

COMUNIDADE ECONOMICA DOS
ESTADOS DA AFRICA DO OESTE

ECONOMIC COMMUNITY
OF WEST AFRICAN STATES



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

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SIXTY-NINTH ORDINARY SESSION OF THE ECOWAS COUNCIL OF MINISTERS

Abidjan, 30th November – 2nd December, 2012

FINAL REPORT

ECOWAS Commission
Abidjan, December, 2012

INTRODUCTION

1. The Sixty-Ninth Ordinary Session of the Council of Ministers was held from 30th November to 2nd December, 2012 in Abidjan, Republic of Côte d'Ivoire. The meeting, which was attended by Ministers in-charge of ECOWAS Affairs and Finance, was opened by H.E. Daniel Kablan Duncan, Prime Minister of the Republic of Côte d'Ivoire, the outgoing Chairman of Council.

2 The following Member States were represented:

- Republic of BENIN
- BURKINA FASO
- Republic of CAPE VERDE
- Republic of COTE D'IVOIRE
- Republic of The GAMBIA
- Republic of GHANA
- Republic of GUINEA
- Republic of GUINEA BISSAU
- Republic of LIBERIA
- Republic of MALI
- Republic of NIGER
- Federal Republic of NIGERIA
- Republic of SENEGAL
- Republic of SIERRA LEONE
- TOGOLESE Republic

3. The following Institutions, Specialized Agencies of ECOWAS and invited guest were also represented:

- ECOWAS Commission;
- ECOWAS Parliament;
- Community Court of Justice;
- West African Health Organisation (WAHO);
- ECOWAS Bank for Investment and Development (EBID);
- Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);
- ECOWAS Regional Centre for Renewable Energy and Energy Efficiency (ECREEE);
- ECOWAS Regional Electricity Regulatory Agency (ERERA);
- West African Power Pool (WAPP);
- Deputy Minister for Foreign Affairs for Africa of the Bolivarian Republic of Venezuela.

4. The list of participants is annexed to this report.

I. OPENING CEREMONY

5. The President of the ECOWAS Commission, in his address, congratulated the incoming Chairman of Council, H.E. Charles Koffi Diby. He expressed thanks to H.E. Daniel Kablan Duncan, Prime Minister and outgoing Chair of Council, for his distinguished performance. Welcoming the delegations, the President of the Commission recalled that the 69th Ordinary Session of the Council was holding at a time when our region was corroborating its positive economic outlook with an estimated growth rate of 6.9% in 2012. However, he recalled the institutional and security crises that characterised the year, laying emphasis on the efforts being made to ensure a return to peace and constitutional order in Mali and Guinea Bissau.

6. Indeed, the President of the Commission highlighted the transitional mechanisms put in place through dialogue to resolve the crises in these two Member States. He particularly recalled the prevailing international consensus generated as a result of the impetus of the Authority of Heads of State and Government, on the types of responses required to effectively address the deteriorating humanitarian and security situations in Northern Mali.

7. Consequently, on the challenges still lying ahead, he reiterated the need to pursue efforts and reforms to ensure lasting stability in these two countries. On another note, the President of the Commission commended the peaceful elections held in Sierra Leone and, in the context of the elections due to be held in Burkina Faso, Ghana, Togo and Guinea, expressed sincere hope that the elections will be held in an environment of peace which will usher in stability and development.

8. In that regard, he stressed that we cannot achieve accelerated integration in West Africa without stability and adequate solutions to address the causes of poverty through sectoral programmes that make for high integration. Despite the progress made in implementing regional programmes, the President laid special emphasis on the ground that remains to be covered given the new challenges, the consolidation of the common market, improvement of regional competitiveness, as well as ownership and implementation of the community texts.

9. He indicated that the 2013 activity programmes and budgets of the ECOWAS Institutions wholly represent all the challenges. While reiterating the Commission's determination to undertake the necessary reforms to evolve effective institutions for the benefit of the Community, the President expressed sincere hope that the Member States will provide the required support to ensure expeditious implementation of the programmes.

10. He expressed gratitude to all partners for their unwavering assistance towards achieving the ECOWAS objectives. Lastly, the President of the Commission, on behalf of ECOWAS Institutions, expressed heartfelt gratitude to H. E. Alassane Ouattara, President of the Republic of Côte d'Ivoire and current ECOWAS Chairman, for his personal involvement in improving the security situation of the region and the consolidation of our Community-building process.

11. The Deputy Minister for Foreign Affairs for Africa of the Bolivarian Republic of Venezuela, Prof. Reinaldo Bolívar, upon the invitation of the Commission, addressed Council. Recalling the context of cooperation between the Bolivarian Republic of Venezuela and West Africa, he highlighted the excellent relationship established through Venezuela's Africa agenda, particularly in the areas of education, agriculture, mining and health. In particular, he highlighted the recent efforts in the fight against malaria undertaken with ECOWAS and the Republic of Cuba, and expressed his readiness to sign the implementation framework to get the programme started.

12. Recalling the principles of solidarity and complementarity to which Venezuela is committed, the Deputy Minister raised the possibility of strengthening this cooperation given the existing resources and potentials. Against this backdrop, he noted that the second South America – Africa Summit will be an opportunity to review the gains and achieve the major aspirations of the people from both sides.

13. He reiterated Venezuela's determination to deploy further efforts in areas relating particularly to cultural exchanges, establishment of joint ventures, and the agricultural and mining sectors. He expressed his thanks and gratitude for the invitation extended to his Government to participate in the Council's Meeting.

14. In his opening statement, the Prime Minister of the Republic of Cote d'Ivoire H.E. Daniel Kablan Duncan, in his capacity as outgoing Chairman of the Council of Ministers, welcomed Council members. Speaking on the work of Council under his chairmanship for the past nine months, he thanked members for their unwavering support and frank cooperation during that period, particularly with regard to crisis management in Mali and Guinea Bissau. The Prime Minister expressed confidence in the experience and commitment of the incoming Minister for Foreign Affairs in continuing with on-going efforts and promoting the regional agenda.

15. Recalling the consequences of Malaria in West Africa, the Prime Minister stressed the importance of eradicating the scourge and welcomed the Framework Cooperation Agreement due to be signed between ECOWAS and the Bolivarian Republic of Venezuela, one of whose objectives is the establishment of three biolarvicide factories in West Africa.

16. He also commended the involvement and determination of the President of the Commission in the attainment of Community goals. In that respect, he stated that this Council session would contribute to deepening the regional integration process.

17. On the economic performance of the region, the Prime Minister noted the handicaps inherent in the consolidation of regional integration by stressing the need to harmonize the legal, legislative and financial, as well as budgetary and fiscal procedures for enhanced macroeconomic convergence among the Member States.

18. He also emphasised the need to consolidate the common market, particularly through the effective implementation of the ECOWAS Protocol on the Free Movement of

Persons and Goods, prompt establishment of the Common External Tariff, and finalisation of the Community Investment Code. With regard to the conclusion of the EPA, the Prime Minister noted the risks of juxtaposing the different commercial regimes on the regional integration process. In that regard, he stated the need for some level of compromise, in order to end the current impasse. On the status of implementation of sectoral policies, the Prime Minister particularly urged for prompt establishment of a regional food reserve and mobilisation of the necessary resources for infrastructural development.

19. With regards to institutional matters, he recalled the decision of the Heads of State and Government on the enlargement of the Commission and the finalization of modalities for the implementation of the decision. He also highlighted the importance of enhancing institutional performance, calling for the pursuit of the on-going reforms.

20. In conclusion, and given the different issues at stake, the Prime Minister underscored the responsibility of Council members in meeting the development challenges and completing the community-building process. He wished the members of Council success in their deliberations and subsequently declared open the 69th Ordinary Session of the ECOWAS Council of Ministers.

21. Taking the floor, the Sierra Leonean Deputy Minister of Foreign Affairs expressed appreciation to both ECOWAS and the International Community for their support during the recently concluded parliamentary and presidential elections in their country.

22. The full texts of the speeches are attached to this report.

II. ELECTION OF BUREAU

23. The following bureau was elected:

- Chairman - Republic of Cote d'Ivoire
- Rapporteurs - Republic of Guinea Bissau
- Republic of Ghana

III. ADOPTION OF AGENDA AND WORK PROGRAMME

24. The following agenda was adopted:

I Opening Ceremony

- Statement by H.E. Kadré Désiré Ouédraogo, President of the ECOWAS Commission
- Statement by Prof. Reinaldo Bolívar, Hon. Vice Minister of Foreign Affairs for Africa, the Bolivarian Republic of Venezuela
- Opening Statement by H.E. Daniel Kablan Duncan, Prime Minister of Republic of Côte d'Ivoire

II. CLOSED DOOR SESSION

1. Adoption of Draft Agenda and Work Programme
2. Election of Bureau

ITEMS FOR DECISION

3. Presentation and Consideration of the 2012 Annual Report of the President of the ECOWAS Commission
4. Presentation and Consideration of the Financial Controller's 2012 Interim Report
5. Presentation and Consideration of the Report of the Audit Committee
6. Presentation and Consideration of the Report of the 12th Meeting of the Administration and Finance Committee
7. Presentation and Consideration of the Status of Tasks Assigned by the 68th Ordinary Session of the ECOWAS Council of Ministers

ITEMS FROM SECTORAL MINISTERS

8. Presentation of the Report of the Meeting of ECOWAS Ministers of Trade and Industry on Standards Harmonization Model and Procedure
9. Presentation of Memorandum for two year Extension of the ECOWAS Regional Action Plan to Address the Growing Problem of Drug Abuse, Illicit Drug Trafficking and Organized Crimes in West Africa 2008-2012
10. Presentation of the Report of 4th Meeting of ECOWAS Ministers of Education
11. Presentation of the Report of 1st Ministerial Meeting on Tourism
12. Memorandum on the full Membership of Sao Tome and Principe (STP) and Observer Status of the Comoros Islands in GIABA
13. Presentation and Consideration of a Memorandum on Expansion of Commission and Allocation of Statutory Positions to Member States

OTHER ITEMS

14. Any Other Business
 - Nigeria's Candidacy for Non-Permanent Seat in UN Security Council
 - Consideration of the Draft Agenda of the 42nd Ordinary Summit of Heads of State and Government
15. Adoption of Report

16. Closing Ceremony

17. Vote of Thanks

IV. OUTCOME OF DELIBERATIONS

ITEMS FOR DECISION

Item 3: Presentation and Consideration of the 2012 Annual Report of the President of the ECOWAS Commission

25. The 2012 Annual Report of the President of ECOWAS Commission gives a complete picture of the status of implementation of the Community Work Programme for the period under review and presents the prospects for next year. The aim of the selected theme “***Political Stability and West African Integration***” is to draw attention to the obstacles in the way of the economic integration process in West Africa stemming from by the political crises.

26. The Community Work Programme was implemented in an environment characterised on the one hand, by relative improvement in the economic governance of Member States and, on the other hand, by the political will of ECOWAS authorities to fast-track regional integration and development in spite of the socio-political turmoil in Mali and Guinea Bissau which led to coups d'état.

27. Concerning the functioning of ECOWAS decision-making bodies, 2012 saw the election of H.E. Alassane OUATTARA, President of the Republic of Cote d'Ivoire, as Chairman of the ECOWAS Authority of Heads of State and Government, the appointment of H.E. Kadre Desiré OUEDRAOGO as President of the ECOWAS Commission and the assumption of duty of new Commissioners.

28. With regard to economic performance, West African economic growth stood at 6.9% in 2012 compared to 5.9% in 2011, in spite of the slowdown in the global economy. The high growth rate projected for the region is due to the economic performance of Sierra Leone (18.3%), economic recovery of Cote d'Ivoire (8.6% compared to -4.7% in 2011), increased growth in Niger (11.6% compared to 2.3% in 2011) and the good performance of the Ghanaian (8.2%) and Nigerian (7.1%) economies.

29. On the subject of implementation of the 2012 Community Work Programme, the report highlighted the fact that progress was achieved in all activity areas for 2012, including the consolidation of regional peace and security.

30. In order to fast-track the regional integration process, the Commission was committed to focusing its crisis resolution efforts in Mali and Guinea Bissau towards the promotion of peace and stability in the region, maintenance of good economic growth in the region through credible political dialogue with Member States, addressing regional challenges in the areas of infrastructure, food security and health and ensuring free movement of persons and goods within the region.

31. Following the discussions that ensued after the presentation, Council congratulated the President of the Commission and the Commissioners on the quality of his report and adopted it for presentation to the Authority of Heads of State and Government. Arising from the President's annual report Council decided to consider the UN Secretary General's report to the UN Security Council on Mali, given its security implications on our region.

Consideration of the Report of the United Nations Secretary General to the Security Council on Mali

32. The President of the Commission presented an update on the regional and international initiatives undertaken in the crisis management process in Mali. He specifically stated that different consultations and planning meetings had led to the adoption of the strategic Concept and the harmonised Concept of Operations (CONOPS). The President pointed out that the documents, prepared following an all-inclusive participatory approach, were adopted by the ECOWAS Authority of Heads of State and Government and subsequently endorsed by the African Union. The latter in turn, forwarded them to the United Nations Secretary General with a view to enriching his report. While presenting an outline of the Secretary General's Report, the President of the Commission highlighted some aspects which were not only a perversion of realities on the ground, but also an indication of a certain reticence with regard to the deployment of a force to northern Mali. In this respect, he underscored the risks of non-intervention and stressed the need to reaffirm the determination of ECOWAS and the African Union to stick to the region's request for a Resolution authorising intervention in northern Mali, in consonance with the decisions of the ECOWAS Heads of State and Government.

33. Taking note of this item, Council deplored the disconnection between the recommendations of the report and the urgency of the requisite action. Council is of the opinion that the reticence expressed in the report is likely to dilute the efforts unanimously undertaken, regionally and internationally, to find solutions to the security and institutional crisis in Mali. Council believes that desisting from intervention in Mali or any reluctance in the timely deployment of a force, in keeping with Chapter 7 of the United Nations Charter, would be tantamount to failure to assist the Malian people. This state of affairs would deepen the food and humanitarian crisis and encourage the entrenchment of terrorist and criminal gangs with heavy consequences for regional and international security.

34. Issues raised in the Secretary General's report were extensively and critically discussed by Council. In the light of the discussions, Council recommended that a joint ECOWAS – AU mission be sent to New York to reaffirm to the UN Secretary General and members of the Security Council the region's determination to maintain the position expressed by the ECOWAS Authority of Heads of State and Government, and supported by the African Union, particularly as relates to the deployment of AFISMA to Mali. Council urges the African Union to direct the African Group in New York to promptly make diplomatic representations with the United Nations Secretary General and members of the Security Council on the matter.

Item 4: Presentation and Consideration of the Financial Controller's 2012 Interim Report

35. The 2012 Interim Report of the Acting Financial Controller covers the budgetary, financial and staffing situation of the community institutions for the period 1st January through 30th June, 2012. The report recalled that Council of Ministers at its Sixty-seventh Ordinary Session approved a total budget of UA 167,319,510 for Community Institutions for the year 2012, an increase of 8% over the preceding year of which UA 147,047,008 was to be funded from Community Levy, UA 600,000 from contribution arrears, UA 19,494,447 from donor grants and UA 178,005 miscellaneous income. In all, about 88% of the budget was expected to be funded from the Community resources and 12% from donor funds.

36. It was reported that for the period under review, total income recorded was UA 107,314,012 or 64% of the budgeted income for the year. Of the total income recorded as received for the period, community levy accounted for UA 105,827,713 constituting 99% of total receipts. Out of the total levy received, UA 66,932,272 or 63% was disbursed to Community Institutions to finance their programmes and activities. No contribution arrears were received from Member States. Donor grants received amounted to, UA 1,404,410 or 7% of the grants budgeted and miscellaneous income recorded stood at, UA 81,889. The rate of income achieved for the period was very good from the main source of income, the Community Levy.

