

**COMISSAO DA CEDEAO**



**COMMISSION DE LA CEDEAO**

**ECOWAS COMMISSION**

**ECW/CM/LXVII/17/Rev.2**

**Original: French**

**SIXTY SEVENTH ORDINARY SESSION  
OF THE COUNCIL OF MINISTERS  
Abuja, 19 -21 DECEMBER, 2011**

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**EXTRACT OF KEY DECISIONS**

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**ECOWAS COMMISSION  
Abuja, December 2011**

**Item 1:      Annual Report of the President of the Commission**

The Report was adopted with suggestions that future reports should highlight major challenges encountered in the period and also reflected in greater detail work done on the question of youth in Member States.

**Item 2:      Report on the implementation of tasks assigned**

Greater efforts should be deployed in implementing earlier Council Decision on the review of procedures in the ECOWAS Commission. It was decided that the Commission should speed up the hiring of the new Management consultant and ensure that it finishes its work before the arrival of the new Commissioners. To this end Council instructed the President of the Commission to adhere to the Council decision on the timeline for commencement of duty by the new Commissioners (see item 10). Council further instructed the Commission to ensure that its decision on the recruitment freeze is scrupulously adhere to.

**Item 3:      Report of the Financial Controller**

- The Report was adopted with suggestions as future report provide figure on ratio between administrative and programme costs of the institutions.
  - Although a 63:37 (admin/program) ratio was reported as good performance for half of the fiscal year, administrative costs should be kept at the barest minimum. In this respect, the Financial Controller should ensure the reduction of administrative costs.
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- Restraint is required in administrative costs of Community products, including drivers' licenses.
  - Another graph was suggested to provide a comparison between the ratio of professional positions occupied by each member state against financial contribution.
  - Timely payments of community levy should be made by member states because of the Financial Controller's report that community levy increased, but at a lower pace, since all member states are behind in their payments.

**Item 4:      Report of the Audit Committee**

- The Report was adopted.
- The council recommended to the Authority of Heads of State and Government the appointment of KPMG Ghana as External Auditors for ECOWAS institutions for the Fiscal Year 2011-2012.



**Item 5: Report of the Administrative and Finance Committee**

- The expenditure budget of Community Institutions was approved at UA 167 319 510.
- The Staff Pension Scheme was again endorsed with the proviso that the scheme should be entrusted to professional funds managers rather than a Board of Trustees.
- All special funds should be collapsed under the Solidarity Funds which should be domiciled in EBID.

**Item 6: Air Transport sector,**

- Council adopted two Regulations namely on the Air Transport Committee and on Negotiations on Air Services
- Nine draft Supplementary Acts were also recommended for adoption by the Authority
- Council adopted two regulations, namely, the air transport committee and negotiation on air services. Concerning the transformation of the unit of air transport to a specialized agency, Council accepted the principle of transformation subject to appropriate due process.

**Item 7: The EPA negotiations,**

Council recommended that the Authority of Heads of State and Government provide fresh guidelines on the negotiations with a view to breaking the current deadlock.

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**Item 8: The 10th EDF**

Council adopted the recommendations of the Meeting of ECOWAS/UEMOA and EU Commissions of 13 and 14 December 2011 aimed at securing the Funds dedicated to the region

**Item 9: Sectoral Ministerial Reports**

All sectoral Ministerial Reports were adopted. These include:

- the Report of the Fourth Conference of Ministers of Culture (Abuja, 25 November 2011)
- the Report of the Ministerial Conference on Humanitarian Assistance and internal displacement in West Africa (Abuja, 17<sup>th</sup> July 2011)
- The Meeting of ECOWAS Ministers of Energy for the review of the ECOWAS Master Plan on Electrical Energy Generation and Transmission (Abidjan, 24 – 25 November 2011)
- The Meeting of ECOWAS Ministers in charge of Air Transport (Yamoussoukro, Cote d'Ivoire, 24<sup>th</sup> – 25 November 2011)
- The Meeting of Ministers of Transport and Chairpersons of Airlines (Accra, Ghana, 24 – 25 October 2011)

**Item 10:      Selection and appointment of New Commissioners and Judges of the Community Court,**

Council adopted the following timeline for the appointment of the new Commissioner:

- **11,12 and 13 January 2012 :** Interview of the candidates by the Ad hoc Ministerial Committee
- **14 January 2012 :** Extraordinary meeting of the Council of Ministers to consider the Ad hoc Committee's report
- **31 January 2012:** end of tenure for current Commissioners
- **1st February 2012 :** Assumption of duty by the new Commissioners
- Council also instructed the Commission to commence the recruitment process for the Judges to fill current vacancies at the Community Court of Justice
- As far as the nomination of commissioners and judges is concerned, the delegation of Cote d'Ivoire made a reservation, and asked for the referral of this matter to the Authority of Heads of State for further discussion.

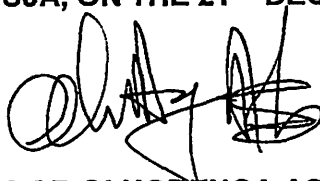
**Item 11:      Statement by the Gambian Minister on the 2011 Presidential elections in the Gambia**

Council requested the Gambia Minister to submit a Memorandum on the issue to the next session of the Council of Ministers.

**Item 12: The ECOSAP programme**

Council decided to take up the issue at its Extraordinary Session of 14<sup>th</sup> January 2012 and requested the Government of Mali and the ECOWAS Commission to submit memoranda to that effect.

**DONE IN ABUJA, ON THE 21<sup>ST</sup> DECEMBER 2011**



**AMBASSADOR OLUGBENGA ASHIRU, MFR**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG1./12/11 APPROVING THE WORK PROGRAMME OF THE ECOWAS COMMISSION, FOR THE 2012 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 2012 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

**ENACTS**

#### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Commission during the 2012 Financial Year.

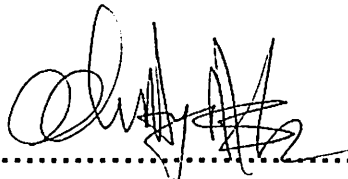
#### **ARTICLE 2**

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

A handwritten signature in black ink, consisting of a stylized, cursive script.

signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

A handwritten signature in black ink, appearing to be 'Olugbenga Ashiru', is written over a horizontal dotted line.

**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.2/12/11 APPROVING THE WORK PROGRAMME OF THE ECOWAS PARLIAMENT FOR THE 2012 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 Parliament for the 2011 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

#### **ENACTS**

#### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Parliament during the 2012 Financial Year.

