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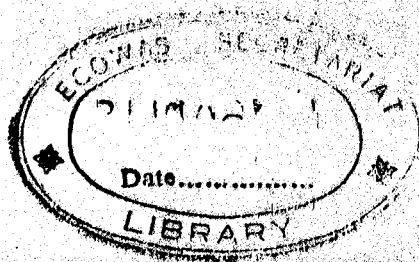
FIFTY-SECOND ORDINARY SESSION OF THE COUNCIL OF MINISTERS

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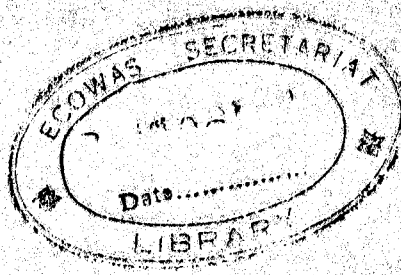
Abuja, 16 - 17 July, 2004



FINAL REPORT



Executive Secretariat
Abuja, July, 2004

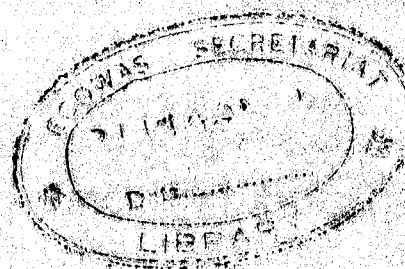


I. INTRODUCTION:

The Fifty-Second Session of the ECOWAS Council of Ministers was held at the ECOWAS Secretariat, Abuja from 16 - 17, July, 2004.

2. The following Member States were represented:

- ◆ Republic of Benin
- ◆ Burkina Faso
- ◆ Republic of Côte d'Ivoire
- ◆ Republic of The Gambia
- ◆ Republic of Ghana
- ◆ Republic of Guinea
- ◆ Republic of Liberia
- ◆ Republic of Mali
- ◆ Republic of Niger
- ◆ Federal Republic of Nigeria
- ◆ Republic of Senegal
- ◆ Republic of Sierra Leone
- ◆ Togolese Republic



3. The following ECOWAS specialised institutions were also represented at the meeting:

- The ECOWAS Parliament
- The ECOWAS Court of Justice
- The ECOWAS Bank for Investment and Development (EBID)
- The ECOWAS Regional Development Fund (ERDF)
- The ECOWAS Regional Investment Bank (ERIB)
- The West African Health Organisation (WAHO)
- The West African Monetary Agency (WAMA)
- The ECOWAS Gender Development Centre
- The Inter-Governmental Action Group Against Money Laundering. (GIABA)

4. A full list of participants is attached to this report.

II. OPENING SESSION

5. Welcome remarks were made by Dr. Mohamed Ibn Chambas the Executive Secretary of ECOWAS and Senator Lawan Gana Guba, the Honourable Minister of Cooperation and Integration in Africa of the Federal Republic of Nigeria, who declared the session open. The Chairman of the ECOWAS Council of Ministers, and the Ghanaian Minister of Cooperation and NEPAD, Hon. (Dr.) Kofi Konadu Apraku, delivered an opening statement. Copies of the remarks and the statement in their original texts are attached to this report.

III. ELECTION OF BUREAU

6. The bureau for the meeting was elected as follows:

- Chairman : Republic of Ghana
- Rapporteurs : Republic of Mali
Federal Republic of Nigeria

IV. ADOPTION OF AGENDA AND WORK PROGRAMME

7. The Agenda for the session was adopted as follows:

- (i) Opening session (welcome remarks, election of bureau, adoption of agenda and work programme)
- (ii) Presentation and consideration of the :
 - Interim Report of the Executive Secretary
 - 2003 Final Report of the Financial Controller
- (iii) Status of Ratification of the revised Treaty, Protocols and Conventions.
- (iv) Consideration of the status of tasks assigned to the Executive Secretariat.
- (v) Consideration of the reports of the :

- (a) Ninth meeting of the ECOWAS Ministers of Women Affairs;
 - (b) Second meeting of the GIABA ad hoc Ministerial Committee;
 - (c) Second meeting of ECOWAS Ministers of Education
 - (d) Second Conference of the ECOWAS Ministers of Public Service;
 - (e) First Extraordinary Conference of the Ministers of Public Service;
 - (f) Forty-Seventh meeting of the Trade, Customs, Immigration Taxation, Statistics, Money and Payments Commission;
 - (g) Human Resources, Information, Social & Cultural Affairs Commission;
 - (h) Thirty-first meeting of the Administration and Finance Commission.
 - (i) Eighth meeting of the ad hoc Ministerial Committee on the Selection and Evaluation of Statutory Appointees, and the Recruitment Exercise.
- (vi) Consideration of Memorandum on the:
- (a) Supplementary Protocol A/SP.1/11/04 amending the Preamble and Articles 1,2,9,22 and 30 of Protocol A/P.1/7/91 relating to the Community Court of Justice and Article 4 Paragraph 1 of the English version of the Protocol.
 - (b) Evaluation of the Performance of the Judges of the ECOWAS Court of Justice,
- (vii) Any Other Business

(viii) Adoption of Report

(ix) Closing Session

V. OUTCOME OF DELIBERATIONS:

**Item II (a): Presentation and Consideration of the
Interim Report of the Executive Secretary**

8. The Executive Secretary, Dr. Mohamed Ibn Chambas, presented his 2004 Interim Report in which he reviewed the performance of the regional economy and the implementation of the Community work programme. He stated that, despite the adverse socio-economic effects of the Ivorian political crisis on the regional economy, West Africa recorded a growth rate of about 4.5%, the best performance in recent years. The positive factors influencing the economic growth included favourable commodity prices, good weather conditions and sounder economic policies.

9. The Executive Secretary warned, however, that the current growth rate was far below the 7% target required to halve by 2015, the number of the West African population living in abject poverty. He stressed that the necessary significant improvement in the current trends could only be realised through an effective adoption of a regional approach to economic development by each ECOWAS Member State.

10. The Executive Secretary recalled that West Africa had, through the various ECOWAS programmes, laid a firm foundation for true regional integration and an enhanced perspective for sustainable development. Attention was drawn in his presentation, to the numerous problems that were impeding the achievement of the 2004 targets. Thus, it was disappointing that only six Member States were correctly applying the Community levy in the first year of complete reliance on this autonomous source for financing ECOWAS operations.

11. He stated that the achievement of the target of consolidating the free trade area was also being thwarted by the continued existence of tariff and non-tariff barriers, including the banning of Community originating products. He also referred to the lingering problem of civil conflict, particularly in Côte d'Ivoire in spite of the efforts of ECOWAS, which was a serious impediment to the integration process.

12. The Executive Secretary urged the Session of Council to review, critically, the various recommendations in the Interim Report and in the other reports to be presented. Furthermore, Council urged that appropriate measures could be adopted to achieve the acceleration of regional integration, especially in meeting the immediate targets such as the consolidation of the free trade area, adoption of the ECOWAS Common External Tariff and a regional poverty reduction strategy paper (PRSP). This is also to include the introduction of a second regional currency, implementation of NEPAD in West Africa and the strengthening of the capacity of the ECOWAS institutions.

13. In the ensuing discussions, Council commended the Executive Secretary on the quality of his report and the succinct presentation. The meeting however expressed particular concern about the inability of the Executive Secretariat to make conference documents available to Member States for effective preparation at the national level. At the request of Council, the Executive Secretary explained that the problem was linked to the acute lack of capacity within the Secretariat generally, and the near non-existence of Conference personnel in particular. He assured Council that the on-going institutional capacity building programme would rectify the situation.

14. The other observations and decisions of Council on the Interim Report included the following:

- the incorrect application of the provisions of the protocol on the Community levy by some Member States was a serious obstacle to the financing of the integration programmes. The nine member states involved were urged to ensure that the situation was rectified without further delay. Council called on Liberia in particular to commence the application of the Community levy immediately;
- the consolidation of the free trade area was a priority objective and all member states should endeavour to remove all non-tariff barriers and participate actively in the ECOWAS trade liberalisation scheme. Council requested the immediate introduction of the new ECOWAS customs documents and the mounting of the sensitisation campaigns, with the assistance of the Executive

Secretariat;

- the preparation for the negotiation of the Economic Partnership Agreement (EPA) should pay more attention to the improvement of the West African production base and the competitiveness of industrial products.

(b): 2003 Final Report of the Financial Controller

15. The final report of the Financial Controller for 2003 presented the cash flow situation and budget execution of the four (4) ECOWAS institutions, namely, the Executive Secretariat, the ECOWAS Parliament, the ECOWAS Court of Justice and the West African Health Organisation.

16. The report focused on the following areas:

- Execution of budget income, with special reference to payment of contributions, implementation of the Community levy, grants and external assistance and the ECOWAS Peace Fund.

17. The observations of the Financial Controller were the following:

- Income increased over the period, while performance declined.
- All Member States except Liberia, have commenced implementation of the Protocol on the Community levy. However, more than half of the Member States do not apply the provisions of the protocol correctly.
- Member States are not paying their arrears of contributions.
- Contributions owed by Member States are on the increase.
- As at 31/12/2003, only two (2) Member States had paid their contributions to the Peace Fund.
- Grants and external assistance are not included in the budget and in the accounts of the Executive Secretariat.

- The cash flow situation of the Community will improve if the Community levy is correctly applied.
- Mauritania, an ex-Member State, owes UA 4.4 million. Liberia, Sierra Leone, Cote d'Ivoire and The Gambia have requested that their arrears be cancelled.
 - Execution of budget income, giving a statement of running costs, expenditure in connection with programme implementation and the performance of the institutions.

18. The observations of the Financial Controller were the following:

- Budget execution in terms of expenditure is below expectations.
- The percentage of running costs reduced over the year.
- Running costs are too high in comparison to expenditure on programme implementation.
- The donor-funded programmes administered outside of the Secretariat/WAHO are not reflected in the financial records and reports.
- Programme implementation rate is low.

19. The staff situation reveals that women are not adequately represented on the work force. The Court of Justice is the institution in which there is the highest representation of women. Cape-Verde, Guinea-Bissau and Liberia are inadequately represented, and there is a need to define the concept of equitable geographical representation.

20. The Financial Controller observed that the absence of an efficient staff data management system laid the institutions open to risk.

- Financial and budget management systems and the inadequacies identified.

21. The Financial Controller highlighted the absence of an efficient financial and budget management system.

22. She then advocated the following remedial measures:

- Council should envisage the possibility of canceling certain non-recoverable arrears;
- Member States should negotiate a payment schedule for their arrears with the Executive Secretariat;
- Liberia should commence implementation of the Community levy as soon as possible;
- Member States should properly implement the Protocol on the Community levy;
- All bank accounts opened for lodgment of the proceeds of the levy should be handed over to the Executive Secretariat;
- Member States should pay the proceeds of the levy directly into the levy account;
- The provisions of the Financial Regulations relating to income from Community funds should be reviewed.
- The Secretariat should set up systems to administer the proceeds of the levy;
- The National Units should set up a mechanism to monitor application of the levy and a system for the utilisation and administration of the 5% to be deducted from the proceeds of the levy;
- External assistance should be included in the 2005 budget.
- External assistance should be reflected in the accounts of the Executive Secretariat.
- A financial management unit should be created within the Executive Secretariat to manage external funds.
- The institutions should devise strategic plans clearly stating objectives and priorities;

- Quarterly budget forecasts and statements should be introduced in all the institutions.
- Regular financial statements should be circulated to the Executives and financial and accounts management officers within the prescribed deadlines.
- The Executive Secretariat should speed up computerisation of its accounting system.
- The regulations governing finance and procurement should be updated.
- Council should set up an Audit Committee.