37. The Acting Financial Controller reported that issues relating to early and timely receipt of returns on assessment, collection and deposit of levy continued to pose a challenge. He pointed out that the statement on levy assessments continued to be behind schedule. The report noted that some statements of levy assessed, collected and deposited into the community levy bank accounts had been received but there were delays in receiving most of them. Five countries did not submit any returns at all during the period under review. The report stated that contrary to the decision of the Authority A/DEC.4/01/05 and Council Regulation C/REG.1/9/03, Nigeria continues to control and restrict access to the ECOWAS levy bank account at the Central Bank of Nigeria, by the ECOWAS Commission. He reminded Council to come up with a lasting solution to this lingering problem.

38. On the contribution arrears, the Acting Financial Controller reported that with three and a half years left before the new deadline set for the settlement of all arrears by 31st December, 2015, no firm action has been taken to recover the outstanding balance. He encouraged the Commission to conclude recovery plans with the respective Member States. He also invited affected Member States to consider revising the rate of the Community Levy upward in order to raise the necessary funds to settle their indebtedness to the Community as already done by some Members.

39. On the expenditure side, the report recorded UA 52, 697,012 as committed during the period representing 31% of the budget for the year. Programme expenditure recorded was UA25, 329, 920 or 48% of the total expenses committed, administrative expenditure

was UA 21,602,403 representing 41% of the total expenses committed whilst amount spent on governing bodies was UA 4,969, 772 and others stood at UA 794,918. The overall rates of budget and programme implementation was average compared to the same period last year.

40. The report also noted extra-budgetary payments made in respect of the volatile situation in Guinea-Bissau and Mali as well as the humanitarian assistance to some Member States totaling UA 5,299,915, and urged the Commission to ensure that the disbursements were authorized by Council.

41. On the staffing situation, it was reported that during the period under review, the total staff strength in ECOWAS institutions decreased by four (4) staff to nine hundred and ninety-four (994) comprising twenty (20) statutory appointees, three hundred and eighty-one (381) professionals and five hundred and ninety-three (593) local staff. The total female staff is two hundred and seventy-nine (279) representing 28% of total staff strength and a slight increase of 1% as compared to the previous year. While advising that greater attention should be paid to the number of local staff being recruited into the institutions to avoid overstaffing of the administrative function, the report stated that priority should be given to the staffing of programme directorates.

42. As at 30th June, 2012, staff expenditure of UA 20,600,391 was reported committed representing 39% of the staff expenditure budget for the year and accounting for 39% of the total expenditure for the period. Concerning the effective take-off of the Staff Pension Scheme for the staff of ECOWAS Institutions, the report noted that no much progress had been made and urged the Board of Trustees to expedite the process of the establishment of the Community-wide Staff Pension Plan.

43. On the financial situation, the Acting Financial Controller reported that a total of UA 340.06 million was held in various bank accounts by the Community institutions at the end of the period. Of the total amount held, UA 227 million was Community funds which were largely not accessible except for UA 43 million. Institutions have responded to the call for rationalisation of the number of bank accounts held and have set aside funds for separation pay and invested their surplus funds in short term deposits.

44. At the end of his report, the Acting Financial Controller proposed nine (9) recommendations for the consideration of the Council of Ministers.

45. During discussions, Council expressed concerns over the timeliness and the internal validation of the report.

46. Council congratulated the Acting Financial Controller for the exhaustiveness of his report. Following the clarifications provided, Council adopted the report.

Item 5: Presentation and Consideration of the Report of the 27th and 28th Meetings of the Audit Committee

47. The synopsis report of the 27th and 28th meetings of the Audit Committee were presented by its Chairman, Mr. Kalilou Traoré, and covered the following issues:

- Progress on the consultancies on Job Evaluation and Recruitment Manual;
- Update on the consultancy services for the Evaluation of the office of the Chief Internal Auditor;
- Update on comprehensive reform of Travel Management;
- Progress on the implementation of the International Public Sector Accounting Standards (IPSAS/SAP);
- Update on progress of the 2012 Internal Audit Work Plan and situation of Internal Audit Reports for the year 2012 and the outstanding reports of 2011;
- Consideration of Capacity Building Plan for the Office of the Chief Internal Auditor;
- Update on finalization and implementation of Tender Code and Procurement Practices;
- Update on Tasks Assigned Monitoring System (TAMOSYS);
- Update on status of audit of 2011 financial statements by Community Institutions and Agencies;
- Consideration of the memorandum on the implementation of whistle blowing process within ECOWAS Institutions and Agencies and
- Tripartite meeting between Audit Committee, the Offices of the Commissioner, Administration & Finance and the Acting Financial Controller.

48. After the presentation of the report, Council congratulated the Audit Committee for the quality of the report presented and adopted it.

Item 6: Presentation and Consideration of the Report of the 12th Meeting of the Administration and Finance Committee

49. The final report of the 12th meeting of the Administration and Finance Committee was presented by the Chairman of the Committee, Mr. Tanon Félix, Technical Adviser to the Senior Minister of Foreign Affairs of Côte d'Ivoire. The report dealt mainly with the following issues:

- Consideration of the Implementation Status of Tasks Assigned to Community Institutions;
- 2012 Interim Report of the Financial Controller;
- Implementation Status of the Community Levy Protocol;
- Consideration of the Memorandum Relating to the Amendment to Article 4 of Regulation C/REG/12/12/06 dated 19th December, 2006 establishing the Community Levy Management Committee;
- Consideration of the Memorandum on Sao Tome and Principe Membership of GIABA;
- Consideration of the Memorandum on the Creation of ECOWAS Fund for ARVs Stock (WAHO);

- Consideration of the Report of Specialised Technical committee on Agriculture, Environment and Water Resources on the Validation of fertilizer Regulatory Framework and Establishment of the Regional Food Security Reserve Project;
- Consideration of the Memorandum on the Rental of Temporary Offices Pending Rehabilitation Works on the ECOWAS Parliament Headquarters' Building;
- Consideration of the Memorandum Requesting for Budget Funding to Support the Activities of the Chairman of the ECOWAS Authority of Heads of State and Government in his Function;
- Pre-Budget Brief/Report of the Commissioner for Administration & Finance
- Consideration of the Draft 2013 Budget of ECOWAS Community;
- Source of Funding of Draft ECOWAS Community Budget;

50. Following their deliberations, the AFC recommended for Council's approval, the Draft 2013 Community budget with estimated income of UA 495,889,567 and estimated expenditure of UA 495,889,567, whilst also advising that Member States settle their Arrears of contribution and payment of outstanding Community Levy proceeds urgently, failing which funds will not be available to finance Peace & Security activities in the Community. Member States were therefore urged to fully comply with the Community Levy Protocol and also submit a repayment schedule for settling the arrears of contribution by 2015 and also endeavor to remit all outstanding Community Levy proceeds into the Levy Accounts at the various Central Banks.

51. After deliberations, Council adopted the report and all the recommendations contained therein after the Federal Republic of Nigeria withdrew its reservations expressed on the budgetary allocation for the support of the activities of the Chairman of the Authority.

Item 7: Presentation and Consideration of the Status of Tasks Assigned by the 68th Ordinary Session of the ECOWAS Council of Ministers

52. The Commission presented a status report indicating that the activities were undertaken to strengthen the processes and procedures within ECOWAS Institutions. With respect to each of the seven major tasks assigned, Council was briefed as follows:

Task 1: Ensuring strict adherence to Community regulations guiding expenditure

53. The Commission reported that all Heads of ECOWAS Institutions have been directed to respect the Community texts on administrative, financial and accounting procedures; and to enforce good governance, transparency and effective financial management in accordance with international best practices. With respect to ensuring prudent financial management, the Commission had begun an evaluation of the operations and activities of Agencies and outposts of the Commission. A consultative meeting was being planned for 1st quarter of 2013 bringing together the Audit Committee, acting Financial Controller, Heads of Institutions. The objective is to finalize the general modalities for the smooth operation of Council directives.

Task 2: Speeding up the Review and Reform Exercise of ECOWAS Institutions

54. Council was informed that a total of 44 firms responded to the advertisement posted and sixteen (16) firms were shortlisted and invited to submit their official Request for Proposal. The deadline for submission of the RFP is 6 December 2012, after which three other activities shall be undertaken before the contract is awarded. These are: (i) Evaluation of the Proposal and ranking of Firms (31st January, 2013); (ii) Negotiations of terms and the approach to work with Selected Firm (1st week of February, 2013); and (iii) Contract Sign off by Commission and Selected Firm (Mid February, 2013). Council was assured that a progress report shall be submitted to Council at least three months following the resumption of the Consultants.

Task 3: Proceeding with the Recruitment Process of 52 Persons to occupy Critical Positions as Approved by Council

55. Council was told that the Recruitment Process had started and was in an advanced stage. At least 22,000 (twenty two thousand) applications were received as at the closing date of 21st November 2012; and that all efforts will be made to respect the requirements of Articles 63, 64 and 65 of the ECOWAS Staff Regulations throughout the recruitment process.

Task 4: Ensuring timely dispatch of Community Legal Instruments and putting in place appropriate mechanism to improve the signing process

56. With respect to timely dispatch, Council was informed that henceforth the relevant documents shall be forwarded to Member States not more than ten working days, after the instruments have been endorsed by Council. As regards the mechanism to improve the signing process, plans had been put in place for final copies of Supplementary Acts to be initialled by the Chairman of Council prior to their submission to the Authorities for signature.

Task 5: Transferring Community Levy Surplus to EBID for the funding of infrastructure development projects

57. Council was informed that the Heads of ECOWAS and EBID had held discussions and noted existing challenges associated with the full implementation of the Heads of State's Directive. Council attention was drawn to the fact that funding of public sector projects requires huge concessionary resources and that EBID was not in the position to meet this demand adequately. Consequently, Council was called upon to do whatever it could to strengthen the bank's capital for concessionary loans and three necessary actions be undertaking to meet these challenges were presented. Specifically, Member States were called upon to give their utmost support to the following:

- (i) that Member States release the full amounts of the first and second instalments of the capital called by EBID to serve as an instrument to attract the Bank's non-regional members;

- (ii) that the Presidents of the two Institutions to put in place a systematic fund raising strategy;
- (iii) That a comprehensive study be conducted to evaluate the CL mechanism and improve the current system; and report to the appropriate Committees for onward transmission to Council.

Task 6: Presenting a set of draft proposals for implementing Council's Decision with respect to the expansion of the Commission and Allocation of other Statutory Positions of Institutions of the Community

58. Council was informed that consultations were held bearing in mind the on-going restructuring exercise of the Community Institutions and proposals identified and considered. A separate Memorandum on the assigned task was presented for Council's consideration (ECW LXIX/6).

Task 7: Continuing regular ECOSAP operations at the state of affairs that previously existed

59. Council's attention was drawn to several factors that have seriously constrained the Commission in carrying out Council Decision. The position taken by the development partners who funded the ECOSAP project was made known to Council. Council was then invited to endorse all actions taken by ECOWAS Management in respect of the staff of ECOSAP Programme and approve that an assessment mission be dispatched to Bamako to evaluate the assets and liabilities of ECOSAP and make appropriate recommendations.

60. Council congratulated the President of the Commission on the progress made in the implementation of the various tasks. After considering the report, Council made the following specific recommendations on tasks 3 and 5, as follows:

- concerning the recruitment, Council urged the Commission to take into cognisance the provisions of Article 18 (5) of the provisions of the Revised Treaty on the issue of equitable geographical distribution of professional staff whilst not sacrificing competence.
- On the issue of the transfer of surplus Community Levy Resources to EBID and the financing of the Interest Rate Subsidy Fund, Council directed that a joint study be conducted by both EBID and the Commission and the outcome presented to the AFC for examination prior to its submission to Council.

61. The report was subsequently adopted.

ITEMS FOR ENDORSEMENT

Item 8: Presentation of the Report of the Meeting of ECOWAS Ministers of Trade and Industry on Standards Harmonization Model and Procedure

62. The Minister of Industry and Small and Medium Enterprises of the Republic of Guinea, Mrs. Ramatoulaye Bah, presented the paper on the ECOWAS Standards

Harmonisation Model and Procedure (ECOSHAM). In the presentation, she highlighted the low level of standardisation and/or differences in standards in the region. This deficiency constitutes a hindrance not only to the development of trade and industry, but also a threat to the environment, the consumers, and fair and equal competition between businesses for market access. She presented a framework accepted by all Member States, which is focussed on standards harmonisation model and principle.

63. She outlined the advantages of harmonisation such as economic competitiveness of our production units, consumer and environmental protection, equitable market access and lawful competition between businesses in the market.

64. She further highlighted the fundamental principles, procedures and mechanisms which Member States must adopt in harmonising and maintaining standards within the region.

65. Council adopted the report and the recommendations contained therein.

Item 9: Presentation and Consideration of a Memorandum for two year Extension of the ECOWAS Regional Action Plan to Address the Growing Problem of Drug Abuse, Illicit Drug Trafficking and Organized Crimes in West Africa 2008-2012

66. In presenting the memorandum, the Commissioner for Human Development and Gender re-called that the ECOWAS Heads of State and Government at the Forty-First Ordinary Session held at Yamoussoukro, Côte d'Ivoire, 28-29 June 2012, re-affirmed their commitment to the Political Declaration and the Regional Action Plan on Drugs. The Commission recalled the magnitude of the drug problem and its devastating consequences on the socio-political and economic development of the region. This realisation prompted the ECOWAS Heads of State and Government at their 35th Ordinary Summit in Abuja on 19 December 2008 to adopt a Political Declaration and Regional Action Plan on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crimes in West Africa (2008-2012).

67. In addition to highlighting the ECOWAS Commission Operational Plan and the Monitoring and Evaluation Mechanism (2009 - 2012), the Memorandum highlighted five priority thematic areas of the Regional Action Plan, namely:

- I. Mobilization of ECOWAS political leadership and the need for allocation of adequate national budget by ECOWAS Member states for preventing and combatting illicit drug trafficking, related organized crime and drug abuse;
- II. Effective law enforcement and national / regional cooperation against the high level of increase in illicit drug trafficking and organized crime;
- III. Appropriate and adequate legal framework for effective criminal justice administration;

- IV. Facing and dealing with the emerging threats of increased drug abuse and associated health and security problems;
- V. Valid and reliable data to assess the magnitude of drug trafficking and abuse problems affecting the region on a sustainable basis.

68. The Memorandum underscored some of the main achievements of the Commission in implementing the plan during its two and half years operational period, and recognized the support of the Experts from Member states, the United Nations Office on Drugs and Crime (UNODC) and INTERPOL for their instrumental roles in collaborating with the Commission to build capacity, improve coordination, support the development of national strategies and regional networking, and contribution to improve overall understanding of the issues among various stakeholders in the region.

69. While noting the need to accelerate on the progress made so far, the Commission drew attention of the Council to proposed “EU Support to the Implementation of the ECOWAS Drug and Crime Action Plan” to the tune of EUR 16,500,000 which when finalized and signed is expected to contribute to strengthening national and regional structures for effective implementation.

70. The Commission concluded its memorandum requesting Council to recommend to the Authority a two-year extension of the ECOWAS Drug Action Plan which is a pre-requisite for the Commission to benefit from the 10th European Development Fund. It therefore requested for the extension of the validity period of the plan of action from January 2013 to December 2014 as this will help to ensure that political and financial commitments, both regionally and internationally are available in support of Regional Drug Action Plan.