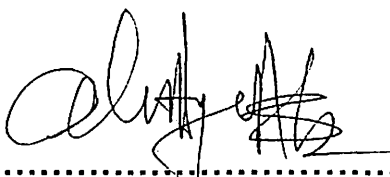
#### **ARTICLE 2**

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signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



ECONOMIC COMMUNITY OF  
WEST AFRICAN STATES



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

## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.3/12/11 APPROVING THE WORK PROGRAMME OF THE COMMUNITY COURT OF JUSTICE FOR THE 2012 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 2011 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23–26 November 2011.

#### **ENACTS**

##### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the Community Court of Justice during the 2012 Financial Year.

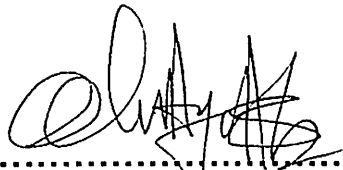
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signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.4/12/11 APPROVING THE WORK PROGRAMME OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2012 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 2012 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

### **ENACTS**

#### **ARTICLE 1**

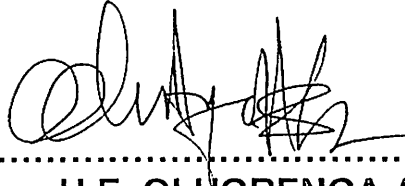
The Work Programme attached hereto, is hereby approved and shall be executed by the West African Health Organisation during the 2012 Financial Year.

#### **ARTICLE 2**

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

signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.5/12/11 APPROVING THE WORK PROGRAMME OF THE INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA) FOR THE 2012 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 2012 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

#### **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 2012 Financial Year.

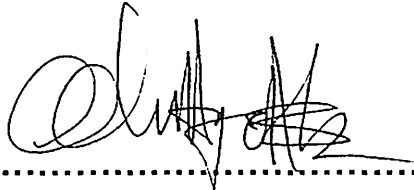
##### **ARTICLE 2**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days upon signature by the Chairman of the Council of Ministers. It shall also be

A handwritten signature in black ink, consisting of a stylized 'O' followed by a series of loops and a final vertical stroke.

published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.6/12/11 APPROVING THE WORK PROGRAMME OF THE ECOWAS GENDER DEVELOPMENT CENTRE FOR THE 2012 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 2011 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

### **ENACTS**

#### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Gender Development Centre during the 2012 Financial Year.

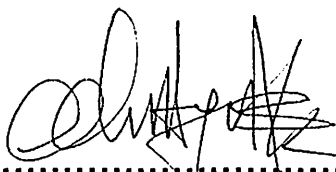
#### **ARTICLE 2**

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- 2 -

published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN  
FOR COUNCIL**





## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.7/12/11 APPROVING THE WORK PROGRAMME OF THE WATER RESOURCES INTEGRATED MANAGEMENT CENTRE FOR THE 2012 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 Centre for the 2012 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

#### **ENACTS**

##### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the Water Resources Integrated Management Centre during the 2012 Financial Year.

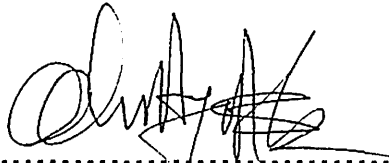
##### **ARTICLE 2**

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published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



ECONOMIC COMMUNITY OF  
WEST AFRICAN STATES

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

## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.8/12/11 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, establishing the Council of Ministers and defining its composition and functions;

**HAVING CONSIDERED** the Work Programme of the ECOWAS Office in Brussels for the 2012 Financial Year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

#### **ENACTS**

#### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Office in Brussels during the 2012 Financial Year.

#### **ARTICLE 2**

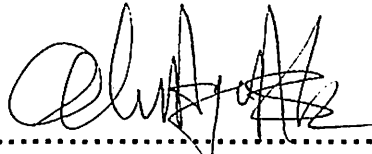
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- 2 -

published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.9/12/11 APPROVING THE WORK PROGRAMME OF THE ECOWAS YOUTH AND SPORTS DEVELOPMENT CENTRE FOR THE 2012 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 2012 financial year recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 - 26 November 2011.

### **ENACTS**

#### **ARTICLE 1**

The Work Programme attached hereto, is hereby approved and shall be executed by the Youth and Sports Development Centre during the 2012 Financial Year.

#### **ARTICLE 2**

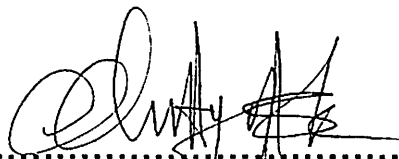
This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days upon signature by the Chairman of the Council of Ministers. It shall also be

A handwritten signature in black ink, consisting of a stylized 'C' followed by a series of loops and a long horizontal stroke.

- 2 -

published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.10/12/11 APPROVING THE BUI THE ECOWAS COMMISSION, ITS AGENCIES, CENTI OTHER ECOWAS OFFICES FOR THE 2012 FINANCI**

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

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

**MINDFUL** of the provisions of new article 17 of Sup Protocol A/SP.1/06/06 amending the said Treaty Establishment and the composition of the ECOWAS Comr

**MINDFUL** of the provision of article 72 of the Treaty rel Community levy;

**MINDFUL** of the provisions of Article 69 of the Treaty wh the budget of the Community Institutions;

**MINDFUL** of the Regulation C/REG.5/05/09 of May adopting the Financial Regulations of the Institution Economic Community of West African States (ECOWAS);

**HAVING CONSIDERED** the budget of the ECOWAS ( proposed by the Tenth meeting of the Administration a Committee held in Abuja, from 23 – 26 November 2011.

## ENACTS

### ARTICLE 1

The budget of the ECOWAS Commission, Agencies, Centres and other ECOWAS Offices for the 2012 financial year, balanced in income and

expenditure for the sum of one hundred and seventeen million seven hundred and fifty one thousand forty six Units of Account **(117,751,046UA)** is hereby approved.

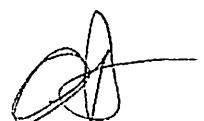
### ARTICLE 2

1. An amount of one hundred and one million two hundred and thirty seven thousand four hundred and ninety six Units of Account **(101,237,496 UA)** shall be derived from resources obtained from the Community Levy.
2. An amount of five hundred thousand Units of Account **(500,000UA)** shall be derived from Arrears of contribution.
3. An amount in the sum of fifteen million eight hundred and ninety eight thousand five hundred and fifty Units of Account **(15,898,550UA)** shall be derived from external sources.
4. An amount of one hundred and fifteen thousand Units of Account **(115,000 UA)** shall be derived from other sources.

