

**COMUNIDADE ECONOMICA DOS
ESTADOS DA AFRICA OCIDENTAL**



**ECONOMIC COMMUNITY OF
WEST AFRICAN STATES**

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

ECW/HSG/LIII/4

Original: English

**FIFTY-THIRD ORDINARY SESSION OF THE ECOWAS
AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

Lomé, 31st July, 2018

**REPORT OF THE 80TH ORDINARY SESSION OF THE
ECOWAS COUNCIL OF MINISTERS**

ECOWAS Commission
Lomé, July 2018

COMUNIDADE DOS ESTADOS DA
ÁFRICA DA ÁFRICA OCIDENTAL

ECONOMIC COMMUNITY
OF WEST AFRICAN STATES



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

ECW/CM/LXXX/19

Original: English

EIGHTIETH ORDINARY SESSION OF THE ECOWAS COUNCIL OF MINISTERS

Lome, 7- 8 July 2018

FINAL REPORT

ECOWAS Commission
Lome, July, 2018

I. INTRODUCTION

1. The Eightieth Ordinary Session of the ECOWAS Council of Ministers was held in Lome, Togolese Republic on 7 and 8 July 2018. The meeting, which was attended by Ministers responsible for ECOWAS Affairs and Finance, was chaired by H.E. Prof Robert DUSSEY, Chair of the ECOWAS Council of Ministers and Minister of Foreign Affairs, Cooperation and African Integration of the Togolese Republic.
2. The following Member States were represented:
 - Republic of Benin;
 - Burkina Faso;
 - Republic of Cabo Verde;
 - Republic of Cote d'Ivoire;
 - 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; and
 - Togolese Republic.
3. The following ECOWAS Institutions and Specialised Agencies were represented:
 - ECOWAS Commission;
 - ECOWAS Parliament;
 - Community Court of Justice;
 - ECOWAS Bank for Investment and Development (EBID);
 - West African Health Organisation (WAHO);
 - Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);
 - Office of the Auditor General;
 - ECOWAS Regional Electricity Regulatory Agency (ERERA);
 - ECOWAS Centre for Renewable Energy and Energy Efficiency (ECREEE);
 - ECOWAS Gender and Development Centre (EGDC);
 - ECOWAS Youth and Sports Development Centre (EYSDC);
 - Regional Agency for Agriculture and Food (RAAF);
 - ECOWAS Project Preparation and Development Unit (PPDU);
 - Water Resources Coordination Centre (WRCC).

- West African Monetary Agency (WAMA);
 - West African Monetary Institute (WAMI); and
 - West African Power Pool (WAPP).
4. A list of participants is attached as an annex to this report.

II. OPENING SESSION

5. H.E. Professor Robert DUSSEY, Togolese Minister of Foreign Affairs, Cooperation and African Integration and Chair of the Council of Ministers, on behalf of H.E. Mr Faure Essozimna Gnassingbé, President of the Togolese Republic, Chairman of the Authority of Heads of State and Government, welcomed participants to the 80th Ordinary Session of the ECOWAS Council of Ministers.
6. H.E. Jean-Claude Kassi BROU, the President of the ECOWAS Commission expressed his gratitude and appreciation to His Excellency Mr Faure Essozimna Gnassingbé, President of the Togolese Republic, and Chairman of the Authority of Heads of State and Government for his leadership, and to the government and people of Togo, for the legendary hospitality and excellent working conditions provided for the meeting. He also commended the Chair and Council members for their availability and commitment to all regional integration issues and affirmed the commitment of the new management team to faithfully play their part in fulfilling the goals of integration and economic development.

III. SWEARING IN OF THE NEW VICE PRESIDENT, COMMISSIONERS AND OTHER STATUTORY APPOINTEES

7. Following the introduction of the new statutory appointees by the President of the Commission, the President of the Community Court of Justice, Jerome Traore, administered the oath of office on the Vice President, Commissioners and other statutory appointees. They are as follows:

Statutory Position	Appointees
Vice President	Finda E.M Koroma
Commissioner for Finance	Halima Ahmed
Commissioner for Macroeconomic Policy and Economic Research	Kofi Konadu Apraku

