act A.SA.16/02/12 of February 17, 2012 adopting the ECOWAS policy on the development of mineral resources;

**MINDFUL** of Supplementary Act A.SA.2/06/12 adopting the ECOWAS Policy on Science, Technology and Innovation and its action plan;





**MINDFUL** of the Regional Policy for the protection and assistance of victims of human trafficking in West Africa;

**MINDFUL** of Decision A/DEC.16/01/03 transforming the West African Women's Association (WAWA) into the ECOWAS Gender Development Centre (EGDC ), a decision taken within the framework of the process of developing the ECOWAS Gender Policy, whose primary mission is to work towards the mainstreaming of gender into the Community's integration process ;

**MINDFUL** of Decision A/DEC. of 7/12/03 establishing a gender technical commission in charge of gender equality issues;

**MINDFUL** of Decision A/DEC. of 01/01/05 adopting a gender policy for ECOWAS and all the tools necessary for its implementation;

**MINDFUL** of Decision A/DEC.2/01/05 establishing an ECOWAS gender management system;

**MINDFUL** of Decision A/DEC.11/01/05 of 19<sup>th</sup> January 2005 adopting the ECOWAS Agricultural Policy (ECOWAP / CAADP);

**MINDFUL** of Regulation C/REG.14/12/03 establishing a unit on gender, childhood and youth issues within the ECOWAS Department of Human Development ;

**CONSIDERING** that the ECOWAS Gender Policy vision is to ensure the emergence of a West African society where justice and security thrive and in which men and women can participate, decide, control and benefit from all development activities;

**CONSIDERING** that its mission is to engage West African citizens in the formulation and implementation of sustainable socio-economic development activities liable to contribute to the eradication of poverty eradication and to promote gender equality, good governance and the creation of the requisite conditions for peace through cooperation and integration;

**CONSIDERING** that as part of ECOWAS integration objectives, a gender policy will strengthen the participation and contribution of all segments of the population, including women and key socio-economic development partners, by promoting social justice and equitable living standards;

**CONVINCED** that the development and advancement of women is imperative for development, progress and peace in any society, as expressly stipulated in Article 40, Section VIII of the ECOWAS Supplementary Protocol on Democracy and Good Governance;





**NOTING** that Member States have committed themselves, through the adoption of a number of legal texts, including the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW);

**RECALLING** ILO Conventions 100, 111, 156, 183, relating respectively to equal pay, discrimination in employment and profession to workers with family responsibilities and protection of mothers in the work place;

**EQUALLY NOTING** that all Member States have reaffirmed their commitment to the Forward-looking Nairobi Strategies of 1985, the 1994 Dakar Program of Action, the Beijing Declaration and Platform for Action of 1995, the ECOWAS Gender Policy (2002), the Decision on gender parity taken at the Inaugural Session of the Conference of Heads of State and Government of the African Union (AU) in July 2002 in Durban (South Africa), the Protocol of the African Charter on Human and Peoples' rights on the Rights of women in Africa (2003), the Solemn Declaration of the Heads of State and Government on equality between men and women in Africa (2004), the Declaration 2005 Paris, the Gender Policy of the African Union (2008), the 2000 United Nations Security Council Resolution 1325 on women, peace and security of and related resolutions 1820 (2008) 1888 and 1889 (2009).

**REAFFIRMING** their firm commitment to the obligations contained in the sub-regional, regional and international legal instruments, which consider gender equality and equity, the elimination of discrimination and violence against girls and women, and the protection of human rights as essential for the achievement of the legitimate aspirations of the people of the West African Community;

**RECOGNIZING** the need to honor the commitments and objectives in these instruments with achieved results that still remain fragile and which now face new threats such as HIV/AIDS, globalization, human trafficking, especially women and children, poverty feminization,, violence against women and girls, climate change, food insecurity and armed conflicts.

**RECOGNIZING** in addition that social, cultural and religious practices, attitudes and opinions continue to militate against the achievement of gender equality and equity essential to democracy and development;

**DETERMINED** to establish and reinforce synergy between the various commitments on gender equality and equity at regional, continental and international level and synthesize them into a comprehensive regional instrument that will improve the ability to implement all instruments, while taking on new challenges;





**AWARE** that in conflict and crisis situations, women and children, who are already vulnerable in normal times, become even more vulnerable;

**CONVINCED** that it is imperative, in this context, for ECOWAS Member States to formulate and adopt an instrument that is specific to the West African region and adequately responds to its needs;

**DESIROUS** of adopting a legal framework for achieving equal of rights between men and women within the ECOWAS region;

**AFTER THE OPINION** of the ECOWAS Parliament dated 13<sup>th</sup> May 2015;

**UPON RECOMMENDATION** by the Seventy fourth Ordinary Session of the ECOWAS Council of Ministers held in Accra (Republic of Ghana) from 15<sup>th</sup> to 16<sup>th</sup> May 2015;

### **AGREE AS FOLLOWS:**

#### **TABLE OF CONTENTS**

#### **PREAMBLE**

#### **CHAPTER I: DEFINITIONS, GENERAL PRINCIPLES AND OBJECTIVES**

Article 1	Definitions and list of Abbreviations and acronyms
Article 2	General Provisions
Article 3	Objectives

#### **CHAPTER II: GUARANTEED INDIVIDUAL RIGHTS**

Article 4	Constitutional and Policy Measures
Article 5	Social, Economic and Cultural Rights
Article 6	Access to Justice
Article 7	Matrimonial and Family Rights
Article 8	Social Protection of People Living with Disabilities
Article 9	Protection of the Rights of Widows and Widowers
Article 10	Child Protection





### **CHAPTER III: GOVERNANCE AND DECISION-MAKING**

- Article 11 Representation
- Article 12 Participation in Electoral Processes

### **CHAPTER IV : EDUCATION AND TRAINING**

- Article 13 Access to Education
- Article 14 Access to Training

### **CHAPTER V: WOMEN'S ACCESS TO EMPLOYMENT AND FINANCIAL RESOURCES**

- Article 15 Economic Empowerment of Women
- Article 16 Capacity building for women and men on ECOWAS legal texts relating to rules on Inter-regional trade
- Article 17 Participation in the Formulation of Economic and Social Policies
- Article 18 Access to Property and Resources
- Article 19 Equal Access to Decent Employment and Related Work Benefits
- Article 20 Access of Women to Decent Employment

### **CHAPTER VI : YOUTH AND DEVELOPMENT**

- Article 21 : Youth and Citizenship participation
- Article 22: Youth and Employment

### **CHAPTER VII: GENDER-BASED VIOLENCE**

- Article 23: Repression and Support to victims
- Article 24: Support Services for victims
- Article 25: Human Trafficking
- Article 26: Social, Economic, Political and Cultural Practices
- Article 27: Sexual Harassment and Rape Sexual Harassment and Rape
- Article 28: Training of Services Providers in Support of Victims of Gender-Based Violence.





## **CHAPTER VIII: HEALTH AND HIV / AIDS**

Article 29 : Health

Article 30: Women's Reproductive Health

Article 31: HIV/AIDS, STIs,

## **CHAPTER IX : CONFLICT PREVENTION AND MANAGEMENT, PEACEBUILDING AND SECURITY**

Article 32: Participation in Decision-making Processes and Promotion of of a Culture of Peace

## **CHAPTER X: MEDIA, INFORMATION AND COMMUNICATION**

Article 33: General Principles

Article 34: Equality of Rights Between Women and Men in Media Content

Article 35: Access to Information, Communication and Technology

## **CHAPTER XI: ENVIRONMENT, WATER, SANITATION AND CLIMATE CHANGE**

Article 36: Access to Water and Sanitation

Article 37: Environmental Management

Article 38: Protection against the Negative Impacts of Climate Change

## **CHAPTER XII: AGRICULTURE AND SUSTAINABLE DEVELOPMENT**

Article 39: Access to, and Ownership of, Land

Article 40: Access to Water and to the Factors of Production

Article 41: Productivity and Competitiveness of Agricultural Products

Article 42: Concerted and Harmonized Management of Crisis and Disasters

Article 43: Women's Participation in Decision-Making





## **CHAPTER XIII: INFRASTRUCTURE, ENERGY AND MINING**

Article 44: Access to Infrastructure

Article 45: Access to energy services

Article 46: Access to the mining sector

## **CHAPTER XIV: FINAL PROVISIONS**

Article 47: Remedies

Article 48: Financial Provisions

Article 49: Implementation, Monitoring and Evaluation

Article 50: Dispute Settlement

Article 51: Publication

Article 52: Entry into force

Article 53: Depository Authority

## **CHAPTER I**

### **DEFINITIONS, GENERAL PRINCIPLES AND OBJECTIVES**

#### **Article 1: Definitions and List of abbreviations and Acronyms**

##### **1. Definitions**

In this Supplementary Act, save otherwise indicated by the context, the terms and expressions are hereby defined:

**"Climate Change"** refers to all the variations of climate characteristics in a given location over time: warming or cooling, as well as some forms of air pollution resulting from human activities that threaten to significantly alter the climate, leading to global warming.

**"Gender Stereotypes"** refers to the relationships that are maintained on the characteristics, features and areas of activities which are considered to be suitable for women and men, girls and boys in reference to the traditional roles women and men usually perform, whether at home or within society.





**"Discrimination"** means any type of distinction, exclusion or restriction aiming to impair or nullify the recognition of human rights and fundamental political, economic, social, cultural or civil or other freedoms, or threaten the enjoyment or exercise of human rights and freedoms by any individual.

**"Affirmative Action"** means a program or a measure of orientation that seeks to correct past or current discriminations by adopting active measures, to ensure equal of opportunity in all spheres of life.

**"Sexual and reproductive rights"** Sexual and reproductive rights include access to sexual and reproductive health care and information, as well as autonomy in sexual and reproductive decision-making

**"Gender Equality"** refers to the equal enjoyment of rights and access to resources by women, men, girls and boys in all areas of life.

**"Gender Equity "** means the fair distribution of benefits, rewards and all opportunities between men and women, girls and boys, based upon respect for differences.

**"Member State"** means a Member State of ECOWAS.

**"Gender"** refers to the roles, duties and responsibilities culture and society assign to women, men, girls and boys, which change over time and space.

**"Sexual Harassment"** means any action (verbal, physical, gestural, psychological) exerted on a person who is under the authority of another for the purpose of obtaining sexual favors, and without the consent of the victim.

**" Mainstreaming the Gender Perspective "** A process aiming to identify gender-based gaps to ensure that the concerns and experiences of women, men, girls and boys are, as a whole, taken into account in the design, implementation, monitoring and evaluation of policies and programmes in all spheres in order to guarantee equal benefits for all.

**"Parity"** refers to all measures aimed at safeguarding for women equal participation in the political sphere, in the area of employment (access to a profession, equal recruitment opportunities, employment and equal grading, equal pay), in the area of representation at the head of companies and institutions.

**"Health Care Provider"** means any person who provides care and support services to another person, whether it is emotional, psychological, physical, economic, spiritual or social support.





**"Women's Multiple Roles"** refers to the responsibilities that women take on, namely those related to reproduction, production and community management.

**"Gender"** refers to the biological differences between men and women .

**"Health"** is defined as a state of complete physical, mental, spiritual and social well being of an individual and not merely the absence of disease or infirmity.

**"Informal sector"** means the portion of the economy of a country that is outside of any formal and regular environment.

**"Gender National Structures"** means the national structures in charge of addressing gender or women's issues with a mandate to execute the policies, programmes and related projects.

**"Decent work"** is the availability of employment in conditions of freedom, equity, human security and dignity.

**"Trafficking / Smuggling of Human Beings"** means any operation or action that aims to recruit, transport, transfer, host people, by using or threatening to use force or other forms of coercion of abduction, of fraud, deception, abuse of power or of a position of vulnerability; or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation, such as prostitution of others, sexual exploitation, forced labor, organ extraction and trafficking, slavery or similar practices.

**"Gender-based Violence"** means all kinds of acts perpetrated against women, men, girls and boys based on gender, which cause or could cause to them physical, sexual, psychological or economic damage, including the threat to use such acts or the fact of imposing arbitrary restrictions or deprivation of fundamental freedoms in private or public life in peace time and during periods of armed or unarmed conflicts.

## **2. List of abbreviations and Acronyms**

**AIDS:**           Acquired Immune Deficiency Syndrome

**AU:**             African Union





<b>BCC:</b>	Behavioural Change Education
<b>CECI:</b>	Centre For International Studies and Cooperation
<b>CEDAW:</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CET:</b>	Common External Tariff
<b>ECOWAP:</b>	ECOWAS Common Agricultural Policy
<b>ECOWAS:</b>	Economic Community of West African States
<b>EFH:</b>	Equality of Rights between Women and Men
<b>HIV:</b>	Human Immune Deficiency Virus
<b>ICT:</b>	Information and Communication Technology
<b>IEC:</b>	Information, Education and Communication
<b>ILO:</b>	International Labour Organization
<b>MFI:</b>	Micro-Finance Institutions
<b>SADC :</b>	Southern African Development Community
<b>STD :</b>	Sexually Transmissible Diseases
<b>STI :</b>	Sexually Transmissible Infections
<b>WAWA:</b>	West African Women's Association

## **Article 2: General Provisions**

1. This Supplementary Act is governed by the following principles:

(a) Member states shall conform to the rules of international law in general and the principles of good faith in particular, and shall undertake to implement this Supplementary Act and to align their national laws, policies, strategies and programmes to the provisions of the Act to ensure gender equality and equity as well as strengthen the empowerment of women and girls.





(b) Member states shall cooperate to facilitate the development of the human, technical and financial capacity necessary for the implementation of this Supplementary Act.

2. Member States shall adopt the necessary policies, strategies and programmes, such as affirmative action, to facilitate the implementation of this Supplementary Act. Affirmative action will be implemented for the benefit of women and girls to remove all obstacles to their effective participation in the economic and social development of their communities.