### ARTICLE 3

1) The overall budget of the Commission approved shall be detailed as follows:

- |                             |                       |
|-----------------------------|-----------------------|
| - Commission Headquarters   | <b>UA 109,593,107</b> |
| - Gender Development Centre | <b>UA 1,304,501</b>   |





- Youth and Sport Development Centre                      **UA 2,423,282**
- Water Resources Coordination Centre                      **UA 875,886**
- ECOWAS Liaison Office in Brussels                      **UA 430,926**

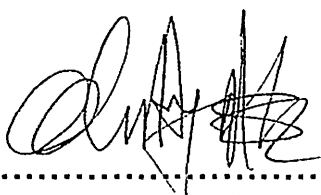
2) The budgets for other ECOWAS Offices are detailed as follows:

- Office of the Financial Controller                      **UA 1,635,450**
- Office of the Chief Internal Auditor                      **UA 1,487,894**

#### **ARTICLE 4**

This Regulation shall be published by ECOWAS Commission in the Official Gazette of the Community within thirty (30) days upon signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette thirty days after its notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.11/12/11 APPROVING THE BUDGET OF THE ECOWAS PARLIAMENT FOR THE 2012 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 said Treaty establishing the ECOWAS Parliament;

**MINDFUL** of the provisions of Article 72 of the said Treaty relating to the Community Levy;

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

**MINDFUL** of the Protocol A/P1/7/96 relating to the conditions for the application of the Community Levy;

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

**MINDFUL** of the Regulation C/REG.5/05/09 of May 27, 2009 adopting the Financial Regulations of the Institutions of the Economic Community of West African States (ECOWAS);

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**HAVING CONSIDERED** the budget of the ECOWAS Parliament recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

## **ENACTS**

### **ARTICLE 1**

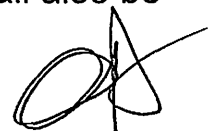
The budget of the ECOWAS Parliament for the 2012 financial year, balanced in income and expenditure at the sum of Eleven million two hundred and seventy three thousand six hundred and sixty Units of Account **(11,273,660 UA)** is hereby approved.

### **ARTICLE 2**

1. An amount of Eleven million two hundred and forty one thousand one hundred and sixty Units of Accounts **(11,241,160UA)** shall be derived from resources obtained from the Community Levy.
2. An amount of one hundred thousand Units of Account **(100,000UA)** shall be derived from Arrears of Contribution
3. Another amount in the sum of thirty two thousand five hundred Units of Account **(32,500 UA)** shall be derived from other sources.

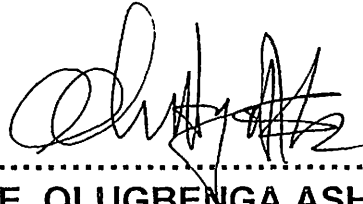
### **ARTICLE 3**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days upon signature by the Chairman of the Council of Ministers. It shall also be

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published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.12/12/11 APPROVING THE BUDGET OF THE COMMUNITY COURT OF JUSTICE FOR THE 2012 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 said ECOWAS Treaty establishing the Community Court of Justice;

**MINDFUL** of the provisions of Article 72 of the said Treaty relating to the Community Levy;

**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 Protocol A/P1/7/96 relating to the conditions for the application of the Community Levy;

**MINDFUL** of the Regulation C/REG.5/05/09 of May 27, 2009 adopting the Financial Regulations of the Institutions of the Economic Community of West African States (ECOWAS);

**HAVING CONSIDERED** the budget of the Community Court of Justice recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

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## ENACTS

### ARTICLE 1

The budget of the Community Court of Justice for the 2012 financial year, balanced in income and expenditure at the sum of Eleven million nine hundred and forty eight thousand two hundred and eight Units of Account (**11,948,208 UA**) is hereby approved.

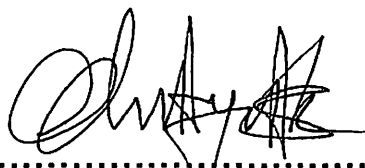
### ARTICLE 2

1. An amount of Eleven million nine hundred and twenty eight thousand two hundred and eight units of Account (**11,928,208 UA**) shall be derived from resources obtained from the Community Levy.
2. Additional amount of Twenty thousand units of account (**20,000 UA**) shall be derived from other sources.

### ARTICLE 3

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

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.13/12/11 APPROVING THE BUDGET OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2012 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 Protocol A/P.2/7/87 relating to the creation of the West African Health Organisation (WAHO);

**MINDFUL** of the provisions of Article 72 of the said Treaty relating to the Community Levy;

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

**MINDFUL** of the Protocol A/P1/7/96 relating to the conditions for the application of the Community Levy;

**MINDFUL** of the Regulation C/REG.5/05/09 of May 27, 2009 adopting the Financial Regulations of the Institutions of the Economic Community of West African States (ECOWAS);

**HAVING CONSIDERED** the budget of the West African Health Organisation recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja, from 23 – 26 November 2011.

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## ENACTS

### **ARTICLE 1**

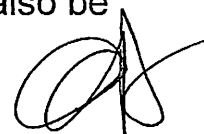
The budget of the West African Health Organisation for the 2012 financial year, balanced in income and expenditure at the sum of Seventeen million three hundred and sixty three thousand eight hundred and seventeen Units of Accounts **(17,363,817UA)** is hereby approved.

### **ARTICLE 2**

1. An amount of Fourteen million and fifty seven thousand three hundred and sixty five Units of Account **(14,057,365UA)** shall be derived from resources obtained from the Community Levy.
2. Additional amount of three million two hundred and ninety five thousand eight hundred and ninety seven Units of Account **(3,295,897 UA)** shall be derived from external sources.
3. Additional amounts in the sum of ten thousand five hundred and fifty five Units of Account **(10,555UA)** shall be derived from other sources.

