

ECONOMIC COMMUNITY OF WEST
AFRICAN STATES

COMUNIDADE DOS ESTADOS DA
AFRICA DO OESTE



COMMUNAUTE ECONOMIQUE DES
ETATS DE L'AFRIQUE DE L'OUEST

ECW/CM LIX/23

**FIFTY-NINTH ORDINARY SESSIONS OF THE ECOWAS
COUNCIL OF MINISTERS**

Ouagadougou, 14 - 15 December 2007

FINAL REPORT



3. In his welcome address, the Vice-President first stated that the session of the Council of Ministers marked a decisive turning point in the strategic orientations given by the Heads of State and Government for the acceleration of our region's integration process by adopting the ECOWAS new vision in Abuja in June 2007.

7. Thereafter, he explained that, to concretize this vision underpinned by transforming an ECOWAS of States to an ECOWAS of people by 2020, the ECOWAS Commission, in the course of the past months, had embarked on the improvement of institutional performances for an integrated, peaceful and prosperous West Africa to ensure that the major challenges facing our region are addressed.

8. The Vice-President of the Commission further pointed out to the members of the Council of Ministers that, in addition to the consideration of the 2008 draft budgets and draft work programmes of the Community institutions, issues of great importance to the future and development of our region had been included on their agenda.

9. Before concluding his address, the Vice-President of the ECOWAS Commission, on behalf of the President, expressed his deep gratitude to the members of the Council of Ministers for their interest in the ECOWAS ideals, as well as his sincere appreciation to the current Chairman of ECOWAS for his personal involvement in the efforts being made to improve the security situation in the region and consolidate the Community building process.

• **Address by the Chairperson of the Council of Ministers**

10. In her opening address, Mrs. Minata Samate-Cessouma, Deputy Minister in the Ministry of Foreign Affairs responsible for Regional Integration and representing the Chairman of the ECOWAS Council of Ministers, welcomed all the participants to the session.

11. She urged her peers to consider the items on the agenda in detail with a view to consolidating the new dynamics in order to establish a peaceful, secure, developed and borderless zone by 2020.

12. After launching an urgent appeal to all Member States to remain united during the on-going negotiation of the Economic Partnership Agreement, the Chairperson of the Council of Ministers expressed her deep appreciation to the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas, for his responsible and consistent position on the issue.

13. Wishing them fruitful deliberations, the Chairperson of the Council of Ministers finally reminded her colleagues of the importance of the items on the agenda of their meeting and then declared open the meeting of the fifty-ninth ordinary session of the ECOWAS Council of Ministers.

III. ELECTION OF BUREAU

14. The following bureau was elected:

- Chairperson - Burkina Faso
- Rapporteurs - Republic of Liberia
- Togolese Republic

IV. ADOPTION OF AGENDA AND WORK PROGRAMME

15. The following agenda was adopted:

1. Opening Ceremony
- Statement by the President of the ECOWAS Commission
- Statement by the Chairman of Council
- Election of Bureau
- Adoption of the Draft Agenda and Work Programme

Items for decision

2. Consideration of the 2007 Annual Report of the President of the Commission
3. Consideration of the status of implementation of Tasks Assigned to the ECOWAS Commission
4. Consideration of the Report of the Audit Committee and the External Auditors' Report
5. Consideration of the Report of the Second Meeting of Chief Justices of Supreme Court of Member States on the Rules of Procedure of ECOWAS Judicial Council
6. Consideration of the Final Report of the First Meeting of the Legal and Judicial Committee on the Amendment to Article 19, Paragraphs 3 and 8 of the ECOWAS Revised Treaty.
7. Consideration of the Memorandum on the Situation of Arrears of Contributions
8. Consideration of the Memorandum on the Allocation of Posts of three Judges to Member States.
9. Consideration of the Memorandum on the Responsibility of Member States hosting the Headquarters of Community Institutions.
10. Consideration of the Memorandum on the Report of the Technical Committee on the Statistical Activities of the Commission.
11. Consideration of the Memorandum on the creation of a West African TV Channel
12. Consideration of the Memorandum on the Regional Poverty Reduction Strategy (RPRS).

13. Consideration of the Report of the Mediation and Security Council held on November 14, 2007 on:
 - i. Extension of the ECOWAS Plan of Action on the Fight Against Trafficking in Persons (TIP)
 - ii. Encumbering four (4) Positions on the ECOWAS-ECCAS Joint Monitoring Commission on Trafficking in Persons (TIP)
14. Consideration of the Memorandum on the Report of the 8th Technical Commission of GIABA
15. Consideration of the Report of the Second Meeting of the Administration and Finance Committee.
16. Consideration of the Final Report of the Meeting of the Ad Hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees as Director General and Deputy Director General of WAHO.
17. Consideration of the report on the restructuring of special Funds for Telecommunications
18. Consideration of the Draft Agenda of the Thirty-Third Ordinary Summit of the Authority of Heads of State and Government.

Items from Sectoral Ministers

19. Consideration of the Outcome of the Eighth Meeting of the ECOWAS Energy Ministers.
20. Consideration of the Report of the Conference of Ministers of Social Development.
21. Consideration of the Report on the Current Status of the ECOWAS Peace Support Operations (PSO) Logistics Depot.

Items for information

22. The Report and Plan of Action from the First ECOWAS Business Forum
23. The Status Report on the Implementation of the ECOWAS Agricultural Policy (ECOWAP) and the Comprehensive African Agricultural Development Programme (CAADP)
24. The Memorandum on the Establishment of the West African Institute for International Research on Regional Integration in Cape Verde
25. Any other business
26. Adoption of report
27. Closing ceremony

V. OUTCOME OF DELIBERATIONS

Item 2: Consideration of the 2007 Annual Report of the President of the Commission

16. The Vice President, Mr. Jean de Dieu Somda, presented the annual report of ECOWAS on behalf of the President of the Commission. In his presentation he noted that all the restructured Community Institutions have commenced operation in accordance with their new and expanded mandate. All the statutory appointees, except the Commissioner for Human Development and Gender, assumed duty on 1 February 2007 – an event that completed the process of transformation of the institution into a Commission from the Executive Secretariat. Hence, in consonance with the ECOWAS vision, the theme of the 2007 annual report was chosen as **“Consolidation of the Restructured Community Institutions for Effective and Accelerated Regional Integration and Development”**.

17. Concerning the regional economy, the Vice-President indicated that the West African economic position in 2006 and in the first half of 2007 reflected a robust situation as in the previous years. With a growth rate of 6.0% in 2006, West Africa performed better than the African average of 5.7%. The high growth rate was as a result of improved macroeconomic management in many countries, and increased demand for key export commodities of the Community resulting in high export prices especially for crude oil, metals and minerals. The growth rate of the regional economy, though high, is still below the minimum economic growth rate of 7 percent required for the achievement of the Millennium Development Goals. In spite of the challenge of rising oil price, prospects for the region appear favourable in 2008. The Member States are urged to sustain the economic reforms embarked upon and peaceful conduct of democratic governance, including electoral process in the region.

18. As regards the implementation of the Community work programme, the Vice President noted that progress had been recorded in a number of areas, which were explained in the memoranda presented before Council. On the security situation in the region, the Community has made remarkable progress in ensuring and sustaining peace in the region. The security situation in the region has improved significantly since the beginning of the year as a result of the resolution of the crisis in Guinea, the consolidation of peace in Côte d'Ivoire, Guinea Bissau, Liberia and Sierra Leone. In addition, the tenuous security situation in the Northern parts of Mali and Niger is seriously being addressed. Regional stability was further enhanced this year through the successful holding of Legislative and Presidential Elections in many of the Member States, notably Senegal, Mali, Nigeria, Sierra Leone and Togo.

19 After deliberations, Council made the following recommendations:

i. Take-off of the Commission

20. Council requested the Commission to present to it a status report on the settling down to duties by the Vice-President and other Commissioners at its session preceding the mid-year Summit of the Heads of State and Government.

ii. Community Work Programmes

21. Council commended the progress made by the Commission in the various areas of activity. However, it recommended that the Commission establish an order of priority of its programmes for more effective action on issues such as the trade liberalization scheme, the Common Agricultural Policy, the industrial policy, etc...

iii. Free Movement of Persons

22. Member States should ensure that the provisions relating to free movement of persons and goods within the region are implemented.

iii. Economic Partnership Agreement (EPA)

23. Stressing the importance of the Economic Partnership Agreement (EPA) under negotiation with the European Union (EU), Council requested the ministers in charge of the negotiations, namely, the Ministers of Integration, Trade and Finance, to attend and participate effectively in all the meetings of the ministerial monitoring committee.

Item 3: Consideration of tasks assigned to the ECOWAS Commission

24. The Commission presented the memorandum on the status of the tasks assigned to it from the fifty-eighth ordinary session of Council of June 2007.

25. After discussions on the memorandum, the Council of Ministers noted that the issue of delay in the distribution of meeting documents was still unresolved.

26. The Council of Ministers made the following recommendations:

- (i) The ECOWAS Commission should comply strictly with the minimum deadline of 15 days for the distribution of documents to Member States.
- (ii) The terms of reference of the Task Force on the Trade Liberalisation Scheme should include activities pertaining to the establishment of the free trade zone, in view of the fact that it is a pre-condition for the signing of the EPA.
- (iii) Member States designated to host meetings of the Commission should be involved in the programming and organisation of such meetings.
- (iv) In programming meetings, national festivals should be taken into account as much as possible in order to enhance participation.

Item 4: Consideration of the Report of the Audit Committee and the External Auditors' reports

27. The Audit Committee of ECOWAS Institutions presented a report on its activities for the year 2007 to the Council of Ministers. The report recorded that the Committee had met three times during the year and among others considered the 2006 final report of the

Financial Controller, the 2005 audited financial statements of four ECOWAS institutions and the reports on the auditors thereon and other issues relating to the quality and integrity of financial management of the institutions.

28. The report recorded that there continued to be weaknesses in the financial management of the institutions though some improvements were also recorded. The Audit Committee reported difficulties in constituting quorum for meetings and recommended to Council to appoint Burkina Faso and Cape Verde as members of the committee.

29. On the reorganization of the office of financial controller and the internal audit departments of ECOWAS institutions, the Committee delineated the functions of the financial controller, the chief internal auditor and the commissioner for administration and finance, thereby minimizing overlaps, duplications and conflicts.

30. On the staffing of the office of the Financial Controller, the Committee approved the appointment of eight controllers at P3 of the ECOWAS Salary Scale. The Committee presented some matters and documents to Council for adoption and or approval including the request for a sitting allowance for its members at the same rate as members of Council with effect from 1st July, 2007.

31. The External Auditors, Deloitte and Touche Côte d'Ivoire, presented their reports on the financial statements of the Executive Secretariat, the Community Parliament, the Community Court of Justice and the West African Health Organisation for the year ended 31st December 2005. The auditors expressed various degrees of reservations on the financial management systems and the financial statements of the institutions and issued qualified opinion on the financial statements of the institutions, except for the Executive Secretariat. In the case of the Community Court of Justice, the auditors reported that the scope of their work was limited. They were unable to express and they did not express an opinion on the financial statements of the institution for the year ended 31 December 2005.

32. During deliberations, Council commended the Audit Committee and the External Auditors on their reports. Council expressed concern about reports of continuous weaknesses in the financial management practices of the institutions and charged the Institutions to respond to the recommendations and take appropriate steps to ensure that an end is put to that situation.

33. On the functions of the Financial Controller, the Chief Internal Auditor and the Commissioner for Administration and Finance, Council adopted the delineation of tasks between the three officers as annexed to the report.

34. Council also affirmed the recruitment of eight controllers for the office of the Financial Controller but directed that the staff should be recruited at a minimum grade of P4 so as to get higher caliber of candidates with the requisite qualifications, competence and experience to assist the Financial Controller to carry out her functions.

35. Council also approved the request for additional funds in the amount of UA 814,783 to the Community Court of Justice to enable it pay its debts.

36. At the end of the deliberations, Council adopted the reports of the Audit Committee and the External Auditor with the amendments noted above.

Item 5: Consideration of the report of the second meeting of Supreme Court Chief Justices of Member States on the Rules of Procedure of the Community Judicial Council

37. The ECOWAS Commission reminded the experts of the Authority's 14 June 2006 decision relating to the establishment of the Community Judicial Committee and the preparation of the Rules of Procedure of Council.

38. The Commission presented the content of the rules that the meeting of Supreme Court Chief Justices of Member States proposed to the President of the Commission. Finally, it requested Council to adopt the draft Rules of Procedure submitted to it.

39. After discussions, Council adopted the Rules of Procedure of the Community Judicial Council, subject to the incorporation of the gender criteria in the provisions of the text.

Item 6: Consideration of the Final Report of the first meeting of the Judicial and Legal Committee on the amendment of Articles 19, paragraphs 3, and 89 of the Revised ECOWAS Treaty

40. The report of the meeting of the Judicial and Legal Affairs Committee states the reasons leading to the proposal for the amendment of Articles 19, paragraph 3 (c) and 89 of the Revised ECOWAS Treaty and requests Council to kindly recommend them to the Authority for adoption.

41. After considering the report, Council recommended to the Authority to adopt the amendments made to Articles 19, paragraph 3 (c) and 89 of the ECOWAS Treaty, as proposed by the Judicial and Legal Affairs Committee. The amendments should enable the President of the Commission to invite the heads of high institutions of Member States, if the need arises, in order to hold consultations with them on regional issues within their areas of competence and to decrease to eight (8) the number of ratifications required for the entry into force of protocols and conventions, following the withdrawal of Mauritania from ECOWAS.

Item 7: Consideration of the Memorandum on the Situation of Arrears of Contributions

42. The Memorandum presented by the ECOWAS Commission takes stock of the situation in individual Member States, which had contribution arrears on the eve of the entry into force of the substantive regime provided for in the Protocol on the Community Levy.

43. It recalls that, in keeping with Council of Minister's Directive, the Executive Secretariat was mandated to negotiate with all the Member States concerned, modalities for clearing their arrears over a 7-year period, between 2003 and 2010.

44. The Memorandum indicated that several Member states find it difficult to clear their arrears. Furthermore, some of them were granted partial remission by the former Chairperson of the Council of Ministers, although it was yet to be endorsed by Council.

45. After examining the Memorandum, the Council of Ministers made the following observations:

- a) The ECOWAS Commission should update the document in due consideration of recent developments in Member States.
- b) The ECOWAS Commission should use more innovative methods and improve the monitoring of payment schedules with the Member states owing contribution arrears.
- c) The ECOWAS Commission should undertake a similar study for the proceeds of the Community Levy.
- d) Mauritania's contribution arrears should be maintained in the Commission's accounts books.

46. The Council of Ministers subsequently made the following recommendations:

- (i) Member states which have increased their rates of payment of the Community levy should continue to do so until late 2010. Beyond that deadline, debt remission must be granted them on any remaining balance;
- (ii) Member states that have not increased their rates of payment of the Community Levy should submit a negotiable payment schedule to the ECOWAS Commission;
- (iii) Member States' request for partial remission of their arrears should be examined on a case-by-case basis and by the Council of Ministers;
- (iv) In keeping with the spirit of solidarity that must guide all the Community's actions, sanctions prescribed in Article 77 of the Revised Treaty should be contemplated only after all avenues of negotiation have been explored;

47. The Council of Ministers subsequently decided to:

- a) approve the cancellation of Liberia's contribution arrears for the period of the civil war from 1989 to 2003 inclusive, in the amount of UA 7 514 704 000 ;
- b) endorse the 25% cancellation of contribution arrears, equivalent to UA 1,839,868 granted to Côte d'Ivoire ;
- c) endorse the cancellation of contribution arrears in the amount of UA 2,827,732 granted to Sierra Leone for the period preceding the beginning of the implementation of the Community levy (August 2001);

Item 8: Consideration of the Memorandum on the Allocation of posts of three Judges to Member states

48. Council was informed that the second mandate of three (3) of the first Judges appointed to the Community Court of Justice in December 2000, whose mandates have already been renewed, would expire on 29 January 2009. The Memorandum justified the allocation, as from now, of the three (3) judge posts to the Member states so as to afford the Judicial Council the time to organize the procedure for the recruitment of the judges and guarantee continuity in the judicial activities of the court as from 30 January 2009.

49. The Memorandum consequently made proposals on the basis of criteria such as alphabetical order of States, whose nationals do not currently occupy any judge post, and implementation of the texts relating to the Community Levy.

50. After fruitful discussions, Council recommended that the Authority of Heads of State and Government allocate the three (3) judge posts at the Community Court of Justice due to fall vacant on 30 January 2009, to Benin, Cape Verde and Cote d'Ivoire.

51. Council, however, called upon the ECOWAS Commission to produce, in future post allocations to the states, a detailed table indicating the list of statutory posts, the countries occupying them, and the tenures of the statutory officials.

Item 9: Consideration of the Memorandum on the responsibility of Member states hosting the Headquarters of Community Institutions

52. The Commission re-presented to Council the "Memorandum on the Responsibility of Member States Hosting ECOWAS Institutions, which had been earlier presented at the 58th Ordinary Session of the Council of Ministers in Ouagadougou.

53. Council at that meeting had requested that Member States' hosting obligations should be based on more precise criteria, one of which should be the need for equitable distribution of these Institutions amongst Member States.

54. The Commission informed Council that the Memorandum and its attached draft Regulation reflected standard and precise obligations of Host Member States of ECOWAS Institutions, including the principle of geographical distribution. The Commission also stressed the fact that all the proposed criteria had already been adopted by Member States at the level of the African Union.

55. Council was of the view that some of the obligations proposed would place an excessive financial burden on States. It directed the Commission to forward the proposals to Member States and thereafter develop a set of criteria that should be based on the harmonised responses from Member States, which would then be considered at its June meeting in 2008.

Item 10: Consideration of the Memorandum on the Report of the Technical Committee on the Statistical activities of the Commission

56. The Memorandum on the report of the Technical Committee on statistical activities held in Abuja from 21 to 23 November 2007 was presented by the chairperson of the Committee, who is the Director-General of the National Institute of Statistics and Demography of Burkina Faso.

57. The Committee made the following recommendations, among others:

- i. that an institutional and operational framework for the management of the upgrade of the Multilateral Surveillance (ECOMOG) data base be established;
- ii. that a Fund be established to sustainably supplement and reinforce the existing mechanisms in keeping with the provisions of Article V of Decision

A/DEC.11/01/06 of January 2006 on the adoption of the 2006-2010 Regional Statistical Programme;

- iii. that a report on the state of Statistics in the region be presented each year to the Council of Ministers and an institutional framework for regular meetings of Directors of ECOWAS national statistical services be established (in the fashion of Directors of Statistics), with a view to further contribute to advocacy for statistics in West Africa ;
- iv. that a programme for building the capacities of statistical training schools be devised by the ECOWAS Commission, in due consideration of the need for the harmonization of statistical training in the region.

58. The Council of Ministers adopted the conclusions and recommendations of the technical committee's report on statistical matters.

59. With special regard to the Fund for sustainable development of statistics in the region, Council requested the ECOWAS Commission to submit to its next session a memorandum on the institutional and operational framework for the operation of the Fund.

Item 11: Consideration of the Memorandum on the creation of a West African TV Channel

60. The Commission presented a Memorandum, which proposes the eventual creation of a West African TV channel to broadcast all information relating to our integration activities with the following objectives:

- produce and disseminate information on West African economic integration
- produce and disseminate information on ECOWAS (programmes, projects, activities and achievements of all the specialized institutions and specialized agencies)
- produce and disseminate information on development activities in West Africa and sub regional cooperation
- produce and disseminate general information on West Africa and Community citizens

61. After examining the Memorandum, Council deliberated on the recommendations on the creation of a regional TV station. In that regard, it instructed the Commission to undertake the following actions:

- facilitate, after a study, the dissemination of the existing televised programmes on ECOWAS and economic integration of West Africa in all member states ;
- eventually examine the possibility, on the basis of this experience, of creating a West African News TV station devoted to regional information and cooperation;
- a study for the creation of a West African radio station;
- the recommendations of these studies should contain all the technical, financial, and human aspects for the realization of these projects ;

- the studies should equally indicate the conditions and procedures for holding shares in the capital of the television and radio stations in the framework of a public-private partnership as carried out for ECOMARINE et ECOBANK.

62. In the dynamics of the collaboration with the UEMOA Commission, the latter should become associated with the project to ensure greater synergy and efficiency in our activities.

Item 12: Consideration of the Memorandum on the Regional Poverty Reduction Strategy (RPRS)

63. The memorandum on the regional poverty reduction strategy was presented by the ECOWAS Commission. The Memorandum recalled the process as well as the modalities for the preparation and finalization of the strategy paper, in collaboration with the UEMOA Commission and development partners, particularly the World Bank and the African Development Bank. The strategic axes and objectives of the strategy paper were indicated, as well as the provisions for its implementation.

64. Council took note of the regional poverty reduction paper and recommended it for adoption by the Authority of ECOWAS Heads of State and Government

Item 13: Consideration of the Report of the Mediation and Security Council meeting held on 14 November 2007

65. After consideration of the Memorandum relating to activities on the ECOWAS Plan of Action against Trafficking in Persons, Council commended the Commission on its achievements in this area. It endorsed the recommendations of the Meeting of the Mediation and Security Council held on 13th November 2007 before which the issues had been initially presented.

66. Council approved the extension of the ECOWAS Plan of Action for another 4 years from 2008-2011.

67. Council went further to also commend the collaboration on this matter with Central African countries under the aegis of ECCAS, which resulted in the adoption of a Joint Plan of Action and a multilateral Cooperation Agreement. It endorsed the establishment of the ECOWAS/ECCAS Joint Permanent Regional Monitoring Commission being set up to initiate joint activities for both regions and monitor their implementation. Council approved the nomination of the Republics of Benin, Côte d'Ivoire, Ghana and Nigeria as pioneer members of the Joint Commission. It however directed that more objective criteria be defined for future selection of ECOWAS Member States on that Commission. Council also directed that efforts should be intensified by the ECOWAS Commission to engage countries of the West in the fight against Trafficking in Persons.

Item 14: Consideration of the Memorandum on the Report of the 8th Technical Commission of GIABA

68. Dr. Abdulahi Shehu, Director General of GIABA, presented the memorandum on the report of the 8th Technical Commission of GIABA, held in Ouagadougou, Burkina Faso from 5th to 6th November 2007. The major highlights of the report are as follows:

- The summary of GIABA's programme implementation will form the frame for a detailed report to be published at the end of this year.
- The Mutual Evaluation on Cape Verde will be published on the GIABA website in accordance with the GIABA Statute, as well as the Process and Procedure of Mutual Evaluation amongst member States.
- The Typologies Report on cash transactions will be forwarded to Member States for action. It will also be published in accordance with the Statute of GIABA.
- Observer status has been granted to the Egmont Group of global Financial Intelligence Units and the Republic of Sao Tome and Principe in GIABA;

69. The memorandum concluded by requesting Council to endorse the report of the 8th plenary meeting of GIABA in order to enable it publish the above mentioned reports and formalize the observer status granted to the Egmont Group and Sao Tome and Principe.

70. Council took note of the information contained in the report and adopted the report.

Item 15: Consideration of the Report of the Second Meeting of the Administration and Finance Committee

71. This report, which was presented by the session Chairperson, Mrs. Jacqueline ZABA, Technical Adviser in the Ministry of Foreign Affairs and Cooperation, bore on the following points that were discussed at the meeting:

- Status of implementation of the tasks assigned to the Commission
- Administrative and Financial Report of ECOWAS Commission
- Status of implementation of the Protocol on the Community Levy
- Conditions of service of the Statutory Commissioners and officials
- Administrative audit of the West African Health Organization (WAHO)
- 2007 Interim report of the Financial Controller
- Draft budgets of ECOWAS Institutions for the 2008 financial year

72. After deliberations, Council adopted the report of the second meeting of the Administration and Finance Committee with the following observations:

- a) The recruitment programme should be continued in keeping with the established schedule. In line with the relevant provisions of Article 22, paragraph a) of the Staff Regulations, the post of director and vacant P5 managerial post should be filled through competition. Nonetheless, the Commission should ensure that, where candidates have equal levels of competence, preference is given to in-house applicants.

- b) The Commission should redouble its efforts in managing the resources placed at its disposal in order to achieve as rapidly as possible a ratio of 60% for programmes and 40% for administrative expenditures.
- c) The ECOWAS Commission should convene the Ad Hoc Ministerial Committee on the Construction of the Headquarters of the Community Institutions to discuss the Katampe estate and find a definitive solution to the office accommodation problem facing the Commission departments in Abuja.
- d) On the conditions of service of Statutory Appointees of the Institution, the Council of Ministers acknowledged the urgent need to adopt definitive and motivating conditions of service for this category of staff that makes up the driving force of our organisation and who have already completed the first year of their tenure with provisional conditions of service.

73. The Council of Ministers then approved the following recommendations made by the Administration and Finance Committee:

- i. Approval of a budgetary provision of 339,315,000 Naira to cover three (3) years' rent or the acquisition of an annex office, as well as the sum of 37,224,000 Naira to cover the cost of refurbishing and one year's maintenance expenses
- ii. The maintenance of the current daily subsistence (per diem) allowance of the Speaker of the ECOWAS Parliament, and in lieu and place of the increase requested, a grant, for his official missions, of the entertainment allowance granted to Heads of Institutions in accordance with the provisions of the Financial Regulations, to enable him meet the demands of his position.
- iii. In lieu and place of the recruitment of four professional staff for the establishment of a Cabinet for the Speaker of the ECOWAS Parliament, the increase in the budgetary provision for the functioning of the office of the Honourable Speaker from US \$ 2,000 to US\$ 3,000 per month.
- iv. The creation of three (3) additional standing committees by the Parliament and the provision of a budgetary provision of UA 104,010 to finance them.
- v. The payment of severance benefits due to the former Speaker of the ECOWAS Parliament.

74. Lastly, the Council of Ministers agreed to adopt the conditions of service presented hereafter, relating to the new salary scale, rates of dependent spouse allowances, responsibility allowances, education grant, home leave allowances, travel conditions and transport allowances, with retroactive effect from 1st January 2007, as well as the monetization of some special allowances provided for in Article 28 of the Staff Regulations, namely, accommodation, furniture and household appliances, domestic staff, occupancy expenses, local transport.