### **Article 3: Objectives**

This Supplementary Act has the following objectives:

- to map out a legal document harnessing all synergies for the harmonization of national legislations with international commitments to protect and promote women's rights in West Africa;
- to harmonize existing legislation and policies in the ECOWAS region into a single regional instrument that will provide a basis and a common reference for all Member States;
- to establish, within the framework of the implementation of the commitments made in this Supplementary Act, an agenda and a mechanism for periodic evaluation at both national and regional levels;
- to strive to strengthen the economic activities of women, eliminate discrimination and achieve gender equality and equity through the development and effective implementation of laws and policies;
- to improve the living conditions of vulnerable groups, mainly women, girls and boys, the elderly and persons living with disabilities in line with the demands of sustainable development;
- to increase the rate of women's participation at all levels of decision-making in the different sectors, particularly in the political sphere, notably the processes of conflict prevention and management and the restoration of peace and security;





- to ensure a greater role for women in early warning mechanisms within the ECOWAS region;
- consolidate regional integration and sustainable development through the effective participation of women in the regional integration process.

## CHAPTER II

### GUARANTEED INDIVIDUAL RIGHTS

#### **Article 4: Constitutional and Policy Measures**

1. Member States shall ensure the effective implementation of the constitutional provisions on gender equality and equity and ensure thereafter that no law, rule or practice infringes these principles of equality and gender equity.
2. Member States shall ensure that women have an increased role in public dialogue processes. To this end, they will ensure that the principle of parity between women and men is applied in the composition of government and in the private sector, especially with regard to positioning women to contest elective positions such as the Parliament and local decision making bodies.

#### **Article 5 : Economic, Social and Cultural Rights**

1. Member States shall implement legislative and regulatory measures to eliminate all practices which negatively impact on human rights, particularly those of women, girls and boys, such as the right to life, to participation, health, dignity, education and integrity.
2. Member States shall support women's economic empowerment.
3. Member States shall support and enhance the contribution of women in the search for solutions against food insecurity, environmental management and all initiatives aimed at mitigating the negative effects of climate change on the lives of women and girls.

#### **Article 6: Access to Justice**

Member States shall ensure the equitable and non-discriminatory treatment of women with regard to access to justice. They shall in particular :





- (a) ensure equal treatment in all judicial and quasi-judicial proceedings, including in the process of national reconciliation;
- (b) ensure equality of status and capacity in civil rights, notably contractual rights, the right to acquire and hold property, and the right of access to credit;
- (c) ensure equity with regard to inheritance ;
- (d) put in place all necessary measures to ensure compensation for damages suffered by women and girls in all settings, both public and private, as well as in the movement of goods and services;
- (e) develop educational programmes to eliminate discrimination and gender stereotyping and to promote the participation of women in the legal system ;
- (f) ensure the equal representation and participation of women in all international, national and traditional courts, as well as in alternative dispute resolution mechanisms;
- ( g ) provide women with accessible and affordable legal and judicial aid services, particularly those that earn low incomes.

#### **Article 7 : Matrimonial and Family Rights**

1. Member States shall enact and adopt, in accordance with their constitutions, appropriate legislative, administrative and regulatory measures to ensure that women and men enjoy equal rights and are regarded as equal partners in marriage.

#### **2. Laws on marriage :**

- (a) guarantee that every marriage is contracted with the free and full consent of both the man and woman involved;
- (b) set the minimum age for marriage at 18 years;
- (c) guarantee that all marriages, be they customary, religious or civil, are registered in accordance with national laws;
- (d) guarantee that during their marriage, the couple have reciprocal rights and obligations towards their children, whose interest it is always primordial to take due account of;





3. Member States shall adopt all appropriate measures to ensure that, in the event of separation, divorce or annulment of marriage:

- (a) parents shall have reciprocal rights and obligations towards their children;
- (b) property acquired during the marriage is shared equitably between both parties,
- (c) parents shall meet their obligations to care for their children and respect court orders to pay alimony;

4. Member States shall put in place the necessary legislation for married people to have the right to retain their nationality or acquire that of their spouses.

5. Member States shall grant women equal rights with men with respect to the acquisition, change or retention of their nationality.

6. Member States shall grant women the right to pass on their nationality to their children in the same way as men.

**Article 8 : Social protection of people with disabilities**

Member States shall adopt the laws and measures necessary for the social protection of persons with disabilities, taking into account the particular vulnerabilities of women and girls who are in this situation in all spheres of life.

**Article 9 : Protection of the Rights of Widows and Widowers**

1. Member States, shall take, in respect of widows and widowers, all necessary measures to:

- (a) prevent them from suffering inhuman, humiliating or degrading treatment;
- (b) ensure that, after the death of the husband or the wife, the surviving spouse is automatically granted custody of the children, save otherwise decided by the courts;
- (c) grant the surviving spouse decent living conditions, particularly the right to continue living in the matrimonial home, to inherit the property of the deceased, to continue working and to avail themselves of all opportunities to improve their living conditions;
- (d) grant to the widow or widower the right to marry any person of their choice;





(e) protect the widow or widower from all forms of violence and discrimination they may suffer as a result of their condition;

(f) Assist widows in engaging in income generating activity

2. Member States shall take legislative and regulatory measures to ensure that, in appropriate circumstances, widowers and widows enjoy the same rights.

#### **Article 10: Child Protection**

1. Member States shall adopt the laws, policies and programmes necessary to ensure the development and protection of the child by:

- (a) eliminating all forms of discrimination against the child, especially the girl child, within the family and the community, and in institutional and state frameworks;
- (b) ensuring that children have equal access to education and health care, and that they are not subject to treatment likely to develop in them a negative image;
- (c) ensuring that children have the same rights and are protected against negative attitudes and cultural practices, such as female genital mutilation and early or forced marriage as stipulated in the ECOWAS Child Policy, the UN Convention on the Rights of the Child, and the African Charter on the Rights and Welfare of Children;
- (d) protecting children from economic exploitation, trafficking and all forms of violence, particularly refugee and migrant children and those afflicted by disabilities or other forms of vulnerability;
- (e) protecting children against sexual and physical abuse such as prostitution, pornography and pedophilia; the forced recruitment of children as soldiers in armed groups; and their involvement in crime, sects and gangs;
- (f) ensuring the prevention, protection, recovery and rehabilitation of children in conflict with the law;
- (g) protecting children against begging, living on the streets and child labour, especially the worst forms of child labour;





(h) Ensuring that children have equal access to information on family life education.

### **CHAPTER III**

#### **GOVERNANCE AND DECISION-MAKING**

##### **Article 11: Representation**

1. Member States shall institute affirmative action to ensure effective gender equality in decision-making positions in public and private sectors.
2. Member States shall take all necessary measures at all levels to demonstrate the essential link between gender-balanced representation, good governance, sustainable democracy, and development.

##### **Article 12: Participation in electoral processes**

1. Member States shall adopt legislative measures and other strategies to ensure equal participation of women and men in all electoral processes, including the administration of elections and voting;
2. Member States shall ensure equal participation of women and men in the appointment of political representatives and decision-making through the adoption of laws and implementation of policies, strategies and programmes aimed at:
  - (a) Strengthening women's capacity to participate effectively through training, leadership mentoring and awareness creation on gender issues;
  - (b) Strengthening the capacity of young people through training, leadership mentoring and civic engagement;
  - (c) Setting up structures to improve gender mainstreaming in civic education.

### **CHAPTER IV**

#### **EDUCATION AND TRAINING**

##### **Article 13 : Access to Education**

1. Member States shall adopt and implement gender-sensitive policies and educational programmes that address issues relating to gender stereotypes and gender-based violence.





2. Member States undertake to make a special budgetary allocation to the education of girls and other vulnerable groups and to put in place a mechanism to ensure the proper use of these funds;
3. Member States undertake to promote literacy and community participation in the deployment of human, material and financial resources;
4. Member States shall encourage the participation of women in education systems especially in Science, Technology and Mathematics; in order to serve as education models for communities;
5. Member States shall comply with the new holistic vision of education by enacting laws that promote equal access to primary, secondary, tertiary, vocational and non-formal education, prevent school dropouts, and ensure school retention and completion at all levels of the educational cycle.

**Article 14: Access to Training**

Member States shall jointly implement well defined programmes that:

- (a) address issues relating to gender stereotypes in the field of training of trainers,
- (b) ensure gender capacity building for all stakeholders
- (c) facilitate advocacy with producers of educational materials, policy makers and school system administrators,
- (d) ensure gender mainstreaming is reflected in the development and review of school curricula and textbooks.

**CHAPTER V**

**ACCESS OF WOMEN TO RESOURCES AND EMPLOYMENT**

**Article 15: Economic Empowerment of Women**

1. Member States shall adopt all necessary legislative and regulatory measures to ensure women's equal access to all economic and lucrative opportunities in the areas of trade and entrepreneurship, including access to public markets, while taking due account of their contributions to the formal and informal sectors.





2. Member States shall review their national trade and entrepreneurship policies in consonance with the principles of gender equality.

3. Member States shall undertake to strengthen the entrepreneurial capacity of women with a view to empowering them through:

- (a) The establishment of support and follow-up mechanisms on access to employment and the creation and management of enterprises;
- (b) The provision of technical means and instruments to promote the inclusion of women's unpaid work in the system of national accounts and the promotion of appropriate technologies for the reduction of domestic tasks;
- (c) The organization of advocacy campaigns for the establishment of collateral funds to enable women to access credit from banking and microfinance institutions;
- (d) The capacity building for women to effectively utilize the resources available within specific support programmes for grassroots initiatives;
- (e) Support appropriate technologies and the cost-effective processing for value added chain and preservation of local products, and in the creation of opportunities and income generating activities;
- (f) Financial support to NGOs and other specialized microfinance institutions (MFIs) to increase the level of women's access to credit;
- (g) Support for the promotion of community projects and access to local production, agro-forestry, small-scale livestock farming, handicrafts, fish farming and food processing resources.

**Article 16: Capacity Building for Women and Men on ECOWAS Legal Texts  
Relating to rules on Inter-regional Trade**

Member States shall train and sensitise women and men on trade policy mechanisms in particular ECOWAS Trade Liberalization Scheme (ETLS) and the Common External Tariff (CET) by:





- (a) training and sensitizing women on their rights and duties with regard to the free movement of products of ECOWAS origin;
- (b) providing special women's awareness on the Common External Tariff.

**Article 17:    Participation in the Formulation of Economic and Social Policies**

1. Member States shall ensure the equal participation of women and men in the formulation and implementation of economic and social policies.
2. Member States shall ensure that gender equality objectives are taken into account in all planning, programming and budgeting processes at all levels.

**Article 18:    Access to Property and Resources**

1. The Member States undertake to:
  - (a) Put in place mechanisms to ensure the competitiveness of women-owned or managed businesses;
  - (b) Facilitate women's access to property and to encourage their participation in land reform processes.
2. Member States shall review and amend laws and policies governing women's access to, ownership and control of productive resources in order to:
  - (a) put an end to discrimination against women and children in terms of access to water, housing and the right to own land, as well as discrimination and suffering associated with climate change;
  - (b) ensure women's equal access and right to credit, capital, mortgage and training;
  - (c) ensure women's access to appropriate modern information and communication technology (ICT) services and support.





### **Article 19 : Equal Access to Decent Employment and Related Work Benefits**

1. Member States shall review, amend and adopt laws and policies to ensure that women and men have equal access to decent and paid employment in all sectors of the economy, in accordance with ILO employment and labour standards.
2. Member state shall revise and adopt appropriate measures to:
  - (a) ensure equal pay to both women and men for work of equal value;
  - (b) eliminate occupational segregation and all forms of employment-related discrimination;
  - (c) recognize and protect the economic value of the work done by women in the agricultural and domestic sectors.
3. Member states shall adopt and enforce legislation and regulatory measures prohibiting dismissal or refusal to recruit women on the basis of pregnancy or maternity leave.
4. Member States shall make provisions for women and men to enjoy maternity and paternity leave and other social benefits.
5. Member States shall ensure equal employment and retirement benefits, for women and men, irrespective of their marital status.
6. Member States shall ensure that when a female dies, the surviving husband and children benefit from the wife's pension.

### **Article 20: Access of Women to Decent Employment**

1. Member States shall ensure equal access of salaried or self-employed women to decent employment in the formal or informal economy, or domestic work.
2. Member States shall ensure enhanced organization of work to:
  - (a) increase the ability of women to achieve a balance between the demands of work and family life and promote life-long learning.





(b) ensure full involvement of social partners in efforts to achieve decent work and to develop social dialogue mechanisms while ensuring that initiatives devoted to the promotion of the Decent Work Agenda are sustained;

(c) develop and implement programmes to promote the creation of productive jobs in accordance with international labor standards in order to ensure and extend social protection to all workers.

## **CHAPTER VI**

### **YOUTH AND DEVELOPMENT**

#### **Article 21 : Youth and Citizen Participation**

1. Member States shall undertake to define a gender sensitive vision for youth in all areas, particularly in politics, education, health, sports, culture, lifestyles and entertainment.
2. Member States shall adopt gender-sensitive legislative and regulatory measures, policies and programmes to protect the youth against crime, drugs, truancy and all forms of deviance in order to ensure their effective integration into society.
3. Member States shall ensure the active and effective participation of young people in national, community, regional and international decision-making bodies on the basis of gender equity and equality.
4. Member States shall create a framework for the youth to exchange and share ideas on youth issues, with the support and supervision of the authorities of their countries.

#### **Article 22: Youth and Employment**

Member States shall take the necessary measures to:

- (a) put in place training and job-creation programmes and projects based on gender equity and equality;
- (b) encourage the promotion of youth self-employment schemes in all sectors of the economy, by facilitating their access to productive resources and credit;





- (c) eliminate all forms of discrimination against the youth in terms of access to the factors of production;
- (d) promote youth access to decent employment.

## **CHAPTER VII**

### **GENDER-BASED VIOLENCE**

#### **Article 23: Prohibition and Support for Victims**

1 Member States shall:

- (a) adopt laws prohibiting all forms of gender-based violence, and ensure their implementation;
- (b) ensure that the perpetrators of gender-based violence, including domestic violence, sexual harassment, female genital mutilation and all other forms of gender-based violence are brought before a court of competent jurisdiction and punished accordingly.