### **ARTICLE 3**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community within thirty (30) days upon signature by the Chairman of the Council of Ministers. It shall also be

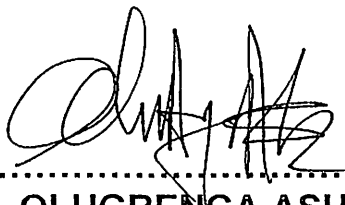
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- 2 -

published by each Member State in its National Gazette thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

CHAIRMAN

FOR COUNCIL



## **Sixty seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.14/12/11 APPROVING THE BUDGET OF THE INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA) FOR THE 2012 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 said Treaty which relate to the budget of the Community Institutions;

**MINDFUL** of the provisions of Article 72 of the Treaty relating to the Community Levy;

**MINDFUL** of Protocol A/P1/7/96 relating to the conditions for the application of the Community Levy;

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

**MINDFUL** of the Regulation C/REG.5/05/09 of May 27, 2009 adopting the Financial Regulations of the Institutions of the Economic Community of West African States (ECOWAS);

**HAVING CONSIDERED** the budget of the Intergovernmental Action Group Against Money Laundering in West Africa recommended by the Tenth meeting of the Administration and Finance Committee held in Abuja from 23 – 26 November 2011.

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## ENACTS

### ARTICLE 1

The budget of the Intergovernmental Action Group Against Money Laundering in West Africa for the 2012 financial year, balanced in income and expenditure at the sum Eight million nine hundred and eighty two thousand seven hundred and seventy nine Units of Accounts **(8,982,779UA)** is hereby approved.

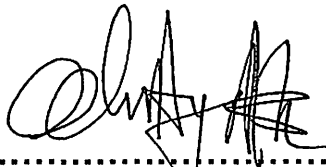
### ARTICLE 2

1. An amount of eight million six hundred and eighty two thousand seven hundred and seventy nine Units of Accounts **(8,682,779UA)** shall be derived from resources obtained from the Community Levy.
2. Additional amounts in the sum of three hundred thousand Units of Accounts **(300,000 UA)** shall be derived from external sources.

### ARTICLE 3

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

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN  
FOR COUNCIL**



## **SIXTY-SEVENTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.15/12/11 AMENDING ARTICLES 40, 71, 72 OF THE FINANCIAL REGULATIONS OF THE INSTITUTIONS OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (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 functions;

**MINDFUL** of Article 74 of the said ECOWAS Treaty relating to the Financial Regulations and Manual of Accounting Procedures of the Community Institutions;

**MINDFUL** of Article 69 of the ECOWAS Treaty relating to the budgets of Community Institutions;

**CONSIDERING** that the transformation of the Executive Secretariat into a Commission, and the revision of the operational texts of Community Institutions, including the Financial Regulations satisfy the demands of modernizing the administrative, financial, and accounting management of the Institutions;

**BEARING IN MIND** that the Financial Regulations of the Community Institutions and their Manual of Procedures which have entered into force and are being applied, are for the purpose of adopting international best practices in administrative and financial management in the day-to-day operation of Community Institutions;

**NOTING that**, in the light of the fact that the Financial Regulation of the Community Institutions and the related Manual of Procedures have been in use since 2010, deadlines for the execution of expenditures, the adoption of International Public Sector Accounting Standards (IPSAS), and the consolidation of the budget and financial statements of the Community institutions, as prescribed successively in Articles 40, 71 and 72 of the Financial Regulation, are no longer valid as a result of the re-organisation of some financial and internal accounting systems;

**NOTING FURTHER** that, for the purpose of the operation of our institutions, it has become a matter of necessity to set up a Resource Planning System (RPS) for the organization, with a view to helping automate and increase programme execution capacity and other financial and administrative management activities of the Community Institutions.

**AWARE** of the need to review the Financial Regulations by amending Articles 40, 71 and 72 to take due account of these new demands;

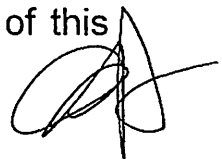
**DESIROUS** to proceed on the amendment of these articles;

**ON THE RECOMMENDATION** of Tenth Administration and Finance Committee meeting held in Abuja from 23 to 26 November 2011.

**HEREBY ENACTS:**

**Article 1 : Amendments**

Articles 40, 71 and 72 of the Financial Regulation of ECOWAS Institutions are hereby amended as set out in the provisions of this Regulation.

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**Article 2 : New Article 40: Deadline for the execution of expenditure operations**

1. Other than staff expenditures, no commitments may be made after 15 December of the year under review. Nonetheless, at the end of the financial year, the Authorizing Officer shall have a period of three (3) months within which to issue payment vouchers for certified rights and services rendered during the year elapsed.
2. In addition, the Head of Institution may, on the basis of a decision of the Chairman of Council taken on the advice of the Financial Controller, carry over available credits to the following financial year for the payment of outstanding debts or to continue implementation of the programmes approved by the competent Authorities of the Community Institutions.
3. The opinion of the Financial Controller thus expressed shall be based on relevant technical grounds.

**Article 3: New Article 71: Adoption of International Public Sector Accounting Standards (IPSAS)**

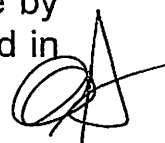
The IPSAS standards provided under Article 58 of the Financial Regulations shall become effective from 1<sup>st</sup> January 2014.

**Article 4: New Article 72: Consolidation of Community Budget and Financial Statements**

The consolidation of the Budget and Financial Statements of the Institutions of the Community as stipulated under Article 58 of these Regulations shall become effective on the Financial Statements ending 31st December 2014.

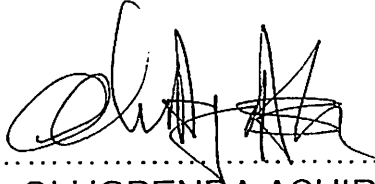
**Article 5: Entry into force and publication**

This Regulation shall enter into force on the date of signature by the Chairman of the Council of Ministers. It shall be published in the Community Official Journal within thirty (30) days of its



signature, and by each Member State in its Official Gazette within the same time-frame upon notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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.....  
H.E. OLUGBENDA ASHIRU

**CHAIRMAN**

**FOR COUNCIL**



## **SIXTY-SEVENTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.16/12./11 ADOPTING THE ECOWAS HUMANITARIAN RESPONSE MECHANISM**

**THE COUNCIL OF MINISTERS,**

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

**MINDFUL** of Article 58 of the said Treaty which obliges Member States to work to safeguard and consolidate relations conducive to the maintenance of peace, stability and security;

**MINDFUL** of Articles 40 and 41 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed in Lome on 10 December 1999 which amongst other issues provides for regional intervention in disaster situations occasioned by natural phenomena or by conflict for the development of capacity to undertake humanitarian actions in such situations and cooperation with other Humanitarian agencies;