**SALARY SCALE FOR STATUTORY APPOINTEES OF
COMMUNITY INSTITUTIONS**

Position	Category	Grade	Basic Annual Salary (UA)
President of the ECOWAS Commission	1	S1	72, 333
Vice President of the ECOWAS Commission / President of the Community Court of Justice	2	S2	63, 894
Commissioners	3	S3	57, 866
Financial Controller	3	S3	57, 866
Directors General/Heads of Specialised Institutions	3	S3	57, 866
Judges of the Community Court of Justice	3	S3	57, 866
Deputy Directors General	4	S4	55, 455
Deputy Heads of Specialised Institutions	4	S4	55, 455

- Dependent spouse allowance for Statutory Appointees of ECOWAS Institutions:
 - The rate of spouse allowance for Statutory Appointees of ECOWAS Institutions is set at five per cent (5%) of basic salary. This allowance is payable to all Statutory Appointees, whose spouse meets the definition of dependants as stipulated in Article 3 of the ECOWAS Staff Regulations.
- Responsibility allowance of Statutory Appointees of ECOWAS Institutions:
 - For all Statutory Appointees of ECOWAS Institutions, the provisional rates approved at the last session of the Council are to be maintained;
 - The Vice President of the Court of Justice, like other Statutory Appointees of ECOWAS Institutions, shall be entitled to responsibility allowance in lieu and place of the duty allowance currently being paid to him. The rate of responsibility allowance payable to the Vice President of the Community Court of Justice is fixed at seven per cent (7%) of basic salary;
- Education Grant:
 - A lump sum of 6,500 USD per year per eligible dependant child enrolled in an academic institution shall be payable to Statutory Appointees of ECOWAS Institutions, for a maximum of four dependant children;
- Home Leave
 - Statutory Appointees of ECOWAS Institutions shall be entitled to home leave once every year
- Travel conditions of Statutory Appointees of ECOWAS Institutions
 - When travelling by air, the President of the ECOWAS Commission, the Vice President of the Commission, the President of the Community Court of Justice and the Speaker of the Parliament shall travel in first class. The other Statutory Appointees of ECOWAS shall travel in business class.

- Household furniture and equipment allowance
 - A lump sum of UA 32,627 payable once to all Statutory Appointees with the exception of Heads of Institutions, at the commencement of their term of office.
- Travel expense for spouse
 - Return airfare from home country to duty station for spouse not residing with Statutory Appointee
- Transport
 - One official car and driver to be provided for Heads of Institutions

Monetisation of certain special benefits provided for in Article 28 of the Staff Regulations in respect of Statutory Appointees of ECOWAS

75. In order to avoid the red tape associated with the implementation of some special benefits provided for in Article 28 of the Staff Regulations in respect of Statutory Appointees and in accordance with the monetisation policy adopted for the other categories of staff, the Council of Ministers approved the following amounts for the special benefits listed hereafter:

- Accommodation allowance for Statutory Appointees, other than Heads of Institutions, who are not provided with accommodation by the host country:
 - Nigeria: UA 24 337 per annum
 - Ouagadougou: UA 11 578 per annum
 - Dakar: UA 18 252 per annum
- Transport allowance for Statutory Appointees
 - UA 16, 030 per annum payable monthly.
- Provisional transport allowance for Statutory Appointees other than Heads of Institutions, and who presently have two official vehicles:
 - UA 4,503 per annum payable monthly for Statutory Appointees who are provided with a car and a driver. This is to cover fuel and vehicle maintenance costs.
- Household appliances and light furniture for Heads of Institutions:
 - UA 15,000 per tenure payable once upon commencement of tenure.
- Domestic staff
 - Heads of Institutions: UA 11 016 per annum
 - Other Statutory Appointees: UA 7 734 per annum
 - Occupancy expenses: UA 9 060 per annum for all Statutory

- Appointees
- o Communication expenses:
 - President of the Commission: No ceiling
 - Other Statutory Appointees: UA 6 702 per annum

76. On the administrative audit of the West African Health Organisation (WAHO), the Council of Ministers endorsed all the recommendations of the Audit Firm and of the Administration and Finance Committee.

77. Having been informed by the Audit Committee that a maximum deadline of one week with effect from Thursday 13th December 2007 was given to the out-going Director General of WAHO to respond in writing to the observations of the Audit Firm, the ECOWAS Council of Ministers directed the ECOWAS Commission to take all necessary steps, to guarantee the successful completion of the on-going investigation.

78. The Council of Ministers directed the Audit Committee to make available to the Chairman of Council, copy of the response from the Director General of WAHO.

79. Council adopted the draft budgets of the Institutions of the Community as recommended by the Administration and Finance Committee, totalling UA **141 049 434**. The sources of funding for these budgets and the amounts allocated to each Institution are presented in the tables below:

TABLE 1: SUMMARY OF REVENUE OF THE BUDGETS OF THE INSTITUTIONS

Income	PROPOSAL by the institutions	PROPOSAL by the AFC	VARIATIONS	
	UA	UA	AMOUNTS	%
Community Levy	106 533 328	109 824 342	3 291 014	3%
Reserve Funds	2 068 968	4 548 968	2 480 000	12%
Contribution Arrears	2 423 749	2 723 749	300 000	12%
External Funding	23 271 416	23 271 416	0	0%
Miscellaneous	603 334	574 919	-28 415	-4.7%
TOTAL	134 900 795	140 943 394	6 042 599	4.5%

TABLE 2: SUMMARY OF EXPENDITURE OF THE BUDGETS OF THE INSTITUTIONS

Expenditure by Institution	PROPOSAL by the Institutions	PROPOSAL by the AFC	VARIATIONS	
	UA	UA	AMOUNTS	%
ECOWAS COMMISSION	97 980 021	105 197 189	7 217 168	7.36%
ECOWAS PARLIAMENT	10 183 989	10 183 989	0	0%
COMMUNITY COURT OF JUSTICE	8 989 615	8 949 015	-40 600	0.45%
WEST AFRICAN HEALTH ORGANISATION	12 208 308	12 211 047	2 739	0%
GIABA	5 538 862	4 402 154	-1 136 708	-20%
TOTAL	134 900 795	140 943 394	6 042 599	4.5%

Item 16: Consideration of the Final Report of the Ad hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees as Director General and Deputy Director General of WAHO

80. The report of that meeting was presented by its Chairman, His Excellency Hachimou Saïdou, Minister of African Integration and Nigeriens in the Diaspora. The purpose of the meeting was essentially to interview candidates for recruitment as Director General of WAHO, a post allocated to Guinea Bissau, and Deputy Director General of WAHO, a post allocated to Liberia.

81. The report detailed the procedure adopted in the conduct of the interviews, the scoring formula as well as the acceptable minimum score for qualification.

82. The average scores obtained on the basis of the marks awarded by the Members of the Committee are presented as follows for each of the candidates, in order of merit:

Post of Director General of WAHO

Name of Candidate	Average obtained/100	Ranking
Dr. Cardoso Placido Monteiro	85.60	1 st
Dr. Menezes Marilene Gomes D'Alva	78.95	2 nd
Dr. Jorge Siuna Guad	63.75	3 rd

Post of Deputy Director General of WAHO

Name of Candidate	Average obtained/100	Ranking
Dr. Johnson Koyah Jeanetta	92.25	1 st
Dr. Sheriff Mohammed	90.70	2 nd
Dr. Barteel Nathaniel	83.15	3 rd

83. In conclusion, the Ministerial Ad Hoc Committee on the Selection and Evaluation of Statutory Appointees recommended to the Council of Ministers to approve the appointment to the above posts, of the candidates ranked first at the interview.

84. After deliberations, the Council of Ministers approved the appointment of Dr. Cardoso Placido Monteiro as Director General of WAHO and that of Dr. Johnson Koyah Jeanetta as Deputy Director General of WAHO.

Item 17: Consideration of the Report on the restructuring of the Special Fund for Telecommunications

85. The report on the study on the restructuring of the Special Fund for Telecommunications was presented by the President of EBID, Mr. Christian Adovelande.

86. The report recalled Council regulation C/REG. 1/12/99 which directed that the SFT and its operation mechanisms should be restructured to enable it play its full role as a catalyst for the modernisation and overall development of telecommunications in the region.

87. In line with this directive, a study was conducted by Centre Regional de Maintenance des Télécommunications de Lomé (CMTL) and the report was validated by the Board of Directors of EBID, the Commission and the Ministers of Telecommunications.

The conclusions of the study which are being recommended for the approval of Council of Ministers are as follows:

- i. the transformation of the SFT into "ECOWAS Fund for Telecommunications and ICT Infrastructure" (Telecom Fund);
- ii. that the new Telecom Fund should be lodged as a window in EBID;
- iii. that the Telecom Fund should be managed under the umbrella of a management and that the Board of Directors of EBID shall also be a member of the management committee;
- iv. that the Telecom Fund should be managed as a very light structure;
- v. that the Fund's intervention in telecommunications and ICT projects could take the form of a loan, guarantee and/or equity participation;
- vi. that part of the income derived from the operational activities of the Fund could be used to finance activities relating to the development of the telecommunications sector in the sub-region in form of grant;
- vii. that the Telecom Fund, in the long term, be opened up to external investors (public and private) as part of its transformation into a subsidiary;
- viii. that the embargo placed on the operations of the SFT in 1999 be lifted.

88. Council endorsed all the recommendations.

Item 18: Consideration of the Draft Agenda of the Thirty-third Ordinary Summit of the Authority of Heads of State and Government

89. Council considered and adopted the draft agenda of the thirty-third ordinary summit of Heads of State and Government as amended and took note of the new date of 18 January 2008

Item 19: Consideration of the Conclusions of the Eighth Meeting of ECOWAS Energy Ministers

90. After considering the outcomes of the 8th meeting of ECOWAS Energy Ministers, held in Lomé on 16 November 2007, the Council of Ministers was informed of progress made under the Community's energy programme, especially the projected regulation of the power sector of West Africa, the programme for the implementation of the ECOWAS energy service access policy (White Paper) and the study of the Energy Emergency Supply and Security Plan for the Member States. They further took note of the initiative to establish a Regional Biomass Research Centre as announced by the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas. Finally, the Council of Ministers congratulated the Energy Ministers on their achievements.

91. At the end of the deliberations, Council made recommendations and adopted the conclusions of the meeting of the Energy Ministers as follows:

- Given the geographical situation of Cape Verde, Council requested the ECOWAS Commission to define a special energy programme for that country.
- Council directed the Commission to explore ways and means of utilising alternative energy sources such as solar, wind, biomass and nuclear energy in order to diversify the energy supply sources of Member States.

- The draft Supplementary Act relating to the regulation of the regional electricity sector within ECOWAS, which seeks to institute an ECOWAS Regional Electricity Regulatory Authority, in view of facilitating power pooling within a transparent framework as well as improving the efficiency of electric power supply in the member States and increasing energy access for the citizens of the Community.
- The Energy Emergency Supply and Security Plan (EESSP) of the West African Power Pool (WAPP) and its implementation schedule. This plan consists in identifying and acquiring appropriate sites with access to natural gas to serve as sub-regional energy stocks.
- The concept of executing certain planned WAPP interconnection lines through a special purpose company using a public/private partnership aimed at expanding the possibilities for their financing and expediting the implementation of regional projects in the energy sector. Authorisation of electricity companies that are members of WAPP to undertake joint projects among themselves and/or set up strategic partnerships for the establishment of special purpose companies with a view to implementing the strategy for executing the WAPP interconnection lines.
- The creation of the ECOWAS Regional Energy Service Access Agency (ERESSA). This unit will be supervised by the Commission in accordance with the implementation strategy of the Regional Plan of Action. A unit will be set up at the Commission and will work towards realising the conditions required for defining the road map for the effective set-up of the Agency.

Item 20: Consideration of the Report of the Conference of Ministers of Social Development

92. On presentation of the report of the first meeting of Ministers of Social Affairs which took place in Abuja on 17th October 2007, Council adopted the report for implementation. Council recognized the importance of defining the required social dimension for the ECOWAS integration process in view of the social and economic challenges faced by the region. Council directed the Commission to facilitate constant meetings of the Ministers in this sector and to ensure adequate collaboration with the African Union, the UNESCO Forum of Social Affairs Ministers, as well as all of the relevant organizations.

Item 21: Consideration of the Report on the current status of the ECOWAS Peace Support Operations (PSO) Logistics Depot.

93. The report was presented by the Commissioner in charge of Political Affairs, Peace and Security, Colonel Mahamane Toure, who highlighted the decision to establish two permanent logistic bases to support the ECOWAS Standby Force and the Authority decision to accept the offer of the Government of Sierra Leone to host the coastal depot.

94. The memorandum went further to explain that after the signing of the memorandum of understanding with the Government of Sierra Leone, a comprehensive in-depth technical survey of the site (Hastings Airfield) revealed that it does not conform to the minimum requirements:

- a. The runway must be a minimum of 1 500 meters and can accommodate and withstand the take-off of a minimum fully loaded C-130 aircraft.

- b. The depot must have a roll-on roll-out sea accessibility and subsequent maintenance facilities.
- c. The depot must have a two way tarred accessible road.
- d. If possible, the depot must be accessible by rail.

95. These observations had been brought to the attention of the Sierra-Leonean authorities with a request to offer an alternative location conforming to the criteria enumerated above, but no official response had been received.

96. The memorandum concluded by requesting Council to approve the termination/cancellation of the memorandum of understanding between ECOWAS and the Government of Sierra Leone and to open the bid for Member States willing to offer sites locations.

97. The Head of Sierra-Leonean delegation in reaction explained that an official letter has been sent to the Commission asking for time to enable them address the issues raised.

98. After deliberations on the issue, Council endorsed the request of the Government of Sierra Leone for more time to enable them address all the issues raised on the shortcomings of the present site.

Item 22: Consideration of the Report and Plan of Action from the First ECOWAS Business Forum

99. With a view to contributing to on-going efforts at mobilizing the private sector for regional development and competitiveness through integration and the impending economic partnership agreement (EPA), the first ECOWAS business forum was organized from 29 to 31 October 2007 on the theme "Harnessing private sector energies for the challenges of integration".

100. Emanating from the forum were a strategy and action plan to guide activities to promote the private sector in the region for the next two years - 2008 and 2009. The next Forum in 2008 is planned to be held in Burkina Faso at a date to be announced in 2008 after consultations with the government and business groups of Burkina Faso.

101. Council took note of the report.

Item 23: Consideration of the Status Report on the Implementation of the ECOWAS Agricultural Policy (ECOWAP) and the Comprehensive African Agricultural Development Programme (CAADP)

102. After presenting the socio-economic and institutional context of West African agriculture, the ECOWAS Commission indicated that activities carried out in 2007 included mainly the processes leading to the formulation of the Agricultural Investment Programme (AIP) both at the regional (RAIP) and national (NAIP) levels , as well as the development of related activities.

103. The formulation process of the programme is underpinned by the following six themes:

- improvement of the management of water;
- sustainable development of farm holdings;
- improved management of other natural resources;

- development of agricultural value chains and the promotion of markets;
- prevention and management of food crises and other natural disasters;
- institutional enhancement.

104. For the formulation of the regional component of the programme, the thematic groups were constituted each with a group leader appointed to direct its activities; the responsibilities and tasks of the stakeholders were clearly defined; a harmonised framework for the formulation of the RAIP was also defined.

105. Concerning the National Agricultural Investment Programme (NAIP):

- Retreats aimed at organising the formulation process, as regards its technical components, its stakeholders and its schedule, were held in the following countries: Benin, Ghana, Mali, Niger, Nigeria and Togo;
- a regional session for the preparation of round tables was organised;
- country tours were organised to give impetus to the process of formulating the NAIP. The mission, led by the Commissioner for Agriculture, Environment and Water Resources, visited Benin, Togo, Ghana, Niger, Burkina Faso and Senegal.

106. Other activities that fall within the framework of the implementation of the ECOWAP and CAADP were also undertaken. These focused on the development of crop production, rural development, development of livestock, fishing and fish farming. It also focused on specific programmes such as the adoption of draft Regulations relating to bio-technology, seeds and pesticides by the Technical Committee on Agriculture, Environment and Water Resources, during its ministerial session held on 8 November 2007.

107. The Commission informed Council that the year 2008 would be devoted to finalising the formulation, validating it and commencing its implementation, as well as pursuing specific sub-sectoral actions.

108. The Commission requested Council to reaffirm its support for the development of agriculture.

109. Council took note of the memorandum on the implementation of the ECOWAP and CAADP.

Item 24: Consideration of the Memorandum on the Establishment of the West African Institute for regional Integration in Cape Verde

110. This memorandum, which was presented by the Commission, informed Council about the establishment of the West African Institute for Regional Integration. The main objective of this academically and financially independent Institute is to provide support for integration through research and stimulate social dialogue to support the formulation and evaluation of regional integration policies.

111. Council was informed that Cape Verde had already made available offices for the Institute. The memorandum equally made proposals on the governance and funding of the Institute whose primary source of funding will be from the government of Cape Verde, UNESCO, ECOWAS and the private sector.

112. Council took note of the information contained in the memorandum.

Item 25: Any other business

113. With reference to Cape Verde's exit from the list of Least Developed Countries with effect from January 2008, Council called on the international community to support this process, particularly with regard to market access, financing and development, as recommended by the United Nations and the transition Support Group established for this purpose.

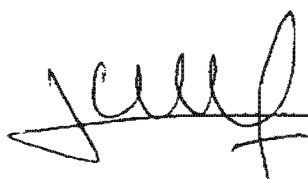
Item 26: Adoption of the Report

114. This report was adopted after amendments.

Item 27: Closing Ceremony

115. The Chairperson of Council commended the members for their positive contributions to the deliberations and for the spirit of consensus displayed during the session. She expressed delight that the meeting was able to cover all the issues that underlie our new drive for concrete steps that will impact positively on our populations. Before declaring the meeting closed, she wished the members safe journey to their various destinations and happy celebrations of the end-of-year festivities.

DONE AT OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



H.E. MRS MINATA SAMATE-CESSOUMA

CHAIRMAN

FOR THE COUNCIL OF MINISTERS

ECONOMIC COMMUNITY OF WEST
AFRICAN STATES

COMUNIDADE DOS ESTADOS DA
AFRICA DO OESTE

COMMUNAUTE ECONOMIQUE
DES ETATS
DE L'AFRIQUE DE L'OUEST

VOTE OF THANKS

The participants at the Fifty-ninth ordinary session of the ECOWAS Council of Ministers, held in Ouagadougou from 14 to 15 December, 2007, express their profound gratitude to His Excellency, Blaise Compaoré, President of the Faso and Chairman of the Authority, and to the Government and people of Burkina Faso for the warm and brotherly welcome extended to them during their stay in Ouagadougou and for the excellent facilities placed at their disposal to ensure the success of their meeting.

DONE AT OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007

THE MEETING

FIFTY-NINTH ORDINARY SESSION OF THE ECOWAS COUNCIL OF MINISTERS

CINQUANTE-NEUVIEME SESSION ORDINAIRE DU CONSEIL DES MINISTRES

Ouagadougou, 14 – 15 December 2007

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of the Council of Ministers**

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG. 1/12/07 APPROVING THE BUDGET OF THE
ECOWAS COMMISSION, ITS AGENCIES AND OFFICES FOR THE 2008
FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

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

MINDFUL of the provisions of Article 69 of the ECOWAS Treaty which relate to the budget of the Community Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the ECOWAS Commission proposed by the second meeting of the Administration and Finance Committee, held in Abuja from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The budget of the ECOWAS Commission, Agencies, Units and Offices for the 2008 financial year, balanced in income and expenditure at the sum of **One Hundred and Five Million, One Hundred and Ninety-Seven Thousand, One Hundred and Eighty Nine Units of Accounts (105,197,189 UA)** is hereby approved.

ARTICLE 2

The detail of the budget mentioned in Article 1 of this is as follows:

- I. Commission: Ninety two million, One hundred and eight thousand, five hundred and fifteen Units of Account (**92,108,515 UA**)
- II. Gender Centre: Two million, six hundred and sixty-five thousand, seven hundred and nineteen Units of Accounts (**2,665,719 UA**)
- III. Water Resources: Six million, seventy two thousand, on hundred and ninety nine Units of Account (**6,072,199 UA**)
- IV. Youth and Sports: One million, seven hundred and ninety four thousand, seven hundred and seventy one Units of Account (**1,794,771 UA**)
- V. ECOWAS Office in Brussels: Three hundred and twenty two thousand, three hundred and seventy Units of Account (**322,370 UA**)
- VI. Office of the Financial Controller: One Million, two hundred and forty four thousand four hundred and eighty one Units of Account (**1,244,481 UA**)
- VII. Office of the Chief internal Auditor : **989,134 UA**

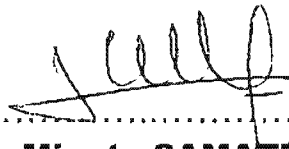
ARTICLE 3

- 1. An amount of **Eighty Million, Five Hundred and Twelve Thousand, Four Hundred and Thirty Nine** Units of Accounts (**80,512,439 UA**) shall be derived from resources obtained from the Community Levy.
- 2. Another amount in the sum of **Two Million** Units of Accounts (**2,000,000 UA**) shall be derived from excess funds.
- 3. Additional amounts in the sum of **One Million (1,000,000 UA)** Units of Accounts shall be derived from arrears of contributions.
- 4. An amount in the sum of **Three Hundred and Forty Five Thousand, Five Hundred and Thirty Nine** Units of Accounts (**345,000 UA**) shall be derived from other sources.
- 5. An amount of **Twenty One Million, Three Hundred and Thirty Nine Thousand, Seven Hundred and Fifty** Units of Account (**21,339,750 UA**) shall be derived from external funding.

ARTICLE 4

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG. 2 /12/07 APPROVING THE BUDGET OF THE COMMUNITY PARLIAMENT FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 13 of the ECOWAS Treaty establishing the Community Parliament;

MINDFUL of Protocol A/P.2/8/94 and its amendments, defining the composition, functions, powers and organisation of the Community Parliament;

MINDFUL of the provisions of Article 69 of the ECOWAS Treaty which relate to the budget of the Community Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Community Parliament recommended by the second meeting of the Administration and Finance Committee, held in Abuja from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The budget of the Community Parliament for the 2008 financial year, balanced in income and expenditure at the sum of **Ten Million, One Hundred and Eighty Three Thousand, Nine Hundred and Eighty Nine Units of Account (10, 183, 989 UA)** is hereby approved.

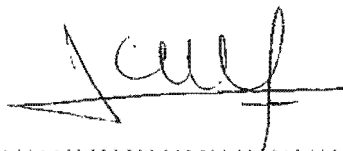
ARTICLE 2

1. An amount of **Eight Million, Two Hundred and Nineteen Thousand, Nine Hundred and Twenty Four** units of Accounts (**UA 8,219,924.**) shall be derived from resources obtained from the Community Levy.
2. An amount in the sum of **One Hundred Thousand** Unit of Account (**UA 100,000**) shall be derived from excess funds.
3. Additional amounts in the sum of **Two Hundred Thousand** Units of Accounts (**UA 200,000**) shall be derived from arrears of contributions.
4. Additional amount of **Twenty Six Thousand, Six Hundred and Seventy Seven** units of account (**UA 26,677**) shall be derived from other sources.
5. Another amount in the sum of **Four Hundred and Two Thousand, Four Hundred and Fourteen** units of Accouns (**UA 402,414**) shall be derived from external funding.

ARTICLE 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.3/12/07 APPROVING THE BUDGET
OF THE COMMUNITY COURT OF JUSTICE
FOR THE 2008 FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 15 of the ECOWAS Treaty establishing the Community Court of Justice;

MINDFUL of Protocol A/P.1/7/91 defining the composition, functions, powers and organisation of the Community Court of Justice;

MINDFUL of the provisions of Article 69 of the ECOWAS Treaty which relate to the budget of the Community Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Community Court of Justice recommended by the second meeting of the Administration and Finance Committee, held in Abuja from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The budget of the Community Court of Justice for the 2008 financial year, balanced in income and expenditure at the sum of **Eight Million, Nine Hundred and Forty Nine Thousand and Fifteen Units of Account. (8,949,015 UA)** is hereby approved.

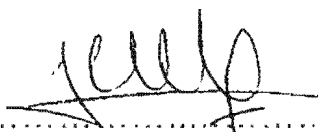
ARTICLE 2

1. An amount of **Eight Million, One Hundred and Eight Thousand, Nine Hundred and Eighty Nine Units of Accounts (8,108,989 UA)** shall be derived from resources obtained from the Community Levy.
2. Additional amounts in the sum of **One Million, Seven Hundred and Eighty Thousand Units of Account (1,780,000 UA)** shall be derived from excess funds.
3. An amount in the sum of **Two Hundred Thousand Units of Account (200,000 UA)** will be derived from arrears of contributions
4. Another amount in the sum of **Ninety Five Thousand Units of Account (95,000 UA)** shall be derived from other resources

ARTICLE 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.4/12/07 APPROVING THE BUDGET
OF THE WEST AFRICAN HEALTH ORGANISATION
FOR THE 2008 FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty as amended in June 2006, establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P.2/7/87 relating to the creation of the West African Health Organisation (WAHO);

MINDFUL of the provisions of Article 69 of the ECOWAS Treaty which relate to the budgets of the Community Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the West African Health Organisation recommended by the thirty-sixth meeting of the second meeting of the Administration and Finance Committee, held in Abuja from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The budget of the West African Health Organisation for the 2008 financial year, balanced in income and expenditure at the sum of **Twelve Million, Two Hundred and Eleven Thousand and Forty Seven Units of Account. (12,211,047 UA)** is hereby approved.

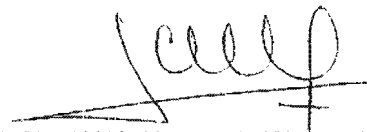
ARTICLE 2

1. An amount of **Eight Million Seven Hundred and Sixty One Thousand, Eight Hundred and Fifty Seven** Units of Account (UA 8,761,857) shall be derived from resources obtained from the Community Levy.
2. Another amount of **Six Hundred and Sixty Eight Thousand, Nine Hundred and Sixty Eight** Units of Account (UA 668,968) shall be derived from excess funds.
3. Another amount in the sum of **One Million, Three Hundred and Twenty Three Thousand, Seven Hundred and Forty Nine** Units of Account (UA 1,323,749) shall be derived from arrears of contributions.
4. Additional amounts in the sum of **Ninety Nine Thousand, Two Hundred and Forty Two** Units of Account (UA 99,242) shall be derived from other sources.
5. Additional amount of **One million, Three Hundred and Fifty Seven Thousand, Two Hundred and Thirty One** Units of Account (UA 1,357,231) shall be derived from external funding.

