

English edition

PROTOCOLS, DECISIONS, RESOLUTIONS

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1 PROTOCOL AND SUPPLEMENTARY PROTOCOL

A/SP.17/86 SUPPLEMENTARY PROTOCOL ON THE SECOND PHASE (RIGHT OF RESIDENCE) OF THE PROTOCOL ON FREE MOVEMENT OF PERSONS, THE RIGHT OF RESIDENCE AND ESTABLISHMENT

PREAMBLE

THE HIGH CONTRACTING PARTIES,

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions,

MINDFUL of the ECOWAS Treaty, particularly its Article 27,

MINDFUL of the Protocol on free movement of persons, the right of residence and establishment, signed in Dakar on 29 May, 1979,

MINDFUL of Decision A/OEC.8/5/82 amending paragraph 1 of Article 27 of the ECOWAS Treaty,

CONSIDERING that the deadline for the implementation of phase 1 of the Protocol on the free movement of persons, the right of residence and establishment, which effectively entered into force on June 5, 1980, expired on 4 June, 1985,

CONVINCED of the need to proceed to the second phase of this Protocol, which relates to the right of residence, at the present stage of the evolution of ECOWAS activities,

HAVING STUDIED the Resolution of the Council of Ministers on the subject, on the recommendation of the competent technical Commission, at its fifteenth meeting held in Lome from 6 to 17 May 1985,

HEREBY AGREE AS FOLLOWS

CHAPTER 1: DEFINITIONS

Article 1

1. In this Protocol, the following expressions shall have the meaning assigned to them hereunder.

"Treaty" means the Treaty of the Economic Community of West African States.

"Community" means the Economic Community of West African States as defined in Article 1 of the Treaty.

"Member State or Member States" means a Member State or Member States of the Economic Community of West African States.

"Host Member State" means the Member State or country of residence of the migrant worker.

"Member State of origin" means the Member State or country of origin of the migrant worker or the country of which he is a national.

"Authority" means the Authority of Heads of State and Government established by Article 5 of the Treaty.

"Executive Secretary and Executive Secretariat" means the Executive Secretary and the Executive Secretariat of the Community as defined in Article 8 of the Treaty.

"Community citizen or Community citizens" means any person or persons fulfilling the conditions stipulated in the Protocol A/P.3/5/82 relating to the definition of Community citizen.

"Right of Residence" means the right of a citizen who is a national of one Member State to reside in a Member State other than his State of origin and which issues him with a residence card or permit that may or may not allow him to hold employment.

"Residence card" or "Residence Permit" means the document issued by the competent authorities of a Member State granting right of residence in the territory of the Member State.

"Resident" means any citizen, who is a national of one Member State, who is accorded the right of residence.

"Migrant worker" or "migrant" means any citizen who is a national of one Member State, who has travelled from his country of origin to the territory of another Member State of which he is not a national and who seeks to hold or proposes to hold or is holding or has held employment.

"Competent Administrations or relevant Departments" means national Administrations of Member States responsible for immigration and emigration matters.

"Competent authority of place of residence" means the competent local authority responsible for problems concerning the residence of foreigners in the territory of the host Member State.

"Fundamental rights" means the right granted to any migrant worker by this Protocol and the Conventions of the International Labour Organisation (ILO) on the protection of the rights of migrant worker.

"Border area workers" means migrant workers who, while in employment in one Member State, maintain their normal residence in a neighbouring member State, which is their country of origin and to which they return each day or at least once a week.

"Seasonal workers" means migrant workers in employment or practising a business on their own account in one Member State of which they are not nationals, the activity being by its nature dependent on seasonal conditions and capable of being practised only during a part of the year.

"Itinerant workers" means migrant workers who, normally residing in one Member State, may have to travel to another Member State for a short period for the requirements of their activities.

2. In this Protocol, the term "migrant workers" excludes:

(a) persons on official posting who are employed by international organisations and persons employed by a State outside the territory of that State, whose entry into the country and conditions of service are governed by general international law or by specific International Agreements or Conventions.

(b) persons on official posting who are employed by a State outside the territory of that State for the implementation of cooperation programmes for development agreed on with the host country, the entry into the country and conditions of service of such persons being established by specific International Agreements or Conventions.

(c) persons whose working relations with an employer have not been established in the host Member State.

(d) persons whose main income does not come from the host Member State.

(e) persons who become residents in their capacity of investor in a country other than their State of origin or who, since their arrival in that country, have been carrying out an economic activity as an employer.

CHAPTER 11: RIGHT OF RESIDENCE

Article 2

For the purpose of implementing the second phase (right of residence) of the Protocol on free movement of persons, the right of residence and establishment, each of the Member States shall grant to citizens of the Community who are nationals of other Member States, the right of residence in its territory for the purpose of seeking and carrying out income earning employment.

Article 3

With the exception of restrictions justifiable by reasons of public order, public security and public health, the right of residence shall include the right:

- (1) to apply for jobs effectively offered;
- (2) to travel for this purpose, freely, in the territory of Member States;
- (3) to reside in one of the Member States in order to take up employment in accordance with the legislative and administrative provisions governing employment of national workers.
- (4) to live in the territory of a Member State according to the conditions defined by the legislative and administrative provisions of the host Member State, after having held employment there.

Article 4

The provisions of Article 3 above shall not be applicable to employment in the civil service

of Member States, unless the relevant national laws and regulations of the Host Member States so permit.

CHAPTER III: RESIDENCE CARD VALID AS VISITING AND RESIDENCE PERMIT

Article 5

Citizens of the Community who are nationals of Member States admitted without visa into the territory of one Member State and desiring to reside in the territory of that Member State, shall be obliged to obtain an ECOWAS RESIDENCE CARD or a RESIDENCE PERMIT.

Article 6

The applicant for the RESIDENCE CARD or RESIDENCE PERMIT in the territory of any Member State, shall deposit with the Department of Immigration of the host Member State, an application for a Residence Card or Residence Permit in accordance with the rules and regulations existing in each Member State.

Article 7

1. The application shall be addressed to the competent Ministry of the Host Member State.

2. The applicant shall be issued with a receipt certifying that his application and the necessary documents have been submitted.

Article 8

The processing of an application for a Residence Card or Residence Permit may not delay the immediate execution of employment contracts concluded by applicants.

Article 9

1. Within a period of one (1) year from the date of entry into force of this Protocol, the rules and regulations relating to the conditions for the issuance of Residence Card or Residence Permit in Member States shall be harmonised with a view to establishing an ECOWAS RESIDENCE CARD.

CHAPTER IV: SPECIAL PROVISIONS CONCERNING BORDER AREA SEASONAL OR ITINERANT WORKERS.

Article 10

1. Border area workers, defined in Article 1 of this Protocol shall enjoy all rights to which they are entitled through their presence and their work in the territory of the host Member State, with the exception of rights relating to residence or resulting therefrom.

Border area workers shall enjoy the right to choose their employment freely within the limits of any restrictions imposed by the host Member State on access of migrant workers to limited categories of jobs, posts or activities, when the interests of the State so dictate.

Article 11

Seasonal workers, as defined in Article 1 of this Protocol, shall enjoy all rights to which they

are entitled through their presence and their work in the territory of the host Member State.

Article 12

Itinerant workers, as defined in Article 1 of this Protocol, shall enjoy all rights to which they are entitled through their presence in the territory of the host Member State, with the exception of rights relating to residence or to employment or resulting therefrom.

CHAPTER V: PROTECTION AGAINST COLLECTIVE AND ARBITRARY EXPULSION.

Article 13

1. Migrant workers and members of their families may not be affected by collective or en masse expulsion orders.

2. Each case of expulsion shall be considered and judged on an individual basis.

CHAPTER VI: PROTECTION AGAINST INDIVIDUAL EXPULSION AND RESPECT OF FUNDAMENTAL RIGHTS OF THE MIGRANT WORKER.

Article 14

1. Migrant workers and members of their families whose status comply with the residence requirements may only be expelled from the host Member State:

- (a) for reasons of national security, public order or morality;
- (b) if, having been duly informed of the consequences, they refuse to comply with the orders given to them by a public medical authority for the purpose of protecting public health.
- (c) if an essential condition for the issuance or the validity of their authorisation of residence or work permit is not fulfilled.
- (d) in accordance with the laws and regulations applicable in the host Member State.

2. Any form of expulsion may only be based on a well-founded legal or administrative decision taken in accordance with the law.

3. The immigrants, the Government of his country of origin and the Executive Secretariat should receive written notice of the decision for information purposes.

4. When an expulsion order is made out by a legal or an administrative authority, the immigrant concerned may appeal, or may have recourse to an appeal in accordance with the rules and regulations of the host Member State. The recourse to an appeal shall constitute a suspension of the expulsion order, unless it is not explicitly justified by reasons of national security or public order.

If such a decision has already been executed and is subsequently annulled, the person concerned is entitled to claim damages in accordance with the law.

5. In case of expulsion, the immigrant concerned shall be granted a reasonable period of time to allow him collect any salaries or other allowances due to him from his employer, settle any contractual commitments, and when required — for reasons of personal security — to obtain authorisation to go to a country other than his country of origin. The situation of the family of the immigrant concerned shall also be taken into consideration.

6. The expulsion or departure from the host Member State shall conversely affect the entitlements obtained through legislation by the migrant worker or a member of his family.

7. In case of expulsion, the authorities of the host Member State shall bear the expenses resulting therefrom and shall not pressurise those affected in any way to accept a simplified procedure, such as "voluntary departure" if such affected persons have not expressly requested it.

Article 15

1. Consular or diplomatic authorities of the Member State of origin or of the country representing the interest of the country of origin shall be advised of any decision to expel a migrant worker or member of his family legally present in the host Member State, at least forty-eight (48) hours before the expulsion takes effect.

2. The migrant worker and members of his family may appeal for the protection and assistance of consular and diplomatic authorities of their countries of origin and may receive advisory services from them to defend his right, if the rights conferred on him by this Protocol or by legislation in the host Member State are infringed upon.

3. The migrant worker as well as members of his family are legal personalities.

4. In case of dispute on the rights mentioned in paragraph 3 of this Article, the worker may put forth his claims to a competent body, either personally, or through his representatives.

Article 16

1. Any expulsion decided upon for the reasons mentioned above shall, in accordance with the applicable laws, conform with the procedures stipulated under the provisions of this Protocol.

2. No expulsion order may be carried out without ensuring that all the fundamental rights of the migrant worker have been respected.

CHAPTER VII: TRANSFER OF SAVINGS

Article 17

1. Each Member State shall allow the transfer of all or part of the earnings or savings of the migrant

worker which he may wish to transfer, according to modalities fixed by legislation. This Provision shall also apply to the transfer of funds due to migrant workers as maintenance. The transfer or amounts due to the migrant worker as maintenance may under no circumstances be hampered or impeded.

2. Within the framework of bilateral agreements or by any other means, each Member State shall allow the transfer of amounts which remain outstanding to migrant workers when they finally leave the host Member State.

Article 18

CHAPTER VIII: COOPERATION BETWEEN COMPETENT ADMINISTRATIONS OF MEMBER STATE

The competent Administrations of Member States shall cooperate closely with one another and with the Executive Secretariat on matters relating to the movement of persons within the Community and particularly as far as migrant labour is concerned in order to:

1. identify the types of migratory movement within the Community as well as the reasons for such movement;
2. identify the types of employment sought and the qualification of the employment-seekers as well as the cost of labour in Member States through exchange of information between the Executive Secretariat and each Member State;
3. consider trade union organisations in each Member State and their attitude to immigrant job-seekers;
4. monitor the problems of migrant labour, as well as the types of industry of activity which attract such labour and to inform the Executive Secretariat on the subject;
5. endeavour to harmonise the employment and labour policies in Member States, on the basis of this exchange of information on migrant labour.

Article 19

While they shall be free to determine the criteria authorising the admission, stay, employment of migrant workers and members of their family, the host Member States shall hold consultations and act in collaboration with the other Member States concerned in order to promote healthy, fair and humane conditions to ensure legal migration of workers and their families.

In this case, not only labour requirements and resources, but also social, economic, cultural, political and other consequences both for migrant workers and for the Community and the Member States concerned shall be duly taken into consideration.

Article 20

Member States shall set up appropriate public organs to deal with the problems relating to the movement of workers and their families.

These organs shall be responsible for:

1. formulating the policies on this movement,
2. the exchange of information, consulting and cooperation with the competent authorities of other Member States concerned by this movement;
3. the supply of information, particularly to employers and their organisations as well as to workers and workers' organisations, on policies, laws and regulations relating to migration for the purposes of employment and on working and living conditions of migrant workers and members of their families in the host Member States;
4. informing and assisting migrant workers as well as members of their families on the authorisations, formalities and arrangements relating to their departure, travel, arrival, stay, employment, exit and return to their state of origin and the working and living conditions in the host Member State. They should also be informed on customs, fiscal and monetary laws and regulations as well as laws and regulations on other relevant issues;
5. recommending for adoption, laws, regulations and any other measures necessary to facilitate the application of the provisions of this Protocol, and settling questions relating to movement within the Community and to migrant workers.

Article 21

1. At the national level of each Member State only the following bodies shall be authorised to carry out operations for the purposes of recruitment or placement of workers in another State;

- (a) official departments or bodies of the Member State of origin or the host Member State, if agreements have been concluded between the Member States concerned;
- (b) any body set up by a bilateral or multilateral agreement.

2. Through national legislation and bilateral or multilateral agreement, the following may be authorised to carry out the recruitment exercise, subject to the approval and supervision of the authorities of the Member State concerned:

- (a) the employer or a person in his employ acting on his behalf;
- (b) private agencies

Article 22

1. Member States shall cooperate to prevent

and stop illegal or clandestine movement and employment of migrant workers whose status is irregular.

2. For this purpose, each Member State shall, within the limits of its jurisdiction, take:

- (a) appropriate measures against the dissemination of misleading information on emigration and immigration.
- (b) measures intended to detect and stop the illegal or clandestine movement of migrant workers and members of their families and to impose effective sanctions on persons or bodies who organise or help to organise such movements or participate in them;
- (c) measures intended to impose effective sanctions on persons, groups or bodies which resort to violence, threats or intimidation against illegal migrant workers or members of their families.

3. Host Member States shall take adequate measures likely to effectively stop the employment of illegal aliens in their territory, by imposing sanctions on the persons or bodies which employ such workers. These measures shall not adversely affect the right of migrant workers vis-a-vis their employers and the rights resulting from their employment.

Article 23

1. No matter the conditions of their authorisation of residence, migrant workers who comply with rules and regulations governing residence, shall enjoy equal treatment with nationals of the host Member State in the following matters:

- (a) security of employment;
- (b) possibility of participating in social and cultural activities;
- (c) possibilities or re-employment in case of loss of job for economic reasons, in this case, they shall be given priority over other workers newly admitted to the host country;
- (d) training and advanced professional training;
- (e) access to institutions of general and professional education as well as to professional training centres for their children;
- (f) benefit of an access to social cultural and health facilities.

2. Migrant workers who comply with the rules and regulations governing residence shall enjoy equal treatment with nationals of the host Member State in the holding of employment or the practice of their profession.

CHAPTER IX: GENERAL AND MISCELLANEOUS PROVISIONS

Article 24

1. No provisions of this Protocol may be

interpreted to adversely affect more favourable rights or liberties guaranteed to migrant workers or members of their families by:

- (a) law, legislation or practice in a Member State, or
- (b) any international agreement in force vis-a-vis the Member State concerned.

2. No provision of this Protocol may be interpreted as implying the right of any Member State to undertake an activity or action designed to remove the rights or liberties recognised in this Protocol or to any restriction of such rights or liberties beyond those stipulated in the Protocol.