71. Council expressed serious concern about the negative impact of the drug scourge in the region. It made particular mention of the need to strengthen the capacity of Member States with regard to the rehabilitation of drug addicts. Council specified that the Action Plan aims at providing a regional response to this concern. Council adopted the memorandum.

Item 10: Presentation and Consideration of the Report of 4th Meeting of ECOWAS Ministers of Education (ECOMED IV)

72. The Report was presented by Professor Ruqayyatu Ahmed Rufa'i, Minister of Education of the Federal Republic of Nigeria, who recalled that the Ministers have held discussions on ECOWAS Reference Manual on Education for Peace and Educational Management Information System (EMIS). The Status of implementation of the ECOWAS Technical and Vocational Education and Training (TVET) was also discussed. The study report on the adoption of the National and Regional Certification Frameworks was considered.

73. Council was informed that Ministers were engaged in a vibrant debate and offered a set of recommendations with respect to each of the themes considered. Specifically, the recommendations called for:

- i. Adoption and implementation of the ECOWAS Reference Manual for Education for peace
- ii. Improvement of the Educational Management Information System (EMIS)
- iii. Strengthening the revitalisation of ECOWAS Technical and Vocational Education and Training (TVET)
- iv. Institutionalisation, through a Community legal Act, of the Inter-Agencies Working Group including ECOWAS and the United Nations System, and enlarged to the World Bank, AfDB, OIF and UEMOA,
- v. Consolidation of works being conducted on the National and Regional Certification Networks
- vi. Ratification, by all countries, of the ECOWAS Education and Training Protocol adopted in 2003.

74. Council adopted the report.

Item 11: Presentation of the Report of the 1st Ministerial Meeting on Tourism

75. The Commissioner for Trade, Customs, Industry and Free Movement presented the report. He recalled that, through the Free Movement Division, the ECOWAS Commission had mobilized experts from the Member States, consultants and resource persons with a view to preparing a report on the revitalization of the region's tourism. Following the Experts meeting, the first meeting of Ministers of Tourism was held in Banjul, The Gambia from 22 to 23 June 2012 to consider the Experts report.

76. Under the chairmanship of the Gambian Minister of Tourism, the meeting considered, amended and adopted the Experts' report. The Ministers reiterated the crucial role the tourism sector may play in the creation of employment and revenues, development of resources and poverty reduction for the people. In that regard, the Ministers made some recommendations to the ECOWAS Council of Ministers that would ensure the effective management and operation of airports, seaports, border posts and hotels.

77. The Ministers took note and expressed the hope that the process of instituting an ECOWAS single Shengen-type visa would be expedited. Council then congratulated and commended the ECOWAS Commission for its initiatives and efforts in the tourism sector.

78. Council adopted the report following the debate.

Item 12: Memorandum on the full membership of Sao Tome and Principe (STP) and Observer Status of the Comoros Islands in GIABA

79. In presenting the memorandum, GIABA informed Council that it had received applications from Sao Tome and Principe (STP) for full membership in GIABA, and from

the Comoros Islands for observer Status. The memo recalled Article 3 (b) of the Revised Statute of GIABA which permits GIABA to grant membership to any African State which has applied for membership and is committed to the goals and objectives of GIABA, which is to promote the implementation of acceptable international standards against money laundering and terrorist financing. Similarly, Article 5 (1) (e) of the GIABA Statute provides that any African country may be granted observer status in GIABA.

80. With regards to STP the memo recalled that they had been granted observer status by GIABA in May 2008 following the application it submitted. Since then, STP has been actively participating in GIABA's activities. The application was processed based on the Membership Policy of GIABA, and endorsed at the 16th Technical Commission/Plenary meeting of GIABA held in Lome, Togo, in November 2011. This was further approved by the GIABA Ministerial Committee (GMC) at its 11th meeting held in Abidjan, the Republic of Cote d'Ivoire, in May 2012.

81. The application for observer status in GIABA by the Comoros Islands was considered at the 18th Technical Commission/Plenary meeting of GIABA, held in Dakar, Senegal from 19 to 22 November 2012. The Technical Commission/Plenary meeting endorsed the application and recommended it for consideration and approval by the GIABA Ministerial Committee, as well as the ECOWAS Council of Ministers and subsequent ratification by the Authority of Heads of State in accordance with Article 3 (ii) of the GIABA Statute. The GIABA Ministerial Committee has agreed to the application of the Comoros Islands.

82. In conclusion, GIABA, requested Council to endorse the approval for membership in GIABA granted to STP and recommend same to the ECOWAS Authority for ratification in accordance with the relevant provisions of the GIABA Statute. It also requested Council to endorse the approval of observer status in GIABA to the Comoros Islands and recommend same to the ECOWAS Authority for ratification in accordance with the relevant provisions of the GIABA Statute.

83. Council adopted the memorandum and the recommendations contained therein.

Item 13: Presentation and Consideration of a Memorandum on Expansion of Commission and Allocation of Statutory Positions to Member States

84. The President of the Commission recalled the decision of the 41st Ordinary Session of the Authority of Heads of State and Government relating not only to the adoption of the proposal by the Council of Ministers to increase the number of Commissioners from nine (9) to twelve (12) and also make proposals for implementation.

85. In pursuance of the decision, the President of the Commission proposed the following three positions:

- Commissioner, General Administration and Conference;
- Commissioner, Energy and Water Resources,
- Commissioner, Industry, Mines and Private Sector Promotion.

86. As regards the implementation procedure, the President pointed out that they were in keeping with the guiding principles recommended by the Ad Hoc Committee of Heads of State on the allocation of statutory positions, which was set up after the thirty-ninth Ordinary Session of the Authority of Heads of State and Government. In that regard, the President restated the legal criteria drawn from Community texts and general criteria arising from custom and good practice.

87. During the discussions of the memorandum, the importance of ensuring an equitable and transparent system of rotation based on alphabetic order in the allocation of statutory positions to Member States was stressed. In this regard, the President of the Commission assured Council that the relevant provisions of the ECOWAS Protocol on Democracy and Good Governance and of the Community Levy would be adhered to.

88. The issue of defining the nomenclature of the creation of the three new Departments was extensively debated. Three new proposals in addition to the Commission's proposal were tabled. It was decided that the Commission should study these proposals and present a consolidated proposal to the Chairman of Council for submission to the Authority of Heads of States and Government.

89. Regarding the allocation of vacant positions of Financial Controller, Commissioners, Director-General and Deputy Director-General in WAHO and GIABA, respectively, and the three Judges at the Community Court of Justice, Council took cognizance of its sensitive nature and the competing justifications put forward by Members States and decided to refer the matter to the Authority to decide on the allocation of these positions.

90. With respect to the statutory posts already allocated to Member States by the Authority, Council was informed that, of the four (4) posts of judges allocated, only one country has responded, and urged those concerned to submit the names of their candidates. Council was also urged to take the necessary decision as quickly as possible to complete the allocation of the vacant statutory positions

91. Council also discussed the idea of increasing the number of Commissioner posts to fifteen (15) as this would ensure the effective participation of all members in the decision making and management of the Commission. The Commission was directed to further study this proposal within the context of on-going institutional reforms and report to Council in due course. This study must take into account the balance in the allocation of positions through a rotational system based on all other Community Institutions, especially those already in existence, and those whose creation has been contemplated but have not yet become operational.

Other Items

Item 14: Any Other Business

- **Nigeria's Candidature for Non-Permanent Seat in UN Security Council**

92. The President of the Commission presented a request from the Government of the Federal Republic of Nigeria seeking ECOWAS support for Nigeria's candidature for a non-

permanent seat on the UN Security Council. Two views were expressed on this issue: one view cautioned Council and advised that further consultations be held with the West African Ambassadors at the UN who have played a key role in previous allocations. The other view calls on Council to take a position taking into account Nigeria's leading role within the region and the continent and put the case forward to the African Group. After deliberations, Council agreed to submit the matter for the support of Nigeria's candidature to the Authority of Heads of State and Government for its consideration.

- **Consideration of the Draft Agenda of the 42nd Ordinary Summit of Heads of State and Government**

93. Council considered and adopted the Draft Agenda of the Forty-second Ordinary Session of the Authority of Heads of State and Government as presented by the Commission.

Item 15: Adoption of the Report

94. This report was adopted after amendments.

Item 16: Closing Ceremony

95. In his closing remarks, the Minister of African Integration and Ivorians in the Diaspora, on behalf of the Chairman of Council, H.E. Charles Koffi Diby, thanked Council members for their contributions during the deliberations and for the spirit of camaraderie, which prevailed during their session. Thereafter, he declared the Sixty-Ninth Ordinary Session of Council closed, and wished all participants safe journey back to their respective destinations.

DONE AT ABIDJAN THIS 2nd DAY OF DECEMBER 2012

HIS EXCELLENCY CHARLES KOFFI DIBY

SENIOR MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF CÔTE D'IVOIRE

CHAIRMAN

FOR: THE COUNCIL OF MINISTERS



VOTE OF THANKS

The participants at the Sixty-Ninth Ordinary Session of the ECOWAS Council of Ministers held in Abidjan, from 30th November to 2nd December, 2012 express their profound gratitude to His Excellency Alassane Ouattara President of the Republic of Cote D'Ivoire and Chairman of the Authority, and to the Government and people of Côte D'Ivoire for the warm African hospitality extended to them during their stay in Abidjan and for the facilities placed at their disposal to ensure the success of their meeting.

DONE AT ABIDJAN THIS 2ND DAY OF DECEMBER, 2012

THE SESSION



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.1/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS COMMISSION, FOR THE 2013 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, its Agencies, Centres and Offices for the 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Commission, its Agencies, Centres and Offices during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.2/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS PARLIAMENT FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Parliament during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012

.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.3/12/12 APPROVING THE WORK PROGRAMME OF THE COMMUNITY COURT OF JUSTICE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Community Court of Justice during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.4/12/12 APPROVING THE WORK PROGRAMME OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the West African Health Organisation during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.5/12/12 APPROVING THE WORK PROGRAMME OF THE INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA) FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

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 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.6/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS GENDER DEVELOPMENT CENTRE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Gender Development Centre during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.7/12/12 APPROVING THE WORK PROGRAMME OF THE WATER RESOURCES INTEGRATED MANAGEMENT CENTRE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Water Resources Integrated Management Centre during the 2013 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 ABIDJAN, THIS 2nd DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.8/12/12 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Office in Brussels during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.9 /12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS YOUTH AND SPORTS DEVELOPMENT CENTRE FOR THE 2013 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 2013 financial year recommended by the twelfth
meeting of the Administration and Finance Committee which was held
in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be
executed by the Youth and Sports Development Centre during the 2013
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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.10/12/12 APPROVING THE BUDGET FOR COMMUNITY INSTITUTIONS, OTHER INTERVENTIONS AND OBLIGATIONS FOR THE 2013 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 Articles 2 and 6 of the said Treaty and its amendments on the establishment of ECOWAS and its Institutions;

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

MINDFUL of Article 69 of the Treaty which relates 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);

MINDFUL in particular, of Articles 11 and 12 of the Financial Regulations of the Community referred to in the preceding paragraph, which provide for the preparation of a consolidated budget for the Community and for the structure and presentation of the Budget.

HAVING CONSIDERED the budget estimates of ECOWAS Institutions as well as other ECOWAS Interventions and Obligations as proposed by the twelfth meeting of the Administration and Finance Committee which was held in Abuja from 14th – 17th November, 2012;

ENACTS

Article 1

The budget estimates of the ECOWAS Institutions/Agencies as well as that for other ECOWAS Interventions and Obligations for the 2013 financial year considered at the 12th meeting of the Administration and Finance Committee in income and expenditure at the sum of **Four hundred and ninety four Million, eight hundred and eighty nine thousand, five hundred and sixty seven Units of Account (UA494, 889,567)** is hereby approved.

Article 2

1. Approved Budget Income for 2013 is as follows:

i) Community Levy from Member States	-	UA 143,383,192
ii) Reserve (Opening Balance of Community Levy)	-	UA 110,892,644
iii) Arrears of Community Levy Proceeds	-	UA 210,424,285
iv) <i>Arrears of Contributions</i>	-	UA 4,177,690
v) Other Income	-	UA 149,386
vi) Income from External Sources	-	UA 26,862,370
<u>Total:</u>	-	<u>UA 495,889,567</u>

2. Approved Budget Expenditure for 2013 is allocated as follows:

i)	Institutions	-	UA192,223,052
ii)	Statutory Obligations	-	UA7,877,588
iii)	Interventions in Member States	-	UA25,402,347
iv)	Peace and Security	-	UA270,386,581

Article 3

The 2013 Budget estimates of the Community Institutions shall be derived from the following sources:

- a) An amount of **One hundred and sixty one million, thirty three thousand, six hundred and six Units of Accounts (UA161,33,606UA)** shall be derived from resources obtained from the Community Levy.
- b) An amount of **Four million, one hundred and seventy seven thousand six hundred and ninety Units of Accounts (UA4,177,690)** shall be derived from arrears of contribution.
- c) An additional amount of **One hundred and forty nine thousand, three hundred and eighty six Units of Account (UA149,386)** shall be derived from other sources.
- d) An amount of **Twenty six million, eight hundred and sixty two thousand three hundred and seventy Units of Account (UA26,862,70)** shall be derived from external resources.

Article 4

2013 Budget estimates for other ECOWAS Obligations shall be derived from the following sources:

- 1. Budget estimates for Statutory Obligations in the amount of Seven million eight hundred and seventy-seven thousand, five

hundred and eighty eight Units of Accounts (UA7,877,588) shall be derived from resources of the Community Levy.

2. Budget estimates for Intervention in Member States in the amount of Twenty five million, four hundred and two thousand, three hundred and forty seven Units of Account (UA25,402,347) shall be derived from resources of the Community Levy.
3. Budget estimates for Peace and Security related Interventions shall be derived from the following sources:
 - a) An amount of fifty nine million, nine hundred and sixty two thousand, two hundred and ninety five Units of account (UA 59,962,295) shall be derived from resources obtained from the Community Levy;
 - b) An amount of two hundred and ten million, four hundred and twenty four thousand, two hundred and eighty five Units of Account (UA210,424,285) shall be derived from arrears of Community Levy Proceeds

Article 5

Member States ***shall pay their*** Community Levy arrears in order to provide funding for the Peace and Security activities of the Community.

Article 6

The breakdown ***and sources*** of budget allocations made to individual ECOWAS Institutions is attached as an annex to this Regulation.