ARTICLE 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.5 /12/07 APPROVING THE BUDGET OF THE INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty as amended in June 2006, establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the provisions of Article 69 of the ECOWAS Treaty which relate to the budget of the Community Institutions;

MINDFUL of Decision A/DEC.9/12/99 establishing GIABA and the Revised Statutes of the Intergovernmental Action Group Money Laundering in West Africa.

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95;

HAVING CONSIDERED the budget of the Intergovernmental Action Group Against Money Laundering in West Africa recommended by the second meeting of the Administration and Finance Committee, held in Abuja from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The budget of the Intergovernmental Action Group Against Money Laundering in West Africa for the 2008 financial year, balanced in income and expenditure at the sum of Four Million, Four Hundred and Two Thousand, One Hundred and Fifty Four Units of Account (UA 4,402,154) is hereby approved.

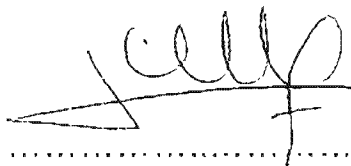
ARTICLE 2

1. An amount of **Four Million, Two Hundred and Twenty One Thousand, One Hundred and Thirty Three** Units of Account (**UA 4,221,133**) shall be derived from resources obtained from the Community Levy.
2. Another amount in the sum of **Nine Thousand** Units of Account (**UA 9,000**) shall be derived from other sources.
3. Additional amounts in the sum of **One Hundred and Seventy Two Thousand and Twenty One** Units of Account (**UA 172,021**) shall be derived from external funding.

ARTICLE 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th - 15th December 2007

REGULATION C/REG. 8 /12/07 APPROVING THE WORK PROGRAMME OF THE ECOWAS COMMISSION FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the ECOWAS Commission for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Commission during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007

H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th - 15th December 2007

REGULATION C/REG. 7/12/07 APPROVING THE WORK PROGRAMME OF THE COMMUNITY PARLIAMENT FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the Community Court of Justice for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Community Court of Justice during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007

H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON

FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG. 8 /12/07 APPROVING THE WORK
PROGRAMME OF THE COMMUNITY COURT OF JUSTICE
FOR THE 2008 FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the Community Court of Justice for the
2008 Financial Year recommended by the second meeting of the Administration and
Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed
by the Community Court of Justice during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007

H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG. 9 /12/07 APPROVING THE WORK PROGRAMME OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the West African Health Organisation for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the West African Health Organisation during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007


.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG. 10/12/07 APPROVING THE WORK
PROGRAMME OF THE INTERGOVERNMENTAL ACTION GROUP
AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)
FOR THE 2008 FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the Intergovernmental Action Group
against Money Laundering in West Africa (GIABA) for the 2008 Financial Year
recommended by the second meeting of the Administration and Finance
Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed
by the Intergovernmental Action Group against Money Laundering in West Africa
(GIABA) during the 2008 Financial Year.

ARTICLE 2

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

H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG. 11/12/07 APPROVING THE WORK PROGRAMME OF THE ECOWAS GENDER DEVELOPMENT CENTRE FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the ECOWAS Gender Development Centre for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

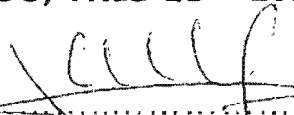
ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Gender Development Centre during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG. 12 /12/07 APPROVING THE WORK PROGRAMME OF THE WATER RESOURCES INTEGRATED MANAGEMENT UNIT FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the Water Resources Coordination Unit for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

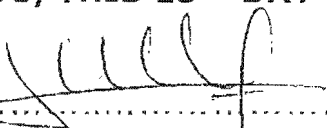
ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Water Resources Integrated Management Unit during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007


.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.13/12/07 APPROVING THE WORK PROGRAMME OF THE ECOWAS OFFICE IN BRUSSELS

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty as amended in June 2006, establishing the Council of Ministers and defining its composition and functions;

HAVING CONSIDERED the Work Programme of the ECOWAS Office in Brussels for the 2008 Financial Year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Office in Brussels during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007


.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG. 14 /12/07 APPROVING THE WORK PROGRAMME OF THE ECOWAS YOUTH AND SPORTS DEVELOPMENT CENTRE FOR THE 2008 FINANCIAL YEAR

THE COUNCIL OF MINISTERS,

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

HAVING CONSIDERED the Work Programme of the Youth and Sports Development Centre for the 2008 financial year recommended by the second meeting of the Administration and Finance Committee held in Abuja, from 26th November to 3rd December 2007;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Youth and Sports Development Centre during the 2008 Financial Year.

ARTICLE 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007


.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON
FOR COUNCIL

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.15/12/07 RELATING TO THE ALLOCATION OF TWO POSITIONS ON THE ECOWAS AUDIT COMMITTEE TO MEMBER STATES OF THE COMMUNITY.

THE COUNCIL OF MINISTERS,

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

Mindful of Decision A/Dec.15/01/06 relating to the establishment of an Audit Committee for ECOWAS to assist the Council of Ministers discharge its functions of maintaining good financial control principles in the Community;

Recalling that the aforementioned Decision provides a maximum membership of six members States on the Audit Committee which presently is composed of four (4) member States;

Also Recalling that membership on the Committee is on a rotational basis with member States serving a four (4) year term thereon;

Convinced of the usefulness of allowing the Audit Committee operate with its prescribed membership of 6 States as a means of facilitating the attainment of a quorum at all meetings of the Audit Committee;

Desiring therefore to allocate the two remaining positions on the Committee to member States of ECOWAS;

ON THE RECOMMENDATION of the eight meeting of the Audit Committee which held in Ouagadougou on 13 December 2007;

ENACTS

Article 1:

The two (2) remaining positions on the Audit Committee are hereby allocated to the Republics of Burkina Faso and Cape Verde.

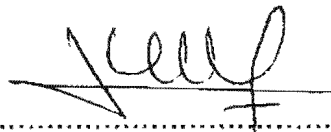
Article 2:

The two member States shall serve for a four (4) year term on the Committee.

Article 3:

This Regulation shall be published in the official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairperson of the Council of Ministers. It shall also be published within the same timeframe in the National Gazette of each Member State.

DONE IN OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



.....
H.E. MRS. MINATA SAMATE CESSOUMA

CHAIRPERSON

FOR COUNCIL

**ECONOMIC COMMUNITY OF
WEST AFRICAN STATES**

**COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST**



**Fifty-ninth Ordinary Session of the
ECOWAS Council of Ministers**

Ouagadougou, 14 – 15 December 2007

**REGULATION C/REG.16/12/07 ESTABLISHING THE CONDITIONS OF
SERVICE FOR STATUTORY APPOINTEES OF COMMUNITY
INSTITUTIONS**

THE COUNCIL OF MINISTERS,

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

MINDFUL of the Directive contained in the Final Communiqué of the Twenty-eighth Session of the Authority of Heads of State, stating the reform of the ECOWAS Executive Secretariat towards its adaptation to the international environment in order to make it more effective in the discharge of its integration mission in the sub-region;

MINDFUL of Decision A/DEC.16/01/06 transforming the Executive Secretariat into a Commission;

MINDFUL of Council's responsibility with regards to the functioning and development of Community Institutions as envisaged in the ECOWAS Treaty;

CONSIDERING that during the transformation of the Executive Secretariat into a Commission and the restructuring of other Community institutions, new conditions of service were not defined;

ALSO CONSIDERING that some Statutory Appointees are not accommodated by the host country of the ECOWAS Institution and/or specialised agency;

CONSIDERING the need for the Community to therefore provide accommodation to the Statutory Appointees concerned, or in the alternative, pay them compensatory housing allowance and other benefits envisaged in the ECOWAS Staff Regulations;

DESIRING to define and establish improved conditions of service for the Statutory Appointees of the Community Institutions;

E N A C T S

Article 1

1. Improved Conditions of service of Statutory Appointees of Community Institutions are hereby adopted.
2. The conditions of service referred to in paragraph 1 of this Article are as contained in the attached Annex.

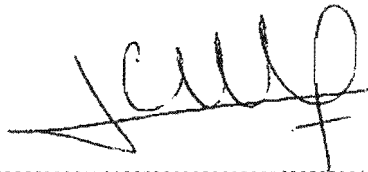
Article 2

The conditions of service will be applied retroactively commencing from 1st February 2007.

Article 3 : Entry into force

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairperson of the Council of Ministers. It shall also be published by each Member State in its Official Journal within the same timeframe.

DONE AT OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



.....
H.E. MME MINATA SAMATE CESSOUMA

CHAIRPERSON
FOR THE COUNCIL

New salary scale for statutory appointees as given below:

Grade	Category	Salary (in UA)	Designation
S1	1	Year 72,333 Month 6,027.75	President, ECOWAS Commission
S2	2	Year 63,894 Month 5,324.50	Vice President, ECOWAS Commission President, Community Court of Justice
S3	3	Year 57,866 Month 4,822.17	Commissioners Judges Heads of Specialised Institution Financial Controller
S4	4	Year 55,455 Month 4,621.25	Deputy Heads of Specialised Institution

Spouse allowance equivalent to 5% of basic salary to all legally married statutory appointees;

Responsibility allowance to Statutory Appointees as follows:

President, ECOWAS Commission	10%	of basic salary
Vice President, ECOWAS Commission & Heads of Institution	8%	" "
Vice President of the Community Court of Justice	7%	" "
Other Statutory Appointees	5%	" "

Housing allowance to statutory appointees other than Heads of Institution at the following duty stations:

Nigeria	UA 24,337 p.a.
Ouagadougou	UA 11,578 p.a.
Dakar	UA 18,252 p.a.

Heads of Institution will continue to benefit from free furnished accommodation.

Household appliances and soft furnishing allowance to Heads of Institution amounting to UA 15,000 payable once at the beginning of their term of office.

Household furniture and equipment allowance of UA 32,627 for all statutory appointees with the exception of Heads of Institutions payable once at the commencement of their term of office. For statutory appointees whose houses were furnished more than four

years ago, a ceiling of UA10,000 is recommended to provide for replacement of worn out furniture;

Domestic staff allowances at the rates indicated below:

Heads of Institution - UA 11,016 p.a.

Other Statutory Appointees - UA 7,734 p.a.

Utilities allowance of UA 9,060 p.a. for all Statutory Appointees.

Communication allowance for statutory appointees as follows:

- No ceiling for President of ECOWAS Commission .
- Other Statutory Appointees - UA 6,702 p.a.

Annual home leave for all Statutory Appointees and their dependants, who meet the eligibility criteria defined by the ECOWAS Staff Regulations.

Education grant to be increased to US\$6,500 per eligible dependant child, up to a maximum of four (4) children attending school, as defined in the ECOWAS Staff Regulations, for all Statutory Appointees.

One official car and driver to be provided for Heads of Institution;

Transport for all statutory appointees at the following rates of allowances:

Statutory appointee without car/driver - UA 16,030 p.a.

Statutory appointees with car/driver - UA 4,503 p.a.

Class of travels to be aligned with category of statutory appointees.

First Class: President of ECOWAS Commission
Vice President of ECOWAS Commission
President Community Court of Justice

Business Class: Other Statutory Appointees.

PAYS/COUNTRY	NOMS/NAMES	FONCTIONS/STATUS	ADRESSE/ADDRESS
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	MAMADOU MAKHTAR GUEYE	Directeur de l'Intégration Economique Africaine	Ministère des Affaires Etrangères du Sénégal Place de l'Indépendance, Dakar Tel : +221 338 229 397 Fax : +221 338 424265 Email : mmakhtargueye@yahoo.fr
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	HON DR RICHARD KONTEH	Deputy Minister of Finance & Economic Development	Ministry of Finance & Economic Development 7 th Floor, Youyi Building, Freetown, Sierra Leone Tel: + 234 766 22 999, & + 232 33 383516 Email: rkonteh@yahoo.com
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	BENSON MUSA LAHAL	Principal Planning Officer	Ministry of Finance and Development Tel: 232 33 48159 Email: beuroulahai@yahoo.com
TOGO	ADJI OTETH AYASSOR	Ministre des Finances	Ministère des Finances, du Budget et des Privatisations BP 387, Lomé, Togo
	KAPOU THEOPHILE	Conseiller Juridique auprès d' Ministre	Ministère de l'Economie et des Finances B P 387 Lomé Togo Tel : +228 221 17 06 Fax: +228 221 09 05 Email: renekapou@yahoo.fr
	MME KASSAH-TRAORE ZOUREHATOU	Economiste, Cellule CEDEAO	Ministère de l'Economiste et du Développement Lomé, Togo Tel : +228 229 88 03 11
ECOWAS COMMISSION	DR MOHAMED IBN CHAMBAS	President of ECOWAS Commission	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro, Abuja Tel: +234 9 314 764 Email: chambas@ecowas.int

CONSIDERING that by virtue of his status as a Head of Institution, the Speaker of the ECOWAS Parliament should enjoy not only the benefits granted to Heads of Institutions, but also those being enjoyed by Statutory Appointees while on official missions for the Community;

DESIRING to accede to the request made to that end by the ECOWAS Parliament;

UPON THE RECOMMENDATION of the second meeting of the Administration and Finance Committee, held in Abuja from 26 November to 3 December 2007;

ENACTS

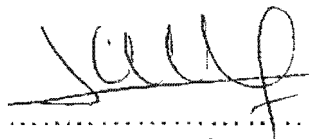
Article 1

The Speaker of the ECOWAS Parliament shall on exceptional basis be entitled to advances and reimbursement of costs as provided for by Article 53 of the ECOWAS Staff Regulations on mission advances and retirement of advances.

Article 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H. E. Mrs. Minata SAMATÉ-CESSOUMA
CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.18/12/07 RELATING TO THE INCREASE OF THE LUMP SUM ALLOWANCE FOR THE STAFF ATTACHED TO THE OFFICE OF THE SPEAKER OF THE ECOWAS PARLIAMENT IN HIS COUNTRY OF RESIDENCE

THE COUNCIL OF MINISTERS

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

MINDFUL of Article 13 of the said Treaty on the ECOWAS Parliament ;

MINDFUL of Protocol A/P2/8/94 as amended relating to the ECOWAS Parliament and more specifically Article 10 of the said Protocol, which provides for an allowance payable to the Members of the ECOWAS Parliament;

MINDFUL of Decision A/DEC.25/12/01 relating to the benefits payable to the Members of the ECOWAS Parliament;

MINDFUL of Regulation C/REG/2/12/06 approving the budget of the ECOWAS Parliament;

MINDFUL of the recommendations of the seventh session of the Council of Ministers approving the staff recruitment plan of the Institutions of the Community;

RECALLING paragraph 45 (xii) of the report of the fifty-seventh session of the Council of Ministers by which a monthly allowance of two thousand dollars (\$2000) was

granted to the Speaker of the ECOWAS Parliament to cover the cost of support services for his office in his home State.

CONVINCED of the need to provide the ECOWAS Parliament and its Speaker with additional resources, and to that effect, increase the amount of the monthly allowance indicated above;

UPON THE RECOMMENDATION of the second meeting of the Administration and Finance Committee, held in Abuja from 26 November to 3 December 2007;

ENACTS

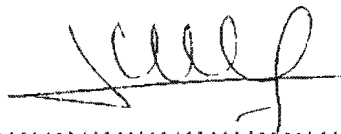
Article 1:

A monthly allowance of three thousand United States dollars ((\$3000) is hereby allocated to the Speaker of the ECOWAS Parliament in replacement of the two thousand US Dollars (US\$2000) previously allocated to cater for his support staff in his country of residence.

Article 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.19/12/07 RELATING TO THE INCREASE OF STANDING COMMITTEES OF THE ECOWAS PARLIAMENT

THE COUNCIL OF MINISTERS

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

MINDFUL of Article 13 of the Treaty on the ECOWAS Parliament;

MINDFUL of Protocol A/P2/8/94 relating to the ECOWAS Parliament and more specifically, Article 10 of the Protocol which makes provision for an allowance to be paid to the members of the ECOWAS Parliament;

MINDFUL of Regulation C/REG.3/06/06 relating to the operation, the structure and administrative and financial management of the ECOWAS Parliament;

CONSIDERING the assessment of the human and operational needs of the ECOWAS Parliament by an Ad Hoc Committee which recommended an increase in its standing committees;

CONVINCED of the need for the Parliament to have a sufficient number of standing committees to be responsible for all aspects of regional integration and to enable it to give relevant advice to the Community authorities;

WISHING to make the ECOWAS Parliament more efficient and, in this context, provide it with adequate resources;

ON THE RECOMMENDATION of the Administration and Finance Committee, meeting in Abuja from 26 to 3 December 2007;

ENACTS

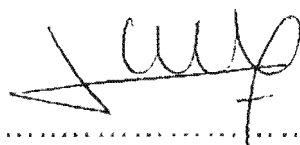
Article 1:

An increase in the number of Standing Committees at the ECOWAS Parliament is hereby authorized. The number of these Committees is henceforth increased to 13.

Article 2

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.20/12/07 ADOPTING THE 2005 AUDITED FINANCIAL STATEMENTS OF THE ECOWAS EXECUTIVE SECRETARIAT

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 75 of the Treaty appointing the External Auditors of the ECOWAS Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS, as amended by Regulation C/REG.2/12/95 ;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm «Deloitte and Touche, Côte d'Ivoire» as the External Auditors of the Community Institutions;

MINDFUL of the contract between ECOWAS and the firm, « Deloitte et Touche, Côte d'Ivoire, » signed on 1 April 2006 relating to the conditions under which the services of the External Auditors of the Community Institutions shall be provided;

AFTER CONSIDERING the report of the firm, « Deloitte and Touche, Côte d'Ivoire », on the 2005 financial statements of the ECOWAS Executive Secretariat;

ON THE RECOMMENDATION of the seventh meeting of the Audit Committee, held in Abuja from 26 to 27 July 2007;

- 2 -

ENACTS

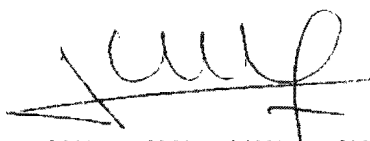
ARTICLE 1:

The audited financial statements of the ECOWAS Executive Secretariat for 2005 is hereby adopted.

ARTICLE 2:

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATE-CESSOUMA

CHAIRPERSON

FOR COUNCIL



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.21/12/07 ADOPTING THE 2005 AUDITED FINANCIAL STATEMENTS OF THE ECOWAS PARLIAMENT

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty as amended in June 2006, establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 75 of the Treaty appointing the External Auditors of ECOWAS Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS, as amended by Regulation C/REG.2/12/95 ;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm «Deloitte and Touche, Côte d'Ivoire» as the External Auditors of the Community Institutions;

MINDFUL of the contract between ECOWAS and the firm, « Deloitte and Touche, Côte d'Ivoire », signed on 1 April 2006 relating to the conditions under which the services of the External Auditors of the Community Institutions shall be provided;

AFTER CONSIDERING the report of the firm, « Deloitte and Touche, Côte d'Ivoire », on the 2005 and 2006 financial statements of the ECOWAS Parliament;

ON THE RECOMMENDATION of the seventh meeting of the Audit Committee, held in Abuja from 26 to 27 July 2007;





COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.22/12/07 ADOPTING THE 2005 AUDITED FINANCIAL STATEMENTS OF THE WEST AFRICAN HEALTH ORGANISATION (WAHO)

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 75 of the Treaty appointing the External Auditors of the Institutions of ECOWAS;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS, as amended by Regulation C/REG.2/12/95 ;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm «Deloitte and Touche, Côte d'Ivoire» as the External Auditors of the Institutions of the Community;

MINDFUL of the contract between ECOWAS and the firm, « Deloitte and Touche, Côte d'Ivoire », signed on 1 April 2006 relating to the conditions under which the services of the External Auditors of the Community Institutions shall be provided;

AFTER CONSIDERING the report of the firm, « Deloitte et Touche, Côte d'Ivoire, on the 2005 financial statements of the West African Health Organisation;

ON THE RECOMMENDATION of the seventh meeting of the Audit Committee, held in Abuja from 26 to 27 July 2007;

ENACTS

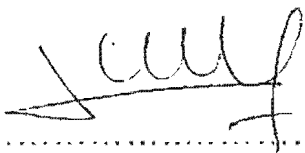
ARTICLE 1:

The audited financial statements of the West African Health Organisation for 2005 is hereby adopted.

ARTICLE 2:

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H. E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
of the Council of Ministers**

Ouagadougou 14th -15th December 2007

**REGULATION C/REG.23/12/07 ADOPTING THE RULES OF PROCEDURE
OF THE COMMUNITY JUDICIAL COUNCIL**

THE COUNCIL OF MINISTERS,

Mindful of Articles 10, 11 and 12 of the ECOWAS Treaty as amended, relating to the Council of Ministers and defining its composition and functions;

Mindful of Supplementary Protocol A/SP2/6/06 amending some provisions of the Protocol relating to the Community Court of Justice and in particular those of Articles 3,4, and 7 of the Protocol;

Mindful of Decision A/DEC./2/6/06 establishing a Community Judicial Council;

Considering the need to endow the Community Judicial Council with rules to assist it to short-list applications, interview candidates during the recruitment of judges for the Community Court of Justice, and to ensure the judges observe a high moral value throughout their tenure;

Recalling the provision of the aforementioned decision that the Rules of Procedure of the Community Judicial Council shall focus on the frequency of its meetings, the offences that may be considered as breaches of discipline, protective measures, the methods of investigating cases referred to it, the defence and protection of the interests of defendant judges;

Recalling also the provision of the Decision establishing the Community Judicial Council that the Rules of Procedure of this Council shall be adopted by the Council of Ministers on the recommendation of the President of the ECOWAS Commission;

ON THE PROPOSAL of the second meeting of the Supreme Chief Justices of Member States, held in Abuja on 13 and 14 September 2007;

ON THE RECOMMENDATION of the President of the ECOWAS Commission;

ENACTS

Article 1

The Rules of Procedure of the Community Judicial Council attached hereto are hereby adopted.

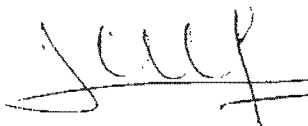
Article 2:

The President of the Commission shall notify the Rules of Procedure of the Community Judicial Council to the members of the Community Judicial Council and to the Community Court of Justice.

Article 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007.



.....
H.E. MRS. MINATA SAMATE CESSOUMA

CHAIRPERSON
FOR THE COUNCIL

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE DE
L'OUEST

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

RULES OF PROCEDURE OF THE COMMUNITY JUDICIAL COUNCIL

Chapter ONE

GENERAL PROVISIONS

RULE 1 : DEFINITIONS

For the purpose of these rules:

“Judicial Council”: means the Community Judicial Council established by DECISION A/DEC 02/06/ 06

“Commission”: means the ECOWAS Commission established by article 17 of the ECOWAS Treaty as amended by the Supplementary Protocol A/SP1/06/06;

“President of the Commission”: means President of the ECOWAS Commission under article 18 of the ECOWAS Treaty as amended by the Supplementary Protocol A/SP1/06/06 amending the said Treaty;

“Oldest member”: means the oldest member of the Judicial Council in terms of age.

“Bureau”: means the elected bureau of the Judicial Council as provided under Rule 8 paragraph 1 of the Rules of procedure of the Judicial Council of ECOWAS;

“Council”: means the Council of Ministers of the Community established by Article 10 of ECOWAS Treaty as amended by the Supplementary Protocol A/SP/ 1 /06/06;

“Authority”: means the Authority of Heads of State and Government established by Article 7 (1) of ECOWAS Treaty

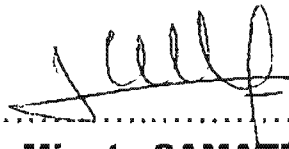
“Rules” means the present rules governing activities of the Judicial Council

“Court of Justice”: means the Community Court of Justice established by Articles 6 (b) and 15 of the Revised Treaty as amended by the Supplementary Protocol APSP/1/06/06.

ARTICLE 4

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL

3. The Judicial Council shall, through the Council formulate recommendations for the attention of the Authority in case of commission of a criminal offence by a judge of the Court of Justice;
4. The Judicial Council may make such recommendations as it deems necessary for improving the functioning of the Court of Justice;
5. The Judicial Council may further give its opinion or make recommendations on issues on which it is competent and which are submitted for its consideration by the President of the Commission, the Council or the Authority.

RULE 6: COMPOSITION OF THE JUDICIAL COUNCIL

1. In carrying out the functions stated in Rule 5 of these Rules, the Judicial Council shall be composed of the Chief Justices of the Supreme Courts of Member States or their representatives to whom the positions of Judge have not been allocated.
2. For disciplinary matters or in case of inability of Judges of the Court to carry out duties due to physical or mental incapacitation, the Judicial Council shall be composed of the Chief Justices of the Supreme Courts or their representatives from the Member States, whose nationals are not members of the Court of Justice, and a representative of this Court elected by his peers for one year.
3. Representatives of the Chief Justices of the Supreme Courts shall be judges from the Supreme Courts. They shall participate in the Judicial Council's deliberations only if they have a written authorization from the Chief Justice of the Supreme Court.
4. The Judicial Council shall be composed of the Chief Justices of the Supreme Courts or their representatives from all ECOWAS Member-States whenever it is required to formulate the recommendations stipulated in Rule 5 (4) of these Rules.

**RULE 7: CHANGE IN MEMBERSHIP OF THE JUDICIAL COUNCIL
AND ITS BUREAU**

1. Members of the Judicial Council shall change as soon as judges' posts are allocated to Member States, any time new judges are appointed to the Court of Justice, and where there is an election of a new representative of the Court of Justice.

2. The President and Vice-President of the Judicial Council shall be elected any time there is a change in membership of the Judicial Council.
3. In case of vacancy of the Chairs of the Judicial Council as a result of resignation, death or any other cause, the Council shall elect a new President or a new Vice-President within one (1) month following the occurrence of the aforesaid event.

RULE 8: CHAIR OF THE JUDICIAL COUNCIL

The Judicial Council shall be chaired by a President.

RULE 9: BUREAU OF THE JUDICIAL COUNCIL: COMPOSITION

1. The Bureau of the Judicial Council shall be composed of a President, a Vice-President and a Rapporteur who shall be elected by their peers on a simple majority of the members of the Judicial Council present and voting.
2. The Bureau of the Judicial council shall be reconstituted at least fifteen (15) days prior to the expiry of the tenure of its members.