Commissioner for Trade, Customs and Free Movement	Konzi Tei
Commissioner for Agriculture, Environment and Water Resources	Sankare Sekou
Commissioner for Infrastructure	Pathe Gueye
Commissioner for Political Affairs, Peace and Security	Francis Awagbe Behanzin
Commissioner for Social Affairs and Gender	Siga Fatima Jagne
Commissioner for General Administration and Conference	Mbandoe Vafolay Tulay
Commissioner for Human Resources	Jeremias Dias Furtado
Commissioner for Education, Science and Culture	Leopoldo Amado
Commissioner for Energy and Mines	Sediko Douka
Commissioner for Telecommunications and Information Technology	Zouli Bonkounougou
Commissioner for Industry and Private Sector Promotion	Mamadou Traore
Auditor-General	Alfred Mahamadu Braimah
Director-General of GIABA	Aba Kimelabalou
Director-General of WAHO	Stanley Okolo

IV. ELECTION OF BUREAU

8. The following Bureau was elected:

- Chair - Togolese Republic
- Rapporteurs - Republic of Cabo Verde
Republic of Sierra Leone

V. ADOPTION OF AGENDA AND WORK PROGRAMME

9. The following agenda was adopted after amendments:

ITEMS FOR DECISION

- 1) Presentation and Consideration of the 2018 Interim Report of ECOWAS
- 2) Presentation and Consideration of the Status of Tasks Assigned by the 79th Ordinary Session of Council
- 3) Presentation on the Financial Situation of the Community
- 4) Presentation and Consideration of the Financial Controller's 2017 Final Report
- 5) Presentation and Consideration of the Audit Committee Report
- 6) Presentation and Consideration of the Report of the 23rd Meeting of the Administration and Finance Committee
- 7) Presentation and Consideration of the Report of the 2nd Extraordinary Meeting of the Administration and Finance Committee on Institutional Reform
- 8) Presentation and Consideration of Status Report on Institutional Reform
- 9) Presentation and Consideration of Memorandum on Contract Staff of the Department of Macroeconomic Policy and Economic Research and the Department of Social Affairs and Gender
- 10) Presentation and Consideration of Memorandum on the Establishment of the Office of the Auditor General of ECOWAS Institutions
- 11) Remuneration of Statutory Appointees

- 12) Consideration and Adoption of Draft Agenda of the 53rd Ordinary Session of the ECOWAS Authority of Heads of State and Government

ITEMS FOR ENDORSEMENT

- 13) Presentation of the Report of the ECOWAS Judicial Council
- 14) Presentation of the Report of ECOWAS Ministers of Trade
- 15) Presentation of the Report of the ECOWAS Regional Meeting of the Ministers in-charge of Security and Agriculture/Livestock on Transhumance
- 16) Presentation of Report of the Ministerial Meeting on the Food Crises in the Sub- Region
- 17) Presentation of Special Report on Litigation Cases with liability for the Commission

ITEMS FOR INFORMATION

- 18) Presentation of Terms of Reference of the Forensic Audit of ECOWAS Institutions
- 19) Any Other Business
- 20) Adoption of Report
- 21) Vote of Thanks
- 22) Closing Ceremony

VI. OUTCOME OF DELIBERATIONS

Item 1: Presentation and Consideration of the 2018 Interim Report of ECOWAS

10. The 2018 Interim Report of the President of the Commission provides an overview of the recent socio-economic developments in West Africa as well as the status of implementation of activities of the Commission and other Community Institutions during the first half of 2018.
11. For the ECOWAS region, economic growth is expected to rally around 3.1% in 2018 as compared to 2.3% in 2017. The recent improvement in the world prices of raw materials, particularly crude oil, minerals,

agricultural produce and Nigeria's emergence from recession will contribute significantly in enhancing the region's growth performance.

12. With regard to the implementation of the Community work programme, the report reveals that over the period under review, the Commission continued the implementation of its programmes. Progress has also been made in strengthening regional security, improving free movement of goods and persons, political governance, democratic elections and respect for human rights and the rule of law in Member States as well as the promotion and development of the private sector. In terms of regional infrastructure, progress has been made with regards to the ECOWAS Road Transport and Transit Facilitation programme.
13. The President of the Commission also highlighted the progress made by the other ECOWAS Institutions in the implementation of their work programmes. They are, the ECOWAS Parliament, the Court of Justice, GIABA and WAHO.
14. Following the presentation, Council made a few observations with regard to public finance and illegal migration.
15. Regarding growth indicators and public finance, in particular the issue of public deficit, Member States directed the Commission to update the macroeconomic data to reflect the latest developments.
16. On the issue of illegal migration, Council noted that the Commission's support is crucial to curbing the phenomenon, notably through enhanced social programmes to assist Member States.
17. After deliberation, Council adopted the President's report.
Item 2: Consideration of the Implementation Status of Tasks Assigned to Community Institutions by the Seventy- ninth Ordinary Session of Council of Ministers
18. The Commission presented an implementation status report on the tasks assigned to ECOWAS Institutions by the Seventy-ninth Ordinary Session of the Council of Ministers held in Abuja, Nigeria, from 13 to 14 December 2017. Presenting the report, the ECOWAS Commission informed Council of steps being taken to implement the assigned tasks, noting that progress had been made in the implementation of the tasks. It further informed Council that whilst some of the tasks had been implemented, others were at various stages of completion.
19. Following the presentation, Council commended the Commission for the quality of the report and for the tasks completed. However, Council recommended that going forward, the Commission should, in reporting