23. Council thanked the Financial Controller for her detailed report and deplored the fact that the document had not been submitted to it in time.

24. The Liberian and Sierra Leonean delegations drew the attention of Council to the poor representation of their countries in the ECOWAS institutions.

25. Council expressed deep concern at the failure to update the ledgers, bank reconciliation statements and at the tardiness in the production of budget, financial and accounting statements.

26. Council set a deadline of 90 days by which to correct all these anomalies and update bank reconciliation statements.

27. Those Member States, which are not implementing certain provisions of the Protocol on the Community levy, affirmed their commitment to rectifying all lapses and anomalies observed in their arrangements.

28. Nigeria stated that it would hand over full management of the Community levy account to the Executive Secretariat the following week.

29. Council recommended that all necessary measures should be taken to recover the arrears of contributions of Mauritania, a former ECOWAS Member State. It specifically advised that a high-level

delegation should be sent to Mauritania to discuss modalities for payment of its arrears of contribution.

30. Council also recommended that the Chairman of Council should continue his rounds of those Member States with arrears of contribution, or which do not correctly apply the Protocol on the Community levy, in order to encourage them to fulfill their obligations to the Community.

31. Council welcomed the proposal for the establishment of an Audit Committee.

Item III: Ratification of Status of the Ecowas Revised Treaty, Protocols and Conventions

32. The Executive Secretariat presented a memorandum to Council on the ratification status of the revised ECOWAS Treaty, protocols and conventions as at 30 June 2004.

33. The ratification status report as embodied in the memorandum is as follows:

- a) Guinea-Bissau is yet to submit to the Executive Secretariat the instruments of ratification of the revised ECOWAS Treaty.
- b) Of the thirty-six (36) protocols and conventions which have entered into force, three have entered into force only provisionally. They are being implemented without having been ratified by the minimum required number of nine (9) Member States permitting definitive entry into force.
- c) Two (2) of the protocols which have entered into force were signed on 27 July 1996, nearly eight years ago.
- d) These are the Protocol Introducing Value-added Tax in the Member States, and the Protocol on Extradition.
- e) The rate of ratification remains unsatisfactory in spite of numerous decisions of the Authority of Heads of State and Government urging Member States to ratify the protocols and conventions concerned without delay.

- f) In 2004, the Executive Secretariat conducted a survey in each Member State to identify the causes of the delays and blockages, assess the difficulties encountered by each Member State during the ratification process and remedy any of the shortcomings observed.
- g) In 2005, the Executive Secretariat, in collaboration with the ECOWAS Parliament, will step up its efforts at promoting the ratification process by dispatching a joint briefing and enlightenment mission to Member States and convening a meeting of Speakers of the Parliaments of the ECOWAS Member States.

34. Council took note of the memorandum presented by the Executive Secretariat and called on those Member States which are yet to do so, to forward to the Executive Secretariat the responses to the questionnaires dispatched to them as part of efforts to promote the ratification process. Council further directed the Executive Secretariat to undertake visits to Member States in search of appropriate solutions to the recurring problems of slow ratification of protocols and late enforcement of protocols and conventions.

Item IV: Consideration of the Status of Tasks Assigned to the Executive Secretariat

35. The Executive Secretariat presented a report on the implementation of tasks assigned to it by the Council of Ministers. These related mainly to the implementation of priority programmes and administrative matters.

36. Following deliberations, Council took note of the report along with the offer made by the Republic of Côte d'Ivoire to provide a draft logical framework for the preparation of subsequent status reports on Tasks assigned.

37. Council equally reviewed the persistent problem of late arrival of conference documents for meetings and noted the proposal of the Executive Secretariat for the possible creation of a new Department of Conference Services. Council also examined the possibility of improving the remunerations of Translators in order to attract and retain highly qualified professionals for the job.

38. Following deliberations, Council made the following recommendations:

- The Executive Secretariat should adjust its programmes based on available human and material resources;
- Decisions about schedules of meetings should be made earlier so as to give the Executive Secretariat enough time to make adequate preparations;
- Council invited the Nigerian Minister of Cooperation and Integration in Africa to convene a meeting with the staff members of the Executive Secretariat to address the problem of low morale. This mandate was premised on the former's proximity to the Executive Secretariat.

Item V (a) Consideration of the Report of the
Ninth Meeting of the ECOWAS Ministers of
Women Affairs

39. The Minister of the Family, Social Development and National Solidarity of Senegal who chaired the Ninth Meeting of the Conference of Women Affairs was unable to attend and was represented by Madame Khady Fall Ndiaye who is in charge of women Promotion in the Ministry.

40. Mrs. Khady Fall Ndiaye presented the Memorandum from the Executive Secretariat on the outcome of the Ninth Meeting of the ECOWAS Ministers of Women Affairs held on 19 February, 2004.

41. The memo highlighted the ECOWAS Gender Policy, Strategic Plan of Action, Guidelines for the establishment of Gender Management Systems for ECOWAS, the transformation of the West African Women's Association (WAWA) into the ECOWAS Gender Development Centre and made appropriate recommendations to Council.

42. Council reaffirmed its support for women initiative in the region. Considering that ECOWAS women have been in the vanguard of women development activities in Africa, the ECOWAS Secretariat was urged to continue to assume that role;

43. Council made the following observations:

- a) ECOWAS should adopt the declaration and commitment to the principles of equality of the African Union to ensure equitable representation of women and men in decision making positions;
- b) There is a need to clarify the legal status of the West African Women's Association (WAWA) national chapters vis-a-vis the ECOWAS Gender Development Centre in Dakar;
- c) The recommendations contained in the memorandum should be implemented at the national level to influence government policies on women, especially the Poverty Reduction Strategy Papers (PRSPs);

44. Council adopted the recommendations presented in the report of the ninth meeting of the ECOWAS Ministers of Women Affairs.

(b): Presentation of the Report of the Second Statutory Meeting of the ad hoc Ministerial Committee of the Inter-governmental Action Group Against Money Laundering in Africa (GIABA)

45. The report of the second statutory meeting of the ad hoc Ministerial meeting of the Intergovernmental Action Group Against Money Laundering in Africa (GIABA) was presented by the Chairman of the GIABA ad hoc Ministerial Committee, Mr. Cheick Salibou Fall, Minister of the Interior of the Republic of Senegal.

46. The report states that the meeting of the ad hoc Ministerial Committee was held in Dakar on 25 June 2004, with a three-fold objective in view, namely:

- To advocate acceleration of the procedure for the appointment of statutory officers and the choice of the GIABA headquarters;
- To formulate a Draft Plan of Action for GIABA covering the period from 2004 to 2006;

- To propose to the Council of Ministers a Declaration in which ECOWAS undertakes to revitalise GIABA, showcase it more effectively, and boost its credibility.

47. The Council of Ministers underscored the importance of the fight against money laundering and the financing of terrorism. Council reaffirmed the need to take necessary measures to prevent the region from being perceived as providing a safe haven for the circulation and lodgment of the illegal proceeds from the transnational network of organised crime. It was therefore decided to operationalise GIABA.

48. The Executive Secretary informed Council that he had been officially informed that Nigeria and Senegal were interested in the positions of GIABA Administrative Secretary and Deputy Administrative Secretary. He also informed Council of the initiatives taken by the current Chairman of the Authority of Heads of State and Government with regard to the allocation of the GIABA statutory posts.

49. Under the provisions of the GIABA statutes, the posts of Administrative Secretary and Deputy Administrative Secretary are not permanent appointments. The two officers will be appointed for a 4-year term, renewable once.

50. After deliberation, the Council of Ministers decided:

- i) To recommend to the next session of the Authority of Heads of State and Government to adopt the draft decisions attached to this report, harmonising the GIABA statutes with the revised Treaty and other relevant ECOWAS texts;
- ii) To adopt the GIABA organogramme;
- iii) To appoint the candidates chosen by the countries to which the posts of Administrative Secretary and Deputy Administrative Secretary are allocated, without delay;
- iv) To direct the Executive Secretary to recruit a Programme Officer (Training) at grade level P5, a Head of

Administration and Finance Division, at grade level P5, and a bilingual, or preferably multilingual Secretary, with English, French and Portuguese, as soon as the Administrative Secretary and his/her Deputy are appointed.

- v) To allocate the sum of UA 80,000 from the Community levy to GIABA as operating expenses for the rest of the year;
- vi) To adopt the attached GIABA plan of action for the period 2004 - 2006;
- vii) To adopt, sign and deliver the attached GIABA Declaration;
- viii) To direct the institutions concerned to take necessary action to ensure the speedy execution of the undertakings given in the Declaration referred to above.

51. Council took note of a request from Senegal, the temporary host country for GIABA, to retain its headquarters.

52. A draft GIABA budget should be submitted to the November session of the AFC, together with details of all possible sources of funding with a view to becoming self-financing.

(c): Consideration of Report of the Second Meeting of ECOWAS Ministers of Education

53. Mr. Kwadwo Baah-Wiredu, the Honourable Minister of Education, Youth and Sports of Ghana, presented the Memorandum from the Executive Secretariat on the second Conference of the ECOWAS Ministers of Education, Accra, 9-10 January, 2004 to the Council.

54. He highlighted the outcome of deliberations of the Conference which included:

- Framework of reference for education policies in Africa, harmonisation of NEPAD, Decade of Education in Africa

(DEA), Education for All (EFA), millennium development goals (MDG) and MINEDAF objectives;

- Priority sub-regional programme proposals in the following areas:

- a) Training of Teachers;
- b) Promotion of education for girls;
- c) HIV/AIDS preventive education;
- d) Promotion of education in science and technology
- e) Promotion of technical education and vocational training; and
- f) Integrated development of nursery;

55. Council commended the comprehensive report that was presented to it.

56. Council noted the presentation especially the recommendation on the establishment of an ECOWAS Education Fund modelled on the ECOWAS Peace Fund, which could benefit from the Community levy. Council urged the Secretariat to dialogue more with UNESCO to alleviate the burden of financing the priority programmes by the Executive Secretariat alone.

57. Council adopted the recommendations:

(d): Consideration of the Report of the Second Conference of ECOWAS Ministers of the Public Service

58. This report which was presented by Dr. Etim Amba on behalf of the Conference Chairman, covered deliberations on country presentations on the implementation of the Charter for Public Service in Africa. It also dwelt on the outcome of a three-day workshop on promoting ethics, integrity and professional standards in the Public Service. The report contained recommendations on ways of enhancing the implementation of the Charter as well as the promotion of transparency and efficiency in the Public Service.

59. Council adopted this report after deliberations

(e): Consideration of the Report of the First Extraordinary Conference of ECOWAS Ministers of the Public Service

60. The report which was presented on behalf of the Chairman of the Conference by Mr. Sibailly Y. Raymond focused on the following issues:

- Principles of staff employment;
- ECOWAS Staff Regulations;
- Policy for ECOWAS Staff Training and Development;
- Comparative Study on Salaries, Benefits and Allowances;
- Revised daily subsistence allowance rates for community institutions.

61. Following deliberations on this report, Council endorsed the principles embedded in the recommendations, particularly those relating to the upward review of salaries and benefits of staff members of community institutions. Council agreed that the next meeting of the Administration and Finance Commission should take a fundamental look at the financial implications of the proposals.

62. Council observed disharmony between the final report presented and the texts attached to it and directed the Executive Secretariat to take a meticulous look at the texts attached to the report and effect necessary harmonisation.

