



Official Journal

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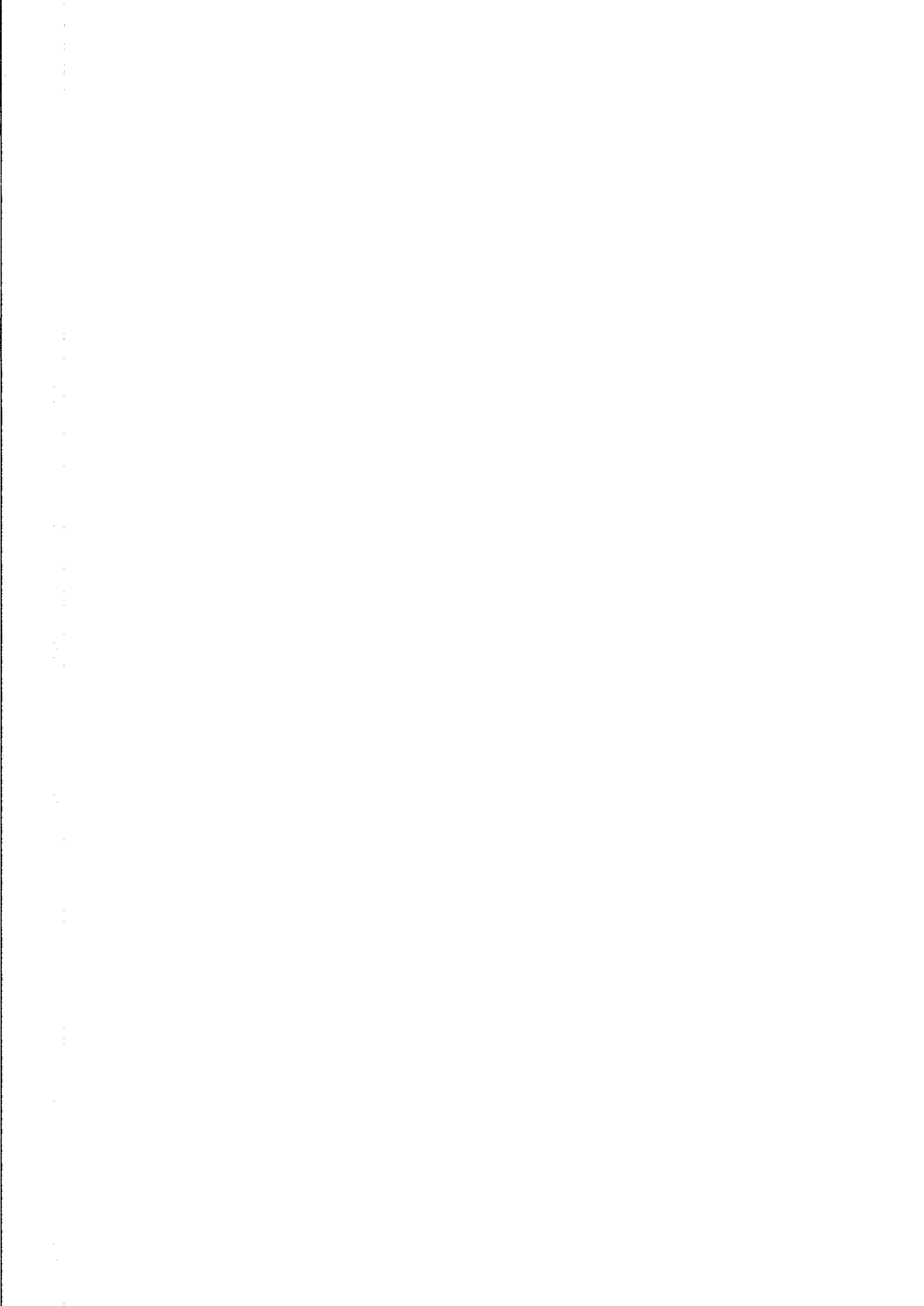
English Edition

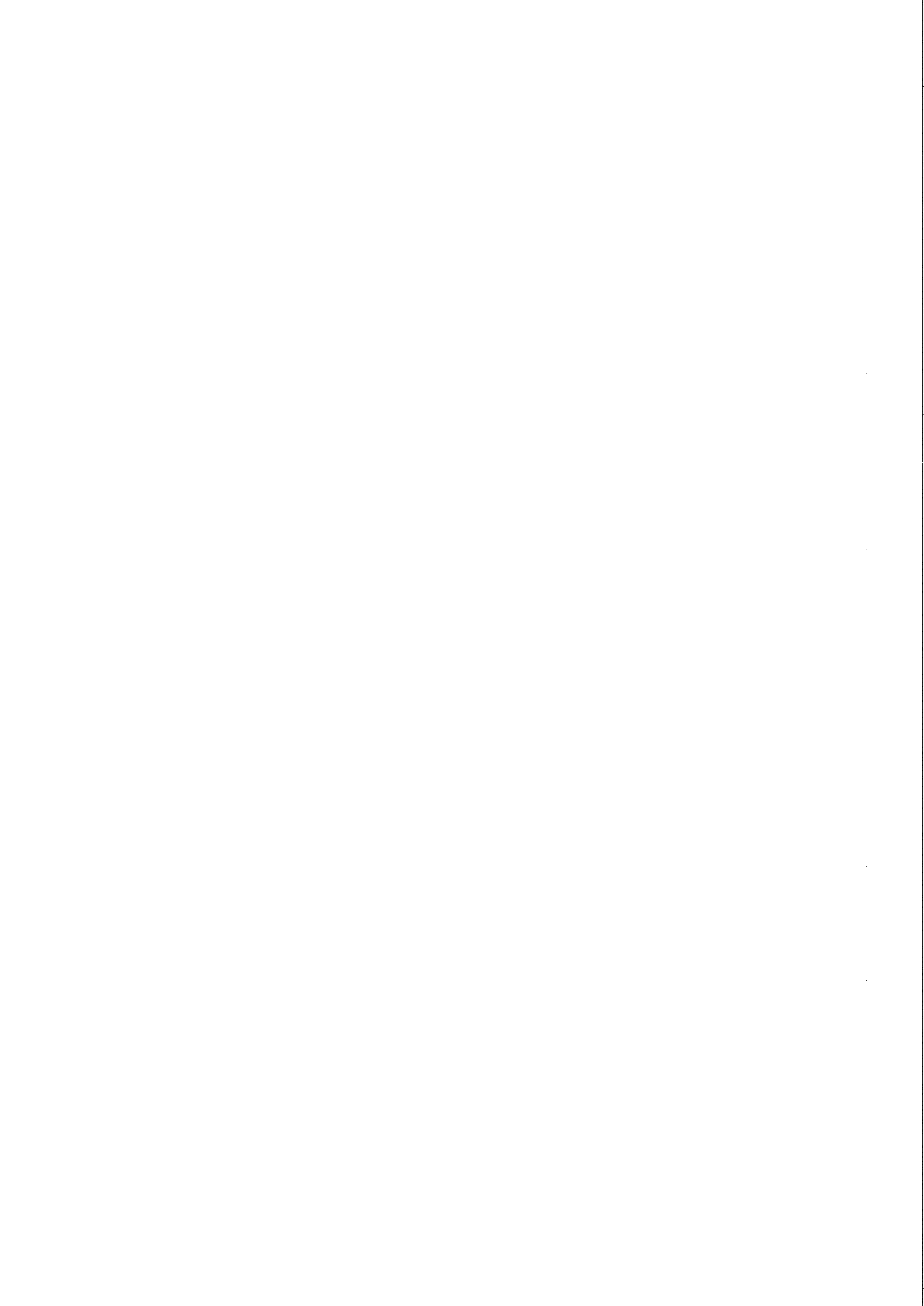
December 2007 / January 2008

• THIRTY-THIRD ORDINARY SESSION OF THE
AUTHORITY OF HEADS OF STATE AND GOVERNMENT
18TH JANUARY 2008, OUAGADOUGOU, BURKINA FASO

• FIFTY-NINTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS
14TH - 15TH DECEMBER 2007, OUAGADOUGOU, BURKINA FASO

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**SUPPLEMENTARY ACT A/SA.1/01/08
ALLOCATING THREE (3) POSTS OF JUDGE OF
THE COMMUNITY COURT OF JUSTICE TO
MEMBER STATES**

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Articles 6 and 15 of the said ECOWAS Treaty establishing the Community Court of Justice as an institution of the Community;

MINDFUL of Protocol A/P1/7/91 defining the status, composition, powers, procedures and other issues concerning the Community Court of Justice;

MINDFUL of Article 3 of the said Protocol relating to the composition of the Court and the appointment of judges;

MINDFUL of Article 4(1) of the Court's Protocol defining, among other things, the tenure of the judges, its renewal on the basis of eligibility for another period of five (5) years;

MINDFUL of Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice and which provides for a non-renewable four (4) year tenure for Judges of the Court;

MINDFUL of Decision A/DEC. 4/12/03 renewing the tenure of three (3) judges of the Community Court of Justice;

MINDFUL of Decision A/DEC. 02/06/06 establishing a Community Judicial Council;

CONSIDERING that the second tenure of three (3) judges of the Community Court of Justice expires on 29 January 2009;

RECALLING that the judges are now appointed on a competitive basis under the management of the Community Judicial Council, which, after interviewing candidates from countries to which the posts have been allocated, makes recommendations to the Authority of Heads of State and Government to appoint the judges;

CONSIDERING the need to commence henceforth, the procedure for appointing judges to replace the three (3) judges whose tenures expire on 29 January 2009, in order to avoid a vacuum and to ensure continuity in the functioning of the Community Court of Justice with all its judges;

WISHING, in this context, to allocate three (3) posts of judge of the Community Court of Justice to Member States;

AGREE AS FOLLOWS:

Article 1

A post of judge of the Community Court of Justice is hereby allocated to each of the following Member States:

- Republic of Benin
- Republic of Cape Verde
- Republic of Cote d'Ivoire

Article 2

The post of judge is allocated to each of the Member States referred to in Article 1 of this Supplementary Act for a non-renewable period of four (4) years with effect from the date of assumption of duty of each person appointed to this post.

Article 3

The judges that will fill the three posts of judge as allocated to the Member States referred to in Article 1 shall be selected from among candidates of these States and appointed in accordance with the procedures set out by the Decision establishing the Community Judicial Council and by the Rules of Procedure of the said Council.

Article 4

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

Article 5

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory

Member States and the ECOWAS Institutions undertake to start the implementation of its provisions upon its entry into force.

2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.

Article 6

This Supplementary Act shall be deposited with the Commission, which shall transmit certified true copies of this Act to all Member States and shall register this Act with the African Union, the United Nations Organization and such other organizations as Council may determine.

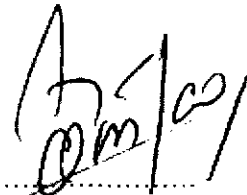
IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE AT OUAGADOUGOU, THIS 18TH DAY OF JANUARY, 2008

IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL THE THREE (3) TEXTS BEING EQUALLY AUTHENTIC.