2. Member States shall adopt laws on gender-based violence that provide for testing, treatment and care of victims of sexual offenses. Victims of sexual offences shall have access, in particular, to:

- (a) medical emergency care and treatment;
- (b) post-exposure treatment/prophylaxis in all health centers so as to reduce any risk of contracting HIV and other opportunistic infections;
- (c) treatment for the prevention of sexually transmitted infections;
- (d) justice, through the enforcement of criminal laws on gender-based violence and the provision of the appropriate remedies.

3. Member States shall establish the necessary mechanisms for social and psychological rehabilitation of victims of gender-based violence.





#### **Article 24: Support Services for Victims of Gender Based Violence**

1. Member States shall:

- (a) develop a standardized procedure and guidelines to support victims of violence through establishment of One-stop centre;
- (b) provide accessible, free or affordable, effective and responsive services to ensure the social and psychological well-being of victims of gender-based violence as well as well-coordinated and harmonized health systems;

2. Member States shall put in place or reinforce funds for the provision of legal assistance to victims of gender-based violence.

3. Member States shall take measures to ensure compensation by the perpetrators, co-perpetrators, sponsors and accomplices of violence suffered by the victims.

#### **Section 25: Human Trafficking**

Member States shall:

- (a) adopt specific legislative measures aimed at preventing human trafficking and provide comprehensive services to survivors of trafficking as well as ensure their social reintegration;
- (b) put in place appropriate mechanisms to equip the police and the judiciary with the means to eradicate human trafficking networks at the national, regional and international levels;
- (c) put in place harmonized mechanisms for data collection and reporting on the types and modes of trafficking in order to ensure effective programming, monitoring and evaluation;
- (d) conclude bilateral and multilateral agreements to ensure better border management and to carry out joint and concerted action against human trafficking in relation to countries of origin, transit and destination;
- (e) Ensure that capacity building campaigns are organized for the police force and the judiciary;





(f) ensure the acceleration of national efforts in the fight against the factors that make people vulnerable to human trafficking, including :

- the creation or revitalization of national structures to fight against trafficking;
- the establishment of a regional structure on the fight against trafficking;
- the development of projects and programmes for victims of trafficking, especially women and children;
- The conduct of a regional study on the trafficking of women and girls in line with national and sub-regional strategies on the fight against this scourge;
- the monitoring and evaluation of cooperation agreements among Member states or signed with third countries in the fight against trafficking.

**Article 26: Social, Economic, Cultural and Political Practices**

1. Member States shall take appropriate measures to review customary norms, including social, economic, cultural and political practices and religious beliefs that legitimize and exacerbate the persistence and tolerance of gender-based violence, in order to punish such practices, and to denounce their negative impact on society, through awareness campaigns.

2. Member States shall introduce in all sectors of society, public information and awareness creation programmes on gender equality issues in order to change attitudes and to eradicate gender-based violence.

**Article 27 : Sexual Crimes and Offences**

1. Member States shall adopt laws and regulations for the implementation of policies, strategies and programmes that define, prohibit and penalize sexual harassment and rape in all areas.

2. Member States shall take measures to punish sexual crimes and offences committed by the military during peacekeeping missions in the ECOWAS region.

**Article 28: Training of Service Providers involved in Support of Victims of Gender-based Violence**

Member States shall introduce and promote:





- (a) education and training on equality of rights between women and men for judiciary and extra-judiciary actors involved in the provision of support to victims of gender-based violence;
- (b) community information and awareness creation programmes on the services and resources available for victims of gender-based violence.

### **CHAPTER VIII**

#### **HEALTH AND HIV / AIDS**

##### **Article 29: Health**

In accordance with the provisions set out in regional and international legal instruments on health, Member States shall adopt and implement frameworks, policies and programmes for the provision of adequate, affordable and gender-sensitive health care services, to:

- (a) substantially reduce the rate of maternal and child mortality;
- (b) develop and implement policies and programmes aimed at responding to the reproductive, mental and sexual health needs of women and men;
- (c) implement accessible and free health programmes for children, pregnant women, mothers and the elderly people;
- (d) make available information, advice and guidance to improve the management of family health and well-being issues;
- (e) ensure the provision of adequate hygiene and sanitary facilities to women, especially women in detention, as well as their nutritional needs;
- (f) increase budgetary allocations to emergency and primary health care (maternity and nursery) to improve the health of women and newborns; as well as the needs of their children.

##### **Article 30: Reproductive Health of Women**

Member States shall:





- (a) take appropriate measures to protect and support women suffering from reproductive health-related conditions, such as obstetric fistula, female-related cancers, uterine prolapse, early pregnancy and infertility;
- (b) develop and implement policies and programmes aimed at ensuring the proper recognition of work done by female health care providers in order to ensure that they receive the appropriate resources and psychological support;
- (c) encourage men to become health care service providers;
- (d) provide support to women living with HIV/AIDS.

#### **Article 31: HIV/AIDS, STIs**

1. Member States shall take all necessary measures to implement gender-sensitive policies and programmes aimed at providing services for the prevention, treatment, care and support in terms of STIs, , and HIV/AIDS.
2. Member States shall ensure that the policies and programmes referred to in the first paragraph of this Article take account of the unequal status of women as well as the harmful practices and biological factors that make them constitute the majority of people infected and affected by STIs, , HIV and AIDS.
3. Member States shall:
  - (a) develop gender-sensitive strategies to prevent new infections;
  - (b) ensure that women, men and children infected with HIV, STIs, or suffering from prostate, prolapse, obstetrics fistula and AIDS have access to treatment.

### **CHAPTER IX**

#### **CONFLICT PREVENTION AND MANAGEMENT, PEACE AND SECURITY**

#### **Article 32: Participation in Decision-Making and the Promotion of a Culture of Peace.**

1. Member States shall adopt the necessary measures to ensure women's equal representation and participation in key decision-making positions on conflict prevention and management, peace building and security in accordance with:





- The ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and security;
- The ECOWAS Supplementary Protocol on Democracy and Good Governance
- United Nations Security Council resolutions 1325, 1820, 1888 and 1889 on Women, Peace and Security.

2. During periods of armed conflict or crisis of any kind, Member States shall take all necessary measures to prevent and eliminate all incidences of human rights violations, especially those of women and children, and ensure that the perpetrators of these violations are brought to justice before a court of competent jurisdiction.

3. For the purpose of the prevention and maintenance of peace and security, Member states shall take all necessary measures to promote a culture of peace, taking into account early childhood.

4. Member States shall ensure the protection of women and children from all forms of violence in conflict zones and refugee camps.

## CHAPTER X

### MEDIA, INFORMATION AND COMMUNICATION

#### **Article 33:    General Principles**

1. Member States shall ensure that equality of rights between men and women is taken into account in all media-related legislation, policies, programmes, training and recruitment.
2. Member States shall take measures to ensure that the media and organizations associated with them mainstream gender in their policies and procedures.
3. Member States shall take all necessary measures to promote equal representation of women in media practice and in media-related decision-making structures.
4. Member States shall take the necessary measures to ensure that regulatory mechanisms on the audiovisual sector are in place in all ECOWAS countries.





#### **Article 34 : Equality of Rights Between Women and Men in Media Content**

1. Member states shall ensure that media organizations, the press, regulatory institutions and training centers take account of the principle of equality of rights between women and men in their codes of conduct, procedures and policies as enshrined in the regional and international legal instruments;

2. Member States shall prohibit:

(a) pornography and portrayal of violence in the media (traditional and modern media such as internet and social networks), particularly with respect to women and children;

(b) the publication of pictures and articles that demean women;

(c) the degradation and exploitation of women for advertising purposes.

3. Member States shall encourage the media to give equal opportunities to women and men in all aspects of media coverage, by increasing the number of programmes on women or produced by women, or programmes that fight against gender stereotypes.

4. Member States shall take measures to encourage the media to play a constructive role in the eradication of gender-based violence by adopting gender-sensitive programmes.

#### **Article 35: Access to Information, Communication and Information and Communication Technology**

Member States shall adopt policies and laws on information and communication technology in the area of social, cultural and economic development, with the view to building the capacity and competence of women and girls by ensuring their access to information, communication and information and communication technology, regardless of race, age, religion or social class.

### **CHAPTER XI**

#### **ENVIRONMENT, WATER, SANITATION AND CLIMATE CHANGE**

#### **Article 36: Access to Water and Sanitation**

Member States shall take the necessary measures for the improvement of sanitation and access of people to safe drinking water through:





- (a) the establishment of infrastructure and the provision of adequate equipment and materials that are adapted to household usage;
- (b) the improvement of renewable energy (use of solar) and rural electrification in a bid to reduce the burden of work on women and improve the competitiveness of businesses managed by women;
- (c) the improvement of household waste management; the banning of the use of inappropriate bags, particularly plastic bags that have adverse effects on biodiversity; and the improvement of the quality of life;
- (d) Member States shall ensure a respectful and rational exploitation of fishery and agricultural resources and handicraft for better conservation of biodiversity and sustainable development in the ECOWAS region.

#### **Article 37: Environmental Management**

##### **(1) Participation**

Member States undertake to adopt measures for the equitable participation of women and men in decision making bodies on the management of the environment and natural resources, and to implement plans on land use and the integrated management of natural resources and fisheries, taking into account equality of rights between women and men.

##### **(2) Protection**

Member States shall take measures to promote the use of alternative energy for domestic purposes in order to mitigate the negative impact of firewood use, such as the disappearance of certain plant and animal species, the degradation of forest resources, soil impoverishment, and the occurrence of bushfires.

#### **Article 38: Protection Against the Negative Effects of Climate Change**

Member States shall implement policies and programmes to reduce the negative impacts of climate change on the population in general, and women in particular, by:

- (a) the putting in place of mechanisms for the management of the ecosystem and the prevention of natural disasters, taking into account equality of rights between women and men;





- (b) the adoption of common gender sensitive regional plans and programmes to protect the environment and natural resources;
- (c) support for Information, Education and Communication (IEC) and Behavioural Change Education (BCC) campaigns on the preservation of the environment, natural resources and the effects of climate change.

## CHAPTER XII

### AGRICULTURE AND SUSTAINABLE DEVELOPMENT

#### **Article 39: Access to, and Ownership of Land**

Member States shall take all necessary measures to ensure equitable access, ownership and control to land and land resources.

#### **Article 40: Access to Water and Factors of Production**

Member States shall take measures to improve the management of water, including the promotion of irrigation and the integrated management of water resources.

#### **Article 41: Productivity and Competitiveness of Agricultural Products**

Member States shall take all necessary measures to ensure the promotion of national, regional and international trade of products through:

- (a) capacity building for women to enhance competitiveness of women in the agricultural sector, including the food chains, food crops, organic crops, livestock, cash crops, small-scale fisheries, aquaculture and the development of the processing of agricultural products;

(b) strengthening of support services (inputs, equipment, transportation, micro finance structures, etc.) and market access for women.

#### **Article 42: Concerted and Harmonized Management of Crisis and Disasters**

Member States undertake to mainstream gender in the system of coordinated and harmonized management of food crises and other natural disasters (fires, floods, insect and pest infestation, drought, etc.).





**Article 43: Participation of Women in Decision-Making**

Member States undertake to promote the active participation of women in the formulation of agricultural policies, strategies, programmes and projects.

**CHAPTER XIII**

**INFRASTRUCTURE, ENERGY AND MINING**

**Article 44: Access to Infrastructure**

Member States shall take measures to ensure the regulation and equal access of women and men to infrastructure, by improving their access to diversity of infrastructure (ICT, aviation, rail, river and road transport).

**Article 45: Access to Energy Services**

Member States shall undertake to promote access to energy services for all, and particularly to increase access to energy services for rural and peri-urban populations in an equitable manner and without gender related discriminations.

**Article 46: Access to the Mining Sector**

Member States shall undertake to take measures in order to:

- a) facilitate the involvement of women in the mining sector value chain;
- b) facilitate equal access of women and men to funding for mining sector investments;
- c) increase the level of involvement of women in the mining industry;
- d) facilitate women access to investments funds in the mining sector;
- e) strengthen the institutional, technical and financial capacity of women in the mining sector;
- f) encourage the establishment of women's cooperatives in the mining sector.
- g) set up mechanisms for support and protection of women and children exposed to sex work and illegal work respectively.





## CHAPTER XIV

### FINAL PROVISIONS

#### **Article 47: Remedies**

Member States shall:

- (a) provide in their legislation the appropriate corrective measures for any person whose rights or freedoms guaranteed by this Additional Act are violated;
- (b) ensure that such remedies are determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the law.

#### **Article 48: Financial Provisions**

- 1. Member States shall ensure the mainstreaming of gender equality in planning and resource allocation processes, as well as capacity building for women and girls.
- 2. Member States shall mobilise and make available/allocate the necessary human, technical financial resources for the successful implementation of this Supplementary Act.

#### **Article 49 : Implementation, Monitoring and Evaluation**

- 1. Member States shall ensure the implementation of this Supplementary Act at the national or regional level.
- 2. Member States shall ensure, through appropriate national and regional structures, that national and regional action plans with concise objectives and timelines are developed, and that appropriate monitoring and evaluation mechanisms are put in place and implemented accordingly.
- 3. Each Member State shall collect and analyze data that will be used to assess progress made in the achievement of the objectives set out in this Supplementary Act.
- 4. An Ad hoc committee shall be set up to monitor the implementation of this Supplementary Act through an Enabling Regulation of the President of the Commission upon recommendation of the Commissioner, for Social Affairs and Gender; which spells out in detail its composition, mandate and operational modalities. The ECOWAS Gender Development Centre shall provide the secretariat.





5. Sanctions for non-compliance with the provisions of this Supplementary Act are those laid down by Article 77 of the Revised Treaty of ECOWAS, as well as those of the Supplementary Act A.SA. 13/02/12 of 17<sup>th</sup> February 2012, laying down rules on sanctions against Member States not honoring their obligations vis-à-vis ECOWAS.