Article 7

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 ABIDJAN, THIS 2ND DAY of DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

FOR COUNCIL

THE CHAIRMAN

Annex

Funding of individual ECOWAS Institutions

Commission

• Community Levy from Member State	-	UA 110,801,373 (81%)
• Arrears of Community	-	UA 4,106,905 (2.9%)
• Other Income	-	UA 115,000 (0.1%)
• Income from External Sources	-	UA 21,836,322 (16%)

WAHO

• Community Levy from Member States	-	UA 15,844,211 (77%)
• Other Income	-	UA 8,386 (1%)
• Income from External Sources	-	UA 4,726,048 (22%)

GIABA

• Community Levy from Member States	-	UA 9,041,688 (97%)
• Income from External sources	-	UA 300,000 (3%)

Parliament

• Community Levy from Member States	-	UA12,722,693 (99.4%)
• Arrears from Member States	-	UA 70,785 (0.5%)
• Other Income	-	UA 1,000 (0.1%)

Court of Justice

• Community Levy from Member States	-	UA 12,552,855 (69.8%)
• Other Income	-	UA 25,000 (0.2%)



**SIXTY-NINTH ORDINARY SESSION OF
THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.11/12/12 AMENDING ARTICLE 4 PARAGRAPH 1
OF REGULATION C/REG 12/12/06 ESTABLISHING THE COMMUNITY
LEVY MANAGEMENT COMMITTEE OF THE ECOWAS COMMISSION**

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 72 of the said ECOWAS Treaty instituting the Community Levy for the purposes of generating resources for financing Community activities;

MINDFUL of Protocol A/P1/7/96 on the conditions governing implementation of the Community Levy;

MINDFUL of Regulation C/REG.12/12/06 of 19 December 2006 establishing the Community Levy Management Committee at the ECOWAS Commission and defining its functions;

CONSIDERING that Article 4 of the above Regulation establishes a sub-Committee to support the Community Levy Management Committee and defines its composition and functions;

RECALLING that, despite the fact that the Financial Controller is a Statutory Member of the Community Levy Management Committee, by virtue of Article 4 paragraph 1, the Financial Controller is not a member of the Sub-Committee in charge of supporting the Community Levy Management Committee;

CONVINCED of the need for the Financial Controller to be member of, the Community Levy Sub-Committee established under Article 4 of Regulation C/REG. 12/12/06;

DESIROUS to ensure the Financial Controller's membership in the Community Levy Sub-Committee;

ON THE RECOMMENDATION of the twelfth meeting of the Administration and Finance Committee held in Abuja from 14 to 17 November 2012;

ENACTS

Article 1

Article 4 paragraph 1 of Regulation C/REG. 12/12/06 establishing the Community Levy Management Committee at the ECOWAS Commission is hereby amended as follows:

"A Sub-Committee shall be established to support the Community Levy Management Committee and shall be composed of one representative from each of the following Directorates or offices: Office of the Internal Auditor, Trade and Customs, Finance, and Office of the Financial Controller".

Article 2

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

Done at Abidjan, this 2nd day of December 2012



.....
H.E. CHARLES KOFFI DIBY

Chairman

For Council



ECONOMIC COMMUNITY
OF WEST AFRICAN STATES

COMMUNAUTÉ ÉCONOMIQUE DES
ÉTATS DE L'AFRIQUE DE L'OUEST

**SOIXANTE-NEUVIÈME SESSION ORDINAIRE
DU CONSEIL DES MINISTRES**

Abidjan, 30 novembre – 2 décembre 2012

**REGLEMENT C/REG.12/12/2012 RELATIF AU FINANCEMENT DE
L'ORGANISATION OUEST AFRICAINE DE LA SANTE POUR LA CONSTITUTION
D'UN STOCK INTÉGRÉ DE VACCINS ANTIRETROVIRAUX (ARV)**

LE CONSEIL DES MINISTRES,

VU les Articles 10, 11 et 12 du Traité de la CEDEAO tels qu'amendés, portant création du Conseil des Ministres et définissant sa composition et ses fonctions ;

VU le Protocole A/P2/7/87 relatif à la création de l'Organisation Ouest Africaine de la Santé (OOAS) ;

CONSIDERANT que l'objectif de l'OOAS est de préserver la santé des populations de la région en engageant une lutte collective et stratégique contre les problèmes de santé prévalant dans la région ;

CONSIDERANT la prévalence du VIH/SIDA dans la région et la nécessité de s'attaquer à ce fléau qui dévaste les populations ouest africaines ;

CONSIDERANT que la crise financière et économique globale actuelle a affecté la viabilité des programmes relatifs aux soins par la diminution du financement des partenaires au développement ;

CONSIDERANT qu'il est impératif que la CEDEAO assume une responsabilité plus grande dans la lutte contre le VIH et le SIDA dans la région en apportant une assistance financière consistante afin de réduire la dépendance vis-à-vis de l'aide extérieure ;

CONSIDERANT que la lutte contre le SIDA devrait être un investissement à long terme qui permette de garantir aux millions de citoyens ouest-africains un accès à vie aux programmes de prévention et de traitement du VIH.

Handwritten signature in blue ink.

CONVAINCU que l'insuffisance des stocks d'ARV a obligé les Etats membres à recourir à des sources uniques d'approvisionnement en ARV dont le coût s'avère souvent plus exorbitant que celui des stocks acquis par des appels d'offres internationaux ;

SUR PROPOSITION de la Session spéciale de l'Assemblée des Ministres de la Santé de la CEDEAO, tenue à Dakar en décembre 2011,

DESIREUX de créer un Fonds d'urgence intégré qui permettra d'éviter les pénuries d'ARV dans la région ;

SUR RECOMMANDATION de la douzième Session du Comité de l'Administration et des Finances qui s'est tenue du 14 au 17 novembre 2012 à Abuja ;

EDICTE

Article 1^{er}

Un montant de un million de dollars US (1.000.000 \$US) est approuvé et alloué à l'Organisation Ouest Africaine de la Santé (OOAS), pour faciliter la constitution d'un stock d'urgence intégré (stock de sécurité) de vaccins Antirétroviraux (ARV) dans les Etats membres de la Région.

Article 2

Le présent Règlement sera publié par la Commission de la CEDEAO dans le Journal officiel de la Communauté dans un délai de trente (30) jours après sa signature par le Président du Conseil des Ministres. Il sera également publié par chaque Etat dans son Journal officiel dans un délai de trente (30) jours après notification par la Commission.

FAIT A ABIDJAN LE 2 DECEMBRE 2012

POUR LE CONSEIL

LE PRÉSIDENT


S.E.M. CHARLES DIBY KOFFI



**REGULATION C/REG.13/12/12 RELATING TO FERTILIZER
QUALITY CONTROL IN THE ECOWAS REGION**

THE COUNCIL OF MINISTERS

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

MINDFUL of Regulation C/REG.21/11/10 relating to the harmonization of the structural framework and the operational rules for health safety of food, plants and animals in the ECOWAS region;

MINDFUL of Decision A/DEC.11/01/05 adopting an Agricultural Policy for the Economic Community of West African States;

MINDFUL of Decision C/DEC.1/5/81 relating to the eradication of hunger, popularization of seed varieties and more productive animal species, financing of research programs and agricultural production projects, as well as the storage and processing of agricultural products;

MINDFUL of Decision C/DEC.1/05/83 on short and medium-term programs for implementation of the Regional Agricultural Development Strategy;

CONSIDERING the strategic role of the agricultural sector in the economy of Member States in terms of meeting the food needs of the population and eradicating poverty in rural areas;

CONVINCED of the need to promote in Member States, sustainable agriculture that is more productive and competitive, and capable of ensuring food security and higher living standards for farmers;

CONSCIOUS that fertilizers are very important in the achievement of the objectives of the Agricultural Policy of the Economic Community of West African States;

RECOGNIZING that regular supply of quality and affordable fertilizers to markets of Member States is a prerequisite for achieving food security and improved living standards for farmers.

DESIROUS of harmonizing the rules governing fertilizer production, trade and quality control in the Member States in order to promote the supply of quality fertilizers in Member States' markets;

EXPRESSING SATISFACTION at the involvement of UEMOA in the development of the present Regulation;

ON THE RECOMMENDATION of the meeting of the ECOWAS Member States' sectoral Ministers in charge of Agriculture, Environment and Water Resources held in Abidjan on September 27, 2012;

ENACTS:

CHAPTER I: GENERAL PROVISIONS

Article 1: Definitions

For the purpose of the present Regulation:

Analysis means the percentage composition of a fertilizer product expressed in terms required and permitted in the ECOWAS region.

Analysis Manual or **Fertilizer Analysis Manual** means the compendium of provisions describing the modalities and procedures for carrying out the analysis of fertilizers under the present Regulation.

Appellate Authority means the highest administrative enforcement authority in the fertilizer regulatory system in each of the Member States.

Brand means any term, design, or trademark used in connection with one or several grades of fertilizer.

Bulk refers to any fertilizer delivered to the purchaser either in solid or liquid state in a non-package form to which a label cannot be pasted.

Commission means the ECOWAS Commission.

Competent Authority means an authority identified and appointed under the present Regulation to exercise powers delegated by some of its provisions.

Dealer or Agro-dealer or Distributor means any person who is authorized to carry on the business of selling fertilizers to the farmers in wholesale or retail, including a manufacturer and an importer.

ECOWAS means the Economic Community of West African States.

Fertilizer means any substance which is intended to be used as a nutrient(s) source to the crops for increasing agricultural production.

Fertilizer Inspector or Inspector means any person appointed or designated and notified under the present Regulation to draw official samples of fertilizers, to get their quality tested in a laboratory identified for this purpose, to inspect the fertilizer records being maintained by manufacturers, importers and distributors, and to launch prosecution against the violators of any of the provisions of the present Regulation.

Grade of Fertilizers means any combination of nutrients specified in a fertilizer in whole numbers and in the same terms, order, and percentages as in the guaranteed analysis such as NPK 15-15-15 or NP 20-20-0.

Guaranteed Analysis means the minimum percentage of all plant nutrients claimed on the label.

Importer means any person or a body who is duly authorized to import fertilizers into a Member State in accordance with the legal provisions which are in force in that State.

Inspection Manual or Fertilizer Inspection Manual means the compendium of provisions describing the modalities and procedures for carrying out the inspection and quality control of fertilizers under the present Regulation.

Label means (1) any legend, word, mark, symbol, or design applied or attached to, included in, belonging to, or accompanying any fertilizer, supplement, or container; or (2) any advertisements, brochures, posters; or (3) any television, radio, internet announcements used in promoting the sale of fertilizer.

Laboratory means any fertilizer analysis facility identified or established in a Member State and notified under the present Regulation for carrying out fertilizer analysis as per the methods specified in the ECOWAS Fertilizer Analysis Manual.

License means the official document authorizing a person to sell fertilizer.

Licensee means any person who has obtained a license authorizing him to sell fertilizers, as prescribed in the present Regulation.

Licensing Authority means the appropriate authority in a Member State designated for granting a license for selling fertilizer.

Liquid Fertilizer means any fluid in which the plant nutrients are in true solution.

Manufacturer means any person or a body who is duly authorized in a Member State to produce fertilizers in accordance with the legal provisions which are in force in that State.

Member State means any of the countries in West Africa which are members of ECOWAS.

Micronutrient means any of the following nutrients that is essential for the normal growth of plants and that may need to be added to the growth medium: boron, chlorine, cobalt, copper, iron, manganese, molybdenum, sodium and zinc.

Natural Organic Fertilizer means a fertilizer derived from non-synthetic organic material including sewage sludge, animal manures, plant residues, household refuse, and agro-industrial waste which is produced through the process of drying, cooking, composting, chopping, grinding, fermenting, or other methods and makes a declaration of nutrient value on the label. Such fertilizer shall not be mixed for sale with synthetic material or changed in any physical or chemical manner.

Official sample means any sample of fertilizer taken by an authorized fertilizer Inspector.

Person means any individual, partnership, association, firm, or corporation.

Primary Nutrient means any plant foods such as Nitrogen (N); available phosphoric acid (P_2O_5) or phosphorus (P); and soluble potash (K_2O) or potassium (K).

Secondary Nutrient means any of the following nutrients that is essential for the normal growth of plants and that may need to be added to the growth medium: calcium, magnesium, and sulfur.

Tolerance means the permitted deviation of the measured values of a nutrient content or the bag weight below the values claimed on the label, or the maximum allowable heavy metal limits in a fertilizer.

UEMOA (WAEMU) means Union Economique et Monétaire des Etats de l'Afrique de l'Ouest (West African Economic and Monetary Union).

WACoFeC means the West African Committee for Fertilizer Control.

Article 2 : Purpose

1. The present Regulation harmonizes the rules governing fertilizer quality control in ECOWAS Member States.
2. The purpose of this Regulation is to:
 - a) Safeguard the interests of the farmers against nutrient deficiencies, adulteration, misleading claims, and short weight;
 - b) Safeguard the interests of fertilizer enterprises and contribute to the creation of an enabling environment for private sector investment in the fertilizer industry;
 - c) Protect the West Africa natural environment and its population against the potential dangers associated with inappropriate fertilizer use;
 - d) Facilitate inter and intra-States trade in fertilizers, through implementation of principles and rules mutually agreed at regional level to dismantle trade barriers.

Article 3 : Scope

The present Regulation shall apply to all fertilizer-related activities, especially those pertaining to the licensing of agro-dealers, as well as the storage and sale of fertilizers locally manufactured and imported in the Member States.

CHAPTER II: GUIDING PRINCIPLES

Article 4 : Principle of Harmonization

In pursuance of the objective of ensuring effective fertilizer quality control as intended by Article 2 of the present Regulation, ECOWAS shall help bridge the gap between Member States' legislations in the field of fertilizers.

Article 5 : Principle of Truth-in-labeling

The principle of truth-in-labeling holds that whatever a manufacturer, an importer or an agro-dealer claims he/she is selling, he/she must guarantee it; it is therefore essential that label claims on fertilizer packaging be truthful. Consequently, some specific requirements shall define what one can claim so that it is not necessary to register fertilizer products.

Article 6 : Principle of Free Movement of Fertilizers

In view of contributing to the organization of a regional market as described in the common agricultural policy, there shall be free movement of fertilizers on the ECOWAS Member States territory so far as the fertilizers comply with the quality standards prescribed in the present Regulation.

Article 7 : Principle of International Standards Recognition

To ensure the supply of quality fertilizer in the markets, the ECOWAS Commission and Member States' shall anchor their fertilizer legal frameworks on international standards.

Article 8 : Principle of Participation and Information

1. Member States shall ensure full participation of stakeholders in the fertilizer sector in the process of public decision-making on fertilizer-related issues.
2. Member States shall ensure public access to fertilizer information held by public authorities.
3. Member States shall help train and build the awareness of stakeholders in the fertilizer sector.

CHAPTER III: ORGAN AND TOOLS FOR FERTILIZER QUALITY CONTROL

Article 9 : West African Committee for Fertilizer Control

1. A West African Committee for Fertilizer Control, hereinafter referred to as the WACoFeC, is hereby established. This Committee shall facilitate, on behalf of the ECOWAS Commission, the implementation of the present Regulation by Member States. To this end, it shall operate under the direct institutional authority of the Commission.

2. The WACoFeC shall work closely with national bodies in charge of fertilizer control for development of the fertilizer sector. To this end, each Member State shall set up a national body for fertilizer control.

3. At the request of WACoFeC, each Member State shall provide information for verification of compliance of the national fertilizer quality control systems with the present Regulation. WACoFeC may conduct investigations in Member States to verify the accuracy of information provided.

4. The attributions, organization and functioning of WACoFeC shall be determined by the ECOWAS Commission through an Implementing Regulation.

5. The funds necessary for the functioning of the WACoFeC shall be provided by the ECOWAS Commission.

Article 10 : Fertilizer Quality Control Manuals

1. For a more effective quality control in Member States, the ECOWAS Commission shall adopt, through Implementing Regulations, an Inspection Manual and an Analysis Manual.

2. The Inspection Manual shall describe the modalities and procedures for fertilizer inspection in the Member States, including the following:

- a) The fertilizer sampling methods;
- b) The fertilizer inspection procedures;
- c) The required types of Performa to be used in fertilizer business and inspection.

3. The Analysis Manual shall describe the modalities and procedures for fertilizer analysis in the Member States, including the following:

- a) The methods for collection and preparation of the official fertilizer samples;
- b) The methods of analysis of the official fertilizer samples;
- c) The types of laboratory analysis required in fertilizer samples;
- d) The requirements and procedures for setting up of a fertilizer testing laboratory; and
- e) The required types of Performa to be used in fertilizer analysis.

CHAPTER IV: MANUFACTURING, IMPORTING AND SALE OF FERTILIZERS

Article 11 : Licensing for Agro-dealers

1. Any person who intends to carry on the business of fertilizer agro-dealer in any ECOWAS Member States shall hold a license granted by the competent licensing authority in the Member State concerned.