the completion of assigned tasks, specify the date of completion and the impact assessment.

20. Council reiterated its concern about the situation of African migrants in detention centres in Italy and Spain and urged the Commission to intensify efforts at addressing the issue. Council also directed the Commission to be more involved in the coordination of Member States' positions under the Global Compact for Safe, Orderly and Regular Migration.
21. Council noted cases of completed Joint border posts in the Togo Noepe border, the Nigeria/Benin border and the Guinea/Senegal Border and emphasized the need for the Commission to speed up the operationalization of these Joint border posts. It also directed the Commission to strengthen collaboration with UEMOA in this regard.
22. While acknowledging the effort made by the Commission in the area of institutional reforms, Council encouraged the Commission to deepen the reforms and ensure that efficiency gains arising therefrom are channelled towards the financing of programmes and not operations.
23. Council commended the Commission for the establishment of mechanisms to disseminate regional ideals in schools and directed the Commission to develop new approaches for selecting the target institutions and go beyond symbols to the incorporation of education modules on regional integration into the curriculum.

Item 3: Presentation on the Financial Situation of the Community

24. The Commission made a presentation on the Community's financial situation as of 31st May 2018. It should be recalled that the 2018 approved budget of the ECOWAS Community was balanced in income and expenditure in the amount of UA 284,909,801.
25. As at 31st May 2018, the Community recorded total Income Receipts of **UA 69,495,068** comprised of UA 55 647 134 from Community Levy proceeds, UA 58 066 from Other Income, and UA 13 789 868 from External Funding. This represents 24.4% of the approved income budget for the fiscal year 2018. **UA 96,299,963** was recorded as actual expenditure/disbursement, representing 33.8% of the approved annual budget. UA 82, 433, 089 (36.3%) out of UA 227,008,735 was disbursed to Institutions. UA 3,239,700 or 27% out of a total approved budget of UA 12,018,522 was recorded for Statutory Obligations. Lastly, Peace & Security (Peacekeeping Operations in The Gambia & Guinea Bissau) attained UA 10,627,174 (33.9%) out of a total approved budget of UA 31,347,344.

26. A comparative analysis of the Community's income and expenditure as at 31st May between 2016 and 2018 shows total income execution of 18.5% in 2016, 33% in 2017 and 24% in 2018. With regard to expenditure, it recorded 12% in 2016, 16% in 2017, and 21% in 2018.
27. The Community Levy continues to be the Community's major source of revenue, and its implementation is being monitored and facilitated by High-Level and technical missions regularly fielded to Member States. Details of scheduled missions for 2018 were provided. However, a detailed report on the implementation of the Protocol by Member States shall be presented at the end-of-year session of Council.
28. In conclusion, the presentation highlighted the continued implementation of regional integration programmes by Institutions despite challenges encountered and also reiterated the existence of control mechanisms to ensure value-for-money in all Community expenditures. Furthermore, it intimated Council of concerted efforts by Institutions to obtain funding from Development Partners for high-impact programmes (Troops Deployment, Public Health initiatives, et cetera) and the exploration of alternative funding mechanism for the Community.
29. Finally, Member States were encouraged to fully comply with the Community Levy Protocol with respect to the full application of the tax base and the collection and deposit of Levy proceeds.
30. Following the presentation, Council noted the low level of levy proceeds and payment of Levy arrears. It urged the Commission to intensify its efforts at Levy proceeds and arrears collection.
31. Council directed the Commission to intensify efforts to ensure that it attains and maintains the 35%:65% ratio of administrative to programme costs.
32. In conclusion, Council sought and obtained assurance from the Commission that the outstanding accounts for 2016 and 2017 shall be audited on schedule to ensure the integrity and accuracy of its financial records and reports.