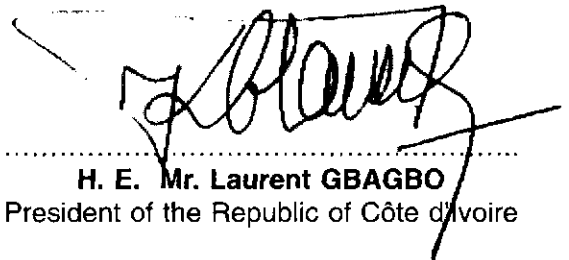
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H. E. Mr. Pascal I. KOUPAKI
 Minister in charge of Development
 and Research for and on behalf of the
 President of the Republic of **BENIN**



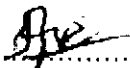
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H.E. Mr. Blaise COMPAORE
 President of **FASO**, Chairman of
 Council of Ministers



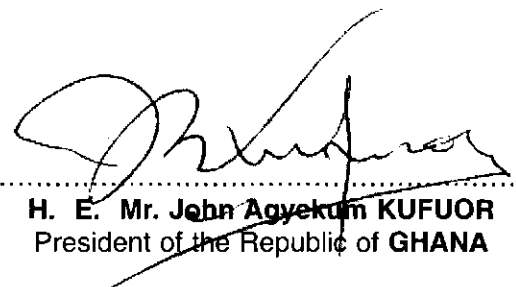
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H. E. Mr. Jose BRITO
 Minister of Economic Growth and
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 of the Republic of **CAPE VERDE**



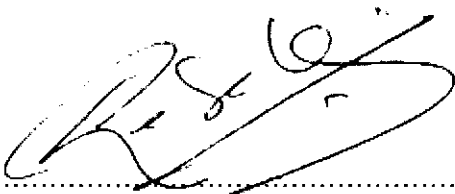
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H. E. Mr. Laurent GBAGBO
 President of the Republic of Côte d'Ivoire



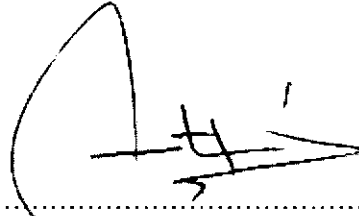
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H. E. Mme Aja Isatou NJIE-SAIDY
 Vice President of the Republic of the
 The Gambia for and on behalf of
 the President of the Republic of
THE GAMBIA



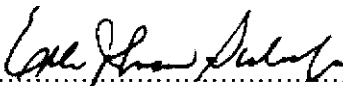
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H. E. Mr. John Agyekum KUFUOR
 President of the Republic of **GHANA**



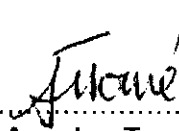
H. E. Me Abdoul Kabèlè CAMARA
Minister of Foreign Affairs, Cooperation,
Integration in Africa and Guineans in the
Diaspora for and on behalf of the President
of the Republic of **GUINEA**



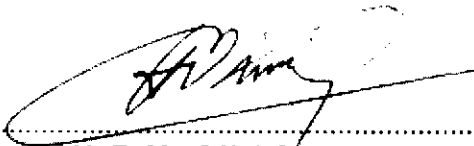
H.E. Mr. Martinho DAFA KABI
Prime Minister of the Republic
of **GUINEA BISSAU**



H. E. Mme Ellen JOHNSON-SIRLEAF
President of the Republic of **LIBERIA**



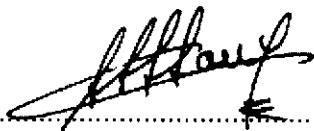
H. E. Mr. Amadou Toumani TOURE
President of the Republic of **MALI**




H. E. Mr. Séini OUMAROU
Prime Minister of the Republic of Niger
for and on behalf of the President
of the Republic of **NIGER**



H. E. Dr. Goodluck Ebele JONATHAN
Vice President of the Federal Republic
of Nigeria for and on behalf of the
President and Commander-in-Chief
of the Armed Forces of the Federal
Republic of **NIGERIA**



H. E. Mr. Abdou Aziz SOW
Presidential Adviser in charge of NEPAD
for and on behalf of the President of the
Republic of **SENEGAL**



H. E Mr. Ernest Bai KOROMA
President of the Republic of
SIERRA LEONE



E. Mr. Komla MALY
Prime Minister of the Republic of Togo
for and on behalf of the President of
the **TOGOLESE** Republic

**SUPPLEMENTARY ACT A/SA.2/01/08
ESTABLISHING THE ECOWAS REGIONAL
ELECTRICITY REGULATORY AUTHORITY**

THE HIGH CONTRACTING PARTIES,

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

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

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

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government relating to the energy policy of ECOWAS;

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

MINDFUL of Decision A/DEC. 6/01/05 of the Authority of Heads of State and Government of 19 January 2005 relating to the development of a regional regulatory framework for the power sector within ECOWAS as a prelude to the establishment of a Regional Regulatory Body;

CONSIDERING that the Supplementary Act relating to the regional regulation of ECOWAS Electricity sector seeks to institute a Regulatory Authority for the West African Electricity Sector in order to foster open and transparent cross-border electricity exchanges within the ECOWAS sub-region, to ensure improved efficiency of power supply in

ECOWAS Member States and increased access to energy for its citizens;

DESIROUS to endow the Community with a mechanism for cooperation between National Regulatory Authorities and to this end, to establish a Regional Electricity Regulatory Authority with a view to entrenching best practices in contractual trans-boundary power transactions;

AGREE AS FOLLOWS:

Article 1: Establishment and denomination

A regional structure charged with regulating cross border electricity exchanges between ECOWAS member States and designated as the "ECOWAS Regional Electricity Regulatory Authority (ERERA)" is hereby established.

Article 2:

1. The ERERA shall be a Specialised Institution of ECOWAS and shall have the status of a legal entity, the independence and the autonomy necessary for carrying out its missions and exercising the powers granted it by the Regulation relating to its composition, organisation, functions and operation.
2. The ERERA shall, across the entire territory of all ECOWAS member States, have the legal capacity to exercise its functions as provided for by this Supplementary Act.

Article 3: Headquarters

The Authority of Heads of State and Government shall determine the Headquarters of ERERA.

Article 4: Scope of application

1. All signatory States and legal persons governed by public or private law operating in the regional market shall be subject to this Supplementary Act, whether or not their headquarters is located on the territory of one of the Member States.
2. The ERERA shall have jurisdiction over the territory of all ECOWAS member States in their relations in the area of cross-border exchanges of electricity through the power transmission network.

3. The implementation regulations, resolutions, decisions and any other Community Act taken by ERERA within the framework of the execution of the said missions, shall be binding on the territory of all ECOWAS member States.

Article 5: Publication

This Supplementary Act shall be published by the Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Authority. It shall also be published by each Member State in its Official Gazette within the same time frame.

Article 6: Entry into Force

1. This Supplementary Act shall enter into force upon its publication. Consequently, the

signatory Member States and Institutions of ECOWAS pledge to commence the implementation of its provisions immediately upon its entry into force.

2. This Supplementary Act shall be annexed to the ECOWAS Treaty, of which it shall form an integral part.

Article 7: Depository Authority

This Supplementary Act shall be deposited with the Commission, which shall transmit certified copies thereof to all the Member States and shall ensure its registration with the African Union, the United Nations Organisation and any other organisation designated by the Council.

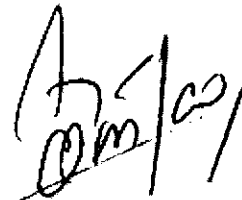
IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT

DONE AT OUAGADOUGOU THIS 18TH DAY OF JANUARY 2008

**IN A SINGLE ORIGINAL, IN ENGLISH, FRENCH AND PORTUGUESE,
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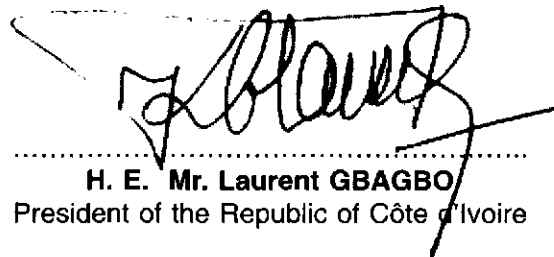
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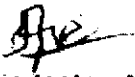
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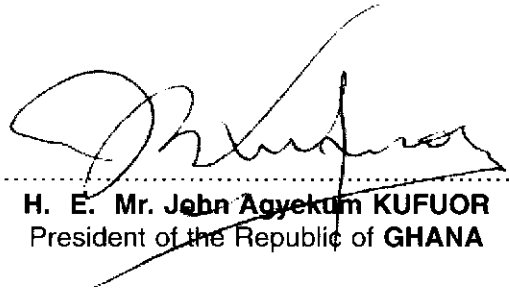
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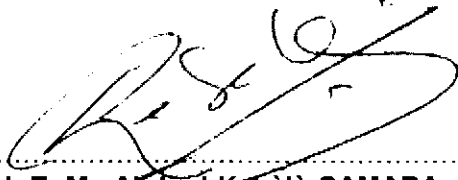
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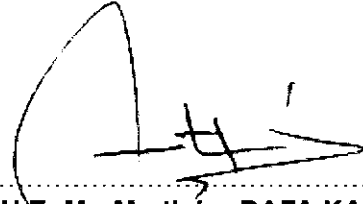
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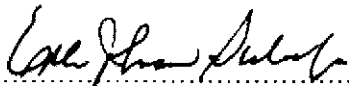
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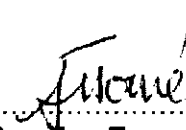
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 Minister of Foreign Affairs, Cooperation,
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 of the Republic of **GUINEA**



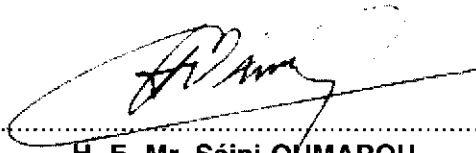
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 Prime Minister of the Republic
 of **GUINEA BISSAU**



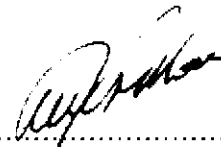
.....
H. E. Mme Ellen JOHNSON-SIRLEAF
 President of the Republic of **LIBERIA**



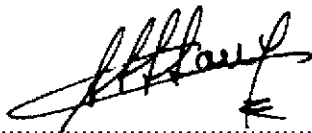
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H. E. Mr. Amadou Toumani TOURE
 President of the Republic of **MALI**



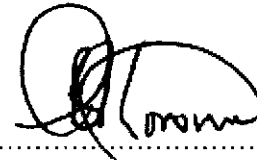
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 Prime Minister of the Republic of Niger
 for and on behalf of the President
 of the Republic of **NIGER**



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 Vice President of the Federal Republic
 of Nigeria for and on behalf of the
 President and Commander-in-Chief
 of the Armed Forces of the Federal
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 Presidential Adviser in charge of NEPAD
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 President of the Republic of
SIERRA LEONE



.....
E. Mr. Komla MALY
 Prime Minister of the Republic of Togo
 for and on behalf of the President of
 the **TOGOLESE** Republic

SUPPLEMENTARY ACT A/SA. 3/01/08 ADOPTING THE WEST AFRICAN POWER POOL (WAPP) TRANSMISSION LINE IMPLEMENTATION STRATEGY

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government on the ECOWAS Energy Policy;

MINDFUL of Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government held in Lome on 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision 18/01/06 of the 29th Session of the Authority of Heads of State and Government held in Niamey on 12 January 2006 relating to the organization and operation of WAPP;

MINDFUL of Decision A/DEC.20/01/06 of the 29th Session of the Authority of Heads of State and Government held in Niamey on 12 January 2006 granting the WAPP General Secretariat the status of specialized ECOWAS institution;

CONSIDERING that the WAPP priority projects constitute an energy trade cooperative mechanism for the integration of national electric power grids in a unified regional electricity market for ensuring, in the medium and long-term, the supply of stable and dependable electric power to West African citizens at affordable rates;

OBSERVING that the energy trade between Ghana, Cote d'Ivoire and Nigeria requires high capacity transmission interconnection from Cote d'Ivoire through Togo/Benin to Nigeria, known as the Coastal Transmission Backbone (CTB);

CONSIDERING that the ECOWAS Revised Master plan for the Generation and Transmission of Electric power adopted at the 28th Session of the Authority of ECOWAS Heads of State and Government held in Accra on 19 January 2005, through Decision /DEC.7/01/05, identified the 330 kV CTB as being indispensable and critical to the development of the WAPP.