Article 25

1. Rights guaranteed in this Protocol may not be withdrawn.

2. Any form of pressure exerted on migrant workers or members of their families to force them to give up any of these rights or to refrain from exercising them shall be prohibited.

3. Any clause of an Agreement or Contract designed to force the migrant worker to give up any of these rights or refrain from exercising them shall be null and void according to the provisions of this Protocol.

Article 26

In accordance with their constitutional procedures and with the provisions of this Protocol, Member States shall:

- (a) guarantee that any person whose rights and liberties as recognised by this Protocol have been infringed upon, shall enjoy the right of recourse, even when this infringement has been committed by persons exercising their official functions;
- (b) guarantee that the competent judicial, administrative or legislative authority, or any other competent authority, according to the laws of the Member State, shall rule on the rights of the person who is making an appeal.

Article 27

In accordance with their constitutional procedures and the provisions of this Protocol, Member States shall take all necessary legislative and other measures for the implementation of the provisions of this Protocol.

Article 28

Any dispute between Member States arising from the interpretation or application of this Protocol shall be settled in accordance with the provisions of the procedure for the settlement of disputes stipulated in Article 56 of the Treaty.

Article 29

1. Any Member State may submit proposals for the amendment or review of this Protocol.

2. All proposals shall be sent to the Executive Secretariat which shall communicate such proposals to Member States within thirty (30) days of receiving them. Amendments or modifications shall be considered by the Authority on the expiration of the thirty days' notice granted to Member States.

2. This Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies of this Protocol to all Member States and notify them of the dates of deposits of the instruments of ratification and shall register this Protocol with the Organisation of African Unity, the United Nations and all other Organisations.

CHAPTER X: DEPOSIT AND ENTRY INTO FORCE

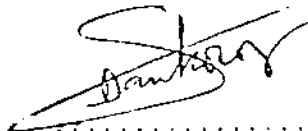
Article 30

1. This Protocol shall enter into force provisionally upon signature by the Heads of State and Government and definitely upon ratification by at least seven (7) signatory States in accordance with the constitutional procedures of each Member State.

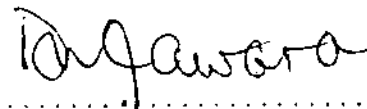
3. This Protocol shall be annexed to and shall form an integral part of the Treaty.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED THIS PROTOCOL.

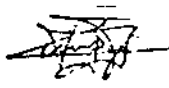
**DONE AT ABUJA THIS 1ST DAY OF JULY 1986
IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.**



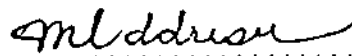
HONOURABLE DR. SOULE DANKORO
Minister of Trade, Handicraft and Tourism,
for and on behalf of the President of the
People's Republic of BENIN



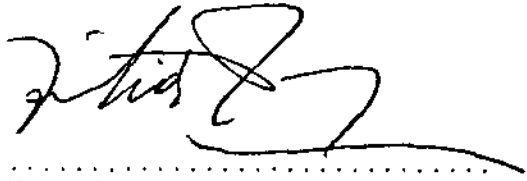
H.E. ALHAJI SIR DAUDA K. JAWARA
President of the Republic of
THE GAMBIA



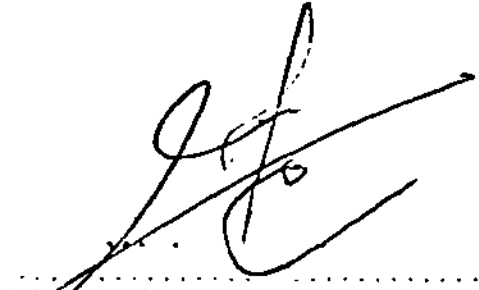
H.E. CAPTAIN THOMAS SANKARA
President of FASO



HONOURABLE ALHAJI MAHAMA IDRISU
Member, PNDC, for and on behalf of the
President of PNDC, Head of State of the
Republic of GHANA



H.E. MR. ARISTIDES PEREIRA
President of the Republic of
CAPE VERDE



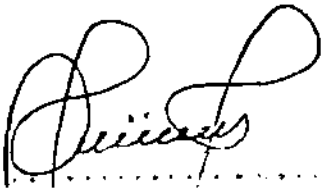
HONOURABLE MAJOR KERFALLA CAMARA
Permanent Secretary, Military Committee
for National Recovery, for and on behalf
of the President of the
REPUBLIC OF GUINEA



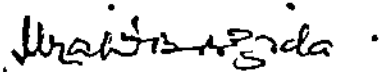
HONOURABLE MR. SIMEON AKE
Minister of Foreign Affairs,
for and on behalf of the President
of the Republic of COTE D'IVOIRE



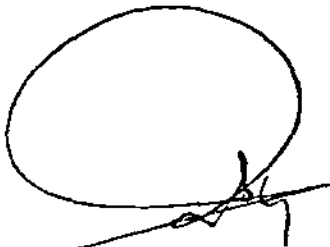
H.E. BRIGADIER JOAO BERNARDO VIEIRA
President of the Republic of
GUINEA BISSAU



H.E. COMMANDER-IN-CHIEF SAMUEL
KANYON DOE
President of the Republic of LIBERIA



H.E. MAJOR-GENERAL
IBRAHIM BADAMASI BABANGIDA
President of the Federal Republic
of NIGERIA



HONOURABLE MR. DIANKA KABA DIAKITE
Minister of Finance and Trade, for and on
behalf of the President of the Republic of
MALI



HONOURABLE MR. ABDOURAHMANE TOURE
Minister of Trade, for and on behalf of the
President of the Republic of SENEGAL

DECISION A/DEC.2/7/86 RELATING TO THE CREATION OF THE ORGANISATION OF TRADE UNIONS OF WEST AFRICA, THE ADOPTION OF THE CHECK-OFF SYSTEM AND MEETINGS OF ECOWAS MINISTERS OF LABOUR

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

- MINDFUL of Article 5 of the Treaty establishing the Authority of Heads of State and Government, and defining its composition and functions;
- RECALLING Authority Recommendation A/REC.1/5/83 relating to the mobilisation of the different sections of the people of the sub-region in the integration process.
- NOTING that the Statutes of the Organisation of Trade Unions of West Africa (OTUWA) are in conformity with the aims and objectives of the Community;
- TAKING NOTE of Resolution C/RES.2/6/86 of the Council of Ministers relating to the creation of OTUWA;

DECIDES

Article 1

An Organisation to be known as Organisation of Trade Unions of West Africa (OTUWA) and composed of national trade unions of ECOWAS Member States, is hereby created. The Statutes of OTUWA is attached to this Decision as Annex.

Article 2

The system of Check-off shall be applied in all Member States of the Community in order to improve the financial position of the national trade unions as well as that of their regional Organisation: OTUWA.

Article 3

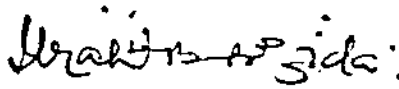
Meetings of ECOWAS Ministers of Labour shall be held whenever the need arises, to discuss problems affecting workers in the sub-region.

Article 4

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 1ST DAY OF JULY, 1986

FOR THE AUTHORITY



.....
H.E. MAJOR-GENERAL IBRAHIM BADAMASI BABANGIDA
CHAIRMAN

STATUTES OF THE ORGANISATION OF TRADE UNIONS OF WEST AFRICA (O.T.U.W.A.)

PREAMBLE

The Trade Unions of ECOWAS Member Countries, which are mobilized within the Organisations of African Trade Union Unity (OATUU) to work for the total liberation of the continent in order to ensure the true emancipation of the African Workers and for the socio economic development of our continent;

DETERMINED to give concrete and effective support for the gigantic task of economic integration

being undertaken by ECOWAS in West Africa,

DETERMINED to implement the recommendation A/REC.1/5/83 adopted by the 6th Summit of ECOWAS Heads of State and Government held in Conakry in May 1983, on the effective mobilization of organisations of the masses and universities of our sub-region in the integration process of the Community,

MINDFUL of the role incumbent on the regional and sub-regional organisations in the realization of African Unity on the one hand and in the achievement of genuine economic integration of the West African States on the other,

CONVINCED of the need for a permanent organisation to centralize and give impetus to the action of ECOWAS workers at, trade union, economic, social and cultural levels,

DECIDE to establish, in accordance with the principles and programmes of ECOWAS, a trade union organisation to be called the **Organisation of Trade Unions of West Africa**.

CHAPTER I

NAME AND HEADQUARTERS

Article 1

There is hereby established among national workers organizations of ECOWAS Member States, an Organization of Trade Unions of West Africa (OTUWA).

Article 2

The Headquarters of OTUWA shall be established in Cotonou and may be transferred, at the request of two-thirds of its members, to any other site in the sub-region with the consent of the host country.

CHAPTER II

AIMS AND OBJECTIVES

Article 3

The aims and objectives of OTUWA shall be:

Political

- (a) to contribute to the ultimate achievement of total liberation of the continent;
- (b) to contribute effectively to the development of national economies;
- (c) to give strong support to the economic integration process embarked upon by ECOWAS and work towards the attainment of its economic, social and cultural objectives;
- (d) to draw up as a matter of urgency, a concerted programme for the control of unemployment and in particular the integration of youth in the labour force in accordance with the regional policy of the Economic Recovery Programme of the Community;
- (e) to protect the rights of migrant workers within the Community through a concerted policy of free movement, right of residence and establishment, the harmonization of labour legislation and social security in Member States;
- (f) to cooperate, in the interest of the sub-region, with any similar institution and international organisation likely to promote development and intensify its economic, social and cultural activities.

Economic

- (g) to contribute to increased production in all sectors;
- (h) to give an impetus to rural activities through the extension of the cooperative movement and the development of food crops with a view to achieving self-sufficiency in food;
- (i) to promote industrialization in Member States of the sub-region by concentrating on specialised community enterprises;
- (j) to contribute to the removal of customs barriers through trade liberalisation between Member States of the Community for a better integration of their economies.

Training

- (k) the harmonization of educational policies and training programmes.
- (l) to organise colloquia and seminars with the aim, among other things, of raising the level of Community consciousness among workers of ECOWAS Member States.

CHAPTER III

STRUCTURES AND OPERATIONS

Article 4

The organs of OTUWA shall be:

- (a) the General Council
- (b) the Coordinating Committee
- (c) the Permanent Secretariat.

Article 5

The General Council shall be the supreme organ of OTUWA and shall meet once every two years. It may meet in extraordinary session at the request of the coordinating committee or at the express request of a 2/3 majority of its members.

In that event, all organisations shall be informed at least one month before the meeting of the General Council.

Article 6

The General Council shall be composed of the coordinating committee and two representatives of each national organisation.

Article 7

Each national member organisation shall be represented within the General Council of OTUWA by a two-member (2) delegation and shall have one single vote.

Article 8

The General Council, like all other OTUWA organs, shall endeavour, to obtain the widest consensus possible among its members.

Article 9

The functions of the General Council shall be:

- (1) to define the general policy of OTUWA,
- (2) to select the headquarters,
- (3) to decide the venue of its meetings
- (4) to elect members of the coordinating Committee,
- (5) to determine the rate of contributions,
- (6) to admit trade union organisations to OTUWA,
- (7) to decide the exclusion of trade union organisations from OTUWA,
- (8) to study and adopt the activity and financial reports submitted by the coordinating Committee,
- (9) to adopt the Rules of Procedure,
- (10) to revise the statutes of the organisation,
- (11) to carry out an annual audit of the accounts of the organisation through a committee elected within the Council.

Coordinating Committee**Article 10**

In accordance with its powers the Coordinating Committee shall be the executive organ and decision-making body of OTUWA between meetings of the General Council.

Article 11

The Coordinating Committee shall meet in ordinary session once a year in any ECOWAS Member State, or in extra-ordinary session, at the request of 2/3 of its members, at OTUWA Headquarters.

Article 12

The decisions of the Coordinating Committee shall be taken by consensus; in the event of a vote, a simple majority shall prevail.

Article 13

The functions of the Coordinating Committee shall be:

- (a) to draw up and adopt the OTUWA budget,
- (b) to prepare the ordinary session of the General Council,
- (c) to convene extraordinary meetings of the General Council,
- (d) to replace any elected Member of the Secretariat who is absent from Headquarters for more than 3 months without a valid excuse after due consultation.

Article 14

The Coordinating Committee shall be elected for a two (2) year term, reeligible once, and shall be composed of the following:

- the Chairman
- two Vice-Chairmen
- A Permanent Secretary—General respectively in charge of:
 - (a) international relations
 - (b) economic and financial affairs
 - (c) education and training, press and documentation.

Article 15

The Permanent Secretariat is composed of the Secretary General and his three (3) Deputies. It shall operate according to the Rules of Procedure approved by the Coordinating Committee.

Article 16

There shall be specialized commissions within OTUWA. The modalities of operation shall be determined in the Rules of procedure.

CHAPTER IV**RIGHTS AND RESPONSIBILITIES****Article 17**

National trade unions shall pay regular contributions for the running of the Organisation.

Article 18

Members of OTUWA shall participate actively in the execution of tasks assigned to them by the Organisation.

Article 19

Member Organisations shall have the imperative duty to strengthen their unity and undertake vigorous action for the advancement of OTUWA.

Article 20

It shall be the duty of national trade unions which are members of the Organisation to participate in all meetings and take decisions on guidelines and activities of OTUWA.

Article 21

National trade unions shall have the right to withdraw their membership of OTUWA by notifying the Coordinating Committee in writing.

CHAPTER V**Article 22**

The financial resources of OTUWA shall be derived from:

- (1) annual contributions from member organisations,
- (2) special contributions from member organisations,
- (3) income from various profit making activities of the organisation,
- (4) grants, donations and legacies from ECOWAS and its Member States, Pan-African and International Organisations whose principles and objectives conform to those of OTUWA.

Article 23

The Secretary-General shall be the administrator of OTUWA funds.

CHAPTER VI**SPECIAL PROVISIONS****Article 24**

The emblem and flag of OTUWA shall be selected by the General Council on the proposal of member organisations.

Article 25

The General Council, or any other body it shall designate for this purpose shall be empowered to interpret these statutes.

Article 26

Any disputes arising from the implementation of these statutes shall be settled by the Coordinating Committee. In the event of failure to settle the dispute the matter shall be referred to the General Council whose decision is final.

Article 27

The working languages of OTUWA shall be all ECOWAS working languages.

CHAPTER VII**SANCTIONS****Article 28**

The General Council shall have the absolute prerogative to take any measure or sanction against member organisations whose attitude is detrimental to the spirit or the letter of these statutes.

CHAPTER VIII**FINAL PROVISIONS****Article 29**

OTUWA is hereby established for an indefinite period. It may be dissolved only by the vote of a two-third majority of its members.

Article 30

In the event of dissolution, the movable and immovable assets shall become the property of ECOWAS.

Article 31

Provisions not established by these statutes shall be determined by the Rules of Procedure.

NIAMEY, 17TH OCTOBER, 1985

DECISION A/DEC 3/7/86 RELATING TO THE SELECTION OF A FIRM FOR THE CONSTRUCTION OF THE HEADQUARTERS OF THE ECOWAS FUND

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

- MINDFUL of Article 5 of the Treaty of ECOWAS establishing the Authority of Heads of State and Government, and defining its composition and functions,
- CONSIDERING Decision No A/DEC.17/5/82 of the Authority relating to the construction of the Headquarters of the Institutions of the Community,
- MINDFUL of Decision C/DEC.6/11/82 of the Council relating to the procedure for the

Construction of the Headquarters for Community Institutions,

- CONSIDERING the report of the Meeting of the Ad Hoc Ministerial Committee on the Construction of the Headquarters for Community Institutions held in Abuja from 25 to 26 June, 1986.