(f): 47th Meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission

63. The Chairman presented the report of the meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission which was held in Abuja, on 8 and 9 July 2004.

64. The agenda of the meeting had focused on the following:

- Consideration of the activity report of the Trade and Customs Policy Department;
- Proposals for approval of new industrial products to benefit from the ECOWAS trade liberalisation scheme;

- Proposed list of exceptions to the criteria for a change of tariff position;
- Report of the regional workshop on the ECOWAS configuration for Customs computerisation;
- Report of the 1st meeting of the task force on a regional customs data base;
- Progress report on the implementation of ASYUDA in the Member States.

65. The observations and recommendations made by the Commission were as follows:

The Trade Liberalisation Scheme

66. The Commission, having taken note of the effort expended by the Executive Secretariat in organising information and sensitisation seminars on the liberalisation scheme despite the staff shortage of the Trade and Customs Policy Department, called upon the Secretariat:

- To continue with the information and enlightenment seminars, focusing on the training of Customs officials responsible for the preparation of applications for compensation, and members of the national approvals committees. The Executive Secretariat was requested to prepare a training manual to this effect;
- To evaluate full and effective implementation of the trade liberalisation scheme and provide Member States with the necessary assistance to achieve this end;
- To once again request Member States to submit the list of enterprises and products affected by the provisions of Article 7 of the Protocol defining the concept of originating products. This list should be forwarded by the Executive Secretariat to all Member States. It was recommended that originating products from Member States which fail to send their list to the Secretariat by the prescribed deadline of three months from the date of notification should be suspended from the scheme;

- To prepare, in collaboration with the Member States, a full inventory of industrial enterprises in the ECOWAS Member States. The inventory should indicate the principal characteristics of each enterprise and the special economic regime under which it operates.
- To convene a special meeting of the Commission without delay, to screen those of the applications returned to the Member States which have been granted approval.

Negotiations between West Africa and the European Union on the Economic Partnership Agreement

67. The meeting stressed the need to formulate and implement an upgrading programme for enterprises in Member States and a capacity building programme for West Africa's negotiators.

Proposed List of Exceptions to the Criterion for Changing Tariff Classification

68. In the light of the provisions of Article 4 of the Protocol defining the concept of originating products which stipulates that the rule of change of tariff classification shall be accompanied by a list of exceptions indicating cases where change of classification is not a determining factor conferring ECOWAS origin, the Commission recommended to the Council of Ministers to adopt the draft regulation establishing the list of exceptions to the criterion of tariff classification which is attached to this report.

69. The Commission recommended to the Executive Secretariat to set up a joint ECOWAS/UEMOA tariff administration committee.

ECOWAS Configuration for Customs Computerisation

70. The Commission proposed to Council to adopt the ECOWAS configuration which aims to achieve:

- harmonisation of statistical codes and nomenclature;
- harmonisation of customs procedure and documents.

71. A draft regulation on the adoption of an ECOWAS configuration for customs computerisation is submitted to Council for adoption.

72. Council adopted the recommendations of the Commission after discussions. Having deplored the failure by some Member States to apply the scheme, Council called on them to take necessary measures to operationalise the free trade zone by the end of 2004. Council also requested the Executive Secretariat:

- To appraise the situation in those Member States in which the scheme is yet to be applied;
- To give necessary assistance to those Member States in need of such assistance.

73. The Secretariat was also requested to inform those Member States whose products had been denied approval by the Commission of the reasons for this denial.

(g): Consideration of Memorandum on the First Meeting of the Human Resources, Information, Social and Cultural Affairs Commission

74. In the absence of the Chairperson of the first meeting of the Human Resources, Information and Social Affairs Commission, Mr. Idris A. Kuta, Director, Cooperation and Development of the Ministry of Cooperation and Integration in Africa, Nigeria presented the report of the first meeting of this technical Commission.

75. The report dwelt on:

- the transformation of the ECOWAS Conference of Ministers of Youth and Sports to the ECOWAS Youth and Sports Development Centre;
- the outcome of the First ECOWAS Youth Forum and Strategic Plan of Action;
- NEPAD 2004-2006 Cultural plan and adoption of the cultural programme of activities;
- The theme for the next edition of the ECOWAS Prize for Excellence;
- The General Convention on Social Security;

- Granting of observer status within the institutions of Economic Community of West African States to non-governmental organisations (NGOs).

75. Council took note of the report.

77. Council also noted the information provided by ECOWAS Bank for Investment and Development (EBID) on the francophone Cultural Industry Fund being managed by the Bank, and requested the EBID to strengthen the fund, and extend it to cover the entire region, with time.

78. Council observed the tendency to establish too many specialised institutions and funds in several programme sectors and cautioned the Secretariat against this.

79. Council approved the recommendations presented in the memorandum except for the recommendation on the establishment of the ECOWAS Cultural Fund and the Youth and Sport centre.

(h): **The 31st Meeting of the Administration and Finance Commission.**

80. The report of this meeting presented by the Chairperson addressed, the following issues among others :

- the report of the meeting of the ad hoc Ministerial Committee on GIABA ;
- status report on the implementation of the Community levy;
- proposal for the creation and administration of the Solidarity Fund; and
- Report of the meeting to review the draft Report on National Focal Points for ECOWAS/NEPAD Programmes;

81. Council adopted the report with the following observations and recommendations:

- (i) Council approved an operational budget of UA 80,000 for the running of the GIABA Secretariat for the period July - December 2004;
- (ii) The Executive Secretariat should intensify its efforts in

monitoring of the application of the Community levy by member states.

- (iii) Council approved the principle of the creation of an ECOWAS Solidarity Fund and directed that a study be conducted on the Fund with the full collaboration of the institutions, particularly EBID;
- (iv) The National Focal Points for ECOWAS and NEPAD in each member state should have the status of a Department. As regards the creation of ECOWAS representation in member states, the Executive Secretariat was directed to articulate the functions of such a representation and make a firm estimate of the financial implications of such a proposal.

(i): Eight meeting of the Ad-Hoc Ministerial Committee on the Selection and Evaluation of Statutory Appointees and Recruitment exercise.

82. After consideration of this item, Council gave the following directives:

- a) The Executive Secretary should, in conformity with Decision A/DEC.3/7/91 of 6th July 1991, ensure the regularity of the meetings of the Ad Hoc Ministerial Committee on the Selection and Evaluation of Statutory Appointees and the annual evaluation of the Statutory Appointees.
- b) The Executive Secretary should convene a meeting of the Committee of Experts of the Public Services of Member States of the Ad Hoc Committee on Evaluation not later than September, 2004. The experts have been mandated by Council to extract from the Ernst and Young study, evaluation criteria which will be used along with already existing criteria for evaluation of Statutory Appointees contained in Decision A/DEC. 3/7/91 and the existing procedure provided for under Decision A/DEC.6/7/95 and Regulation C/REG.3/7/96. The report from the Experts shall be submitted to the Ad Hoc Ministerial Committee, who in turn will advise on the terms of office of the current Statutory Appointees.

- c) Council went on to endorse the decision of the ECOWAS Ministers of Health and renewed the appointments of the Director General and the Deputy Director General of WAHO. It decided however, that in future, it should be the Ad Hoc Committee on evaluation that should conduct evaluation of these statutory officers.

Item VI (a): Supplementary Protocol A/SP.1/11/04 amending the Preamble and Articles 1,2,9,22 and 30 of Protocol A/P.1/7/91 relating to the Community Court of Justice and Article 4 Paragraph 1 of the English version of the Protocol

83. The memorandum was presented by Mrs. Nana Awa DABOYA, Judge of the ECOWAS Court of Justice. In her presentation, Mrs. Awa recalled that the session of Council held in Accra in December, 2003 had directed the Executive Secretariat to involve all the ECOWAS institutions in the preparation of certain draft texts, including the draft protocol amending the preamble and Articles 1,2,9,22 and 30 of Protocol A/P.1/7/91 on the ECOWAS Court of Justice, and Article 4 paragraph 1 of the English version of the protocol.

84. In compliance with the directive, inter-institutional meetings between the Executive Secretariat, the ECOWAS Court of Justice, the ECOWAS Parliament, the ECOWAS Bank for Investment and Development and its subsidiaries were held in Abuja from 14 to 23 April, 2003, and on 8 and 9 June, 2004, to propose the draft submitted to Council.

85. Justice Nana Awa DABOYA, also recalled that prior to the inter-institutional meetings, legal experts from the Member States had considered the proposed amendments to the Protocol on the ECOWAS Court of Justice.

86. The memorandum indicated that the draft Protocol contained major innovations in comparison to Protocol A/P.1/7/91 on the ECOWAS Court of Justice. The Protocol of 1991 limits the power of the Court of Justice, restricts access to the Court and is silent on procedure for the execution of decisions of the Court. Moreover, the protocol predates the revised Treaty and therefore contains references to articles which are inconsistent with the articles in the revised Treaty.

87. As a result, the Protocol on the ECOWAS Court of Justice, in its present form, does not provide the Community Superior Court with adequate powers to contribute in association with the other institutions, to the acceleration of the sub-regional integration process.

88. Justice Nana Awa DABOYA, pointed out that it was for all these reasons that the ECOWAS institutions which had examined the draft protocol, had proposed amendments underlining the need:

- (i) to expand the powers of the ECOWAS Court of Justice to enable it adjudicate in disputes arisen from the interpretation and application of supplementary acts annexed to the Treaty, decisions, regulations and directives of the relevant institutions;
- (ii) to permit individuals and corporate bodies to seek redress in the Court, in order to encourage the implementation of Community acts;
- (iii) to establish a procedure for the execution of decisions of the Court and for ensuring compliance therewith;
- (iv) to align the French and English versions of some provisions of the protocol to make them consistent or to include in the protocol the relevant references to articles in the revised Treaty;

89. Council took note of the memorandum and recommended to the twenty-eighth session of the Authority of Heads of State and Government to adopt the draft Supplementary Protocol amending the Preamble Articles 1, 2, 9, 30 of Protocol A/P.1/7/91 on the ECOWAS Court of Justice and Article 4, paragraph 1 of the English version of the protocol.

(b): Evaluation of the Performance of the Judges of the Community Court of Justice, ECOWAS:

90. With regard to the Memorandum presented by the Court of Justice under Item 8 (i), Council also decided that the matter be referred to the Public Service Experts of the Member States of the ad hoc ministerial committee on the Selection, Evaluation and Performance of Statutory

Appointees for their study and recommendation at their meeting in October, 2004.

Item (vii): Any Other Business

Involvement of National Units in ECOWAS Activities.

91.. Council expressed concern over the fact that Member States only get to know of ECOWAS activities from the media. It therefore directed that all ECOWAS meetings and activities must be brought to the prior notice of Ministers in charge of Integration and the National Units. Council further directed that efforts must be made to personally involve Ministers of Integration in all ECOWAS activities. Council agreed that subject to the full implementation of the Community levy, the Secretariat should consider the possibility of financing the attendance of Ministers of Integration at ECOWAS meetings.

Circulation of Anonymous Letters

92. Council expressed deep concern about the pernicious anonymous letters circulated to Member States attending the mid-year 2004 statutory meetings at the Executive Secretariat. The Executive Secretary informed Council that the matter was of equal concern to the Secretariat and would be investigated and firm disciplinary action taken in order to stop and discourage such unprofessional conduct on the part of the perpetrators.