RULE 10: ELECTION OF THE BUREAU OF THE JUDICIAL COUNCIL

1. After the inauguration of the Judicial Council, the oldest among the members of the Council, shall convene a meeting of the Judicial Council to elect the bureau.
2. A provisional Bureau shall be set up in that regard. This Bureau shall comprise a President who shall be the oldest member, and a Session Secretary, who shall be the youngest member.
3. The election of the President, the Vice-President and the Rapporteur of the Judicial Council shall be held at the same session, in the presence of all Judicial Council members as provided in Rule 6 (1) and (2) of these Rules.
4. Only members of the Judicial Council shall vote at the election of the Bureau. Members who are neither present nor represented at the meeting shall not vote.
5. Two election supervisors, chosen by casting lots, shall count the ballots. Blank or spoilt ballot papers shall not be counted. The oldest member of the Judicial Council shall announce the results, which shall be recorded in

a report signed by the President, Session Secretary and the two election supervisors.

6. The President of the Judicial Council shall notify the President of the Commission and the Chairman/Chairperson of the Council of the membership of the Bureau.

RULE 11: FUNCTIONS OF THE PRESIDENT OF THE JUDICIAL COUNCIL

1. The President of the Judicial Council, after consultation with the other members of the Judicial Council, shall convene the meetings of the Council, as provided in Rule 6 (1) and (2) of these Rules, and shall inform the President of the Court of Justice thereof.
2. The President of the Judicial Council shall ensure order at the meetings of the Judicial Council.
3. The President of the Judicial Council may, as and when necessary, resort to external consultants, other bodies and ECOWAS structures such as the Audit Committee, Financial Controller or Medical Board to assist the Judicial Council. The fees and honorariums incurred in the application of this measure shall be borne by the Community budget.

RULE 12: FUNCTIONS OF THE VICE PRESIDENT OF THE JUDICIAL COUNCIL

1. The Vice-President shall deputize for the President in his/her absence or indisposition. In case of a vacancy in the office of the President, the Vice-President shall act as President pending the election of a new President.
2. The President may delegate any of his/her functions to the Vice-President.

RULE 13: FUNCTIONS OF THE RAPPORTEUR

The Rapporteur shall record the proceedings, the recommendations and reports of the Judicial Council and submit same for signature as stipulated in Rule 37 of these Rules.

RULE 14: FINANCING THE ACTIVITIES OF THE JUDICIAL COUNCIL

The funds required for the functioning of the Judicial Council shall be included in the ECOWAS Commission budget. The Judicial Council shall, in that regard, prepare budget estimates for transmission to the President of the Commission.

Chapter 3

RECRUITMENT OF JUDGES:

**ALLOCATION OF VACANT POSITIONS OF JUDGE AND
SELECTION PROCEDURE**

RULE 15: APPOINTMENT TO VACANT POSITIONS

The President of the Commission shall report to the Authority, vacancies of positions of Judge in the Court of Justice through the Council and request that such vacant positions be allocated to Member States by the Authority.

RULE 16: VACANCY ADVERTISEMENT

1. Member States to which vacant posts of judge have been allocated shall ensure wide publicity of such positions as well as transparency and competitiveness with a view to enlisting candidates from their most qualified nationals.
2. Judges of the Court of Justice shall be chosen from among people of high morals, possessing the requisite qualifications to occupy judicial positions in the Supreme Court or in a Court of similar category, or who are Legal Advisers of acclaimed competence in international law, especially in Community law or regional integration law. Furthermore, candidates for the position of judge in the Court of Justice must have had at least twenty (20) years professional experience.

RULE 17: SHORT LISTING OF CANDIDATES

1. The Judicial Council with membership as indicated in paragraph 1, Rule 6, of these Rules shall set up a Committee made up of three (3) of its members and chaired by the President of the Judicial Council to assess the candidates and short-list three (3) candidates by country, from the

nationals of the Member States to which the positions of Judge have been allocated.

2. After the short-listing exercise, the aforesaid Committee shall prepare a report together with a summary document providing information on the identity of the candidates whose applications were received by the Judicial Council, their dates of birth, nationality, qualifications and experience. The candidates shall be listed in the summary sheet in alphabetical order by country. Also to be attached to the report shall be a copy of the vacancy advertisement made by the countries to which the positions have been allocated. The report shall also contain an analysis of the particulars of the candidates assessed and shall state the criteria used in justifying the short list made by the Committee.
3. The Judicial Council, composed of the Chief Justices of the Supreme Courts or their representatives, of the Member States to which no posts of judge of the Court of Justice has been allocated, shall consider the report of the Committee referred to in paragraph 1 of this rule, deliberate and short-list the candidates to be interviewed.
4. The Judicial Council may request for additional information on the candidates from the relevant agency/agencies in Member States which would be of assistance in the shortlisting process.

RULES 18: PREPARATIONS FOR INTERVIEW OF CANDIDATES

The President of the Judicial Council, in consultation with the other members of the Judicial Council and with the President of the Commission, shall set the date and venue for the interview of short-listed candidates. He/she shall request the President of the Commission to inform the candidates as soon as possible, and issue notices inviting them for interview, taking all the other measures to ensure their effective presence, as well as that of the other members of the Judicial Council, at the interview.

RULE 19: ORDER OF APPEARANCE OF CANDIDATES

The order of appearance of the candidates before the Community Judicial Council for the interview shall be as presented in the summary sheet referred to in Rule 17 (2) above.

**RULE 20: CRITERIA FOR APPRAISAL OF CANDIDATES
PERFORMANCE**

1. To appraise performance during the interview, each candidate shall be asked two categories of questions, namely: technical questions and general knowledge questions.
2. The questions shall be picked by lot by the candidates.
3. Each candidate shall be asked five (5) technical questions and three (3) general questions.
4. The technical and general knowledge questions are designed to ascertain the candidate's level of knowledge or legal experience, his legal culture, capacity to judge, abilities, virtues, talents and grasp of issues relating to ethics and code of conduct of judges.

**RULE 21: APPRAISAL OF THE PERFORMANCE OF CANDIDATES AND
DELIBERATION**

1. Each member of the Judicial Council shall be invited by the President to make a brief appraisal of the performance of each candidate and award a mark for the answer given to each question. The President of the Judicial Council shall sum up the points scored by each candidate by adding up the marks of all the Judicial Council members and then working out the average obtained by each candidate. The President of the Judicial Council shall then grade the candidates and announce their recommendations for the appointment of the judges.
2. In appraising their performance during the interview, account shall be taken of the candidates' answers to the questions, and of their comportment.

RULE 22: SYSTEM OF RATING THE CANDIDATES

1. In evaluating the candidates during the interview, the Judicial Council shall take due account of the following criteria and rating:
 - i. Professional qualification - 30 points
 - ii. Experience - 25 points
 - iii. Performance during the interview - 40 points
 - iv. Language - 5 points
2. The qualification criterion shall be rated as follows:
 - i. Bachelor of Laws (LLB) degree or its equivalent - 20 points
 - ii. Masters or equivalent degree - 22 points
 - iii. Doctorate or equivalent degree - 27 points
 - iv. Additional qualification in the speciality - 3 points
3. The experience criterion shall be rated as follows:
 - i. Candidate with the minimum years required in the relevant area - 20 points
 - ii. Thereafter, one (1) point for every two (2) years of experience up to a maximum (twenty-five) 25 points
4. Periods of study courses shall be taken into account in the relevant area while the periods of study for a higher degree shall not be taken into account.
5. The language criterion shall be rated as follows:
 - i. zero (0) - where the candidate has no knowledge of the two other working languages of the Community;
 - ii. From zero (0) to one (1) point – where the candidate is able to answer simple questions;

- iii. From one (1) to three (3) points - where the candidate is able to express himself/herself, read and write without knowledge of the use of technical language;
- iv. From three (3) to five (5) points - where the candidate is able to read, write and express himself/herself fluently.

RULE 23: AVERAGE REQUIRED

- 1. For a candidate to be recommended for appointment to a post of judge, he/she must have scored at least an average of seventy (70) points.
- 2. If no candidate attains the required mark, the position(s) shall be re-advertised.

Chapter 4

DISCIPLINARY PROCEEDINGS:

**PROCEDURES FOR THE IMPLEMENTATION, ADDUCEMENT OF
PROOF AND EXERCISE OF THE RIGHT OF DEFENCE**

**RULE 24: REFERRAL TO THE JUDICIAL COUNCIL IN DISCIPLINARY
MATTERS**

- 1. Referrals may be made to the Judicial Council by any person or corporate entity, ECOWAS Institutions or Member States, for complaints or acts likely to attract disciplinary proceedings against a judge. The Judicial Council may also initiate proceedings where such allegations are brought to its knowledge.
- 2. Complaints or accusations shall be forwarded to the President of the Judicial Council through the President of ECOWAS Commission.
- 3. The President of the Judicial Council shall enter into the necessary consultation with the other members of the Judicial Council and, if need be, request the President of the Commission to convene a meeting of the Judicial Council.
- 4. The President of the Judicial Council shall inform the Court of Justice about the meeting of the Judicial Council.

5. The proceedings of the Judicial Council shall be written.

RULE 25: DISCIPLINARY MISCONDUCT

1. Any breach, on the part of a judge, of the propriety of his profession, honour, discretion or dignity of the function, shall constitute a disciplinary offence liable to disciplinary proceedings against such judge.
2. Any of the following shall among others constitute a misconduct liable to application of the sanctions listed in Rule 33 paragraph 1 of these Rules, namely, where a judge:
 - i makes insulting utterances, puts up an insulting behaviour or is guilty of immoderate language or insults in his/her writings to colleagues or to judicial officials;
 - ii. deliberately exceeds his/her jurisdiction as conferred on him/her in the texts relating to the Court or resulting from the organisational hierarchy of this Institution;
 - iii. incites colleagues and staff members to disobedience;
 - iv. absents himself/herself from duty despite the refusal of the President of the Court to grant him/her permission;.
 - v. abstains without valid reasons, from setting the dates of hearings within a reasonable time-frame or unduly prolongs deliberations or neglects to write rulings.
3. The following shall amongst others constitute a misconduct liable to the sanctions prescribed under paragraph 2 of Rule 33 of these Rules where the judge:
 - i. divulges secrets of pre-judgement deliberations or other confidential information;
 - ii. makes communications to, or divulges confidential information to the media when these relate to on-going cases;
 - iii. is found wanting in his/her moral comportment, probity and obligation to be honest;
 - iv. accepts a favour or payment incompatible with his obligations and duties to the Community;

- v. commits misappropriation, theft or abuse of trust or is found guilty of fraud or corruption harmful to the Community;
 - vi. assaults another judge, members of staff, judicial officials or other persons;
 - vii. deserts his/her post;
 - viii. commits a fresh offence within one year of the application against him/her of the sanctions stipulated in paragraph 1 of Rule 33 of these Rules.
4. In case of desertion of post, the procedure laid down by the relevant provisions of the Staff Regulations of the Community Institutions shall be initiated, prior to any other action.
 5. The gravity of the offence shall be appraised in relation to the circumstances surrounding the acts, where they were committed, and the repetitive nature of the offence.

**RULE 26: IMMUNITY AND EXEMPTION FROM PROCEEDINGS
AGAINST THE JUDGE**

1. Disciplinary proceedings shall not be instituted against a judge of the Court of Justice for reasons of the content of the judicial decisions taken within the purview of his/her authority.
2. A judge of the Court of Justice may not be held responsible for any breach of discipline if, at the time of the acts that motivated the proceedings, he/she was suffering from an emotional or neuropsychic disorder or a particularly serious incapacitating disorder that impaired his/her discernment or control of his/her acts.
3. Changes in the judge's state of health as described in paragraph 2 of this Rule shall be confirmed by the ECOWAS Medical Board. Such change must be sufficiently serious and proven to justify the exemption from disciplinary proceedings.

**RULE 27: NOTIFICATION OF DISCIPLINARY PROCEEDINGS TO THE
JUDGE AGAINST WHOM AN ACCUSATION HAS BEEN
MADE**

Where the Judicial Council deems it necessary to institute disciplinary proceedings against a judge, it shall immediately notify the judge concerned, and indicate to him/her the allegations referred to the Judicial Council.

RULE 28: INSTITUTION OF THE DISCIPLINARY PROCEDURE

1. Where disciplinary proceedings are to be instituted against a judge, the President of the Judicial Council shall designate a Rapporteur from among the members of the Judicial Council and shall charge him/her with commencing the process.
2. The President of the Judicial Council shall inform the Rapporteur in writing indicating the allegations to be proved, and instructing him/her to conduct investigations.
3. The Rapporteur shall conduct all the relevant investigations. Where necessary, he/she shall hear the complainants and witnesses and any other person he/she may deem necessary to hear. He/she shall issue deadlines to the parties to produce their evidence.
4. The Rapporteur shall prepare a report for submission to the Judicial Council.
5. The evidence of the witnesses shall be heard under oath by the Rapporteur who shall prepare a record of proceedings thereon.
6. The President of the Judicial Council shall immediately communicate to the defendant the reports on the record of proceedings by the Rapporteur.
7. Where the defendant does not make his/her observations in writing within thirty (30) days from the date of notification of the evidence of witnesses, the Rapporteur shall carry on notwithstanding.
8. The report shall analyze the grounds of action raised and set out the issues to be settled. The report shall be communicated to the President of the Judicial Council who shall ensure, in full confidentiality, that the report is translated and transmitted to the other members of the Council.
9. In carrying out its functions, the Judicial Council may consult the Financial Controller, the ECOWAS Audit Committee or any other body.

RULE 29:**SUMMONING THE PARTIES AND WITNESSES**

Where the presence of the parties and witnesses becomes necessary for the smooth conduct of the proceedings, the President of the Judicial Council shall serve them summons by registered post with notification of receipt through the President of the Commission.

RULE 30:**APPEARANCE OF THE DEFENDANT JUDGE**

The defendant judge shall be bound to appear in person when summoned by the President of the Judicial Council or by the Rapporteur and may be assisted by a counsel of his choice. In case of duly justified illness or hindrance, he/she may be represented by a legal counsel.

RULE 31:**PROTECTING THE INTEREST OF THE DEFENDANT JUDGE**

1. In any procedure before the Judicial Council hearing a disciplinary matter, the parties may seek legal assistance. The counsel may file statements signed by the parties concerned.
2. At least thirty (30) days before his appearance before the Judicial Council, the defendant judge shall be entitled to receive his case file, all documents relating to the investigation, and the report prepared by the Rapporteur.
3. In the event that the defendant Judge is unable to prepare his/her defence before the time he/she is required to appear, he/she may upon good cause shown and not later than 10 days prior to his/her appearance apply to the Judicial Council for extension of time within which to adequately prepare his/her defence.
4. The legal counsel of the defendant judge, as well as the other parties, shall also be entitled to receive the documents referred to in paragraph 2 of Rule 31.
5. At the date appointed for the appearance, after the report has been read, the defendant judge shall be called upon to provide explanations and his/her grounds of defence on the allegations made against him/her. If the judge is assisted by a legal counsel, the latter shall be invited to present his/her submissions.
6. For it to be valid, the complaint from a natural or legal person must comprise the full name and precise address and signature of the complainant.

7. In matters of discipline, the Parties shall have the right to cross examination. Debates and deliberations shall be held in camera.
8. The judge suspended by virtue of Rule 32, paragraph 1, of these Rules shall automatically resume office where on expiry of a three (3) month period, a definitive decision on him has not been reached. The re-instatement thus made shall however not interrupt the disciplinary procedure;
9. The suspension of the judge under Rule 32, paragraph 1, of these Rules shall not include the deprivation of the right to salary and may not be made public.

RULE 32: PRECAUTIONARY MEASURES

1. Where a judge is the subject of disciplinary proceedings, the Judicial Council before which the matter is brought may recommend that the judge in question be suspended from exercising his/her functions for a period not exceeding three (3) months.
2. The suspension decision prescribed in paragraph 1 of this Rule shall be taken by the Chairman/Chairperson of the Authority acting on behalf of the Authority.
3. In case of an injurious act mainly due to a pathology, especially of an emotional or psychiatric nature, and where the urgency or interest of the public justice so demands, the Chairman/Chairperson of the Authority acting on the latter's behalf may, after seeking the opinion of the medical Board and on the recommendation of the Judicial Council, immediately suspend the judge in question provisionally, pending the definitive decision, in line with these Rules.
4. The Judicial Council shall seek the advice of the Medical Board on the reinstatement of the judge whose state of health has changed adversely. The Judicial Council shall then make the appropriate recommendation to the Authority as to reinstatement or otherwise. The Judicial Council may in that regard hear members of the Medical Board and the judge in question.

RULE 33: SCALE OF SANCTIONS

There shall be two levels of sanctions applicable to judges, namely; first-degree sanctions, and second-degree sanctions:

1. First degree sanctions

- i. Reprimand;
- ii. written warning;
- iii. Suspension without salary for a period not exceeding thirty (30) days.

2. Second degree sanctions

- i. Temporary suspension from work without salary for a period not exceeding three (3) months;
- ii. Summary dismissal with payment of separation allowance only.

RULE 34: NON CUMULATION OF DISCIPLINARY SANCTIONS

Where a judge is found culpable of several misconducts at the same time, he may be subject to only one of the sanctions prescribed in Rule 33 of these Rules.

Chapter 5

**ACTS OF THE JUDICIAL COUNCIL:
LEGAL SYSTEM AND ADOPTION**

RULE 35: FORM OF THE ACTS OF THE JUDICIAL COUNCIL

- 1. The Acts of the Judicial Council established during the short listing and after the interview of the candidates for the post of judge at the Court of Justice shall take the form of reports. The reports shall be transmitted by the President of the Commission to the Authority through the Council.
- 2. In disciplinary matters, the Judicial Council shall put forward recommendations for the attention of the Authority through the President of the Commission.
- 3. The recommendations mentioned in paragraph 2 of this Rule shall indicate the references of legal texts applied the justification for the

recommendations and the solution proposed. They shall further contain an indication of the members who attended the session during which such recommendations were made.

RULE 36: PROCEDURE FOR ADOPTION OF RECOMMENDATIONS AND REPORTS

The recommendations and reports of the Judicial Council shall be transmitted as soon as possible to the President of the Commission who shall forward them immediately to the Authority and subsequently submit them to the next ordinary session of the Authority or to an extraordinary session, for consideration.

RULE 37: AUTHENTICATION OF THE RECORD OF PROCEEDINGS, RECOMMENDATIONS AND REPORTS

The record of proceedings, recommendations and reports of the Judicial Council shall be authenticated by the signatures of the President and the Rapporteur of the Judicial Council.

RULE 38: CORRECTION OF MATERIAL ERRORS IN THE RECOMMENDATIONS OR IN THE REPORTS

1. Any interested party may bring before the Judicial Council a request for the correction of a material error observed in the recommendation or report of the Judicial Council.
2. The request must be addressed to the President of the Judicial Council through the President of the Commission.
3. Where the Judicial Council observes that one of its recommendations or its reports contains a material error, it may automatically correct it and make all the relevant amendments.

RULE 39: **EXECUTION OF DECISIONS ARISING FROM THE
RECOMMENDATIONS AND REPORTS**

The Council, the President of the Commission and the President of the Court of Justice shall be responsible each in its own capacity, for the execution of decisions taken by the Authority after considering the recommendations or report of the Judicial Council.

Chapter 6

**RELATIONS BETWEEN THE JUDICIAL COUNCIL AND THE
ECOWAS COMMISSION**

RULE 40: **ECOWAS COMMISSION SUPPORT TO THE OPERATION OF
THE JUDICIAL COUNCIL**

1. The ECOWAS Commission shall serve as the Secretariat for the Judicial Council. In that regard, it shall:
 - i. convene the meetings of the Judicial Council at the request of its President;
 - ii. immediately transmit complaints or accusations addressed to the President of the Judicial Council;
 - iii. publish vacancy notices in those States to which the positions of judge have been allocated at the request of the President of the Judicial Council;
 - iv. at the request of the President of the Judicial Council, invite the short-listed candidates to attend interview for the positions.
 - v. transmit the recommendations of the Judicial Council to the Authority through the Council;
 - vi. notify Member States and the parties concerned of the decisions of the Authority further to the recommendations of the Judicial Council,
 - vii. incorporate the Judicial Council's draft budget in its own budget;
 - viii. organize the Judicial Council meetings and working sessions and, in that regard, provide the necessary logistics;

- ix. ensure the preservation of the archives of the Judicial Council;
- x. carry out such other tasks needed for the smooth functioning of the Judicial Council as may be required by its President.

Chapter 7

PROCEDURE FOR DELIBERATIONS

RULE 41: QUORUM FOR PROCEEDINGS

1. For deliberations to be valid, the Judicial Council in each of its memberships mentioned in Rule 6 (1) and (2) of these Rules must comprise at least half the number of its members, plus one.
2. Where the quorum defined in paragraph 1 of this Rule is not attained, notes on the proceedings shall be prepared and signed by the session President and the Rapporteur indicating the lack of quorum. In such an event, the meeting shall be adjourned to another date.
3. At the reconvened date, the meeting shall proceed notwithstanding a lack of quorum and the proceedings thereof shall be deemed valid.
4. The recommendations and reports of the Judicial Council shall be adopted by a simple majority of the members.
5. Only members of the Judicial Council who took part in the hearings conducted by the Council during a disciplinary procedure or who took part in the recruitment interviews of judges shall take part in the deliberations leading to recommendations.

RULE 42 : POINTS OF ORDER

1. During the debates of the Judicial Council, any member may raise a point of order on any issue. The President of the Judicial Council, in keeping with these Rules, shall immediately give a ruling on the said point of order.
2. The member concerned may appeal against the President's ruling. The appeal shall immediately be put to the vote. The decision on this issue shall be taken by simple majority.
3. The member concerned may not, in his/her statement, tackle the substance of the question under discussion.

RULE 43: ORDER OF PROCEDURAL MOTIONS

Subject to the provisions on Point of order, the following motions shall be given priority, in the order indicated hereafter, over all the other proposals or motions presented:

- i. suspension of the meeting;
- ii. closure of the meeting;
- iii. adjournment of debates on the issue under discussion;
- iv. closure of debates on the issue under discussion.

RULE 44: LIST OF SPEAKERS AND TAKING OF THE FLOOR

1. During the debates, the President of the Judicial Council shall give the floor to speakers in the order in which they indicate their intention to speak.
2. No member of the Judicial Council shall take the floor without the consent of the President.
3. During the debates, the President may:
 - i. read out the list of speakers registered and declare the list closed;
 - ii. call to order any speaker whose intervention wanders from the issue under discussion;
 - iii. grant a right of reply to one of the Council members where, in his view, a statement made after the closure of the list of speakers justifies such right to a reply;
 - iv. limit the floor time granted each member, regardless of the type of issue under discussion.

RULE 45: CLOSURE OF DEBATES

Where an issue has been sufficiently debated, any member of the Judicial Council may request the closure of debate on the issue. In addition to the author of the motion of closure, two members may briefly take the floor to second the motion and two others to oppose it. Immediately thereafter, the President of the Judicial Council shall put the motion to the vote.

RULE 46: ADJOURNMENT OF DEBATE

During debate on an issue, any member of the Judicial Council may move for adjournment. In addition to the author of the motion for adjournment, any Member State may take the floor to second the motion, and another to oppose it. Immediately thereafter, the President of the Judicial Council shall put the motion to the vote.

RULE 47: SUSPENSION OR ADJOURNMENT OF THE SESSION

During debate on any issue, any member of the Judicial Council may move for suspension or adjournment. No debate shall be authorized on motions in that regard, which shall immediately be put to the vote by the President of the Judicial Council.

RULE 48: VOTING RIGHTS

Where the Judicial Council examines an issue, its decision shall be made through voting, and each member shall have one vote.

RULE 49: VOTING ON RECOMMENDATIONS AND REPORTS

After the closure of the debates, the President of the Judicial Council shall immediately put the recommendation or report to the vote, as well as all related amendments. Voting may not be interrupted on a point of order concerning the manner of the voting.

RULE 50: VOTING ON AMENDMENTS

1. A proposal shall be considered as an amendment to a recommendation where it is aimed at adding to it or deleting some parts, or modifying the text.
2. Where a proposal is the subject of an amendment, it shall first be put to the vote. Where a proposal is the subject of two or more amendments, the Judicial Council shall first vote on the one that is most removed from the initial proposal as far as the substance is concerned, and then on the one which, after the first amendment, is next most removed from the proposal, and so on until all the amendments have been put to the vote.

3. Where one or several amendments are adopted, the proposal(s) thus adopted shall be put to the vote. If no amendment is adopted, the proposal shall be put to the vote in its initial form.

RULE 51: VOTING ON VARIOUS PARTS OF AN AMENDMENT

The parts of an amendment shall be subject to a special vote if the request thereof is made. In that case, the entire text of the recommendation resulting from a series of votes shall be put to the vote. Where all the parts of the operative part of an amendment are rejected, the amendment shall be deemed rejected in its entirety.

RULE 52: VOTING METHOD

On substantive issues, the voting shall be by secret ballot. On non-substantive issues, it shall be by a show of hands.

RULE 53: WORKING LANGUAGES

The working languages of the Judicial Council shall be English, French and Portuguese.

Chapter 8

FINAL PROVISIONS

RULE 54: PRESERVATION OF FILES

The ECOWAS Commission shall ensure that the originals of all documents in the disciplinary dossiers and those for the recruitment of judges transmitted to it by the President of the Judicial Council are preserved.

RULE 55: AMENDMENT OF THE RULES

1. The provisions of these Rules may be supplemented or amended by the Council on the proposal of the Member States, the ECOWAS Commission, the Judicial Council, and the Court of Justice.

2. The amendment proposals shall be submitted to the President of the ECOWAS Commission who shall communicate them to the Member States, members of the Judicial Council and the Court of Justice not later than thirty (30) days after receiving them. The Judicial Council shall examine the amendment proposals after a period of three (3) months granted to the Member States and the Court of Justice, and submit recommendations to the Council for their adoption.

RULE 56: ADOPTION, PUBLICATION AND ENTRY INTO FORCE

These Rules shall be adopted by the Council, published in the Official Journal of the Community, and shall come into force upon publication.