**AWARE** that the region has experienced grave humanitarian consequences caused by conflicts and oftentimes natural disasters, all of which have worked untold hardship on our peoples and have given rise to the death and displacement of our peoples, increased refugee situation, destruction of property, in addition to having a deleterious effect on development, political and economic stability of our States;

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**HAVING NOTED** the development in 2006, of an ECOWAS emergency response team (EERT) mechanism by the ECOWAS Commission that is gradually building both regional and national capacity for responding to humanitarian crises within the region;

**MINDFUL** of the Supplementary Act A/8/01/07 adopting the ECOWAS Policy on Disaster Risk Reduction;

**MINDFUL** of the Regulation MSC/REG.2/01/08 that formally established the above mentioned ECOWAS Emergency Response Team mechanism calling for a full operationalisation of the EERT mechanism;

**MINDFUL** also of Regulation MSC/REG.1.01/08 on the Adoption of the ECOWAS Conflict Prevention framework (ECPF) particularly section VIII paragraphs 93 to 96 on Humanitarian Assistance;

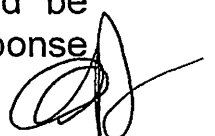
**CONSIDERING** that Humanitarian Assistance as a component and operational tool in the implementation of ECPF sets out to mitigate the impact of humanitarian disaster and emergencies and serves as a bridge between relief/emergency assistance, medium term rehabilitation and reconstruction efforts in post-conflict and disaster settings;

**CONSIDERING** that the EERT mechanism formally established in January 2008 is a component of the Regional Humanitarian Response mechanism;

**NOTING** that regional response to humanitarian crises in West Africa does not sufficiently meet key emergency needs in major crises such as conflicts, natural disasters, human made disasters and mixed migration;

**RECALLING** the directive of the Council of Ministers for the elaboration of an ECOWAS Humanitarian Response Mechanism for the Region;

**AWARE** that an ECOWAS Humanitarian Relief Fund should be another critical component of the ECOWAS Humanitarian Response Mechanism

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**AWARE** that it is imperative to have in place a Regional Humanitarian response Mechanism which is predictable, timely and effective in humanitarian emergency situations;

**DESIROUS** of establishing a Regional Humanitarian Response Mechanism;

**ON THE RECOMMENDATION** of the 10<sup>th</sup> Meeting of the Administration and Finance Committee held from 23 – 26 November 2011.

## **ENACTS**

### **Article 1**

1. The ECOWAS Humanitarian Response Mechanism (EHRM) is hereby adopted as attached in annex to this Regulation.
2. The ECOWAS Humanitarian Relief Fund (EHRF) referred to in the EHRM shall be an integral part of the ECOWAS Solidarity Fund and be located therein when the latter is established.
3. Within the framework of the management of the Solidarity Fund, the ECOWAS Commission shall establish a mechanism that allows for a quick disbursement of the EHRF when required.
4. In the interim, disbursement of the EHRF shall be undertaken in compliance with the modalities defined within the Humanitarian Response Mechanism.

### **Article 2**

1. The ECOWAS Commission shall undertake all necessary measures to ensure full application of the Humanitarian Response Mechanism.

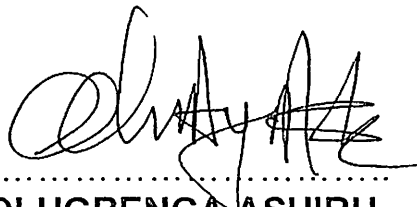


2. The Commission shall ensure that ECOWAS national units are fully involved in all Humanitarian fields assessment missions undertaken to determine resource requirement for emergency response.
3. The President of the Commission shall also seek the assistance of other relevant humanitarian agencies in the process of applying the mechanism and shall establish the appropriate legal frameworks thereon.

### **Article 3**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Community of West African States within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF NOVEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



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

ECONOMIC COMMUNITY OF  
WEST AFRICAN STATES

## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.17/11/11 ON THE ESTABLISHMENT OF THE ECOWAS PENSION SCHEME FOR STAFF OF ECOWAS INSTITUTIONS**

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

**RECALLING** that the Council of Ministers during its ninth session adopted the rules governing the management of ECOWAS provident Fund and authorized ECOWAS Staff members to join the Pension Fund of the Central Bank of West African States (BCEAO);

**MINDFUL** of the Regulation C/REG.11/7/96 of 21st July 1996 authorizing the ECOWAS staff members to be members of the pension Fund of the Central Bank of West African States (BCEAO);

**RECALLING** also that the effective implementation of the Regulation C/REG.11/7/96 allowed the staff of the Commission to join the BCEAO Pension Scheme through the ECOWAS Bank for Investment and Development (EBID), and that this opportunity is no longer available to staff of all the ECOWAS Institutions with the exception of EBID;

**MINDFUL** of article 47 of the ECOWAS Staff Regulations on pension;

**CONSIDERING** paragraphs 37 to 42 of the report of the seventh meeting of the Administration and Finance Committee which took place in Abuja from 26<sup>th</sup> to 28<sup>th</sup> April 2010;

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**CONVINCED** that the establishment of an ECOWAS Pension Scheme will guarantee payment of a lump sum at retirement and monthly pension for life;

**CONVINCED** also that the ECOWAS Pension Scheme will guarantee that staff members are not disadvantaged compared to their colleagues who have already joined CRRAE and RCNPC;

**RECALLING** the Inter-institutional meeting which took place in Cotonou in 2011 to deliberate and recommend the parameters for the establishment of the Pension Scheme;

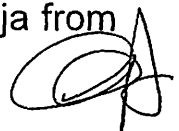
**AWARE** that a study of the Pension Fund shows that there is the need to inject an initial lump sum for the scheme to take off and be sustainable in view of the fact that a large number of staff who should benefit from the Pension Fund would be due for retirement in the next six (6) years;

**TAKING INTO ACCOUNT** the fact that a recent actuarial valuation carried out in 2011 indicated that there was a funding gap of about US\$ 11,322,437 million;

**CONVINCED** that an increase in the retirement age from 60 to 62 years would help provide part of the funding to bridge the funding gap revealed by the aforesaid actuarial valuation and therefore facilitate the establishment of the Pension;

**DESIROUS** to establish and ensure the take-off of an ECOWAS Staff Pension Scheme for the ECOWAS Staff members as provided for under the aforementioned Staff Regulations;

**ON THE RECOMMENDATION** of the Tenth meeting of the Administration and Finance Committee which was held in Abuja from 23 to 26 November 2011;



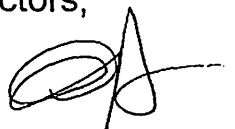
## ENACTS

### **Article 1:**

1. The ECOWAS Staff Pension Scheme is hereby established in compliance with Article 47 (a) (III) of the ECOWAS Staff Regulations of 2005 and shall take effect from 1<sup>st</sup> January 2012.
2. The Scheme is established for all categories of staff of Institutions of this Community subject to conditions laid out under Article 47 (d) of the Staff Regulations.
3. The ECOWAS Commission shall, using ECOWAS procurement procedures, engage the services of Pension Fund Managers to manage the Staff Pension Scheme.