Item 4: Presentation and Consideration of the 2017 Final Report of the Financial Controller

33. The 2017 Final Report of the Financial Controller was presented to Council by the Office of the Auditor General. The report covered the

budgetary, financial and staffing situation of Community Institutions for the period 1st January, 2017 to 31st December, 2017.

34. In the presentation, it was reported that the ongoing Institutional Reform, has notably, merged the Office of the Financial Controller with the Office of Chief Internal Auditor and has "latched-on" additional responsibility of monitoring programme impact, quality and efficiency. These three-pronged control pillars are consolidated into one monolithic structure, under the Office of the Auditor General of ECOWAS Institutions (OAG). The Office will continue to assist the Council of Ministers in the exercise of its oversight responsibilities in the integration agenda, provide advisory services to Management, uphold operational standards and safeguard the integrity of good Corporate Governance practices.
35. The presentation of the report ended with a brief overview of the implementation status of certain recommendations earlier approved by Council. Important progress has been made in the following areas;
 - a) Investigations on the case in ERERA which is being conducted by a National Investigative body in Ghana;
 - b) The case involving GIABA and ECREEE which requires further investigations and is being handled in the appropriate manner.
36. The new recommendations from the office of the Auditor General are as follows:
 - a. The Community Levy Technical Team should undertake more field missions with occasional high-level political engagement by Management in order to recover outstanding debts from Member States;
 - b. The Finance Department of the ECOWAS Commission in particular has inadequate staff due to retirements and new roles created following the implementation of ECOLink. It is strongly recommended for Council to lift the ban on recruitment for the department, effective 1st January 2019;
 - c. In view of the continued fragile financial situation of the Community, Council is called upon to impress upon Heads of Institutions in general, to exercise prudence in the management of Community resources, particularly regarding size of delegations during official travels.

37. Council adopted the report and decided to settle certain financial matters raised in the report in a closed door session.

Item 5: Presentation and Consideration of the Audit Committee Report

38. The report of the Audit Committee was presented by the Chairman of the Audit Committee. It was reported that the Audit Committee approved the following:

- the audited and certified financial Statements of all ECOWAS Institutions, Community Levy, Grants and the Accounts of the ECOWAS Gender Development Centre for the 2014 financial year ;
- the audited and certified financial Statements of all ECOWAS Institutions, Grants and the ECOWAS Gender Development Centre for the 2015 financial year, except those of the ECOWAS Commission and Community Levy for which discussions with the External Auditors would be completed by the end of August 2018;
- the Audit Charter ;
- the memorandum relating to the establishment of the Office of the Auditor General on the revision of the relevant existing texts;
- the time table for the approved reforms;
- The request of the Auditor General and the Finance Department of the ECOWAS Commission for the required resources to carry out their functions.

39. Council adopted the report of the Audit Committee and further directed that all efforts should be made to conclude the preparation and audit of the 2016 and 2017 accounts, and submit same through the Audit Committee to Council at its first session in 2019.

Item 6: Presentation and Consideration of the Report of the 23rd meeting of the Administration and Finance Committee

40. The report of the 23rd meeting of the Administration and Finance Committee was presented by its Chair, Ambassador KADANGHA BARIKI EDAWE LIMBIYE. The report covered the conclusions of deliberations of AFC members and recommendations made by the meeting following consideration of the items below:

- a. Status of Tasks Assigned to Community Institutions;
- b. Interim Financial Situation of the Community and the revised 2018 budget.

- c. Monitoring and Evaluation Report on Programme Implementation of Community Institutions for the first quarter of 2018;
 - d. Financial Controller's 2017 Final Report;
 - e. Memorandum on the European Union 7 Pillar Assessment;
 - f. Report on Programme Implementation of Community Institutions for the period January – December 2017; and
 - g. Any Other Business.
41. After deliberations, Council adopted the report and recommendations contained therein.