NOTING that the WAPP General Secretariat, the Volta River Authority of Ghana (VRA), the Power Holding Company of Nigeria (PHCN), and the Community Electrique du Bénin (CEB) of Togo/Benin intend to undertake a project that will comprise the construction of a 330 kV transmission line from the Volta in Ghana through Mome Hagou in Togo, up to Sakété in Benin, as a component of the CTB to facilitate the energy trade among the Member States of the West Africa sub-region;

AWARE of the need to implement the project in the most favourable conditions, and having regard to the increasing cooperation between electricity companies in the realization of the projects, the VRA, CEB, and PHCN, through a Memorandum of Understanding, agreed to determine the most advantageous ways and means of implementing the 330-kV Volta - Mome - Hagou - Sakete Interconnection Project and, on that basis, agreed to sign Energy Trade Agreements to take advantage of it;

CONSIDERING that the WAPP has undertaken a fast-track study and recommended the implementation of the CTB through a special purpose company in the framework of a public/private partnership

CONSIDERING that the WAPP has received assistance from the Public Private Infrastructure Advisory Facility (PPIAF) to develop a template for WAPP Transmission Line Implementation Strategy comprising Special Purpose Companies in the framework of public/private partnerships;

CONSIDERING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, adopted the concept of implementing WAPP Transmission Line Projects through a special purpose company in the form of public/private partnerships, if necessary, as a WAPP Transmission Line implementation Strategy;

RECALLING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, requested the ECOWAS Energy Ministers meeting to adopt the WAPP Transmission Line Implementation Strategy for submission to the Council of Ministers and subsequent adoption by the Authority of Heads of State and Government;

ON THE RECOMMENDATION of the Fifty-ninth (59th) Session of the ECOWAS Council of Ministers, held in Ouagadougou on 14 and 15 December 2007;

HEREBY AGREE AS FOLLOWS:**ARTICLE 1**

The WAPP Transmission Line Implementation Strategy, as well as the concept of specific purpose company in the form of public/private partnerships with a view to expanding the possibilities of financing these lines, is hereby adopted.

ARTICLE 2

WAPP members shall take all necessary measures to ensure the implementation of the WAPP Transmission Line Implementation Strategy.

ARTICLE 3

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

ARTICLE 4

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS Institutions undertake to start the implementation of its provisions upon its entry into force.
2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.

ARTICLE 5

This Supplementary Act shall be deposited with the Commission, which shall transmit certified true copies of this Act to all Member States and shall register this Act with the African Union; the United Nations Organisation and such other organization as Council may determine.

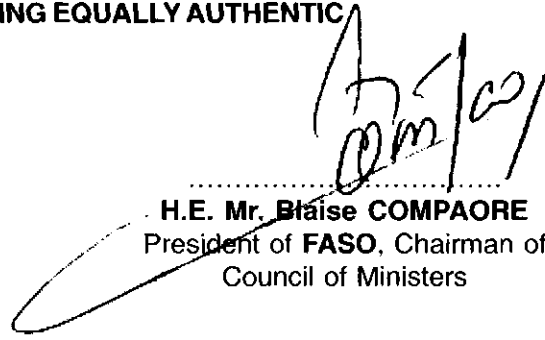
IN WITNESS WHEREOF WE, HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT

DONE AT OUAGADOUGOU, THIS 18TH DAY OF JANUARY 2008


IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, THE THREE TEXTS BEING EQUALLY AUTHENTIC



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H. E. Mr. Pascal I. KOUPAKI
 Minister in charge of Development
 and Research for and on behalf of the
 President of the Republic of **BENIN**



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H. E. Mr. Blaise COMPAORE
 President of **FASO**, Chairman of
 Council of Ministers



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H. E. Mr. Jose BRITO
 Minister of Economic Growth and
 Competitiveness of the Republic
 of Cape Verde for and on behalf
 of the Republic of **CAPE VERDE**



.....
H. E. Mr. Laurent GBAGBO
 President of the Republic of **CÔTE D'IVOIRE**

SUPPLEMENTARY ACT A/SA 4/01/08 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE HIGH CONTRACTING PARTIES;

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government on the ECOWAS Energy Policy

MINDFUL of Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium to long term, assure the citizens of West Africa a stable and reliable electricity supply at affordable costs;

CONSIDERING that all ECOWAS Member States, excluding Côte d'Ivoire, have been experiencing a serious power shortage which recently transformed into a major crisis and engaged the attention of electricity companies and Governments of ECOWAS Member States;

CONSIDERING that the most effective and efficient solutions for addressing the power shortages should be sought within the regional context.

CONSIDERING that, in response to this undesirable situation, the WAPP Executive Board at its ordinary session on 27 April 2007, and the ECOWAS Commission in its correspondence dated 3 May 2007 referenced ECW/INST/EEEOA/CommInf/4/2007 requested the WAPP Secretariat to conduct a study for the formulation of an Emergency Supply Plan from the sub-regional perspective for member utilities;

CONSIDERING that the WAPP Emergency Power Supply Security Plan was presented to and endorsed by the 12th WAPP Donor Coordination Meeting on 23 October 2007 in Abuja, Nigeria;

CONSIDERING that the General Assembly of WAPP, during its Second Session held in Abuja on 26 October, 2007, adopted the WAPP Emergency Power Supply Security Plan (EPSSP) through Decision WAPP/18/DEC.26/10/07 and requested the ECOWAS Ministers of Energy to adopt the WAPP EPSSP and Action Plan with a view to submitting it to the ECOWAS Council of Ministers for endorsement and subsequent submission to the Authority of ECOWAS Heads of State and Government of ECOWAS for adoption;

CONSIDERING that the aforementioned General Assembly of WAPP also recommended accelerated development of the electricity sub-sector in West Africa through, among others, re-structuring of utilities, demand-side management, implementation of cost-reflective tariffs, transfer of best practices among Member Utilities of WAPP, and enhanced capacity-building for the Member Utilities of WAPP;

DESIROUS of seeking an urgent solution to the energy crisis affecting the sub-region;

ON THE RECOMMENDATION of the fifty-ninth (59th) Session of the Council of Ministers, held in Ouagadougou on 14 and 15 December 2007;

AGREE AS FOLLOWS

Article 1

The following WAPP Emergency Power Supply Security Plan (EPSSP) is hereby adopted.

WAPP Emergency Power Supply Security Plan (EPSSP) Action Plan

1. Acquisition of suitable land at locations with access to natural gas for designation as sub-regional Power Parks with "Free Zone Status" and build three (3) power plants as follows:
 - 400MW combined cycle plant at Maria Gleta in Benin
 - 400 MW combined cycle plant at Aboadze in Ghana
 - 150 MW combined cycle plant within OMVS system.

The provisional cost estimate for the proposed power plants are as below:

Provisional Cost Estimate for Power Plants

Item Description	150 MW	400 MW
Combustion Turbine	\$ 29 m	\$ 77 m
Steam Generator	\$ 15 m	\$ 40 m
Steam Turbine	\$ 15 m	\$ 41 m
FeedWater	\$ 13 m	\$ 35 m
Cooling Water	\$ 5 m	\$ 14 m
Electricals	\$ 10 m	\$ 26 m
Instr & Control	\$ 4 m	\$ 12 m
Buildings etc.	\$ 5 m	\$ 14 m
Site Improvements	\$ 5 m	\$ 13 m
Other Off-site Costs	\$ 7 m	\$ 18 m
Total	\$ 108 m	\$ 290 m

2. Acceleration of the implementation of the following projects to provide more Member States with access to regional solutions:

- 330 kV Volta (Ghana) – Mome Hagou (Togo) – Sakété (Benin) Interconnection Line;
- Aboadze-Kumasi-Techiman-Han (Ghana) – Bobo Dioulasso (Burkina Faso) – Sikasso (Mali) – Bamako (Mali) Interconnection Project;
- Laboa (Côte d'Ivoire) – Ferke (Côte d'Ivoire) and Ferke (Côte d'Ivoire) – Sikasso (Mali) – Segou (Mali) Transmission Lines;
- OMVG Interconnection Project (linking The Gambia, Senegal, Guinea Bissau and Guinea)
- 225 kV Bolgatanga (Ghana) – Ouagadougou (Burkina Faso) Interconnection Project;
- 330 kV Birnin Kebbi (Nigeria) – Niamey (Niger) – Bembéréké (Benin) – Ouagadougou (Burkina Faso) Interconnection Project;
- Man (Cote d'Ivoire) – Sannequille (Liberia) – Nzérékore (Guinea) – Buchanan (Liberia) – Monrovia (Liberia) – Bumbuna (Sierra Leone) – Linsan (Guinea) Interconnection Project.

3. Deploy in the interim, whilst the more optimal actions are being pursued, mobile generating capacity running on suitable fuels for the non-interconnected states, including Liberia, Sierra-Leone, Guinea-Bissau, The Gambia and also Guinea, as well as other Member States with acute shortages.
4. Address the other common "cross-cutting" problems of the power sectors including, human resource capacity, tariffs and financial management; power system losses, taxation on energy materials, and, energy efficiency & conservation.

Benefits from Recommended Best Local Alternatives

Member States	Energy Shortfall Assumed (GWh/Yr)	Unit Cost of Production (\$ / kWh)		Savings/Unit (\$ / kWh)	Total Annual Savings (\$/Yr)
		Most Efficient Present Ops Possible	Recommended Best Local Alternative	From Best Local Alternatives	
Gambia	384	0.158	0.117	0.041	15.8
Guinea	486	0.158	0.117	0.041	20.0
Guinea Bissau	127	0.158	0.117	0.041	5.2
Liberia	370	0.158	0.117	0.041	15.2
Sierra Leone	417	0.158	0.117	0.041	17.2

Benefits from Recommended Best Local Alternatives

Member States	Energy Shortfall Assumed (GWh/Yr)	Unit Cost of Production (\$ / kWh)		Savings/Unit (\$ / kWh)	
		Most Efficient Present Ops Possible	Regional Option	From Regional Options	
Benin	237	0.158	0.068	0.049	21.3
Burkina Faso	477	0.174	0.084	0.049	43.0
Ghana	2,642	0.158	0.064	0.053	249.5
Mali	412	0.189	0.084	0.065	43.5
Senegal	573	0.158	0.084	0.033	42.7
Togo	153	0.158	0.064	0.053	14.4

Article 2

WAPP Emergency Power Supply Security Plan (EPSSP) referred to Article 1 of this Supplementary Act shall be implemented by the West African Power Pool (EPSSP).

Article 3

1. To attain the objectives of the WAPP Emergency Power Supply Security Plan (EPSSP), the West African Power Pool shall implement an action plan which, when implemented, will bring economy-wide benefits by providing a platform for curbing economic stagnation caused by energy shortages and for poverty reduction, economic growth and development.
2. The action plan referred to in paragraph 1 of this article is as follows:

a. Short-term mitigation measures

- i. For the non-interconnected ECOWAS Member States, arrangements shall be made with interested financial institutions to lease in accordance with the needs of member utilities, a fleet of mobile generation plants of about 1-5 MW each. The plants shall be suitable for quick deployment and be complete with associated controls, fuel tanks, transformers and switch gear.
- ii. Guarantees for capacity payments may be provided to the leasing companies by multilateral agencies based on unutilized funds already allocated to the

power sector of the respective Member States.