2. The agro-dealer license shall be issued for three years, renewable at the holder's request for similar duration. It may be suspended or withdrawn.

3. The conditions and modalities for obtaining this license, or for its renewal, suspension, and withdrawal shall be specified by each Member State, in accordance with the relevant provisions of the present Regulation.

Article 12 : Display of License

Every agro-dealer shall display his/her license at a conspicuous place in the business premises.

Article 13 : Operating as a Manufacturer or an Importer

The conditions and modalities for operating as a manufacturer or an importer of fertilizer in each Member State shall be governed by the regulations in force in the Member State concerned.

Article 14 : Setting-up of Plants

The setting-up of fertilizer manufacturing and/or packing facilities in each of the Member States shall be governed by the regulations in force in the States.

Article 15 : Import and Export Regimes

1. Without prejudice to community regulations on foreign trade, the import and export of fertilizers shall be subject to prior notification to the competent authority in the concerned country.
2. The importer or exporter shall provide all the information required on the forms designed for that purpose by the Member State concerned.

Article 16 : Warehouse Storage Conditions

Any warehouse used to store fertilizers intended for sale shall have adequate temperature and moisture levels as well as be tidy and well ventilated, in order to ensure their effective conservation.

Article 17 : Packaging Size

Fertilizer shall be generally marketed in sealed and labeled bags of 50 kg weight. However, smaller or larger sealed and labeled bags shall also be permitted.

Article 18 : Labeling

1. Specifications of fertilizers sold in the ECOWAS Member States shall be printed on the fertilizer container in clearly legible and conspicuous form.
2. In case of bulk production and shipments, these specifications in written or printed form shall accompany each delivery and be supplied to the purchaser at time of delivery.
3. The ECOWAS Commission shall determine through an Implementing Regulation the minimum information required on the label and the model of label.

4. The ECOWAS Commission shall determine through an Implementing Regulation the minimum percentage of a primary nutrient, secondary nutrient, micronutrient that can be guaranteed and the forms under which these nutrients shall be guaranteed.

Article 19 : Submission of Bi-annual Report

1. Any manufacturer, importer or distributor of fertilizers shall submit bi-annual reports to the fertilizer regulatory authority in the Member States about the quantities produced or imported during the semester under consideration.
2. The Performa of the fertilizer bi-annual report shall be provided in the Inspection Manual.

CHAPTER V: QUALITY CONTROL OF FERTILIZERS

Article 20 : Purpose of Control

The quality control of fertilizer shall enable the official authority to ascertain that the fertilizers submitted to it:

- a) Have labels that are truthful;
- b) Meet the packaging and storage conditions; and
- c) Meet any other requirements defined in the present Regulation.

Article 21 : General Responsibility for Fertilizer Quality Control

1. Member States shall have the overall responsibility for quality control. To this end, they shall appoint Inspectors and other competent authority, and grant them the necessary powers as well as adequate resources to carry out their mission.
2. The Inspector shall have the power to ascertain any violation of the present Regulation, gather related evidence and to refer the matter to the authority vested with the power to sanction the observed violation in accordance with the procedures in force in Member States. Therefore, the Inspector is vested with the power to:
 - a) Inspect, during regular business hours, any premises where fertilizers are manufactured, stored or sold.
 - b) Inspect any person or any vehicle or any receptacle used to move fertilizers from one location to another.
 - c) Draw official samples of fertilizers for analysis.
 - d) Seize and detain any fertilizer in violation of the present Regulation as well as any equipment, package, document, means of transportation associated with such fertilizer.

These inspections, official sample withdrawal and analysis, and seizures are carried out in accordance with the modalities and procedures described in the Fertilizer Quality Control manuals referred to in Article 10 of the present Regulation.

3. The manufacturer, importer and distributor or his/her representative shall be present at the time of inspection.

Article 22 : Area of Control

Fertilizer quality control shall apply to all stages and venues of manufacturing, unloading, storage, sale or use.

Article 23 : Inspection and Analysis

1. Fertilizer inspection and analysis shall be carried out in accordance with the procedures prescribed in the manuals referred to in Article 10 of the present Regulation.
2. The ECOWAS Commission shall determine through an Implementing Regulation the maximum tolerance limits for bag weights and nutrient content in fertilizer products.
3. The ECOWAS Commission shall determine through an Implementing Regulation the maximum allowable heavy metal limits in fertilizer products.

Article 24 : Sample Collection

A Fertilizer Inspector shall collect official samples of fertilizer and submit them for analysis to designated laboratories in accordance with the procedures described in the fertilizer manuals referred to in Article 10 of the present Regulation.

CHAPTER VI: FEES

Article 25 : Type of Fees

1. The competent authority in each Member State shall prescribe a fee for:
 - a) Licensing for sale of fertilizers;
 - b) Renewal of license for sale of fertilizers;
 - c) Inspection of fertilizers;
 - d) Analysis of fertilizer samples.
2. The inspection fee shall be levied only at the point of entry and at the local manufacturing level for fertilizer offered for sale in a Member State.
3. The fee amounts, their payment modalities and the allocation of proceeds shall be determined by each Member State.

CHAPTER VII: VIOLATIONS AND PENALTIES

Article 26 : Violations

Any act of a fertilizer manufacturer, importer or distributor, or their representative that contributes to infringing any provision of the present Regulation shall constitute a violation. This includes among others:

- a) Nutrient deficiency beyond maximum tolerance limits;
- b) Short weight of fertilizer bags beyond maximum tolerance limit;
- c) Adulteration of any kind;

- d) Misbranding of any kind;
- e) Selling fertilizers without a license;
- f) Late submission of a license renewal 15 days after the expiry of due date;
- g) Non-payment of inspection fee beyond due date;
- h) Non-submission of bi-annual report beyond due date;
- i) Non compliance of any specific direction or instructions of Regulatory authority in relation to any provisions of the present Regulation;
- j) Obstruction to official discharge of control activity.

Article 27 : Adulteration

A fertilizer shall be deemed to be adulterated:

- a) If it contains any deleterious or harmful ingredient in sufficient amount to render it injurious to plant life, when applied in accordance with directions for use on the label, or if adequate warning statements or directions for use, which may be necessary to protect plant life, are not shown on the label;
- b) If it contains any heavy metal in excess of the maximum allowable limits; or
- c) If it contains unwanted crop seed or weed seed or some spurious material.

Article 28 : Misbranding

A fertilizer shall be deemed to be misbranded:

- a) If its label is false or misleading in any manner;
- b) If it is distributed under the name of another fertilizer product;
- c) If it is not labeled as required in the present Regulation.

Article 29 : Penalties for Violation

Member States shall take all appropriate measures to levy penalties for any violation of the provisions of the present Regulation.

Article 30 : Appeal

In each Member State, the manufacturers, importers and distributors shall have a right to appeal before the Appellate Authority against any decision taken by licensing authority regarding issue of license, renewal of the same, issue of duplicate license and against analysis report of a laboratory or any other grievances, under provisions of the present Regulation.

CHAPTER VIII: MISCELLANEOUS PROVISIONS

Article 31 : Confidentiality

1. The regulatory authority in each Member State shall treat any information supplied by an applicant for a license, biannual reports or any other information considered exclusive to that applicant as proprietary and confidential except when ordered to release such information from an application, by a court order, the Head of the State or the national parliament.

2. The regulatory authority shall release such information only after notifying the licensee.

Article 32 : Cooperation

In furtherance of its activities, the WACoFeC shall cooperate with other sub-regional institutions operating in the fertilizer sector. Specific Conventions shall define the modalities of such cooperation.

Article 33 : Relation with other Community Acts

Fertilizer quality control activities in the Member States shall be exercised in accordance with the applicable ECOWAS legal Acts.

CHAPTER IX: FINAL PROVISIONS

Article 34 : Entry into Force

The present Regulation shall come into force upon signature and shall be published in the Official Journal of the Community within thirty (30) days following signature. It shall also be published in Member States' Official Gazette within the same timeframe.

Article 35 : Interim Provision

The competent authority in each Member State shall give the manufacturers, importers and distributors up to six (6) months from the entry into force of the present Regulation to adjust to its requirements.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF
MINISTERS**

Abidjan, 30 November – 02 December 2012

**REGULATION C/REG.14/12/12 ADOPTING ECOWAS
STANDARDS HARMONISATION MODEL & PROCEDURES**

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 26 of the said ECOWAS Treaty stipulating that Member States shall agree to harmonise and coordinate industrialisation policies with a view to promoting industrial development and the integration of their economies;

MINDFUL in particular of the provisions of Article 26 (3) (L) of the said Treaty, thereof urging Member States to adopt joint standards and adequate quality control systems in order to create a solid base for industrialisation and enhance collective autonomy;

MINDFUL of Supplementary Act A/SA.07/02/10 of 2 July 2012 adopting the West African Common Industrial Policy (WACIP);

CONSIDERING that it is vital to define the fundamental principles, procedures and mechanisms by which the ECOWAS Technical Committee on Harmonisation, the ECOWAS Commission and the ECOWAS Member States must harmonise and maintain standards within ECOWAS.

CONVINCED that to render the region's standardisation system effective, it is important to ensure that a coherent institutional structure is put in place to enable all relevant national and regional bodies to fully perform their respective roles;

DESIROUS of defining a standards harmonisation model for ECOWAS and laying down harmonisation procedures for those standards;

ON THE RECOMMENDATION of the Meeting of ECOWAS Ministers in charge of Quality Assurance held in Niamey, Republic of Niger on 19 October 2012;

ENACTS

ARTICLE 1

By virtue of this Regulation, the attached ECOWAS Standards Harmonisation Model & Procedures are hereby adopted.

ARTICLE 2

1. The harmonisation model & procedures referred to in Article 1 of this Regulation is aimed at defining the methodology for standards harmonisation within ECOWAS.
2. Where necessary, and with the necessary adaptations, the procedures shall be based on the relevant International Organisation for Standardisation/International Electro-Technical Commission Directives and World Trade Organisation/Technical Barriers to Trade Agreements.

ARTICLE 3

Member States, the Commission and all other ECOWAS institutions shall ensure the application of the procedures referred to under Article 1 of this Regulation.

ARTICLE 4

1. 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.
2. It shall also be published by each Member State in its National Gazette within the same timeframe after notification by the Commission.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION
OF THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.15/12/12 ON THE EXTENSION OF THE
REGIONAL ACTION PLAN ON THE PREVENTION OF DRUG ABUSE,
ILLICIT DRUG TRAFFICKING AND ORGANIZED CRIME AND
ADOPTION OF ITS PROGRAMMES AND ACTIVITIES**

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 Protocol of December 1999 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security;

MINDFUL of the Convention on Mutual Assistance in Criminal Matter of 1992;

MINDFUL of the Convention on Small Arms and Light Weapons, their ammunitions and related materials of June 2006;

MINDFUL of the Political Declaration and Regional Action Plan on the Prevention of Drug Abuse, illicit Drug Trafficking and Organized Crime in West Africa adopted in Abuja by the Thirty-Fifth Ordinary Summit of the Authority of Heads of State and Government;

RECALLING the United Nations Commission on Narcotic Drug Resolution 51/18 and Resolution 5/B1 which supports efforts by West African States and ECOWAS to combat drug trafficking and also United Nations Members States respectively;

CONSIDERING that the ECOWAS Commission on the directive of the Authority translated the Political Declaration and Regional Action Plan into concrete programmes; developed Implementation strategies outlining concrete activities with estimated costs and timeframes and also developed an evaluation mechanism for assessing the level of Implementation;

CONSIDERING the achievements made so far by the Commission and Member States in the Implementation of the Political Declaration and Regional Action Plan on the Prevention of Drug Abuse, illicit Drug Trafficking and organized crimes in West Africa (2008-2012);

CONSIDERING the need to maintain the momentum and ensure the strengthening of structures put in place by the Regional Action Plan.

ENACTS

Article 1

1. This Regulation hereby extends the duration of the ECOWAS Regional Action Plan for a period of two (2) years;
2. The two year Plan of Action for the Implementation of the Political Declaration and Regional Action Plan on the prevention of Drug Abuse, illicit Drug Trafficking and Organized Crime attached as an annex 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 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF
THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.16/12/12 ON THE IMPLEMENTATION
OF THE ECOWAS REFERENCE MANUAL
ON EDUCATION FOR PEACE**

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 60 (b) of the said Treaty;

MINDFUL of Protocol A/P1/87 on the Cultural Framework Agreement of the Economic Community of West African States;

CONSIDERING that the pursuit and consolidation of peace through education is an essential process and necessary condition for the stability of the entire human society;

ACKNOWLEDGING the necessity of promoting the culture of peace among the populations by providing the educational system with a Reference Manual on Education for Peace;

CONVINCED that ECOWAS should develop technical and financial partnership with the United Nations Organization, or any other institution

involved in issues relating to the pursuit and consolidation of peace, with a view to ensuring effective implementation of the Manual;

DESIROUS of implementing the ECOWAS Reference Manual on Education for Peace;

ON THE RECOMMENDATION of the 4th meeting of the ECOWAS Ministers of Education (ECONED) held in Abuja on 6 October 2012;

E N A C T S:

ARTICLE 1 ADOPTION


There is hereby adopted the ECOWAS Reference Manual on Education and Peace

ARTICLE 2 PROMOTION OF NEW PROGRAMMES

The ECOWAS Commission shall develop a new programme in conjunction with Member States and the technical and financial partners with a view to ensuring wide promotion of the ECOWAS Reference Manual on Education for Peace.

ARTICLE 3 COORDINATION OF EDUCATION FOR PEACE ACTIVITIES

The ECOWAS Commission shall develop and coordinate fruitful technical and financial partnership with the United Nations Organizations, or any other Institution involved in the pursuit and consolidation of peace, with a view to achieving the goals of the Manual on Education for Peace.



ARTICLE 4 ENTRY INTO FORCE AND PUBLICATION

This Regulation shall come into force upon its signature by the Chairman of the Council of Ministers and shall be published by the Commission in the Official Journal of the Community within thirty (30) days after its signature. It shall also be published by each Member State in its Official Gazette within the same timeframe.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. MR. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.17/12/12 ON STRENGTHENING THE EDUCATION MANAGEMENT AND INFORMATION SYSTEM

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/P1/87 relating to the Cultural Framework Agreement of the Economic Community of West African States;

CONSIDERING the need to constantly consolidate the institutional and operational capacities of educational structures and stakeholders with a view to boosting the performance of the region's educational system to meet the goals and provide effective guidance for the education sector;

RECOGNISING the importance of promoting quality education in Member States through the creation of a regional Observatory and Statistical Database to revitalise the Education Management Information System;

DESIROUS of putting such tools in place for the ECOWAS region;

UPON RECOMMENDATION of the 4th meeting of ECOWAS Ministers of Education held in Abuja on 6 October 2012.

ENACTS:

ARTICLE 1

Member States and the ECOWAS Commission shall undertake necessary measures for the reinforcement of the Education and Information management system. EMIS

Article 2

Member States shall undertake the following tasks:

- a) adopt the ECOWAS EMIS norms and standards and integrate them into national education plants with regards to data collection and management to enhance culture of management information systems.
- b) develop clear national policy on EMIS which facilitate national coordination and integration of the education and training statistics across the different Ministries and Agencies involved in the sector;
- c) allocate more budgetary resources of EMS that are ring-fenced
- d) recruit, motivate and retain more specialized EMIS to ensure the use of appropriate statistical processes and the production of quality data for evidence based planning, decision-making, monetary and evaluation of service delivery

Article 3

The ECOWAS Commission shall establish an ECOWAS Regional Observatory which shall carry out the following functions

- a) propose norms and standards for the Education Management Information System (EMIS),
- b) undertake critical studies on the different areas of education,
- c) make policy proposals on EMIS.