African Union Summit of African Intellectuals on the Future of Africa

93. Council took note of the impending AU Summit of African Intellectuals on the future of Africa to be attended by African and diaspora intellectuals in Dakar from 7 to 9 October, 2004 and urged all Member States to endeavour to attend.

Recruitment

94. The Executive Secretary briefed Council on the on-going recruitment exercise in the Secretariat. He stated that the exercise was being undertaken in two phases and that the first phase had been completed with letters of employment issued to successful candidates.

He informed Council of the procedure utilised for the exercise which he said was undertaken in a transparent, fair and balanced manner. A number of countries raised concern over the final outcome of selection. In response, the Executive Secretary reassured the Member States that whilst discharging his powers of appointment, including discretionary powers given to him, all relevant recruitment criteria adopted by Council are always taken into account.

ECOWAS Flag and ECOWAS Anthem

95. Council recommended to the Authority that the ECOWAS flag should be popularised and flown in all government buildings in Member States. It also recommended that the ECOWAS anthem be played during visits of Heads of State to Member States and also at appropriate ECOWAS meetings and events.

COTE D'IVOIRE

96. Council expressed concern about the grave impact of the prolonged crisis in Cote d'Ivoire on the economies of Member States. The Executive Secretary briefed Council on the forthcoming Summit of ECOWAS Heads of State together with President Bongo of Gabon, the UN Secretary General Mr. Kofi Annan with all the party signatories to the Linas Marcoussis Accord in Accra on July 29, 2004. Council expressed the hope that the Chairman of ECOWAS, His Excellency John Kufuor and the Executive Secretary would appeal to all Ivorian parties to make necessary concessions in order to ensure the success of the summit and the full and sustained implementation of the Linas Marcoussis Accord.

Item (viii): Adoption of Report

97. This report was adopted provisionally by the Chairman with authority of Council.

Item (ix): Closing Session

98.. Closing Session was not held.

DONE AT ABUJA, THIS 17TH DAY OF JULY, 2004



**HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN**

FOR THE MEETING



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.1/07/04 DEFINING THE LIST OF EXCEPTIONS TO THE CRITERION FOR CHANGING TARIFF CLASSIFICATION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Protocol A/P.1/01/03 of 31 Jan 2003 relating to the definition of the concept of goods originating from ECOWAS Member States, particularly in its Article 4;

BEARING IN MIND the directives of the session of the Authority of Heads of State and Government held in Dakar on 31 January 2003 on the need to strengthen cooperation between ECOWAS and UEMOA so as to ensure effective harmonization of the customs instruments of the two institutions;

DESIRING to ensure strict and objective application of the conditions for determining originating products;

ON THE RECOMMENDATION of the forty-seventh meeting of the Trade Customs, Taxation, Money and Payments Commission held in Abuja on 8th and 9th July 2004 ;

ENACTS

ARTICLE 1

The attached list of exceptions indicating cases where a product cannot be considered as originating in Member States on the basis of a change in tariff classification is hereby adopted.

ARTICLE 2

The list includes the tariff numbers under the ECOWAS nomenclature, the designation of the finished products, and the degree of transformation or processing not conferring originating status.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004



HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

ANNEX TO REGULATION N°. C/REG.../07/04
LISTING THE EXCEPTIONS TO THE CRITERIA FOR CHANGING TARIFF CLASSIFICATION

| Heading N° | Description of Product | List of working or processing which not conferring originating status |
|-------------------|---|--|
| 04.01 | Milk and cream, not concentrated nor containing added sugar or other sweetening matter | Manufacture from products of heading n°. 04.02 |
| 04.03 | Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa | Manufacture from products of heading n°. 04.01 and 04.02 |
| 15.04 | Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified | Manufacture from the products of chapters 2 and 3 |
| 15.06 | Other animal fats and oils and their fractions, whether or not refined, but not chemically modified | Manufacture from products of chapter 2 |
| 15.07 | Soya-bean oil and its fractions, whether or not refined, but not chemically modified | Manufacture from products of chapters 7 and 12 |
| 15.08 | Groundnut oil and its fractions, whether or not refined, but not chemically modified | Manufacture from products of chapters 7 and 12 |
| 15.11 | Palm oil and its fractions, whether or not refined, but not chemically modified. | Manufacture from products of chapters 7 and 12 |
| 15.12 | Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified. | Manufacture from products of chapters 7 and 12 |
| 15.13 | Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically | Manufacture from products of chapters 7 and 12 |
| 15.15 | Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified | Manufacture from products of chapters 7 and 12 |
| 15.17 | Margarine; edible mixtures or preparations of animal or vegetable fats or oils of fractions of different fats or oils, of their chapter, other than edible fats or oils or their fractions of heading n°. 15.16 | Manufacture from products of chapters 7 and 12 |

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| 15.18 | Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading n°. 15.16 ; inedible mixtures or preparations of animal or vegetable fats or oils of fractions of this chapter, not elsewhere specified or included | Manufacture from products of chapters 7 and 12 |
| 17.01 | Cane or beet sugar and chemically pure sucrose, in solid form | Manufacture from any product |
| 17.02 | Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel | Manufacture from any product |
| 17.03 | Molasses resulting from the extraction or the refining of sugar | Manufacture from any product |
| 17.04 | Sugar confectionery (including white chocolate) not containing cocoa | Manufacture from products of chapter 17 |
| 18.06 | Chocolate and other food preparations containing cocoa | Manufacture from sucrose or in which the products of N°s. 18.01 to 18.05 are used |
| 19.01 | Malt extract, food preparations of flour, groats, meal, starch or malt extract not containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings n°s. 04.01 to 04.04, not containing cocoa or containing less than 50% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included. | Preparation from cereals and derivatives thereof, meat, milk and sugar |
| 19.03 | Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms | Manufacture from any product |
| 19.04 | Prepared food obtained by the swelling or roasting of cereals or cereals products (for example, corn flakes), cereals (other than maize (corn) in grain form or in the form of flakes or other worked grains (except flour, groat and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included | Manufacture from any product |

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|-------|---|--|
| 19.05 | Bread, pastry, cakes, biscuits and other baker wares, whether or not containing cocoa ; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products | Manufacture from products of chapter 11 |
| 21.04 | Soups and broths and preparations therefore; homogenised composite food preparations | Preparation from products N°. 2002 |
| 21.06 | Food preparations not elsewhere specified or included | Manufacture from any product |
| 22.02 | Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverage, not including fruit or vegetable juices of heading n°. 20.09 | Manufacture from the fruit juice |
| 22.03 | Beer made from malt | Manufacture from any product |
| 22.04 | Wine of fresh grapes, including fortified wines ; grape must other than that of heading n°. 20.09 | Manufacture from any product |
| 22.05 | Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances | Manufacture from any product |
| 22.06 | Other fermented beverages (for example, cider, perry, mead) ; mixtures of fermented beverages and mixtures of fermented beverage and non-alcoholic beverages, not elsewhere specified or included | Manufacture from any product |
| 22.07 | Undenatured ethyl alcohol of an alcoholic strength by 80% volume or more, ethyl alcohol and other spirits, denatured, of any strength | Manufacture from any product |
| 22.08 | Undenatured ethyl alcohol of an alcoholic strength by less than 80% volume, spirits, liqueurs and other spirituous beverages | Manufacture from products of heading N°. 0806, 2009 and 2204 |
| 22.09 | Vinegar and substitutes for vinegar obtained from acetic acid | Manufacture from any product |
| 28.33 | Sulphates ; aluns ; peroxosulphates (persulphates) | Manufacture from products of N°. 28 18 |
| 32.05 | Colour lakes; preparations as specified in Note 3 to this chapter based on colour lakes | Manufacture from products of N°. 32 03 and 32 04 |
| 32.06 | Other colouring matter; preparations as specified in Note 3 to this chapter, other than those of heading n°. 32.03, 32.04 or 32.05 ; inorganic products of a kind used as luminophores, whether or not chemically defined | Mixing of oxides or salts of chapter 28 with extenders such as barium sulphate, chalk barium carbonate and white satin |

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| 32.13 | Artists' , students' or signboard painters' colours, modifying tints, amusement colours and the like, in tablets, tubes, jars, bottles, pans or in similar form or packings | Manufacture from products of headings N°s 32 03 to 32 10 |
| 32.14 | Glaziers' putty, grafting putty, resin cements, caulking, compounds and other mastics, painters' felling ; non-refractory surfacing preparations for façades, indoor walls, floors, ceiling or the like | Manufacture from products of N° 32 10 |
| 34.01 | Soap, organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap; organic surface-active products and preparations for washing the skin, in the form of liquid or cream and put up for retail sale, whether or not containing soap ; paper, wadding, felt and non-wovens, impregnated, coated or covered with soap or detergents | Manufacture from products of N°s N° 34 02 and 34 05 |
| 37.01 | Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or textiles ; instant print film in the flat, sensitised, unexposed, whether or not in packs | Manufacture from products of N° 37 02 |
| 37.02 | Photographic film in rolls, sensitised, unexposed or any material other than paper, paperboard or textiles ; instant print film in rolls. sensitised, unexposed | Manufacture from products of N° 37 01 |
| 37.04 | Photographic plates, film, paper, paperboard and textiles, exposed but not developed | Manufacture from products of N°s 37 01 and 37 02 |
| 41.04 | Tanned or crust hides and skins of bovine, (including buffalo) or equine animals, without hair on, whether or not split, but not further prepared | Tanning of raw skins of heading of N°s 41 01 to 41 03 |
| 41.05 | Tanned or crust skins of sheep or lambs, without wool on, whether or not split, but not further prepared | Tanning of raw skins of heading N°s 41 01 to 41 03 |
| 41.06 | Tanned or crust hides and skins of other animals, without wool or hair on, whether or not split, but not further prepared | Tanning of raw skins of heading N°s 41 01 to 41 03 |

| | | |
|-------|--|---|
| 41.07 | Leather further prepared after tanning or crusting, including parchment-addressed leather, of bovine (including buffalo) or equine animals, without hair on, whether or not split, other than leather of heading n°. 41.14 | Tanning of raw skins of heading N°s 41 01 to 41 03 |
| 43.03 | Articles of apparel, clothing accessories and other article of furskin | Making up from furskin in plates, crosses and similar forms |
| 49.09 | Printed or illustrated postcards ; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings. | Manufacture from products of N°. 49 11 |
| 49.10 | Calendars of any kind, printed, including calendar or blocks | Manufacture from products of N°. 49 11 |
| 64.01 | Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes | Manufacture from products of N°. 64 06 |
| 64.02 | Other footwear with outer soles and uppers of rubber or plastics | Manufacture from products of N°. 64 06 |
| 64.03 | Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather | Manufacture from products of N°. 64 06 |
| 64.04 | Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials | Manufacture from products of N°. 64 06 |
| 64.05 | Other footwear | Manufacture from products of N°. 64 06 |
| 68.04 | Millstones, grindstones, grinding wheels and the like, without frameworks, for grinding, sharpening, polishing, trimming or cutting, hand sharpening or polishing stones, and parts thereof, of natural stone, of agglomerated natural or artificial abrasives, or of ceramics, with or without parts of other materials | Manufacture from carbides of silicon of heading N°. 28 49 |
| 70.09 | Glass mirrors, whether or not framed, including rear-view mirrors | Manufacture from drawn, cast or rolled glass of heading N°s 70 03 and 70 04 |



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.2/07/04 ON THE ECOWAS CONFIGURATION FOR CUSTOMS AUTOMATION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Decision C/DEC.3/5/80 on the proof and verification of ECOWAS origin and procedures relating to the movement of goods within the ECOWAS Community;

RECALLING Decision C/DEC.3/11/82 dated 17 November 1982 on ECOWAS rules and regulations governing the coding of customs, statistics and tax regimes;

MINDFUL of Decision C/DEC.2/6/86 dated 30 June 1986 establishing the Community Computer Centre;

MINDFUL of Regulation C/REG.4/8/99 dated 20 August 1999 adopting the single ECOWAS customs declaration;

CONSIDERING the need for an ECOWAS configuration for the automation of customs data and external trade statistics of ECOWAS Member States;

ON THE RECOMMENDATION of the forty-seventh meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission held in Abuja on 8 and 9 July 2004;

ENACTS:

ARTICLE 1

The attached ECOWAS Configuration for Customs Automation for use in the Member States is hereby adopted.