### **Article 2:**

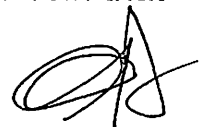
1. A Board of Trustees is hereby established to carry out administrative activities to facilitate the initial take-off of the ECOWAS Pension Scheme for Staff of Community Institutions.
2. The composition of the Board of Trustees shall be as follows:
  - a. Chairman: Commissioner for Administration and Finance;
  - b. Deputy Chairman: Senior Registrar, Court of Justice;
  - c. Two representatives of the Institutions: Human Resources Directors of the Commission and ECOWAS Parliament;
  - d. Two staff representatives: GIABA and WAHO (Directors, Administration and Finance);
  - e. Two representatives of the Pensioners;
  - f. Secretary: Commission.



3. Membership of the Board of the Trustees shall be reviewed by the Board itself as and when necessary.
4. The Board of Trustees shall on behalf of beneficiaries of the Scheme monitor the management of the Pension Scheme Managers.
5. In order to facilitate initial take off of the Pension Scheme, the Board of Trustees shall carry out necessary reconciliation of this Scheme with all other established pension plans at which staff of the Community is involved and to which the Community is financially committed.

**Article 3:**

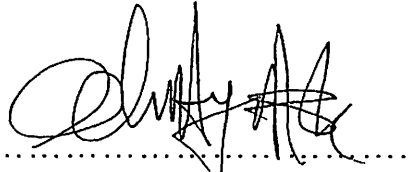
1. The Commission shall source from the internal resources of the Community a total sum of six million, seven hundred and ninety three thousand, five hundred and sixty four (6,793,564 US\$) million United States dollars as part funding to facilitate the immediate take off of the Pension Scheme.
2. As a means of ensuring contributory funding from Staff of the Community as well as adequacy and sustainability of the funding for the Pension Scheme the retirement age as prescribed under the ECOWAS Staff Regulations of 2005 is hereby amended and the retirement age extended from 60 – 62 years with effect from 1<sup>st</sup> January 2012.
3. This Article thereby supersedes Article 61 (a) (i) of the 2005 ECOWAS Staff Regulations and all other provisions therein that refer to the ECOWAS Staff retirement age.

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**Article 4:**

This Regulation shall be published by the ECOWAS Commission in the Official Journal of the Economic Community of West African States within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within thirty (30) days after notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**





## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C /REG.18/12 /11 INCREASING THE GRANT ALLOCATED TO NATIONAL CONVERGENCE COMMITTEES ON MULTILATERAL SURVEILLANCE**

#### **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 74 of the said ECOWAS Treaty relating to the Financial Regulation and Manual of Accounting Procedures of Community Institutions;

**MINDFUL** of Article 69 of the ECOWAS Treaty relating to the budgets of Community Institutions;

**MINDFUL** of Decision A/DEC. 2/7/87 relating to the adoption of a Monetary Cooperation Programme which envisages the creation of a single monetary zone within ECOWAS;

**MINDFUL** of Decision A/DEC.7/12/99 of 10 December 1999 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 21 December 2001 creating a mechanism for multilateral surveillance of economic and financial policies of ECOWAS Member States;

**MINDFUL** of the Report of the meeting of the Convergence Council held in Lome, Togo on 14 October 2011

**CONSIDERING** that the external funds established to finance national committees on multilateral surveillance are running out and are no longer sufficient to cover their needs;

**CONSCIOUS** of the need to strengthen the efficiency of the ECOWAS multilateral surveillance mechanism by allocating a grant to the Committees;

**DESIROUS** to allocate the necessary funds to the national Convergence Committees;

## **ENACTS**

### **ARTICLE 1**

By this Regulation, an amount of forty-five thousand (45 000) US dollars is hereby allocated to the National Convergence Committees for the purpose of implementing their activities.

### **ARTICLE 2**

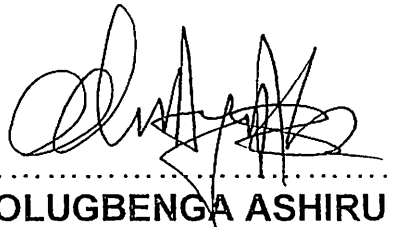
The balance shall be paid during the next budget session of the Administration and Finance Committee in 2012.

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**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 Chairman of the Council of Ministers. It shall equally be published by each Member State in its Official Gazette within thirty (30) days upon notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**

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**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.19/12/11 RELATING TO THE CREATION AND FUNCTIONING OF AN AIR TRANSPORT COMMITTEE WITHIN 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 functions;

**MINDFUL** of Article 32 (1) (f) of the said Treaty which provides that Member States encourage co-operation in flight scheduling, leasing of aircraft and granting joint use of fifth freedom rights to airlines in the region;

**MINDFUL** of Supplementary Protocol A/SP.1/06/06 amending the said 1993 Treaty;

**RECALLING** the Convention on International Civil Aviation signed at Chicago, on the 7<sup>th</sup> December 1944 and its annexes;

**MINDFUL ALSO** of the Memorandum of Understanding (MOU) on the Implementation of the Yamoussoukro Decision on the Liberalization of Air Transport signed by twenty three (23) States of West and Central Africa on 14 November 1999;

**MINDFUL** of Article e, [new Articles 19 (2), 79 and 83 (3)] of the Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty of 1993 which appoints the President of the ECOWAS Commission as the legal representative of ECOWAS and authorises the said President of the Commission to conclude co-operation agreements with other Regional Communities on behalf of the entire Community;

**MINDFUL** of the fact that international aviation relations between Member States of the Economic Community of West African States (ECOWAS) and third parties respectively are traditionally governed by bilateral air service agreements, their annexes and other related multilateral agreements;