- d) propose new methods and/or instruments for gathering data on education statistics.

ARTICLE 4: ENTRY INTO FORCE AND PUBLICATION

This Regulation shall enter into force from the date of its signing by the Chairman of the Council of Ministers and shall be published by the Commission in the ECOWAS Official Journal within thirty (30) days. It shall also be published by each Member State in its National Gazette within the same timeframe.

DONE AT ABIDJAN THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.18/12/12 RELATING TO THE INCREASE IN SUPPORT FUNDING FOR THE ACTIVITIES OF THE CHAIRMAN OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT 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 functions;

MINDFUL of Article 72 of the Treaty establishing the Community Levy for funding Community activities;

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

MINDFUL of Decision A/DEC.12/8/97 relating to the frequency and venue of ECOWAS meetings;

MINDFUL of Decision A/DEC.28/01/06 which had initially fixed the amount for supporting the activities of the Chairman of ECOWAS;

MINDFUL of Supplementary Act A/SA1/06/07 amending the above stated Decision A/DEC.28/01/06 in order to peg the support funding at 0.5% of the Community Levy payment of the Country chairing the Community;

RECOGNISING that significant resources are required by the Chairman of Authority, who in his representative leadership role is routinely and extensively involved in demarche to engage and garner support for the implementation of regional integration programmes and for the resolution of security and governance challenges that bedevil the region;

DESIROUS therefore to increase the current level of funding earmarked for supporting the activities of the Chairman of the Authority;

ON THE RECOMMENDATION of the twelfth Meeting of the Administration and Finance Committee held in Abuja from 14th to 17th November 2012.

ENACTS

Article 1

A budget ceiling in the sum of **One million two hundred thousand Units of Accounts (1,200,000UA)** is hereby established as a credit line to support ECOWAS activities undertaken by the Chairman of the ECOWAS Authority of Heads of State and Government.


Article 2

Disbursement of monies from the credit line referred to in Article 1 of this Regulation shall be conditional on the presentation of justification for expenditures made.

Article 3

Member States shall endeavour to implement their obligations under the Community Levy Protocols to facilitate effective implementation of the provisions of Article 1 of this Regulation.

Article 4

1. 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.

2. It shall also be published by each Member State in its National Gazette within the same timeframe after notification by the Commission.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF THE
ECOWAS COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG. 20/12/2012 RELATING TO THE
INSTITUTIONALISATION OF THE INTER-AGENCY TASK
TEAM (IATT)**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Protocol A/P1/87 relating to the Cultural Agreement Framework of the Economic Community of West African States;

CONSIDERING the essential need to strengthen the institutional and operational capacities of educational structures and stakeholders with a view to boosting the performance of the region's educational system to meet the goals and provide effective guidance for the education sector;

RECOGNISING that the inter-agency technical and/or financial partnership developed by ECOWAS with United Nations agencies, particularly the UNESCO Office in Dakar or all other institutions involved in education matters, is necessary for attaining the objectives of teaching and education within ECOWAS;

RECOGNISING also that, although satisfactory and operational, the partnership with the UNESCO Regional Office in Dakar still deserves to be formalised for the effective administrative and institutional management of education-related matters in the region;

DESIROUS of institutionalising this partnership to meet the needs of the educational system in ECOWAS;

UPON RECOMMENDATION of the 4th meeting of ECOWAS Ministers of Education which was held in Abuja on 6 October 2012;

HEREBY ENACTS:

Article 1: Institutionalisation

The Inter-Agency Task Group (**IATT**) is hereby institutionalised by virtue of this Regulation.

Article 2: Functioning

The operating rules of the task group shall be governed by rules of procedure established by members of the task team.

Article 3: Entry into Force and Publication

This Regulation shall enter into force on the date of its signing by the Chairman of Council and shall be published by the Commission in the ECOWAS Official Journal within thirty (30) days. It shall also be published by each Member State in its National Gazette within the same timeframe.

DONE AT ABIDJAN THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.1/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS COMMISSION, FOR THE 2013 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, its Agencies, Centres and Offices for the 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Commission, its Agencies, Centres and Offices during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.2/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS PARLIAMENT FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Parliament during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012

.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.3/12/12 APPROVING THE WORK PROGRAMME OF THE COMMUNITY COURT OF JUSTICE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Community Court of Justice during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.4/12/12 APPROVING THE WORK PROGRAMME OF THE WEST AFRICAN HEALTH ORGANISATION FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the West African Health Organisation during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.5/12/12 APPROVING THE WORK PROGRAMME OF THE INTERGOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA) FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

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 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.6/12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS GENDER DEVELOPMENT CENTRE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Gender Development Centre during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.7/12/12 APPROVING THE WORK PROGRAMME OF THE WATER RESOURCES INTEGRATED MANAGEMENT CENTRE FOR THE 2013 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the Water Resources Integrated Management Centre during the 2013 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 ABIDJAN, THIS 2nd DAY OF DECEMBER 2012


H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.8/12/12 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 2013 Financial Year recommended by the twelfth meeting of the Administration and Finance Committee which was held in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be executed by the ECOWAS Office in Brussels during the 2013 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



Sixty Ninth Ordinary Session of the Council of Ministers

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.9 /12/12 APPROVING THE WORK PROGRAMME OF THE ECOWAS YOUTH AND SPORTS DEVELOPMENT CENTRE FOR THE 2013 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 2013 financial year recommended by the twelfth
meeting of the Administration and Finance Committee which was held
in Abuja, from 14th – 17th November 2012;

ENACTS

ARTICLE 1

The Work Programme attached hereto, is hereby approved and shall be
executed by the Youth and Sports Development Centre during the 2013
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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012


.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.10/12/12 APPROVING THE BUDGET FOR COMMUNITY INSTITUTIONS, OTHER INTERVENTIONS AND OBLIGATIONS FOR THE 2013 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 Articles 2 and 6 of the said Treaty and its amendments on the establishment of ECOWAS and its Institutions;

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

MINDFUL of Article 69 of the Treaty which relates 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);

MINDFUL in particular, of Articles 11 and 12 of the Financial Regulations of the Community referred to in the preceding paragraph, which provide for the preparation of a consolidated budget for the Community and for the structure and presentation of the Budget.

HAVING CONSIDERED the budget estimates of ECOWAS Institutions as well as other ECOWAS Interventions and Obligations as proposed by the twelfth meeting of the Administration and Finance Committee which was held in Abuja from 14th – 17th November, 2012;

ENACTS

Article 1

The budget estimates of the ECOWAS Institutions/Agencies as well as that for other ECOWAS Interventions and Obligations for the 2013 financial year considered at the 12th meeting of the Administration and Finance Committee in income and expenditure at the sum of **Four hundred and ninety four Million, eight hundred and eighty nine thousand, five hundred and sixty seven Units of Account (UA494, 889,567)** is hereby approved.

Article 2

1. Approved Budget Income for 2013 is as follows:

i) Community Levy from Member States	-	UA 143,383,192
ii) Reserve (Opening Balance of Community Levy)	-	UA 110,892,644
iii) Arrears of Community Levy Proceeds	-	UA 210,424,285
iv) <i>Arrears of Contributions</i>	-	UA 4,177,690
v) Other Income	-	UA 149,386
vi) Income from External Sources	-	UA 26,862,370
<u>Total:</u>	-	<u>UA 495,889,567</u>

2. Approved Budget Expenditure for 2013 is allocated as follows:

i)	Institutions	-	UA192,223,052
ii)	Statutory Obligations	-	UA7,877,588
iii)	Interventions in Member States	-	UA25,402,347
iv)	Peace and Security	-	UA270,386,581

Article 3

The 2013 Budget estimates of the Community Institutions shall be derived from the following sources:

- a) An amount of **One hundred and sixty one million, thirty three thousand, six hundred and six Units of Accounts (UA161,33,606UA)** shall be derived from resources obtained from the Community Levy.
- b) An amount of **Four million, one hundred and seventy seven thousand six hundred and ninety Units of Accounts (UA4,177,690)** shall be derived from arrears of contribution.
- c) An additional amount of **One hundred and forty nine thousand, three hundred and eighty six Units of Account (UA149,386)** shall be derived from other sources.
- d) An amount of **Twenty six million, eight hundred and sixty two thousand three hundred and seventy Units of Account (UA26,862,70)** shall be derived from external resources.

Article 4

2013 Budget estimates for other ECOWAS Obligations shall be derived from the following sources:

- 1. Budget estimates for Statutory Obligations in the amount of Seven million eight hundred and seventy-seven thousand, five

hundred and eighty eight Units of Accounts (UA7,877,588) shall be derived from resources of the Community Levy.

2. Budget estimates for Intervention in Member States in the amount of Twenty five million, four hundred and two thousand, three hundred and forty seven Units of Account (UA25,402,347) shall be derived from resources of the Community Levy.
3. Budget estimates for Peace and Security related Interventions shall be derived from the following sources:
 - a) An amount of fifty nine million, nine hundred and sixty two thousand, two hundred and ninety five Units of account (UA 59,962,295) shall be derived from resources obtained from the Community Levy;
 - b) An amount of two hundred and ten million, four hundred and twenty four thousand, two hundred and eighty five Units of Account (UA210,424,285) shall be derived from arrears of Community Levy Proceeds

Article 5

Member States ***shall pay their*** Community Levy arrears in order to provide funding for the Peace and Security activities of the Community.

Article 6

The breakdown ***and sources*** of budget allocations made to individual ECOWAS Institutions is attached as an annex to this Regulation.

Article 7

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 ABIDJAN, THIS 2ND DAY of DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

FOR COUNCIL

THE CHAIRMAN

Annex

Funding of individual ECOWAS Institutions

Commission

• Community Levy from Member State	-	UA 110,801,373 (81%)
• Arrears of Community	-	UA 4,106,905 (2.9%)
• Other Income	-	UA 115,000 (0.1%)
• Income from External Sources	-	UA 21,836,322 (16%)

WAHO

• Community Levy from Member States	-	UA 15,844,211 (77%)
• Other Income	-	UA 8,386 (1%)
• Income from External Sources	-	UA 4,726,048 (22%)

GIABA

• Community Levy from Member States	-	UA 9,041,688 (97%)
• Income from External sources	-	UA 300,000 (3%)

Parliament

• Community Levy from Member States	-	UA12,722,693 (99.4%)
• Arrears from Member States	-	UA 70,785 (0.5%)
• Other Income	-	UA 1,000 (0.1%)

Court of Justice

• Community Levy from Member States	-	UA 12,552,855 (69.8%)
• Other Income	-	UA 25,000 (0.2%)



**SIXTY-NINTH ORDINARY SESSION OF
THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.11/12/12 AMENDING ARTICLE 4 PARAGRAPH 1
OF REGULATION C/REG 12/12/06 ESTABLISHING THE COMMUNITY
LEVY MANAGEMENT COMMITTEE OF THE ECOWAS COMMISSION**

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 72 of the said ECOWAS Treaty instituting the Community Levy for the purposes of generating resources for financing Community activities;

MINDFUL of Protocol A/P1/7/96 on the conditions governing implementation of the Community Levy;

MINDFUL of Regulation C/REG.12/12/06 of 19 December 2006 establishing the Community Levy Management Committee at the ECOWAS Commission and defining its functions;

CONSIDERING that Article 4 of the above Regulation establishes a sub-Committee to support the Community Levy Management Committee and defines its composition and functions;

RECALLING that, despite the fact that the Financial Controller is a Statutory Member of the Community Levy Management Committee, by virtue of Article 4 paragraph 1, the Financial Controller is not a member of the Sub-Committee in charge of supporting the Community Levy Management Committee;

CONVINCED of the need for the Financial Controller to be member of, the Community Levy Sub-Committee established under Article 4 of Regulation C/REG. 12/12/06;

DESIROUS to ensure the Financial Controller's membership in the Community Levy Sub-Committee;

ON THE RECOMMENDATION of the twelfth meeting of the Administration and Finance Committee held in Abuja from 14 to 17 November 2012;

ENACTS

Article 1

Article 4 paragraph 1 of Regulation C/REG. 12/12/06 establishing the Community Levy Management Committee at the ECOWAS Commission is hereby amended as follows:

"A Sub-Committee shall be established to support the Community Levy Management Committee and shall be composed of one representative from each of the following Directorates or offices: Office of the Internal Auditor, Trade and Customs, Finance, and Office of the Financial Controller".

Article 2

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

Done at Abidjan, this 2nd day of December 2012



.....
H.E. CHARLES KOFFI DIBY

Chairman

For Council



ECONOMIC COMMUNITY
OF WEST AFRICAN STATES

COMMUNAUTÉ ÉCONOMIQUE DES
ÉTATS DE L'AFRIQUE DE L'OUEST

**SOIXANTE-NEUVIÈME SESSION ORDINAIRE
DU CONSEIL DES MINISTRES**

Abidjan, 30 novembre – 2 décembre 2012

**REGLEMENT C/REG.12/12/2012 RELATIF AU FINANCEMENT DE
L'ORGANISATION OUEST AFRICAINE DE LA SANTE POUR LA CONSTITUTION
D'UN STOCK INTÉGRÉ DE VACCINS ANTIRETROVIRAUX (ARV)**

LE CONSEIL DES MINISTRES,

VU les Articles 10, 11 et 12 du Traité de la CEDEAO tels qu'amendés, portant création du Conseil des Ministres et définissant sa composition et ses fonctions ;

VU le Protocole A/P2/7/87 relatif à la création de l'Organisation Ouest Africaine de la Santé (OOAS) ;

CONSIDERANT que l'objectif de l'OOAS est de préserver la santé des populations de la région en engageant une lutte collective et stratégique contre les problèmes de santé prévalant dans la région ;

CONSIDERANT la prévalence du VIH/SIDA dans la région et la nécessité de s'attaquer à ce fléau qui dévaste les populations ouest africaines ;

CONSIDERANT que la crise financière et économique globale actuelle a affecté la viabilité des programmes relatifs aux soins par la diminution du financement des partenaires au développement ;

CONSIDERANT qu'il est impératif que la CEDEAO assume une responsabilité plus grande dans la lutte contre le VIH et le SIDA dans la région en apportant une assistance financière consistante afin de réduire la dépendance vis-à-vis de l'aide extérieure ;

CONSIDERANT que la lutte contre le SIDA devrait être un investissement à long terme qui permette de garantir aux millions de citoyens ouest-africains un accès à vie aux programmes de prévention et de traitement du VIH.

Handwritten signature in blue ink.

CONVAINCU que l'insuffisance des stocks d'ARV a obligé les Etats membres à recourir à des sources uniques d'approvisionnement en ARV dont le coût s'avère souvent plus exorbitant que celui des stocks acquis par des appels d'offres internationaux ;

SUR PROPOSITION de la Session spéciale de l'Assemblée des Ministres de la Santé de la CEDEAO, tenue à Dakar en décembre 2011,

DESIREUX de créer un Fonds d'urgence intégré qui permettra d'éviter les pénuries d'ARV dans la région ;

SUR RECOMMANDATION de la douzième Session du Comité de l'Administration et des Finances qui s'est tenue du 14 au 17 novembre 2012 à Abuja ;

EDICTE

Article 1^{er}

Un montant de un million de dollars US (1.000.000 \$US) est approuvé et alloué à l'Organisation Ouest Africaine de la Santé (OOAS), pour faciliter la constitution d'un stock d'urgence intégré (stock de sécurité) de vaccins Antirétroviraux (ARV) dans les Etats membres de la Région.

Article 2

Le présent Règlement sera publié par la Commission de la CEDEAO dans le Journal officiel de la Communauté dans un délai de trente (30) jours après sa signature par le Président du Conseil des Ministres. Il sera également publié par chaque Etat dans son Journal officiel dans un délai de trente (30) jours après notification par la Commission.