ARTICLE 2

The Configuration consists of the ECOWAS customs, statistical and tax codes and the codes of the Single Customs Declaration (SCD) data used in the calculation of compensation and the preparation of external trade statistics.

ARTICLE 3

Decision C/DEC.3/11/82 adopted by this Council on 17th November 1982 which relates to Community Rules and Regulations on the Coding of Customs, Statistical and Tax regimes is hereby revoked.

ARTICLE 4

The Member States and the Executive Secretariat shall take all necessary measures to ensure effective application of this Regulation.

ARTICLE 5

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004


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HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

சென்னை, 19 சனவரி: சென்னை மாநகரில் சட்ட அமைதி நிலை உருவாகவில்லை. மாநகரில் சட்ட அமைதி நிலை உருவாகவில்லை.

THE UNIVERSITY OF CHICAGO PRESS

1. The first step is to identify the problem.
2. The second step is to define the objectives.
3. The third step is to develop a plan.
4. The fourth step is to implement the plan.
5. The fifth step is to evaluate the results.

[illegible]

Alphabetic Code for the Representation of Countries

| | | | | | |
|---------------------------|----|--------|---------------------------|----|-----|
| IRELAND | GI | DKK | MAYOTTE | YU | YUG |
| ISLANDIA | GD | XDD | MECCO | YV | YVS |
| GUADALUPE | GP | FRF | MICRONESIA FEDERATED | W | W |
| GUAJ | GU | USE | STATES OF | W | W |
| GUATEMALA | GT | GTE | MOLDOVA REPUBLIC OF | W | W |
| GUINEA | GN | GNF | MONACO | W | W |
| GUINEA-BISSAU | GW | GWP | MONGOLIA | W | W |
| GUYANA | GY | GYS | MONTERRAT | W | W |
| | | | MOROCCO | W | W |
| | | | MCCAMBICUE | W | W |
| | | | MYANMAR | W | W |
| HAITI | HT | HTGUSD | | | |
| HEARD ISLAND AND MCDONALD | HM | AUD | NAMIBIA | NA | NA |
| ISLANDS | HN | HNL | NAURU | NR | NR |
| HONGKONG | HK | HKD | NEPAL | NP | NP |
| HUNGARY | HU | HUF | NETHERLANDS | NL | NLD |
| | | | NETHERLANDS ANTILLES | AN | ANG |
| ICELAND | IS | ISK | NEW CALEDONIA | NC | NC |
| INDIA | IN | INR | NEW ZEALAND | NZ | NZ |
| INDONESIA | ID | IDR | NICARAGUA | NI | NIC |
| INTERNATIONAL MONETARY | | | NIJER | NE | NER |
| FUND | | | NIGERIA | NG | NG |
| IRAN ISLAMIC REPUBLIC OF | IR | IRR | NOR | NO | NOR |
| IRAC | IQ | IQD | NORFOLK ISLAND | NU | NU |
| IRELAND | IE | IEP | NORTHERN IRELAND | GB | GB |
| ISRAEL | IL | ILS | NORWAY | NO | NOR |
| ITALY | IT | ITL | | | |
| | | | OMAN | OM | OM |
| JAMAICA | JM | JMD | | | |
| JAPAN | JP | JPY | PAKISTAN | PK | PK |
| JORDAN | JO | JOD | PALAU | PL | PL |
| | | | PANAMA | PA | PA |
| KAMPUCHEA | | | PAPUA NEW GUINEA | PG | PG |
| CAMBODIA | | | PARAGUAY | PY | PY |
| KAZAKHSTAN | KZ | KZT | PERU | PE | PER |
| KENYA | KE | KES | PHILIPPINES | PH | PH |
| KOREA | KR | KRW | PITCAIRN | PN | PN |
| DEMOCRATIC | | | POLAND | PL | PL |
| PEOPLES REPUBLIC OF | | | PORTUGAL | PT | PT |
| KOREA REPUBLIC OF | KR | KRW | PUERTO RICO | PR | PR |
| KUWAIT | KW | KWD | | | |
| KYRGYZSTAN | KG | KGS | QATAR | QA | QA |
| LAO PEOPLES DEMOCRATIC | | | | | |
| REPUBLIC | LA | LAK | REUNION | RE | RE |
| LATVIA | LV | LVL | ROMANIA | RO | RO |
| LEBANON | LB | LBP | RUSSIAN FEDERATION | RU | RUR |
| LESOTHO | LS | LSL | RYANCA | RY | RY |
| | | | | | |
| LIBERIA | LR | LRL | SAINT HELENA | SH | SH |
| LIBYAN ARAB JAMAHIRIYA | LY | LYD | SAINT KITTS AND NEVIS | KN | KN |
| LIECHTENSTEIN | LI | CHF | SAINT LUCIA | LC | LC |
| LITHUANIA | LT | LTN | SAINT PIERRE AND MICHELON | PM | PM |
| LUXEMBOURG | LU | CHF | SAINT VINCENT AND THE | VC | VC |
| | | | GRENADINES | VG | VG |
| MACAU | MO | MOY | SANCA | SA | SA |
| MADAGASCAR | MG | MGF | SAI MARINO | SM | SM |
| MAJAWI | MW | MWK | SAO TOME AND PRINCE | ST | ST |
| MALAYSIA | MY | MYR | SAUDI ARABIA | SA | SAR |
| MALDIVES | MV | MYR | SENEGAL | SN | SN |
| MAU | ML | XCF | SEYCHELLES | SC | SC |
| MALTA | MT | MTL | SIERRA LEONE | SL | SL |
| MARSHALL ISLANDS | MH | USD | SINGAPORE | SG | SG |
| MARTINIQUE | MQ | FRF | | | |
| MAURITANIA | MR | MRO | | | |

Alphabetic Code for the Representation of Currencies

| | | | | | |
|---|----|---------|---|----|----------|
| SLOVENIA | SI | STN | TURKS AND CAICOS ISLANDS | TC | USD |
| SOLOMON ISLANDS | SB | SDO | TUVALU | TV | ALL |
| SOMALIA | SO | SCS | UGANDA | UG | UGX |
| SOUTH AFRICA | ZA | ZAR | UKRAINE | UA | UAH |
| SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS | GS | | UNITED ARAB EMIRATES | AE | AED |
| SPAIN | ES | ESP | UNITED KINGDOM | GB | GBP |
| SRI LANKA | LK | LKR | UNITED STATES | US | USD/US\$ |
| SUDAN | SD | SDP/SDG | UNITED STATES MINOR OUTLYING ISLANDS | UM | USD |
| SURINAME | SR | SRG | URUGUAY | UY | UYU |
| SVALBARD AND JAN MAYEN | SI | NCK | UZBEKISTAN | UZ | UZS |
| SWAZILAND | SE | SEK | | | |
| SWEDEN | CH | CHF | VANUATU | VU | VUV |
| SWITZERLAND | SY | SYF | VATICAN CITY | VA | CHF |
| SYRIAN ARAB REPUBLIC | | | STATE (HOLY SEE) | VE | VEB |
| | | | VENEZUELA | VZ | VZC |
| TAIWAN, PROVINCE OF CHINA | TW | TWD | VIET NAM | VN | VND |
| TAJIKISTAN | TJ | TJR | VIRGIN ISLANDS (BRITISH) | VG | USD |
| TANZANIA, UNITED REPUBLIC OF | TT | TTG | VIRGIN ISLANDS (U.S.) | VI | USD |
| THAILAND | TH | THB | | | |
| THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA | MK | MKD | WALLIS AND FUTUNA ISLANDS | WF | XPF |
| TOGO | TO | XOF | WESTERN SARARA | WF | XOF |
| TOKELAU | TK | TKD | | | |
| TONGA | TO | TOP | YEMEN | YE | YER |
| TRINIDAD AND TOBAGO | TT | TTG | YUGOSLAVIA | YU | YUD |
| TUNISIA | TN | TND | | | |
| TURKEY | TR | TRL | ZAIRE | ZR | ZRD |
| TURKMENISTAN | TM | TMM | CAMBIA | KB | KBX |
| | | | ZIMBABWE | ZI | ZIG |

REGIME CODES

General Procedure

| | |
|---|-------------------------------------|
| 0 | Reserved |
| 1 | Direct export |
| 2 | Temporary export |
| 3 | Re-exportation |
| 4 | Home use |
| 5 | Temporary admission and Importation |
| 6 | Reimportation |
| 7 | Warehousing |
| 8 | Transit |
| 9 | Other procedures |

MODEL OF DECLARATION

| MODEL | DESCRIPTION |
|-------|---|
| COM1 | Export within the community |
| COM2 | Temporary export within the community |
| COM3 | Re-exportation within the community |
| COM4 | Entry for Home consumption |
| COM5 | Temporary admission/import within the community |
| COM7 | Entry for warehousing within the community |
| EX1 | Exportation |
| EX2 | Temporary export |
| EX3 | Re-export |
| EX8 | Transit to export |
| EX9 | Other export procedure |
| IM4 | Entry for home use |
| IM5 | Temporary importation |
| IM6 | Re-importation |
| IM7 | Entry for warehousing |
| IM8 | Import transit |
| IM9 | Other import procedure |

REQUESTED PROCEDURE

| | |
|----|---|
| 10 | Permanent export |
| 19 | Other permanent export procedure |
| 20 | TE to be returned in unaltered state |
| 21 | TE for special projects to be returned in unaltered state |
| 22 | TE for outward processing |
| 30 | Re-export |
| 39 | Other re-export procedures |
| 40 | Home consumption |
| 49 | Other Home consumption procedures |
| 50 | TA to be returned in unaltered state |
| 51 | TA for special projects to returned in unaltered state |
| 52 | TA for outward processing |
| 53 | Temporary Import TI |
| 60 | Re-importation |
| 70 | Warehousing procedure |
| 71 | Industrial warehousing |
| 80 | National transit |
| 81 | Transnational transit |
| 90 | Coastwise procedure |
| 91 | Simplified suspense regimes |
| 92 | Commercial free zone |
| 93 | Industrial free zone |

Previous procedure

| | |
|----|---|
| 00 | Direct |
| 20 | Following TE to be returned in unaltered states |
| 21 | Following TE for special projects |
| 22 | Following TE for outward processing |
| 50 | Following TA to be returned in unaltered state |
| 51 | Following TA for special projects |
| 52 | Following TA for inward processing |
| 53 | Following TI |
| 70 | Following warehousing |
| 71 | Following industrial warehousing |
| 92 | Following commercial free zone procedure |
| 93 | Following industrial free zone procedure |