DECIDES

Article 1:

The Managing Director of the Fund is hereby authorised to negotiate and sign the contract for the construction of the Fund Headquarters with Consortium d'Enterprises (C.D.E.).

Article 2:

This Decision comes into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 1ST DAY OF JULY, 1986

FOR THE AUTHORITY

Ibrahim Badamasi Babangida

.....
H.E. MAJOR-GENERAL IBRAHIM BADAMASI BABANGIDA
CHAIRMAN

DECISION A/DEC.4/7/86 RELATING TO THE FINANCING OF THE CONSTRUCTION OF THE HEADQUARTERS OF THE ECOWAS FUND IN LOME

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

- MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;
 - CONSIDERING Decision No A/DEC.17/5/82 of the Authority relating to the construction of the Headquarters of the Institutions of the Community;
 - MINDFUL of Decision C/DEC.6/11/82 of the Council relating to the procedure for the Construction of the Headquarters for Community Institutions,
 - CONSIDERING the Report of the Meeting of the Council of Ministers of 27 to 30 June, 1986;
- (ii) The cost of furnishing of the Headquarters shall not be included in this amount i.e. five billion F CFA.
 - (iii) Sixty (60) per cent of the total cost of the building shall be financed from the resources of the ECOWAS Fund.
 - (iv) Forty (40) per cent of the total cost of the building shall be paid by the Member States during the construction period, i.e. twenty four (24) months.
 - (v) The payment of the forty (40) per cent of the cost of the building shall be shared out among Member States in accordance with the present formula adopted for the assessment of contributions under Article 5 of the Protocol relating to the ECOWAS Fund.
 - (vi) The Fund should negotiate the final contract price for the construction of the Headquarters with the Consortium d'Enterprises (C.D.E.) and the Architect with a view to bringing the total cost of the project within the ceiling of five (5) billion F CFA.

DECIDES

Article 1

- (i) The total cost of the ECOWAS Fund Headquarters including the fees of the Architect, the Project Management Consultant and the

Article 2

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, THIS 1ST DAY OF JULY, 1986

FOR THE AUTHORITY

Ibrahim Babangida

.....
H.E. MAJOR-GENERAL IBRAHIM BABAMASI BABANGIDA
CHAIRMAN

b) OF THE COUNCIL OF MINISTERS

DECIDES

C/DEC.1/6/86 DECISION ON THE ADOPTION OF THE PROGRAMME OF ACTION FOR THE SHORT AND MEDIUM TERM DEVELOPMENT OF AGRICULTURAL AND NATURAL RESOURCES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING the recommendation of the Industry, Agriculture and Natural Resources Commission which met from 29 to 31st March 1986 in Lagos.

Article 1

The Programme of Action of the short and medium term development of Agricultural and Natural Resources, attached as an appendix to this document, is hereby adopted.

Article 2

The Executive Secretary and the Managing Director of the ECOWAS Fund shall be responsible in their respective capacities for the implementation of this programme.

Article 3

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HONOURABLE DR. KALU I. KALU

Chairman

SHORT AND MEDIUM TERM DEVELOPMENT PROGRAMME FOR AGRICULTURAL AND NATURAL RESOURCES

CHAPTER 1

INTRODUCTION

1. As a result of a series of proposals, the Summit of Heads of State and Government held in Cotonou in May 1982, adopted a regional agricultural development strategy (A/DEC.4/5/82).

2. The objectives of the strategy are as follows:

- to encourage the development of the agricultural sector with a view to monitoring and fostering the development of other sectors, and in particular, of ensuring self-sufficiency in food within the sub-region by the year 2000 reducing food loss, and ensuring an improved distribution of food, in accordance with the Lagos Plan of Action.

- to adopt policies which will bring about an optimal exploitation of all agricultural potential at national level in the areas of agricultural production, animal husbandry, fish farming and forestry through increased productivity. Due note shall be taken of the complementarity of the sub-region's ecological zones and of the priorities adopted by the Lagos Plan of Action.

3. The strategy is mainly oriented towards the following areas:

- Food;
- Rural infrastructures and social well-being;
- Agricultural production;
- Animal production;
- Fish farming;
- Forestry, Fauna and Conservation;
- Inputs and Funds;
- Conservation, Storage and Food Security;
- Processing, Marketing and trade;
- Research, development and training.

4. In May 1983, following the meeting of Ministers for Agriculture, Forestry and Water Resources, the Council of Ministers sitting in Conakry, adopted the decision on short and medium term programmes for the implementation of the regional agricultural development strategy (C/DEC.1/5/83).

5. The decision adopts the following actions.

I A. Upstream Actions/National Level:

- Restriction of immigration towards the towns;
- Development of water control programmes (mini-dams, use of underground water sources);
- Extension of animal-drawn farming methods);
- Production of animal feed;
- Protection of grazing land;
- Distribution of farming equipment and improvement of farming techniques.

B. Downstream Actions:

- Composite flours.

II. At Community Level:

A. Pre-Production Actions:

- Production centres for selected foundation seeds;
- Fertiliser and pesticide production;
- Development of water control programmes;
- Applied research;
- Training
- Animal Health;
- Production centres for breeders (N'DAMA and MUTURU);
- Fishing and fish farming;

B. Post-Production Actions:

- Food security;
- Crop protection

6. The programme is in the initial stages of implementation at the level of the Executive Secretariat which has undertaken identification and prefeasibility studies on production centres for selected foundation seeds. Seven centres have been chosen to serve as Community centres (A/DEC.5/5/82). Studies have also been undertaken on centres for the production of breeders, for which eight centres have been chosen (A/DEC.6/5/82).

7. The implementation of the short and medium term programmes has yielded poor results mainly due to the following:

the insufficiency of financial resources allocated to the Department of Industry, Agriculture and Natural Resources which makes it difficult to carry out reliable studies;

- the lack of human resources which would enable the Secretariat to monitor the drawing up, assesment and implementation of programmes;

- the poor coordination between Member States and the Executive Secretariat as regards availability of information on priorities, national programmes and the development of the rural sector;

- the absence of a coherent plan of positive actions in support of efforts at national level;

- the poor coordination between the Executive Secretariat and inter-governmental bodies of which some, such as the CEAO, the CILSS, the Mano River Union, the OMVS, OCLALAV, LIPTAKO-GOURMA etc., have their own agricultural development programmes;

- the poor level of cooperation between the Executive Secretariat and international Organisations: FAO, UNDP; EEC. USAID. ECA etc...

8. In order to be able to take the positive measures that will enable it to achieve the objectives set out in short and medium term programmes adopted by the decision-making bodies of the Community, the Executive Secretariat proposes to readapt its action programme for the exploitation of agricultural and natural resources.

9. This readjustment translates a genuine resolve to make good use of the sub-region's agricultural and natural resource potential, the better to respond to the major preoccupations of the policies of Member States of the Community as regards the development of the rural sector.

10. This implies a more wide-ranging approach which agricultural, forestry, animal husbandry and fishery problems are integrated and complementary.

11. The guiding principles behind this kind of approach are based upon strong association and a mobilisation of interest within the rural community, to which end it is necessary to:

- inculcate producers with a sense of responsibility,
- create favourable socio-economic conditions for these producers.

12. Actions to be undertaken on the basis of the immediate needs of the rural populations will above all lay special emphasis on the following areas:

- the development of water resources and the exploitation of arable land,
- the establishment of supporting services for the structures of the farming community (supply of intrants, agricultural loans);
- the development of underground resources and grazing land;

- the development of fish resources;
- environmental conservation;
- research and training.

13. In practical terms, for the execution of these actions, the Executive Secretariat will need to adopt a planning policy extending over several years in order to programme the financial aid and guarantee the continuation of the actions.

14. This implies the strengthening of international cooperation through concerted efforts aimed at achieving greater coordination in this cooperation.

15. Actions proposed at national level in the programme will not be adequate. It is indispensable to act collectively at sub-regional level.

CHAPTER II

GENERAL OUTLINE OF THE DEVELOPMENT OF THE FOOD SITUATION IN THE SUB-REGION

2.1 Agricultural production.

1. According to facts published by the FAO, agricultural production in West Africa dropped sharply by 6,6% in 1983. The figures for 1984 show a slight rise of 3,5%.
2. The poor results of 1983 and 1984 are due mainly to the drought which devastated ten ECOWAS Member Countries (BENIN, CAPE-VERDE, THE GAMBIA, BURKINA-FASO, GUINEA, MALI, MAURITANIA, NIGER, SENEGAL and TOGO). The effect on agricultural production, availability of subsistence crops, water resources, livestock and natural ecology was catastrophic: food became scarce, wells and watering holes dried up and grazing land became parched.
3. Despite the progress made in some countries the food situation in the sub-region remains critical. In Mali, for example, the production of basic foodstuffs fell by 3,6% in 1983. The Value Added in this sector was 403,2 million Malian francs as against 418,3 million in 1982 at constant price.
4. In Cote D'Ivoire drought and a series of devastating bush fires reduced agricultural production in 1983.

In 1984 however, coffee and cocoa production attained a peak (300.000T and 500.000T).

5. In Senegal Value Added for agricultural production increased by 6,3% in real terms for 1983. Livestock was considerably reduced by the severe drought of 1983/84, and consequently livestock in the Northern region was brought down south for grazing.
6. In Nigeria, agricultural production increased by 3% despite the severe and prolonged drought which afflicted the north of the country, bush fires which affected the south, and serious epidemics and infestations which attacked livestock and crops. The growth rate in the agricultural sector for 1980, 1981 and 1982 was zero. The improvement recorded in 1983 was nonetheless insufficient to reduce the importation of commodities such as rice, maize, vegetable oil, palm oil and cotton during 1984.
7. The table on the following page indicates subsistence crop production and importation of cereals for ECOWAS Member States. The figures illustrate the situation and the dependence on importation of cereals to supply the needs of the populations.

SUPPLY OF FOOD PRODUCTS FOR 1983IN ECOWAS COUNTRIES(THOUSANDS OF TONNES)

COUNTRY	Cereals	Root and Tuber Pro- duction	Plan- tains	Cereal Imports
ECOWAS Sub-region	15 359	38 583	3 035	4 844
BENIN	370	1 036	-	67
BURKINA-FASO	1 010	119	-	59
CAPE VERDE	3	16	-	45
COTE D'IVOIRE	978	3 484	850	555
THE GAMBIA	60	6	-	38
GHANA	596	2 550	600	285
GUINEA	412	834	233	112
GUINEA BISSAU	52	40	25	26
LIBERIA	250	350	32	426
MALI	880	134	-	183
MAURITANIA	38	5	-	227
NIGER	1 749	211	-	15
NIGERIA	7 495	28 477	1 270	2 336
SENEGAL	518	33	-	590
SIERRA LEONE	652	139	25	119
TOGO	296	979	-	61

SOURCES: FAO PRODUCTION YEAR BOOK 1983 (ROME 1983);
and FAO TRADE YEAR BOOK (ROME 1984).

8. As Regards Cash Crops, the situation in 1983 and 1984 was as follows:

COCOA: In the region's main producer countries, GHANA, COTE D'IVOIRE NIGERIA, harvests were heavily reduced by the 1983 - 1984 drought. This reduction was however compensated by a rise in the price of cocoa on the international market. In Cote D'Ivoire the harvest for 1982/83 was 352,000 tonnes as against 457 000 tonnes for 1981/82, whereas it was 457 000 tonnes for 1984.

9. In Ghana severe drought destroyed thousands of hectares of cocoa. Cocoa production counted for 10% of the GIP but has now fallen to 2%.

COFFEE:

10. In Cote D'Ivoire production fell noticeably to 350 000 tonnes for 1983/84.

GROUNDNUTS:

11. In Senegal, production was reduced by about half, falling from 1, 163 000 tonnes for 1982/83 to 568 000 tonnes for 1983/84. In the Gambia, the drop was from 128 000 tonnes to 94 000 tonnes for the same period.

OTHER AGRICULTURAL PRODUCTS:

12. For other products such as cotton seeds, sugar, tea and tobacco, prices fell considerably on the world market, provoking a loss in profits on exportation.

2.2 Forestry:

13. Forest areas in the countries of the sub-region produce most of the supply of logs for industrial use - 17 million M3 in 1983. It should however be noted that this figure has fallen annually by an average of 1.6%.
14. Nigeria is the greatest producer of logs for industrial use, with a production figure of 7.4 million M3 for 1983 Cote D'Ivoire is next with 4.6 million M3.
15. The ECOWAS sub-region is covered with nearly 100 million hectares of tropical rain forest of which a mere 1.5 million are systematically exploited. The deforestation rate has been estimated at 300 000 hectares, and affects vast areas of forest land. Millions of hectares of bush and savannah are laid bare to provide grazing land and firewood. Reforestation efforts reach barely 100 000 hectares of land annually.

16. The traditional characteristics of firewood consumption remain unchanged. Firewood and charcoal production will attain a level of about 519 million M3 by 1990.

17. If consumption of firewood and charcoal continues at the present annual rate, and adequate measures are not taken, there will result a dangerous acceleration of deforestation.

2.3 Evolution of Agricultural Policies between 1983 and 1985:

18. If one is guided only by the period under consideration and the alarming state of affairs in the food and agricultural sectors in the countries of the sub-region, one will inevitably conclude that these countries are at present unable to feed their own populations. The main reasons for this must be the lack of maintenance of infrastructures and faulty management of environmental resources, aggravated by the long drawn-out drought which has affected the entire sub-region.

19. In such an event, many countries have been forced to take emergency measures. Many national development programmes have been upset, and large-scale irrigation registered amongst the populations. As a result, many countries are suffering from social and economic disorganisation and are obliged to import massive quantities of foodstuffs. This creates insurmountable problems as regards transportation, storage and distribution of food aid.

20. ECOWAS Member States, which have been deeply affected by the deterioration in the economic situation and by serious food shortage, are trying to find solutions to their problems at national level. The countries worst hit by the crisis, and which are all in the Sahelian belt have given agriculture and irrigation priority status in order to increase food production and reduce the large amounts spent on importing foodstuffs.

21. General overview of the ECOWAS Community:

The Gambia has launched an anti-epizootic programme which includes the establishment of a research centre for the treatment of common diseases (Trypanosomiasis and rinderpest) so as to improve the quality of animal production.

22. In BURKINA-FASO plans are under way to build silos in the villages for grain storage since the main storage

facilities are too far from the affected areas.

23. The main objective of the economic recovery programme recently launched in GHANA is to provide incentives for the production of foodstuffs and exportable goods.
24. Following upon the period in 1985 when its cash crops hung heavy on the world market, the agricultural development policy of COTED'IVOIRE has been increasingly geared towards the production of subsistence crops.
25. In MALI the rise in domestic prices due to drought has not affected the trade liberalisation policy for cereals.
26. In MAURITANIA, the agricultural development strategy is oriented towards the installation of hydro-agricultural infrastructures (irrigated areas, small dams, and hydraulic and grazing facilities). The development programme encourages projects for the conservation and restoration of the ecosystem (measures to arrest the encroachment measures, regeneration and reforestation).
27. It is imperative that those countries in the sub-region whose agricultural and natural resources are as yet under-exploited, should adopt new and better adapted policies. They should make greater efforts both technically and at the level of their institutions, to provide incentives for the improvement of supporting services for agriculture (profitable prices, installation of storage facilities and communication services, establishment of a chain of supporting services...)