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14 – 15 December 2007

REGULATION C/REG.24/12/07 RELATING TO THE ESTABLISHMENT OF A SPECIALISED UNIT IN THE ECOWAS COMMISSION FOR THE CREATION OF THE REGIONAL AGENCY FOR ACCESS TO ENERGY SERVICES

THE COUNCIL OF THE MINISTERS,

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

MINDFUL of Article 19 (c) of the said Treaty of ECOWAS which provides for the convening of meetings of sectoral Ministers for the consideration of sectoral issues that contribute to the achievement of the objectives of the Community;

MINDFUL OF Article 28 of the Treaty of ECOWAS relating to the promotion, cooperation, integration and development of the energy projects and sectors of the Member States of the Community;

MINDFUL OF Decision A/DEC.3/5/82 relating to the ECOWAS Energy Policy;

MINDFUL OF Decision A/DEC.5/12/99 relating to the development of the West African Power Pool (WAPP);

MINDFUL OF Decision A/DEC.2/12/03 relating to the European Initiative on Energy for Poverty Eradication and Sustainable Development, revising the Regional PRSP to ensure that energy programmes are included in programmes eligible under the EDF, and the review of National PRSP Programmes to ensure that the energy aspect is incorporated into priority programmes eligible under the European Development Fund (EDF);

MINDFUL OF Decision A/DEC.3/12/03 relating to the Regional Rural Electrification Programme;

MINDFUL OF Decision A/DEC.24/01/06 relating to the ECOWAS/UEMOA Regional Policy on Access to Energy Services for Populations in Rural and Peri-urban Areas for Poverty Reduction and the achievement of the MDGs in Member States;

AWARE of the challenges member States face in securing the well-being of their peoples and achieving the Millennium Development Goals (MDGs) by 2015, especially halving poverty and increasing access to basic social services;

CONSIDERING the need to respond to the objectives of the NEPAD Action Plan, to which the Investment Programme of the Regional Policy on Access to Energy Services aims to contribute;

AWARE of the mandate given to the ECOWAS Commission by Decision A/DEC.24/01/06 to undertake preparatory activities for the implementation of the Regional Action Plan, as per the Regional Implementation Strategy, both defined in the Regional Policy on Access to Energy Services;

AWARE of the fact that the Implementation Strategy relies in particular on the idea of the creation of a Regional Agency for Access to Energy Services (RAAES);

CONSIDERING the RAAES study carried out by the ECOWAS Commission with the financial support of the Partnership Dialogue Facility (European Commission) and the UNDP, which on completion, recommended the establishment in the long run, of a Regional Agency for Access to Energy Services (RAAES);

ON THE RECOMMENDATION OF the 8th Eighth Meeting of ECOWAS Ministers of Energy held in Lomé, the Togolese Republic on 16 November 2007;

RTICLE 1

A Specialised Unit is hereby set up in the ECOWAS Commission for the creation of a **Regional Agency for Access to Energy Services (RAAES)**, in accordance with the implementation strategy of the Regional Plan of Action.

ARTICLE 2

This **Specialised Unit** shall work towards meeting the necessary conditions defined in the roadmap for the effective establishment of the Agency, in particular by deepening collaboration with Member States, National and Regional stakeholders and development partners, along the four lines of the Regional Plan of Action.

ARTICLE 3

The ECOWAS Commission shall strengthen the technical partnership with **UNDP**, by **relocating the technical experts** on the programme to the Specialised Unit.

ARTICLE 4

The ECOWAS Commission shall mobilise the necessary funds for the establishment of the RAAES from development partners and regional financial institutions.

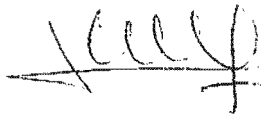
ARTICLE 5

The ECOWAS Commission shall develop an institutional capacity building programme for the implementation of the White Paper in order to support the Agency set-up process.

ARTICLE 6

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairperson of the Council of Ministers. It shall also be published by each Member State in its Official Gazette within the same timeframe.

DONE IN OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



.....
H.E. MRS. MINATA SAMATE CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
of the Council of Ministers**

Ouagadougou 14th -15th December 2007

**REGULATION C/REG.25/12/07 APPOINTING DR. CARDOSO PLACIDO
MONTERO AS THE DIRECTOR-GENERAL OF THE WEST AFRICAN
HEALTH ORGANISATION (WAHO).**

THE COUNCIL OF MINISTERS,

Mindful of Articles 10, 11 and 12 of the ECOWAS Treaty as amended, establishing the Council of Ministers and defining its composition and function;

Mindful of Protocol A/P.2/7/87 as amended, establishing the West African Health Organisation (WAHO) as a specialised institution of ECOWAS and as the single health organisation for the sub-region;

Mindful of Article IX of the aforementioned Protocol on the appointment of a Director-General and a Deputy Director-General to steer the affairs of WAHO;

Mindful of Article 18 of the ECOWAS Treaty as amended by Supplementary Protocol A/SP.1/06/06 of 14 June 2006 and relating to the appointment of Statutory Appointees of Community Institutions;

Recalling that the tenure of the current Director-General of WAHO expires on the 24th February 2008 and that a new Director-General would have to be appointed in order to avoid a vacuum in that position and thus ensure continuity in the management of the affairs of WAHO;

Recalling also the Supplementary Act A/SA.2/06/07 Allocating the Post of the Director General of WAHO to the Republic of Guinea Bissau;

Also recalling Decision A/Dec.3/7/91 relating to the selection and evaluation of the Performance of Statutory Appointees of the Community undertaken by the Ad-hoc Ministerial Committee set up for that purpose;

ON THE RECOMMENDATION of the Eleventh Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Ouagadougou from 10-12 December 2007;

ENACTS

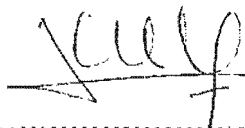
Article 1

Dr. Cardoso Placido MONTERO is hereby appointed as the Director-General of the West African Health Organisation (WAHO) for a non-renewable term of four (4) years with effect from the date of assumption of duty.

Article 2

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

Done at Ouagadougou, this 15th Day of December 2007.



.....
H. E. Mme Minata SAMATE CESSOUMA

**CHAIRPERSON
FOR THE COUNCIL**



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
of the Council of Ministers**

Ouagadougou 14th -15th December 2007

**REGULATION C/REG.26/12/07 APPOINTING DR. JEANETTA KOYA
JOHNSON AS 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 as amended, establishing the Council of Ministers and defining its composition and function;

Mindful of Protocol A/P.2/7/87 as amended, establishing the West African Health Organisation (WAHO) as a specialised institution of ECOWAS and as the single health organisation for the sub-region;

Mindful of Article IX of the aforementioned Protocol on the appointment of a Director-General and a Deputy Director-General to steer the affairs of WAHO;

Mindful of Article 18 of the ECOWAS Treaty as amended by Supplementary Protocol A/SP.1/06/06 of 14 June 2006 and relating to the appointment of Statutory Appointees of Community Institutions;

Recalling that the tenure of the current Deputy Director-General of WAHO expires on the 1st March 2008 and that a new Deputy Director-General would have to be appointed in order to avoid a vacuum in that position and thus ensure continuity in the management of the affairs of WAHO;

Recalling also the Supplementary Act A/SA.2/06/07 Allocating the Post of the Director General of WAHO to the Republic of Guinea Bissau;

Also recalling Decision A/Dec.3/7/91 relating to the selection and evaluation of the Performance of Statutory Appointees of the Community undertaken by the Ad-hoc Ministerial Committee set up for that purpose;

ON THE RECOMMENDATION of the Eleventh Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Ouagadougou from 10-12 December 2007;

ENACTS

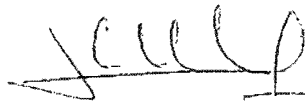
Article 1

Dr. Jeanetta Koya JOHNSON is hereby appointed as the Deputy Director-General of the West African Health Organisation (WAHO) for a non-renewable term of four (4) years with effect from the date of assumption of duty.

Article 2

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

Done at Ouagadougou, this 15th Day of December 2007.



H.E. Mme Minata SAMATE CESSOUMA

**CHAIRPERSON
FOR THE COUNCIL**



FIFTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Ouagadougou, 14 – 15 December 2007

REGULATION C/REG.27/12/07 ON THE COMPOSITION, ORGANISATION, FUNCTIONS AND OPERATION OF THE ECOWAS REGIONAL ELECTRICITY REGULATORY AUTHORITY (ERERA)

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 3 of the ECOWAS Treaty stating the orientations of Community actions for the achievement of its aims and objectives;

MINDFUL of Articles 26, 28, and 55 of the ECOWAS Treaty relating to the promotion, cooperation, integration and development of energy projects and sectors of the Member States of the Community;

MINDFUL of Protocol A/P.1/7/91 of 6 July 1991 relating to the Community Court of Justice;

MINDFUL of Protocol A/P2/8/94 of 6 August 1994 relating to the Community Parliament;

MINDFUL of Protocol A/P4/1/03 of 31 January 2003, hereafter referred to as the « ECOWAS Energy Protocol » establishing the legal framework intended to promote long-term cooperation in the energy sector within the ECOWAS region, and based on complementarities and mutual benefits with a view to achieving increased investment in the energy sector and increased energy trade in the West African region;

MINDFUL of Article 31 (n) of the Energy Protocol requesting the Meeting of Energy Ministers of ECOWAS Member States to establish regulatory bodies for energy systems, programmes and projects;

MINDFUL of Supplementary Protocol A/SP1/1/05 of 19 January 2005 amending the Protocol relating to the Community Court of Justice;

MINDFUL of Protocol A/SP.1/06/06 of 14 June 2006 amending the Revised Treaty of ECOWAS;

MINDFUL of Protocol A/SP2/06/06 of 14 June 2006 amending the Protocol relating to the Court of Justice;

MINDFUL of Protocol A/SP3/06 of 14 June 2006 amending Protocol A/P2/8/94 relating to the Community Parliament;

MINDFUL of Supplementary Act A/SA.../12/07 establishing the ECOWAS Regional Electricity Regulatory Authority (ERERA);

MINDFUL of Decision A/DEC.5/12/99 of 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 6/01/05 of 19 January 2005 relating to the development of a regional regulatory framework for the power sector within ECOWAS as a prelude to the establishment of a Regional Regulation Body, and requesting the ECOWAS Executive Secretariat to take necessary measures for setting up this regulatory framework;

MINDFUL of Decision A/DEC.1/06/06 of 14 June 2006 relating to the Commission of the Economic Community of West African States (ECOWAS);

CONSIDERING Resolution n°3 dated 5 April 2002 of the WAPP Steering Committee composed of the Energy Ministers of ECOWAS Member States, relating to the creation of a Regional Regulatory Body and the development of a legal and regulatory framework for the West African Power Pool;

RECOGNISING that the creation of a Regional Regulatory Body has amongst others the principal objective of establishing an attractive environment for investors and developing cross-border power pooling within the ECOWAS power sector;

CONVINCED of the need to promote a regional approach to cross-border power pooling and to monitor the institutional and technical harmonisation of national electricity structures within ECOWAS in order to organise the regional electricity market and to create favourable conditions for investment and capacity development in Member States;

AWARE that the Power Sector Regional Regulatory Body constitutes a necessary condition for the implementation, supervision and control of cross-border exchanges;

DESIROUS to effectively build the regional electricity market, and to that effect, provide the regional electricity regulatory authority with necessary powers and an efficient system of organisation and operation;

ON THE RECOMMENDATION of the eighth meeting of the Energy Ministers of ECOWAS Member States, held in Lomé on 16 November 2007;

ENACTS:

CHAPTER I: ORGANISATION OF ERERA

Article 1: Composition of the Regulatory Council

The Regulatory Council shall be composed of five (5) members, one of who shall be the Chairman, subject to the transitional provisions of article 39 of this Regulation.

Article 2: Governing Board of ERERA

ERERA shall be governed by a decision-making and managerial body called the Regulatory Council. The Regulatory Council shall be vested with all the necessary powers for the accomplishment of the missions assigned to it by this Regulation.

Article 3: Functions of the Regulatory Council

1. The Regulatory Council shall define the general policy of ERERA and take regulatory decisions. It shall have responsibility on the administration of ERERA and the supervision of its activities;
2. The Regulatory Council shall decide the development policy of ERERA;
3. The Regulatory Council shall adopt the annual programme of activities of ERERA and notifies the President of the Commission thereof;
4. The Regulatory Council shall carry out the exercise referred to in article 9 of this Regulation;
5. The Regulatory Council shall order and approve investigations, control measures and audits;
6. The Regulatory Council shall define and adopt the organogram, internal regulation of ERERA, its internal, financial, accounting, human resource

management procedures, the remuneration and benefits of the staff of ERERA;

7. The Regulatory Council shall prepare and adopt the annual budget as well as the financial statements of ERERA in accordance with article 38 of this Regulation;
8. The Regulatory Council shall employ the personnel of ERERA, within the provisions of the ECOWAS Personnel Regulation, the laws of the host country and the powers vested in it,
9. The Regulatory Council shall recruit and dismiss all agents and employees of ERERA. It shall determine their remuneration, allowances and other employment and retirement conditions in accordance with these provisions of this Act and the internal regulations of ERERA. It shall assign staff members to the various technical and administrative positions of the Council. It shall be empowered with disciplinary powers over them.
10. The Regulatory Council shall approve purchases, contracts and conventions related to the operations of ERERA. It shall take loans strictly within budgetary limits and in accordance with the provisions of this Regulation;
11. The Regulatory Council shall not later than the month of May of each year, prepare an annual report of the activities of ERERA during the preceding year, and circulate as specify in article 18.7.g of this Regulation;
12. The Regulatory Council shall authorize the participation of ERERA in any association, group or professional organizations whose activities are related to its missions.

Article 4: Tenure of Regulatory Council Members

Regulatory Council members shall be appointed for a non-renewable tenure of five (5) years and they shall serve on full-time basis.

Article 5: Appointment of Members of the Regulatory Council

1. The Regulatory Council Members shall be appointed based on their moral integrity, skill, expertise, legal, technical, economic and financial qualifications. They shall have at least ten (10) years of experience in electricity generation, transmission, distribution or sale and/or experience in the fields of regulation, law, accounting, economics, finance or administration.
2. The Chairman of the Regulatory Council shall have occupied a high level managerial position in his previous functions.

3. The Regulatory Council members shall be citizens of ECOWAS Member States, exercise their civil and political rights and shall have a clean criminal record.
4. The Regulatory Council Members shall be recruited under the supervision of the ECOWAS Commission, assisted by an independent and reputable recruitment agency.

Article 6: Dismissal- Resignation - Vacancies

1. The tenure of Members of the Regulatory Council shall not be interrupted before its expiry except on grounds of negligence, serious misconduct or conviction of criminal offence.
2. The decision for dismissal shall be taken by the Council of Ministers based on the recommendation of the Meeting of Energy Ministers.
3. In the case of resignation, death or dismissal, a Member of the Regulatory Council shall be replaced under the conditions stipulated in Articles 4 and 5 of this Regulation.
4. Whenever a vacancy occurs in the Regulatory Council, the Chairman of the Regulatory Council shall notify, in writing, the ECOWAS Commission, which shall immediately initiate the replacement process.

Article 7: Status of Members of the Regulatory Council

1. In accordance with the provisions of Article 88 of the Revised Treaty of ECOWAS, Members of the Regulatory Council shall enjoy, for action taken in the exercise of their duties, on the territory of ECOWAS Member States, the immunities provided for in the General Convention on Privileges and Immunities of ECOWAS, and any other agreement entered into between ECOWAS and the host country.
2. They shall not be sued, declared wanted, arrested or tried as a result of acts performed, measures taken or opinions or votes cast in the exercise of their duties.

Article 8. Independence of Members of the Regulatory Council

1. The Members of the Regulatory Council shall have full independence to exercise their mandate for the accomplishment of the missions entrusted to them. Consequently, they shall not solicit, accept or receive any instruction from any Government, company, public or private organization or any ECOWAS institution.

2. Member States and others institutions in the ECOWAS region shall respect their independence in the exercise of their duties.

Article 9: Professional confidentiality/secretcy

1. The Members of the Regulatory Council shall strictly adhere to professional confidentiality regarding information, fact, act and/or awareness, which they obtained knowledge of, in the course of their duties, during their tenure and thereafter without limit to the duration.
2. The Members of the Regulatory Council shall ensure adherence to this rule by all staff members of ERERA.
3. Members of the Regulatory Council shall take decisions collectively and shall be obliged to keep their deliberations confidential.
4. During their duties, no Member of the Regulatory Council shall consult, deliberate, take a decision or a public stance on any issue that is pending or will be submitted before the Regulatory Council.

Article 10: Conflict of Interest

1. The functions of a Regulatory Council Member shall be incompatible with any other elected mandate or any public or private employment, paid or otherwise, in a Member State and any professional activity remunerated or otherwise;
2. A Regulatory Council Member shall not directly or indirectly, perform duties or receive payment, nor shall he retain an interest in any enterprise operating in the Power Sector, or in any other enterprise whose activities are affiliated to the sector.
3. Where a Regulatory Council Member has performed an activity, accepted an employment or an elected mandate, which is incompatible with their duties as a Council Member or in breach of the obligations defined in the first and second sub-section of this Act, during his mandate, the Regulatory Council member shall be dismissed following due process, after consultation with the Regulatory Council, without prejudice to legal prosecution.
4. For a period of one (1) year following the expiry of their mandate, The Regulatory Council Members shall be prohibited from taking or having any direct or indirect interests, from occupying a paid or unpaid employment, offering their services or enjoying any form of remuneration from an enterprise operating in the power sector. Consequently as compensation for this obligation, they shall be granted an indemnity which is equivalent to 12 months of their remuneration at the expiration of their mandate, except in

cases of dismissal, resignation or contravention of the provisions of this Regulation.

Article 11: Oath of Office

On assumption of office, at the session of the Council of Ministers, each Member of the Regulatory Council shall take an oath, which shall be administered by the President of the Community Court of Justice. By this oath, the Member of the Regulatory Council shall pledge to observe the obligations of independence, integrity, honesty, reserve and neutrality inherent in the exercise of his duties.

Article 12: Remuneration

1. The Regulatory Council Members shall be remunerated on full time basis by ERERA.
2. Their remuneration shall be determined by the Council of Ministers who shall be guided by the levels of remuneration of Statutory Appointees of ECOWAS.

Article 13: Chairmanship of the Regulatory Council

1. The Chairman of the Regulatory Council shall be appointed by the Council of Ministers, in accordance with article 5 of this Regulation. He shall be a statutory appointee, as defined by the provisions of the ECOWAS Staff Rules and Regulations.
2. In the absence of the Chairman, the Regulatory Council shall elect one of its members as interim Chairman, for a period not exceeding six (6) months.
3. In the event of an absence of more than five (5) months, an interim Council Chairman shall be appointed, within one month, in accordance with the provisions of articles 5 and 13.2 of this Regulation.
4. The delegated member shall perform the functions of the Chairman in the interim until the appointment of the new Chairman.

Article 14: Functions of the Council Chairman

1. The Chairman shall represent the Regulatory Council in all activities and shall represent ERERA in any case of law.
2. The Chairman shall organise and coordinate the activities of ERERA.

3. The Chairman shall set the agenda, convene and preside over Council sessions.
4. The Chairman of the Regulatory Council shall be the authorising officer of ERERA.

Article 15: Staff of ERERA

The Regulatory Council shall be assisted in its functions by technical and administrative staff.

1. Categories of Staff

ERERA shall have two categories of staff:

- a) international staff composed of the Regulatory Council Members, professional technical staff made up of agents and experts recruited through a call for application organised by the Regulatory Council on the basis of an open and competitive selection process conducted by independent recruitment agency and supervised by the ECOWAS Commission. Without prejudice to the provisions of this Regulation, international staff shall be subjected to the Staff Regulation of ECOWAS.
- b) local administrative staff recruited and appointed by the Regulatory Council shall not benefit from any privilege and diplomatic immunity or tax and customs exemptions and shall be subject to the provisions of the work legislations of the country hosting the headquarters of ERERA and the regulations governing its staff.

2. Qualifications and Staff Management

All staff of ERERA shall have a profile corresponding to the post, as defined in the organisational chart adopted by the Council.

3. Staff Obligations

Staff members of ERERA shall comply with the provisions of article 9 of this Act concerning professional confidentiality and the provisions of article 10 concerning conflict of interest.

CHAPTER III: MISSIONS, POWERS AND FUNCTIONS

Article 16: Missions of EREDA

1. EREDA shall have the overall mission to:
 - a) regulate the cross-border power pooling among ECOWAS Member States,
 - b) oversee the implementation of the necessary conditions to ensure rationalization and reliability, and
 - c) contribute to setting up a regulatory and economic environment suitable for the development of the regional market.
2. EREDA shall also oversee compliance with the principle of freedom of electricity transit in accordance with the provisions of article 7 of the Energy Protocol and the establishment of a clear, transparent and predictable tariff setting methodology for regional power pooling.
3. EREDA shall be responsible for the technical regulation of regional power pooling and the monitoring of regional market operations such as:
 - a) respect of technical and commercial regulations and more especially the conditions for access to the interconnected transmission network, entry of operators into the market, and development of transmission infrastructure;
 - b) prevention and sanction for anti-competitive practices, abuse of dominant position and conditions that could affect the proper operation of the regional market;
 - c) monitoring of technical, commercial and financial performances of electricity companies ;
 - d) determination and compliance to tariff rules on access, network utilization and ancillary services.
4. EREDA shall assist the ECOWAS Commission in defining the strategic direction of the regional policy and the harmonization of policies, legislations and regulation of national power sectors. It shall also give an opinion on draft acts of ECOWAS Commission relating to electricity sector.
5. It shall establish effective dispute resolution procedures between regional power market players and control its proper application.
6. EREDA shall maintain partnership relations with national regulatory authorities in Member States and provide them with technical advice and assistance at their request;
7. EREDA shall ensure that there is proper communication among the various actors of the sector and shall advise those who so request.

Article 17: Powers of EREDA

1. EREDA shall have the power to:
 - a) enact, set, specify or interpret technical and commercial rules on cross-border power pooling, through the transmission network, between ECOWAS Member States, in accordance with the provisions of the Revised Treaty, the Energy Protocol, rules and directives given by competent ECOWAS institutions;
 - b) make any recommendation to various regional or national participants in the ECOWAS power sector, in pursuit of the objectives and missions assigned to it by this Regulation;
 - c) authorize, approve and control the activities of various participants in the regional power market in accordance with the provisions of article 10.2 of this Regulation ;
 - d) initiate investigations, carry out audits, and enforce any necessary Injunction or measure to conserve or safeguard and sanction breaches and violation of established rules on cross-border power pooling such defined in point a above; and
 - e) resolve disputes between participants on any issues that have been submitted before it concerning litigation or behaviours affecting the organization or functioning of cross-border power pooling.
2. For the exercise of its prerogatives, EREDA shall have the powers to do the following:
 - a) Enact regulations having the aim of specifying community regulation on cross-border power pooling. These regulations shall have the same binding force as the executive acts from which they are derived. They shall apply to all players in the regional power market.
 - b) Give opinions or recommendations internally generated or requested by regional or national participants of the power market. Such recommendations shall only be an opinion.
 - c) Make decisions on mediation, conciliation or dispute resolutions submitted before it, observed defaults or violations in the case of sanction. Without prejudice to the provisions of articles 26 to 31 of this Regulation, these decisions shall be binding upon their subjects.

Article 18: **Functions of ERERA**

1. Within the framework of the ECOWAS power sector policy, ERERA shall, in regulating cross border power pooling within the region:
 - a) advice the ECOWAS Commission on all issues relating to the regional policy and structure of the regional market;
 - b) assist the ECOWAS Commission in the harmonisation of national policies and supervision of the application of the provisions of article 43 of the Energy Protocol relating to energy efficiency;

2. In the technical regulation of cross border power pooling

ERERA shall:

- a) oversee conformity of national rules and regulations with the community law, inform ECOWAS of deviation of Member States from community rules ;
- b) approve technical rules for the functioning and access to the regional power transmission network ;
- c) oversee the application and respect of technical rules and norms applicable to the regional power market;
- d) periodically evaluate the application of standards and propose their improvements to the Commission ;
- e) disseminate technical information on network management to all participants ;
- f) sanction defaulting operators in case of non-compliance with applicable regulation.

3. In the management of the regional market

ERERA shall:

- a) ensure the application of the provisions of article 7 of the Energy Protocol relating to power transit;
- b) ensure the application of community directives on the organization of the regional market ;
- c) supervise the drafting and approve the rules for the functioning of the regional market;
- d) draft and assist in the adoption by Member States, of harmonised criteria for the granting of licenses and authorisations for participants in the regional market;
- e) approve applications for authorizations or licenses to participate in the regional market, proposed by national regulatory authorities;
- f) ensure a non-discriminatory access to the regional electricity transmission network and approve network access protocols ;

- g) ensure the development of a suitable environment for the emergence of private regional operators ;
- h) ensure proper functioning of the market by enforcing compliance to technical and commercial rules ;
- i) supervise, in collaboration with national regulators, the application of the principles of accounts separation and transparency implemented by electricity companies; ERERA shall ensure that these rules, perimeters and principles do not permit any discrimination, cross subsidies or market distortion ;
- j) prevent and/or sanction defaulters of anti competitive practices, abuse of dominant position and all other violations of market operation rules or license or authorization contracts, and possibly initiate a process to enforce compliance in case of non-execution of a sanction;
- k) request and access reports from network managers and make any recommendation within its area of competence;
- l) carry out periodical benchmarking of operators and an assessment of their technical and financial viability.

4. In planning regional market development

ERERA shall:

- a) contribute to the optimal management and development of power resources, to the demand side management, to the competitiveness of economic activity and to the control of future choices of technology;
- b) review and give its opinion on the Master Plan proposed by WAPP for the development of regional infrastructure;
- c) approve the selection criteria of operators involved in the development of regional electricity infrastructure, in order to avoid any anti competitive practices;
- d) be consulted for any request for authorization for construction of additional lines to the regional transmission network, as defined in the master plan;
- e) ensure respect of the regional network development plan and propose solutions in case of deviations that are likely to influence the regional market.

5. In setting transmission and ancillary services tariffs

ERERA shall:

- a) set regulations on accounting rules for tariff structure and costs for transmission and ancillary services;
- b) approve tariff proposals emanating from operators;
- c) publish applicable tariff rates and oversee their application ;
- d) revise tariff and accounting rules for transmission costs and ancillary services costs through open consultation with stakeholders;
- e) periodically audit costs and transmission tariffs.

6. In dispute resolution

ERERA shall resolve disputes arising from the application or interpretation of this Regulation or any other Act relating to the regional market. It shall establish and publish rules and procedures for the resolution of disputes.

7. In information and audit

ERERA shall:

- a) organize a data collection and data management system on power pools and the performance of participants in the power sector, in collaboration with national regulators, WAPP, transmission network managers, market operators and other sub-regional and regional institutions;
- b) obtain information required for the exercise of its missions from the participants in the regional market. ERERA shall have access to the accounting records of participants operating in the regional market;
- c) specify by way of a regulation, the nature of information required and the method of collection or submission thereof;
- d) ensure the confidentiality of information according to its internal rules of procedure;
- e) subject to confidentiality rules, distribute relevant information on market operations to the ECOWAS Commission, national regulators and WAPP;
- f) carry out, when required, necessary audits in the execution of its missions;
- g) present an annual activity report to the President of the ECOWAS Commission.