FAIT A ABIDJAN LE 2 DECEMBRE 2012

POUR LE CONSEIL

LE PRÉSIDENT


S.E.M. CHARLES DIBY KOFFI



REGULATION C/REG.13/12/12 RELATING TO FERTILIZER QUALITY CONTROL IN THE ECOWAS REGION

THE COUNCIL OF MINISTERS

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

MINDFUL of Regulation C/REG.21/11/10 relating to the harmonization of the structural framework and the operational rules for health safety of food, plants and animals in the ECOWAS region;

MINDFUL of Decision A/DEC.11/01/05 adopting an Agricultural Policy for the Economic Community of West African States;

MINDFUL of Decision C/DEC.1/5/81 relating to the eradication of hunger, popularization of seed varieties and more productive animal species, financing of research programs and agricultural production projects, as well as the storage and processing of agricultural products;

MINDFUL of Decision C/DEC.1/05/83 on short and medium-term programs for implementation of the Regional Agricultural Development Strategy;

CONSIDERING the strategic role of the agricultural sector in the economy of Member States in terms of meeting the food needs of the population and eradicating poverty in rural areas;

CONVINCED of the need to promote in Member States, sustainable agriculture that is more productive and competitive, and capable of ensuring food security and higher living standards for farmers;

CONSCIOUS that fertilizers are very important in the achievement of the objectives of the Agricultural Policy of the Economic Community of West African States;

RECOGNIZING that regular supply of quality and affordable fertilizers to markets of Member States is a prerequisite for achieving food security and improved living standards for farmers.

DESIROUS of harmonizing the rules governing fertilizer production, trade and quality control in the Member States in order to promote the supply of quality fertilizers in Member States' markets;

EXPRESSING SATISFACTION at the involvement of UEMOA in the development of the present Regulation;

ON THE RECOMMENDATION of the meeting of the ECOWAS Member States' sectoral Ministers in charge of Agriculture, Environment and Water Resources held in Abidjan on September 27, 2012;

ENACTS:

CHAPTER I: GENERAL PROVISIONS

Article 1: Definitions

For the purpose of the present Regulation:

Analysis means the percentage composition of a fertilizer product expressed in terms required and permitted in the ECOWAS region.

Analysis Manual or **Fertilizer Analysis Manual** means the compendium of provisions describing the modalities and procedures for carrying out the analysis of fertilizers under the present Regulation.

Appellate Authority means the highest administrative enforcement authority in the fertilizer regulatory system in each of the Member States.

Brand means any term, design, or trademark used in connection with one or several grades of fertilizer.

Bulk refers to any fertilizer delivered to the purchaser either in solid or liquid state in a non-package form to which a label cannot be pasted.

Commission means the ECOWAS Commission.

Competent Authority means an authority identified and appointed under the present Regulation to exercise powers delegated by some of its provisions.

Dealer or Agro-dealer or Distributor means any person who is authorized to carry on the business of selling fertilizers to the farmers in wholesale or retail, including a manufacturer and an importer.

ECOWAS means the Economic Community of West African States.

Fertilizer means any substance which is intended to be used as a nutrient(s) source to the crops for increasing agricultural production.

Fertilizer Inspector or Inspector means any person appointed or designated and notified under the present Regulation to draw official samples of fertilizers, to get their quality tested in a laboratory identified for this purpose, to inspect the fertilizer records being maintained by manufacturers, importers and distributors, and to launch prosecution against the violators of any of the provisions of the present Regulation.

Grade of Fertilizers means any combination of nutrients specified in a fertilizer in whole numbers and in the same terms, order, and percentages as in the guaranteed analysis such as NPK 15-15-15 or NP 20-20-0.

Guaranteed Analysis means the minimum percentage of all plant nutrients claimed on the label.

Importer means any person or a body who is duly authorized to import fertilizers into a Member State in accordance with the legal provisions which are in force in that State.

Inspection Manual or Fertilizer Inspection Manual means the compendium of provisions describing the modalities and procedures for carrying out the inspection and quality control of fertilizers under the present Regulation.

Label means (1) any legend, word, mark, symbol, or design applied or attached to, included in, belonging to, or accompanying any fertilizer, supplement, or container; or (2) any advertisements, brochures, posters; or (3) any television, radio, internet announcements used in promoting the sale of fertilizer.

Laboratory means any fertilizer analysis facility identified or established in a Member State and notified under the present Regulation for carrying out fertilizer analysis as per the methods specified in the ECOWAS Fertilizer Analysis Manual.

License means the official document authorizing a person to sell fertilizer.

Licensee means any person who has obtained a license authorizing him to sell fertilizers, as prescribed in the present Regulation.

Licensing Authority means the appropriate authority in a Member State designated for granting a license for selling fertilizer.

Liquid Fertilizer means any fluid in which the plant nutrients are in true solution.

Manufacturer means any person or a body who is duly authorized in a Member State to produce fertilizers in accordance with the legal provisions which are in force in that State.

Member State means any of the countries in West Africa which are members of ECOWAS.

Micronutrient means any of the following nutrients that is essential for the normal growth of plants and that may need to be added to the growth medium: boron, chlorine, cobalt, copper, iron, manganese, molybdenum, sodium and zinc.

Natural Organic Fertilizer means a fertilizer derived from non-synthetic organic material including sewage sludge, animal manures, plant residues, household refuse, and agro-industrial waste which is produced through the process of drying, cooking, composting, chopping, grinding, fermenting, or other methods and makes a declaration of nutrient value on the label. Such fertilizer shall not be mixed for sale with synthetic material or changed in any physical or chemical manner.

Official sample means any sample of fertilizer taken by an authorized fertilizer Inspector.

Person means any individual, partnership, association, firm, or corporation.

Primary Nutrient means any plant foods such as Nitrogen (N); available phosphoric acid (P_2O_5) or phosphorus (P); and soluble potash (K_2O) or potassium (K).

Secondary Nutrient means any of the following nutrients that is essential for the normal growth of plants and that may need to be added to the growth medium: calcium, magnesium, and sulfur.

Tolerance means the permitted deviation of the measured values of a nutrient content or the bag weight below the values claimed on the label, or the maximum allowable heavy metal limits in a fertilizer.

UEMOA (WAEMU) means Union Economique et Monétaire des Etats de l'Afrique de l'Ouest (West African Economic and Monetary Union).

WACoFeC means the West African Committee for Fertilizer Control.

Article 2 : Purpose

1. The present Regulation harmonizes the rules governing fertilizer quality control in ECOWAS Member States.
2. The purpose of this Regulation is to:
 - a) Safeguard the interests of the farmers against nutrient deficiencies, adulteration, misleading claims, and short weight;
 - b) Safeguard the interests of fertilizer enterprises and contribute to the creation of an enabling environment for private sector investment in the fertilizer industry;
 - c) Protect the West Africa natural environment and its population against the potential dangers associated with inappropriate fertilizer use;
 - d) Facilitate inter and intra-States trade in fertilizers, through implementation of principles and rules mutually agreed at regional level to dismantle trade barriers.

Article 3 : Scope

The present Regulation shall apply to all fertilizer-related activities, especially those pertaining to the licensing of agro-dealers, as well as the storage and sale of fertilizers locally manufactured and imported in the Member States.

CHAPTER II: GUIDING PRINCIPLES

Article 4 : Principle of Harmonization

In pursuance of the objective of ensuring effective fertilizer quality control as intended by Article 2 of the present Regulation, ECOWAS shall help bridge the gap between Member States' legislations in the field of fertilizers.

Article 5 : Principle of Truth-in-labeling

The principle of truth-in-labeling holds that whatever a manufacturer, an importer or an agro-dealer claims he/she is selling, he/she must guarantee it; it is therefore essential that label claims on fertilizer packaging be truthful. Consequently, some specific requirements shall define what one can claim so that it is not necessary to register fertilizer products.

Article 6 : Principle of Free Movement of Fertilizers

In view of contributing to the organization of a regional market as described in the common agricultural policy, there shall be free movement of fertilizers on the ECOWAS Member States territory so far as the fertilizers comply with the quality standards prescribed in the present Regulation.

Article 7 : Principle of International Standards Recognition

To ensure the supply of quality fertilizer in the markets, the ECOWAS Commission and Member States' shall anchor their fertilizer legal frameworks on international standards.

Article 8 : Principle of Participation and Information

1. Member States shall ensure full participation of stakeholders in the fertilizer sector in the process of public decision-making on fertilizer-related issues.
2. Member States shall ensure public access to fertilizer information held by public authorities.
3. Member States shall help train and build the awareness of stakeholders in the fertilizer sector.

CHAPTER III: ORGAN AND TOOLS FOR FERTILIZER QUALITY CONTROL

Article 9 : West African Committee for Fertilizer Control

1. A West African Committee for Fertilizer Control, hereinafter referred to as the WACoFeC, is hereby established. This Committee shall facilitate, on behalf of the ECOWAS Commission, the implementation of the present Regulation by Member States. To this end, it shall operate under the direct institutional authority of the Commission.

2. The WACoFeC shall work closely with national bodies in charge of fertilizer control for development of the fertilizer sector. To this end, each Member State shall set up a national body for fertilizer control.

3. At the request of WACoFeC, each Member State shall provide information for verification of compliance of the national fertilizer quality control systems with the present Regulation. WACoFeC may conduct investigations in Member States to verify the accuracy of information provided.

4. The attributions, organization and functioning of WACoFeC shall be determined by the ECOWAS Commission through an Implementing Regulation.

5. The funds necessary for the functioning of the WACoFeC shall be provided by the ECOWAS Commission.

Article 10 : Fertilizer Quality Control Manuals

1. For a more effective quality control in Member States, the ECOWAS Commission shall adopt, through Implementing Regulations, an Inspection Manual and an Analysis Manual.

2. The Inspection Manual shall describe the modalities and procedures for fertilizer inspection in the Member States, including the following:

- a) The fertilizer sampling methods;
- b) The fertilizer inspection procedures;
- c) The required types of Performa to be used in fertilizer business and inspection.

3. The Analysis Manual shall describe the modalities and procedures for fertilizer analysis in the Member States, including the following:

- a) The methods for collection and preparation of the official fertilizer samples;
- b) The methods of analysis of the official fertilizer samples;
- c) The types of laboratory analysis required in fertilizer samples;
- d) The requirements and procedures for setting up of a fertilizer testing laboratory; and
- e) The required types of Performa to be used in fertilizer analysis.

CHAPTER IV: MANUFACTURING, IMPORTING AND SALE OF FERTILIZERS

Article 11 : Licensing for Agro-dealers

1. Any person who intends to carry on the business of fertilizer agro-dealer in any ECOWAS Member States shall hold a license granted by the competent licensing authority in the Member State concerned.

2. The agro-dealer license shall be issued for three years, renewable at the holder's request for similar duration. It may be suspended or withdrawn.

3. The conditions and modalities for obtaining this license, or for its renewal, suspension, and withdrawal shall be specified by each Member State, in accordance with the relevant provisions of the present Regulation.

Article 12 : Display of License

Every agro-dealer shall display his/her license at a conspicuous place in the business premises.

Article 13 : Operating as a Manufacturer or an Importer

The conditions and modalities for operating as a manufacturer or an importer of fertilizer in each Member State shall be governed by the regulations in force in the Member State concerned.

Article 14 : Setting-up of Plants

The setting-up of fertilizer manufacturing and/or packing facilities in each of the Member States shall be governed by the regulations in force in the States.

Article 15 : Import and Export Regimes

1. Without prejudice to community regulations on foreign trade, the import and export of fertilizers shall be subject to prior notification to the competent authority in the concerned country.
2. The importer or exporter shall provide all the information required on the forms designed for that purpose by the Member State concerned.

Article 16 : Warehouse Storage Conditions

Any warehouse used to store fertilizers intended for sale shall have adequate temperature and moisture levels as well as be tidy and well ventilated, in order to ensure their effective conservation.

Article 17 : Packaging Size

Fertilizer shall be generally marketed in sealed and labeled bags of 50 kg weight. However, smaller or larger sealed and labeled bags shall also be permitted.

Article 18 : Labeling

1. Specifications of fertilizers sold in the ECOWAS Member States shall be printed on the fertilizer container in clearly legible and conspicuous form.
2. In case of bulk production and shipments, these specifications in written or printed form shall accompany each delivery and be supplied to the purchaser at time of delivery.
3. The ECOWAS Commission shall determine through an Implementing Regulation the minimum information required on the label and the model of label.

4. The ECOWAS Commission shall determine through an Implementing Regulation the minimum percentage of a primary nutrient, secondary nutrient, micronutrient that can be guaranteed and the forms under which these nutrients shall be guaranteed.

Article 19 : Submission of Bi-annual Report

1. Any manufacturer, importer or distributor of fertilizers shall submit bi-annual reports to the fertilizer regulatory authority in the Member States about the quantities produced or imported during the semester under consideration.
2. The Performa of the fertilizer bi-annual report shall be provided in the Inspection Manual.

CHAPTER V: QUALITY CONTROL OF FERTILIZERS

Article 20 : Purpose of Control

The quality control of fertilizer shall enable the official authority to ascertain that the fertilizers submitted to it:

- a) Have labels that are truthful;
- b) Meet the packaging and storage conditions; and
- c) Meet any other requirements defined in the present Regulation.

Article 21 : General Responsibility for Fertilizer Quality Control

1. Member States shall have the overall responsibility for quality control. To this end, they shall appoint Inspectors and other competent authority, and grant them the necessary powers as well as adequate resources to carry out their mission.
2. The Inspector shall have the power to ascertain any violation of the present Regulation, gather related evidence and to refer the matter to the authority vested with the power to sanction the observed violation in accordance with the procedures in force in Member States. Therefore, the Inspector is vested with the power to:
 - a) Inspect, during regular business hours, any premises where fertilizers are manufactured, stored or sold.
 - b) Inspect any person or any vehicle or any receptacle used to move fertilizers from one location to another.
 - c) Draw official samples of fertilizers for analysis.
 - d) Seize and detain any fertilizer in violation of the present Regulation as well as any equipment, package, document, means of transportation associated with such fertilizer.

These inspections, official sample withdrawal and analysis, and seizures are carried out in accordance with the modalities and procedures described in the Fertilizer Quality Control manuals referred to in Article 10 of the present Regulation.

3. The manufacturer, importer and distributor or his/her representative shall be present at the time of inspection.

Article 22 : Area of Control

Fertilizer quality control shall apply to all stages and venues of manufacturing, unloading, storage, sale or use.

Article 23 : Inspection and Analysis

1. Fertilizer inspection and analysis shall be carried out in accordance with the procedures prescribed in the manuals referred to in Article 10 of the present Regulation.
2. The ECOWAS Commission shall determine through an Implementing Regulation the maximum tolerance limits for bag weights and nutrient content in fertilizer products.
3. The ECOWAS Commission shall determine through an Implementing Regulation the maximum allowable heavy metal limits in fertilizer products.

Article 24 : Sample Collection

A Fertilizer Inspector shall collect official samples of fertilizer and submit them for analysis to designated laboratories in accordance with the procedures described in the fertilizer manuals referred to in Article 10 of the present Regulation.

CHAPTER VI: FEES

Article 25 : Type of Fees

1. The competent authority in each Member State shall prescribe a fee for:
 - a) Licensing for sale of fertilizers;
 - b) Renewal of license for sale of fertilizers;
 - c) Inspection of fertilizers;
 - d) Analysis of fertilizer samples.
2. The inspection fee shall be levied only at the point of entry and at the local manufacturing level for fertilizer offered for sale in a Member State.
3. The fee amounts, their payment modalities and the allocation of proceeds shall be determined by each Member State.