- iii. Promotion of demand-side management activities within ECOWAS Member States.

b. Optimum strategic actions

- i. Obtain concessions for "Power Parks": WAPP shall approach host governments to secure land and free zone status for power parks at target locations.
- ii. Appointment of partners: WAPP and member utilities shall identify and appoint strategic partners to lead the implementation of the identified facility as a public-private partnership.
- iii. Creation of separate special-purpose companies (SPC) to own different plants: SPC shall also be jointly owned by interested WAPP member utilities. The proposed steps to accomplish this action are: i) signature of agreements (MOU) with strategic partners identified; ii) members shall agree terms of joint ownership, and iii) one SPC shall be formed for each facility.
- iv. Securing funding: 20% of SPC's equity and 80% debt by strategic partners: The participating utilities may arrange their equity contribution possibly from multilateral sources through their governments. The strategic partners shall mobilise financial resources from the international market with SPC assistance.

- v. Construction of plants: Strategic partners shall appoint an EPC contractor (with SPC consent) to design, build and commission. Ownership shall be transferred to the SPC after completion.
- vi. Operation of plants: The SPC shall appoint a contractor or contractors to operate, maintain and manage the facility. The SPC shall administer power off-take and payment arrangements and meet debt service obligations.
- vii. Acceleration of the rehabilitation of Kainji, Jebba and Mt. Coffee dams, and completion of Bumbuna dam.

Article 4

ECOWAS Member States shall take all necessary measures to ensure the effective implementation of the emergency plan as adopted by this Supplementary Act.

Article 5

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

Article 6

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS institutions undertake to start implementing its provisions upon its entry into force.
2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.


Article 7

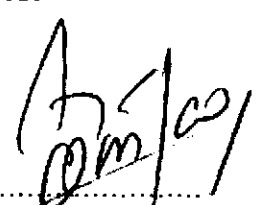
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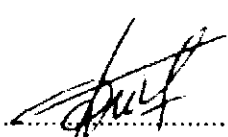
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HAVE SIGNED THIS SUPPLEMENTARY ACT.**

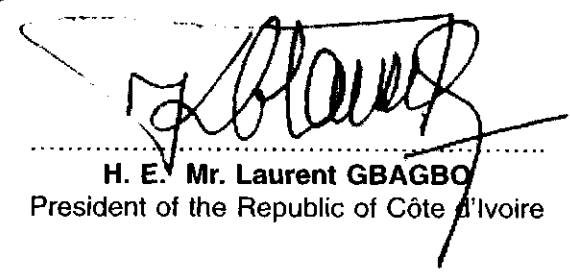
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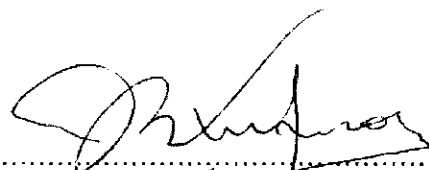

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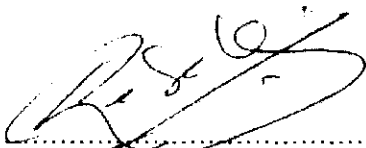

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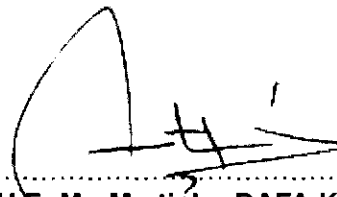
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President of the Republic of **GHANA**



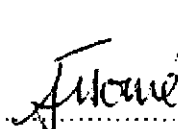
H. E. Me Abdoul Kabèlè CAMARA
Minister of Foreign Affairs, Cooperation,
Integration in Africa and Guineans in the
Diaspora for and on behalf of the President
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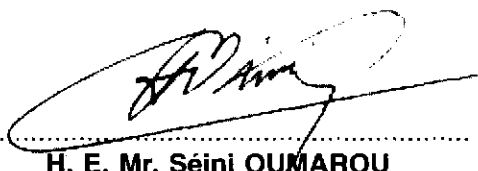
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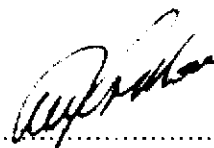
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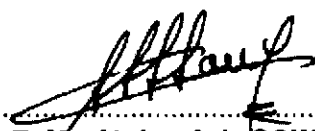
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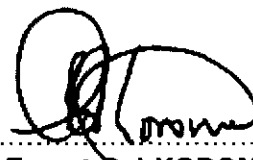
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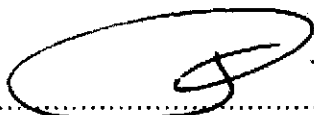
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Prime Minister of the Republic of Togo
for and on behalf of the President of
the **TOGOLESE** Republic

SUPPLEMENTARY ACT A/SA.5/01/08 AMENDING ARTICLES 19, NEW PARAGRAPH 3, AND 89 OF THE ECOWAS TREATY

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Article 90 of the ECOWAS Treaty relating to the amendment and revision of the Revised Treaty of the Economic Community of West African States;

MINDFUL of Protocol AP 1/12/01 amending Articles 1, 3, 6 and 21 of the Revised Treaty of the Economic Community of West African States;

MINDFUL of Supplementary Protocol A/SP1/06/06 amending the Revised ECOWAS Treaty;

MINDFUL of Regulation C/REG. 15/01/03 establishing an Ad Hoc Committee on the Harmonisation of the legislative Texts of the Community, particularly Article 2 directing the committee to critically review the Revised ECOWAS Treaty, as well as the protocols and conventions, with a view to providing the Community with appropriate and modern legal instruments that, when implemented, will promote the acceleration of the integration process;

MINDFUL of Article 19, paragraph 3c, of the ECOWAS Treaty under which the President of the Commission may convene meetings of sectoral ministers, as and when necessary, to consider sectoral issues which promote the achievement of the objectives of the Community;

MINDFUL of Article 89 of the ECOWAS Treaty which states that ECOWAS protocols shall enter into force upon ratification by nine (9) signatory States;

CONSIDERING the existence in Member States, of high institutions, such as national parliaments, constitutional courts, supreme courts, economic and social councils, audiovisual and communication high authorities, which are in charge of special areas and whose action can promote the attainment of the objectives of the Community;

CONSIDERING that it is useful and beneficial for

the Community to consult the aforementioned institutions on issues within their areas of competence and that, to this end, it may be necessary for the President of the Commission to invite their representatives to attend ECOWAS meetings;

CONSIDERING that ECOWAS comprised sixteen (16) Member States at the time the treaty was formulated and signed and that this state of affairs explained why its protocols entered into force upon ratification by nine (9) signatory States;

CONSIDERING however that the Community has been composed of not more than fifteen (15) Member States since the withdrawal of the Islamic Republic of Mauritania from ECOWAS in December 1999 and that, consequently, it would be necessary to reduce to eight (8) the number of ratifications required for ECOWAS protocols to become enforceable;

WISHING, on the one hand, to enable the President of the Commission to convene meetings of representatives of Member States' high institutions, and on the other, to ensure that ECOWAS Protocols become enforceable upon ratification by eight (8) Member States and, to this end, to amend Articles 19, paragraph 3, and 89 of the ECOWAS Treaty;

AGREE AS FOLLOWS:

Article 1

The provisions of Article 19, paragraph 3, of the Revised Treaty and that of Article 19, new paragraph 3 as contained in Article 2 of Supplementary Protocol A/SP1/06/06 relating to the amendment of the Revised ECOWAS Treaty are hereby repealed and replaced with Article 19, paragraphs 3,4 and 5 as follows:

Article 19, new paragraph 3

Without prejudice to the general scope of his responsibilities, the duties of the President of the Commission shall include:

- a) execution of decisions taken by the Authority and implementation of Council's regulations;
- b) promotion of Community development programmes and projects, as well as multinational enterprises of the region;

- c) convening, as and when necessary, meetings of representatives of Member States' high institutions to examine sectoral issues which promote the achievement of the objectives of the Community, as well as any other issues relating to the functioning of the said institutions;
- d) preparation of draft budgets and programmes of activity of the Community and supervision of their execution upon their approval by Council;
- e) submission of reports on Community activities to all meetings of the Authority and Council;
- f) preparation of meetings of the Authority and Council, as well as meetings of experts and technical committees, and provision of necessary technical services;
- g) recruitment of staff of the Community and appointment to posts other than statutory appointees, in accordance with the Staff Rules and Regulations;
- h) submission of proposals and preparation of studies as may assist in the efficient and harmonious functioning and development of the Community;
- i) preparation of draft texts for approval by the Authority or Council.

Article 19, new paragraph 4

The President of the Commission shall also be responsible for the Commission's external relations, international cooperation, strategic planning and policy analysis, as well as the sub-region's regional integration activities.

Article 19, new paragraph 5

- i. The Commission shall exercise its powers with a view to ensuring the smooth functioning and to safeguarding the general interest of the Community. In this context, it shall make to Council and to the Authority, any recommendations which it may deem useful for the promotion and development of the Community.
- ii. The Commission shall make proposals to Council and to the Authority to enable them

take decisions on major policy guidelines adopted by Member States and the Community.

- iii. In collaboration with ECOWAS National Units, The Commission shall gather any useful information from any national institution and structure and hold any necessary consultations with such institutions and structures; if, in its view, such information or consultations can promote the accomplishment of its mission.

Article 2

Article 89 of the ECOWAS Treaty is hereby amended as follows:

New Article 89

This Treaty and the protocols which shall form an integral part thereof shall respectively enter into force upon ratification by at least eight (8) signatory Member States in accordance with the constitutional procedures of each signatory State.

Article 3

This Supplementary Act shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Authority. It shall also be published within the same time in the Official Gazette of each Member State.

Article 4

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS Institutions undertake to start implementing its provisions upon its entry into force.
2. This Supplementary Act shall be attached as an Annex to the ECOWAS Treaty of which it is an integral part.

Article 5

This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies of the Act to all Member States and register it with the African Union, the United Nations Organization and such other organizations as Council may determine.

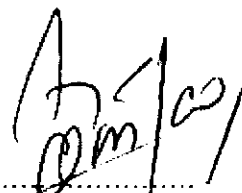
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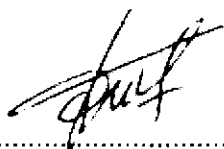
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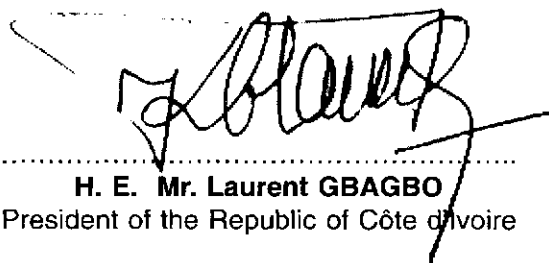
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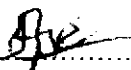
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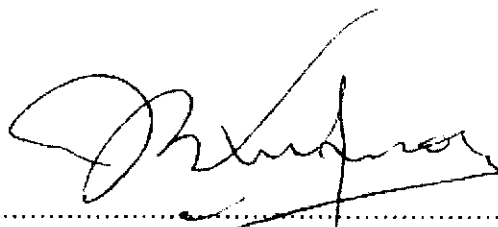
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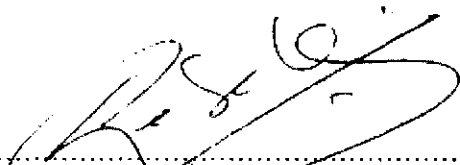
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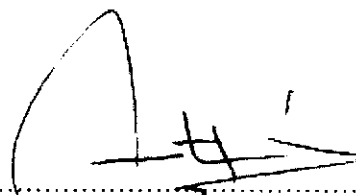
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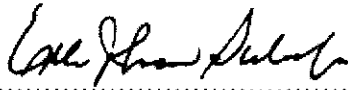
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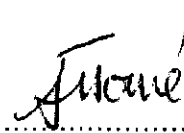
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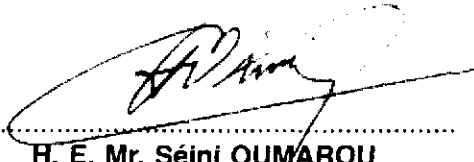
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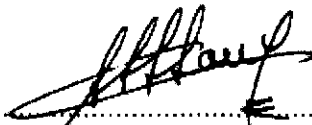
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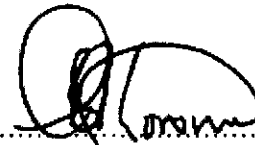
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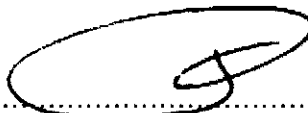
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Prime Minister of the Republic of Togo
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**SUPPLEMENTARY ACT A/SA.6/01/08 AMENDING
DECISION A/DEC.9/01/06 ALLOCATING THE
PROCEEDS OF THE COMMUNITY LEVY WITHIN
ECOWAS INSTITUTIONS**