2.4 Food prospects for the sub-region

28. According to the FAO study on food prospects entitled "Agriculture by the Year 2000"; and the scenario it employs the outlook for increasing production levels and attaining self-sufficiency in the major foodstuffs from local sources is encouraging.
29. In effect, the situation is that agricultural performance has noticeably improved, and the annual growth rate for production and cereal supplies on the whole, and rice in particular, will exceed demand by 1990.
30. The potential for rice production has hardly been explored. In West Africa the area planted with maize is four times as much as that planted with rice. If irrigation methods are properly mastered the self-sufficiency ration will attain 75% by 1990.
31. Maize is of particular importance in the sub-region and is cultivated nearly everywhere for food. The self-sufficiency ration will be 81% by 1990.
32. There is at the moment almost enough sorghum and millet produced to satisfy demand. Estimated demand should slightly exceed production increase rate. The self-sufficiency ratio will be 99% by 1990.
33. Cassava production is entirely sufficient to satisfy demand. It is estimated that demand will appreciably increase and that in short the self-sufficiency ratio will fall slightly to 97% by 1990.
34. Plantain and Banana production is average, and slightly exceeds average demand. The two will balance by 1990. The self-sufficiency ratio will be 103% by 1990.
35. Meat production is satisfactory for the needs of the sub-region. The self-sufficiency ratio will be 80% by 1990.

CHAPTER III

METHODOLOGICAL APPROACH TO PROBLEMS IN THE FIELD

36. Actions within this programme are designed mainly to be able to constantly adapt to ecological conditions and the needs of the rural populations.
37. This corresponds to the concept of integrated rural development and its ecological and overall approach.
38. This integration is based upon the overall response of supervisory staff to the varied demands and problems of the rural community. Integration should create conditions favourable to "Increased production within a framework that will encourage effective participation and awaken a greater sense of responsibility in the rural populations".
39. Community development will thus be encouraged through the organisation of viable village structures the re-organisation of the cooperative movement, and the rural community will be more effectively and judiciously supplied with production factors. Integration will also improve stock protection.
40. Areas of action will be chosen according to the following criteria for ecological effectiveness:

- Ecological homogeneity: density of population and numbers of agricultural workers, availability of water and land.
- Intensity of agricultural, forestry, pastoral and fishing activities.
- Level of decay of the ecosystem and need to restore it to a better balance.

Given the diversity of ecosystems within the sub-region, the following methodological approach is proposed:

3.1 Arid and semi-arid areas:

41. In arid and semi-arid areas, and particularly in the Sahel-Saharan and Sahelian areas (Mauritania, the Gambia, Mali, Niger, Cape-Verde, Senegal, Northern Nigeria, Northern Cote D'Ivoire Burkina-Faso) which are characterised by an annual rainfall of between 100 and 400mm, actions would be concentrated around the major river basins such as the Niger, Senegal and Volta, where conditions allow the development and exploitation of millions of hectares of land for agriculture, animal husbandry and fishery.
42. In this area, priority could be given to:
 - 1) Development of water resources and agricultural exploitation, Irrigation and cereal crop intensification projects (rice, maize, sorghum and corn).
 - 2) Supporting services for river and rain fed crops.
 - 3) Development of animal husbandry.
 - 4) Development of fishing and fish farming in irrigated areas.
 - 5) Water and soil conservation (reclamation to protect against erosion etc.)

3.2 Forest Areas:

43. Forested areas characterised by very high annual rainfall ranging from 1000 to 2500mm, are best for the cultivation of tuber crops (yam, cassava) plantain and the so-called cash crops (coffee, cocoa, tea and timber). Shifting cultivation, because it depends on the clearing of forest land, is of specific importance in terms of expansion of farming land, and over-exploitation of forest land. Special emphasis shall therefore be laid on the formulation of forestry legislation to control the use of resources.

44. The following actions* shall be undertaken in order of priority.

1. Supporting Services for Subsistence Crops:

Bird, insect and disease control, installation and improvement of storage, preservation and processing facilities, increased use of improved seeds and organic fertilizers.

2. Development of animal husbandry: Development of homestead farming, mixed production (pigs, poultry, small ruminants) and as regards animal health, establishment of special anti-typanosomiasis units and fattening facilities.

3. Preparation of coastal mangrove swamps:

Improvement of land reclaimed from lagoons, and stepping up of soil salinity controls etc.

3.3 Identification Studies of Actions:

45. The approach advocated in the strategy and the priority areas proposed in this short and medium term programme of action will have certain implications for the methodology of identification of concrete actions at the level of the Community's Member States.
46. The aim of these identification studies is to collect data on policies and priorities decided by Member States in their national agricultural development plans.
47. The objective is to fulfil the main aspirations of rural communities on the spot, through tangible achievements in the priority areas decided.
48. The terms of reference for identification studies are set out in Appendix I of the present document.

3.4 Inventory of Advanced Projects:

49. This is the second phase which the Executive Secretariat will have to promote within the framework of assistance to Member States.
50. It consists mainly of taking an inventory of priority projects on which studies have already been carried out but for which financing has yet to be found. Their dossiers will be examined by the ECOWAS Fund with a view to finding possible sources of financing either from fund's own resources or through co-financing with other backers.

3.5 Time-table

51. Identification studies can be carried out within a year at the very most, as soon as conditions permit their being done effectively, and after approval of the short and medium term programme by the Community's decision-making bodies.
52. The studies shall be carried out by officers of the Executive Secretariat in close collaboration with the ECOWAS Fund. The details of implementation can be worked out after the adoption of the document.

CHAPTER IV

PRINCIPAL ACTIONS ENVISAGED IN THE 1986-1989 PROGRAMME:

53. The programme includes urgent interventions which are meant to launch production in agriculture, fishery and forestry. The actions are to be carried out using ECOWAS resources, in collaboration with sub-regional development organisations and other international bodies. They shall be classified under the heading "PROGRAMME OF ACTION".
54. Other actions under consideration require special studies which should be carried out as soon as possible. They constitute the "PROGRAMME OF SPECIAL STUDIES".

4.1 Details of the 1986-1989 Programme:

55. Priorities in these areas of action depend on the potential in the countries of the sub-region, and the possibilities for exploitation with a view to improving food and agricultural production.

Another, equally important guiding principle is not to allow problems of the moment to eclipse structural needs. The aim is to replace specific actions by intensive and integrated actions.

56. As regards water resources and agricultural development, the actions undertaken translate a genuine desire to make the best use of the sub-region's water resource potential through the establishments of small-scale irrigation projects and mini-dams. The main aim of such projects would be to ensure that water resource management is dictated by the special environmental conditions (topography, physical properties of the soil, level of precipitation).

57. These actions for the intensification of

subsistence crop and cereal farming aim at improving productivity and immediately increasing agricultural and food production.

58. As far as the development of underground resources and animal husbandry is concerned, priority shall be given to such actions for the preparation of grazing land and try to increase the number of animals the land can feed, through the installation of hydraulic infrastructures such as wells, boreholes, watering places and animal pens.
59. Actions for the development of fish resources, whether deep-sea or continental, shall revolve around the development of traditional fishing and the introduction of fish farming into rural activities so as to increase production and productivity in this sector through the motorisation of fishing equipment and the installation of storage, conservation and processing infrastructures.
60. As regards environmental conservation, and based on these two fundamental facts, i.e.

1. that desertification is the result of the advanced decay of ecosystems caused mainly by the pressure of human population.
2. that the natural vegetation is being affected by the climatic extremes of certain zones, it is clear that the fundamental objective is increased soil yield, protection of soils through legislation governing its exploitation, and actions for the regeneration of natural land formations.

61. The proposed actions revolve around three general and fundamental concepts:

- complete integration of agricultural, forestry, animal husbandry and fishery problems within the framework of rural development as a whole.
- close association and involvement of the rural community in order to mobilise the population.
- stabilisation of agriculture and increased agricultural production.

62. This approach will make it possible to understand and take into account the interdependent and complementary relationships that go to make up the socio-economic development process.

4.2 **Programme of Actions:****Short term actions:**

63. The programme is designed to provide an answer within a relatively short period, to the major pre-occupation of Member States of the Community which is to step up the development of agricultural and natural resources (subsistence crops, animal husbandry, fishery and forestry).
64. Its main objective is to give priority support to government – sponsored actions which aim at strengthening and adapting structures of production.
65. The programme which, for the short term, is scheduled to cover the period between 1986 and 1989, is oriented principally towards the following priorities.
66. **Development of Water Resources and Agriculture:**
Establishment and rehabilitation of small-scale village irrigation projects, construction of mini-dams to create reservoirs across water courses.
67. **Supporting Services for Subsistence Crop Development:**
- intensification of control measures against insect pests diseases and other harmful elements in collaboration with other sub-regional organisations (CILSS, OICMA) and
 - supply of agricultural intrants (seeds, fertilizers etc).
68. **Development of Animal Husbandry:**
- installation and improvement of infrastructures for water supply and improvement of grazing land: wells, bore-holes, watering places and pens for livestock.
 - use of modern ranching methods to improve meat quality.
69. **Processing and Preservation of Agricultural and Food Products:**
- installation and improvement of storage facilities and processing equipment.
70. **Emergency Aid for Member States Affected by Famine and Natural Disasters:**
- supply of seeds, cattle feed, veterinary products.
 - purchase of transportation means

(vehicles) for conveyance of food supplies.

71. **Development of Fish Resources:**

- encouragement of traditional fishing methods.
- building up to existing research institutes and training centres within the sub-region.

72. **Harmonisation of Legislation governing Forestry and Animal Husbandry:**

- sensitising the population on the issue of nature conservation (bush fire control, control of straying animals, excessive felling of wood, reforestation, protection of fauna and flora).

73. **Research and Training:**

- establishment of selected seed production centres.
- establishment of production centres for selected cattle breeders.
- encouragement of exchanges of information on techniques applied.
- organisation of seminars on training and agricultural techniques.

4.3 **Programme of Special Studies:****Short Term:**

74. Suggested special studies make up the support system for proposed actions and make it possible to take into consideration all the technical and economic factors linked to their execution. In the period covered by the short term programme the following special studies are envisaged:

75. **A/ Agriculture:**

1. Study on harmonisation of policies and fixing of prices for forestry, animal husbandry and fishery products. As far as prices for agricultural products are concerned, actions have been undertaken and will be continued in collaboration with FAO, USAID...
2. Study on the building of emergency food reserves at sub-regional level to complement national reserves in collaboration with CILSS, FAO..
3. Study on the harmonisation of plant health legislation.

76. **B/. Water Resources and Agricultural Development:**

Preparation of a map of the sub-

region, showing hydro-geological and agro-pastoral resources in collaboration with the CIEH,

77. **C/. Underground and Pastoral Resources.**

Support for control of trypanosomiasis and other diseases in collaboration with the CEBV.

78. **D/. Fish Resources:**

– Study on the harmonisation of the development of Fish resources leading to the drawing up of a Protocol of agreement on fishing operations in ECO-WAS Member States.

– Study on the development of fish farming.

79. **E/. Environmental Conservation:**

– Inventory of fauna, and anti-poaching measures to be adopted at sub-regional level.

80 79. **F/. Research and Training:**

– Feasibility study on selected seed production centres.

– Feasibility study on breeding centres for selected cattle species.

4.4 **Programme for implementation of short term actions 1986 – 1989**

81. The short term programme of implementation was drawn up on the basis of the priority areas of action defined above and the financial resources needed for carrying them out. In effect, priority will be granted to project requiring minimal investment where the execution of such projects will involve the participation of rural communities and the objective to promote increased agricultural production. The year 1986 will be devoted to the identification of those projects defined as priority in national development plans. 1987–1989 is the period of execution according to the attached programme (Appendix III).

CHAPTER V

MEDIUM TERM PROGRAMME OF ACTION (1990 – 1994)

5.1 Details of the medium term programme of action

82. In order to increase the production •

capacity of the agricultural sector, and bearing in mind the fact that recovery in this sector will not be a cyclical or ephemeral phenomenon, certain medium term measures will need to be taken right away, at the same time as short term measures.

83. The objectives of this programme are:

- quantitative and qualitative improvement of production
- guaranteed revenue for population and food security
- encouragement of increased agricultural, zootechnical and fresh production.

84. The priority areas are those which have been identified in the short term which need to be consolidated and improved.

85. **1 Exploitation of water resources and agricultural development**

Intensification of farming and increase of land under cultivation with the help of qualified manpower, appropriate techniques, a greater number of inputs likely to encourage investment in the agricultural sector.

86. **2 Food security**

- Projection of food requirements
- Creation of food security stocks

87. **3 Exploitation of animal resources**

- Improvement of veterinary services to protect livestock and poultry against disease.
- Intensification of glossina and trypanosomiasis control.
- Installation of infrastructures for the preservation and processing of diary products and meat
- Utilisation of fodder crops and combination of agriculture with mixed breeding production.

88. **4 Exploitation of fish resources**

- Assessment, follow-up and monitoring of fish resources
- Protection and exploitation of resources through the improvement and promotion of traditional fishing and the development of marine resources.
- Improvement of processing and preservation systems
- Collective supervision of resources and regulation of operations.

89. **5 Soil preservation**

- Termination of farming practices leading to overexploitation of land
- Intensification of schemes for deforestation control and encouragement of farmers to integrate planting of trees into their agricultural activities.

90. **6 Agricultural Research and Development**

- Formulation of intra-African research programmes to perfect new, higher yielding disease resistant varieties of crops and improved ovine, caprine and poultry species.
- Improvement of post-harvest techniques, etc....

5.2 Medium term studies programme

91. These studies undertaken in the short term should be followed up and carried out in greater detail, to ensure a harmonious development of agricultural, pastoral and forestry resources in the sub-region.

92. **A Agriculture**

1. Study on livestock feed production
2. Study on the protection and preservation of grain stocks,
3. Study on integrated pilot projects.

93. **B. Water resources and agro-pastoral development**

- Study on harmonisation of management policies for water resources (cooperation in the joint exploitation of the resources of river basins, establishment of standards for the utilisation of water for irrigation and domestic requirements).

94. **C Production and Animal Health**

1. Study on development of poultry and short-cycle livestock breeding
2. Study on inventory and promotion of local fodder species and preservation techniques.
3. Study on establishment of special units for control of trypanosomiasis and other livestock diseases in the sub-region.

95. **D Fish Resources**

1. Study on potential fish breeding in general waters
2. Study on the establishment of a data bank on fish reserves at sub-regional level.
3. Study on the improvement or establishment of a sub-regional oceanography research and training centre.

96. **4, Environmental Protection**

Study on the protection of rare species at sub-regional level.

97. **5 Research and training**

- Harmonisation of research projects
- Improvement of research and training centres

CHAPTER VI

IMPLICATIONS OF THE SHORT AND MEDIUM TERM PROGRAMME

98. The execution of a programme for the development of agricultural and natural resources at Community level will require a vast amount of human, material and financial resources and will certainly have some effect on ECOWAS implementation structures.

99. In the light of the diversity and complementarity of the various areas, a large number of measures need to be taken. These measures have been classified under the following headings:

1. Improvement and development of the ECOWAS departments concerned.
2. Strengthening of cooperation between ECOWAS Member States and IGOS in the sub-region.
3. Strengthening of cooperation with international organisations.

6.1 Improvement and development of ECOWAS departments concerned

100. a) Within the Executive Secretariat, the department responsible for agriculture and natural resources does not presently have at its disposal the human, material and financial resources necessary for the execution of such a development programme.

101. For the execution of this programme it will be necessary to increase the professional and even the auxiliary staff of the Department of Industry, Agriculture and Natural Resources (DIANR).

102. Since there are already Principal Officers in the Department, recruitment of all Senior Officers projected in the organisational chart should be considered. The recruitment should be carried out in the next two years in order to increase the output of the Department and ensure effective studies, follow-up and assessment of projects to be undertaken.