Item 7: Presentation and Consideration of the Report of 2nd Extraordinary meeting of the Administration and Finance Committee on Institutional Reform

42. The final report of the 2nd Extraordinary meeting of the Administration and Finance Committee on Institutional Reform was presented by the Chair of the Committee, Ambassador Kadangha Bariki Edawe Limbiye. The report covered the following main areas:
- An update on the institutional reform process which started as far as back as 2006 with the transformation of the then Executive Secretariat into the current Commission;
 - An orientation of the reform process, its objectives and guiding principles that specifically governed the restructuring exercises that had been undertaken with respect to institutions and;
 - Other activities within the overall "reform action plan" being driven by the Commission.
43. The report also presented the detailed organograms of Community Institutions and Agencies which had been restructured based on the criteria of rationalization, cost reduction and efficiency as well as improved service delivery. They are:
- a. ECOWAS Commission;
 - b. ECOWAS Liaison Offices and Special/Resident Representations;
 - c. Community Parliament;
 - d. Community Court of Justice;
 - e. West African Health Organization;
 - f. Inter-Governmental Agency Against Money laundering in West Africa (GIABA);
 - g. ECOWAS Regional Electricity Authority (ERERA);
 - h. ECOWAS Centre for Renewable Energy and Energy Efficiency;
 - i. ECOWAS Youth and Sports Development Centre;

- j. ECOWAS Gender Development Centre;
- k. Regional Agency for Agriculture and Food;
- l. Project Preparation and Development Unit;
- m. Water Resources Coordination Centre;
- n. Office of the Auditor General;
- o. Regional Animal Health Centre; and
- p. Regional Centre for Disease Surveillance and Control.

44. The presentation highlighted the establishment of some new structures such as the Office of the Secretary General in the Office of the President created to facilitate the President's coordination and supervisory roles and provide institutional memory for the entire organization, the 'ombudsman' also in the Office of the President as an independent arbiter of unresolved staff issues and the Office of the Auditor-General which reflects a merger of the internal audit and financial control functions.
45. The presentation was concluded with the following recommendations for the consideration and adoption of Council;
 - a. Approval by Council of all the draft organizational charts presented by the Commission as stated above;
 - b. Lifting of the ban on staff recruitment by Council to enable the establishment of the recommended organizational charts;
 - c. Development of a phased recruitment plan which will be implemented as from 2019; and
 - d. The phased recruitment plan and the consolidated financial implications of the charts be transmitted to member States before the next Ordinary session of Council.
46. After deliberations on the report presented, Council adopted the report of the 2nd extraordinary AFC and decided as follows:
 - That the restructured organizational charts of Institutions are approved;
 - That the freeze on recruitment into new positions in the organogram still holds but would be lifted on a case by case basis;
 - That the Commission should urgently embark on the process of staff skills audit;
 - That recruitments are to be made into the office of the Auditor General as from 2019 on the basis of available budgetary resources;

- That recruitments into vacancies arising as a result of deaths, retirement or resignation of staff can be made on an exceptional basis subject to budgetary provisions.

Item 8: Presentation and Consideration of the Status Report on Institutional Reform

47. The Commission presented a status report on the ongoing institutional reforms. The report gave a synopsis of all the various steps taken to implement Council's directive on Institutional Reform culminating in the second extra-ordinary meeting of the AFC where the revised organisational charts of all ECOWAS Institutions and were considered. The report also provided the financial implications of operationalizing the new structures being provided and a brief overview of the next steps to be taken in the reform process.
48. Council took note of the update presented by the Commission which focused principally on the roadmap for the implementation of decisions taken within the process of reform as well as all other outstanding activities that are meant to complete the reform process.
49. Council also noted the information presented on the financial implications of operationalising the new organograms and the overall impact in terms of staffing. Whilst recognising the need for equipping institutions with the appropriate level of staff for optimal performance, it called for financial prudence in the exercise.
50. It therefore reiterated the need for a gradual and phased recruitment plan for staffing all the institutions. Such a plan must be driven by the availability of resources. It directed that all outstanding reform initiatives be faithfully completed and implemented and that the Commission should carry out a comprehensive evaluation at the appropriate time of the entire reform process, with a view to determining areas for future improvement.
51. On the issues relating to the reporting line of the ECOWAS Standby Force (ESF), Council directed that the Head of the ESF should report directly to the Commissioner Political Affairs, Peace and Security, and that the reporting line should be reflected in the new Organogram.
52. In relation to the Humanitarian Depot in Mali, Council directed the Commission to speed up the physical development of the Depot and its operationalisation.