**Article 50: Settlement of Disputes**

1. Member States shall endeavor to settle amicably any dispute concerning the application, interpretation or implementation of the provisions of this Supplementary Act.
2. The disputes involving the interpretation or application of this Supplementary Act that cannot be settled amicably shall be brought before the ECOWAS Community Court of Justice, in accordance with Article 16 of the Revised Treaty.
3. The citizens of any Member State have the right to resort to the Community Court of Justice, ECOWAS when they believe that they have suffered any harm as a result of the violation of the rights set forth therein. The conditions under which this course of action can be taken are stipulated in the texts relating to the organization and functioning of the Community Court of Justice.

**Article 51: Publication**

The ECOWAS Commission shall publish this Supplementary Act in the Official Journal of the Community within thirty (30) days of its signing by the Heads of State and Government. It shall also be published in the Official Gazette of each Member State within thirty (30) days of notification by the Commission.

**Article 52 : Entry into Force**

1. This Supplementary Act shall enter into force upon its publication. Accordingly, Member States undertake to commence its implementation on its entry into force.
2. This Supplementary Act is annexed to the Treaty of ECOWAS, of which it is an integral part.

**Article 53: Depository Authority**

This Supplementary Act shall be deposited with the Commission, which shall in turn forward truly certified copies to all Member States and shall cause it to be registered at the African Union, the United Nations and all other organizations designated by the Council.





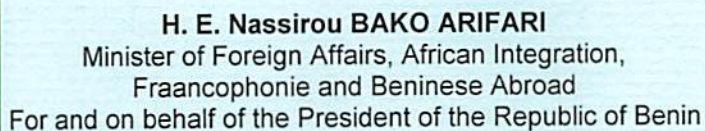
**IN WITNESS WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE  
ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS  
SUPPLEMENTARY ACT.**

**DONE IN ACCRA ON THE 19TH DAY OF MAY 2015**

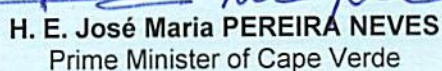
**IN ONE ORIGINAL ONLY, IN FRENCH, ENGLISH AND PORTUGUESE.  
THE THREE (3) TEXTS ARE EQUALLY AUTHENTIC.**

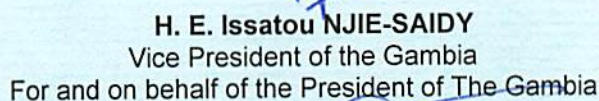


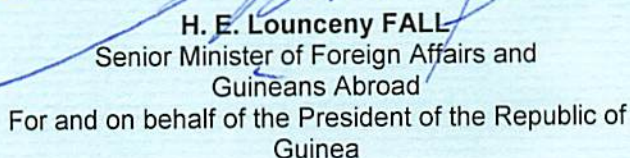


  
**H. E. Nassirou BAKO ARIFARI**  
Minister of Foreign Affairs, African Integration,  
Fraancophonie and Beninese Abroad  
For and on behalf of the President of the Republic of Benin

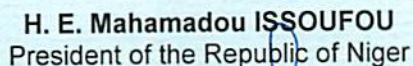
  
**H. E. Michel KAFANDO**  
President of the Transition of Burkina Faso

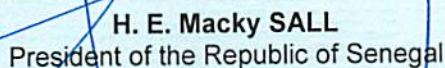
  
**H. E. José Maria PEREIRA NEVES**  
Prime Minister of Cape Verde

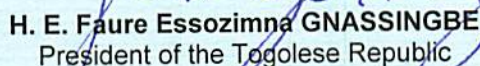
  
**H. E. Issatou NJIE-SAIDY**  
Vice President of the Gambia  
For and on behalf of the President of The Gambia

  
**H. E. Lounceny FALL**  
Senior Minister of Foreign Affairs and  
Guineans Abroad  
For and on behalf of the President of the Republic of  
Guinea

  
**H. E. Ellen JOHNSON-SIRLEAF**  
President of the Republic of Liberia

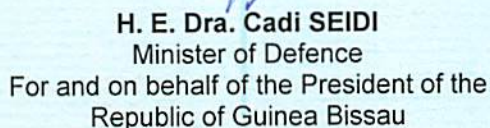
  
**H. E. Mahamadou ISSOUFOU**  
President of the Republic of Niger

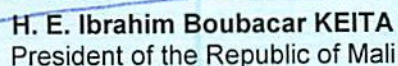
  
**H. E. Macky SALL**  
President of the Republic of Senegal

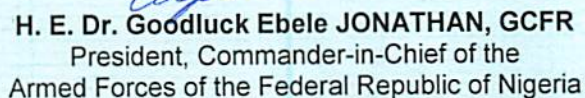
  
**H. E. Faure Essozimna GNASSINGBE**  
President of the Togolese Republic

  
**H. E. Alassane OUATTARA**  
President of the Republic of Côte d'Ivoire

  
**H. E. John Dramani MAHAMA**  
President of the Republic of Ghana

  
**H. E. Dra. Cadi SEIDI**  
Minister of Defence  
For and on behalf of the President of the  
Republic of Guinea Bissau

  
**H. E. Ibrahim Boubacar KEITA**  
President of the Republic of Mali

  
**H. E. Dr. Goodluck Ebele JONATHAN, GCFR**  
President, Commander-in-Chief of the  
Armed Forces of the Federal Republic of Nigeria

  
**H. E. Ernest Bai KOROMA**  
President of the Republic of Sierra Leone





**FORTY-SEVENTH ORDINARY SESSION OF THE AUTHORITY OF  
HEADS OF STATE AND GOVERNMENT**

Accra, 19 May 2015

**DECISION A/DEC.3/05/15 ALLOCATING THE HEADQUARTERS OF  
THE ECOWAS REGIONAL COMPETITION AUTHORITY (ERCA) TO A  
MEMBER STATE**

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

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

**MINDFUL OF** Supplementary Act A/SA.1/12/08 adopting Community Competition Rules and the implementation modalities within ECOWAS,

**MINDFUL OF** Supplementary Act A/SA.2/12/08 on the establishment, duties and functioning of the ECOWAS Regional Competition Authority,

**MINDFUL OF** Regulation C/REG.15/11/09 setting out the criteria for hosting ECOWAS Institutions and Agencies,

**WHEREAS**, following the establishment of the ECOWAS Regional Competition Authority (ERCA), it has become necessary to ensure it is properly set up, with its headquarters located in a Member State,

**WHEREAS**, subsequent to the call for candidates to host the headquarters, applications have been put in by three (3) Member States, namely, the Republics of Guinea-Bissau, Gambia and Benin,

**WHEREAS**, in conformity with Article 6 of Regulation C/REG.15/11/09 prescribing criteria for hosting ECOWAS Institutions and Agencies, the Commission President fielded an evaluation mission from 1 to 10 March to assess the level of preparedness of the three (3) candidate countries for hosting the ERCA headquarters,





-2-

**RECALLING** that in order to ensure an equitable distribution of ECOWAS institutions and agencies in Member States, some criteria are taken into consideration,

**DESIROUS** of allocating the headquarters of the ECOWAS Regional Competition Authority to a Member State,

**ON THE RECOMMENDATION** of the seventy-fourth ordinary session of the ECOWAS Council of Ministers held in Accra, Ghana on 15 and 16 May 2015,

**HEREBY DECIDES:**

**ARTICLE 1**

The headquarters of the ECOWAS Regional Competition Authority (ERCA) shall be located in the Republic of The Gambia.

**ARTICLE 2**

This Decision shall be published by the ECOWAS Commission in the Official Journal within thirty (30) days of signature by the Chairperson of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same timeframe following notification thereof by the Commission.

**DONE AT ACCRA THIS 19TH DAY OF MAY 2015**

  
.....  
**H.E. Mr JOHN DRAMANI MAHAMA**

**THE CHAIRMAN  
FOR THE AUTHORITY**





**FORTY SEVENTH ORDINARY SESSION OF THE  
AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

Accra – 19 May 2015

**DECISION A/DEC.4/05/15 EXTENDING THE MANDATE OF THE  
ECOWAS MISSION IN GUINEA BISSAU (ECOMIB)**

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

**Having regard to** articles 7, 8 and 9 of the ECOWAS Treaty as amended establishing the Authority of Heads of State and Government and defining its functions and composition;

**Having regard to article 58** of the Revised ECOWAS Treaty on Regional Security;

**Having regard to the Declaration** on the ECOWAS Political Principles adopted on 6 July 1991 in Abuja;

**Having regard to the ECOWAS Protocol** on the Mechanism for Conflict Prevention, Management, Resolution and Peace Keeping and Security signed on 10 December 1999 in Lome;

**Having regard to Decision A/DEC.1/04/12** of 26 April 2012 authorizing the deployment of the ECOWAS Standby Force (ESF) contingent in Guinea Bissau;





-2-

**Having regard to** Decisions A/DEC.1/5/12, A/DEC.2/11/12 of 11 November 2012 and A/DEC. 02/11/12 of 11 November 2012 respectively broadening the mandate of the ECOWAS Standby Force, renewing the mandate of the ECOWAS Mission in Guinea Bissau (ECOMIB) and extending its deployment for a new period of six (6) months respectively;

**Having regard to** Decision A/DEC.1/7/13 supporting the extension of the mandate of the transitional bodies in Guinea Bissau;

**Having regard to** Decision A/DEC. 8/03/14 extending the mandate of the ECOWAS Mission in Guinea Bissau (ECOMIB) ;

**Having regard to** Decision A/DEC. 02/12/14 extending the mandate of the ECOWAS Mission in Guinea Bissau (ECOMIB);

**WHEREAS** in accordance with the provisions of Decision A/DEC.02/12/14 of 15 December 2014, the mandate of ECOMIB was renewed until the end of June 2015;

**AWARE of the fact that in order** to address security challenges in a sustainable manner, it is important to pursue the ECOWAS Mission in the country **with a view to** completing the stabilisation and pacification mission in Guinea Bissau;

**DETERMINED** to enable ECOMIB complete the post-electoral stabilisation mission in Guinea Bissau;

**DESIROUS OF** extending the mandate of ECOWAS Mission in Guinea Bissau for a new period of six (6) months





-3-

**AFTER CONSIDERATION** of the Commission President's Memorandum on Guinea Bissau

**UPON RECOMMENDATION** by the 34th Ordinary Session of the ECOWAS Mediation and Security Council meeting at ministerial level in Accra, Ghana on 17 May 2015,;

**HEREBY DECIDES AS FOLLOWS:**

**Article 1:**

The duration of ECOMIB's mandate is hereby extended for a period of six months from 1<sup>st</sup> July to 31st December 2015.

**Article 2:**

During the period stated under article 1 of this Decision, the mandate shall cover:

- a) Providing support for the Government of the Republic of Guinea Bissau in reinforcing its authority to address security challenges ;
- b) Providing security for institutions and citizens ;
- c) Supporting the provision humanitarian assistance, when the need arises ;
- d) Supporting the Defense and Security Sector Reform in terms of security, training and restructuring of the security agencies ;





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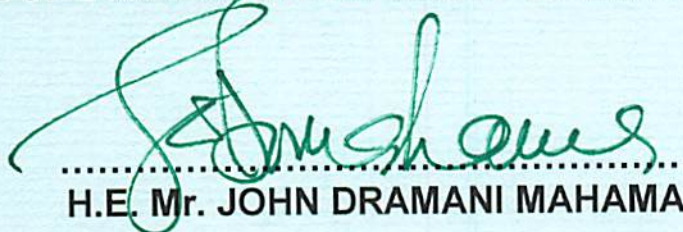
- e) Providing assistance to the Post-electoral Reform Programme ;
- f) Performing any other security task that the situation may warrant.

**Article 3:**

This decision shall enter into force immediately after signature by the Chairman of the Authority.

This Decision shall be published in the Official Journal of the Commission within a period of thirty (30) days after signature by the Chairman of the Authority. It shall also be published in the official gazette of the member states thirty (30) days after notification thereof by the Commission

**DONE AT ACCRA ON 19 DAY OF MAY 2015**

  
.....  
**H.E. Mr. JOHN DRAMANI MAHAMA**

**CHAIRMAN**

**FOR THE AUTHORITY**





**FORTY SEVENTH ORDINARY SESSION OF THE  
AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

Accra, 19 May 2015

**DECISION A/DEC.4/05 /15 ADOPTING THE ABIDJAN  
DECLARATION OF MINISTERS OF ECOWAS MEMBER STATES  
ON ERADICATION OF STATELESSNESS**

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

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

**MINDFUL** of Article 58 of the said Treaty relating to Regional security;

**MINFUL** of Article 59 of the Treaty on immigration which empowers citizens of the Community with the right of entry, residence and establishment and urge member States to recognize the rights of Community citizens in their territories;

**MINFUL** of the Protocol on Free Movement of Persons, the Right of Residence and Establishment;

**MINFUL** of Protocol A/P/3/5/82 relating to the definition of Community Citizen;

**CONSIDERING** that West Africa's history has traditionally been characterized by movements of populations due to migration including asylum thus resulting in citizens being at risk of losing their legal identity to their country of origin;





-2-

**CONSIDERING** also that the enjoyment of the right to a nationality contributes to the peace and security of the region;

**NOTING** that the existence of statelessness in West Africa has its attendant consequences on peace and security as well as on social and economic development;

**ACKNOWLEDGING** the need to adopt a concerted plan on the eradication of statelessness in West Africa;

**UPON THE RECOMMENDATION** of the Ministers of Justice meeting held in Abidjan on 25<sup>th</sup> February 2015;

**DECIDES**

**ARTICLE 1**

The Abidjan Declaration of Ministers of ECOWAS member States on eradication of Statelessness is hereby adopted.