103. It is clear that the acquisition of material resources and the execution of studies on selected projects will require funds, the volume of which will be determined according to the annual volume of work.
104. By strengthening of cooperation between the two institutions of the Community (Executive Secretariat and ECOWAS Fund) in the area of agriculture as a priority activity.
105. The recent collaboration between the two institutions needs to be strengthened with a view to a better harmonisation of their programme of action in the area of agriculture .
106. The statutory provisions establishing the two institutions of the Community have clearly defined their roles in the cooperation and promotion of the economic and social development of Member States. (ECOWAS Treaty)' It is important to keep this in mind in practice, and to implement these provisions.
107. The Executive Secretariat is responsible for the preparation and follow-up of the technical studies necessary to implement the programmes adopted by the decision-making bodies. The Fund for its part will provide guarantees by way of foreign investments, and will facilitate the financing of projects of Member States of the Community and studies of the Executive Secretariat.
108. Annual planning systems of the schedules so far adopted by the two institutions and the poor coordination in the preparation of these schedules have resulted mainly in specific sectorial schemes with no immediate impact on the objectives set.
109. The execution of the Community programme of action for the exploitation of agricultural and natural resources involves a harmonised approach to activities to be undertaken within the two institutions. This implies a permanent consultation, the pooling of know-how and a harmonisation of methods used in planning and assessment of activities.
110. The Standing Committee on studies and projects, which comprises officers of the two institutions, is an effective way of strengthening coordination and harmonisation of development approach.
111. In the implementation of the Community programme for the harnessing of agricultural and natural resources, it is indispensable and imperative to coordinate action on the following aspects:
- 1) **Exchange of information on agricultural projects** between the Department of Industry, Agriculture and Natural Resources and the Studies Department of the ECOWAS Fund.
 2. **Undertaking of joint missions** to Member States and institutions responsible for development in this sector.
 3. Other aspects no less important may be proposed.
- 6.2 Strengthening of cooperation between ECOWAS Member States and IGOS (1) in the sub-region**
112. Since the community programme should fulfil the aspirations of Member States and serve as a support to national efforts towards economic and social recovery, particularly in the rural sector, **it would be indispensable and imperative to strengthen**
- (1) IGO Intergovernmental Organisation **the links between the Executive Secretariat, national development and IGOS in the sub-region.**
113. The implementation of an agricultural and feed programme will require the participation of several national institutions in specific areas. Thus in each country, several ministerial departments will be involved in agricultural activities.
- Ministry of Rural Development (Agriculture, Animal Husbandry)
 - Ministry of Water Resources
 - Department of Nature protection
 - Ministry of Trade
- 114. National ECOWAS Committees**
- These committees, which are composed of officials of the Ministries concerned can be the driving force for coordination of all Community programmes and decisions with a view to better supervision and implementation.
115. At present National ECOWAS Units as they stand cannot efficiently coordinate action. They are limited to administrative functions (forwarding of correspondence). The inadequacy of human financial and material resources prevents them from playing a more important role.
116. On the other hand, a National ECOWAS Committee which would revolve around the unit already set up, will be called upon to play a more dynamic and more operational role in the formulation, assessment and execution of programmes

in collaboration with the Executive Secretariat which will have to undertake a study on the possibilities of making them more operational with financial support.

117. Sub-regional cooperation will be strengthened through the association of Intergovernmental Organisations of West Africa, in order to facilitate exchange of technical information and of experts and collaboration in the execution of studies and projects of (a) sub-regional nature.
118. It must be pointed out that the principal objective of most IGOS is agricultural development. Agriculture is an important part of their programme of activities.
119. This cooperation will remove any duplication and waste of the meagre human and financial resources made available to the States. It should ensure harmonious and rapid development of the sub-region.

6.3 Strengthening of cooperation with international organisations

120. The implementation of the proposed Community programme will depend largely on possibilities of financing during the period under review.
121. This financial mobilisation is inseparable from the efforts of the Executive Secretariat and the Fund in close collaboration with both technical and financial international organisations.
122. This form of cooperation may take place at two levels, as follows:
1. Technical and financial assistance between the Executive Secretariat and specialised institutions (framework agreements).
 2. Creation of a Consultative Committee of Sponsors to finance the investment costs of the Community programme.

6.3.1 Technical and Financial Assistance with Specialised Institutions

123. There are some technical and financial assistance links between the Executive Secretariat and certain international organisations which are part of overall general cooperation.
124. Despite the result obtained in certain areas, it is nonetheless clear that cooperation will have to be intensified with a view to exploiting all the opportunities offered.

125. This will involve a clear definition of the priority areas on which cooperation should concentrate as well as their dissemination to the institutions.
126. The establishment of framework agreements for technical and financial assistance is the appropriate legal framework for intensified cooperation. If the proposed programme is adopted by authorities of the Community it should be communicated to the institutions for possible assistance. Identification missions to these institutions should be carried out to explain the objective aspect of such cooperation.

6.3.2 Creation of a Consultative Committee of Sponsors for the mobilisation of the funds necessary for the implementation of the Community programme.

127. Resources of Member States and the ECOWAS Fund are inadequate to finance this programme. Concerted action is imperative between the Executive Secretariat, in close collaboration with the Fund and sub-regional financial institutions as well as international ones. This should be developed in the course of the first year of execution of the programme when investment costs will be identified. This would ensure that the actual possibilities of financing at bilateral and multilateral levels are examined.
128. It would be appropriate to set up a Consultative Committee of sponsors within ECOWAS which would contribute fully to the attainment of the objectives.
129. Advantages of such a framework for consultation would be:
- the sponsorship of national programmes for the recovery of the agricultural sector, under liberal conditions, in particular an increase of the net contribution of capital and new measures to reduce the debt
 - coordination of intra-community programmes and a harmonisation of planning methods.
 - reinforcement of formulation and assessment of Community projects
 - Joint exploitation of resources in the various sectors, etc...

APPENDIX I

TERMS OF REFERENCE FOR IDENTIFICATION

I. MANDATE:

The mandate is to develop, on the basis of a thorough study of potentials and constraints in the sub-region, and of each country's food requirements, a short and medium programme of actions to be undertaken during the period under-review 1986 – 1994.

This programme will identify the priority guidelines defined by the States in the areas mentioned in the preceding pages and define the main points of a community development programme and the exploitation of agricultural and natural resources on the basis of ecological and homogenous competence. It will also determine the cost of these operations.

In greater detail, the following tasks are to be undertaken for each country:

II. CONSIDERATION OF POTENTIALS AND CONSTRAINTS:

The identification study will deal with:

a country by country inventory of principal agricultural resources and constraints to their development.

More specifically, this study will collect the most recent data on the following aspects:

- the agricultural and food sector (agricultural, animal husbandry and fishing);
- recent trends in the sector in each country;
- production statistics;
- map of potential agricultural resources;
- principal agricultural development projects;
- development guidelines and strategies of the sector;
- food requirements and medium and long term trends;
- institutional framework and general support measures for agriculture (funds, dissemination of information).

III. TECHNICAL ASPECTS:

1. HYDRO-AGRICULTURAL INSTALLATIONS:

Land – survey, dimensions of primary, secondary, tertiary and quaternary canals pumping station characteristics, developed

areas, irrigated areas, method of irrigation, types of soil.

Dams: Surveys, types of dam (earth or concrete) characteristics of lines (length, width, incline), dimension of constructive works (wasteways, ditches); capacity of reservoir (height of water level).

2. HYDRAULIC INFRASTRUCTURES (wells, boreholes and waterfing-holes)

- Dimension of constructive works (depth, diameter);
- Types of soil (texture, granulometry etc);
- Characteristics of pumps (flow, force);
- Water quality.

3. AGRICULTURAL EXPLOITATION:

Agriculture: Cultivation practices (direct or manual sowing, planting out, crop density) types of fertiliser, seeds and pesticides), time-table of agricultural work, crop yield, area cultivated and harvested, crop yield per hectare and production, pedological characteristics, types of crop, etc.

Breeding: Characteristics of soil in pasture areas, types of fodder plants and floristic composition (herbaceous or trees) of the area, types of animal (bovines, ovines, caprines) camels and poultry).

IV. FINANCIAL ASPECTS:

INVESTMENT: Cost of studies, of work to be undertaken, of transport and equipment, etc...)

OPERATION: Staff salaries + administrative expenses, input cost, depreciation of equipment, general expenses, recurrent charges, etc...).

APPENDIX II SHORT TERM IMPLEMENTATION PROGRAMME (1986 - 1989)

YEAR OF IMPLEMENTATION AREA AND ACTION TO BE UNDERTAKEN	1987	1988	1989
<p>I. <u>Exploitation of Water Resources and Agricultural Development.</u></p>			
<p>1.1 Construction and rehabilitation of small irrigation projects or small dams (Identification and projection of investments to be undertaken in June and July 1986)</p>	<p>Selection and approval of areas of action</p>	<p>Funding</p>	<p>Execution and development Establishment of map</p>
<p>1.2 Study on establishment of the sub-regional map of hydro-geological and agro-pastoral resources</p>	<p>Identification of areas of action & assessment of financial requirements in collaboration with OCLALAV</p>	<p>Financing & Execution</p>	<p>Continuation of operations Continuation of operations</p>
<p>II <u>Support services or Development of Food Crops</u></p>			
<p>2.1 Intensification of insect, disease, and other pest control.</p>	<p>Identification of areas of action additional studies</p>	<p>Financing & Execution</p>	<p>Continuation of operations</p>
<p>2.2 Supply of agricultural inputs</p>	<p>Additional studies</p>	<p>Funding</p>	<p>Execution</p>
<p>2.3 Harmonisation of pricing policies of agricultural, forest and animal husbandry products</p>	<p>Identification of areas & assessment of investment costs</p>	<p>Preliminary studies</p>	<p>Adoption and Execution</p>
<p>2.4 Constitution of food security reserves</p>	<p>Identification of areas & assessment of investment costs</p>	<p>Funding</p>	<p>Execution</p>
<p>2.5 Harmonisation of plant health legislation</p>	<p>Identification of areas & assessment of investment costs</p>	<p>Funding</p>	<p>Execution</p>
<p>III <u>Exploitation of underground and pastoral resources</u></p>			
<p>3.1 Construction and rehabilitation of hydraulic and pastoral infrastructure: wells, boreholes, watering-holes, animal pens</p>	<p>Identification of areas & assessment of investment costs</p>	<p>Funding</p>	<p>Execution</p>
<p>3.2 Preparation of fire-breaks for the protection of grassy areas.</p>	<p>Identification of areas & assessment of investment costs</p>	<p>Funding</p>	<p>Execution</p>

3.3	Support of trypanosomiasis control and control of other diseases			Identification of areas and assessment of requirements in collaboration with the livestock and Cattle Community (CEBV)	Funding & Execution
IV. <u>Exploitation of Fish Resources</u> (Sea & River fishing)					
4.1	Promotion of traditional fishing	Identification of areas of action and assessment of material and financial requirements		Funding & Execution	Continuation of actions
4.2	Development of existing research institutes and training centres in West Africa	Inventory		Search for Funds	Execution
4.3	Establishment of a Protocol of Agreement on fishing operations in ECOWAS Member States			Preliminary studies and adoption	Execution
4.4	Study on development of fish farming	Identification		Preliminary studies	Funding & Execution
V <u>Nature Protection</u>					
5.1	Harmonisation of forest and pastoral legislation			Preliminary studies	Adoption & Execution
5.2	Inventory of animal life and sub-regional measures for protection against poaching				Preliminary studies
5.3	Enlightenment of the population on nature protection	Identification		Execution	
VI <u>Research and Training</u>					
6.1	Establishment of selected seed production centres	Funding and Implementation		Continuation of the operations of the project	Continuation of activities
6.3	Promotion of exchange of information and techniques	Implementation		Implementation	Implementation
6.4	Organisation of training workshops on agricultural techniques	Implementation		Implementation	Implementation

C/DEC.2/6/86 DECISION ESTABLISHING THE ECOWAS COMMUNITY COMPUTER CENTRE.

THE COUNCIL OF MINISTERS,

— MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and determining its composition and functions;

— MINDFUL of Article 8 of the ECOWAS Treaty establishing the Executive Secretariat and determining its functions, particularly in paragraphs 8, 9 and 10 of the Article;

— MINDFUL of the Decisions determining the structure and organisational chart of the Executive Secretariat and particularly of Decision C/DEC.5/11/82 of 17 November 1982 of the Council of Ministers relating to structural matters;

— MINDFUL of the Final Report of the Council of Ministers at its Session in November, 1983 in Conakry and July 1985 in Lome;

— MINDFUL of the introduction of data processing as a means to the computerisation of certain activities at Community level through the installation in Member States of an automatic data processing system for external trade;

— CONSIDERING the importance of an automatic data processing system for the development of activities in the Community, and particularly for the establishment of the compensation system provided for by the ECOWAS Treaty, the rapid and accurate preparation of statistics for the Community, the encouragement of modernisation in customs and external trade procedure in Member States;

— CONSIDERING the progress of national projects in the implementation of the Community computerisation programme which aims at the computerisation of collection, acquisition and management of customs and statistical data;

— ACKNOWLEDGING the need for effective follow-up and improved coordination in the different services deriving from the computerisation programme;

— ACKNOWLEDGING the need for an up-to-date and rational management of Community Institutions through the computerisation of their different services;

— CONVINCED of the need for assistance to Member States of the Community, for their requirements as regards customs and customs computer training for the automatic processing of statistical, economic and financial data, and the maintenance of computer equipment;

— AWARE of the contribution that ECOWAS can make towards the integration of training programmes for upper-level staff with a view to introducing modern management techniques in activities at national level in Member States;

— CONVINCED that the establishment of an ECOWAS Community Computer Center can play a significant role in the integration of the economies of Member States;

— On the RECOMMENDATION of the Trade, Customs, Immigration, Monetary and Payments Commission meeting from 26th to 31st of March, 1986;

DECIDES

GENERAL PROVISIONS

Article 1

1. There is hereby established within the structures of ECOWAS Institutions, a Computer Centre for ECOWAS Member States which shall be known as the Community Computer Centre, or the C.C.C.

2. The Community Computer Centre shall be located at the Headquarters of the ECOWAS Fund.

Article 2

The Community Computer Centre is a decentralised technical department within the ECOWAS Executive Secretariat, whose organisational chart will be adapted accordingly.

Article 3

The terms for recruitment and salaries for professional and general service personnel and auxiliary personnel will be those applicable within Community Institutions.

OBJECTIVES OF THE COMMUNITY COMPUTER CENTRE

Article 4

The Community Computer Centre has the following objectives:

— to contribute to the establishment of the compensation system provided for in the Treaty establishing ECOWAS;

— to set up a service centre for the use of Member States and for all other users;

— to set up a Training Centre for customs services, computerised customs data services and later, for data processing techniques;

— to advise on the introduction of specific administrative and financial management methods in the executive institutions of the Community;

— to encourage cooperation between national computerised customs projects as a whole;

— to carry out any other missions that may be assigned by the relevant Community authorities;

The various functions of the Community

Computer Centre shall be set out in greater detail in statutory form by the Executive Secretary.

ORGANS OF THE COMMUNITY COMPUTER CENTRE

Article 5

The Administrative and Management Organs of the Community Computer Centre shall be:

- the Orientation and Advanced Training Committee;
- Management.

Article 6

1. The Orientation and Advanced Training Committee is a sub-commission of the Trade, Customs, Immigration, Monetary Matters and Payments Commission.

2. The Orientation and Advanced Training Committee shall define the orientation and general policy of the centre's activities, in accordance with the objectives of its principal priority functions.

3. The Committee may call on the services of any individual or organisation outside the Centre which may be interested in or concerned by the activities of the Centre.