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Article 69 of the said Treaty relating to the Budget of the Community;

MINDFUL of Article 72 of the Treaty of ECOWAS, which instituted the community Levy to finance the activities of the Community;

MINDFUL of Protocol A/P1/7/96 relating to the application procedures of the Community Levy;

MINDFUL of Decision A/DEC.10/11/03 relating to the postponement until 1st July 2003, of the date of entry into force of the substantive regime of the Community Levy;

MINDFUL of Regulation C/REG.4/12/95 determining the level of the Community Levy;

MINDFUL of Resolution A/RES.1/8/97 relating to the urgent implementation of the Community Levy;

RECALLING that in accordance with article 10 paragraph 3 (g) of the ECOWAS Treaty, Council is responsible for the functioning and development of the Community and approves the work programmes, budgets of the Community and its Institutions;

ANXIOUS to guarantee the execution of regional programmes and projects through a better management of Community resources;

DESIRING to achieve these objectives by reviewing the ratio used in allocating resources between programme and project financing and operating expenditure;

ON THE RECOMMENDATION of the fifty ninth session of the Council of Ministers held in Ouagadougou from 14 – 15 December 2007;

AGREE AS FOLLOWS

Article 1

Community Institutions shall allocate amounts in their budgets received from the Community Levy as follows:

- 60% shall be devoted to financing projects and programmes, and ;
- 40% shall be devoted to operating expenses.

Article 2

This Supplementary Act repeals the provisions of Decision A/DEC.9/01/06 allocating the proceeds of the Community Levy within the ECOWAS Institutions.

Article 3

This Supplementary Act shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Authority. It shall also be published within the same time in the Official Gazette of each Member State.

Article 4

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory Member States and the ECOWAS Institutions undertake to start implementing its provisions upon its entry into force.
2. This Supplementary Act shall be attached as an Annex to the ECOWAS Treaty of which it is an integral part.

Article 5

This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies of the Act to all Member States and register it with the African Union, the United Nations Organization and such other organizations as Council may determine.

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

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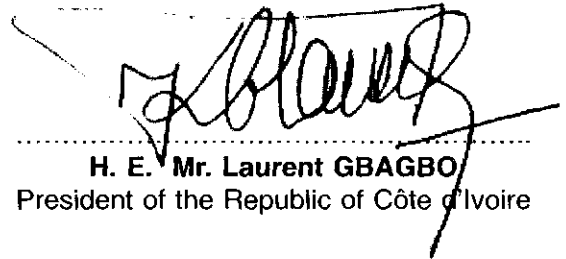
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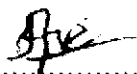
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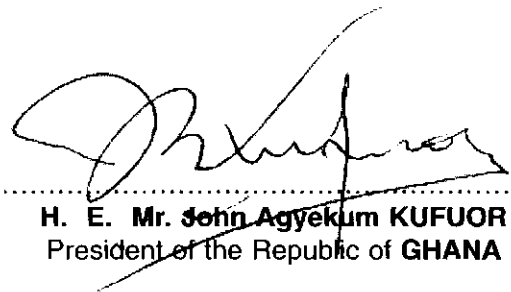
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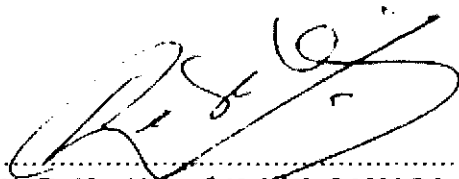
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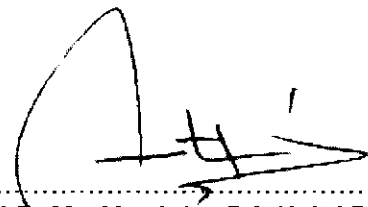
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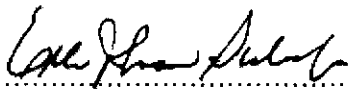
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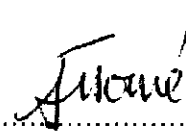
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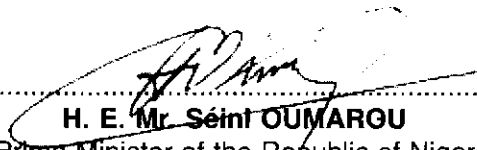
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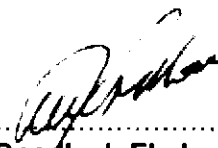
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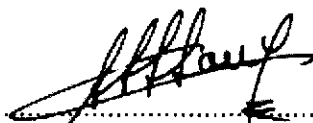
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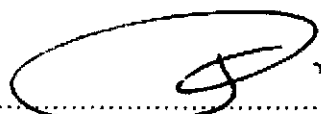
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SUPPLEMENTARY ACT A/SA.7/01/08 ADOPTING THE ECOWAS COMMON APPROACH ON MIGRATION

THE HIGH CONTRACTING PARTIES

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

MINDFUL of Protocol A/P.1/5/79 relating to free movement of persons and goods;

RECALLING Resolution 60/227 of 7 April 2006 of the United Nations General Assembly on International Migration and development;

RECALLING also the International Convention on the protection of the rights of migrant workers and members of their family, which took effect in July 2003;

RECALLING also the OAU 1969 Convention on the Status of refugees in Africa;

RECALLING also the New York High-level Dialogue on Migration and Development;

TAKING account of the Rabat Declaration and Plan of Action of July 2006;

EQUALLY TAKING account of the Tripoli Declaration of November 2006;

MINDFUL of the Final Communiqué of the 30th Ordinary Summit of Heads of State and Government mandating the ECOWAS Commission to map out a common approach on migration;

MINDFUL of the recommendation of the Meeting of the ECOWAS Mediation and Security Council of 20 December requesting the ECOWAS Commission President to continue discussions with a view to defining a common approach to the management of intra-regional and Europe-bound migration in all its ramifications;

CONSIDERING the positive impacts of international migration on host and countries of origin when well managed;

OBSERVING, however, that for some years, the migratory phenomenon has been a veritable problem with disastrous consequences on the

African youth in general and West African youth in particular;

NOTING equally that this phenomenon goes hand-in-hand with trafficking in human beings in all its ramifications, which ECOWAS Member States have already reaffirmed their desire to control;

AWARE that this phenomenon seriously affects the production of the working masses of Member States and subsequently the economy of the sub-region;

CONVINCED that migration-related issues require the individual and collective efforts of Member States with a view to finding a global and appropriate solution thereto;

RESOLVED in curbing this phenomenon or at least minimising its expansion and subsequently adopt a common approach for ECOWAS;

AGREE AS FOLLOWS:

Article 1

The ECOWAS common Approach on Migration attached hereto is hereby adopted.

Article 2

Member States shall undertake all relevant measures for the effective implementation of the strategies set out in the ECOWAS common Approach on Migration.

Article 3

This Supplementary Act shall be published by the Commission in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority. It shall equally be published by each Member State in its National Gazette within the same time.

Article 4

1. This Supplementary Act shall enter into force upon publication. Consequently, the signatory Member States and ECOWAS Institutions undertake to begin the implementation of its provisions upon its entry into force.
2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall constitute an integral part.

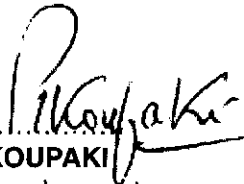
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This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies of the act to all Member States and have it registered with the African Union, the United Nations Organization and any other organization that Council may determine.

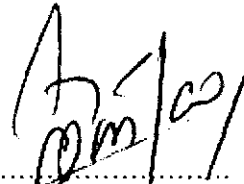
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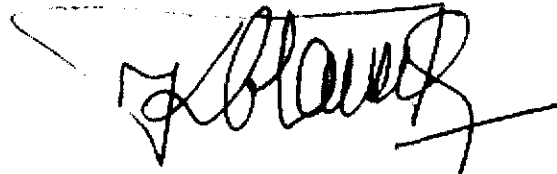
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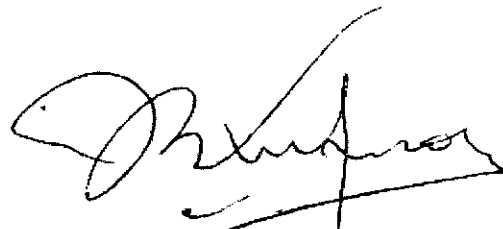
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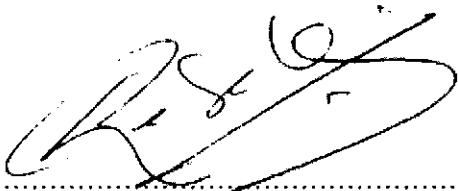
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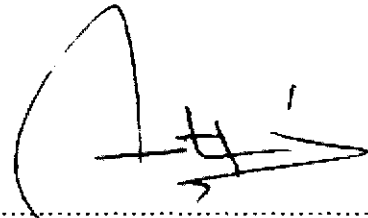
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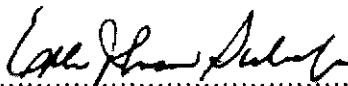
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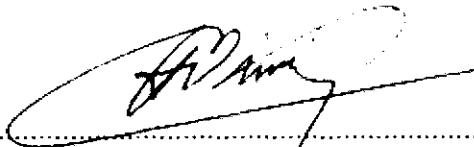
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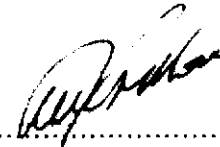
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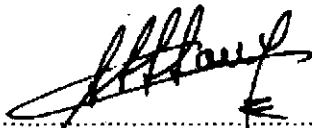
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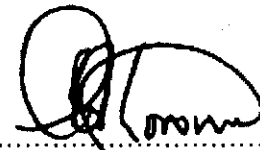
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ECONOMIC COMMUNITY OF WEST AFRICAN STATES
THIRTY-THIRD SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT
ECONOMIC COMMUNITY OF WEST AFRICAN STATES

**ECOWAS COMMON
APPROACH ON MIGRATION**

Ouagadougou, 18 January 2008

INTRODUCTION

I. ECOWAS COMMON APPROACH ON MIGRATION

1.1. The Legal Framework

1.2. The principles

- 1) Free movement of persons within the ECOWAS zone is one of the fundamental priorities the integration policy of ECOWAS Member States
- 2) Legal migration towards other regions of the world contributes to ECOWAS Member States' development
- 3) Combating human trafficking and humanitarian assistance are moral imperatives of ECOWAS Member States
- 4) Harmonising policies
- 5) Protection of the rights of migrants, asylum seekers and refugees
- 6) Recognising the gender dimension of migration policies

II. MIGRATION AND DEVELOPMENT ACTION PLANS

2.1. Actions promoting free movement within the ECOWAS Zone

- 1) Implementation of the Protocol on Free Movement of Persons, the Right of Residence and Establishment
- 2) Operationalising the regional fund to finance cross-border cooperation
- 3) Regional territorial planning strategy

2.2. Actions to promote the management of regular migration

- 1) Implementation of pilot experiments at the national and regional levels
- 2) Measures in favour of students
- 3) Measures concerning diasporas

2.3. Actions for policy harmonization

- 1) Setting up a system for monitoring migration and migration policies
- 2) Harmonising policies related to migration and development

2.4. Actions for controlling irregular migration and human trafficking particularly of women and children

- 1) Strengthening the dialogue framework between ECOWAS, host countries and transit countries
- 2) Strengthening Migration Management capacities
- 3) Strengthening the protection and assistance system for victims of human trafficking

2.5. Actions to protect the rights of migrants, asylum seekers and refugees

- 1) Protection of the right of migrants
- 2) Protection of asylum seekers and refugees

2.6. Actions to take into account the Gender and Migration dimension

ECOWAS COMMON APPROACH ON MIGRATION

INTRODUCTION

ECOWAS Member States launched a process to establish a regional economic zone. In 1979, they adopted a Protocol on Free Movement of Persons and the Right of Residence and Establishment. The protocol, along with the supplementary texts later added, testifies to member countries' determination to place the free intra-regional movement of persons at the heart of the regional integration process.