Unités complémentaires / Complementary Units

| Code | Unité complémentaire | Unit of measurement |
|------|-----------------------------|----------------------------|
| 01 | Gramme | Gramme |
| 02 | Kilo net | Kilo net |
| 03 | Quintal | Quintal |
| 04 | Tonne nette | Tonne net |
| 05 | Tonne brute | Tonne gross |
| 06 | Kilo ½ brut | Kilo half gross |
| 07 | Kilo brut | Kilo gross |
| 08 | Mètre | Metre |
| 09 | Centimètre | Centimetre |
| 10 | Litre | Litre |
| 11 | Demi-litre | Half litre |
| 12 | Litre d'alcool pur | Litre of pure alcohol |
| 13 | Hectolitre | Hectolitre |
| 14 | Hectolitre d'alcool pur | Hectolitre of pure alcohol |
| 15 | Mètre cube | Cubic metre |
| 16 | Kilowatt | Kilowatt |
| 17 | Kilowatt/heure | Kilowatt hour |
| 18 | Cylindree/cm³ | Cylinder/cm³ |
| 19 | Cylindree/puissance fiscale | Cylinder/horse power |
| 20 | Paire | Pair |
| 21 | Nombre ou unité | Number or unit |
| 22 | Carat | Carat |
| 23 | boite | Box |
| 24 | CAF | CIF value |
| 25 | FOB | FOB |

DROITS ET TAXES/DUTIES AND TAXES

| Codes | Libellés | Labels |
|-------|---------------------------|----------------|
| 001 | Droit de douane | Import Duty |
| 002 | Prélèvement Communautaire | Community Levy |
| 003 | TVA | VAT |

| Extended Procedures | |
|---------------------|--|
| Codes | Description |
| 1000 | Direct permanent export |
| 1021 | Permanent export after TE for return in an unaltered state |
| 1022 | Permanent export after TE for outward processing |
| 1900 | Other permanent export procedure |
| 2000 | TE export to be returned in unaltered state |
| 2100 | TE for special projects to be returned in unaltered state |
| 2200 | TE for outward processing |
| 3050 | Re-export following T.A. |
| 3051 | Re-export following T.A. for special projects |
| 3052 | Re-export following T.A. for inward processing |
| 3053 | Re-exportation following temporary importation |
| 3070 | Re-importation following warehousing |
| 3071 | Re-exportation following industrial warehousing |
| 3092 | Other re-exportation following commercial free zone |
| 3993 | Other re-exportation following industrial free zone |
| 4000 | Direct home consumption |
| 4050 | Home consumption following temporary admission |
| 4051 | Home use after T.A. for return in an unaltered state |
| 4052 | Home use after T.A. for inward processing |
| 4053 | Home consumption following temporary importation |
| 4070 | Home consumption following warehousing |
| 4071 | Home consumption following industrial warehousing |
| 4100 | Direct import under drawback procedure |
| 4900 | Other cases Home consumption |
| 4992 | Other cases of home consumption following commercial free zone |
| 4993 | Other cases of home consumption following industrial free zone |
| 5000 | Temporary admission |
| 5070 | Temporary admission following warehousing |
| 5100 | Temporary admission (special) |
| 5300 | Temporary importation |
| 5353 | Transfer of temporary importation |
| 5370 | Temporary importation following warehousing |
| 6020 | Re-importation following temporary exportation |
| 6021 | Re-importation after TE for return in an unaltered state |
| 7000 | Entry into warehouse |
| 7050 | Entry into warehouse following T.A. |
| 7053 | Entry into warehouse following TI |
| 7070 | Change of warehouse |
| 7100 | Entry into industrial warehouse |
| 8000 | Direct Transit |
| 8100 | Transshipment |
| 9000 | Coastwise procedures |
| 9100 | Suspense procedures |
| 9200 | Entry into commercial free zone |
| 9300 | Entry into industrial free zone |

CODIFICATION MCCES et TITRES DE TRANSPORTS

| Code | Mode de transport | Mode of transport |
|------|-------------------------------------|----------------------|
| 1 | Transport maritime | Sea Transport |
| 2 | Transport par chemin de fer | Rail Transport |
| 3 | Transport par route | Road Transport |
| 4 | Transport par air | Air Transport |
| 5 | Envois postaux | Mail |
| 6 | Transport mixte | Multimodal Transport |
| 7 | Installations de transport fixes | Fixed Transport |
| 8 | Transport par navigation intérieure | Inland water way |
| 9 | Autres moyens de transport | Other Transport |

CODIFICATION DES INCOTERMS

| | | | |
|--|-----|---|---|
| EX WORKS (... named place) | EXW | CARRIAGE AND INSURANCE PAID TO (... named place of destination) | C |
| A L'USINE (... lieu convenu) | | PORT PAYE, ASSURANCE COMPRISE JUSQU'AU (... port de destination convenu) | |
| FREE CARRIER (... named place) | FCA | DELIVERED AT FRONTIER (... named place) | D |
| FRANCO TRANSPORTEUR (... lieu convenu) | | RENDU FRONTIERE (... lieu convenu) | |
| FREE ALONG SHIP (... named port of shipment) | FAS | DELIVERED EX SHIP (... named port of destination) | E |
| FRANCO LE LONG DU NAVIRE (... port d'embarquement convenu) | | RENDU EX SHIP (... port de destination convenu) | |
| FREE ON BOARD (... named port of shipment) | FOB | DELIVERED EX QUAY (DUTY PAID) (... named port of destination) | F |
| FRANCO BORD (... port d'embarquement convenu) | | RENDU A QUAI (DROITS ACQUITES) (... port de destination convenu) | |
| COST AND FREIGHT (... named port of destination) | CFR | DELIVERED DUTY UNPAID (... named place of destination) | G |
| COUT ET FRET (... port de destination convenu) | | RENDU DROITS NON ACQUITES (... lieu de destination convenu) | |
| COST, INSURANCE AND FREIGHT (... named port of destination) | CIF | DELIVERED DUTY PAID (... named place of destination) | C |
| COUT, ASSURANCE ET FRET (... port de destination convenu) | | RENDU DROITS ACQUITES (lieu de destination convenu) | |
| CARRIAGE PAID TO (... named place of destination) | CPT | DELIVERED TERMS OTHER THAN THOSE LISTED ABOVE (... narrative description of delivery terms) | X |
| PORT PAYE JUSQU'A (... lieu de destination convenu) | | CONDITIONS DE LIVRAISON AUTRES QUE CELLES LISTEES CI-DESSUS (... description des conditions de livraison) | |

ADDITIONAL CODES

| | | |
|---|--------------------------------|--|
| 0 | Common Regime | |
| 1 | Diplomatic Privileges | Diplomatic privileges Institutions and school (Florence Convention) International and regional organization |
| 2 | Removals and personal effects | Removals Personal Effects Exemptions to travelers |
| 3 | Investment Incentives | Investment code Mining and other sectoral codes B.O.T. (Build Operate Transfer) Registered Companies |
| 4 | External Financing | Public Contracts Agreements and projects |
| 5 | Grants and Aid | Gifts to Charities and development association Gifts to Red Cross Social and Cultural gifts |
| 6 | Non-governmental Organizations | |
| 7 | Conditional Exemption | Trade samples Religious artifacts Coffins containing corpses Documents of no commercial value |
| 8 | ECOWAS Originating products | Wholly obtained products Products sufficiently worked or processed (change of tariff classification; percentage of value added) |
| 9 | UEMOA Originating products | Wholly obtained products; products sufficiently worked or processed (change of tariff classification; percentage of value added) |



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.3/07/04 ON THE APPOINTMENT OF THE ADMINISTRATIVE SECRETARY AND THE DEPUTY ADMINISTRATIVE SECRETARY OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

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

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 dated 16 December 2000 adopting the Statutes of GIABA;

CONSIDERING that the delay in the appointment of the GIABA Administrative Secretary and Deputy Administrative Secretary has impeded smooth and efficient functioning of GIABA;

AWARE that any prolonged delay in the appointment of the officers referred to above may be perceived as a sign of lack of dynamism on the part of ECOWAS in the fight against money laundering and may adversely affect its interests and those of the Member States;

TAKING NOTE of the information provided by the Executive Secretary on the names of candidates officially transmitted to him by the Federal Republic of Nigeria and the Republic of Senegal for the posts of Administrative Secretary and Deputy Administrative Secretary respectively and on the initiatives taken by the ECOWAS Chairman concerning the appointment of these officers;

DESIRING to put an end to the temporary arrangements that have been made to coordinate GIABA activities;

ON THE RECOMMENDATION of the second statutory meeting of the GIABA ad hoc Ministerial Committee held in Dakar on 25 June 2004;

ENACTS:

ARTICLE 1

The candidates selected by the Member States to which the post were allocated by the Authority of Heads of State and Government shall exceptionally be appointed as GIABA Administrative Secretary and Deputy Administrative Secretary.

ARTICLE 2

The Chairman of the Council of Ministers shall, on behalf of Council, appoint the officers referred to in Article 1 above for a period of four (4) years, starting from the date they assume duty.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004


.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.4/07/04 ADOPTING THE ORGANISATIONAL CHART OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

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

MINDFUL in particular Article 10 paragraph 3 (f) of the Treaty which authorises the Council of Ministers to approve the organisational structure of the institutions of the Community;

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 dated 16 December 2000 adopting the Statutes of GIABA;

DETERMINED to endow GIABA with the necessary institutional capacity to enable it effectively combat money laundering and financing of terrorism;

DESIRING to assist the GIABA Administrative Secretariat to realise the objectives set out in its Plan of Action and, to this end, to establish an efficient and operational structure for the organisation;

ON THE RECOMMENDATION of the second statutory meeting of the ad hoc Ministerial Committee on the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) held in Dakar on 25 June 2004;

ENACTS:

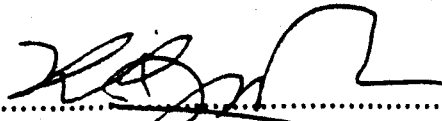
ARTICLE 1

The attached organisational chart of GIABA is hereby adopted.