4. The conclusion of the meetings of the Committee shall be submitted to the relevant Community authorities by the Trade, Customs, Immigration, Monetary and Payments Commission.

Article 7

1. The Director shall be recruited and appointed in accordance with the provisions of the texts governing this subject in force within the Community's Institutions.

2. The Director shall be the administrative and technical Head of the Community Computer Centre. He must be a national of one of the Member States of the Community, and be highly qualified and competent in technical matters.

3. He shall be responsible for the overall functioning of the Centre's services and activities.

4. He shall be responsible for the following, among other things:

- the supervision of the day to day administration and management of the Centre in accordance with overall policy and the regulations governing its activities and operation;
- the submission of progress reports on programmes, annual reports and budget estimates to the Orientation and Advanced Training Committee;

collaboration with national, sub-regional, regional and international institutions able to

help towards the achievement of the Centre's objectives, in defining cooperation programmes in accordance with the methods in use within Community Institutions.

5. He shall render account of the Centre's activities to the Executive Secretary.

RESOURCES AND BUDGET ESTIMATE FOR THE COMMUNITY COMPUTER CENTRE

Article 8

In order to achieve its objectives, the Community Computer Centre shall:

receive assistance in terms of financial, human and material resources from the Community and from organisations for international cooperation;

ultimately generate its own resources from payments (or equivalents) for services made available to users.

Article 9

1. The Community Computer Centre's annual budget estimate shall be adopted during the adoption of the Executive Secretariat's budget in which it will feature as an annex.

2. The Executive Secretary shall delegate authority to the Managing Director of the ECOWAS Fund to administer the funds allocated to the Centre.

3. The various financial controls imposed on administration of the resources of the Community Computer Centre shall be undertaken by the appropriate structures within the Community's Institutions, and in particular by the Internal Audit department of the Fund.

TRANSITIONAL PROVISIONS

Article 10

The Executive Secretariat and the Fund are urged to make the necessary provisions, in agreement with organisations for international cooperation with a view to progressively and effectively transferring the Central ASYCUDA Project from Geneva (UNCTAD/UNDP) to Lome.

Article 11

Depending upon the evolution and development of the activities of the Community Computer Centre and its role in the economic integration of Member States of the Community, the possibility of setting up the Community Computer Centre as a Community establishment which shall be a legal entity and shall have administrative and financial autonomy, could be envisaged and examined.

Article 12

The temporary organisational chart of the Community Computer Centre which shall be applicable until further notice, is attached to this Decision.

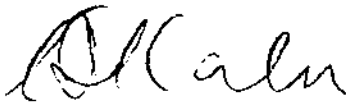
FINAL PROVISIONS**Article 13**

The Executive Secretariat and the Fund shall be responsible, in their respective domains, for the implementation of this Decision.

Article 14

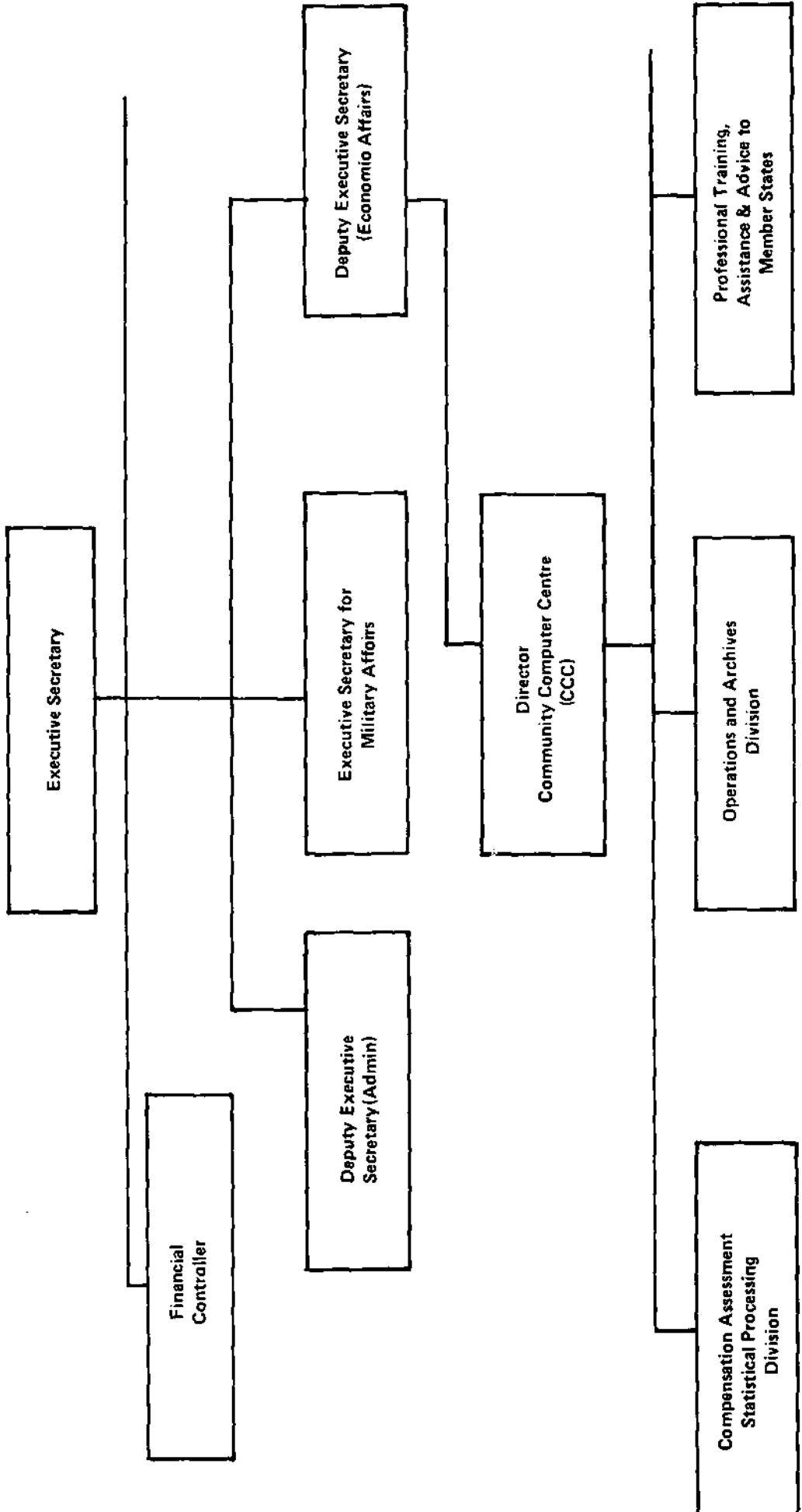
This Decision shall come into force upon signature and shall be published in the Official Journal of the Community and the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman

ORGANISATIONAL CHART FOR THE COMMUNITY COMPUTER CENTRES



C/DEC.3/6/86 DECISION RELATING TO THE RULES AND REGULATIONS GOVERNING THE MODALITIES FOR THE ESTABLISHMENT OF STATISTICS ON THE EXTERNAL TRADE OF ECOWAS MEMBER STATES'

Trade, Customs, Immigration, Monetary and Payments Commission at its meeting in Lagos from 26 to 31 March 1986;

DECIDES

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and determining its composition and functions;

MINDFUL of Articles 12, 13, 14, 15, 23 and 25 of the said Treaty on trade regimes;

MINDFUL of Decision C/DEC 7/11/79 of the Council of Ministers relating to the programme on trade liberalisation, cooperation and related problems;

MINDFUL of Decision C/DEC 3/11/82 of 17 November 1982 of the Council of Ministers relating to the coding of ECOWAS customs, statistical and tax regimes;

FOLLOWING the recommendation of the

Article 1

For the purposes of the automatic processing of customs and statistical data on the external trade of Member States, the provisions in the text attached to this Decision relating to the Rules and Regulations governing the modalities for the preparation of statistics on the external trade of ECOWAS Member States, are hereby adopted for ECOWAS.

Article 2

Member States shall, at national level, take all necessary measures with a view to diligently implementing the said Decision and shall forward to the Executive Secretariat the instruments pertaining to its implementation.

Article 3

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



.....
HONOURABLE DR. KALU I. KALU
Chairman

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

RULES AND REGULATIONS DETERMINING THE MODALITIES FOR PREPARATION OF STATIS- TICS ON EXTERNAL TRADE IN ECOWAS MEM- BER STATES

FOREWORD

The present Rules and Regulations, drawn up with a view to producing homogeneous, readily available and reliable statistics at Community level, within the framework of the automatic processing of customs and statistical data on external trade in ECOWAS Member States, is based essentially on the following provisions of the ECOWAS Treaty and Decisions:

- Article 23 of the ECOWAS Treaty
- Decision C/DEC.7/11/79 of the Council of Ministers on trade liberalisation, commercial cooperation programme, and related problems.
- Decision C/DEC.3/11/82 of 17th November, 1982 of the Council of Ministers on the coding of ECOWAS customs, statistical and tax-regimes.

CHAPTER ONE

CONCEPTS AND DEFINITIONS

Article 1

All goods entering or leaving the statistical territory of an ECOWAS Member State, with the exception of goods in transit, shall appear as statistics on external trade.

the statistical territory of a Member State corresponds to its customs territory.

Article 2

1. Goods means all movable property.
2. Electric current is considered as goods.
3. Goods shall be designated on computer transmission media in such a way as to be identifiable by their standardised ECOWAS customs and statistics nomenclature number.
4. The goods listed as an annex to the present document are excluded from the statistics in use.

Article 3

1. Statistics on external trade shall be established according to both the special trade system and the general trade system.

2. Special trade comprises:

- (a) On importation, goods which, directly on importation, upon leaving the depot, transit area or after transshipment; and goods which, upon leaving the warehouse or free trade zone, are

- declared for home use (this includes

drawback goods and goods allowed in conditional upon prior exportation)

- accepted on temporary admission
- accepted on temporary importation
- placed in industrial warehouses or free zones
- placed in customs-bonded manufacturing plants
- re-imported after temporary exportation

Goods put into circulation for home use after temporary admission, temporary importation, on leaving industrial warehouses, free areas and customs-bonded manufacturing plants, no longer fall within the special trade regime.

The list of customs regimes corresponding to these concepts is shown in Annex 1A of the present document.

(b) On exportation, goods which are:

- declared for single exit (whether of national origin or nationalised)
- re-exported after temporary admission
- re-exported after temporary importation
- released from industrial warehouses or free areas
- released from customs-bonded manufacturing plants
- on temporary exportation

The list of customs regimes corresponding to these concepts is shown in Annex 1B of the present document.

3. General trade comprises:

(a) On importation, goods which directly on importation or on leaving the depot, transit area or after transshipment, are:

- declared for home use
- accepted on temporary admission
- accepted on temporary importation
- placed in industrial warehouses or free zones
- placed in customs-bonded manufacturing plants
- re-imported after temporary exportation
- placed in customs-bonded warehouses or commercial free trade zones.

The list of customs regimes corresponding to these concepts is shown in Annex 11 A of the present document.

(b) On exportation, goods which are:

- declared for single exit (whether of national origin or nationalised)

- re-exported after temporary admission
- re-exported after temporary importation
- on temporary exportation
- released from industrial warehouses or free zones
- released from customs-bonded manufacturing plants
- released from customs warehouses or commercial free trade zones.

The list of customs regimes corresponding to these concepts is shown in Annex IIB of the present document.

Article 4

Member States shall be designated on computer transmission files in such a way as to be identifiable by their ECOWAS country code number.

Article 5

1. Customs, statistical and tax regimes are those included in the Rules and Regulations on the Coding of ECOWAS customs, statistical and tax regimes annexed to Decision C/DEC.3/11/82 of 17 December 1982 of the Council of Ministers. In addition to the above regimes are included preferential tax regimes accorded by economic agreements and distribution between customs and industrial warehouses on the one hand and free trade and industrial zones on the other.

2. The code number specified in the above Rules and Regulations shall be adopted for each regime.

Article 6

1. Quantity Measurement is net weight in kilogrammes.
2. Net weight is the weight of goods excluding packaging.
3. Packaging comprises all cases and boxes (internal and external), wrapping, covering and accessories, excluding transportation equipment, and in particular, containers, tarpaulins, tackle and other material.
4. The quantity shall furthermore, be expressed in additional units of quantity when the ECOWAS tariff so requires.
5. Additional unit means units of measure other than the kilogramme.

Article 7

1. The value of goods exchanged shall be expressed in the currency of the country.
2. The statistical values to be recorded are:
 - on importation, the CIF value free up to the national border and the FOB value on exportation, the FOB value free up to the national border.
3. Official values may not under any circumstan-

ce be taken as statistical values.

Article 8

Country of origin means the country from which the goods originate, as used in the ECOWAS Treaty and the Protocols relating to the term.

Article 9

Country of transit is the last country from which goods are expedited to the importing country.

Article 10

Country of last destination means the country to which goods are to be sent, as known at the time of exportation.

Article 11

1. Means of transportation are coded as follows:

- 0 - Navigable waterways
- 1 - Sea
- 2 - Rail
- 3 - Air
- 4 - Road
- 5 - Container (ship)
- 6 - Container (wagon)
- 7 - Container (plane)
- 8 - Container (trailer)
- 9 - Others

2. The nationality of the means of transportation shall be indicated.

Article 12

1. Goods sold to armed forces stationed outside the statistical territory of the exporting Member State and their own national territory, shall be indicated under the export statistics of the said Member State, the station country being considered as the country of last destination.

2. Goods purchased from armed forces stationed outside the statistical territory of the importing Member State and their own national territory shall be indicated under the import statistics of the said Member State, the station country being considered as the country of origin or of transit.

CHAPTER II

COLLECTION OF STATISTICAL INFORMATION AND PREPARATION OF RESULTS

Article 13

Statistical information shall be forwarded at the end of each month by Customs Headquarters of the Member States.

As regards Member States using ASYCUDA software information shall be transmitted either through the telecommunications system or sent on the floppy disk which is automatically produced by the computer and shall be accompanied by a check list.

Member States using a different computer system may send their information by any means (recorded tape, copies of customs declarations,

tele-transmission, etc.). Each case shall be examined for compatibility.

Article 14

Under each heading of the ECOWAS customs and statistical nomenclature shall appear:

- the customs, statistical and tax regime, in conformity with Article 6, paragraph 1;
- the net weight of the goods, in conformity with Article 6, paragraph 2;
- the additional units, in conformity with Article 6, paragraph 5;
- the statistical value of the goods, in conformity with Article 7 paragraph 2;
- on importation, the country of origin in conformity with Article 8, or failing that, the country of transit, in conformity with Article 9;
- on exportation, the country of last destination in conformity with Article 18;
- the means of transportation, in conformity with Article 11.

Article 15

The statistical results prepared in ECOWAS Member States consist of:

- country of origin
- country of last destination
- weight
- additional unit
- statistical value
- means of transportation and nationality of vehicle.

Article 16

The above-named data shall be provided for all goods, with the exception of those listed in the annex on exclusions, in conformity with Article 2 paragraph 4.

Article 17

1. The period of reference shall be a quarter.
2. Statistical information files shall be classified during each quarter, with reference to the registration date of the customs declaration.
3. For this purpose, Member States shall fix a closing date for the quarterly data preparation to ensure that all declarations for the reference quarter are included.

The closing date shall be set for no later than three (3) months after the end of the reference period.

4. These provisions do not prevent such Member States as have the means, from preparing monthly results.

Article 18

1. Should it become necessary to correct data recorded on a statistical information medium, the correction shall, as far as possible, be made to the results of the quarter under which the medium in question is classified.

2. Should the quarterly preparation of results already be closed, the corrected data shall be taken into account during the preparation of the overall results. In such a case, Member States shall ensure that the quarter to which the corrections pertain, can readily be identified.