West African citizens are among the world's most mobile populations. Population censuses indicate that the region's countries now harbour approximately 7.5 million migrants from other West African countries – i.e. almost 3% of the regional population.

From the West African viewpoint, the objective is to establish a link between migration and development, define its negative impacts and give priority to the following six questions:

- How can the gains of intra-regional mobility be promoted and how can free movement within the ECOWAS zone be guaranteed?
- How can mobility be supported and local development in departure zones and other potential host areas be encouraged?
- How can regular migration to third countries be optimised, notably in Africa, Europe, North America?
- How can irregular migration be brought under control effectively?
- How to protect migrant's and asylum seekers rights?
- How to include the gender dimension in migration policies giving the growing number of women migrants?

Fully aware of the issues involved in migration, the 30th Ordinary Summit of ECOWAS Heads of State and Government, held in Abuja in June 2006, mandated the ECOWAS Commission to define a common regional approach on migration. Meeting in Ouagadougou on 20 December 2006, the ECOWAS Mediation and Security Council reaffirmed this priority, requesting the Commission President to: *«pursue the consultative process for the definition of a common approach to the*

management of intra-regional migration and migration to Europe in all its dimensions».

In executing this mandate, the ECOWAS Commission initiated a strategic thinking process with a view to defining a common regional approach on migration.

I. ECOWAS COMMON APPROACH ON MIGRATION

1.1 The Institutional and Legal Framework

ECOWAS member States carry out their actions within the framework of the revised ECOWAS Treaty and more particularly Article 59: *«Citizens of the community shall have the right of entry, residence and establishment and Member States undertake to recognise these rights of Community citizens in their territories in accordance with the provisions of the Protocols relating thereto».*

Member States also adhere to :

- The United Nations General Assembly Resolution No.60/277 on International Migration and Development of 7 April 2006;
- The International Convention on the Protection of the Rights of All Migrant Workers and members of their families which entered into force in July 2003;
- The political dialogue between the EU and ACP countries as set out in Articles 8 and 13 of the Cotonou Agreement of June 2000;
- The Rabat Action Plan and Declaration of July 2006;
- The ECOWAS General convention on Social Security;
- The high level dialogue on migration and development initiated in New York in September 2006;
- The Tripoli Declaration of November 2006;
- The 1951 Geneva Convention and its additional protocol of 1967 on the status of refugees;
- The 1969 OAU Convention on the status of refugees in Africa.

1.2. The principles

1) *Free movement of persons within the ECOWAS zone is one of the fundamental priorities of the integration policy of ECOWAS Member States.*

Mobility with the ECOWAS zone is a vital component of regional integration, which is itself a prerequisite for the West African economy's successful integration into the globalisation process.

Furthermore, there is a well-defined relationship between freer movement within the ECOWAS regional area and migratory pressure. In fact, it is established that the free movement within the region has contributed to the reduction in the migratory pressures beyond ECOWAS borders.

2) *Legal migration towards other regions of the world contributes to ECOWAS Member States' development*

ECOWAS Member countries reaffirmed the principle put forward during the Rabat and Tripoli Conferences, according to which *international migration impacts positively on both the host and home country when they are well-managed*. They reiterated that within every region of the world, at one time or another in their history, resorting to migration was an integral part of their development process. In 2005, 56% of West Africa's population was below 20 years of age and 65% under 25 years old, while in Europe these shares represented 23% and 30% respectively. In this context, ECOWAS member countries believe that a joint management of migratory flows should enable West African migrants have access to labour markets based on opportunities available in these countries.

3) *Combating human trafficking is a moral and humanitarian imperative*

ECOWAS Member States reaffirmed their willingness to combat all entities, in the North and South, which promote the recruitment, transportation and exploitation of irregular migrants, particularly women and children.

ECOWAS Member States reaffirm the need to ratify the United Nations Convention on the Protection of Migrant Workers' Rights and their Family member's rights and are calling on EU countries to do the same.

4) *Harmonising policies*

ECOWAS Member States are reaffirming their commitment to ensure policy coherence at three levels:

- In accordance with Article 84 of the Revised Treaty, harmonise bilateral agreements linking different ECOWAS Member States and third countries, with ECOWAS community texts and protocols; including agreements involving free movement.
- Harmonize economic, trade and development aid policies of the North with migratory policies of said countries.
- Harmonize national migration management policies with sector development policies.

5) *Protection of the rights of migrants, asylum seekers and refugees*

Member States reaffirm their commitment to ensure the implementation of the Protocol on the Free Movement of Person within the ECOWAS zone and the International Convention on the Rights of Migrants and their Families.

Aware of the increasing movement of refugees in West Africa and in view of the difficulty in managing them and regularising their status after conflicts, Members undertake to put in place regional integration mechanisms.

6) *Recognizing the gender dimension of migration*

ECOWAS Member States recognize the increasing role of women migrant within and beyond ECOWAS border by providing gender disaggregated data on the profiles of migrants and ensuring the inclusion of gender dimensions in migration policies.

II. MIGRATION AND DEVELOPMENT ACTION PLANS

ECOWAS Member States, relying on the orientations of the Tripoli Declaration, establish a direct link between migration and development. Consequently, the link between migration and development should be conveyed in a parallel approach to these two components and by striving continuously to harmonise policies related to one another.

Suggestions set out in the action plan described below are indivisible from one another.

2.1. Actions to promote free movement within the ECOWAS zone

1) *Implementation of the Protocol on Free Movement of Persons, the Right of Residence and Establishment*

ECOWAS Member States are committed to taking the necessary measures to remove all obstacles to the free movement of persons.

- Ensuring the issuance and security of ECOWAS travel documents.
- Organising technical and administrative training programmes as well as awareness building and educational campaigns on the rights and obligations of the community's citizens among officials in charge of migration and populations.
- Ratifying the United Nations Convention on the Protection of Migrant Workers' Rights and their Family member's rights and are calling on EU countries to do the same.
- Harmonising labour laws related to professional occupations, in accordance with the Protocol's clauses on the right of establishment for professional purposes;
- Removing all forms of harassment along the road.

2) *Making the regional fund to finance cross-border cooperation operational*

In order to promote mobility within the ECOWAS zone, it is important to give particular attention to border and cross-border areas. ECOWAS Member States thus recommend that the Regional Cross-border Cooperation Fund be made operational. The fund will help to :

- Facilitate free movement through concrete actions such as the setting up of joint border posts, border markets, joint health centres, shared schools, etc.
- Support border populations through development actions geared towards the poorest, most marginalized populations.
- Develop good neighbourly relations rooted in realities on the ground among ECOWAS Member countries and between the ECOWAS zone and its neighbours.

3) *Defining a regional territorial planning strategy*

West Africa is a very vast territory, with huge development potentials that are yet to be exploited. Many areas still remain relatively unpopulated, although they present considerable agricultural potential and a network of dynamic secondary towns; these zones could host a sizable population. Naturally disadvantaged areas are population departure zones where the potential could also be improved. All these zones are areas shared by several countries.

ECOWAS Member States are committed to defining a regional territorial planning strategy, both rural and urban. This strategy aims to develop new growth and development areas as well as provide more disadvantaged zones (in particular Sahelian and border zones) with well-developed equipment, infrastructure and other means for development.

Member States have mandated the ECOWAS Commission to define and implement this strategy.

2.2. Actions to promote the management of regular migration

1) *Implementation of pilot experiments at the national and regional levels*

- Create pilot centres for information, orientation and support for potential migrants, in accordance with employment opportunities in order migratory regions, especially Europe, in close collaboration with the diplomatic representatives of the concerned countries.
- Create pilot host, orientation, and support centres for returning migrants as well as reinsertion centres.
- Strengthen ECOWAS analytical capacities and sharing information on these pilot centres at the regional level.

2) *Measures concerning students and young professionals*

- Facilitate West African students' access to universities, institutes and African, North American European, Asian and other professional institutes ;
- Facilitate students' return to their country of origin at the end of their studies ;

- Conclude young professional exchange agreements in order to improve their linguistic and professional knowledge and acquire salaries work experience in another country, and define measures to ensure the return of these immigrants to their countries of origin at the end of their stay ;
- Develop partnerships between West African scientific and technical institutions and the rest of the world ;
- Broaden the range of university and technical courses offered, taking into account the labour market needs (public and private) ;
- Create or strengthen entrepreneurship training and excellence centres and business development support structures.

3) Measures concerning Diasporas

ECOWAS Member States mandate the Commission to carry out strategic thinking on the development of expertise and financial resources of West African Diasporas with a view to contributing to the development of their countries of origin and effectively combating brain drain.

This consultation should take into account best practices and propose joint measures notably with regard to the facilitation of financial transfers and investments in the region as well as supporting the Diaspora's involvement in development projects.

Member States are committed to strengthening solidarity between the Diaspora and countries of origin.

2.3. Actions for policy harmonisation

1) Setting up a system for monitoring migration and migration policies

Setting up of information and monitoring system on migration. Monitoring should cover:

- Migratory flows inside and outside the ECOWAS region.
- Factors triggering migration to other regions and intra-regional mobility.
- The evolution of socio-economic indicators within the different ECOWAS zones in order to enable the formulation of specific investment policies.
- The establishment of migrants' profiles.

2) Harmonising policies related to migration and development

ECOWAS Member States are convinced of the need to jointly define with their partners the following measures:

- Broaden the capacities of mechanisms for monitoring and combating irregular migration by sea to include the protection and conservation of fisheries resources in West African territorial waters. Ensure media coverage of this initiative establishing the complementarity between combating clandestine migration and combating irregular fishing.
- Establish the link between exporting subsidized or used products to West Africa, and the rise in unemployment and underemployment in the region.

2.4. Actions for controlling irregular migration and human trafficking particularly of women and children

1) Fight against irregular migrations and human trafficking

- Information and awareness campaigns for potential migrants on the dangers of irregular migration and smuggling networks ;
- Cooperation between ECOWAS Member States with regard to controlling clandestine migration and dismantling the mafia-like networks ;
- Cooperation between ECOWAS Member States with a view to combating clandestine migration and in collaboration with host countries ;
- Cooperation with host countries to provide logistics and funding for voluntarily returning migrants in transit countries and countries of origin ;
- Affirmation of the principle of the return of clandestine migrants respecting their dignity and fundamental human rights ;
- Implementation by ECOWAS Member States, of measures enabling the reinsertion of irregular migrants upon their return ;
- Development of technical and financial cooperation with ECOWAS Member States in the area of managing emergency situations with regards to irregular migration.
- Compliance with international commitments made by Member States regarding migration.