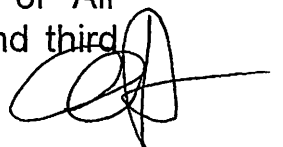
**RECOGNISING** the need to put in place, within the context of all negotiations, adequate safeguards which will sustain effective participation of air carriers within ECOWAS Member States in international air transport;

**RECALLING** the Guidelines on a Common African Position for the Negotiation of Air Services Agreements adopted by the African Ministers of Transport in Algiers (Algeria) from 21-25 April 2008;

**HAVING NOTED** the Resolution No. 12/JMTICAF/09 on the Common External Policy of ECOWAS Member States for the Negotiation of Air Services Agreements with Third Countries adopted by the ECOWAS Ministers in charge of Civil Aviation in Yamoussoukro on 5<sup>th</sup> June 2009;

**ALSO NOTING** the conclusions of the meeting of a Technical Committee of Experts in relation to Negotiation of Air Services Agreement with Third Countries that was held in Bamako, Mali May 2010;

**DESIROUS** of strengthening the capacity for negotiation of Air Transport agreements between ECOWAS Member States and third Parties;

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**ON THE RECOMMENDATION** of A Joint Meeting of ECOWAS Ministers Transport/Civil Aviation/Infrastructure/Finance and Chief Executive Officers of Airlines held in Yamoussoukro, Cote d'Ivoire, 1<sup>st</sup> – 5<sup>th</sup> June 2009; charge of Civil Aviation that was held on 17<sup>th</sup> September 2010 at Yamoussoukro, Cote d'Ivoire;

## **ENACTS**

### **Article 1**

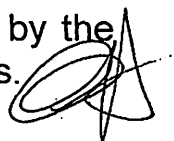
Having regard to Article 83 of the 1993 ECOWAS Treaty as amended, which authorises the Community to conclude cooperation agreements with third countries, the ECOWAS Commission shall engage in negotiations with third parties on matters relating to Air Services.

### **Article 2**

1. The ECOWAS Commission shall, prior to any negotiation, convene meetings of the Air Transport Committee established by Regulation C/REG.20/12/11, in order to ensure the formulation and adoption of common positions that would promote and safeguard the interests of the Region.
2. The ECOWAS Commission shall take into account the technical advice and guidelines provided by the Air Transport Committee referred to in paragraph 1 of this Article.
3. The ECOWAS Commission shall ensure regular reporting of the status of these negotiations to the Council of Ministers.

### **Article 3**

The ECOWAS Commission shall in the course of these negotiations with third parties, take into account the guidelines developed by the African Union (AU) for the negotiation of air service agreements.



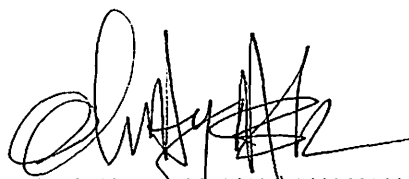
#### **Article 4**

The President of the ECOWAS Commission shall in compliance with Article 2 (new Article 83, paragraph 3) of the Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty and on behalf of the entire Community, conclude and sign all cooperation agreements negotiated with third parties in the air services sector.

#### **Article 5**

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 Chairman of the Council of Ministers. It shall equally be published by each Member State in its Official Gazette within thirty (30) days upon notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.20/12/11 RELATING TO THE NEGOTIATION OF AIR SERVICES BETWEEN ECOWAS AND THIRD PARTIES**

#### **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 Chapter VII of the said ECOWAS Treaty which amongst other issues, provides that Member States commit themselves to develop Regional air transportation services and encourage co-operation in flight scheduling, leasing of aircraft and granting the joint use of fifth freedom rights to airlines in the ECOWAS region;

**MINDFUL** of the Convention on International Civil Aviation signed at Chicago, on the 7<sup>th</sup> December 1944 and its annexes;

**MINDFUL** of the Yamoussoukro Decision relating to the Declaration concerning the Liberalisation of Access to Air Transport Markets in Africa signed on the 14 November 1999 and adopted by the Assembly of Heads of State of the African Union/African Economic Community on 11 July 2000;

**MINDFUL** of Article 85 of the said ECOWAS Treaty which provides that Member States of ECOWAS formulate and adopt common positions within the Community on issues relating to International negotiations with third Parties in order to promote and safeguard the interests of the region;

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**MINDFUL** of Article e, [new Articles 19 (2), 79 and 83 (3)] of the Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty of 1993 which appoints the President of the ECOWAS Commission as the legal representative of ECOWAS and authorises the said President of the Commission to conclude co-operation agreements with other Regional Communities on behalf of the entire Community;

**MINDFUL** of the fact that international aviation relations between Member States of the Economic Community of West African States (ECOWAS) and third parties respectively are traditionally governed by bilateral air service agreements, their annexes and other related multilateral agreements;

**RECOGNISING** the need to put in place, within the context of all negotiations, adequate safeguards which will sustain effective participation of air carriers within ECOWAS Member States in international air transport;

**RECALLING** the Guidelines on a Common African Position for the Negotiation of Air Services Agreements adopted by the African Ministers of Transport in Algiers (Algeria) from 21-25 April 2008;

**HAVING NOTED** the Resolution No. 12/JMTICAF/09 on the Common External Policy of ECOWAS Member States for the Negotiation of Air Services Agreements with Third Countries adopted by the ECOWAS Ministers in charge of Civil Aviation in Yamoussoukro on 5<sup>th</sup> June 2009;

**ALSO NOTING** the conclusions of the meeting of a Technical Committee of Experts in relation to Negotiation of Air Services Agreement with Third Countries that was held in Bamako, Mali May 2010;

**DESIROUS** of strengthening the capacity for negotiation of Air Transport agreements between ECOWAS Member States and third Parties;





## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG. 21/12/11 ADOPTING THE CHARTER FOR FOOD CRISIS PREVENTION AND MANAGEMENT**

#### **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 25 of the said Treaty relating to agricultural development and food security;

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

**CONSIDERING** that Decision A/DEC.11/01/05 provides that, over time, regional or technical cooperation organizations should mainstream their strategies and sector policies and programmes relating to agriculture, food and natural resource management into the orientations and priorities of the Agricultural Policy of the Economic Community of West African States.