3. The overall corrected results for the four (4) quarters shall be considered to be the annual results. Additional corrections may, nonetheless, be subsequently placed at the disposal of users.

4. Corrections may not be transferred from one year to another.

Article 19

Member States shall keep the statistical information file for three years following the end of the reference year.

CHAPTER III STATEMENTS OF STATISTICS

Article 20

Member States shall prepare results using the following pattern of minimal requirements:

- products - country
- country - products

for special trade and general trade systems.

Article 21

Member States shall, within a given time-limit imposed on the Executive Secretariat (CCC) at the end of the reference quarter, forward the statements of statistics referred to in Article 20, and the magnetic media carrying the basic information used to prepare the statements, to the Secretariat.

Article 22

Member States shall be responsible for working out external trade figures.

Article 23

Member States may, within the framework of the present Rules and Regulations, computerise the statistical processing of data before it is sent in for centralisation.

Article 24

The annexes to the present Rules and Regulations are an integral part of same.

Article 25

Each Member State shall inform the Executive Secretariat of such measures as it may take towards the application of the present Rules and Regulations.

The Executive Secretary shall inform all other Member States.

Article 26

All questions pertaining to the present Rules and regulations, raised by either a Member State or the Executive Secretariat, shall be examined by an Ad Hoc Committee with a view to improving and harmonising statistics on the external trade of Member States.

SPECIAL TRADE

ANNEX 1A: LIST OF CUSTOMS REGIMES CORRESPONDING TO THE CONCEPTS SET OUT IN ARTICLE 2 PARAGRAPH 2a		C271 M R U C272 E E C C273 Bilateral preferential regimes C279 Others
		C280 Ship and aircraft supplies
C1	Direct home consumption of non-petroleum products after leaving depot, transit area or after transshipment	C3 Home consumption of non-petroleum products upon leaving warehouse
C100	Normal regime	C300 Normal regime upon leaving customs warehouse
C110	Gifts and aid	C310 Gifts and aid upon leaving customs warehouse
C120	Free admission	C320 Free admission upon leaving customs warehouse
C130	Investments code	C330 Investment code upon leaving customs warehouse
C140	Diplomatic privilege	C340 Diplomatic privilege upon leaving customs warehouse
C150	ECOWAS preference	C350 ECOWAS preference upon leaving customs warehouse
C151	Local Products – ECOWAS	C351 Local products – ECOWAS
C152	Priority industrial products – ECOWAS	C352 Priority industrial products – ECOWAS
C153	Non-priority industrial products – ECOWAS	C353 Non-priority industrial products – ECOWAS
C154	Community industrial products	C354 Community industry products – ECOWAS
C155	Artisanal products – ECOWAS	C355 Artisanal products – ECOWAS
C160	CEAO preference	C360 CEAO preference upon leaving customs warehouse
C161	Local products – CEAO	C361 Local products – CEAO
C162	TCR – CEAO	C362 TCR – CEAO
C163	Non-TCR industrial products – CEAO	C363 Non-TCR industrial products – CEAO
C164	Products of plurinational enterprises – CEAO	C364 Products of plurinational enterprises – CEAO
C165	Artisanal products – CEAO	C365 Artisanal products – CEAO
C170	Other preferential regimes	C370 Other preferential regimes upon leaving customs warehouse
C171	M R U	C371 MRU
C172	EEC	C372 EEC
C173	Bilateral preferential regimes	C373 Bilateral preferential regimes
C179	Others	C379 Others
C180	Ship and aircraft supplies	C380 Ship and aircraft supplies upon leaving customs warehouse
C2	Direct home consumption of petroleum products upon leaving depot, transit area or after transshipment	C4 Home consumption of petroleum products upon leaving warehouse
C200	Normal regime	C400 Normal regime upon leaving customs warehouse
C210	Gifts and aid	C410 Gifts and aid upon leaving customs warehouse
C220	Free admission	C420 Free admission upon leaving customs warehouse
C230	Investment code	C430 Investments code upon leaving customs warehouse
C240	Diplomatic privileges	C440 Diplomatic privilege upon leaving customs warehouse
C250	ECOWAS preference	C450 ECOWAS preference upon leaving customs warehouse
C251	Local products – ECOWAS	C451 Local products – ECOWAS
C252	Priority industrial products – ECOWAS	C452 Priority industrial products – ECOWAS
C253	Non-priority industrial products – ECOWAS	C453 Non-priority industrial products – ECOWAS
C254	Community industry products – ECOWAS	
C260	CEAO preference	
C261	Local products – CEAO	
C262	TCR – CEAO	
C263	Non-TCR industrial products – CEAO	
C264	Products of plurinational enterprises – CEAO	
C270	Other preferential regimes	

	ducts upon leaving warehouse		C172 EEC
R320	Re-exportation upon leaving industrial warehouse, not including supplies		C173 Bilateral preferential regimes
R380	Re-exportation upon leaving industrial warehouse, including supplies		C179 Others
			C180 Ship and Aircraft supplies
R4	Re-exportation of petroleum products upon leaving warehouse	C2	– Direct home consumption of petroleum products upon leaving depot, transit area or after transshipment
R420	Upon leaving industrial warehouse, not including supplies	C200	Normal regime
R450	Upon leaving customs bonded manufacturing plant not including supplies	C210	Gifts and aid
R480	Upon leaving industrial warehouse or customs bonded manufacturing plant including supplies	C220	Free admission
		C230	Investments code
		C240	Diplomatic privilege
		C250	ECOWAS preference
R5	Re-exportation after temporary admission	C251	Local products – ECOWAS
R500	Normal regime	C252	Priority industrial products – ECOWAS
R6	Re-exportation after temporary importation	C253	Non-priority industrial products – ECOWAS
R600	Normal regime	C254	Community industry products – ECOWAS
R7	Re-exportation following home use (nationalised products)	C260	CEAO preference
R700	Normal regime	C261	Local products – CEAO
R9	Other types of re-exportation	C262	TCR – CEAO
R950	Re-exportation to an ECOWAS Member State upon leaving industrial free zone	C263	Non-TCR products – CEAO
R960	Re-exportation to a non-ECOWAS country upon leaving industrial free zone.	C264	Products of plurinational enterprises – CEAO
		C270	Other preferential regimes
		C271	MRU
		C272	EEC
		C273	Bilateral preferential regimes
		C279	Others
		C280	Ship and Aircraft supplies
GENERAL TRADE			
ANNEX IIA: LIST OF CUSTOMS REGIMES CORRESPONDING TO THE CONCEPTS SET OUT IN ARTICLE 2 PARAGRAPH 3a		C8	Home consumption or re-importation after temporary exportation for repairs, processing etc...
C1 –	Direct home consumption of non-petroleum products upon leaving depot, transit area, after transshipment.	C800	Normal regime
		C810	Gifts and aid
		C820	Free admission
		C830	Investments code
		C840	Diplomatic privilege
		C850	ECOWAS privilege
C100	Normal regime	C851	Local products – ECOWAS
C110	Gifts and aid	C852	Priority industrial products – ECOWAS
C120	Free admission	C853	Non-priority industrial products – ECOWAS
C130	Investments code	C854	Community industry products – ECOWAS
C140	Diplomatic privilege	C855	Artisanal products – ECOWAS
C150	ECOWAS preference	C860	CEAO preference
* C151	Local products – ECOWAS	C861	Local products CEAO
C152	Priority industrial products – ECOWAS	C863	Non-TCR industrial products – CEAO
C153	Non-priority industrial products – ECOWAS	C864	Products of plurinational enterprises – CEAO
C154	Community industry products – ECOWAS	C865	Artisanal products – CEAO
C155	Artisanal products – ECOWAS	C870	Other preferential regimes
C160	CEAO preference	C871	MRU
C161	Local products – CEAO	C872	EEC
C162	TCR – CEAO	C873	Bilateral preferential regimes
C163	Non-TCR industrial products – CEAO	C879	Others
C164	Products of plurinational enterprises – CEAO		
C165	Artisanal products – CEAO	S3 –	Warehousing of non-petroleum products
C170	Other preferential regimes	S300	Direct entry into private warehouse
C171	MRU		

S310	Direct entry into official warehouse	E940	Exportation to other countries upon leaving free trade zone
S320	Direct entry into industrial warehouse	E950	Exportation to an ECOWAS Member State upon leaving industrial free zone
S4	— Warehousing or entry into customs-bonded manufacturing plants of petroleum products.	E960	Exportation to other countries upon leaving industrial free zone
S400	Direct entry into private warehouse	R3	— Re-exportation of non-petroleum products upon leaving warehouse
S420	Direct entry into industrial warehouse	R300	Upon leaving private warehouse
S430	Direct importation into customs-bonded manufacturing plant	R310	Upon leaving official warehouse
S5	— Temporary admission	R320	Upon leaving industrial warehouse
S500	Normal regime	R380	For supplies.
S6	— Temporary importation	R4	— Re-exportation of petroleum products upon leaving warehouse
S600	Normal regime	R400	Upon leaving private warehouse
S9	— Other suspensive regimes	R420	Upon leaving industrial warehouse
S900	Entry into free trade zone	R450	Upon leaving customs bonded manufacturing plant
S950	Entry into free industrial zone	R480	For supplies

ANNEX HB: LIST OF CUSTOMS REGIMES CORRESPONDING TO THE CONCEPT SET OUT IN ARTICLE 2 PARAGRAPH 3b

E1	— Single exit exportation of non-petroleum products	R5	Re-exportation after temporary admission
E100	Normal regime not including supplies	R500	Normal regime
E180	Supplies	R6	— Re-exportation after temporary importation
E2	— Single exit exportation of petroleum products	R600	Normal regime
E200	Normal regime, not including supplies	R7	— Re-exportation following home use (nationalised products)
E280	Supplies	R700	Normal regime
E3	— Exportation of non-petroleum products upon leaving warehouse	R9	Other cases of reexportation
E300	Upon leaving customs warehouse, not including supplies	R930	Reexportation to an ECOWAS Member State, upon leaving free trade zone
E305	Upon leaving industrial warehouse, not including supplies	R940	Reexportation to an ECOWAS Member State upon leaving industrial free zone
E380	Upon leaving customs warehouse, including supplies	R960	Reexportation to other countries upon leaving industrial free zone.
E385	Upon leaving industrial warehouse or customs bonded manufacturing plant, including supplies	ANNEX III: LIST OF EXCEPTIONS TO ARTICLE 2 PARAGRAPH 4	
E4	— Exportation of petroleum products upon leaving warehouse	The following are excluded from the preparation of statistics.	
E400	Upon leaving customs warehouse, not including supplies	(a)	Means of payment which are legal tender (bank notes and coins) and valuables (securities)
E405	Upon leaving industrial warehouse, not including supplies	(b)	Gold and silver coins
E480	Upon leaving customs warehouse, including supplies	(c)	Effects and objects other than vehicles meant for the personal use of members of the diplomatic corps and of foreign nationals on mission, on condition that they are not on temporary admission or importation.
E485	Upon leaving industrial warehouse or customs bonded manufacturing plant, including supplies	(d)	On temporary importation or exportation or other
E8	— Temporary exportation		— stage props
E800	Temporary exportation for processing		— merry-go-rounds and other fairground equipment
E810	Temporary exportation for repairs		— cinema films
E840	Temporary exportation for other purposes		— equipment and materials for experiment
E9	— Other types of exportation		
E930	Exportation to ECOWAS Member States upon leaving free trade zone		

- professional equipment as defined in the International Customs Convention of 8 June 1968
 - competition and racing animals
 - commercial samples
 - vehicles, containers and accessories for transportation
 - items for examination or analysis
- (e) When not used for commercial transactions
- honorary orders, distinctions, prizes, medals and mementoes
 - travel equipment, provisions and objects including such sporting articles for personal use or consumption as are accompanied, forwarded or non accompanied
 - bridal trousseaux, home furnishings or inherited objects
 - coffins, cinerary urns, funeral decorations and objects for tending graves and monuments
 - printed advertisements, directions for use, current price lists and other advertising articles
 - ballast
 - photographs, recorded and developed films, drafts, drawings, copies of plans, manuscripts, files, administrative print-outs, printing records and proofs as well as media recording data for use in international exchanges of information
- (f) Items undergoing tests
- (g) Goods leaving a given statistical territory and returning thereto after directly or indirectly crossing foreign territory owing to stop-overs imposed by the means of transportation
- (h) Goods meant for the armed forces of a Member State stationed outside their national statistical territory and goods re-imported by the armed forces of the State
- (i) Goods acquired or sold within the statistical territory of a Member State by the non-national armed forces stationed there.
- These exemptions should be listed on customs declarations under customs, statistical and fiscal regimes 000.

C/DEC.4/6/86 DECISION ESTABLISHING PROCEDURE FOR CENTRALISATION OF INFORMATION AND DATA CONTROL FOR THE PURPOSE OF ASSESSING LOSS OF REVENUE SUFFERED BY ECOWAS MEMBER STATES AS A RESULT OF THE IMPLEMENTATION OF THE INTRA-COMMUNITY TRADE LIBERALISATION PROGRAMME.

THE COUNCIL OF MINISTERS,

- MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and determining its composition and functions,
- MINDFUL of Articles 12, 13, 14, 15, 23 and 25 of the said Treaty on trade regimes,
- MINDFUL of Decision A/DEC.18/5/80 of 28th May 1980 of the Authority of Heads of State and Government relating to the liberalisation of trade in industrial products and the subsequent modifications to the text, and particularly Decision A/DEC.1/5/83 of 30th May, 1983 of the Authority of Heads of State and Government relating to the adoption and implementation of a single trade liberalisation scheme for industrial products originating from Member States of the Community,
- MINDFUL of Decision A/DEC.19/5/80 of 28th May, 1980 of the Authority of Heads of State and Government relating to the application of compensation procedures for loss of revenue suffered by ECOWAS Member States as a result of intra-Community trade liberalisation.
- MINDFUL of Decision C/DEC.3/5/80 of 25th May, 1980 of the Council of Ministers relating to the proof and the verification of the Community origin of products, and procedures relating to the movement of goods within the Community.
- MINDFUL of Decision C/DEC.3/11/82 of 17th

November 1982 of the Council of Ministers relating to the coding of ECOWAS customs, statistical and tax regimes.

- MINDFUL of Decision C/DEC.2/6/86 of 30th June, 1986 of the Council of Ministers relating to the establishment of ECOWAS Community Computer Centre for the automatic processing of the customs, statistical economic and financial data of Member States and the assessment of compensation for revenue loss suffered by the said States as a result of intra-Community trade liberalisation.

- On the RECOMMENDATION of the Trade, Customs, Immigration, Monetary and Payments Commission at its meeting of 25th to 31st March 1986 in Lagos.

DECIDES

Article 1

The provisions of the text attached to this Decision relating to the Rules and Regulations governing Procedures for the centralisation of information and data control for the purpose of assessing loss of revenue suffered by Member States as a result of the application of the intra-Community trade liberalisation programmes, are hereby adopted for ECOWAS.

Article 2

Member States shall, at national level, adopt all necessary measures with a view to diligently implementing the said Rules and Regulations and shall forward to the Executive Secretariat the relevant statutory instruments.

Article 3

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman

**ECONOMIC COMMUNITY OF WEST
AFRICAN STATES**

**RULES AND REGULATIONS ON PROCEDURE
FOR THE CENTRALISATION OF INFORMATION,
AND DATA CONTROL FOR THE PURPOSE OF
ASSESSING LOSS OF REVENUE SUFFERED BY
ECOWAS MEMBER STATES AS A RESULT OF
THE IMPLEMENTATION OF THE INTRA-COM-
MUNITY TRADE LIBERALISATION PROGRAM-
ME**

FOREWORD

The present Rules and Regulations are within the framework of the automatic processing of customs and statistical data relating to the external trade of ECOWAS Member States by the Community Computer Centre.