Article 19: Principles governing regional market organisation

2.1 In order to promote infrastructural development and attract investments, the Signatory States agree that the organisation of the regional market of ECOWAS shall be based on the following principles:

- a) Unrestricted power pooling between Member States within a competitive framework;
 - b) Application of non discriminatory rules for power pooling and dispute resolution;
 - c) Protection and promotion of private investments;
 - d) Environmental protection and promotion of energy efficiency.
- 2.** In the application of these principles and taking into account the uneven level of development and the diversity in the organization of the power systems of Member States, the Signatory States to this Regulation shall encourage:
- a) interconnection of all Member States in the long run;
 - b) freedom of transit of electricity between Member States by ensuring non-discriminatory, transparent and fairly priced network access ;

- c) gradual introduction of an open and competitive regional wholesale power market;
 - d) adaptation of operational, safety and tariff rules for transmission of cross-border power pooling ;
 - e) harmonization of national market organization rules in conformity with the rules and principles defined in this Regulation;
 - f) the implementation of the principles of national treatment and "Most-favoured-nation" treatment in cross-border power pooling
 - g) gradual elimination of technical, administrative and other barriers to power pooling ;
 - h) prevention of market distortions and hindrances to competition within the power sector.
3. The Signatory States shall ensure that electricity companies are operated in accordance with the principles and rules of the Energy Protocol and this Regulation. In addition, they shall be obliged to prohibit:
- a) agreements, associations and concerted practices by and between companies, with the objective or having the effect of restricting or distorting competition within the Community;
 - b) any practices by one or several companies, resembling the abuse of a dominant position on the regional market or in a significant part thereof;
 - c) government assistance, which is likely to distort competition by favouring certain companies or activities in the regional power sector.
4. The details of the foregoing principles of organization of the regional power market shall be enunciated by way of directives from the Council of Ministers.

Article 20: Principles of the Regional Market Regulation

1. The Signatory States of this Regulation affirm that regional regulation of the West African power sector shall be based on the following principles:
- a) Independence from authorities, private interests and power sector participants;
 - b) Transparency in the regulatory process, through the drafting of rules and regulatory procedures according to a process involving institutional, national and regional participants;
 - c) Rationality, predictability, consistency and stability of the decisions and actions of ERERA;
 - d) Effectiveness and efficiency of regulatory actions through provision of adequate expertise to regional power sector participants and a quantitative and qualitative system of observation and information;
 - e) Collective decision-making by ERERA.

2. The Signatory States shall encourage regulation of the regional power market by establishing good contractual practices and cooperation among national regulatory authorities in cross-border power pooling.
3. A regional license allowing participants to operate on the regional market shall be created by a directive of the ECOWAS Commission harmonising the regional market.

CHAPTER III: OPERATION OF ERERA

Article 21: Sessions of the Regulatory Council of ERERA

1. Convening of sessions
 - a) The Regulatory Council shall meet at least once every month on the summons of the Chairman by letter, telex, fax, or electronic mail. The modalities of convening of sessions shall be defined in the rules of procedure.
 - b) The Regulatory Council shall hold ordinary sessions at the end of the first quarter of the financial year to approve the accounts of the preceding year and in the third quarter to adopt the budget of the next financial year.
 - c) The Regulatory Council may hold extraordinary sessions, either at the initiative of the Regulatory Council Chairman, or on the request of at least two (2) members, who shall specify the purpose of the meeting.
 - d) The Secretary to the Regulatory Council meetings shall be a member of the technical or professional personnel designated by the Council for the performance of such duties.
2. Quorum
 - a) The quorum for the Regulatory Council meetings shall be the presence of three (3) members. However, during the transitional period as defined by article 39 of this Regulation, this quorum shall be two (2) members.
 - b) Where this quorum is not attained, the Council shall newly convene the same order of business within a maximum period of five (5) days. The Regulatory Council shall then validly deliberate with the members present.
3. Deliberations
 - a) The decisions of the Regulatory Council shall be taken by majority vote of the members present. If the votes are equal, the Chairman shall have a casting vote.

- b) The minutes of meeting of the Regulatory Council shall be recorded by the secretary and signed by the Chairman and members present and shall be kept in a register kept at the Secretariat.
- c) These minutes shall mention the names of the members present, excused or absent. Copies and extracts of these minutes shall be certified true copies or extracts by the Chairman or two Regulatory Council Members in his absence as conforming to the original.

Article 22: Consultative Committees and Public Hearings

1. EREDA shall establish:
 - a) A consultative committee composed of representatives of national electricity regulators and representatives of national directorates responsible for the power sector;
 - b) A consultative committee composed of representatives of operators;
 - c) A consultative committee composed of representatives of ECOWAS electricity consumers.
2. EREDA shall organize an annual meeting with these committees to present its annual activity report and receive proposals on the improvement of the regional regulation process.
3. Where the need arises, EREDA shall establish other consultative committees, organize, if necessary, public hearings for consultation and receive proposals on the improvement of the regional regulation process.
4. The functions, operations and procedural rules of these committees, as well as the public hearings shall be specified in the rules of procedure EREDA, in accordance with article 24 of this Regulation.

Article 23: External Expertise

1. EREDA may use external experts and consultants in the accomplishment of its mission.
2. The recruitment of these experts and consultants shall be based on an open and competitive selection process.

ON THE RECOMMENDATION of the Eleventh Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Ouagadougou from 10-12 December 2007;

ENACTS

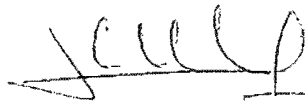
Article 1

Dr. Jeanetta Koya JOHNSON is hereby appointed as the Deputy Director-General of the West African Health Organisation (WAHO) for a non-renewable term of four (4) years with effect from the date of assumption of duty.

Article 2

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

Done at Ouagadougou, this 15th Day of December 2007.



H.E. Mme Minata SAMATE CESSOUMA

**CHAIRPERSON
FOR THE COUNCIL**

2. Upon receipt of a request, or information in respect of any violation within its area of competence of EREDA, the Chairman shall convene a meeting of the Regulatory Council for the purpose of determining the applicable procedure in accordance with its Rules of Procedure. The Regulatory Council shall, where necessary, publish the commencement of proceedings and notify directly the concerned parties and national regulators.
3. The Regulatory Council shall conduct the hearing for the parties and may solicit evidence or testimony from the public.
4. The Regulatory Council shall deliberate in closed-door sessions and make its decision.
5. The decision of the Regulatory Council shall be supported by appropriate evidence.
6. The deadline for decision making by the Regulatory Council on any case referred to it or initiated by it shall be prescribed in the rules of procedure.
7. Once a decision is made, interested parties shall immediately be notified of the decision, which shall be published in the Official Newsletter of EREDA and on its website.

Article 28: Enforcement of the Decisions of EREDA

1. Except in the case of an appeal before the ECOWAS Court of Justice, and in accordance with article 31 of this Regulation, decisions of EREDA shall be binding.
2. The decisions of EREDA shall be enforceable and binding on the parties. The decisions are final unless stayed or set aside by the ECOWAS Court of Justice.
3. In each Member State, the decisions of EREDA shall be enforced in accordance with the applicable rules of procedure.
4. Each Signatory State shall ensure the execution of decisions taken by EREDA. Where a State or any of its components fails or refuses to enforce the decisions taken, EREDA shall refer the matter to the ECOWAS Commission, which shall ensure the application of the provisions of the ECOWAS Treaty relating to sanctions applicable in the case of non respect of obligations.

CHAPTER VII: DISPUTE RESOLUTION, POWERS OF SANCTION AND APPEAL

Article 29: Dispute resolution

ERERA shall:

1. receive complaints on disputes concerning regional market operations and power pooling and shall investigate them;
2. organize the resolution of dispute relating thereto;
3. be vested with the mandate conferred on the ECOWAS Commission by article 7 of the Energy Protocol relating to power transit, and take all precautionary measures and/or settle any disputes relating to the application or interpretation of the said article;
4. without prejudice to the application of the provisions of the WAPP convention on settlement of dispute, receive disputes emanating from parties to these procedures, or other third parties whose rights, as recognized by the provisions of the applicable community regulation, were affected by these decisions;
5. establish rules for the public hearings and resolution of the disputes referred to it;
6. in accordance with the provisions of its rules of procedure, inform the ECOWAS Commission, WAPP, national regulators and any other interested participants having legitimate interest, of the disputes referred to it.

Article 30: Sanctions

1. Where the party in breach fails or refuses to comply with the decision of ERERA as duly notified, ERERA shall:
 - impose a fine; and/or
 - Suspend or revoke the operating licence or authorization of the defaulting operator.
2. ERERA shall, on its own or at the request of any actor in the power sector, impose sanction for any observed breaches or violations of community regulation on cross-border power pooling.
3. ERERA shall not take a decision unless notice has been given to the party in breach. The party shall have the right to consult the file and present its

defence by making written or oral representation either by themselves or through their counsel.

4. After a decision has been made, ERERA shall issue a formal notice in writing to the party in breach to comply with the rules.
5. The sanction shall be proportional to the gravity of the breach, the extent of economic damage, the situation of the party or the group to which the party belongs and the possible repetition of the prohibited practices. The sanction shall be determined individually for each party and shall include detailed justifications in support thereof.
6. The magnitude of the fine shall be dependent upon the benefit derived by the offending party from the violation and the provisions contained in the licences or authorizations held by it. Such monetary penalty, for each violation, shall not exceed 1% of the annual revenue realized by the perpetrator of the observed violation. This penalty shall be doubled in the event of recurrence.
7. The proceeds of such fines shall be deposited in a special fund. The Council of Ministers shall by regulation, specify the mode of management and utilisation of the fund within the regional sector.
8. The rules and levels of the sanctions shall be specified by a regulation of the Council of Ministers.

Article 31: Appeal

1. Appeals on questions of law on the regulations and decisions of ERERA shall be made to the ECOWAS Court of Justice within 30 days from the date of receipt of the notification of the decisions on individual acts or publication in the Official Newsletter.
2. The decision of the Court on any appeal shall be based on the legality and application of the provisions of Community legislations by ERERA.
3. Where the Court confirms the decisions of ERERA, such decisions shall be final and conclusive but where it is overruled, the Court shall order ERERA to re-examine the matter.
4. The appeals before the ECOWAS Court of Justice shall be conducted according to the rules of procedures defined in the various protocols relating to the Court of Justice.

CHAPTER VI: ACCOUNTING AND FINANCIAL PROVISIONS

Article 32: Financing of ERERA

1. ERERA shall have ordinary and extraordinary sources of funds.
2. The following shall be considered as the ordinary sources of funds:
 - a) annual fees levied on cross-border power pooling by electricity companies operating under a license, convention or authorization regime of cross-border power pooling as defined by this Regulation, the ECOWAS Energy Protocol and provisions of the convention, license or authorization referred to herein; and
 - b) charges for processing cases, inspection and supervision as well as procedural charges paid by West African power sector operators by virtue of ERERA rules.
3. The following shall be considered as extraordinary sources of funds:
 - a) loans;
 - b) subsidies from States and grants from public or private, national or international organizations; and
 - c) gifts and legacies,subject to the approval of the Regulatory Council.
4. The initial budget of ERERA shall be exclusively financed by an extraordinary budgetary allocation provided by the ECOWAS Commission and any other subsidies received from development partners.
5. The method of calculation of the annual fee shall be set by the Council of Ministers through a regulation, following a proposal by ERERA.
6. All charges and fees shall be collected directly from market operators, and such payments shall be deposited into a current account opened in the name of ERERA at a banking establishment situated at the location of its headquarters.
7. The ECOWAS Commission shall mobilize the necessary financing for the speedy establishment of the ECOWAS Regional Electricity Regulatory Authority (ERERA) and for the effective commencement of its activities.

Article 34: Budget of ERERA

1. The annual income and expenditure of ERERA shall be contained in the budget. The expenditures of ERERA shall comprise of operational expenses and costs of equipment in relation to its functions.
2. Subject to the provisions of article 3 of this Regulation, the Regulatory Council shall adopt the budget not later than two (2) months before the commencement of the financial year.
3. The budget shall be submitted for approval to the Council of Ministers through the ECOWAS Commission.

Article 35: Financial regulation of ERERA

1. Subject to the provisions of this Regulation, ERERA shall establish and implement internal financial regulations, consistent with ECOWAS financial regulations and principles.
2. The financial year of ERERA shall be from 1st January to 31st December.
3. At the end of each financial year, the Chairman of the Regulatory Council shall:
 - a) close the books of accounts and cause the accounting and allied books to be prepared;
 - b) establish a financial statement of transactions carried out within the financial year.
4. In the event of an operating surplus, the Regulatory Council shall place such surplus in a reserve for the purpose of financing future deficits or others activities. However this reserve shall not exceed 25% of the income from ordinary resources of the financial year. Any excess above this amount shall oblige the Council to reduce regulatory fees/charges in the subsequent year so as to bring the reserve to the authorized limit.
5. The external auditor of ECOWAS Institutions shall be responsible for auditing the ERERA accounts and shall submit a report thereon to the Council of Ministers through the Audit Committee.
6. The financial documents of ERERA shall be submitted to the external auditor within two (2) months after the closing of the financial year.

7. He shall certify the truth and accuracy of the accounting records of the financial year.
8. The staff of ERERA shall, without restriction or delay, furnish the external auditor with any records required by him in the performance of his audit.
9. The external auditor shall be held responsible by ERERA and third parties, for all damages, errors or negligence committed by him in the performance of his duties.
10. The external auditor may, on the invitation of the Chairman of the Regulatory Council, attend Council Meeting and participate in an advisory role.

Article 36: **Audit**

1. ERERA shall, every three (3) years, undertake an independent audit of its accounts, organization and procedures for the evaluation of its efficiency in relation to its missions. The ECOWAS Commission shall approve the terms of reference of such audit, proposed by the Regulatory Council. The audit shall be carried out by a reputable audit firm appointed by the Regulatory Council, after a transparent and competitive selection process, approved by the ECOWAS Commission.
2. The audit report shall be submitted through the ECOWAS Commission to the Council of Ministers.
3. The Authority of Heads of State and Government, the Council of Ministers or the Meeting of Energy Ministers shall have the power, at any moment, to investigate the administrative and financial management of the ERERA.

CHAPTER IX: FINAL PROVISIONS

Article 37: **Relations between ERERA and other regional and Sub-regional institutions**

1. In accordance with the provisions of articles 37.1 and 38 of the Energy Protocol, ERERA shall negotiate and conclude cooperation agreements with regional and sub-regional institutions, with which it shares related fields including investment, competition, arbitration and international trade.
2. These cooperation agreements shall have the objective of harmonizing and strengthening regulation of the regional market.

Article 38: Relations with Third Parties

1. ERERA shall negotiate agreements with operators outside ECOWAS, wishing to participate in the regional market, subject to the ECOWAS Treaty.
2. The relationship established and the rights and obligations emanating from such agreement shall be appropriate to the particular circumstances of the agreement, and shall not derogate from the provisions of this Regulation.

Article 39: Transitional provisions

1. The Council of Ministers shall appoint the Chairman of the Regulatory Council pursuant to article 15 of this Regulation.
2. The Council of Ministers shall, not later than twelve (12) months after the appointment of the Chairman, appoint two other Members of the Regulatory Council.
3. The Council of Ministers may appoint the fourth and fifth Members of the Council three (3) years after the assumption of duty of the Chairman.
4. Following his appointment, the Chairman of the Regulatory Council shall take all necessary measures and carry out all necessary administrative formalities to establish ERERA at its physical headquarters.
5. He shall authorize expenditures, organize the recruitment of technical and administrative staff and supervise the creation of the rules of procedure.

Article 40: Amendment and revision

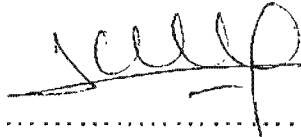
1. Any Member State may submit proposals for the amendment or revision of this Regulation.
2. Any such proposals for amendment or revision shall be submitted to the ECOWAS Commission, which shall notify other Member States thereof not later than thirty (30) days after the receipt of such proposals.
3. The amendments and revisions shall be adopted by the ECOWAS Council of Ministers after due consideration by the Meeting of Energy Ministers.

Article 41: Publication

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairman

of the Council of Ministers. It shall also be published by each Member State in its Official Gazette within the same time frame.

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
Of the Council of Ministers**

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.28/12/07 RELATING TO THE EXTENSION OF THE
ECOWAS PLAN OF ACTION ON THE FIGHT AGAINST TRAFFICKING IN
PERSONS (2008 – 2011)**

THE COUNCIL OF MINISTERS,

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

MINDFUL of the Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Peacekeeping and Security which relates to the maintenance of security and control of trans-border crime within the Community;

RECALLING the Declaration A/DCL.2/12/01 on the Fight Against Trafficking in Persons which was issued at the twenty-fifth Summit of the Authority in Dakar, December 2001, unequivocally condemning the offence of trafficking in persons and asserting the unacceptability of trade in human beings;

ALSO RECALLING the Initial Plan of Action on the fight against trafficking adopted for the sub region for the period 2002 – 2003 containing measures that address the deplorable phenomenon of trafficking in persons;

DEEPLY CONCERNED over the continued rise in the incidence of trafficking in persons within West African Sub-region and from our Member States to other parts of the World;

MINDFUL of the global fight against trafficking in persons and the United Nations Conventions on Transnational Organized Crime and the Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, and wishing to ensure that the West African sub-region remains a part of this global initiative;

RECOGNISING the ECOWAS Initial Plan of Action adopted in 2002 but extended up till 2007, as an effective tool for sub-regional cooperation and for the enhancement of Member States' individual and collective capacities to fight the offence of trafficking in human beings and establish protective measures against that offence;

DESIRING to extend the life of the aforesaid plan of Action on the Fight Against Trafficking in Persons from 2008-2011;

ON THE RECOMMENDATION of the Mediation and Security Council held in Ouagadougou on 13th November, 2007

ENACTS

Article 1

- i. The ECOWAS Plan of Action on the Fight Against Trafficking in Persons initially adopted in 2002 is hereby extended for continued implementation from 2008 – 2011.
- ii. The Plan of Action referred to in paragraph 'i' of this Article is attached to this Regulation.

Article 2

Member States shall give priority to enacting laws criminalizing trafficking in human beings in line with the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children.

Article 3

- i. Member States yet to establish National Task Forces on Trafficking in Persons should urgently through the appropriate legal means, establish National Task Forces on Trafficking in Persons that will be responsible for the development of national action plans against Trafficking in Persons.
- ii. Member States that have established National Task Force should put in place, appropriate measures to ensure that the National Task Force is strengthened in order to respond to emerging and evolving issues of Trafficking in Persons.

Article 4

Member States shall ensure the protection of victims of trafficking in persons through the development of a framework for the protection and rehabilitation of victims/witnesses of human trafficking.

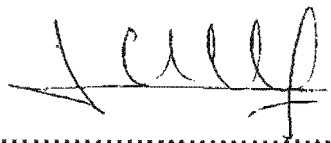
Article 5

The ECOWAS Commission shall intensify its efforts in sensitizing Member States on related implementation measures, in resource mobilization and also ensure that it plays effective supervisory role within the framework of its task as Coordinator.

Article 6

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of its signature by the Chairperson of the Council of Ministers. It shall also be published in the official Gazette of each Member State within the same time frame.

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATE CESSOUMA

CHAIRPERSON

FOR COUNCIL

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

**ECOWAS Plan of Action against Trafficking
in Persons (2008 – 2011)**

ECOWAS PLAN OF ACTION AGAINST TRAFFICKING IN PERSONS (2008 - 2011)

This document outlines the most urgent actions against trafficking in persons to be taken by ECOWAS Member States within the years 2008 – 2011, the focus will be on criminal justice responses, prevention of trafficking, care and protection of victims, and general measures to combat trafficking in persons in the West African sub-region.

The ECOWAS Plan of Action hereby formally incorporates the Joint ECOWAS/ECCAS Plan of Action to Combat Trafficking in Persons (2006-2009) and extends same for ECOWAS Member States to 2011.

Legal Framework and Policy Development

1. States who have not yet done so shall ratify forthwith and fully implement ECOWAS Convention A/P1/7/92 on Mutual Assistance in Criminal Matters and ECOWAS Convention A/P1/8/94 on Extradition.

Input:	National Government
Success indicator:	Conventions ratified
To be completed by:	as soon as possible, but not later than December 2008

2. States who have not yet done so shall sign, ratify, and fully implement the African Charter on the Rights and Welfare of the Child.

Input:	National Government
Success indicator:	Charter ratified
To be completed by:	as soon as possible, but not later than December 2009

3. States who have not yet done so, shall sign, ratify, and fully implement the United Nations Convention Against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention.

Input:	National Government, ODCCP/CICP
Success indicator:	Convention and Protocol ratified
To be completed by:	as soon as possible, but not later than December 2011.

4. States shall adopt laws criminalizing trafficking in human beings in line with United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children thereto.

Input: National Government
Success indicator: Criminal Code amended
To be completed by: December 2010

5. States shall adopt and implement the laws and administrative structures needed to support the provisions of United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, Supplementing the Convention, governing international cooperation and assistance in preventing, investigating and prosecuting cases of trafficking by organized criminal groups.

Input: National Government
Success indicator: Criminal Code amended
To be completed by: December 2011

6. States shall adopt legal provisions for the protection of victims of trafficking, and ensure that their domestic legal systems contain measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Input: National Government
Success indicator: Criminal and/or Civil Code and Procedures amended as appropriate
To be completed by: December 2009

7. States shall ensure that their laws and administrative practices provide information to victims about the status of relevant criminal and other legal proceedings and an opportunity to voice their views and concerns in a manner not prejudicial to the rights of the defense and that the status of any such proceedings are considered prior to any repatriation of the victim.

Input: National Government
Success indicator: Criminal and/or Civil Code and Procedures amended as appropriate
To be completed by: December 2009

8. States shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in their territory, temporarily or permanently, in appropriate cases; and shall give appropriate consideration to humanitarian and compassionate factors in the consideration of permitting victims of trafficking to remain in their territory.

Input: National Government
Success indicator: Immigration code and regulations amended

To be completed by: December 2010

9. States shall take responsibility for victims of trafficking in persons, who are their nationals, or persons with the right of permanent residence in their territory at the time of entry into the territory of the receiving State by facilitating and accepting, with due regard for the safety of such persons, the return of such persons without undue or unreasonable delay.

Input: National Government
Success indicator: Immigration and emigration regulations amended, system of repatriation established
To be completed by: December 2008

10. States shall take measures that permit the denial of entry into the country and/or the revocation of visas of persons wanted for the commission of crimes related to the trafficking in persons.

Input: National Government
Success indicator: Immigration and emigration regulations amended
To be completed by: December 2008

11. States shall establish a National Task Force on Trafficking in Persons that will bring together relevant Ministries and Agencies in developing policy and taking action against trafficking in persons, and calling on Inter-Government Organizations, Non-Governmental Organizations, and other representatives of Civil society, as necessary.

Input: National Government, Inter-Governmental Organizations, Non-Governmental Organizations and other representatives of civil society
Success indicator: National Task Force designated and operating
To be completed by: December 2008

12. The National Task Force designated by each State shall develop recommendations for a national plan of action against trafficking in persons. The National Task Force should also monitor and report through their government to the ECOWAS Commission on the progress of the implementation of this Initial Plan of Action.

Input: National Government, IGO'S, NGO'S and other groups
Success indicator: National Task Force completes preliminary draft of the national plan of action in 2002 and reports regularly to ECOWAS
To be completed by: December 2008/ongoing

13. The ECOWAS Trafficking in Persons Unit shall coordinate all anti-trafficking in persons activities in the sub-region and shall set standards for protection of victims , cooperation between states and other matters. The Unit shall also see to capacity building of the National Task Forces of Member States, monitoring and follow up of the Plan of Action in Member States.

Input: ECOWAS Secretariat and ECOWAS Member States
Success indicator: Unit operational, standards developed, capacity building activities held, cooperation fostered and monitoring and evaluation ongoing.
To be completed by: Unit operational and work ongoing

Protection and Support of Victims of Trafficking in Persons

1. States, in cooperation with NGO'S and other representatives of civil society as appropriate, shall take measures to create or develop the capacity of the reception centers where victims of trafficking in persons can be sheltered. These centers shall provide physical security, basic material assistance, medical care, and counseling and information to victims of trafficking, particularly on legal assistance, and reporting and filing complaints, taking into account the special needs and legal status of children.

Input: National Government (Ministers of Justice/Social Affairs), and local NGO'S; IGO'S and NGO'S for material support and expertise, as required.
Success indicator: Reception centers open and receiving clients
To be completed by: At least one center open in each country by June 2008.

2. States shall encourage victims of trafficking to testify in the investigation and prosecution of cases of trafficking in persons, by giving due consideration to the safety and security of victims and witnesses at all stages of legal proceedings, permitting them to remain in their territory.

Input: National Government (Ministers of Justice/Social Affairs), NGO'S, and other civil society groups
Success indicator: Relevant codes amended. Victim/ Witness protection available
To be completed by: Victim/Witness support program operational by June 2009

3. ECOWAS shall establish a fund for victims of trafficking. The fund shall be used in particular to provide support to States for the repatriation of victims of trafficking.

Input: ECOWAS Commission and National Government

Success indicator: ECOWAS fund for victims of trafficking established and minimum funding provided
To be completed by: June 2008

Prevention and Awareness Raising

1. States, in partnership with NGO'S, other civil society groups, and public and private media, shall develop and disseminate public awareness materials focusing on (a) raising public understanding that trafficking in persons is a crime, and (b) discouraging the demand that leads to trafficking, particularly by addressing those who might exploit victims of trafficking, for example as child domestics or farm laborers.

Input: Government social service agencies; Government media and public education agencies, media outlets, local NGO'S, international NGO'S and IGO'S, particularly IOM, ILO and UNICEF
Success indicator: Various types of awareness raising undertaken, including radio spots, broadcasts, newspaper
To be completed by: December 2008/ongoing

2. States, in partnership with NGO'S, other civil society groups, and public and private media, shall develop and implement public awareness campaigns aimed at potential victims of trafficking, using both traditional channels of information as well as the mass media. Such materials and activities should aim to raise the awareness of potential victims to the types of enticements and recruitment methods used by traffickers. Awareness campaigns should reflect local cultures and traditions and offer information in local languages. Initially, such campaigns should target vulnerable groups, particularly children likely to be trafficked within the sub-region for labour exploitation, and women and children likely to be trafficked for sexual exploitation internationally.