53. Council subsequently endorsed the roadmap presented by the Commission.

Item 9: Presentation and Consideration of Memorandum on Contract Staff of the Department of Macroeconomic Policy and Research and the Department of Social Affairs and Gender

54. The Commission presented a memorandum on the situation of contract staff in the Department of Macroeconomic Policy and Economic Research and the Department of Social Affairs and Gender.
55. Council noted that the ten (10) high-level experts recruited from the diaspora had been hired on a competitive basis and in accordance with recruitment procedures for Professional Staff in the ECOWAS Commission. They were however issued with consultant contracts due to the freeze on recruitment.
56. Council took note of the strategic Community programmes being undertaken by the experts, including multilateral surveillance, macroeconomic convergence programmes of ECOWAS Member States, single currency programme, organisation of the roundtable, humanitarian and disaster management programmes, the fight against trafficking, children's rights and protection as well as mixed migratory movements.
57. After deliberations, Council approved that the contracts of the ten (10) consultants should be extended for one additional year. It directed the Commission to accelerate the Institutional Reform process and present at every Council meeting, progress reports on the implementation.

Item 10: Presentation and Consideration of Memorandum on the Establishment of the Office of the Auditor General of ECOWAS Institutions

58. A memorandum defining the structure, scope and operational principles of the Office of the Auditor General of ECOWAS Institutions was presented. The Memorandum which described its functioning and spelt out the independence and powers of the Office, among others, was earlier discussed and recommended by the Audit Committee for Council's approval. This should form the basis for preparing legal texts to operationalize the Office.
59. Council approved the memorandum and all the recommendations contained therein.

Item 11: Remuneration of Statutory Appointees

60. Pursuant to the decision of the Heads of State and Government to increase the number of Commissioners from 9 to 15, while maintaining the overall balance of the 2018 budget, the Ordinary Session of the Council of Ministers held in Lomé on 7 and 8 July 2018 decided to maintain the current salaries of Statutory Appointees. It recommended that any additional amount arising from the decision should be financed from savings to be made from recurrent expenditure.
61. Council directed the Commission to maintain the current programme budget.
62. Council also decided to set up a five-member Ad Hoc Committee, comprising Cabo Verde, Liberia, Niger, Nigeria and Togo, to identify in conjunction with the Commission, the expenditure items on which savings could be made, with a view to maintaining a balanced budget.
63. The report of the Ad Hoc Committee shall be transmitted to the Chairman of the Council of Ministers within a maximum period of one (1) month.

Item 12: Consideration and Adoption of Draft Agenda of the 53rd Ordinary Session of the ECOWAS Authority of Heads of State and Government

64. The Commission presented the draft Agenda of the Fifty-third Ordinary Session of the Authority of Heads of State and Government.
65. Following discussions, Council agreed that an update on the Malian presidential election which will be held on the eve of the ordinary session of the Authority would be provided by the Commission.
66. After amendments, Council adopted the draft agenda which is attached as an annex to this report.

ITEMS FOR ADOPTION

Item 13: Presentation of the Report of the ECOWAS Judicial Council

67. The report of the ECOWAS Judicial Council which met in plenary session on 25 May 2018 in Lomé, Togolese Republic was presented by its Chairman, Justice GATHO Akokpo. The Chairman reported on

the result of the interview processes of the new Judges of the Court of Justice which had been conducted by the Ad Hoc Judicial Council Committee from 23 to 25 May 2018 and on the 18th June 2018 in Lomé.

68. He reported that five (5) candidates from Cabo Verde, Cote d'Ivoire, Ghana, Nigeria and Sierra Leone were interviewed; and the following successful candidates are shown in the table below:

N°	Member State	Recommended Candidate
1.	CABO VERDE	Januaria Travares Silva Moreira Costa
2.	COTE D'IVOIRE	Gberi-Be Ouattara
3.	GHANA	Edward Amoako Asante
4.	NIGERIA	Dupe Atoki
5	Sierra Leone	Kekura Bangura

69. The Chairman informed the meeting that in accordance with Rule 10 of its Rules of Procedure, the Judicial Council, under the supervision of Mr Batoko Ousmane, President of the Supreme Court of Benin and Chairman of the Ad Hoc Committee, elected the new Bureau for four (4) years:

- Chair: GAMATHO Akakpovi, Togo
- Vice Chair: Mamadu Saido Baldé, Guinea Bissau
- Rapporteur: M'bai Edrissa, Gambia

70. The election of the new Bureau was followed by a handing-over ceremony by the outgoing Chair of the Judicial Council, President of the Supreme Court of Cote d'Ivoire, Mr René François Apling KOUASSI, who also presented his progress report to the incoming Chair, Mr GAMATHO Akakpovi.
71. Council endorsed the report of the Chair of the Judicial Council and recommended the appointment of the new Judges of the Community Court of Justice to the Authority for approval.