**ARTICLE 2**

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



**DONE AT ACCRA, THIS 19<sup>TH</sup> DAY OF MAY 2015**

**H.E. JOHN DRAMANE MAHAMA**  
CHAIRMAN OF AUTHORITY





**ABIDJAN DECLARATION OF  
MINISTERS OF ECOWAS  
MEMBER STATES ON  
ERADICATION OF  
STATELESSNESS**

   
1



We, the Ministers and Designated Representatives of ECOWAS Member States, assembled in Abidjan, Côte d'Ivoire, on 25 February 2015, for the first *Ministerial Conference on Statelessness in ECOWAS Member States*, facilitated by UNHCR and ECOWAS from 23-25 February 2015, in collaboration with the United Nations and IOM, in the context of UNHCR's campaign to end statelessness within 10 years:

**Considering** the revised Treaty of the Economic Community of West African States (ECOWAS) signed in 1993 in Cotonou;

**Considering** Protocol A/P5/5/82 relating to ECOWAS citizenship signed on may 29<sup>th</sup>, 1982 in Cotonou;

**Considering** UNHCR's mandate from the UN General Assembly to prevent and reduce statelessness around the world as well as to protect the rights of stateless persons;

**Noting** that millions of people in the world, including hundred of thousands in West Africa are not considered to be nationals by any State and are thus stateless, which limits their enjoyment of the full range of human rights;

**Recognizing** that significant work remains to be done in order to obtain detailed information on the causes of statelessness, the number and profile of stateless persons in the ECOWAS region, and obstacles to solutions;

**Recognizing** that relevant stakeholders and at-risk populations have not yet been sufficiently informed of the causes of statelessness as well as its consequences and that this gap in information makes it difficult to obtain data and implement effective response strategies;

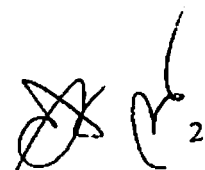
**Taking into account** the security situation in West Africa and the need to define appropriate measures particularly in the area of transborder and identity based crimes in the application of measures to combat statelessness;

**Recognizing** that a number of causes give rise to statelessness in West Africa; and concerned by the high number of stateless persons in the region, including children;

**Underlining** the importance of the principles of equality and non-discrimination, particularly as they relate to the transmission of nationality to a spouse or child;

**Noting** that the African Charter on Human and Peoples' Rights does not explicitly guarantee the right to a nationality;

**Recalling** that the right to a nationality is a fundamental human right enshrined in the Universal Declaration of Human Rights and in other international and regional human rights instruments to which we ECOWAS Member States are party, including the African Charter on the Rights and Welfare of the Child, which provides that every child shall acquire the nationality of the State in the territory of which he or she has been born if, at the time of the child's birth, he or she is not granted nationality by any other State in accordance with its laws;





**Reaffirming** the fundamental importance of the right to freedom of movement within West Africa and our firm commitment to the implementation of ECOWAS Community law;

**Welcoming** the accession to the 1954 Convention relating to the Status of Stateless Persons and/or the 1961 Convention on the Reduction of Statelessness by seven West African States since 2011;

**Noting** that gaps in legislation, conflict of laws, lack of birth registration compounded with other lack of evidence as to identity and nationality, State succession and lack of measures to provide nationality to the affected population, are likely to create statelessness in the ECOWAS region;

**Underscoring** that West Africa has traditionally experienced movements of population, including situations of prolonged migration and forced migration;

**Considering** that risks of statelessness arise when affected populations are either undocumented and unable to establish proof of their legal bond to their country of origin, or are unable to acquire the nationality of the country of birth or residence;

**Recalling** that under the auspices of the African Union, ECOWAS Member States adopted the recommendations of the Migration Policy Framework, which include accession to and compliance with the 1954 and 1961 Statelessness Conventions and the development of national legislative and policy frameworks to counter statelessness, particularly in cases of long-term residents, by reforming citizenship legislation and/or granting rights similar to those enjoyed by foreigners residing in the country;

**Welcoming** the Declaration of the Third Conference of the Ministers in charge of Civil Registration, which reaffirms the commitment of States to improve civil registration and vital statistics;

**Commending** the important steps taken by some West African States to reform their nationality laws so as to prevent and reduce statelessness and to implement strategies to resolve existing situations of statelessness;

**Recalling** that nationality in our countries is the basis for ECOWAS citizenship and that the absence of nationality is a serious obstacle to integration in our region which undermines achievement of the goal of regional integration;

**Noting** with alarm that stateless persons face a grave humanitarian situation, since the absence of nationality constitutes a serious impediment to the exercise of the rights enumerated in, amongst other instruments, the African Charter on Human and Peoples' Rights, including access to health, education, social protection, freedom of movement and identity documentation;

**Convinced** that the enjoyment of the right to a nationality contributes to the peace and security of the region as well as to social and economic development;





**Noting** that the laws and regulations of ECOWAS do not make provision for the protection of stateless persons and **affirming** the importance of protecting stateless persons;

**Commending** ECOWAS and UNHCR for their sustained efforts in the campaign against statelessness in West Africa;

**Expressing** our support for UNHCR's global campaign to end statelessness by 2024;

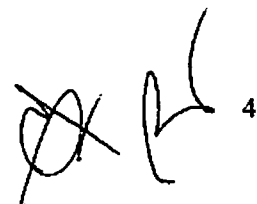
**Mindful of the need** to satisfy the assistance and protection of stateless persons and to seek durable solutions in collaboration with ECOWAS Member States and to address the root causes of statelessness and develop national laws that are in accordance with international law;

**Having considered** the reports on the causes and consequences of statelessness, as well as potential measures to prevent, reduce and resolve statelessness in the ECOWAS region prepared by the senior officials and experts assembled on 23 and 24 February in the first segment of the Ministerial Conference;

**Declare** the following:

**On the prevention of statelessness**

1. We recognize the importance and urgency of obtaining concrete information on the causes of statelessness and the number and profile of stateless persons in ECOWAS Member States, as well as sources of statelessness and obstacles to acquisition of nationality by stateless persons in order to design and implement appropriate strategies to address the phenomenon. In this effort, we urge research institutes and universities to actively participate and call upon the international community, in particular UNHCR, to support us;
2. We undertake to prevent and reduce statelessness by reforming constitutional, legislative and institutional regimes related to nationality in order to include appropriate safeguards against statelessness, in particular to ensure that every child acquires a nationality at birth and that all foundlings are considered nationals of the State in which they are found;
3. We reaffirm our commitment to implement, as appropriate, the relevant provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and to ensure that men and women have equal rights to acquire, change and retain their nationality and confer nationality to their children;
4. We invite the Member States who have not yet done so to accede as soon as possible to the 1961 Convention on the Reduction of Statelessness and call upon all Member States, with the support of UNHCR, to review their nationality laws and related legislation to bring them into line with the Convention;





5. We call upon the African Union to prepare and adopt a protocol to the African Charter on Human and Peoples' Rights on the right to a nationality;
6. We reaffirm our commitment to reduce risks of statelessness by reinforcing civil registration mechanisms and in particular to ensure that every child is registered immediately after birth, and that late birth registration procedures are accessible to all unregistered individuals born in the territory;
7. We undertake to ensure that all individuals entitled to nationality under domestic law are able to acquire documentary proof of their nationality;
8. In the context of the fight against transnational crime, we undertake to manage civil registration data taking into account both the need to combat identity crimes and to prevent and reduce statelessness, and urge ECOWAS and UNHCR to promote collaboration among Member States for this purpose;
9. We urge relevant ECOWAS institutions to study how migration within West Africa and migration originating from West Africa can lead to situations of statelessness and to propose practical measures, premised upon collaboration with Member States, to facilitate confirmation of nationality of nationals abroad and to promote issuance of identity documentation to nationals abroad;
10. We undertake to conduct sensitization campaigns on the risks of statelessness and to disseminate information on the procedures related to the acquisition and confirmation of nationality;
11. We undertake to prevent statelessness in a migratory context by ensuring that migrants and their families who fulfill residence and other requirements have access to procedures for acquisition of nationality by naturalization and that off-spring of migrants can acquire nationality through the application of appropriate criteria, including birth in the territory;
12. We call upon ECOWAS to integrate into Community law measures to ensure the eradication of statelessness and to guarantee the right to a nationality for anyone with a relevant link to an ECOWAS State, within the context of relevant treaties, protocols and commitments;
13. We undertake to take appropriate measures to ensure that affected populations can confirm or acquire a nationality in cases of States succession;

#### **On the identification and protection of stateless persons**

14. We invite Member States who have not yet done so to accede, as soon as possible, to the 1954 Convention relating to the Status of Stateless Persons;



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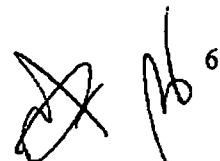
15. We will endeavor to improve our data collection programs, in accordance with the Principles and Recommendations for Population and Housing Censuses of the United Nations, in order to systemically identify stateless persons, while respecting the principle of confidentiality and human dignity;
16. We undertake to implement appropriate measures in order to enable stateless persons to obtain a legal status in accordance with the 1954 Convention and international human rights standards, thereby allowing them to live in dignity;
17. We call upon ECOWAS to put measures for the integration and protection of stateless persons in the Community law;

**On the resolution of existing situations (solutions)**

18. Where stateless populations have been identified, we undertake to implement any required law and policy reforms to grant nationality to stateless persons on the basis of criteria such as birth in the territory and long-term residence;
19. We undertake to ensure that existing procedures for acquisition of nationality are available to stateless persons;
20. We endeavor to ensure that information on nationality rules and procedures is available to all stateless persons, including through community outreach efforts;

**On strategies and partnerships in the fight against statelessness**

21. We approve the recommendations formulated during the technical segment of this Conference;
22. We commit to designate Focal Point on statelessness matters and to meet regularly under the auspices of ECOWAS and in collaboration with UNHCR, in order to assess progress in the implementation of the recommendations of this Conference;
23. We invite Member States to discuss efforts to end statelessness in the context of the post-2015 Sustainable Development Goals;
24. We undertake to develop and implement national action plans to end statelessness in accordance with UNHCR's global campaign to end statelessness within 10 years;
25. We undertake to work in partnership with UNHCR, ECOWAS and other stakeholders, notably the African Union, United Nations Office for West Africa (UNOWA), Office of the High Commissioner for Human Rights (OHCHR), UN Women, United Nations Children's Fund (UNICEF), United Nations Office for Coordination of Humanitarian Affairs (UNOCHA), United Nations Population Fund (UNFPA), the International Organization for Migration (IOM) and civil society to better understand statelessness



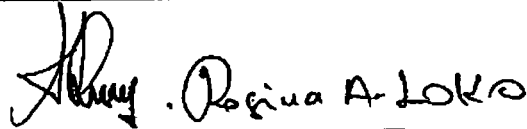


and to jointly resolve this problem in accordance with international law, including the relevant resolutions of the United Nations General Assembly, the conclusions of the Executive Committee of the High Commissioner's Programme and resolutions on the right to nationality of the Human Rights Council;

26. We decide to remain seized of the matter.

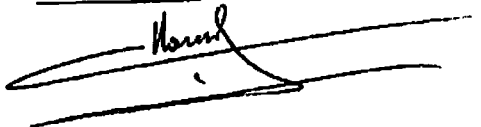
**Done in Abidjan on 25 February 2015 by the Ministry of Interior and the Ministry of Justice of ECOWAS Member States**

**Republic of Benin**

R.O.   
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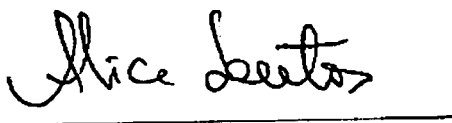
Hon. Valentin Djenontin-Agossou  
Minister of Justice, Ministry of Justice, Legislation and Human Rights  
Signature on behalf by Mr. Daouda Wabi, Ambassador of Benin to Cote d'Ivoire

**Burkina Faso**

  
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Hon. Josephine Guedraogo-Guissou  
Minister of Justice  
Signature on behalf by Mr. Justin Koutaba, Ambassador of Burkina Faso to Cote d'Ivoire

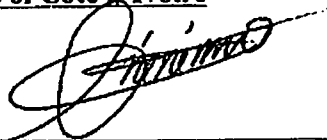
**Cape Verde**

  
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Hon. Jose Carlos Lopes Correia  
Minister of Justice  
Signature on behalf by Dr. Alice Santos. Advisor on Migration Issues, Ministry of Foreign Affairs



**Republic of Cote d'Ivoire**



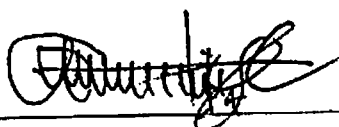
Hon. Gnenema Mamadou Coulibaly /  
Minister of Justice, Human Rights and Civil Liberties

**Republic of The Gambia**

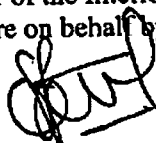


Hon. Ousman Sonko  
Ministry of the Interior

**Republic of Ghana**



Hon. Mark Owen Woyongo  
Minister of the Interior  
Signature on behalf by Mr. James Agalga, Secretary General, Ministry of the Interior



**Republic of Guinea**

Hon. Cheick Sako  
Minister of State, Ministry of Justice

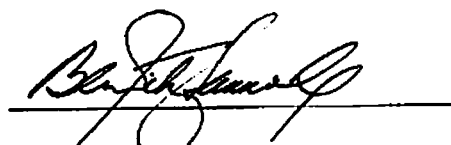


**Republic of Guinea-Bissau**



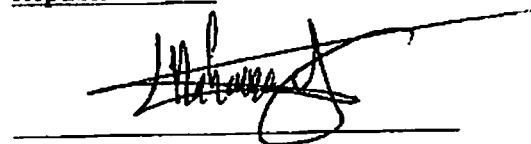
Hon. Carmelita Pires  
Minister of Justice

**Republic of Liberia**



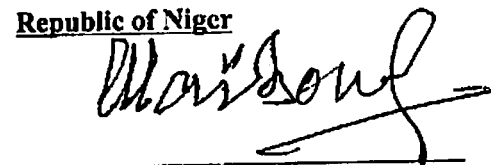
Hon. Benedict Sannoh  
Minister of Justice

**Republic of Mali**



Hon. Mahamadou Diarra  
Minister of Justice, Human Rights

**Republic of Niger**



Hon. Marou Amadou  
Minister of Justice, Ministry of Justice, Government Spokesperson  
Signature on behalf by Mr. Chaibou Mamane, Director of the Office of the Ministry of Justice