Input: Government social service agencies; Government media and public education agencies; Government and private education systems, media outlets, NGO'S and IGO'S, particularly IOM, ILO and UNICEF
Success indicator: Radio spots broadcast, leaflets distributed in majority of schools, as well as information campaigns addressing local communities and community leaders undertaken. Material support and expertise provided
To be completed by: December 2008/ongoing

3. States, NGO'S and other civil society groups, in consultation with the ECOWAS, shall prepare information materials concerning the practice and risks of trafficking in persons. Such materials shall, where appropriate, be disseminated to visa applicants, and distributed to any other part of the traveling public at international borders and on public transportation and carriers.

Input: Government diplomatic services, other relevant Government agencies, media and public education agencies, Government and private education systems, NGO'S; IGO'S particularly IOM, ILO and UNICEF

Success indicator: Materials available at embassies and consulates for distribution to visa applicants and others. Materials available for distribution at ports of entry and on carriers

To be completed by: December 2009

Collection, Exchange and Analysis of Information

1. States shall establish direct channels of communication between their border control agencies. They shall initiate or expand efforts to gather and analyze data on trafficking in persons, including on the means and methods used, on the situation, magnitude, nature, and economics of trafficking in persons, particularly of women and children. States shall share such information, as appropriate, within ECOWAS, and with law enforcement agencies and other agencies of countries of origin, transit and destination, as well as with the United Nations Center for International Crime Prevention and other relevant international organizations.

Input: National Government (Passport Offices and Immigration Agencies, Law Enforcement Agencies, Border Control Agencies, Social Service Agencies, National Statistical Offices), ODCCP/CICP, Interpol, and other relevant IGO'S

Success Indicator: Standardized formats for collection of information agreed and data collection procedures in place. Material support and data available

To be completed by: December 2009/ongoing till 2011

2. States with shared borders shall establish joint border patrols trained in the prevention of trafficking in persons. The ECOWAS Unit for the coordination of the efforts to combat trafficking in persons should facilitate, upon request, such coordination efforts.

Input: ECOWAS Commission, Government immigration and border control agencies

Success indicator: Joint border control established and staff trained

To be completed by: December 2008/ongoing till 2011

Specialization and Training

1. States shall create special units, within existing law enforcement structures, with a specific mandate to develop and effectively target operational activities to combat trafficking of persons. States shall also consider the establishment of joint investigation units.

ECONOMIC COMMUNITY OF WEST
AFRICAN STATES

COMUNIDADE DOS ESTADOS DA
AFRICA DO OESTE



COMMUNAUTE ECONOMIQUE DES
ETATS DE L'AFRIQUE DE L'OUEST

ECW/CM LIX/23

**FIFTY-NINTH ORDINARY SESSIONS OF THE ECOWAS
COUNCIL OF MINISTERS**

Ouagadougou, 14 - 15 December 2007

FINAL REPORT

Success indicator: Immigration regulations and code amended,
procedures in place
To be completed by: December 2010

2. States, at the request of another State, when presented with suspected cases of trafficking in persons, shall verify, within a reasonable time, the validity of travel and identity documents issued or purported to have been issued in their name and suspected of being used for trafficking of persons.

Input: National Government, Passport Offices Immigration
Agencies
Success indicator: Immigration codes and regulations amended,
procedures in place
To be completed by: January 2008/ongoing till 2011

3. States shall take such measures as may be necessary, within available means: (a) to ensure that the birth certificates and travel and identity documents, they issue are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated, or issued; and (b) to ensure the integrity and security of travel or identity documents they issue, and to prevent their unlawful creation, issuance, and use. In this regard, States shall implement Decision C/DEC.1/5/2000 signed in Abuja on 29th May 2000 relating to the Adoption of an ECOWAS Passport.

Input: Government immigration services and document
services, consular services, health services, law
enforcement agencies, the agencies and services of
other States, IGO'S, ODCCP/CICP, particularly
Interpol and law enforcement and other relevant
agencies of third countries
Success indicator: ECOWAS sub-regional meeting with relevant officials
and experts held on ways to improve integrity and
security of identity and travel documents
To be completed by: June 2008/ongoing till 2011

4. States shall encourage commercial carriers to take precautions against their means of transport being used in the trafficking of persons, and require, where appropriate and without prejudice to applicable international conventions, such carriers to ascertain that all passengers are in possession of travel documents required for entry into the receiving State. States shall further adopt provisions requiring that all documents for minors traveling alone be held for them by the carrier until they have reached their destination.

Input: Government transport regulation agencies,
immigration services, border control agencies, law
enforcement agencies, international IGO'S,

Appointees

- Communication expenses:
 - President of the Commission: No ceiling
 - Other Statutory Appointees: UA 6 702 per annum

76. On the administrative audit of the West African Health Organisation (WAHO), the Council of Ministers endorsed all the recommendations of the Audit Firm and of the Administration and Finance Committee.

77. Having been informed by the Audit Committee that a maximum deadline of one week with effect from Thursday 13th December 2007 was given to the out-going Director General of WAHO to respond in writing to the observations of the Audit Firm, the ECOWAS Council of Ministers directed the ECOWAS Commission to take all necessary steps, to guarantee the successful completion of the on-going investigation.

78. The Council of Ministers directed the Audit Committee to make available to the Chairman of Council, copy of the response from the Director General of WAHO.

79. Council adopted the draft budgets of the Institutions of the Community as recommended by the Administration and Finance Committee, totalling UA 141 049 434. The sources of funding for these budgets and the amounts allocated to each Institution are presented in the tables below:

TABLE 1: SUMMARY OF REVENUE OF THE BUDGETS OF THE INSTITUTIONS

Income	PROPOSAL by the institutions	PROPOSAL by the AFC	VARIATIONS	
	UA	UA	AMOUNTS	%
Community Levy	106 533 328	109 824 342	3 291 014	3%
Reserve Funds	2 068 968	4 548 968	2 480 000	12%
Contribution Arrears	2 423 749	2 723 749	300 000	12%
External Funding	23 271 416	23 271 416	0	0%
Miscellaneous	603 334	574 919	-28 415	-4.7%
TOTAL	134 900 795	140 943 394	6 042 599	4.5%

TABLE 2: SUMMARY OF EXPENDITURE OF THE BUDGETS OF THE INSTITUTIONS

Expenditure by Institution	PROPOSAL by the Institutions	PROPOSAL by the AFC	VARIATIONS	
	UA	UA	AMOUNTS	%
ECOWAS COMMISSION	97 980 021	105 197 189	7 217 168	7.36%
ECOWAS PARLIAMENT	10 183 989	10 183 989	0	0%
COMMUNITY COURT OF JUSTICE	8 989 615	8 949 015	-40 600	0.45%
WEST AFRICAN HEALTH ORGANISATION	12 208 308	12 211 047	2 739	0%
GIABA	5 538 862	4 402 154	-1 136 708	-20%
TOTAL	134 900 795	140 943 394	6 042 599	4.5%

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
Of the Council of Ministers**

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.29/12/07 ALLOCATING POSITIONS ON THE
ECOWAS/ECCAS JOINT PERMANENT REGIONAL MONITORING
COMMISSION ON THE FIGHT AGAINST TRAFFICKING IN PERSONS TO
MEMBER STATES OF ECOWAS.**

THE COUNCIL OF MINISTERS,

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

MINDFUL of the Protocol A/P/12/99 relating to the Mechanism for conflict Prevention, Management, Peacekeeping and Security which relates to the maintenance of security and the control of trans-border crime within the Community;

RECALLING the Declaration A/DCL.2/12/01 on the Fight Against Trafficking in Persons which was issued at the twenty-fifth Summit of the Authority in Dakar, December 2001, unequivocally condemning the offence of trafficking in persons and asserting the unacceptability of trade in human beings;

RECALLING the Initial Plan of Action on the fight against trafficking adopted for the sub region in 2002, that remained valid up till 2007 and which contained measures that address the deplorable phenomenon of trafficking in persons;

ALSO RECALLING the Resolution on the Fight Against Trafficking in Persons issued by the relevant Ministers of ECOWAS/ECCAS Member States on the 6th of July 2007, proclaiming their strong commitment to the eradication of trafficking in persons, especially women and children in West and Central Africa;

FURTHER RECALLING the Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, aimed at strengthening the collaboration between West and Central Africa on the fight against trafficking in persons;

RECOGNISING the ECOWAS/ECCAS Joint Plan of Action as an effective tool for bi-regional cooperation and for the enhancement of Member States individual and collective capacities to fight the offence of trafficking in human beings and establish protective measures against that offence;

DEEPLY CONCERNED about the trafficking flow between West and Central Africa and the increase in incidence of trafficking between West and Central Africa; encouraged by the establishment of a Joint Permanent Regional Monitoring Commission for ECOWAS and ECCAS set up to coordinate and monitor efforts by Member States of the two Regions in the fight against the traffic of human beings.

DESIRING to allocate positions on the ECOWAS/ECCAS Joint Permanent Regional Monitoring Commission on the fight against trafficking in persons to Member States of ECOWAS.

ON THE RECOMMENDATION of the Mediation and Security Council held in Ouagadougou on 13th of November 2007

ENACTS

Article 1

ECOWAS membership within the ECOWAS/ECCAS Joint Permanent Regional Monitoring Commission on the fight against trafficking in persons shall be allocated to the following Member States:- Benin, Cote d'Ivoire, Ghana and Nigeria

Article 2

- i. The tenure of the Joint Permanent Regional Monitoring Commission shall be as stipulated in Article 23 of the ECOWAS/ECCAS Multilateral Agreement. Its tenure shall be for a period of two (2) years.
- ii. In accordance with the provisions of the Multilateral Cooperation Agreement, the Joint Permanent Regional Monitoring Commission shall be responsible for the following:-
 - Following up and evaluating the activities conducted by the Contracting Parties within the framework of the implementation of the Agreement on the basis of annual reports,
 - Proposing approaches to the solutions of problems with which State Agencies in charge of child trafficking control may be confronted,

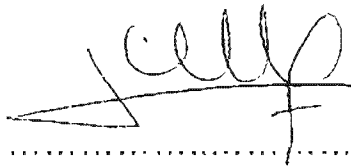
ARTICLE 2

1. An amount of **Four Million, Two Hundred and Twenty One Thousand, One Hundred and Thirty Three** Units of Account (**UA 4,221,133**) shall be derived from resources obtained from the Community Levy.
2. Another amount in the sum of **Nine Thousand** Units of Account (**UA 9,000**) shall be derived from other sources.
3. Additional amounts in the sum of **One Hundred and Seventy Two Thousand and Twenty One** Units of Account (**UA 172,021**) shall be derived from external funding.

ARTICLE 3

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.30/12/07 ON STATISTICAL AND COMPUTER PROTOCOL FOR OPERATIONALISING THE ECOWAS MULTILATERAL SURVEILLANCE MECHANISM DATABASE (ECOMAC)

MINDFUL of Articles 10, 11 and 12 of the Treaty of the Economic Community of West African States (ECOWAS) as amended establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC.2/7/87 of the Authority of Heads of State and Government relating to the adoption of an ECOWAS Monetary Cooperation Programme;

MINDFUL of Decision A/DEC.7/12/99 of the Authority of Heads of State and Government relating to the adoption of macroeconomic convergence criteria within the framework of the ECOWAS Monetary Cooperation Programme;

MINDFUL of Decision A/DEC.17/12/01 of the Authority of Heads of State and Government relating to the establishment of a Multilateral Surveillance Mechanism of ECOWAS Member States' economic and financial policies;

MINDFUL of Decision A/DEC.11/7/96 of the Authority of Heads of State and Government relating to the adoption of an ECOWAS Statistics Policy;

MINDFUL of articles 1, 2, 3, 4 and 5 of the Protocol on statistical data exchange between UEMOA Commission, WAMA, WAMI, AFRISTAT and ECOWAS Commission;

CONSCIOUS of the need for comparable economic data to guarantee the credibility of the ECOWAS Multilateral Surveillance Mechanism;

MINDFUL of the importance of the national coordinating committees (NCCs) for the implementation of the multilateral surveillance mechanism and the necessity for their effective functioning in all Member States;

CONSIDERING the recommendations by the workshops on the multilateral surveillance database (ECOMAC) held in Lome from 23 to 25 May 2006 and from 21 to 26 May 2007, respectively; and the meeting of sub-regional institutions on ECOMAC held in Lome from from 30 July to 3 August 2007;

ON THE RECOMMENDATION of the meeting of the ECOWAS Directors of Statistics (Commission on Trade, Customs, Taxation, Statistics, Money and Payments), duly extended to experts from ministry of finance and central bank, held in Abuja from 21st to 23rd November 2007.

ENACTS

ARTICLE 1: Definitions

1. For the purpose of this Regulation, the following definitions shall apply:
 - i. **ECOMAC** is the database developed by the ECOWAS Commission for use by the Member States and Regional Institutions in view of facilitating the preparation of the follow up reports under the Multilateral Surveillance Mechanism of the economic and financial policies of Member States.
 - ii. **Member States** are the fifteen ECOWAS Member States.
 - iii. **Regional institutions** are the regional institutions involved in the supervision of the ECOMAC updating exercise, in collaboration with the ECOWAS Commission: the Commission of the West African Economic and Monetary Union (UEMOA), the Central Bank of West African States (BCEAO), the West African Monetary Agency (WAMA) and the West African Monetary Institute (WAMI).
 - iv. **Database updating:** the data capture and data validation.
 - v. **Supervision:** it consists in reminding Member States of the updating of the database and controlling the data collected.
 - vi. **Data uploading:** Data capture, done directly on line or indirectly, by completing the Excel data tables. Data processed during uploading operation are exchanged only within the national body in charge of the uploading exercise.
 - vii. **Data validation:** in the case of direct data uploading, the validation consists in confirming the data captured and sending, through Internet, updated data to the relevant regional institution. In the case of indirect uploading through the completion of the Excel tables, the validation consists in sending, through electronic channel or any other means, the completed tables to the relevant regional institution. In both cases, the validation is done by the relevant national administrator.

- viii. The national administrator is the person, or group of persons, who has the password of the validation operation, communicated by the regional administrator.
- ix. The regional administrator is the ECOWAS Commission.

ARTICLE 2 : **Creation and objective of the database for ECOWAS Multilateral Surveillance Mechanism**

- 1. Within the framework of the multilateral surveillance exercise, a computer system for the collection, processing, storage and distribution of statistical data, named ECOMAC, is put in place by the ECOWAS Commission.
- 2. ECOMAC supplies statistical information on Member States and also on the economic integration zones of the region (ECOWAS, UEMOA and ZMAO).
- 3. The objective of the ECOMAC database is to provide the enabling environment for adequate data collection, processing and dissemination for monitoring the macroeconomic performance of Member States.

ARTICLE 3 : **Content of ECOMAC**

- 1. ECOMAC covers only economic, financial and monetary data on ECOWAS Member States, necessary for the monitoring of the convergence criteria as well as the economic performance analysis of the Member States.
- 2. More specifically, ECOMAC contains 13 tables, in Excel format :
 - 1. Table A: Government financial operations
 - 2. Table B: Accounts of the central bank
 - 3. Table C: Accounts of deposit money banks
 - 4. Table D: Consolidated accounts of the banking system
 - 5. Table E: Foreign assets and liabilities of the banking system
 - 6. Table F: Selected interest rates
 - 7. Table G: Balance of payments
 - 8. Table H: Exchange rates
 - 9. Table I: Public debt stock
 - 10. Table J: GDP at current prices
 - 11. Table K: GDP at constant prices
 - 12. Table L: Inflation rate
 - 13. Table M: Consumption price index.

ARTICLE 4 : **Frequency of the updating exercise**

- 1. The updating of the database shall be done on a quarterly basis, both by Member States and regional institutions. At each updating, the status of the

information (forecast, provisional or final) shall be indicated and clearly reflected by the database.

2. Data updating for each quarter shall be completed by the end of the second week of the second month of the following quarter, for Member States, and by the end of the last week of the second month of the following quarter, for the regional institutions.
3. Between two updating operations, Members States shall communicate to regional institutions any updating that can occur. This communication shall be made through media other than the ECOMAC.

ARTICLE 5 : Role of regional Institutions

1. The regional Institutions shall be in charge of the supervision of the updating exercise by the Member States under their responsibility.
2. The UEMOA Commission, in collaboration with BCEAO, shall supervise the data updating of the UEMOA Members States (Benin, Burkina Faso, Côte d'Ivoire, Guinea Bissau, Mali, Niger, Senegal and Togo); WAMA shall supervise the data updating for the WAMZ countries (Gambia, Ghana, Guinea, Nigeria and Sierra Leone); WAMI shall supervise the data updating for Cape Verde and Liberia.
3. The Joint WAMA/ECOWAS Technical Secretariat shall supervise the overall data updating exercise.

ARTICLE 6: Role of Member States

1. Member States shall be in charge of the ECOMAC updating. The updating is carried out by the National Coordination Committees (NCC/CNPE).
2. Member States shall communicate to the relevant regional institutions the required data for the regular updating of the database. They shall supply also supplementary information (metadata), including changes in compilation methodologies (changes in methods, changes of base year, etc.), which the relevant regional institutions would need for the adequate appreciation and analysis of the information communicated.

ARTICLE 7 : Editing and dissemination format

The format for the editing and dissemination of ECOMAC data shall be as contained in the attached document.

ARTICLE 8 : **Exchange of data between institutions**

ECOMAC data shall be exchanged between regional institutions according to the Protocol on statistical data exchange between UEMOA Commission, WAMA, WAMI, AFRISTAT and ECOWAS Commission.

ARTICLE 9 : **Implementation**

1. Member States undertake to update ECOMAC on a regular basis.
2. The Commission of ECOWAS, in collaboration with the other regional institutions, shall support Member States in the updating of ECOMAC, particularly through capacity-building (institutional assistance, training, equipment).
3. With a view to following-up the implementation of this Regulation, the regional institutions, under the coordination of the ECOWAS Commission, and as regularly as necessary, shall propose modifications relating to the list of indicators of the database and data formats, as well as necessary arrangements relating to the functioning and adaptation of the ECOMAC updating mechanism. The proposals shall be discussed with Member States. The discussions shall take place within the framework of existing institutional meetings, or other meetings that the ECOWAS Commission shall organise.

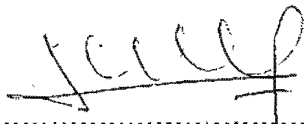
ARTICLE 10 : **Monitoring of Implementation**

The ECOWAS Commission shall monitor the implementation of this Regulation.

ARTICLE 11 : **Final Provision**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairperson of the Council of Ministers. It shall also be published by each Member State in its Official Gazette within the same timeframe.

DONE IN OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



.....
H. E. MRS. MINATA SAMATE CESSOUMA

CHAIRPERSON

FOR COUNCIL



Fifty-Ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

REGULATION C/REG.31/12/07 RELATING TO THE TRANSFORMATION OF THE SPECIAL TELECOMMUNICATION FUND (STF) INTO THE “ECOWAS FUND FOR TELECOMMUNICATIONS AND ICT INFRASTRUCTURE” (TELECOM FUND) AND THE LIFTING OF THE EMBARGO ON THE OPERATIONS OF STF

THE COUNCIL OF MINISTERS

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

MINDFUL of Article 33 of the said Treaty providing for cooperation amongst Member State in the area of Telecommunications;

MINDFUL of Decision A/Dec.21/5/80 establishing the Special Fund for Telecommunications which was set up to, amongst other obligations, grant and guarantee loans requested by Telecommunication administrations for developing and improving their national networks;

MINDFUL of Regulation C/Reg.1/12/99 relating to the enhancement of the Special Fund for Telecommunications;

MINDFUL of Decision C/Dec.2/5/81 relating to the Rules and Regulations of the Special Fund for the Development of Telecommunications in ECOWAS Member States;

MINDFUL of Decision C/Dec.4/12/90 amending and adopting the Rules and Regulations governing the Special Fund for Improvement and Development of Telecommunications in ECOWAS Member States;

ORECALLING the Council Directives for a re-structuring of the Special Fund for Telecommunications and the imposed embargo on the operations of the SFT;

AWARE of the completion of a study undertaken by the firm of Consultants, the Centre Regional de Maintenance des Telecommunications de Lomé (CMTL) for the restructuring and transformation of SFT;

DESIRING therefore to ensure the resumption of operations of the SFT

ON THE RECOMMENDATION of the Board of Directors of the ECOWAS Bank for Investment and Development (EBID) at its fourth Ordinary Meeting in May 18, 2006 and the Committee of ECOWAS Ministers responsible for Telecommunications;

E N A C T S

Article 1

The transformation of the Special Fund for Telecommunications into an "ECOWAS Fund for Telecommunications and ICT Infrastructure "(TELECOM FUND) is hereby approved and the 1999 embargo on the operations of the SFT is hereby lifted.

Article 2

This new Telecommunications Fund shall be lodged as a window in the ECOWAS Bank for Investment and Development (EBID) and managed as a light structure under the umbrella of the management of the Board of Directors of EBID.

Article 3

The ECOWAS Commission which is already a member of the Board of Directors of EBID, shall also be a member of the Management Committee.

Article 4

- i. The Funds intervention in Telecommunications and ICT projects shall be by way of loans, guarantee and /or equity participation.
- ii. Part of the Income derived from the operational activities of the Fund could be used to finance activities relating to the development of the telecommunications sector in the sub-region in the form of subventions.

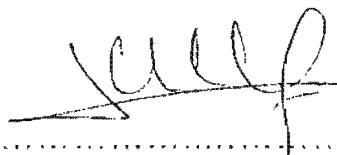
Article 5

The Telecommunications Fund, in the long term, shall be opened up to external investors (public and private) as part of its transformation into a subsidiary.

Article 6

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H. E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON

FOR COUNCIL



**Fifty-ninth Ordinary Session of the
ECOWAS Council of Ministers**

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.32/12/07 DEFINING THE ROLES OF THE
COMMISSIONER FOR ADMINISTRATION AND FINANCE, THE
FINANCIAL CONTROLLER AND THE CHIEF INTERNAL AUDITOR**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/P1/06/06 amending Articles 17 and 18 of the ECOWAS Treaty and providing for the nomination of nine (9) Commissioners and defining the procedure for their nominations ;

MINDFUL of Decision A/DEC.16/01/06 transforming the Executive Secretariat into a Commission ;

MINDFUL of Regulation C/REG.1/06/06 on the approval of the organisational structure of the Commission and defining its areas/technical departments under the supervision of each Commissioner;

MINDFUL of Decision A/DEC.4/12/01 re-establishing the position of the Financial Controller of Community Institutions;

MINDFUL of Regulation C/REG.15/12/06 on the adoption of the Internal Audit Charter;

MINDFUL of Decision A/DEC.15/01/06 on the creation of the Audit Committee of ECOWAS and the adoption of its mandate and terms of reference;

CONSIDERING that the transformation of the Executive Secretariat into a Commission is aimed at, among other objectives adapting it to the international environment;

GIVEN that the establishment of the organisational structure of the Commission has consequently led to the creation of administrative positions and bodies operational activities that lead to the realisation of the objectives of integration ;

CONSCIOUS that the distribution or the clear definition of roles of each body or structure of the Commission would facilitate the realisation of coherence and synergy necessary for conducting the administration of the Commission for the attainment of integration objectives;

CONSCIOUS also that the orientation, management and effective control of financial and accounting activities is the guarantee for the good functioning of the Commission in the realisation of its economic development mission of the Community and functioning of its institutions;

NOTING that the involvement of the Financial Controller, Chief Internal Auditor and the Commissioner for Administration and Finance in the current financial and accounting activities of the Commission is in line with their functions;

DESIRING to define the role of each body for the avoidance of duplication and conflicts of competence detrimental to the good functioning of the Community;

ON THE RECOMMENDATION of the Eighth Meeting of the Audit Committee held in Ouagadougou on 13 December 2007;

ENACTS

Article 1 : Hierarchical order in the submission of activity reports

1. The Commissioner for Administration and Finance presents his/her activity report to the President of the Commission.
2. The Financial Controller reports directly to the Council of Ministers after informing the Administration and Finance Committee.
3. The Chief Internal Auditor reports to the Audit Committee. The Audit Committee submits the conclusions of the report of the Chief Internal Auditor to the Council of Ministers.

Article 2 : Operational Staff for the office of the Financial Controller

The Financial Controller has his/her staff in the Community institutions and specialised agencies.

Article 3 : Roles of the Commissioner for Administration and Finance

The Commissioner for Administration and Finance is charged with the following responsibilities:

- i) Initiate expenses in compliance with the Financial Regulations and Manual of Accounting Procedures of ECOWAS;
- ii) Ensure the recording of all transactions in the ledgers of the ECOWAS Commission and its related institutions.
- iii) Prepare and establish the annual financial statements of the ECOWAS Commission and its related institutions;
- iv) Ensure the financial statements are accurately established and submitted in time;
- v) Initiate and monitor the purchases of goods and services and ensure conformity with ECOWAS tender procedures;
- vi) Coordinate all administrative operations (preparation of meetings and workshops, management of human resources) of the ECOWAS Commission and its related institutions;
- vii) Ensure the correct collection and management of the Community levy;
 - viii) Present periodically a report on the Community levy;
- ix) Collaborates and works in synergy with the other Commissioners;
- x) Represents the President and the Vice President whenever necessary;
- xi) Propose to the Administration and Finance Committee possible improvements on the administrative, financial and accounting procedures;
- xii) Prepare and monitor the implementation of the budget of the Commission and its Institutions;
- xiii) Develop training programmes for the staff of the ECOWAS Commission;
- xiv) Prepare performance evaluation reports for staff of the ECOWAS Commission and its Institutions.

Article 4 : Roles of the Financial Controller

The responsibility of the Financial Controller is to:

- i) Ensure that expenditure in the Community Institutions is in line with their approved budget and proper implementation of the Community's budgetary and accounting monitoring controls;
- ii) Endorse all commitments of expenditure in the institutions ;
- iii) Provide periodic activity reports on budgetary, financial and accounting monitoring of the Community for the consideration of the Council and information of the Administration and Finance Committee;
- iv) Participate in the preparation of regulations aimed at improving the financial and accounting management of the Institutions and make proposals on the improvement of financial and accounting procedures to the Council of Ministers;
- v) Develop and update the annual training plan incorporating skills gap noted for all levels of Financial Controller's staff;
- vi) Prepare a performance evaluation system for all Financial Controller's staff;
- vii) Any other responsibilities as stipulated in the Financial Regulation and Manual of Accounting Procedures which are in conformity with the provisions of this Regulation.