ARTICLE 2

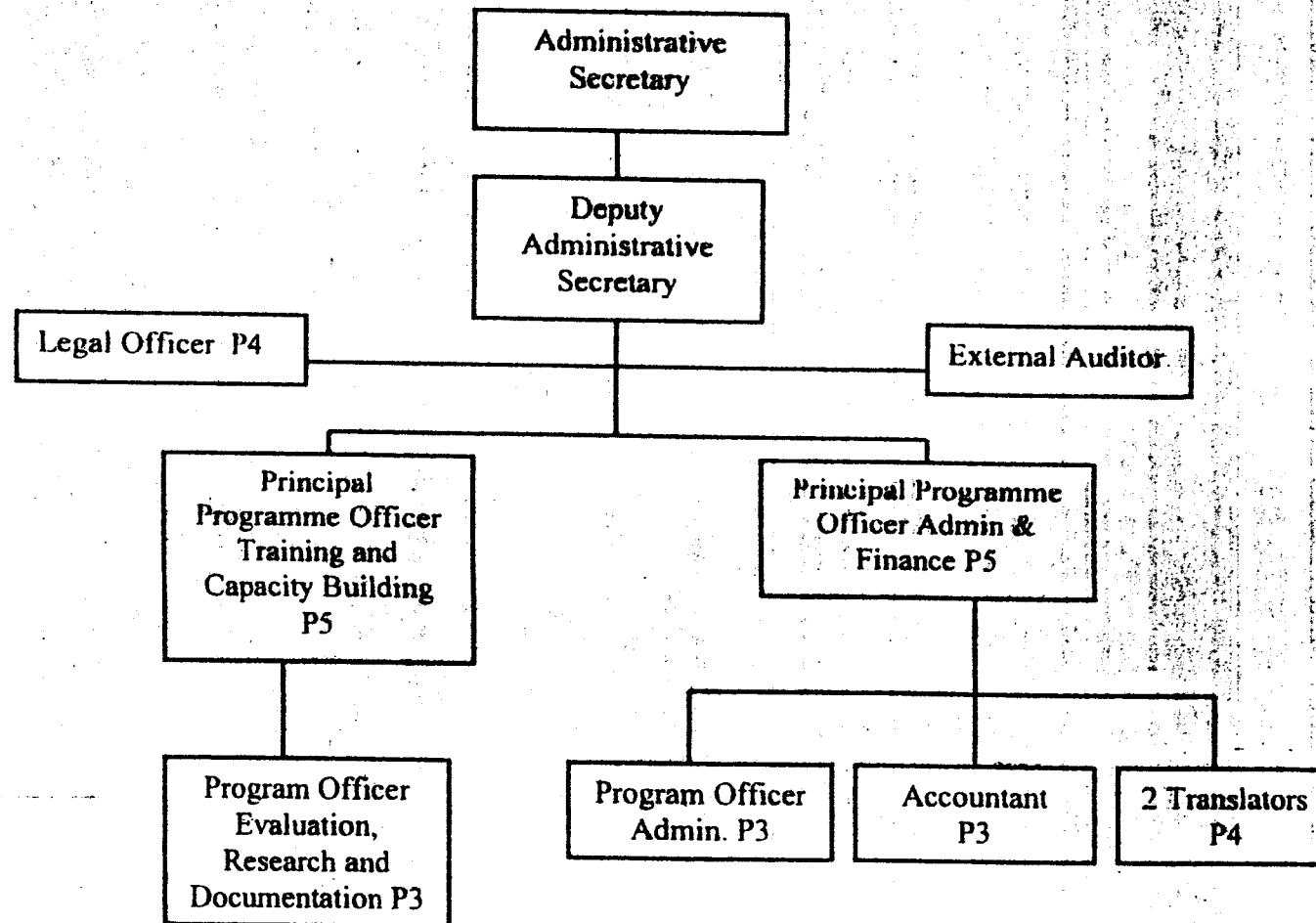
This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004



.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

**GIABA ADMINISTRATIVE SECRETARIAT
(ORGANOGRAM)**





FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

**REGULATION C/REG.5/07/04 AUTHORIZING THE RECRUITMENT
OF STAFF FOR THE ADMINISTRATIVE SECRETARIAT OF THE INTER-
GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING
IN WEST AFRICA (GIABA)**

THE COUNCIL OF MINISTERS,

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

MINDFUL in particular of Article 10 paragraph 3 (f) of the Treaty which authorises the Council of Ministers to approve the organisational structure of the institutions of the Community;

MINDFUL of Article 18 paragraph 5 of the Treaty on the appointment of professional staff, and the relevant provisions of the Staff Rules and Regulations on the appointment of staff for the institutions of the Community;

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 dated 16 December 2000 adopting the Statutes of GIABA;

CONSIDERING the need to ensure that GIABA is in a position to effectively combat money laundering and financing of terrorism and that it is therefore necessary to take urgent measures to make the Administrative Secretariat fully operational;

DESIRING therefore to fill certain posts as soon as the GIABA Administrative Secretary and Deputy Administrative Secretary are appointed.

ON THE RECOMMENDATION of the second statutory meeting of the ad hoc Ministerial Committee on the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) held in Dakar on 25 June 2004:

ENACTS:

ARTICLE 1

The appointment of the following officers to serve in the GIABA Administrative Secretariat is hereby authorised:

- 1 Programme Officer (Training) on salary grade P-5
- 1 Head of Division (Administration and Finance) on salary grade P-5
- 1 Bilingual Secretary but preferably a Trilingual Secretary (English, French, Portuguese)

ARTICLE 2

The staff referred to above shall be appointed immediately after the appointment of the GIABA Administrative Secretary and Deputy Administrative Secretary.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004


.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.6/07/04 ADOPTING THE 2004-2006 ACTION PLAN OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

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

MINDFUL of Decision A/DEC.9/12/99 of 10 December 1999 establishing the Intergovernmental Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 of 16 December 2000 adopting the Statutes of GIABA;

RESOLUTELY committed to taking firm action against money laundering and the financing of terrorism;

AWARE of the need for concerted actions with a view to finding appropriate solutions to these phenomena;

DESIROUS, in this context, to revitalize GIABA through the adoption of an action plan for the period 2004-2006;

ON THE RECOMMENDATION of the second statutory meeting of the Ad Hoc Ministerial Committee on the Intergovernmental Action Group against Money Laundering in West Africa (GIABA), held in Dakar on 25 June 2004;

ENACTS

ARTICLE 1

GIABA's Action Plan for 2004-2006 as attached hereto is hereby adopted.

ARTICLE 2

The Administrative Secretary of GIABA shall submit to each Council session, a status report on the Action Plan and on the constraints encountered, if any.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004


.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

**REGULATION C/REG.7/07/04 GRANTING THE SUM OF EIGHTY
THOUSAND UNITS OF ACCOUNT TO THE INTER-GOVERNMENTAL
ACTION GROUP AGAINST MONEY LAUNDERING
IN WEST AFRICA (GIABA)**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Decision A/DEC.9/12/99 of 10 December 1999 establishing the Intergovernmental Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 of 16 December 2000 adopting the Statutes of GIABA;

RESOLUTELY committed to taking firm action against money laundering and the financing of terrorism;

AWARE of the need for concerted actions with a view to finding appropriate solutions to these phenomena;

CONVINCED of the need to finance the activities contained in GIABA's 2004 Action Plan in order to enable it execute its assignments for the period 2004-2006 and to attain the set objectives of controlling money laundering and terrorism financing within ECOWAS;

DESIROUS of granting, in this context, financial resources to GIABA as an exceptional measure;

ON THE PROPOSAL of the second statutory meeting of the Ad Hoc Ministerial Committee on the Intergovernmental Action Group against Money Laundering in West Africa (GIABA), held in Dakar on 25 June 2004;

ON THE RECOMMENDATION of the thirty-first meeting of the Administration and Finance Commission held in Abuja from 12 to 14 July 2004 ;

ENACTS

ARTICLE 1

A sum of eighty thousand units of account (UA 80, 000) is hereby granted to GIABA to enable it to carry out its activities until the end of 2004.

ARTICLE 2

The amount referred to in Article 1 above shall be sourced from the resources of the Community Levy.

ARTICLE 3

The Administrative Secretariat of GIABA shall prepare for 2005 and the years ahead, a draft budget for adoption in line with the provisions of Article 69, paragraph 3, of the Treaty.

ARTICLE 4

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004


.....
HON. (DR) KOFI KONADU APRAKU

**CHAIRMAN
FOR COUNCIL**

INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN AFRICA (GIABA)

GIABA DRAFT PROGRAMME OF ACTIVITIES FOR 2004 - 2006

| Objectives* | Responsible parties | Implementation and/or completion date | Expected impact | Activities | Performance Indicators |
|---|---|--|--|--|--|
| Setting up of the GIABA Administrative Secretariat <ul style="list-style-type: none"> To set up the GIABA Secretariat and agree on the Headquarters with the host government. Appointment of the Administrative Secretary and the Deputy Administrative Secretary and other staff. Establishing and agreeing on a regular programme of meetings of the Technical Commission and the Ad Hoc Ministerial Committee. | <ul style="list-style-type: none"> The ECOWAS Council of Ministers The host government of the GIABA Secretariat. GIABA Secretariat The Technical Commission The Ad Hoc Ministerial Committee | 2004 | <ul style="list-style-type: none"> The GIABA Secretariat becomes operational, is internationally recognised and in a position to represent the sub-region in all relevant fora. A clear programme of meetings for GIABA involving at least two meetings of the Technical Commission per year and an annual meeting of the Ad Hoc Ministerial Committee is established. This will enable GIABA to plan its work programme and collaborating partners to participate in the activities of GIABA. | <ul style="list-style-type: none"> Entering into a headquarters agreement with the host government. Nomination/Appointment of the relevant staff. Preparation of meetings by the GIABA Secretariat. Meetings of the Technical Commission and Ad Hoc Ministerial Committee. | <ul style="list-style-type: none"> The GIABA Secretariat established and functional in the host government. Holding of regular meetings of the Technical Commission Ad Hoc Ministerial Committee. |
| Reporting on Existing AML/CFT Laws and Legislative Support <ul style="list-style-type: none"> Report on the extent to which existing laws all meet the goal of criminalising the laundering of proceeds of all serious crimes and terrorist financing. Support all Member States to legislate or amend existing laws to conform with the new Anti-Money | <ul style="list-style-type: none"> GIABA Secretariat The Technical Commission National governments | Activities to be undertaken throughout the programme period. | <ul style="list-style-type: none"> All Member States to enact laws in conformity with the revised AML/CFT standard as necessary. | <ul style="list-style-type: none"> Report by Member States on existing AML/CFT laws and regulations, as appropriate. Organisation of technical assistance where required to legislate or to amend existing laws and regulations. Enactment of the | <ul style="list-style-type: none"> AML/CFT laws and regulations |

| | | | | | |
|--|--|---|---|---|---|
| <p>Laundering and Combating the Financing of Terrorism (AML/CFT) standard.</p> <ul style="list-style-type: none"> Convergence approach by ECOWAS against anti money laundering and combating the financial terrorism. | | | | <p>required laws and establishment of regulations by Member States.</p> | |
| <p>Setting up of FIUs</p> <ul style="list-style-type: none"> Support Member States in adopting the necessary measures to set up Financial Intelligence Units (FIUs). | <ul style="list-style-type: none"> GIABA Secretariat National governments | <p>Activities to be undertaken throughout the programme period.</p> | <ul style="list-style-type: none"> Establishment of functioning FIUs. | <ul style="list-style-type: none"> Request and delivery of technical assistance, as needed. Establishment of FIUs by Member States. | <ul style="list-style-type: none"> Number of operational existence. |
| <p>Training and sensitisation</p> <ul style="list-style-type: none"> Devise and implement regional and national training programmes for the financial sector, law enforcement and legal authorities Develop a programme of training for building regional evaluation capacity. | <ul style="list-style-type: none"> GIABA Secretariat The Technical Commission | <p>Activities to be undertaken throughout the programme period.</p> | <ul style="list-style-type: none"> Awareness of AML/CFT issues is raised in all relevant stakeholders. Capacity for self assessment and mutual evaluation is developed in the sub-region. | <ul style="list-style-type: none"> Awareness raising workshops for different stakeholders. Organisation of training for both self assessments and mutual evaluations. | <ul style="list-style-type: none"> Number of training and sensitisation workshops. Satisfactory awareness of AML/CFT is key stakeholders. Number of evaluations conducted for assessment sub-region. |
| <p>National Correspondents/Points of Contact</p> <ul style="list-style-type: none"> Establish a register of national correspondents/national points of contact in all relevant fields including financial regulators, financial intelligence units, all enforcement agencies and justice and law departments to facilitate regional and international cooperation in AML/CFT issues. | <ul style="list-style-type: none"> GIABA Secretariat The Technical Committee National governments | <p>2004-2005</p> | <ul style="list-style-type: none"> A functioning network of all stakeholders concerned with AML/CFT issues is developed and regional cooperation in implementing AML/CFT programmes is enhanced. | <ul style="list-style-type: none"> Identification of individuals in the relevant national agencies to serve as national correspondents/points of contact. | <ul style="list-style-type: none"> A register of national correspondents/points of contact is finalised and circulated. A working model is in place. |