**Federal Republic of Nigeria**



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Hon. Patrick Abba Moro  
Minister of the Interior, Ministry of the Interior  
Signature on behalf by H.E. Ambassador Sunday Omogiade, Nigerian Permanent  
Representative to ECOWAS

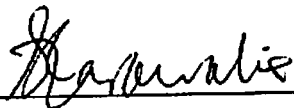
**Republic of Senegal**



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Hon. El Hadj Omar Youm  
Minister of Local Governance for Development and Regional Planning  
Signature of behalf by Mr. Etienne Turpin, Secretary General, Ministry of Local Governance  
for Development and Regional Planning

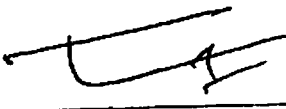
**Republic of Sierra Leone**



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Hon. Joseph B. Dauda  
Minister of Internal Affairs  
Signature on behalf by Hon. Sheka Tarawallie, Secretary General for Internal Affairs

**Togolese Republic**



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Hon. Koffi Esaw  
Minister of Justice, Ministry of Justice and Institutional Relations of the Republic





## **SEVENTY-FOURTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS**

Accra, 15-16 May 2015

### **REGULATION C/REG.2/05/15 APPROVING A SPECIAL BUDGET FOR THE ECOWAS MISSION IN GUINEA BISSAU**

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

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

**MINDFUL OF** Article 58 of the Revised ECOWAS Treaty on Regional Security;

**MINDFUL OF** the ECOWAS Protocol on the Mechanism for Conflict Prevention, Management, Resolution, Peace Keeping and Security signed in Lomé on 10 December 1999;

**MINDFUL OF** Decision A/DEC.1/04/12 of 26 April 2012 authorising the deployment of troops from the ECOWAS Stand-by Force (ESF) to Guinea Bissau;

**MINDFUL OF** Decision A/DEC. 02/12/14 of 15 December 2014 extending the mandate of the ECOWAS Mission in Guinea Bissau (ECOMIB);

**WHEREAS** in the aftermath of the 12 April 2012 military coup d'état in Guinea Bissau, 680 soldiers, police men and gendarmes from across the



ranks were drawn from Nigeria, Burkina Faso, Senegal, Togo and Côte d'Ivoire and deployed in May 2012 to that country;

**RECALLING** that the Mission is entirely funded by ECOWAS through its Community levy;

**UNDERSCORING THE FACT** that ECOWAS remains liable to all troop-contributing countries, notwithstanding the fact that there is no budget provision for settling the repayment arrears, paying the troops up until December 2015, as well as undertaking their strategic lift to their countries of origin;

**ANTICIPATING** the financial implications of the extension of ECOMIB's mandate until 31<sup>st</sup> December, 2015 to enable the Mission conclude its assignment;

**ON THE RECOMMENDATION** of the 17th Ordinary Session of the Administration and Finance Committee held in Accra (Republic of Ghana) from 27 to 29 April 2015;

## **E N A C T S:**

### **ARTICLE 1:**


By virtue of this Regulation, a special budget of Six Million four hundred and fifty five thousand seventy four US dollar (USD 6,455,074) for ECOMIB is hereby approved.

### **ARTICLE 2:**

1. This Regulation shall enter into force upon its signature by the Chair of the Council of Ministers.
2. It shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of its signature, and by each Member State in its National Gazette within thirty (30) days of notification thereof by the Commission.



DONE AT ACCRA, THIS 16<sup>TH</sup> MAY 2015



**HON. HANNA TETTEH**

CHAIRPERSON

FOR COUNCIL





## SEVENTY FOURTH ORDINARY SESSION OF COUNCIL OF MINISTERS

Accra, 15 - 16 May 2015

### REGULATION C/REG.2/05/15 CANCELLING THE 20-MILLION DOLLAR DEBT INCURRED BY THE REPUBLIC OF GUINEA FROM THE ECOWAS COMMISSION TO FINANCE THE PROGRAMME OF POWER SUPPLY TO THE CITY OF CONAKRY

#### THE COUNCIL OF MINISTERS

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

**MINDFUL OF** Article 28 of the Revised ECOWAS Treaty, relating to the Community energy policy prescribing that Member States establish a coordinated consultation mechanism for collectively resolving energy development problems within the Community;

**MINDFUL OF** Supplementary Act ASA.4/03/11 of 24 March 2011 under which the ECOWAS Authority of Heads of State and Government approved the Conakry Emergency Power Supply Programme and authorized ECOWAS to provide financial support in the form of a 10-million US-Dollar grant and a 20- million US Dollar loan to Guinea;

**MINDFUL OF** Decision A/DEC.3/5/82 of the ECOWAS Authority of Heads of State and Government on the ECOWAS Energy Policy;

**CONSIDERING** that following the appearance of the EBOLA virus haemorrhaging fever epidemic in Guinea at the beginning of the year 2014, the country's GDP slumped from 4.5% to 1.5%, recording a drastic reduction in import revenue;



**NOTING** that owing to this situation and despite Guinea's good faith in fulfilling its commitments, the Guinean Government addressed a request to the ECOWAS Commission for the cancellation of the entire debt of 20 million US Dollars;

**DESIROUS** of granting the Guinea Government's request in a spirit of regional solidarity, and duly considering the country's post-epidemic situation;

**ON THE RECOMMENDATION** of the 17<sup>th</sup> ordinary session of the Administration and Finance Committee held in Accra (Republic of Ghana) from 27 to 29 April 2015;

**HEREBY ENACTS**

**ARTICLE 1:**

By virtue of this Regulation, ECOWAS hereby cancels the debt of 20 million US Dollars owed by the Republic of Guinea for the programme of emergency power supply to Conakry.

**ARTICLE 2:**

1. This Regulation shall enter into force once it is signed by the Chair of the Council of Ministers.
2. It shall be published by the Commission in the Community Official Journal within thirty (30) days of its signature, and by each Member State in its National Gazette, thirty (30) days after notification thereof by the Commission.

**DONE AT ACCRA, THIS 16TH DAY OF MAY 2015**

  
.....  
**H.E. HON. HANNA TETTEH**

CHAIRPERSON

FOR THE COUNCIL





## **SEVENTY-FOURTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS**

Accra, 15 - 16 May 2015

### **REGULATION C/REG.3/05/15 TRANSFORMING THE REGIONAL COPYRIGHT OBSERVATORY INTO AN ECOWAS REGIONAL INTELLECTUAL PROPERTY OBSERVATORY (ERIPO)**

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

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

**MINDFUL OF** the provisions of Article 26 of the Treaty on industry, stipulating that Member States shall ensure the development of cultural industries,

**MINDFUL OF** the provisions of Article 27 of the said Treaty stipulating that Member States shall enhance scientific and technological capacity to achieve socio-economic transformation,

**MINDFUL OF** Article 62 of the said Treaty on cultural affairs urging the Member States to aid the promotion, by all means possible, of all forms of cultural exchange, develop and improve, where necessary, structures for the utilisation of cultural industries,

**MINDFUL OF** Regulation C/REG.16/11/09 establishing the Regional Copyright Observatory (RCO),

**CONSIDERING** the need to set up a harmonised and coordinated system of economic development within our Community in order to meet political, economic and socio-cultural challenges,



**CONSIDERING** the constant evolution in research, invention, innovation and creativity in the different areas (technological, artistic and literary), of traditional knowledge, local products possessing certain qualities, traditional medicine,

**CONSIDERING** the scale of counterfeiting and piracy within ECOWAS and the consequences for industry and culture,

**CONSIDERING** the importance of intellectual property in the development and increase in competitiveness of countries and businesses,

**RECALLING** that ECOWAS offers an integration framework which promotes problem solving within a region in which intellectual property should be included in economic development issues,

**ALSO RECALLING** that ECOWAS is a region in which there is constant artistic and literary innovation and also advances in traditional knowledge and that all these creative works in the region should be promoted and protected,

**CONVINCED** of the need to bring together the mechanisms for the protection of intellectual property users, aware that some ECOWAS countries are not members of the African Intellectual Property Organisation (OAPI) or the African Regional Intellectual Property Organisation (ARIPO),

**RECALLING** that the creation of RCO arises from the ECOWAS desire to promote literary and artistic property to ensure the development of cultural industries,

**BEARING IN MIND** that harmonious economic development cannot detract from the need to boost a knowledge-based economy,

**AWARE** of the need to promote intellectual property within ECOWAS,

**DESIROUS** of creating an enabling framework for the promotion of literary and artistic property to ensure the development of cultural



industries, as well as the protection and promotion of intellectual property by the transformation of RCO into the Intellectual Property Observatory,

**ON THE RECOMMENDATION** of the fifth meeting of ECOWAS Ministers responsible for culture held on 29 and 30 January 2015 in Lome, Togolese Republic,

## **HEREBY ENACTS**

### **Article 1: Transformation**

By virtue of this Regulation, the Regional Copyright Observatory (RCO) as created by Regulation C/REG.16/11/09 is hereby transformed into the ECOWAS Regional Intellectual Property Observatory (ERIPO).

### **Article 2: Objectives**

ERIPO as created by Article 1 of this Regulation has the following objectives:

1. Promoting the policy of protection and development of intellectual property in the Member States,
2. Contributing to the economic development of Member States through a harmonised framework and appropriate strategies for the development of innovation and creativity,
3. Centralising, coordinating and disseminating all manner of information relating to intellectual property,
4. Acting as the consultative and decision-aid organ for the ECOWAS Commission in the area of intellectual property.

### **Article 3: Duties**

The duties of ERIPO are:

1. Harmonisation of Member States' domestic laws on copyright and intellectual property
2. Contribution to capacity building and awareness creation among intellectual property stakeholders



3. Coordination and enhancement of the fight against fraud and counterfeiting of intellectual works in order to reduce the obstacles to the development of industry
4. Encourage ECOWAS to boost and develop creativity and innovation within the Community through support and assistance for initiatives
5. Contribution to updating the website and improving intellectual property databases

#### **Article 4: Headquarters**

The headquarters of the Regional Intellectual Property Observatory shall be located in an ECOWAS Member State.

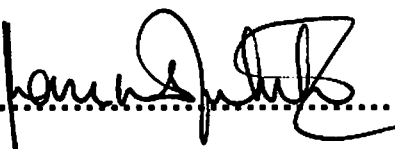
#### **Article 5: Abrogation and replacement**

This Regulation shall repeal and replace Regulation C/REG.16/11/09 establishing the Regional Copyright Observatory (RCO).

#### **Article 6: Entry into force and publication**

1. This Regulation shall enter into force upon signature by the Chairperson of the Council of Ministers.
2. It shall be published by the Commission in the ECOWAS Official Journal within thirty (30) days of signature and by each Member State in its National Gazette within the same timeframe upon notification thereof by the Commission.

**DONE AT ACCRA THIS 16TH DAY OF MAY 2015**

.....

**H.E Mrs HANNA TETTEH**

CHAIRPERSON

FOR COUNCIL





**REGULATION C/REG.5/05/15 STABLISHING A REGIONAL  
MONITORING MECHANISM FOR THE FREE MOVEMENT OF INTER-  
STATE PASSENGER VEHICLES, PERSONS AND GOODS WITHIN  
ECOWAS**

**THE COUNCIL OF MINISTERS,**

**HAVING REGARD** to Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions,

**HAVING REGARD** to Article 3 paragraph 2 (d) (iii) of the said Treaty calling on Member States to work towards removing obstacles to the free movement of persons, goods, services and capital, as well as the right to residence and establishment,

**HAVING REGARD** to Protocol A/SP1/7/85 on the Code of Conduct for the implementation of the Protocol on Free Movement of Persons, the Right to Residence and Establishment,

**HAVING REGARD** to Decision A/DEC.2.7.85 instituting a travel document for ECOWAS Member States,

**WHEREAS** difficulties are encountered in the implementation of the Protocol on Free Movement of Persons and Goods due to all manner of vehicle, travel documents and passenger checks,

**RECOGNISING** that these checks result in considerable delays in transactions and in the movement of persons within the region,

**WHEREAS** the security needs of the region must be taken into account in the free movement of persons and goods,

**CONVINCED** of the need to put in place a functional regional mechanism for the secured monitoring of the free movement of persons and goods, to facilitate and simplify movement and crossing of land



borders using the ECOWAS biometric identity card or biometric passport and all other standard, valid travel documents,

**ALSO CONVINCED** that the regional monitoring mechanism for the free movement of passenger vehicles, persons and goods will help eliminate intermediary road controls, delays, the perception of unlawful advantages and guarantee the security of persons,

**RECALLING** that at its forty-fifth ordinary session held in Accra, Ghana on 10 July 2014, the Authority, having adopted the biometric identity card, stressed the need to take into account the security implications relating to its implementation,

**TAKING INTO ACCOUNT** the successive Recommendations by the meeting of ECOWAS Ministers of Security held at Niamey in February 2014, that of ECOWAS Immigration Chiefs held in Dakar, Senegal from 3 to 5 December 2014, and the last meeting of Security Ministers held on 25 April 2015 instituting the regional monitoring mechanism for the free movement of persons and goods and its operational procedures,

**APPROVING** the recommendation of the Security Ministers' meeting held in Accra on 25 April 2015, establishing the headquarters of the said mechanism in Abidjan, Cote d'Ivoire)

**ON THE RECOMMENDATION** of the seventy-fourth ordinary session of the Council of Ministers held in Accra, Ghana on 15 and 16 May 2015,

## **HEREBY ENACTS:**

### **ARTICLE 1: ESTABLISHMENT OF MECHANISM AND HEADQUARTERS**

1. By virtue of this Regulation, a Regional Monitoring Mechanism for the free movement of inter-State passenger vehicles, persons and goods is hereby established.