Item 14: Presentation of the Report of Meeting of ECOWAS Ministers of Trade

72. Council was informed of the meeting of the ECOWAS Ministers of Trade that took place in Abuja on 24 May, 2018. After deliberations, the major

conclusions and recommendations of the meeting which are being presented for Council's consideration and adoption are as follows:

a) On the status of the process of the West Africa – European Economic Partnership Agreement (EPA)

73. The Ministers of Trade meeting held in Abuja in May, 2018, recalled that Cote d'Ivoire and Ghana in 2016 and 2017 respectively, concluded and ratified the implementation of the interim EPAs. This action by these two (2) Member States would pose significant challenges to the process of regional integration. The meeting therefore made the following recommendations;

- Review the Economic Partnership Agreement between West Africa and the European Union;
- Call for more flexibility from the European Union to postpone the implementation of the liberalization schedules of the two Interim EPAs (IEPAs), to consider making adjustments to the regional EPA to encourage the accession of the West African States to this agreement including Mauritania; and
- Request the ECOWAS Commission to make this appeal to the European Union and to provide the necessary assistance to the Member States concerned by the interim EPAs;

b) On the African Continental Free Trade Area (AfCFTA) and Negotiations

- ECOWAS Commission should actively support Member States in the negotiations by playing a coordinating role in order to ensure that regional interests are taken into consideration;
- Encourage ECOWAS Members who have not yet signed to conclude necessary consultations with a view to signing the Agreement;
- Notify the Authority of Heads of State on the implications of the progressive elimination of the ECOWAS Community Levy as provided for in Article 7 of the AfCFTA Protocol on Trade in Goods.

c) On the draft decision on the organization of the renegotiation of tariff concessions of ECOWAS Member States at the World Trade Organization (WTO)

74. The Ministers directed the Commission to;

- Modify the notification of ECOWAS Customs Union under Article XXIV of 1947 GATT instead of the previous notification under the enabling clause and;
- Coordinate the renegotiation of tariff concessions of Member States at the WTO.
- Submit for the endorsement of the Council of Ministers, the draft Decision *relating to the coordination of tariff concessions renegotiation by ECOWAS Member States at the World Trade Organisation (WTO)* which will subsequently be transmitted to the Authority of Heads of State and Government for approval.

75. After exhaustive deliberations, Council adopted the report.

Item 15: Presentation of Report of Regional Meeting of the Ministers in-charge of Security and Agriculture/Livestock on Transhumance

76. At the invitation of the ECOWAS Commission and the Federal Republic of Nigeria, a high-level meeting on mixed farming and cross-border transhumance was held on 26 April, 2018. The purpose of the meeting was to consider the farmer-herder conflicts in the region and propose concrete and immediate solutions to the problem.

77. The Council of Ministers expressed satisfaction at the initiative and recalled that the upsurge in transhumance-related conflicts arises from increasing competition between herders and farmers for water and pasture due to the adverse effects of climate change. The conflicts are driven by the availability of arms, rural banditry and cattle theft.

78. The Ministers adopted the meeting report and recommendations contained therein, in particular (i) revision and updating of regional regulatory frameworks and international transhumance certificate; (ii) harmonisation and implementation of national laws in line with Community laws on transhumance and control of small arms and light weapons; (iii) development of cross-border cooperation security services, local communities, etc. of ECOWAS Member States and bordering countries; (iv) strengthening the capacity of judicial systems and respect for the rule of law; and (v) the preparation of a comprehensive census of livestock in the region using information and communication technology.

79. After deliberations, Council adopted the recommendations in the report.

Item 16: Presentation of Report of the Ministerial Meeting on the Food Crises in the Sub-Region

80. The report of the meeting of the ECOWAS Specialised Ministerial Committee on Agriculture, Environment and Water Resources which

was held in Ouagadougou, Burkina Faso on 6 June 2018 was presented by the Chairman of the Committee, Togolese Minister of Agriculture, Livestock and Fishing.