CHAPTER VII: VIOLATIONS AND PENALTIES

Article 26 : Violations

Any act of a fertilizer manufacturer, importer or distributor, or their representative that contributes to infringing any provision of the present Regulation shall constitute a violation. This includes among others:

- a) Nutrient deficiency beyond maximum tolerance limits;
- b) Short weight of fertilizer bags beyond maximum tolerance limit;
- c) Adulteration of any kind;

- d) Misbranding of any kind;
- e) Selling fertilizers without a license;
- f) Late submission of a license renewal 15 days after the expiry of due date;
- g) Non-payment of inspection fee beyond due date;
- h) Non-submission of bi-annual report beyond due date;
- i) Non compliance of any specific direction or instructions of Regulatory authority in relation to any provisions of the present Regulation;
- j) Obstruction to official discharge of control activity.

Article 27 : Adulteration

A fertilizer shall be deemed to be adulterated:

- a) If it contains any deleterious or harmful ingredient in sufficient amount to render it injurious to plant life, when applied in accordance with directions for use on the label, or if adequate warning statements or directions for use, which may be necessary to protect plant life, are not shown on the label;
- b) If it contains any heavy metal in excess of the maximum allowable limits; or
- c) If it contains unwanted crop seed or weed seed or some spurious material.

Article 28 : Misbranding

A fertilizer shall be deemed to be misbranded:

- a) If its label is false or misleading in any manner;
- b) If it is distributed under the name of another fertilizer product;
- c) If it is not labeled as required in the present Regulation.

Article 29 : Penalties for Violation

Member States shall take all appropriate measures to levy penalties for any violation of the provisions of the present Regulation.

Article 30 : Appeal

In each Member State, the manufacturers, importers and distributors shall have a right to appeal before the Appellate Authority against any decision taken by licensing authority regarding issue of license, renewal of the same, issue of duplicate license and against analysis report of a laboratory or any other grievances, under provisions of the present Regulation.

CHAPTER VIII: MISCELLANEOUS PROVISIONS

Article 31 : Confidentiality

1. The regulatory authority in each Member State shall treat any information supplied by an applicant for a license, biannual reports or any other information considered exclusive to that applicant as proprietary and confidential except when ordered to release such information from an application, by a court order, the Head of the State or the national parliament.

2. The regulatory authority shall release such information only after notifying the licensee.

Article 32 : Cooperation

In furtherance of its activities, the WACoFeC shall cooperate with other sub-regional institutions operating in the fertilizer sector. Specific Conventions shall define the modalities of such cooperation.

Article 33 : Relation with other Community Acts

Fertilizer quality control activities in the Member States shall be exercised in accordance with the applicable ECOWAS legal Acts.

CHAPTER IX: FINAL PROVISIONS

Article 34 : Entry into Force

The present Regulation shall come into force upon signature and shall be published in the Official Journal of the Community within thirty (30) days following signature. It shall also be published in Member States' Official Gazette within the same timeframe.

Article 35 : Interim Provision

The competent authority in each Member State shall give the manufacturers, importers and distributors up to six (6) months from the entry into force of the present Regulation to adjust to its requirements.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF
MINISTERS**

Abidjan, 30 November – 02 December 2012

**REGULATION C/REG.14/12/12 ADOPTING ECOWAS
STANDARDS HARMONISATION MODEL & PROCEDURES**

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 26 of the said ECOWAS Treaty stipulating that Member States shall agree to harmonise and coordinate industrialisation policies with a view to promoting industrial development and the integration of their economies;

MINDFUL in particular of the provisions of Article 26 (3) (L) of the said Treaty, thereof urging Member States to adopt joint standards and adequate quality control systems in order to create a solid base for industrialisation and enhance collective autonomy;

MINDFUL of Supplementary Act A/SA.07/02/10 of 2 July 2012 adopting the West African Common Industrial Policy (WACIP);

CONSIDERING that it is vital to define the fundamental principles, procedures and mechanisms by which the ECOWAS Technical Committee on Harmonisation, the ECOWAS Commission and the ECOWAS Member States must harmonise and maintain standards within ECOWAS;

CONVINCED that to render the region's standardisation system effective, it is important to ensure that a coherent institutional structure is put in place to enable all relevant national and regional bodies to fully perform their respective roles;

DESIROUS of defining a standards harmonisation model for ECOWAS and laying down harmonisation procedures for those standards;

ON THE RECOMMENDATION of the Meeting of ECOWAS Ministers in charge of Quality Assurance held in Niamey, Republic of Niger on 19 October 2012;

ENACTS

ARTICLE 1

By virtue of this Regulation, the attached ECOWAS Standards Harmonisation Model & Procedures are hereby adopted.

ARTICLE 2

1. The harmonisation model & procedures referred to in Article 1 of this Regulation is aimed at defining the methodology for standards harmonisation within ECOWAS.
2. Where necessary, and with the necessary adaptations, the procedures shall be based on the relevant International Organisation for Standardisation/International Electro-Technical Commission Directives and World Trade Organisation/Technical Barriers to Trade Agreements.

ARTICLE 3

Member States, the Commission and all other ECOWAS institutions shall ensure the application of the procedures referred to under Article 1 of this Regulation.

ARTICLE 4

1. 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.
2. It shall also be published by each Member State in its National Gazette within the same timeframe after notification by the Commission.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION
OF THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.15/12/12 ON THE EXTENSION OF THE
REGIONAL ACTION PLAN ON THE PREVENTION OF DRUG ABUSE,
ILLICIT DRUG TRAFFICKING AND ORGANIZED CRIME AND
ADOPTION OF ITS PROGRAMMES AND ACTIVITIES**

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 Protocol of December 1999 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security;

MINDFUL of the Convention on Mutual Assistance in Criminal Matter of 1992;

MINDFUL of the Convention on Small Arms and Light Weapons, their ammunitions and related materials of June 2006;

MINDFUL of the Political Declaration and Regional Action Plan on the Prevention of Drug Abuse, illicit Drug Trafficking and Organized Crime in West Africa adopted in Abuja by the Thirty-Fifth Ordinary Summit of the Authority of Heads of State and Government;

RECALLING the United Nations Commission on Narcotic Drug Resolution 51/18 and Resolution 5/B1 which supports efforts by West African States and ECOWAS to combat drug trafficking and also United Nations Members States respectively;

CONSIDERING that the ECOWAS Commission on the directive of the Authority translated the Political Declaration and Regional Action Plan into concrete programmes; developed Implementation strategies outlining concrete activities with estimated costs and timeframes and also developed an evaluation mechanism for assessing the level of Implementation;

CONSIDERING the achievements made so far by the Commission and Member States in the Implementation of the Political Declaration and Regional Action Plan on the Prevention of Drug Abuse, illicit Drug Trafficking and organized crimes in West Africa (2008-2012);

CONSIDERING the need to maintain the momentum and ensure the strengthening of structures put in place by the Regional Action Plan.

ENACTS

Article 1

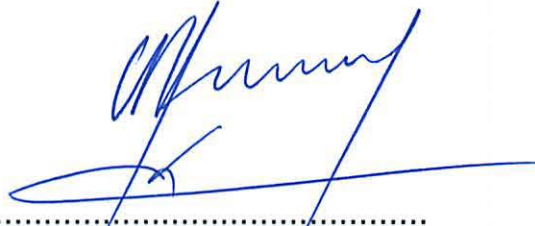
1. This Regulation hereby extends the duration of the ECOWAS Regional Action Plan for a period of two (2) years;
2. The two year Plan of Action for the Implementation of the Political Declaration and Regional Action Plan on the prevention of Drug Abuse, illicit Drug Trafficking and Organized Crime attached as an annex 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 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 ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN
FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF
THE COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG.16/12/12 ON THE IMPLEMENTATION
OF THE ECOWAS REFERENCE MANUAL
ON EDUCATION FOR PEACE**

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 60 (b) of the said Treaty;

MINDFUL of Protocol A/P1/87 on the Cultural Framework Agreement of the Economic Community of West African States;

CONSIDERING that the pursuit and consolidation of peace through education is an essential process and necessary condition for the stability of the entire human society;

ACKNOWLEDGING the necessity of promoting the culture of peace among the populations by providing the educational system with a Reference Manual on Education for Peace;

CONVINCED that ECOWAS should develop technical and financial partnership with the United Nations Organization, or any other institution

involved in issues relating to the pursuit and consolidation of peace, with a view to ensuring effective implementation of the Manual;

DESIROUS of implementing the ECOWAS Reference Manual on Education for Peace;

ON THE RECOMMENDATION of the 4th meeting of the ECOWAS Ministers of Education (ECONED) held in Abuja on 6 October 2012;

E N A C T S:

ARTICLE 1 ADOPTION


There is hereby adopted the ECOWAS Reference Manual on Education and Peace

ARTICLE 2 PROMOTION OF NEW PROGRAMMES

The ECOWAS Commission shall develop a new programme in conjunction with Member States and the technical and financial partners with a view to ensuring wide promotion of the ECOWAS Reference Manual on Education for Peace.

ARTICLE 3 COORDINATION OF EDUCATION FOR PEACE ACTIVITIES

The ECOWAS Commission shall develop and coordinate fruitful technical and financial partnership with the United Nations Organizations, or any other Institution involved in the pursuit and consolidation of peace, with a view to achieving the goals of the Manual on Education for Peace.



ARTICLE 4 ENTRY INTO FORCE AND PUBLICATION

This Regulation shall come into force upon its signature by the Chairman of the Council of Ministers and shall be published by the Commission in the Official Journal of the Community within thirty (30) days after its signature. It shall also be published by each Member State in its Official Gazette within the same timeframe.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



.....
H.E. MR. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.17/12/12 ON STRENGTHENING THE EDUCATION MANAGEMENT AND INFORMATION SYSTEM

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/P1/87 relating to the Cultural Framework Agreement of the Economic Community of West African States;

CONSIDERING the need to constantly consolidate the institutional and operational capacities of educational structures and stakeholders with a view to boosting the performance of the region's educational system to meet the goals and provide effective guidance for the education sector;

RECOGNISING the importance of promoting quality education in Member States through the creation of a regional Observatory and Statistical Database to revitalise the Education Management Information System;

DESIROUS of putting such tools in place for the ECOWAS region;

UPON RECOMMENDATION of the 4th meeting of ECOWAS Ministers of Education held in Abuja on 6 October 2012.

ENACTS:

ARTICLE 1

Member States and the ECOWAS Commission shall undertake necessary measures for the reinforcement of the Education and Information management system. EMIS

Article 2

Member States shall undertake the following tasks:

- a) adopt the ECOWAS EMIS norms and standards and integrate them into national education plants with regards to data collection and management to enhance culture of management information systems.
- b) develop clear national policy on EMIS which facilitate national coordination and integration of the education and training statistics across the different Ministries and Agencies involved in the sector;
- c) allocate more budgetary resources of EMS that are ring-fenced
- d) recruit, motivate and retain more specialized EMIS to ensure the use of appropriate statistical processes and the production of quality data for evidence based planning, decision-making, monetary and evaluation of service delivery

Article 3

The ECOWAS Commission shall establish an ECOWAS Regional Observatory which shall carry out the following functions

- a) propose norms and standards for the Education Management Information System (EMIS),
- b) undertake critical studies on the different areas of education,
- c) make policy proposals on EMIS.

- d) propose new methods and/or instruments for gathering data on education statistics.

ARTICLE 4: ENTRY INTO FORCE AND PUBLICATION

This Regulation shall enter into force from the date of its signing by the Chairman of the Council of Ministers and shall be published by the Commission in the ECOWAS Official Journal within thirty (30) days. It shall also be published by each Member State in its National Gazette within the same timeframe.

DONE AT ABIDJAN THIS 2ND DAY OF DECEMBER 2012



.....
H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



SIXTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

Abidjan, 30 November – 2 December 2012

REGULATION C/REG.18/12/12 RELATING TO THE INCREASE IN SUPPORT FUNDING FOR THE ACTIVITIES OF THE CHAIRMAN OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT 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 functions;

MINDFUL of Article 72 of the Treaty establishing the Community Levy for funding Community activities;

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

MINDFUL of Decision A/DEC.12/8/97 relating to the frequency and venue of ECOWAS meetings;

MINDFUL of Decision A/DEC.28/01/06 which had initially fixed the amount for supporting the activities of the Chairman of ECOWAS;

MINDFUL of Supplementary Act A/SA1/06/07 amending the above stated Decision A/DEC.28/01/06 in order to peg the support funding at 0.5% of the Community Levy payment of the Country chairing the Community;

RECOGNISING that significant resources are required by the Chairman of Authority, who in his representative leadership role is routinely and extensively involved in demarche to engage and garner support for the implementation of regional integration programmes and for the resolution of security and governance challenges that bedevil the region;

DESIROUS therefore to increase the current level of funding earmarked for supporting the activities of the Chairman of the Authority;

ON THE RECOMMENDATION of the twelfth Meeting of the Administration and Finance Committee held in Abuja from 14th to 17th November 2012.

ENACTS

Article 1

A budget ceiling in the sum of **One million two hundred thousand Units of Accounts (1,200,000UA)** is hereby established as a credit line to support ECOWAS activities undertaken by the Chairman of the ECOWAS Authority of Heads of State and Government.


Article 2

Disbursement of monies from the credit line referred to in Article 1 of this Regulation shall be conditional on the presentation of justification for expenditures made.

Article 3

Member States shall endeavour to implement their obligations under the Community Levy Protocols to facilitate effective implementation of the provisions of Article 1 of this Regulation.

Article 4

1. 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.

2. It shall also be published by each Member State in its National Gazette within the same timeframe after notification by the Commission.

DONE AT ABIDJAN, THIS 2ND DAY OF DECEMBER 2012



H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL



**SIXTY-NINTH ORDINARY SESSION OF THE
ECOWAS COUNCIL OF MINISTERS**

Abidjan, 30 November – 2 December 2012

**REGULATION C/REG. 20/12/2012 RELATING TO THE
INSTITUTIONALISATION OF THE INTER-AGENCY TASK
TEAM (IATT)**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Protocol A/P1/87 relating to the Cultural Agreement Framework of the Economic Community of West African States;

CONSIDERING the essential need to strengthen the institutional and operational capacities of educational structures and stakeholders with a view to boosting the performance of the region's educational system to meet the goals and provide effective guidance for the education sector;

RECOGNISING that the inter-agency technical and/or financial partnership developed by ECOWAS with United Nations agencies, particularly the UNESCO Office in Dakar or all other institutions involved in education matters, is necessary for attaining the objectives of teaching and education within ECOWAS;

RECOGNISING also that, although satisfactory and operational, the partnership with the UNESCO Regional Office in Dakar still deserves to be formalised for the effective administrative and institutional management of education-related matters in the region;

DESIROUS of institutionalising this partnership to meet the needs of the educational system in ECOWAS;

UPON RECOMMENDATION of the 4th meeting of ECOWAS Ministers of Education which was held in Abuja on 6 October 2012;

HEREBY ENACTS:

Article 1: Institutionalisation

The Inter-Agency Task Group (**IATT**) is hereby institutionalised by virtue of this Regulation.

Article 2: Functioning

The operating rules of the task group shall be governed by rules of procedure established by members of the task team.

Article 3: Entry into Force and Publication

This Regulation shall enter into force on the date of its signing by the Chairman of Council and shall be published by the Commission in the ECOWAS Official Journal within thirty (30) days. It shall also be published by each Member State in its National Gazette within the same timeframe.

DONE AT ABIDJAN THIS 2ND DAY OF DECEMBER 2012



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H.E. CHARLES KOFFI DIBY

CHAIRMAN

FOR COUNCIL