1. In application of the provisions of Article 23 of the ECOWAS Treaty demanding that Member States take all necessary measures for the harmonisation of their customs regulations and formalities.

2. In conformity with the provisions of the following Decisions:

- Decision A/DEC.19/5/80 of 28th May, 1980, of the Authority of Heads of State and Government relating to the application of compensation procedures for loss of revenue suffered by Member States as a result of intra-Community trade liberalisation.
- Decision C/DEC.7/11/79 of the Council of Ministers relating to the programme on trade liberalisation, cooperation and related problems;
- Decision C/DEC.3/11/82 of 17th November 1982, of the Council of Ministers relating to the Rules and Regulations on the coding of ECOWAS customs, statistical and tax regimes.

The Rules and Regulations on the coding of customs, statistical and tax regimes which are the subject of Decision C/DEC.3/11/82 of 17th November, quoted above, having set certain compulsory norms for the collection of information concerning the Community, which will make it possible to assess the loss of revenue to be compensated and draw up statistics on external trade, it has been found necessary to complete its text with the present Rules and Regulations which aim at determining and establishing a homogeneous and uniform procedure applicable throughout the Community to facilitate the centralisation of information, the verification of basic data and the assessment of loss of revenue to be compensated, suffered by Member States as a result of the implementation of the intra-Community trade liberalisation programme.

**CHAPTER ONE
GENERAL PROVISIONS: BASIC INFORMATION**

Article 1

Basic information is any information necessary for the assembling of statistical and accounting data base for the assessment of compensations.

Article 2

ECOWAS Member States shall make the basic information necessary for the development of data processing available to the Community Computer Centre.

Article 3

The basic statistics file, known as the ECOWAS file is an abstract of the file on commercial transactions recorded by customs in each Member State. This file, which is compiled monthly, contains the following information for every customs declaration:

- Code of country where goods are cleared
- Code of customs clearance office
- Registration number of declaration
- Date of registration of declaration
- ECOWAS tariff nomenclature
- Country of origin of goods
- Country of destination
- Country from which goods are arriving
- Customs regime
- Nature of transporation
- Nationality of means of transport
- Gross weight
- Net weight
- Quantity or additional units
- Customs value of goods
- Number of duties
- Duties paid (number of entries tallies with number of duties payable on the product concerned)
- Tax code
- Taxable base code
- Tax base
- Tax rate
- Amount received
- Number of taxes

Normal duties payable (number of entries tallies with number of normal taxes payable on the product)

- Tax code
- Taxable base code
- Tax rate
- Tax base
- Amount due

The items of information must be written out for each article declared.

Article 4

1. The monthly ECOWAS files shall be forwarded to the Centre as shall hereafter be specified, together with a check list to be drawn up as specified in Annex 1.

2. Basic information on customs declarations on imports and exports, for intra and extra-Community trade shall also be forwarded to the Centre.

CHAPTER II**WAYS AND MEANS FOR THE CENTRALISATION OF ECOWAS FILES****Article 5**

1. Statistical information shall be transmitted at the end of each month by the Customs Headquarters of each Member State.

2. For Member States equipped with ASYCUDA software information shall be sent through the telecommunications network or recorded on the floppy disc automatically produced by the computer, and accompanied by a check list.

3. For Member States with a different computer system information may be sent by any means (recorded tape, copy of customs declaration, tele-transmission etc) and each case shall be examined for compatibility.

4. The information sent in monthly from Member States of the Community is combined, checked and organised on to data bases in the Centre's Computer.

CHAPTER III**Article 6**

Data processing will be separately analysed. The definition of data processing and organisation will be based on a specific analysis and on detailed organic analysis.

Article 7

The files from the different Member States will be combined, checked, and the resultant information organised on to statistical data bases.

Article 8

The Centre will publish statements of the assessment of financial compensations following the pattern shown in the diagrams annexed to this document, at intervals which will be fixed at a later date by the Executive Secretary.

FINAL PROVISIONS**Article 9**

Any modification to the present Rules and Regulations at the request of either a Member State or the Executive Secretariat, must be examined by the Trade, Customs, Immigration, Monetary and Payments Commission to ensure overall harmonisation within the Community.

CENTRALISATION, CHECKING AND PROCESSING OF ECOWAS FILES**ECOWAS MEMBER STATES**

1. Assembly of a monthly ECOWAS file
2. Publication of a check list (Annex 1)

Ex-Telecommunications
Network

- 3 Forwarding of magnetic
disc file

Via Telecommunications
Network

- 3 Forwarding of check list
- 4 Network transmission:
 - data ECOWAS File
 - Check list file

COMMUNITY COMPUTER CENTRE

Combination of files

Data checking

Up-dating of ECOWAS statistical data base

Data processing

Publication of results

 check list
according to
countries
Statements of
gross lossStatement of
consolidated
lossAssessment of
contributions

ANNEX I

ECOWAS FILE CHECK LIST

INFORMATION CHECK LIST

Country.....

Month.....19.....

OFFICE (1)	REGIME (2)	DEC.No. (3)	ORIGIN (4)	NOMEN (5)	VALUE (6)	TOTAL DUTIES PAID (7)	NORMAL DUTIES PAID (8)
xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx

TOTAL VALUE

TOTAL DUTIES PAID

TOTAL NORMAL DUTIES

ESTIMATE OF GROSS REVENUE LOSS

DATE:

SIGNATURE

-
- (1) Customs clearance office code
 - (2) Customs regime applied
 - (3) Customs declaration number
 - (4) Origin of goods
 - (5) ECOWAS tariff nomenclature
 - (6) Customs value
 - (7) Total duties paid on goods
 - (8) Total normal duties due

ANNEX II



OVERALL GROSS REVENUE LOSS

FROM.....TO.....19.....

BURKINA FASO: CAPE VERDE /	TOGO	:	TOTAL
BURKINAFASO: /	/		
CAPE VERDE: /	/		
GUINEA: /	/		
GUINEA BISSAU: /	/		

TOGO: /	/		
TOTAL: /	/		

- NOTE:
- Overall gross revenue loss is expressed in thousand of WAUA
 - The statement may also be published according to products and groups of product using ECOWAS nomenclature
 - The horizontal total shows the gross revenue loss suffered by one Member State vis-a-vis the other Member State of the Community
 - The vertical shows the gross revenue loss suffered by all Member States vis-a-vis the Member State named.

ANNEX III

STATEMENT OF CONSOLIDATED COMPENSATIONSSTATEMENT OF CONSOLIDATED COMPENSATIONS

COUNTRY..... DATE.....19.....

PRODUCT (1)	GROSS LOSS (2)	OTHER COUNTRY (3)	INDIVIDUAL REVENUE LOSSES (4)	NET LOSS (5)
	BENIN	+
		BURKINA FASO	-
		CAPE VERDE	+
		GUINEA	-
		GUINEA B.	+
SUB-TOTAL			+
GRAND TOTAL			+

- (1) the statement of consolidated compensations may be published according to single products ECOWAS nomenclature, groups of product, (NCD) or all products.
- (2) Gross revenue loss suffered vis-a-vis other Member States of the Community
- (3) * Name of other country
- (4) Individual Revenue losses are the gross amount of losses suffered by each Member State vis-a-vis the Member State named.
- (5) Net loss = gross loss = individual losses.

C/DEC.5/8/86 DECISION ON THE ADOPTION OF THE ARCHITECTURAL DESIGN FOR THE CONSTRUCTION OF THE HEADQUARTERS OF THE EXECUTIVE SECRETARIAT

Abuja from 25 to 26 June 1986;

DECIDES

THE COUNCIL OF MINISTERS:

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING Decision A/DEC.17/5/82 of 29 May, 1982 of the Authority of Heads of State and Government setting up an Ad Hoc Ministerial Committee to monitor activities relating to the construction of the Headquarters of the Community's Institutions;

CONSIDERING Decision C/DEC.6/11/82 of 17 November, 1982 of the Council of Ministers on the procedure for the construction of the Headquarters of the Community's Institutions;

CONSIDERING the recommendation of the Ad Hoc Ministerial Committee at its meeting held in

Article 1

The Architectural design presented is hereby adopted with the revised estimated cost of FCFA 6.7 billion (excluding fees and other charges). Nigeria undertakes to make up the difference between the FCFA 5 billion ceiling fixed by ECOWAS and the revised cost of FCFA 6.7 billion (excluding fees and other charges).

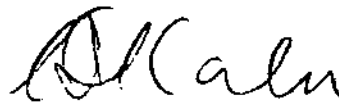
Article 2.

The Architect's fees and other charges which will be calculated on the basis of FCFA 5 billion, be borne by the Fund the same conditions being applicable for both the Fund and Executive Secretariat Headquarters.

Article 3.

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman

C/DEC.6/6/86 DECISION ON THE ADOPTION OF A PROPOSED WORK PROGRAMME FOR THE CONSTRUCTION OF THE HEADQUARTERS OF THE EXECUTIVE SECRETARIAT

THE COUNCIL OF MINISTERS:

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

CONSIDERING Decision A/DEC.17/5/82 of 29 May, 1982 of the Authority of Heads of State and Government setting up an Ad Hoc Ministerial Committee to monitor activities relating to the construction of the Headquarters of the Community's Institutions;

CONSIDERING Decision C/DEC.6/11/82 of 17 November, 1982 of the Council of Ministers on the procedure for the construction of the Headquarters of the Community's Institutions;

CONSIDERING the recommendation of the Ad Hoc Ministerial Committee at its meeting held in Abuja from 25 to 26 June 1986;

DECIDES

Article 1

To approve that the following programme of work be adopted in the construction of the Headquarters of the Executive Secretariat:-

- (1) Signing of the architectural contract, after vetting of the architect's specialist consultants – 1st to 31st July, 1986;
- (2) Commencement of sub-soil investigations – 15th July, 1986;
- (3) Invitation to tender in order to select the Project Management Consultants/Control Bu-

reau and quantity surveyors – 15th July to 15th September, 1986:

- Advertisement of invitation to tender: from 15 – 30th July 1986
- Submission of tenders: 30 August 1986
- Opening and evaluation of tenders : from 1 to 15 September 1986.

(4) Preparation of tender documents by the architects and submission to the Executive Secretary by 31st January, 1987.

- Approval by the competent authorities between 1st and 10th February, 1987.

(5) – Advertisement for pre-qualification of contractors – 15th July, 1986,

- closing date – 15th August, 1986;

- submission of bids – on or before 30th November, 1986;

- selection of pre-qualified contractors – 1st to 10th December, 1986;

(6) Invitation to tender – 15th February, 1987,

(7) Submission of tenders – on or before 15th May, 1987;

(8) Opening and evaluation of tenders – commences on 16th May, 1987.

Article 2

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman

C/DEC.7/6/86 DECISION RELATING TO THE APPOINTMENT OF MR. BOUBACAR DELA AS THE FINANCIAL CONTROLLER OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES.

THE COUNCIL OF MINISTERS,

MINDFUL of Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 8 of the said Treaty on the appointment of Statutory Officers;

MINDFUL of Decision A/DEC.5/11/84 of the Authority of Heads of State and Government dated 23 November 1984 on the distribution of Statutory posts which allocated the post of Financial Controller to the Republic of Niger;

CONSIDERING that the Government of the Republic of Niger nominated Mr. Boubacar DELA

for the post of Financial Controller of the Community;

MINDFUL of the letter of the current Chairman of the ECOWAS Council of Ministers dated 12 March 1986 on the appointment of Mr. Boubacar DELA as Financial Controller of the Community;

DECIDES

Article 1

Mr. Boubacar DELA is hereby appointed Financial Controller of the Economic Community of West African States from 14th December 1985.

Article 2

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each Member State.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman

3 RESOLUTION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

RESOLUTION A/RES.1/7/86 RELATING TO SUPPORT FOR THE WEST AFRICAN RICE DEVELOPMENT ASSOCIATION

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

MINDFUL of Article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

BEARING IN MIND the top priority the Community cooperation programme accords increased food production so as to achieve the sub-regional objectives of food self-sufficiency and food security;

CONSCIOUS of the vital role that agricultural research can play in increasing food production and productivity;

RECALLING the deep concern about the deteriorating food situation in West Africa that led to the establishment in September 1970 of the West African Rice Development Association (WARDA) as a collective self-reliance effort to address common problems in rice production.

CONSIDERING the serious financial crisis the Association has been facing as a result of the non-payment or delay in the payment of contributions by member countries;

CONSIDERING the need for the Association to fully and effectively implement its integrated Research Development and Training Programme so

it can help its Member States achieve sustainable increases in rice production.

CONCERNED about the debilitating effects which uncertainties in Member States' funding of the Association can have on its management and operations;

CONVINCED that the Association has the potential and the capability to carry out meaningful and productive rice research development and training activities;

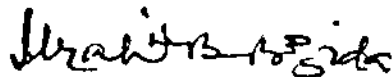
RECOGNISING the positive and constructive role that the donor community continues to play in the implementation of the Association's programmes of activities;

HEREBY RESOLVES TO:

- RENEW its commitment to the continuation of the regional collaborative effort in rice research and to maintain WARDA as a regional cooperation institution.
- URGE all WARDA member countries to pay their out-standing and current contributions as a matter of priority, to ensure the survival of the Association.
- EXPRESS its sincere gratitude to all WARDA donors and APPEAL to them to maintain their support of the Association.
- CALL UPON the Governing Council of the Association to reflect urgently on the current situation of the Association and to adopt any measures it considers necessary to enhance the operational efficiency of the Association.

DONE AT ABUJA, THIS 1ST DAY OF JULY 1986

FOR THE AUTHORITY



H.E. MAJOR-GENERAL IBRAHIM
BADAMASI BABANGIDA
CHAIRMAN

4. DIRECTIVE OF THE COUNCIL OF MINISTERS**C/DIR.1/6/86 DIRECTIVE RELATING TO THE IMPROVEMENT OF AERONAUTICAL TELECOMMUNICATION AND RADIO NAVIGATIONAL AIDS****THE COUNCIL OF MINISTERS**

MINDFUL of Article 6 of the ECOWAS Treaty, establishing the Council of Ministers and defining its composition and functions.

HAVING considered the Report of the Transport, Communications and Energy Commission of its Meeting held in Lome October 1985,

CONSIDERING that the international aeronautic community is increasingly concerned with the state of telecommunication links in the sub-region;

TAKING note of the increase in air traffic in Africa as revealed in the study conducted by ICAO on *aeronautical telecommunications in Africa*, and particularly in the West African Sub-region;

RECALLING the relevant resolutions and recommendations of the ICAO and ITU

HAVING noted that, in the field of Radio navigational Aids, the microwave landing system (MLS) will replace the ILS (Instrument landing system) from 1st January 1988;

NOTING further that experts from African States, under the auspices of ICAO, are undertaking the planning of the Aeronautical Fixed Service (AFS) for the AFI Region, integrated in a world wide plan and based on next concepts:

AWARE that transition programmes, as broad guidelines for an implementation process to change the current plan into the new one are to be worked out in 1986;

HEREBY DIRECTS

The Executive Secretariat in collaboration with the ECOWAS Fund for Cooperation, Compensation and Development to finalise the study on the improvement of aeronautical telecommunications and provide assistance to aeronautical navigation in the sub-region in collaboration with **ASECNA** and to submit to the decision-making bodies a detailed technical report to help mobilise the necessary financing.

DONE AT ABUJA, 30TH JUNE 1986
FOR THE COUNCIL OF MINISTERS



HON. DR. KALU I. KALU
Chairman