**CONSIDERING** the Memorandum of Understanding on cooperation between the Economic Community of West African States (ECOWAS) and CILSS of 21 December 2006 identifying CILSS as the technical arm of ECOWAS in the implementation of:

- (i) the Priority Intervention Programme «Prevention and Management of Food Crises and other Natural Disasters (PREGEC/CAN) of ECOWAP/CAADP;

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- (ii) the Sub-Regional Action Programme to combat Desertification in West Africa and Chad (SRAP/WA);

**CONSIDERING** the Memorandum of Understanding of 28 May 2008 on cooperation between CILSS and the Commission of West African Economic and Monetary Union (UEMOA)

**RECALLING** that the «Charter for Food Crisis Prevention and Management» was formally adopted by Food and Agriculture Ministers of ECOWAS Member States, Mauritania and Chad at their meeting held in Conakry on 17 November 2011;

**EAGER** to ensure full ownership of the «Charter for Food Crisis Prevention and Management» by ECOWAS;

**DESIROUS** of adopting the «Charter for Food Crisis Prevention and Management» with a view to minimizing as much as possible the adverse effects of food aid and phasing it out over time;

**ON THE RECOMMENDATION** of the meeting of Food and Agriculture Ministers of ECOWAS Member States, Mauritania and Chad held in Conakry, Guinea on 17 November 2011;

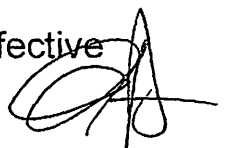
## **ENACTS**

### **ARTICLE 1**

The «Charter for Food Crisis Prevention and Management» attached hereto is hereby adopted.

### **ARTICLE 2**

ECOWAS Member States and Institutions shall ensure the effective implementation of the Charter.



### **ARTICLE 3**

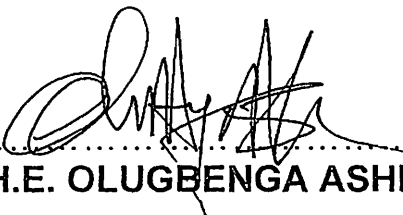
The ECOWAS shall however, make practical arrangements for the approval and effective implementation of the Charter by carrying out the following activities:-

1. The development and funding of a programme to disseminate the Charter's text in all signatory countries, taking into account local languages and the differing socio-cultural environments;
2. The implementation of the evaluation and monitoring mechanism for the Charter's implementation at the national and regional level;
3. The development and funding of a capacity building programme for national food security systems and civil society in light of their active participation in implementing the Charter;
4. Work to ensure that the intervention approach of financial and technical partners is kept within the framework of the principles and commitments of the Charter.

### **ARTICLE 4**

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 Chairman of the Council of Ministers. It shall equally be published in the Official Gazette of each Member State within thirty (30) days upon notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**



## **Sixty-Seventh Ordinary Session of the Council of Ministers**

Abuja, 19 – 21 December 2011

### **REGULATION C/REG.22/12 /11 RELATING TO THE AFRICAN UNION CONVENTION FOR THE PROTECTION AND ASSISTANCE OF INTERNALLY DISPLACED PERSONS IN AFRICA (KAMPALA CONVENTION)**

#### **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 40 and 41 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed in Lome on 10 December 1999 which amongst other issues provides for regional intervention in disaster situations occasioned by natural phenomena or by conflict for the development of capacity to undertake humanitarian actions in such situations and cooperation with other Humanitarian agencies;

**MINDFUL** of the Supplementary Act A/8/01/07 adopting the ECOWAS Policy on Disaster Risk Reduction;

**MINDFUL** of the Regulation MSC/REG.2/01/08 that formally established the ECOWAS Emergency Response Team mechanism;

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**MINDFUL** also of Regulation MSC/REG.1.01/08 on the Adoption of the ECOWAS Conflict Prevention framework (ECPF) particularly section VIII paragraphs 93 to 96 on Humanitarian Assistance;

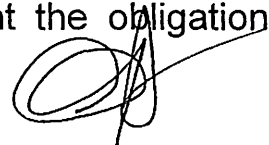
**CONSIDERING** that the massive internal displacement of persons which have occurred in the West African sub-region due to civil war, internal communal conflicts, ethno religious conflicts, natural disaster and climate change, development projects and human rights violations have negatively impacted on the fundamental human rights of internal displaced persons (IDPs);

**DETERMINED** to address the issue of internal displaced persons as this constitutes a major challenge to regional integration and national development in the region;

**CONSIDERING** the African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) of 23<sup>rd</sup> October 2009 adopted by the Special Summit of the African Union which reaffirms the fundamental principle that African countries must bear the responsibility of providing protection and assistance to IDPS;

**NOTING** that in order to realise the vision and promise contained in the Convention, the Executive Council of the African Union adopted a plan of Action (2010 – 2012) in which it expressly stressed that Regional Economic Communities (RECs) have a vital role to play in implementing the provisions of the Convention;

**DESIROUS** therefore of ensuring that ECOWAS Member States sign and ratify the Kampala Convention and implement the obligations arising from States by the Convention;

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**ON THE RECOMMENDATION** of the First Ministerial Meeting on Humanitarian Assistance and Internal Displacement in West Africa which was held in Abuja, Nigeria from 5 – 7 July 2011;

**HEREBY ENACTS**

**ARTICLE 1:**

1. Member States who have not already done so, should sign and ratify the African Union Convention for the Protection and Assistance of Internally displaced Persons in Africa.
2. Member States should also sign and ratify all other International Treaties and Conventions relating to internally displaced persons, including the OAU Convention governing specific aspects of refugee problems in Africa

**ARTICLE 2:**

Member States undertake to respect the principles enunciated by the Kampala Convention especially as they relate to State responsibility for the prevention of internal displacement, protection of displaced persons, provision of humanitarian assistance and funding durable solution for internal displacement.

**ARTICLE 3:**

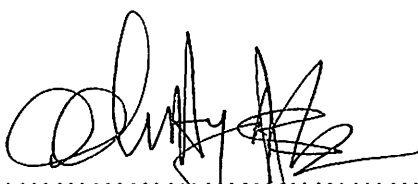
The ECOWAS Commission in collaboration with Member States will support African Union efforts in disseminating IDP Convention in order to facilitate its incorporation into their national body laws as well as its implementation.



**ARTICLE 4:**

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 Chairman of the Council of Ministers. It shall equally be published by each Member State in its Official Gazette within thirty (30) days upon notification by the Commission.

**DONE AT ABUJA, THIS 21<sup>ST</sup> DAY OF DECEMBER 2011**



.....  
**H.E. OLUGBENGA ASHIRU**

**CHAIRMAN**

**FOR COUNCIL**