Article 5 : Roles of the Chief Internal Auditor

The Chief Internal Auditor is responsible for:

- i) Management of the Internal Audit function;
- ii) Development of the Audit charter, policy and procedures;
- iii) Assessment of risk and control to be implemented;
- iv) Develop and execute the annual audit plan;
- v) Supervision of duties and development of training programmes for internal auditors;
- vi) Implementation of investigating and forensic audit;
- vii) Coordination of audit activities and external auditor's assignments;
- viii) Perform all special audit assignments requested by the Audit Committee, Council of Ministers or the Authority of Heads of State.

Article 6 : **Implementation**

Each body will execute this Regulation as it affects it.

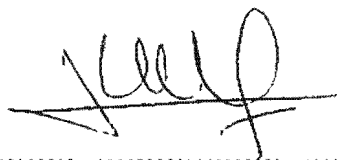
Article 7:

This Regulation repeals all pre-existing contrary provisions.

Article 8 :

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairperson of the Council of Ministers. It shall also be published by each Member State in its Official Journal within the same timeframe.

DONE AT OUAGADOUGOU THIS 15TH DAY OF DECEMBER 2007



.....
H. E. MRS. MINATA SAMATE CESSOUMA

CHAIRPERSON

FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

**Fifty-ninth Ordinary Session
Of the Council of Ministers**

Ouagadougou, 14th – 15th December 2007

**REGULATION C/REG.33/12/07 On the Payment of Sitting Allowance to
Members of the Audit Committee.**

The Council of Ministers,

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

Mindful of Decision A/Dec.15/01/06 relating to the establishment of an Audit Committee for ECOWAS to assist the Council of Ministers discharge its functions of maintaining good financial control principles in the Community;

Considering that the Audit Committee is essentially a ministerial sub-committee of the Council of Ministers whose members are chosen on the basis of their expertise in the financial sector;

Also Considering the need therefore to extend some of the privileges of the Council of Ministers to the Audit Committee.

Desiring to improve participation in the meeting of the Audit Committee, facilitate the effective and regular attendance of its members and consequently adopt appropriate measures;

On the Recommendation of the Eighth Meeting of the Audit Committee held in Ouagadougou on the 13th December 2007;

ENACTS

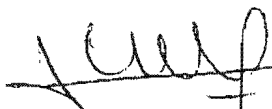
Article 1:

1. A lump sum of Two Thousand Dollars (\$2,000) shall be paid as sitting allowance to members of the Audit Committee at every meeting of the Committee.
2. The allowance referred to in paragraph 1 of this Article shall be paid to the members of the Committee that effectively participate at its meetings.

Article 2:

This Regulation shall be published by the Commission in the official Journal of the Community within thirty (30) days of its signature by the Chairperson on the Council of Ministers. It shall also be published within the same time frame in the official gazette of each member State.

Done at Ouagadougou, this 15th Day of December 2007.



.....
H.E. MRS. SAMATE CESSOUMA

CHAIRPERSON
FOR COUNCIL



ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 200

REGULATION C/REG34/12/07 ADOPTING THE 2005 AUDITED FINANCIAL STATEMENTS OF THE COMMUNITY COURT OF JUSTICE

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 75 of the Treaty appointing the External Auditors of ECOWAS Institutions;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS, as amended by Regulation C/REG.2/12/95 ;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm «Deloitte and Touche Côte d'Ivoire» as the External Auditors of the Community Institutions;

MINDFUL of the contract between ECOWAS and the firm, « Deloitte and Touche Côte d'Ivoire », signed on 1 April 2006 relating to the conditions under which the services of the External Auditors of the Community Institutions shall be provided;

AFTER CONSIDERING the report of the firm, « Deloitte and Touche Côte d'Ivoire », on the 2005 financial statements of the ECOWAS Parliament;

ON THE RECOMMENDATION of the seventh meeting of the Audit Committee, held in Abuja on 26th to 27th July 2007;

ENACTS

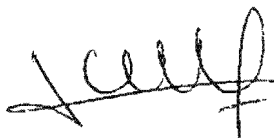
ARTICLE 1:

The audited financial statements of the Community Court of Justice for 2005 is hereby adopted.

ARTICLE 2:

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

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL



FIFTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Ouagadougou, 14th – 15th December 2007

RECOMMENDATION C/REC.1/12/07 RELATING TO THE ALLOCATION OF THREE POSTS OF JUDGE OF THE COMMUNITY COURT OF JUSTICE TO MEMBER STATES

THE COUNCIL OF MINISTERS,

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

MINDFUL of Articles 6 and 15 of the said ECOWAS Treaty establishing the Community Court of Justice as an institution of the Community;

MINDFUL of Protocol A/P1/7/91 defining the status, composition, powers, procedures and other issues concerning the Community Court of Justice;

MINDFUL of Article 3 of the said Protocol relating to the composition of the Court and the appointment of judges;

MINDFUL of Article 4(1) of the Court's Protocol defining, among other things, the tenure of the judges, its renewal on the basis of eligibility for another period of five (5) years;

MINDFUL of Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice and which provides for a non-renewable four (4) year tenure for Judges of the Court;

MINDFUL of Decision A/DEC. 4/12/03 renewing the tenure of three (3) judges of the Community Court of Justice;

MINDFUL of Decision A/DEC. 02/06/06 establishing a Community Judicial Council;

CONSIDERING that the second tenure of three (3) judges of the Community Court of Justice expires on 29 January 2009;

RECALLING that the judges are now appointed on a competitive basis under the management of the Community Judicial Council, which, after interviewing candidates from countries to which the posts have been allocated, makes recommendations to the Authority of Heads of State and Government to appoint the judges;

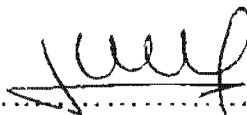
CONSIDERING the need to commence henceforth, the procedure for appointing judges to replace the three (3) judges whose tenures expire on 29 January 2009, in order to avoid a vacuum and to ensure continuity in the functioning of the Community Court of Justice with all its judges;

WISHING, in this context, to allocate three (3) posts of judge of the Community Court of Justice to Member States;

RECOMMENDS

TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the draft Supplementary Act attached hereto, allocating three (3) posts of judge of the Community Court of Justice to Member States.

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H.E. Mrs. Minata SAMATÉ CESSOUMA
CHAIRPERSON

FOR COUNCIL

THIRTY-THIRD ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Ouagadougou, 18 January 2008

DRAFT

SUPPLEMENTARY ACT A/SP.1/06/07 ALLOCATING THREE (3) POSTS OF JUDGE OF THE COMMUNITY COURT OF JUSTICE TO MEMBER STATES

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Articles 6 and 15 of the said ECOWAS Treaty establishing the Community Court of Justice as an institution of the Community;

MINDFUL of Protocol A/P1/7/91 defining the status, composition, powers, procedures and other issues concerning the Community Court of Justice;

MINDFUL of Article 3 of the said Protocol relating to the composition of the Court and the appointment of judges;

MINDFUL of Article 4(1) of the Court's Protocol defining, among other things, the tenure of the judges, its renewal on the basis of eligibility for another period of five (5) years;

MINDFUL of Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice and which provides for a non-renewable four (4) year tenure for Judges of the Court;

MINDFUL of Decision A/DEC. 4/12/03 renewing the tenure of three (3) judges of the Community Court of Justice;

MINDFUL of Decision A/DEC. 02/06/06 establishing a Community Judicial Council;

CONSIDERING that the second tenure of three (3) judges of the Community Court of Justice expires on 29 January 2009;

RECALLING that the judges are now appointed on a competitive basis under the management of the Community Judicial Council, which, after interviewing candidates from countries to which the posts have been allocated, makes recommendations to the Authority of Heads of State and Government to appoint the judges;

CONSIDERING the need to commence henceforth, the procedure for appointing judges to replace the three (3) judges whose tenures expire on 29 January 2009, in order to avoid a vacuum and to ensure continuity in the functioning of the Community Court of Justice with all its judges;

WISHING, in this context, to allocate three (3) posts of judge of the Community Court of Justice to Member States;

AGREE AS FOLLOWS:

Article 1

A post of judge of the Community Court of Justice is hereby allocated to each of the following Member States:

- Republic of Benin
- Republic of Cape Verde
- Republic of Cote d'Ivoire

Article 2

The post of judge is allocated to each of the Member States referred to in Article 1 of this Supplementary Act for a non-renewable period of four (4) years with effect from the date of assumption of duty of each person appointed to this post.

Article 3

The judges that will fill the three posts of judge as allocated to the Member States referred to in Article 1 shall be selected from among candidates of these States and appointed in accordance with the procedures set out by the Decision establishing the Community Judicial Council and by the Rules of Procedure of the said Council.

Article 4

This Supplementary Act shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Authority. It shall also be published within the same time frame in the National Gazette of each Member State.

Article 5

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS Institutions undertake to start the implementation of its provisions upon its entry into force.
2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.

Article 6

This Supplementary Act shall be deposited with the Commission, which shall transmit certified true copies of this Act to all Member States and shall register

this Act with the African Union, the United Nations Organization and such other organizations as Council may determine.

- 4 -

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

DONE AT OUAGADOUGOU, THIS 18TH DAY OF JANUARY, 2007

**IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE
LANGUAGES, ALL THE THREE (3) TEXTS BEING EQUALLY AUTHENTIC.**



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14th – 15th December 2007

RECOMMENDATION C/REC.2/12/07 RELATING TO THE ESTABLISHMENT OF THE ECOWAS REGIONAL ELECTRICITY REGULATORY AUTHORITY

THE COUNCIL OF MINISTERS,

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

MINDFUL of Articles 26, 28, et 55 of the ECOWAS Treaty relating to the promotion, cooperation, integration and development of energy projects and sectors of the Member States of the Community;

MINDFUL of Protocol A/P4/1/03 of 31 January 2003, henceforth referred to as « the ECOWAS Energy Protocol » establishing the legal framework intended to promote long term cooperation in the ECOWAS energy sector based on complementarities and mutual benefit, with a view to achieving increased investment in the energy sector and increased energy trade in the West African region;

MINDFUL of Article 31 (n) of the Energy Protocol requesting the Meeting of Energy Ministers of ECOWAS Member States to establish regulatory bodies for energy systems, programs and projects;

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government relative to the energy policy of ECOWAS;

MINDFUL of Decision A/DEC.5/12/99 of the Authority of Heads of State and Government of 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 6/01/05 of the Authority of Heads of State and Government of 19 January 2005 relating to the development of a regional regulatory framework for the power sector within ECOWAS as a prelude to the establishment of a Regional Regulatory Body;

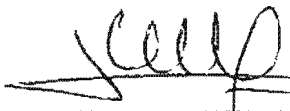
CONSIDERING that the Supplementary Act relating to the regional regulation of ECOWAS Electricity sector seeks to institute a Regulatory Authority for the West African Electricity Sector in order to foster open and transparent cross-border electricity exchanges within the ECOWAS sub-region, to ensure improved efficiency of power supply in ECOWAS Member States and increased access to energy for its citizens;

DESIROUS to endow the Community with a mechanism for cooperation between National Regulatory Authorities and to this end, to establish a Regional Electricity Regulatory Authority with a view to entrenching best practices in contractual trans boundary electric energy transactions;

Following the opinion of the ECOWAS Parliament,

RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the attached draft Supplementary Act relating to the Establishment of the ECOWAS Regional Electricity Regulatory Authority:

DONE IN OUAGADOUGOU, ON THE 15TH DAY DECEMBER 2007



H.E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL

Thirty-third Ordinary Session, of the Authority of Heads of State and Government

Ouagadougou, 18 January 2008

DRAFT

SUPPLEMENTARY ACT A/SA.2/1/08 ESTABLISHING THE ECOWAS REGIONAL ELECTRICITY REGULATORY AUTHORITY

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Articles 26, 28, et 55 of the ECOWAS Treaty relating to the promotion, cooperation, integration and development of energy projects and sectors of the Member States of the Community;

MINDFUL of Protocol A/P4/1/03 of 31 January 2003, henceforth referred to as « the ECOWAS Energy Protocol » establishing the legal framework intended to promote long term cooperation in the ECOWAS energy sector based on complementarities and mutual benefit, with a view to achieving increased investment in the energy sector and increased energy trade in the West African region;

MINDFUL of Article 31 (n) of the Energy Protocol requesting the Meeting of Energy Ministers of ECOWAS Member States to establish regulatory bodies for energy systems, programs and projects;

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government relative to the energy policy of ECOWAS;

MINDFUL of Decision A/DEC.5/12/99 of the Authority of Heads of State and Government of 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 6/01/05 of the Authority of Heads of State and Government of 19 January 2005 relating to the development of a regional regulatory framework for the power sector within ECOWAS as a prelude to the establishment of a Regional Regulatory Body;

CONSIDERING that the Supplementary Act relating to the regional regulation of ECOWAS Electricity sector seeks to institute a Regulatory Authority for the West African Electricity Sector in order to foster open and transparent cross-border electricity exchanges within the ECOWAS sub-region, to ensure improved efficiency of power supply in ECOWAS Member States and increased access to energy for its citizens;

DESIROUS to endow the Community with a mechanism for cooperation between National Regulatory Authorities and to this end, to establish a Regional Electricity Regulatory Authority with a view to entrenching best practices in contractual trans boundary electric energy transactions;

AGREE AS FOLLOWS:

Article 1: Establishment and denomination

A regional structure charged with regulating cross border electricity exchanges between ECOWAS member States and designated as the "ECOWAS Regional Electricity Regulatory Authority (ERERA) " is hereby established.

Article 2:

1. The ERERA shall be a Specialised Institution of ECOWAS and shall have the status of a legal entity, the independence and the autonomy necessary for carrying out its missions and exercising the powers granted it by the Regulation relating to its composition, organisation, functions and operation.
2. The ERERA shall, across the entire territory of all ECOWAS member States, have the legal capacity to exercise its functions as provided for under by this Supplementary Act.



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

DONE AT OUAGADOUGOU THIS 18TH DAY OF JANUARY 2008

IN A SINGLE ORIGINAL, IN FRENCH, ENGLISH AND PORTUGUESE, ALL TEXTS
BEING EQUALLY AUTHENTIC



FIFTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Ouagadougou, 14th – 15th December 2007

RECOMMENDATION C/REC.3/12/07 ADOPTING THE WAPP TRANSMISSION LINE IMPLEMENTATION STRATEGY

THE ECOWAS COUNCIL OF MINISTERS

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

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

MINDFUL of Decision A/DEC.5/12/99 of the 22nd Session of the Authority of ECOWAS Heads of State and Government held in Lome on 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision 18/01/06 of the 29th Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 relating to the organization and operation of WAPP;

MINDFUL of Decision A/DEC.20/01/06 of the 29th Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 granting the WAPP General Secretariat the status of specialized ECOWAS institution;

CONSIDERING that the WAPP priority projects constitute an energy trade cooperative mechanism for the integration of national electric power grids in a unified regional electricity market for ensuring, in the medium and long-term, the

supply of stable and dependable electric power to West African citizens at affordable rates;

OBSERVING that the energy trade between Ghana, Cote d'Ivoire and Nigeria requires high capacity transmission interconnection from Cote d'Ivoire through Togo/Benin to Nigeria, known as the Coastal Transmission Backbone (CTB);

CONSIDERING that in the ECOWAS Revised Master plan for the Generation and Transmission of Electric power adopted at the 28th Session of the Authority of ECOWAS Heads of State and Government held in Accra on 19 January 2005, through Decision/DEC.7/01/05, identified the 330 kV CTB as being indispensable and critical to the development of the WAPP.

NOTING that the WAPP General Secretariat, the Volta River Authority of Ghana (VRA), the Power Holding Company of Nigeria (PHCN), and the Community Electrique du Bénin (CEB) of Togo/Benin intend to undertake a project that will comprise the construction of a 330 kV transmission line from the Volta in Ghana through Mome Hagou in Togo, up to Sakété in Benin, as a component of the CTB to facilitate the energy trade among the Member States of the West Africa sub-region;

AWARE of the need to implement the project in the most favourable conditions, and having regard to the increasing cooperation between electricity companies in the realization of the projects, the VRA, CEB, and PHCN, through a Memorandum of Understanding, agreed to determine the most advantageous ways and means of implementing the 330-kV Volta-Mome-Hagou-Sakete Interconnection Project and, on that basis, agreed to sign Energy Trade Agreements to take advantage of it;

CONSIDERING that the WAPP has undertaken a fast-track study and recommended the implementation of the CTB through a special purpose company in the framework of a public/private partnership

CONSIDERING that the WAPP has received assistance from the Public Private Infrastructure Advisory Facility (PPIAF) to develop a template for WAPP Transmission Line Implementation Strategy comprising Special Purpose Companies in the framework of public/ private partnerships;

CONSIDERING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, adopted the concept of implementing WAPP Transmission Line Projects through a special purpose company in the form of public/private partnerships, if necessary, as a WAPP Transmission Line implementation Strategy;

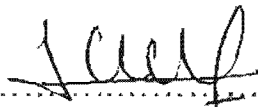
RECALLING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, requested the ECOWAS Energy

Ministers meeting to adopt the WAPP Transmission Line Implementation Strategy for submission to the Council of Ministers and subsequent adoption by the Authority of ECOWAS Heads of State and Government;

ON THE PROPOSAL of the eighth meeting of ECOWAS Energy Ministers held in Lome on 16 November 2007;

RECOMMENDS to the authority of heads of state and government to adopt the attached draft Supplementary Act adopting the WAPP Transmission Line Implementation Strategy.

DONE AT OUAGADOUGOU, THIS 15TH DAY OF DECEMBER 2007



.....
H. E. Mrs. Minata SAMATÉ CESSOUMA

CHAIRPERSON

FOR COUNCIL

THIRTY-THIRD ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Ouagadougou 18 January 2008

DRAFT

SUPPLEMENTARY ACT A/SA. 3/12/07 ADOPTING THE WAPP TRANSMISSION LINE IMPLEMENTATION STRATEGY

THE HIGH CONTRACTING PARTIES,

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

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

MINDFUL of Decision A/DEC.5/12/99 of the 22nd Session of the Authority of ECOWAS Heads of State and Government held in Lome on 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision 18/01/06 of the 29th Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 relating to the organization and operation of WAPP;

MINDFUL of Decision A/DEC.20/01/06 of the 29th Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 granting the WAPP General Secretariat the status of specialized ECOWAS institution;

CONSIDERING that the WAPP priority projects constitute an energy trade cooperative mechanism for the integration of national electric power grids in a unified regional electricity market for ensuring, in the medium and long-term, the supply of stable and dependable electric power to West African citizens at affordable rates;

OBSERVING that the energy trade between Ghana, Cote d'Ivoire and Nigeria requires high capacity transmission interconnection from Cote d'Ivoire through Togo/Benin to Nigeria, known as the Coastal Transmission Backbone (CTB);

CONSIDERING that in the ECOWAS Revised Master plan for the Generation and Transmission of Electric power adopted at the 28th Session of the Authority of ECOWAS Heads of State and Government held in Accra on 19 January 2005, through Decision/DEC.7/01/05, identified the 330 kV CTB as being indispensable and critical to the development of the WAPP.

NOTING that the WAPP General Secretariat, the Volta River Authority of Ghana (VRA), the Power Holding Company of Nigeria (PHCN), and the Community Electrique du Bénin (CEB) of Togo/Benin intend to undertake a project that will comprise the construction of a 330 kV transmission line from the Volta in Ghana through Mome Hagou in Togo, up to Sakété in Benin, as a component of the CTB to facilitate the energy trade among the Member States of the West Africa sub-region;

AWARE of the need to implement the project in the most favourable conditions, and having regard to the increasing cooperation between electricity companies in the realization of the projects, the VRA, CEB, and PHCN, through a Memorandum of Understanding, agreed to determine the most advantageous ways and means of implementing the 330-kV Volta-Mome-Hagou-Sakete Interconnection Project and, on that basis, agreed to sign Energy Trade Agreements to take advantage of it;

CONSIDERING that the WAPP has undertaken a fast-track study and recommended the implementation of the CTB through a special purpose company in the framework of a public/private partnership

CONSIDERING that the WAPP has received assistance from the Public Private Infrastructure Advisory Facility (PIIAF) to develop a template for WAPP Transmission Line Implementation Strategy comprising Special Purpose Companies in the framework of public/ private partnerships;

CONSIDERING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, adopted the concept of implementing WAPP Transmission Line Projects through a special purpose company in the form of public/private partnerships, if necessary, as a WAPP Transmission Line implementation Strategy;

RECALLING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, requested the ECOWAS Energy Ministers meeting to adopt the WAPP Transmission Line Implementation Strategy for submission to the Council of Ministers and subsequent adoption by the Authority of ECOWAS Heads of State and Government;

ON THE RECOMMENDATION of the Fifty-ninth (59th) Session of the ECOWAS Council of Ministers, held in Ouagadougou on 14 and 15 December 2007;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1

The WAPP Transmission Line Implementation Strategy, as well as the concept of specific purpose company in the form of public/private partnerships with a view to expanding the possibilities of financing these lines, is hereby adopted.

ARTICLE 2

WAPP members shall take all necessary measures to ensure the implementation of the WAPP Transmission Line Implementation Strategy.

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

DONE AT OUAGADOUGOU, THIS 18TH DAY OF JANUARY 2008

**IN SINGLE ORIGINAL IN THE FRENCH, ENGLISH AND PORTUGUESE
LANGUAGES, THE THREE TEXTS BEING EQUALLY AUTHENTIC**



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14-15 December 2007

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

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

MINDFUL Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14-15 December 2007

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

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

MINDFUL Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14-15 December 2007

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

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

MINDFUL Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium

The conclusions of the study which are being recommended for the approval of Council of Ministers are as follows:

- i. the transformation of the SFT into "ECOWAS Fund for Telecommunications and ICT Infrastructure" (Telecom Fund);
- ii. that the new Telecom Fund should be lodged as a window in EBID;
- iii. that the Telecom Fund should be managed under the umbrella of a management and that the Board of Directors of EBID shall also be a member of the management committee;
- iv. that the Telecom Fund should be managed as a very light structure;
- v. that the Fund's intervention in telecommunications and ICT projects could take the form of a loan, guarantee and/or equity participation;
- vi. that part of the income derived from the operational activities of the Fund could be used to finance activities relating to the development of the telecommunications sector in the sub-region in form of grant;
- vii. that the Telecom Fund, in the long term, be opened up to external investors (public and private) as part of its transformation into a subsidiary;
- viii. that the embargo placed on the operations of the SFT in 1999 be lifted.

88. Council endorsed all the recommendations.

Item 18: Consideration of the Draft Agenda of the Thirty-third Ordinary Summit of the Authority of Heads of State and Government

89. Council considered and adopted the draft agenda of the thirty-third ordinary summit of Heads of State and Government as amended and took note of the new date of 18 January 2008

Item 19: Consideration of the Conclusions of the Eighth Meeting of ECOWAS Energy Ministers

90. After considering the outcomes of the 8th meeting of ECOWAS Energy Ministers, held in Lomé on 16 November 2007, the Council of Ministers was informed of progress made under the Community's energy programme, especially the projected regulation of the power sector of West Africa, the programme for the implementation of the ECOWAS energy service access policy (White Paper) and the study of the Energy Emergency Supply and Security Plan for the Member States. They further took note of the initiative to establish a Regional Biomass Research Centre as announced by the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas. Finally, the Council of Ministers congratulated the Energy Ministers on their achievements.

91. At the end of the deliberations, Council made recommendations and adopted the conclusions of the meeting of the Energy Ministers as follows:

- Given the geographical situation of Cape Verde, Council requested the ECOWAS Commission to define a special energy programme for that country.
- Council directed the Commission to explore ways and means of utilising alternative energy sources such as solar, wind, biomass and nuclear energy in order to diversify the energy supply sources of Member States.



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14-15 December 2007

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

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

MINDFUL Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium

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PAYS/COUNTRY	NOMS/NAMES	FONCTIONS/STATUS	ADRESSE/ADDRESS
	FELIX KOSSOUH	Head of Section, Conference & Protocol	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro, Abuja Tel: 0803 659 0260 Email: kosfel@yahoo.fr
	KODJO ABIBOLO	Executive Assistant to Commissioner in charge of Infrastructure	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro, Abuja Tel. 07034073152 Email: julqdibolo@yahoo.fr
	DR GBENGA OBIDEYI	NEPAD Advisor, ECOWAS Multilateral Trade Policies	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja Tel: +234 803 597 6007 Fax: +234 [9] 314 3005 Email: gbengaobidud@yahoo.com
	MR DOURAZQ BANIA	Interpreter	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	MRS KEMI ROBINSON	Interpreter	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	MS KOFO OLOMU	Interpreter	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	KASSE MALLE	Interpreter	
	MR OUMAROU DOUASSOU	Translator	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	MR FRANCIS NJOAGUANI	Translator	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	MR MOMODOU KANE	Translator	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja
	MR AKOSOBABA AGURI	Translator	ECOWAS Commission 101 Yakubu Gowon Crescent, Asokoro District, Abuja



Fifty-ninth Ordinary Session of the Council of Ministers

Ouagadougou, 14-15 December 2007

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

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

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MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium

RULE 46: ADJOURNMENT OF DEBATE

During debate on an issue, any member of the Judicial Council may move for adjournment. In addition to the author of the motion for adjournment, any Member State may take the floor to second the motion, and another to oppose it. Immediately thereafter, the President of the Judicial Council shall put the motion to the vote.

RULE 47: SUSPENSION OR ADJOURNMENT OF THE SESSION

During debate on any issue, any member of the Judicial Council may move for suspension or adjournment. No debate shall be authorized on motions in that regard, which shall immediately be put to the vote by the President of the Judicial Council.

RULE 48: VOTING RIGHTS

Where the Judicial Council examines an issue, its decision shall be made through voting, and each member shall have one vote.

RULE 49: VOTING ON RECOMMENDATIONS AND REPORTS

After the closure of the debates, the President of the Judicial Council shall immediately put the recommendation or report to the vote, as well as all related amendments. Voting may not be interrupted on a point of order concerning the manner of the voting.

RULE 50: VOTING ON AMENDMENTS

1. A proposal shall be considered as an amendment to a recommendation where it is aimed at adding to it or deleting some parts, or modifying the text.
2. Where a proposal is the subject of an amendment, it shall first be put to the vote. Where a proposal is the subject of two or more amendments, the Judicial Council shall first vote on the one that is most removed from the initial proposal as far as the substance is concerned, and then on the one which, after the first amendment, is next most removed from the proposal, and so on until all the amendments have been put to the vote.

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