| | | | | | |
|--|---|--|--|--|--|
| <u>Self assessment and Mutual evaluation</u> <ul style="list-style-type: none"> Develop and implement a programme of self assessment for all jurisdictions on the FATF 40 and the special 8 recommendations. Develop and agree on a programme of mutual evaluations based on the new AML/CFT methodology and implement a programme of mutual evaluations for all members. | <ul style="list-style-type: none"> GIABA Secretariat The Technical Commission National governments The Ad Hoc Ministerial Committee | Activities to be undertaken throughout the programme period. | <ul style="list-style-type: none"> A comprehensive understanding of existing AML/CFT regimes for all jurisdictions is developed and deficiencies identified. A programme to address those deficiencies is developed. | <ul style="list-style-type: none"> Organisation and implementation of self assessment programmes for all jurisdictions. Agreement on procedures for mutual evaluation in GIABA. Organisation and implementation of a programme of mutual evaluation. | <ul style="list-style-type: none"> All countries undertake self assessment AML/CFT reg. Number of countries that have undertaken mutual evaluation AML/CFT assessments by the programme |
| <u>Money Laundering and Terrorist Financing Typologies</u> <ul style="list-style-type: none"> Studies and reports on the laundering of the proceeds of serious crimes and terrorist financing through the cash economy in the region. Identify and report on any specific characteristics of money laundering and terrorist financing in the sub-region. | <ul style="list-style-type: none"> GIABA Secretariat The Technical Commission National governments | 2004 – 2005 | <ul style="list-style-type: none"> A better understanding of AML/CFT typologies in the region is developed and policies to address these issues are designed. | <ul style="list-style-type: none"> Compilation of typologies. Organisation of typology fora. | <ul style="list-style-type: none"> Number of typology reports produced |
| <u>Strengthening of regional and international co-operation</u> <ul style="list-style-type: none"> Establish working links with other regional and international organisations involved in combating money laundering and terrorist financing and develop partnerships in delivering the GIABA programme of work. | <ul style="list-style-type: none"> GIABA Secretariat | 2004-2005 | <ul style="list-style-type: none"> An enhanced working relationship with regional and international organisations and bodies. Recognition of GIABA as the Regional FATF-Style Regional Body (FSRB) for West Africa. | <ul style="list-style-type: none"> Consultations and establishment of relationships with relevant organisations and bodies. Participation in activities of relevant organisations and bodies. Involvement by relevant organisations and bodies in GIABA | <ul style="list-style-type: none"> The nature and extent of involvement of GIABA in the activities of relevant international organisations and bodies. The nature and extent of support provided by relevant international organisations and bodies to GIABA |

| | | | | | |
|--|---|--|---|---|---|
| AMF/CFT International Instruments <ul style="list-style-type: none"> Support all Member States in ratifying and implementing all relevant international and regional conventions, resolutions and declarations on AML/CFT. | <ul style="list-style-type: none"> GIABA Secretariat National Governments | Activities to be undertaken throughout the programme period. | <ul style="list-style-type: none"> Member States of GIABA are enabled to comply with obligations in relevant international and regional resolutions, conventions and declarations. | programme of work <ul style="list-style-type: none"> Organisation of assistance to Member States. | <ul style="list-style-type: none"> Number of Member States that ratify relevant international conventions, resolutions and declarations to AML/CFT |
|--|---|--|---|---|---|

* All the objectives set forth in the draft programme of activities constitute critical elements of a comprehensive and effective AML/CFT strategy for the sub-region. In implementing these objectives, the different stages of AML/CFT development of GIABA's Member States should be kept in mind. This may affect the relevance of some objectives with regard to certain members and/or the order in which these objectives should be pursued.



FIFTY SECOND SESSION OF THE COUNCIL OF MINISTERS
Abuja, 16th – 17th July 2004

**REGULATION C/REG.8/07/04 RENEWING THE TERMS OF
OFFICE OF THE DIRECTOR-GENERAL AND THE DEPUTY
DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH
ORGANISATION (WAHO)**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Protocol A/P.2/7/87 establishing the West African Health Organisation (WAHO) as a specialized Institution of ECOWAS and as the single health organization of the sub-region;

MINDFUL of Article 1 paragraphs 2 and 4 of the said Protocol on the appointment of the Director-General and Deputy Director-General of WAHO by the Council of Ministers on the recommendation of the Assembly of Ministers of Health of WAHO;

RECALLING Regulations C/Reg.6/8/99 and Regulation C/Reg.10/12/99 appointing Dr. Kabba Joiner as Director-General and Professor Moussa Adama Maiga as Deputy Director-General for a period of 4 years respectively;

CONSIDERING that the tenure of the Director-General and the Deputy Director-General have expired on 24th February 2004 and 1st March 2004 respectively;

MINDFUL of Decision A/Dec.3/7/91 on the Evaluation and performance of Statutory Appointees of the Community which directs that the evaluation of Statutory Appointees with the exception of the External Auditors, shall be done annually;

CONSIDERING the indication from the meeting of the Ministers of Health held in Banjul 17 - 18 July 2003 on the satisfactory performance of the Director-General and Deputy Director-General of WAHO;

NOTING that Statutory Appointees of the WAHO should ordinarily be evaluated by the appropriate performance evaluation body;

DESIRING to ensure that the Management of WAHO and the implementation of its programmes are not interrupted or compromised due to vacancies at the management level;

ENACTS

ARTICLE 1

The terms of office of the Director-General and Deputy Director-General are hereby renewed for a 2nd term of 4 years commencing from 25th February 2004 and 2nd March 2004 respectively.

ARTICLE 2

Regulation C/Reg.26/12/03 authorizing the temporary retention in office of the Director-General and Deputy Director-General of WAHO is hereby revoked.

ARTICLE 3

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days after signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time frame.

Done at Abuja, this 17th day of July 2004


.....
HON. DR. KOFI KONADU APRAKU

**CHAIRMAN
FOR COUNCIL**



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.9/07/04 AMENDING THE ENGLISH VERSION OF REGULATION C/REG.1/9/03, ARTICLE 2, ADOPTING MEASURES TO FACILITATE AND ACCELERATE EFFECTIVE IMPLEMENTATION OF THE COMMUNITY LEVY

THE COUNCIL OF MINISTERS;

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

MINDFUL of article 70 of the Treaty which stipulates that the regular budgets of the Community and its institutions shall be funded from the Community levy;

MINDFUL of Protocol A/P1/7/96 on the conditions governing the application of the Community levy;

MINDFUL of Regulation C/REG.1/9/03 adopting measures to facilitate and accelerate effective implementation of the Community levy;

CONSIDERING that the Community levy is aimed, amongst others, at reducing the financial burden imposed on the Member States by the payment of contributions into the budgets of the ECOWAS institutions;

CONSIDERING that in Regulation C/REG.1/9/03 above, the Council of Ministers seeks to take into account both the need to endow the ECOWAS institutions with adequate financial resources to ensure their smooth functioning and the need to assist the Member States to overcome their temporary financial difficulties;

CONSIDERING the disparity in meaning between the French and English versions in article 2 of the Regulation referred to above will better ensure the attainment of the above-mentioned objectives;

CONSIDERING that in order to ensure proper implementation of Regulation C/REG.1/9/03 in all the Member States, it will be necessary to align the English version of article 2 of this text with the French version;

DESIROUS of aligning article 2 of the English version of Regulation C/REG.1/9/03 with the French version and amending the English version for this purpose;

ON THE RECOMMENDATION of the thirty-first meeting of the Administration and Finance Commission held in Abuja from 12 to 14 July 2004;

EDICTS

ARTICLE 1

Article 2 of the English version of Regulation C/REG.1/9/03, dated 2 September 2003, adopting measures to facilitate and accelerate effective implementation of the Community levy is hereby amended and aligned with the French version of the same text, and shall now read as follows:

- « 1. The Executive Secretariat shall refund whatever amounts may be outstanding in favour of those Member States which were up to date in their contributions, including contributions to the capital base of the ECOWAS Bank for Investment and Development (EBID), as at 1st July 2003.
2. Member States which, between 1st January and 20th June 2003, have paid their contributions for the current financial year, inclusive, shall be entitled to a refund of the total amount contributed, from the amount collected as Community Levy and transferred into the ECOWAS account at the Central Bank between 1st July and 31st December 2003. »

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA, THIS 17TH DAY OF JULY 2004



HON. (DR) KOFI KONADU APRAKU

CHAIRMAN
FOR COUNCIL



FIFTY-SECOND SESSION OF THE COUNCIL OF MINISTERS

Abuja, 16 - 17 July 2004

REGULATION C/REG.10/07/04 RELATING TO THE EXTENSION OF THE TERM OF OFFICE OF COOPERS, LYBRAND & DIÈYE AS EXTERNAL AUDITORS TO THE COMMUNITY INSTITUTIONS BEYOND THEIR TENURE OF 30TH JUNE 2004

THE COUNCIL OF MINISTERS;

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

MINDFUL of Article 75 of the Treaty relating to the appointment of an External Auditor to the Institutions of the Community;

MINDFUL of Decision A/DEC.6/12/99 relating to the appointment of Coopers, Lybrand & Dièye as External Auditors to the Community Institutions;

MINDFUL of Decision C/AHSG/DEC.1/2/2000 dated 26th February 2000 confirming the appointment of Coopers, Lybrand & Dièye as External Auditors to the Community Institutions;

MINDFUL of the contract between ECOWAS and Coopers, Lybrand & Dièye, dated 26 February 2000 relating to the conditions of service of the External Auditors to the Community Institutions;

CONSIDERING that under the provisions of Article 75 of the Treaty, the appointment of the External Auditors is for a two-year period renewable twice only for a two-year period each time;

MINDFUL of Regulation C/REG.27/12/03 extending the tenure of Coopers, Lybrand and Dièye beyond 31st December 2003;

CONSIDERING that the External Auditors' present appointment shall expire on 30th June 2004;

ON THE RECOMMENDATION of the Executive Secretariat;

ENACTS

ARTICLE 1

The External Auditors of the Institutions of the Community, Messrs Coopers. Lybrand and Dieye shall retain their appointments after the official expiration of their tenure of office on 30th June 2004, pending a recommendation from the Council of Ministers for the Renewal of their Appointment.

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA, THIS 17th DAY OF JULY 2004


.....
HON. (DR) KOFI KONADU APRAKU
CHAIRMAN
FOR COUNCIL

**FIFTY-SECOND ORDINARY SESSION OF
THE COUNCIL OF MINISTERS**

Abuja, 16 - 17 July, 2004

VOTE OF THANKS

Participants at the Fifty-Second Ordinary Session of the Council of Ministers held in Abuja, Federal Republic of Nigeria, on the 16 - 17 July, 2004 expressed their profound gratitude to His Excellency, President Olusegun Obasanjo, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria and to the Government and people of Nigeria for the warm welcome accorded them and for the excellent facilities placed at their disposal to ensure the success of their deliberations.

DONE AT ABUJA, THIS 17TH DAY OF JULY, 2004

THE MEETING

Communauté Economique des Etats
de l'Afrique de l'Ouest

Economic Community
of West African States

52ème SESSION ORDINAIRE DU CONSEIL DES MINISTRES

52nd ORDINARY SESSION OF COUNCIL OF MINISTERS

ABUJA, 16 - 17 JUILLET/JULY 2004

LISTE DES PARTICIPANTS/LIST OF PARTICIPANTS

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