2) Strengthening the dialogue framework between ECOWAS, host countries and transit countries

In view of the numerous challenges related to irregular migration, especially the turning back of migrants often in difficult conditions, human trafficking and irregular migration, human rights of migrants, forced or voluntary returns, it is clear that bilateral agreements concluded by some ECOWAS Member States with host countries are not sufficient to address these multi-dimensional problems. ECOWAS Member States undertake to strengthen their cooperation with regard to controlling irregular migration within the ECOWAS framework.

3) Strengthening Migration Management capacities

- Improving the training of ECOWAS Member States' immigration departments and providing modern ECOWAS travel documents checking equipment;
- Setting up a shared digitized database in ECOWAS Member States' immigration departments to effectively combat irregular immigration ;
- Establishing an ECOWAS early warning system with a view for it to be a tool enabling the precursory signs warning of potential irregular immigration as well as activities by criminal trafficking organizations.

4) Strengthening the protection and assistance system for victims of human trafficking

Strengthening cooperation between ECOWAS Member States in the judicial and police sectors against human trafficking particularly of women and children and clandestine immigration channels:

- Identifying and strengthening cooperation mechanisms and, if necessary, joint action between countries of origin, transit and destination, including maritime, land and air cooperation for dismantling criminal organizations in order to check trafficking across national borders ;
- Encouraging ECOWAS Member States to ratify and increasingly resort to the mechanisms stipulated by the United Nations Convention against Transnational Organized Crime (Palermo, Italy, December 2000) and its Protocols ;

- Setting up project to help and promote the rehabilitation of human trafficking victims in collaboration with external partners ;
- Promoting at the national level a solidarity fund to support victims of human trafficking ;
- Harmonizing national legislation on combating human trafficking in line with international standards;
- Strengthening cooperation within the framework of providing humanitarian assistance to migrants in distress.

2.5. Actions to protect the rights of migrants, asylum seekers and refugees

1) Protection of the rights of migrants

- Formulate an active integration policy for migrants from ECOWAS Member States and combat exclusion and xenophobia.
- Encourage Member States and their EU partners to ratify the UN Convention on the rights on migrants.
- Put in place regional mechanism to monitor the UN Convention on the Rights of Migrants.

2) Protection of asylum seekers and refugees

- Put in place mechanisms for granting rights of residence and establishment to refugees from ECOWAS countries.

2.6. Actions aiming to take into account the Gender and Migration dimension

Women account for 47% of the 17 million immigrants in Africa and are mostly from the West African sub region. In view of the growing number of women who migrate and their crucial role in the economic and social development process in our countries, ECOWAS Member States undertake to implement the following actions and measures:

- Include gender dimensions in migration policies ;
- Establish and strengthen support institutions for entrepreneurship training for female migrants ;
- Remove all illegal trade barriers which stifle the entrepreneurs potential of women when they migrate.

DECISION A/DEC.1/01/08 RELATING TO THE RENEWAL OF THE MANDATE OF THE FIRM OF DELOITTE ET TOUCHE, COTE D'IVOIRE AS THE EXTERNAL AUDITORS OF THE INSTITUTIONS OF THE COMMUNITY

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

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

MINDFUL of Article 75 of the Treaty relating to the External Auditors;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm of Deloitte et Touche as the External auditors of the Institutions of the Community;

MINDFUL of the contract between ECOWAS and the firm of Deloitte et Touche of 1st April 2006, relating to the conditions for the provision of services by the said Auditors of the Institutions of the Community;

CONSIDERING that according to Article 75 of the Treaty afore-mentioned, the auditors shall be appointed for a period of two years renewable twice only, for subsequent terms of two (2) years;

CONSIDERING that the initial term of two (2) years of service of the firm of Deloitte et Touche as the auditors of the Institutions of the Community ends on 30th March 2008;

CONSIDERING that during the afore-mentioned period, the firm of Deloitte et Touche carried out its task competently and efficiently;

ON THE RECOMMENDATION of the Fifty Ninth Session of the Council of Ministers held in Ouagadougou from 14 to 15 December 2007;

DECIDES

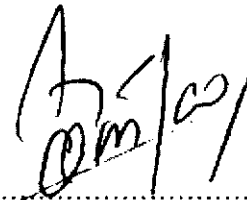
Article 1

The mandate of the audit firm of Deloitte et Touche, Côte d'Ivoire as the External auditors of the Institutions of the Community is hereby renewed for a period of two years with effect from the 1st of April 2008.

Article 2:

This Decision shall be published by the President of the Commission in the Official Journal of the Community within thirty (30) days of the date of its signing by the Chairman of the Authority. It shall also be published by each Member State in its Official Gazette within the same time frame.

**DONE AT OUAGADOUGOU
THIS 18TH DAY OF JANUARY 2008**



.....
**H.E. MR. BLAISE COMPAORE
CHAIRMAN
FOR THE AUTHORITY**

DECISION A/DEC.2/01/08 SUPPORTING THE CANDIDATURES OF WEST AFRICAN NATIONALS TO VARIOUS POSTS IN THE AFRICAN UNION

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

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

CONSIDERING that many West African nationals are candidates to the posts of President, Vice President and Commissioner of the African Union;

CONSIDERING that West African nationals were placed in important positions in the pre-selection exercise conducted by the African Union;

AWARE, of the limited number of posts each sub-region is entitled to within the Commission of the African Union, the need to take due account of the gender element and also the need to maximise the chances of the sub-region to secure the allotted number of positions;

DETERMINED to work in concert to identify and support the candidatures of the best-placed West African nationals, on the one hand and, on the other, to ensure that West African nationals working at the Commission of the African Union are appointed to posts whose importance is of vital interest to the sub-region;

DESIROUS of adopting common positions on support to West African candidates and the posts to secure for nationals of Member states;

ON THE RECOMMENDATION of the meeting of the ECOWAS Mediation and Security Council held in Ouagadougou on 16 January 2008;

HEREBY DECIDES AS FOLLOWS:

Article 1

For the election of candidates to various posts within the Commission of the African Union, Member States shall lend support to the following West African nationals to attain the following posts:

1. **FULL NAME:** Mrs. Soukeyna NDIAYE BA
GENDER: Female
COUNTRY OF ORIGIN: Senegal
POST : Commissioner for Social Affairs
2. **FULL NAME :** Mr. John Kayode SHINKAYE
GENDER : Male
COUNTRY OF ORIGIN : Nigeria
POST: Commissioner for Peace and Security

Article 2

The competent authorities of Member States and the President of the ECOWAS Commission shall take, in conjunction with the States of the other regions, measures that can help attain the objectives of this Decision.

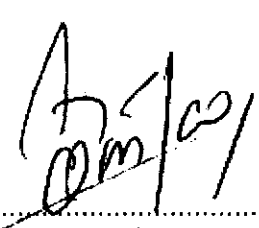
Article 3

The President of the ECOWAS Commission shall notify the African Union of this Decision.

Article 4

This Decision shall be published by the President of the Commission in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Mediation and Security Council. It shall also be published by each Member State in its National Gazette within the same frame.

**DONE AT OUAGADOUGOU,
THIS 18TH DAY OF JANUARY 2008**


.....
**H. E. MR. BLAISE COMPAORE
CHAIRMAN
FOR THE AUTHORITY**

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

THE COUNCIL OF MINISTERS,

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

- I. Commission: Ninety two million, One hundred and eight thousand, five hundred and fifteen Units of Account (**92,108,515 UA**);
- II. Gender Centre: Two million, six hundred and sixty-five thousand, seven hundred and nineteen Units of Accounts (**2,665,719 UA**);
- III. Water Resources: Six million, seventy two thousand, one hundred and ninety nine Units of Account (**6,072,199 UA**);
- IV. Youth and Sports: One million, seven hundred and ninety four thousand, seven hundred and seventy one Units of Account (**1,794,771 UA**);

- V. ECOWAS Office in Brussels: Three hundred and twenty two thousand, three hundred and seventy Units of Account (**322,370 UA**);
- VI. Office of the Financial Controller: One Million, two hundred and forty four thousand four hundred and eighty one Units of Account (**1,244,481 UA**);
- VII. Office of the Chief internal Auditor : **989,134 UA**

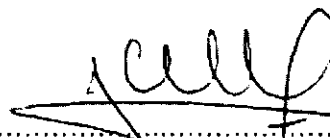
ARTICLE 3

1. An amount of **Eighty Million, Five Hundred and twelve Thousand, Four Hundred and Thirty Nine Units of accounts (80,512,439 UA)** shall be derived from resources obtained from the Community Levy.
2. Another amount in the sum of **Two Million Units of Accounts (2,000,000 UA)** shall be derived from excess funds.
3. Additional amounts in the sum of **One Million (1,000,000 UA)** Units of Accounts shall be derived from arrears of contributions.
4. An amount in the sum of **Three Hundred and Forty Five Thousand, Five Hundred and Thirty Nine Units of Accounts (345,539 UA)** shall be derived from other sources.
5. An amount of **Twenty One Million, Three Hundred and Thirty Nine Thousand, Seven Hundred and Fifty Units of Account (21,339,750 UA)** shall be derived from external funding.

ARTICLE 4

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

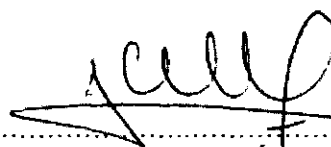
1. An amount of **Eight Million, One Hundred and Eight Thousand, Nine Hundred and Eighty Nine Units of Accounts (8,108,989 UA)** shall be derived from resources obtained from the Community Levy.
2. Additional amount in the sum of **One Million, Seven Hundred and Eighty Thousand Unit of Account (1,780,000 UA)** shall be derived from excess funds.

3. An amounts in the sum of **Two Hundred Thousand Units of Accounts (UA 200,000)** shall be derived from arrears of contributions.
4. Another amount in the sum of **Ninety Five Thousand Units of Account (UA 95,000)** shall be derived from other sources.

ARTICLE 3

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

1. An amount of **Eight Million, Two Hundred and Nineteen Thousand, Nine Hundred and Twenty Four** Units of Accounts (UA 8,219,924.) shall be derived from resources obtained from the Community Levy.
2. An amount in the sum of **One Hundred Thousand** Units of Account (UA 100,000) shall be derived from excess funds.
3. Additional amounts in the sum of **Two**

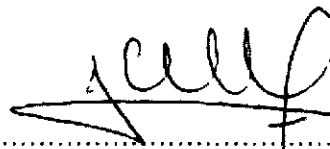
Hundred Thousand Units of Accounts (UA 200,000) shall be derived from arrears of contributions.

4. Additional amount of **Twenty Six Thousand, Six Hundred and Seventy Seven** units of account (UA 26,677) shall be derived from other sources.
5. Another amount in the sum of **Four Hundred and Two Thousand, Four Hundred and Fourteen** units of Accounts (UA 402,414) shall be derived from external funding.

ARTICLE 3

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

1. An amount of **Eight Million Seven Hundred and Sixty One Thousand, Eight Hundred and Fifty Seven** Units of Account (**UA 8,761,857**) shall be derived from resources obtained from the Community Levy.
2. Another amount of **Six Hundred and Sixty Eight Thousand, Nine Hundred and Sixty Eight** Units of Account (**UA 668,968**) shall be derived from excess funds.
3. Another amount in the sum of **One Million, Three Hundred and Twenty Three**

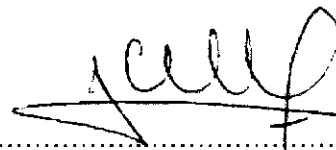
Thousand, Seven Hundred and Forty Nine Units of Account (**UA 1,323,749**) shall be derived from arrears of contributions.

4. Additional amounts in the sum of **Ninety Nine Thousand, Two Hundred and Forty Two** Units of Account (**UA 99,242**) shall be derived from other sources.
5. Additional amount of **One million, Three Hundred and Fifty Seven Thousand, Two Hundred and Thirty One** Units of Account (**UA 1,357,231**) shall be derived from external funding.