81. The meeting considered the draft Regulation on the Establishment, Role, Structure and Functioning of the Management Committee of the ECOWAS Regional Food Security Reserve (RFSR) created by Supplementary Act A/SA.2/02/13. It also considered the emergency measures in response to the food and nutritional crisis in the Sahel and West Africa regions.
82. According to conclusions and recommendations from the Food crises Prevention and Management Network, (RPCA - April 2018), 10.6 million people – including 1.6 million children – will be affected by the food and nutritional crisis in the Sahel and West Africa during the lean season from June to August 2018, if decisive action is not quickly taken.
83. The Ministers of Agriculture adopted the Regulation on the establishment, role, structure and functioning of the Management Committee of the Regional Food Security Reserve in West Africa.
84. They took note of the measures adopted in response to the food crises. These included:
 - a. In Burkina Faso, the mobilisation of 4,303 tons of cereal to address the situation;
 - b. In Niger, the mobilisation of 6,528 tons of cereal;
 - c. In Senegal, due to the unavailability of stock in the “West Atlantic sub-area” two options are being considered;
Option 1. Mobilisation of 1,500 tons of cereals from the RFSR, under a compensation plan negotiated between ECOWAS and the FAO;
Option 2. Mobilisation of some of the funds initially planned for the purchase of cereal in the West Atlantic sub-area.
 - d. In the specific case of Cabo Verde, support will be provided through the mobilisation of US\$ 100,000 from the Commission’s emergency fund. The country will also receive support directed at programmes to enhance resilience.
85. The Ministerial Committee welcomed the mobilisation measures taken by the Regional Food Security Reserve, which are a fulfilment of the wishes of the Heads of State. It called on recipient Member States to confirm and honour their commitment to replenish the mobilised stock, to ensure the sustainability of the regional tool for solidarity towards vulnerable people.

86. The Committee urged ECOWAS Member States to facilitate cross-border transit of RFSR stock, in implementation of the ECOWAS Trade Liberalisation Scheme (ETLS) Protocols.
87. It also called on Member States to fast-track the national NAIPSNA formulation processes, in order to rapidly mobilise the necessary funds.
88. The Council of Ministers after deliberations, adopted the report and the recommendations therein.

Item 17: Presentation of Special Report on Litigation Cases with Liability for the Commission

89. The Commission presented a special report on the various contract litigation cases, facing the Commission and the status report on them for Council's attention and guidance. These cases included JDP LTD v ECOWAS Commission and VISION KAM-JAY LTD v ECOWAS Commission.
90. Council expressed concern at the number of cases the Commission was involved in. It directed the Commission to continue to protect community resources.

Item 18: Presentation of Terms of Reference of the Forensic Audit of ECOWAS Institutions

91. The Commission presented the Terms of Reference for the forensic audit of ECOWAS Institutions, in line with the directives of the 78th Ordinary Session of the Council of Ministers.
92. Council approved the Terms of Reference presented by the Commission.

ITEMS FOR INFORMATION

Item 19: Any Other Business

Selection of candidates for international positions

93. Under this item, Council raised a point relating to ECOWAS' lack of consensus when Member States present candidates for positions International Institutions. Council agreed on the need to reactivate the procedure of establishing an Ad Hoc Ministerial Committee to consider the request for support of candidacies from Member States prior to subsequent validation by the ECOWAS Heads of State and Government. The Commission acknowledged the need to improve on the existing process in order to foster consensus-building for such election.

94. Nigeria requested for ECOWAS support with regard to the candidacy of Ambassador Professor Tijani Mohammed Banda, Nigeria's Permanent Representative to the United Nations, for the position of President of the 74th Session of the United Nations General Assembly. Nigeria was requested to send the formal request for support to the President of the ECOWAS Commission.

Item 20: Adoption of Report

95. This report was adopted after amendments.

Item 21: Closing Ceremony

96. In his closing remarks, H.E. Professor Robert DUSSEY, Minister of Foreign Affairs, Cooperation and African Integration of the Togolese Republic and the Chair of the Council of Ministers thanked Council members for the quality of their discussions and thereafter declared the meeting closed.

DONE AT LOME, THIS 8TH DAY OF JULY 2018

A handwritten signature in dark ink, appearing to read 'Robert Dussey', is written over a horizontal line.

H.E. PROFESSOR ROBERT DUSSEY

**CHAIRPERSON
FOR COUNCIL**

**ECONOMIC COMMUNITY
OF WEST AFRICAN STATES**

**COMUNIDADE DOS
ESTADOS DA
AFRICA DO OESTE**



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

Eightieth Ordinary Session of the ECOWAS Council of Ministers

Lome, 7 – 8 July 2018

VOTE OF THANKS

The participants at the Eightieth Ordinary Session of the Council of Ministers held in Lome on 7 and 8 July 2018, express their profound gratitude to His Excellency Mr Faure Essozimna Gnassingbe, President of the Togolese Republic, and the Government and people of Togo for the warm hospitality extended to them during their stay in Lome and for the facilities placed at their disposal to ensure the success of their meeting.

DONE AT LOME, THIS 8TH DAY OF JULY 2018

COUNCIL