## **SEVENTY FOURTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS**

Accra, 15-16 May 2015

### **RECOMMENDATION C/REC.2/05/15 RELATING TO EQUALITY OF RIGHTS BETWEEN WOMEN AND MEN FOR SUSTAINABLE DEVELOPMENT IN THE ECOWAS REGION**

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

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

**MINDFUL** of article 63 of the Revised ECOWAS Treaty entitled "*Women and Development*" committing Member States" to formulate, harmonize, coordinate and establish appropriate policies and mechanisms for the enhancement of the economic, social and cultural conditions of women ";

**MINDFUL** of ECOWAS Supplementary Protocol on Democracy and Good Governance;

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

**MINDFUL** of Supplementary Act A/SA.4/12/08 of 19 December 2008 relating to the ECOWAS environmental policy;

**MINDFUL** of Supplementary Act A.SA. 13/02/12 of 17 February, 2012 on the imposition of sanctions against Member States that do not honor their obligations towards ECOWAS;



**MINDFUL** of Supplementary Act A.SA.16/02/12 of February 17, 2012 adopting the ECOWAS policy on the development of mineral resources;

**MINDFUL** of Supplementary Act A.SA.2/06/12 adopting the ECOWAS Policy on Science, Technology and Innovation and its action plan;

**MINDFUL** of the Regional Policy for the protection and assistance of victims of human trafficking in West Africa;

**MINDFUL** of Decision A/DEC.16/01/03 transforming the West African Women's Association (WAWA) into the ECOWAS Gender Development Centre (EGDC ), a decision taken within the framework of the process of developing the ECOWAS Gender Policy, whose primary mission is to work towards the mainstreaming of gender into the Community's integration process ;

**MINDFUL** of Decision A/DEC. of 7/12/03 establishing a gender technical commission in charge of gender equality issues;

**MINDFUL** of Decision A/DEC. of 01/01/05 adopting a gender policy for ECOWAS and all the tools necessary for its implementation;

**MINDFUL** of Decision A/DEC.2/01/05 establishing an ECOWAS gender management system;

**MINDFUL** of Decision A/DEC.11/01/05 of 19<sup>th</sup> January 2005 adopting the ECOWAS Agricultural Policy (ECOWAP / CAADP);

**MINDFUL** of Regulation C/REG.14/12/03 establishing a unit on gender, childhood and youth issues within the ECOWAS Department of Human Development ;

**CONSIDERING** that the ECOWAS Gender Policy vision is to ensure the emergence of a West African society where justice and security thrive and in which men and women can participate, decide, control and benefit from all development activities;

**CONSIDERING** that its mission is to engage West African citizens in the formulation and implementation of sustainable socio-economic development activities liable to contribute to the eradication of poverty eradication and to promote gender equality, good governance and the creation of the requisite conditions for peace through cooperation and integration;



**CONSIDERING** that as part of ECOWAS integration objectives, a gender policy will strengthen the participation and contribution of all segments of the population, including women and key socio-economic development partners, by promoting social justice and equitable living standards;

**CONVINCED** that the development and advancement of women is imperative for development, progress and peace in any society, as expressly stipulated in Article 40, Section VIII of the ECOWAS Supplementary Protocol on Democracy and Good Governance;

**NOTING** that Member States have committed themselves, through the adoption of a number of legal texts, including the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW);

**RECALLING** ILO Conventions 100, 111, 156, 183, relating respectively to equal pay, discrimination in employment and profession to workers with family responsibilities and protection of mothers in the work place;

**EQUALLY NOTING** that all Member States have reaffirmed their commitment to the Forward-looking Nairobi Strategies of 1985, the 1994 Dakar Program of Action, the Beijing Declaration and Platform for Action of 1995, the ECOWAS Gender Policy (2002), the Decision on gender parity taken at the Inaugural Session of the Conference of Heads of State and Government of the African Union (AU) in July 2002 in Durban (South Africa), the Protocol of the African Charter on Human and Peoples' rights on the Rights of women in Africa (2003), the Solemn Declaration of the Heads of State and Government on equality between men and women in Africa (2004), the Declaration 2005 Paris , the Gender Policy of the African Union (2008), the 2000 United Nations Security Council Resolution 1325 on women, peace and security of and related resolutions 1820 (2008) 1888 and 1889 (2009).

**REAFFIRMING** their firm commitment to the obligations contained in the sub-regional, regional and international legal instruments, which consider gender equality and equity, the elimination of discrimination and violence against girls and women, and the protection of human rights as essential for the achievement of the legitimate aspirations of the people of the West African Community;

**RECOGNIZING** the need to honor the commitments and objectives in these instruments with achieved results that still remain fragile and which now face



new threats such as HIV/AIDS, globalization, human trafficking, especially women and children, poverty feminization,, violence against women and girls, climate change, food insecurity and armed conflicts.

**RECOGNIZING** in addition that social, cultural and religious practices, attitudes and opinions continue to militate against the achievement of gender equality and equity essential to democracy and development;

**DETERMINED** to establish and reinforce synergy between the various commitments on gender equality and equity at regional, continental and international level and synthesize them into a comprehensive regional instrument that will improve the ability to implement all instruments, while taking on new challenges;

**AWARE** that in conflict and crisis situations, women and children, who are already vulnerable in normal times, become even more vulnerable;

**CONVINCED** that it is imperative, in this context, for ECOWAS Member States to formulate and adopt an instrument that is specific to the West African region and adequately responds to its needs;

**DESIROUS** of adopting a legal framework for achieving equal of rights between men and women within the ECOWAS region;

**RECOMMEND TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT TO ADOPT THE DRAFT SUPPLEMENTARY ACT RELATING TO THE EQUALITY OF RIGHTS BETWEEN WOMEN AND MEN FOR SUSTAINABLE DEVELOPMENT IN THE ECOWAS REGION.**

**DONE AT ACCRA, THIS 16th MAY 2015**

  
.....  
**H.E. HANNA TETTEH**

CHAIRPERSON

FOR THE COUNCIL





## SEVENTY-FOURTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Accra, 15-16 May 2015

### RECOMMENDATION C/REC.3/05/15 ON THE ALLOCATION OF THE HEADQUARTERS OF THE ECOWAS REGIONAL COMPETITION AUTHORITY (ERCA) TO A MEMBER STATE

#### THE COUNCIL OF MINISTERS

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

**MINDFUL OF** Supplementary Act A/SA.1/12/08 adopting Community Competition Rules and their implementation modalities within ECOWAS,

**MINDFUL OF** Supplementary Act A/SA.2/12/08 on the establishment, duties and functioning of the ECOWAS Regional Competition Authority,

**MINDFUL OF** Regulation C/REG.15/1109 setting out the criteria for hosting ECOWAS Institutions and Agencies,

**WHEREAS** following the establishment of the ECOWAS Regional Competition Authority (ERCA), it has become necessary to ensure it is properly set up with its headquarters located in a Member State,

**WHEREAS** subsequent to the call for candidates to host the headquarters, applications were put in by three (3) Member States, namely, the Republics of Guinea-Bissau, Gambia and Benin,

**WHEREAS** in conformity with Article 6 of Regulation C/REG.15/11/09 prescribing criteria for hosting ECOWAS Institutions and Agencies, the Commission President fielded an evaluation mission from 1 to 10 March



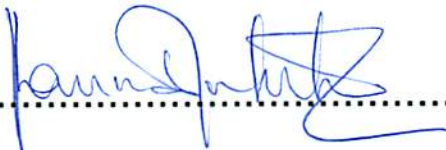
to assess the level of preparedness of the three (3) candidate countries for hosting the ERCA headquarters,

**RECALLING** that in order to ensure an equitable distribution of ECOWAS institutions and agencies in the Member States, some criteria are taken into consideration,

**DESIROUS** of allocating the headquarters of the ECOWAS Regional Competition Authority to a Member State,

**HEREBY RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT THE ADOPTION OF THE DRAFT DECISION HERETO ATTACHED ON THE ALLOCATION OF THE HEADQUARTERS OF THE ECOWAS REGIONAL COMPETITION AUTHORITY TO A MEMBER STATE.**

**DONE AT ACCRA THIS 16<sup>TH</sup> DAY OF MAY 2015**



**H.E Mrs HANNA TETTEH**

CHAIRPERSON

FOR COUNCIL





## **THIRTY- FOURTH ORDINARY SESSION OF THE MEDIATION AND SECURITY COUNCIL**

Accra - 17 May 2015

### **RECOMMENDATION C/REC.4/05/15 EXTENDING THE MANDATE OF THE ECOWAS MISSION IN GUINEA BISSAU (ECOMIB)**

#### **THE SECURITY AND MEDIATION COUNCIL MEETING AT MINISTERIAL LEVEL**

**Having regard to** articles 4, 8 and 13 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution and Peace Keeping and Security, establishing the Mediation and Security Council and defining its composition and functions;

**Having regard to** Article 58 of the Revised ECOWAS Treaty on Regional Security;

**Having regard to** the Declaration on ECOWAS Political Principles adopted in Abuja on 6 July 1991;

**Having regard to the ECOWAS Protocol on the Mechanism for Conflict Prevention, Management, Resolution, Peace Keeping and Security signed in Lome on 10 December 1999;**

**Having regard to** Decision A/DEC.1/04/12 of 26 April 2012 authorizing the deployment of the ECOWAS Standby Force (ESF) contingent in Guinea Bissau;



**Having regard to** Decisions A/DEC.1/5/12, A/DEC.2/11/12 of 11 November 2012 and A/DEC. 02/11/12 of 11 November 2012 respectively broadening the mandate of the ECOWAS Standby Force, renewing the mandate of the ECOWAS Mission in Guinea Bissau (ECOMIB), and extending its deployment for a new period of six (6) months;

**Having regard to** Decision A/DEC.1/7/13 supporting the extension of the mandate of transitional bodies in Guinea Bissau ;

**Having regard to** Decision A/DEC. 8/03/14 extending the mandate of the ECOWAS mission in Guinea Bissau (ECOMIB) ;

**Having regard to** Decision A/DEC. 02/12/14 extending the mandate of the ECOWAS mission in Guinea Bissau (ECOMIB)

**WHEREAS** in accordance with the provisions of Decision A/DEC.02/12/14 of 15 December 2013, the mandate of ECOMIB was renewed until the end of June 2015;

**AWARE of the fact that in order** to address security challenges in a sustainable manner, it is important to pursue the ECOWAS Mission in the country **with a view to** completing the stabilisation and pacification mission in Guinea Bissau;

**DETERMINED** to enable ECOMIB complete the post-electoral stabilisation mission in Guinea Bissau;

**DESIROUS OF** extending the mandate of the ECOWAS Mission in Guinea Bissau for a new period of six (6) months

**AFTER CONSIDERATION** of the Commission President's Memorandum on Guinea Bissau;

**RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT THE ADOPTION OF A DRAFT DECISION EXTENDING THE MANDATE OF THE ECOWAS MISSION IN GUINEA BISSAU ATTACHED.**



DONE AT ACCRA ON 17th MAY 2015



H.E HANNA TETTEH

CHAIRPERSON

FOR COUNCIL





## FORTY-SEVENTH ORDINARY SESSION OF THE AUTHORITY OF ECOWAS HEADS OF STATE AND GOVERNMENT

19<sup>th</sup> May 2015, Accra, Ghana

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### FINAL COMMUNIQUE

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1. The Forty-seventh Ordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) was held on 19<sup>th</sup> May 2015 in Accra, Republic of Ghana, under the Chairmanship of H.E. **John Dramani Mahama**, President of the Republic of Ghana and Chairman of the Authority.

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

- H. E **Michel KAFANDO**, President of the Transition of Burkina Faso
- H.E **José Maria Pereira NEVES**, Prime Minister of the Republic du Cape Verde
- H. E **Alassane OUATTARA**, President of the Republic of Cote d'Ivoire
- H.E Dr **Ajaratou Isatou NJIE-SAIDY**, Vice President of the Republic of The Gambia
- H. E **John Dramani MAHAMA**, President of the Republic of Ghana
- H.E **Ellen JOHNSON-SIRLEAF**, President of the Republic of Liberia
- H.E **Ibrahim Boubacar KEITA**, President of the Republic of Mali
- H.E **Mahamadou ISSOUFOU**, President of the Republic of Niger
- H.E **Goodluck Ebele JONATHAN**, President of Federal Republic of Nigeria
- H.E **Macky SALL**, President of the Republic of Senegal
- H.E **Ernest Bai KOROMA**, President of the Republic of Sierra Leone
- H.E **Faure Essozimna GNASSINGBE**, President of the Togolese Republic
- H.E **Nassirou Arifari BAKO**, Minister of Foreign Affairs, African Integration and Beninois Abroad, of the Republic of Benin
- H.E **Louency FALL**, Minister of Foreign Affairs and Guineans Abroad, of the Republic of Guinea
- H.E **Dr Cadi SEIDI**, Minister of Defence of the Republic of Guinea-Bissau

3. The Special Representative of the United Nations Secretary General for West Africa, the President of the West African Economic and Monetary Union Commission (UEMOA) and the Representative of the Chairperson of the African Union Commission also attended the Summit as observers.



4. The Heads of State and Government took note of the 2015 Interim Report of the President of the Commission, the Reports of the 74<sup>th</sup> Ordinary Session of the Council of Ministers, and the 34<sup>th</sup> Meeting of the ECOWAS Mediation and Security Council presented by the Chairperson of Council.

5. The Authority expressed satisfaction at the quality of the reports presented and the relevance of the recommendations made therein, which will facilitate the consolidation of the achievements of integration obtained in the past four decades.

6. While building on the 40<sup>th</sup> ECOWAS anniversary to be celebrated in 2015, the Authority is determined to spare no effort to realise the wise vision of the founding fathers.

7. The Heads of State and Government express their renewed and unconditional belief in the values and founding principles of ECOWAS and their total commitment to achieving the free movement of persons and goods, establishing a common market, consolidating peace, security and good governance, as well as greater efficiency in the operations of Community institutions through the implementation of adequate reforms.

8. In the light of the current challenges to the regional integration process, the Heads of State and Government arrived at the following specific conclusions and decisions

### **REGIONAL ECONOMIC PERFORMANCE AND CONSOLIDATION OF THE COMMON MARKET**

9. The Authority reiterates its determination to strengthen the foundations for resilient growth in West Africa. It welcomes the efforts to launch and successfully complete the post-Ebola reconstruction of the economies of the affected Member States. It also welcomes the regional approach adopted to that effect.

10. Furthermore, the Authority reaffirms its support for the different economic recovery plans prepared by Guinea, Liberia and Sierra Leone. It welcomes the relevance of these plans which focus primarily on the resumption of essential services, welfare services, economic infrastructure, resilience and food security.

11. The Authority calls on the international community and all ECOWAS development partners to massively support the economic recovery efforts of the above-mentioned countries.

12. The Authority decides to write off the debt of twenty millions US dollars of the Republic of Guinea arising from a loan to this Member State for the development of its energy sector.

13. The Summit welcomes the declaration on the end of the Ebola epidemic in Liberia and commends H.E. **Ellen Johnson-Sirleaf** for the exemplary way she led her country throughout this challenging period. It also commends the determined steps taken by Guinea and Sierra



Leone to significantly contain the spread of the epidemic. It expresses the hope that these Member States will ultimately eradicate the disease.

14. This positive trend notwithstanding, the Authority underscored the need to maintain a high level of vigilance. It urges the concerned countries to pursue efforts to combat the disease and directs the Commission to pursue its role of coordinating regional efforts in that regard.

15. The Authority approves the creation of the Regional Disease Control and Monitoring Centre with headquarters in Nigeria. It requests the President of the Commission, in collaboration with WAHO, to take the necessary measures to ensure its prompt establishment and operationalization, and calls on all partners to support this process.

16. Furthermore, the Authority renews its earlier call on the need to lift the international ban on air travel to the affected countries.

17. The Summit renews its gratitude to **H.E. Faure Essozimna Gnassingbé**, President of the Togolese Republic and urges him to continue in his supervisory and coordination role during the post-Ebola reconstruction phase.

18. The Heads of State and Government reiterate the importance of the free movement of persons and goods and the Common External Tariff (ECOWAS CET) in the consolidation of the common market. It appeals to all Member States to keep constant watch to ensure that all obstacles to free movement are removed.

19. In particular, the Summit urges the Member States yet to do so, to take appropriate measures to implement the CET before the end of 2015. The Authority directs the President of the Commission to expedite measures for the entry into force of the ECOWAS biometric identity card.

20. In order to promote regional trade and guarantee a competitive environment for investment development, the Authority instructs the Commission to speed up actions for the finalisation and adoption of the common investment code and the investment policy. It further requests that the Commission accelerate the process of finalising the trade policy document. The Authority encourages the Commission in its efforts to foster the establishment of public-private partnerships for financing development in West Africa.

21. The Authority urges Member States yet to sign the Economic Partnership Agreement (EPA) to do so as soon as possible with a view to facilitating its implementation.

22. The Summit approves the new roadmap proposed by the Presidential Task Force on the monetary cooperation programme as well as the new convergence criteria. It applauds and encourages their Excellencies, **Mahamadou Issoufou**, President of Niger and **John Dramani**



**Mahama** President of Ghana to continue in their supervisory roles. The Summit decides to expand the Presidential Task Force to include the Heads of State of Cote d'Ivoire and Nigeria.

## SECTORAL POLICIES

23. The Heads of State and Government reiterate the importance of the effective implementation of the different sectoral strategies and policies adopted at the national and regional levels to deepen the integration process.

24. To mark the year 2015 devoted to women empowerment, the Authority agrees on the need to strengthen laws on women's rights and boost their participation in this process.

25. In that regard, the Authority approves the Supplementary Act relating to equal rights between women and men for sustainable development in West Africa and the ECOWAS Action Plan on gender and migration, as well as the Action Plan on gender and trade.

26. Furthermore, the Summit expresses its support for the global campaign on the eradication of statelessness and approves the Abidjan Declaration adopted on 25<sup>th</sup> February 2015 in that respect. The Summit calls on Member States to decisively join this campaign, in particular through the review of the relevant normative frameworks, adherence to, and compliance with, international conventions adopted to prevent and reduce statelessness.

27. As a prelude to the Summit between Europe and Africa on migration issues to be held in Malta, the Authority directs the President of the Commission to take necessary steps with a view to preparing for this important meeting with concrete proposals.

## DEMOCRACY AND GOOD GOVERNANCE

28. The Authority expresses satisfaction at the peaceful conduct of presidential elections in Nigeria and Togo, adjudged by ECOWAS and local and international observers as free, credible and transparent.

29. The Authority warmly congratulates **General Muhammadu Buhari** on his brilliant election as the President of his country and **H.E. Faure Essozimna Gnassingbé**, President of the Togolese Republic on his re-election.

30. The Summit equally commends **H.E. Goodluck Ebele Jonathan**, President of the Federal Republic of Nigeria, for his dignified and democratic conduct deserving of a statesman, which contributed in large measure to the peace that prevailed after the declaration of the results.

31. In addition, the Summit pays special tribute to **President Goodluck Ebele Jonathan** for the commitment he consistently demonstrated throughout his tenure, in undertaking reforms



and ensuring the development of his country. It also hails his significant contribution to the integration process in West Africa and the management of the Mali and Guinea Bissau crises among others.

32. The Authority applauds H.E. **John Dramani Mahama**, President of Ghana and Chairman of the Authority, for his crucial role and active diplomacy in Nigeria and Togo which contributed to creating an enabling environment for peaceful elections in the two countries. It also applauds the contribution of H.E. **Alassane Ouattara** President of the Republic of Côte d'Ivoire who visited these two countries with the Chairman of Authority.

33. The Authority expresses the hope that the elections scheduled in the course of the year in Burkina Faso, Guinea and Cote-d'Ivoire will also be peaceful, democratic, inclusive and credible.

34. The Summit directs the Commission to continue election support to these three countries and appeals to Member States and the International Community to provide financial assistance for the organisation of these different elections.

35. The Authority reaffirms its commitment to deepening the democratic culture and promoting good governance in West Africa. In particular, the Authority agrees to strengthen constitutional convergence principles.

36. After considering the draft Supplementary Acts modifying the 1999 Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace Keeping and Security as well as the 2001 Supplementary Protocol on Democracy and Good Governance, Authority instructs the Council of Ministers to effect the amendments as decided and submit them for signature during its next Session.

## **POLITICAL AND SECURITY SITUATION**

### **Mali**

37. The Authority commends the efforts of the international Mediation which led to the signing, in Bamako on 15 May, of the Agreement on Peace and Reconciliation in Mali.

38. The Authority expresses total support for the Agreement thus concluded which offers good prospects for the country's peace, reconciliation and development. The Authority congratulates H.E. **Ibrahim Boubacar Keïta**, President of Mali and his government, as well as the Algiers platform movements and the groups in the Coordination of Azawad Movements (CMA) which signed the Agreement, for their commitment to these values and to the well-being of the Malian people.



39. The Summit urges the other CMA groups, to take a decisive stand for peace and reconciliation and sign the Agreement without delay, following the initial on 14 May 2015 in Algiers.

40. The Authority calls for the concrete and complete implementation of the Agreement and intends, using appropriate means, to apply targeted sanctions against all who may obstruct the implementation or attempt to obstruct the peace process.

41. The Authority declares that only the security and defence forces of Mali have the right and legitimacy to occupy any part of the national territory in the conduct of their responsibility to protect their borders, peoples and their properties and that any occupation by irregular and non-state forces is illegal and therefore should end;

42. The Authority calls on the international community to shore up its support to the Malian Government and people in the implementation process, urging it to also continue support efforts in respect of refugees and displaced persons and the reintegration of people into their home communities.

43. In order to meet all financial obligations to AFISMA, the Authority urges Member States to pay up the pledges made for the Mission. In addition, the Authority directs the Chairperson of the Council of Ministers, in collaboration with the President of the Commission, to engage the United Nations and the African Union for funds to be made available to ECOWAS from the special AFISMA Fund, for the settlement of outstanding payments to troop contributing Member States.

## Burkina Faso

44. The Authority reaffirms the importance of the principle of inclusiveness which should govern the transition process and election planning. In that regard, it renews the different calls made in the past to all the Burkinabe stakeholders.

45. The Authority urges all stakeholders to strictly adhere to the electoral timetable for the Presidential election on 11 October 2015.

46. The Authority calls on Member States and the international community to provide financial support to Burkina Faso for the organisation of credible, fair transparent and inclusive elections.

47. The Summit lauds the role of **H.E. President Macky Sall** of Senegal, in providing support to the transition in Burkina Faso and encourages him to pursue his efforts till the end of the process. The Summit expresses its appreciation once again for the coordination efforts by ECOWAS, African Union and United Nations to ensure the success of the transition. It encourages the three organizations to pursue their efforts in that regard.



## Guinea

48. The Authority underscores the need for dialogue among the political stakeholders in Guinea, with a view to creating conditions for the success of the ongoing electoral process.

49. The Authority commends the initiative taken in that regard by **H.E. Alpha Condé**, President of Guinea and urges the different political stakeholders to systematically use dialogue to achieve the consensus necessary for the electoral process.

50. The Summit directs the Commission to facilitate the dialogue between the Government and the Opposition. It welcomes actions taken by the President of the Commission to dispatch a high-level mission to Guinea to aid the achievement of consensus among stakeholders on the conduct of elections and the preservation of peace in the country.

## Guinea Bissau

51. The Authority welcomes the efforts initiated by **H.E. José Maria Vaz** President of Guinea Bissau and his Government for a new dynamic focused on comprehensive structural reforms for consolidating peace and stability and guaranteeing sustainable development in the country.

52. The Authority strongly encourages the Guinea Bissau authorities in this process and expresses satisfaction at the success of the International Donor Conference on Guinea Bissau. It encourages the international community and all the country's partners to fulfil their pledges in order to guarantee the conduct of reforms.

53. In that respect, the Authority directs the Commission to continue providing support for the implementation of the Defence and Security Sector Reform Programme (DSSRP).

54. The Summit decides to extend the ECOMIB mandate from 1st July to 31 December 2015, with a gradual exit process. It directs the President of the Commission to continue his active policy of seeking funds from development partners to support ECOMIB in its work.

## Security Threats

55. The Authority reaffirms its determination to stem, by all means, every threat to regional security. In that regard, it welcomes the joint efforts underway by Nigeria, Niger, Cameroon and Chad, to combat the Boko Haram terrorist group.

56. The Authority highlights the need for a United Nations Security Council Resolution in support of these efforts and to aid the concerned countries in addressing decisively the recurrent attacks by Boko Haram. The Authority underscores the leading role that the Africa Union should play in that regard.



57. The Authority directs the President of the Commission to resume consultations for the organisation of a joint ECOWAS/ECCAS Summit on the fight against Boko Haram.

58. The Heads of State and Government renew their appeal to the international community to assist Nigeria, Niger and other neighbouring countries in dealing with the effects of the massive flow of refugees and internally displaced persons.

59. With regard to maritime security, Authority welcomes the operationalization of the pilot maritime Zone E and decides that the Regional Maritime Coordination Center (RMCC) will be based in the Republic of Côte d'Ivoire.

## **INSTITUTIONAL MATTERS**

60. The Authority reiterates its previous decisions on the strict implementation of the Community Levy (CL) by all Member States.

61. The Authority directs the Commission to consider the introduction of innovative and binding mechanisms to improve the implementation of the said Protocol and ensure more effective collection and payment of Community Levy proceeds. It also directs the Commission to take necessary measures to render the Regional Solidarity Fund operational with a view to guaranteeing the balanced development of the region.

62. In order to finalise the institutional reform process and prepare for the imminent end of tenure of some statutory appointees, the Authority approves the setting up of an ad hoc Ministerial committee comprising Cabo Verde, Ghana, Guinea, Nigeria and Senegal with the purpose of carefully considering the various issues and making a proposal to the Authority at one of its future extraordinary sessions.

63. The Authority urges the Community Institutions to pursue their thoughts on the enhancement of the prerogatives of the ECOWAS Parliament and to report to the Authority.

64. The Authority welcomes the take-off of activities in Member States to commemorate the 40th ECOWAS anniversary. The Authority decides that the event at regional level will feature special anniversary-specific festivities to take place in Abuja, Federal Republic of Nigeria on a date to be communicated later.

65. The Authority expresses its immense gratitude to **H.E. John Dramani Mahama**, President of Ghana and Chairman of the Authority for his untiring efforts in the promotion and deepening of the integration process in West Africa. The Authority wishes to thank him for his readiness and especially for his remarkable leadership in steering the region's affairs.



66. The Summit decides to elect **H.E. Macky Sall**, President of the Republic of Senegal, as Chairman of the ECOWAS Authority of Heads of State and Government for a one-year **term**.

67. The Heads of State and Government decide that their next ordinary session will be held at a time and venue to be agreed upon following consultations.

**DONE AT ACCRA THIS 19<sup>TH</sup> DAY OF MAY 2015**

**THE AUTHORITY**





## FORTY-SEVENTH ORDINARY SESSION OF THE ECOWAS AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, Ghana, 19<sup>th</sup> May 2015

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### VOTE OF THANKS

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We, Heads of State and Government of the Economic Community of West African States, meeting on 19<sup>th</sup> May 2015 in our 47<sup>th</sup> Ordinary Session in Accra, express our deep appreciation to **H.E. John Dramani Mahama**, President of Ghana and the Government and people of Ghana for the warm hospitality extended to us in a truly African fashion and for the excellent facilities placed at our disposal to ensure the success of our Summit.

We equally wish to thank him for his commitment to peace, security and good governance and for his remarkable leadership in steering the affairs of our Community. We pay him a well-deserved tribute for his contribution, as Chairman of the Authority, to deepening the integration process in West Africa.

In that regard, we, Heads of State and Government, express our highest regard to President **John Dramani Mahama** for the skill and effectiveness with which he presided over our proceedings, which significantly contributed to the formulation of relevant decisions for the deepening of the integration process.

We are also grateful to him for the relaxed atmosphere in which we held our meeting.

**DONE AT ACCRA THIS 19<sup>TH</sup> DAY OF MAY 2015**

**THE AUTHORITY**