ARTICLE 3

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

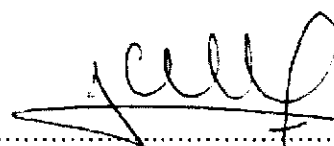
1. An amount of **Four Million, Two Hundred and Twenty One Thousand, One Hundred and Thirty Three** Units of Account (UA 4,221,133) shall be derived from resources obtained from the Community Levy.
2. Another amount in the sum of **Nine Thousand** Units of Account (UA 9,000) shall be derived from other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

3. Additional amounts in the sum of **One Hundred and Seventy Two Thousand and Twenty One** Units of Account (UA 172,021) shall be derived from external funding.

ARTICLE 3

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

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



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

**REGULATION C/REG. 6 /12/07 APPROVING THE
WORK PROGRAMME OF THE ECOWAS
COMMISSION FOR THE 2008 FINANCIAL YEAR**

THE COUNCIL OF MINISTERS,

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

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

ENACTS

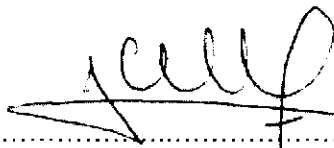
ARTICLE 1

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

ARTICLE 2

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

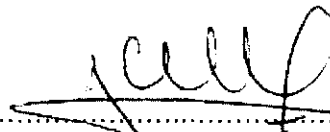
ARTICLE 1

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

ARTICLE 2

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

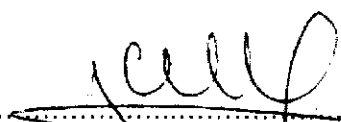
ARTICLE 1

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

ARTICLE 2

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

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


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

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


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

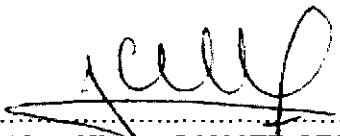
ARTICLE 1

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

ARTICLE 2

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

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


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

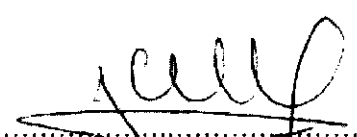
ARTICLE 1

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

ARTICLE 2

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

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


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

ENACTS

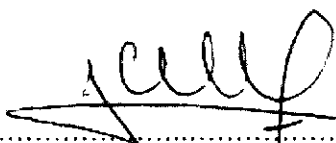
ARTICLE 1

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

ARTICLE 2

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ENACTS

Article 1

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

Article 2

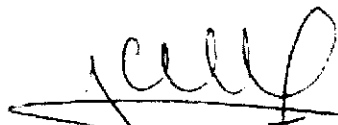
The two member States shall serve for a four (4) year term on the Committee.

Article 3

This Regulation shall be published in the official

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

**DONE IN OUAGADOUGOU,
THIS 15TH DAY OF DECEMBER 2007**



H.E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

ENACTS

Article 1

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

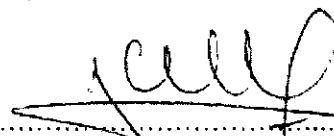
Article 2

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

Article 3 : Entry into force

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

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



H.E. MME MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR THE COUNCIL

NEW SALARY SCALE FOR STATUTORY APPOINTEES AS GIVEN BELOW:

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

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

Responsibility allowance to Statutory Appointees as follows:

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

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

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

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

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

Household furniture and equipment allowance of UA 32,627 for all statutory appointees with the exception of Heads of Institutions payable once at the commencement of their term of office. For statutory appointees whose houses were furnished more than four years ago, a ceiling of UA10,000 is recommended to provide for replacement of worn out furniture;

Domestic staff allowances at the rates indicated below:

- Heads of Institution - UA 11,016 p.a.
- Other Statutory Appointees - UA 7,734 p.a.

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

Communication allowance for statutory appointees as follows:

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

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

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

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

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

- Statutory appointee without car/driver - UA 16,030 p.a.
- Statutory appointees with car/driver - UA 4,503 p.a.

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

First Class:

President of ECOWAS Commission;
Vice President of ECOWAS Commission
President Community Court of Justice

Business Class:

Other Statutory Appointees.

REGULATION C/REG.17/12/07 ALLOCATING TO THE SPEAKER OF THE ECOWAS PARLIAMENT ON AN EXCEPTIONAL BASIS REIMBURSABLE ADVANCES PROVIDED UNDER ARTICLE 53 OF THE 2005 ECOWAS STAFF REGULATIONS

THE COUNCIL OF MINISTERS

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

MINDFUL of Article 13 of the said Treaty together with Protocol A/P2/8/94 as amended to the Community Parliament;

MINDFUL of Article 10 of the said Protocol, which provides for an allowance payable to the Members of the ECOWAS Parliament;

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

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

MINDFUL of Regulation C/REG.15/01/05 relating to the revision of the rates of daily subsistence (per diem) allowance of staff of ECOWAS Institutions and other personalities on official mission for the Community;

MINDFUL of Regulation C/REG.2/06/07 adopting the revised rates of daily subsistence (per diem) allowance allocated to Ministers, Parliamentarians, staff of ECOWAS Institutions, experts of technical committees during official missions undertaken on behalf of the Community;

MINDFUL of Article 53 of the Staff Regulations relating to advances and reimbursements of costs to statutory appointees;

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

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

UPON THE RECOMMENDATION of the second

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

ENACTS

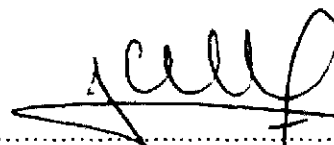
Article 1

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

Article 2

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

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



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

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

THE COUNCIL OF MINISTERS

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

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

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

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

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

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

RECALLING paragraph 45 (xii) of the report of the fifty-seventh session of the Council of Ministers by which a monthly allowance of two thousand dollars (\$2000) was granted to the Speaker of the ECOWAS Parliament to cover the cost of support services for his office in his home State.

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

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

ENACTS

Article 1

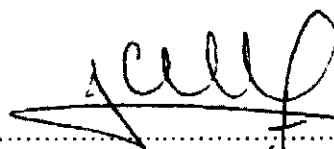
A monthly allowance of three thousand United States dollars (\$3000) is hereby allocated to the Speaker of the ECOWAS Parliament in replacement of the two thousand US Dollars (US\$2000)

previously allocated to cater for his support staff in his country of residence.

Article 2

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS

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

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

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

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

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

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

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

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

ENACTS

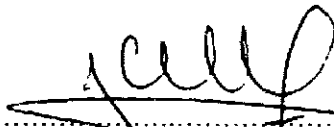
Article 1:

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

Article 2

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ENACTS

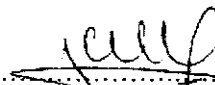
ARTICLE 1

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

ARTICLE 2

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

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



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

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

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


.....
H. E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON, FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ENACTS

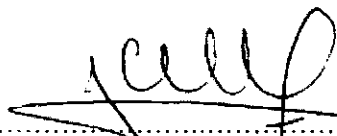
ARTICLE 1

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

ARTICLE 2

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

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



.....
H. E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ON THE RECOMMENDATION of the President of the ECOWAS Commission;

ENACTS

Article 1

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

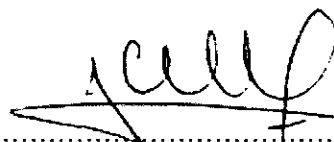
Article 2

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

Article 3

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

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



.....
H.E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR THE COUNCIL

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

**RULES OF PROCEDURE
OF THE
COMMUNITY JUDICIAL COUNCIL**

CHAPTER ONE GENERAL PROVISION

RULE 1 : DEFINITIONS

For the purpose of these rules:

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

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

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

“OLDEST MEMBER”: means the oldest member of the Judicial Council in terms of age;

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

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

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

“RULES” means the present rules governing activities of the Judicial Council;

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

“JUDGE” means a member of the Community Court of Justice including the President of the Community Court of Justice.

RULE 2 : LEGAL BASIS

These Rules of Procedure have been formulated in application of new paragraph 2 of Article 3 of the Protocol relating to the Community Court of Justice, as amended by Article 2 of Supplementary Protocol A/SP2/06/06 of 14 June 2006 and of Article 5 of Decision A/DEC2/06/ 06.

RULE 3: SCOPE OF APPLICATION

These Rules of Procedure shall govern the functioning of the Judicial Council, its organization, and the modalities of their application to the Judges of the Court

of Justice in terms of recruitment and disciplinary measures.

RULE 4: HEADQUARTERS OF THE JUDICIAL COUNCIL

1. The headquarters of the Judicial Council shall be at Abuja.
2. If exceptional circumstances that constitute a case of “Force Majeure” are observed by the Judicial Council preventing it to meet in Abuja, the Judicial Council shall meet in any other Member State designated by its President. The President will inform the President of the Commission and the Chairman of the Council accordingly.

CHAPTER 2 FUNCTIONS, COMPOSITION AND ORGANIZATION

RULE 5: FUNCTIONS OF THE JUDICIAL COUNCIL

1. The Judicial Council of the Community shall be responsible for the recruitment and discipline of judges of the Court of Justice. To this end, the Judicial Council shall shortlist and interview candidates for the post of Judge of the Court of Justice, and shall recommend successful candidates to the Authority for appointment;
2. The Judicial Council shall also hear cases relating to discipline and the inability of Judges to exercise their functions due to physical or mental incapacitation;
3. The Judicial Council shall, through the Council formulate recommendations for the attention of the Authority in case of commission of a criminal offence by a judge of the Court of Justice;
4. The Judicial Council may make such recommendations as it deems necessary for improving the functioning of the Court of Justice;
5. The Judicial Council may further give its opinion or make recommendations on issues on which it is competent and which are submitted for its consideration by the President of the Commission, the Council or the Authority.

RULE 6: COMPOSITION OF THE JUDICIAL COUNCIL

1. In carrying out the functions stated in Rule 5 of these Rules, the Judicial Council shall be composed of the Chief Justices of the Supreme Courts of Member States or their representatives to whom the positions of Judge have not been allocated.

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

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

1. Members of the Judicial Council shall change as soon as judges' posts are allocated to Member States, any time new judges are appointed to the Court of Justice, and where there is an election of a new representative of the Court of Justice.
2. The President and Vice-President of the Judicial Council shall be elected any time there is a change in membership of the Judicial Council.
3. In case of vacancy of the Chairs of the Judicial Council as a result of resignation, death or any other cause, the Council shall elect a new President or a new Vice-President within one (1) month following the occurrence of the aforesaid event.

RULE 8: CHAIR OF THE JUDICIAL COUNCIL

The Judicial Council shall be chaired by a President.

**RULE 9:
BUREAU OF THE JUDICIAL COUNCIL:
COMPOSITION**

1. The Bureau of the Judicial Council shall be composed of a President, a Vice-President and a Rapporteur who shall be elected by their peers on a simple majority of the members of the Judicial Council present and voting.
2. The Bureau of the Judicial Council shall be

reconstituted at least fifteen (15) days prior to the expiry of the tenure of its members.

**RULE 10:
ELECTION OF THE BUREAU OF THE JUDICIAL
COUNCIL**

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

**RULE 11:
FUNCTIONS OF THE PRESIDENT OF THE
JUDICIAL COUNCIL**

1. The President of the Judicial Council, after consultation with the other members of the Judicial Council, shall convene the meetings of the Council, as provided in Rule 6 (1) and (2) of these Rules, and shall inform the President of the Court of Justice thereof.
2. The President of the Judicial Council shall ensure order at the meetings of the Judicial Council.
3. The President of the Judicial Council may, as and when necessary, resort to external consultants, other bodies and ECOWAS structures such as the Audit Committee, Financial Controller or

Medical Board to assist the Judicial Council. The fees and honorariums incurred in the application of this measure shall be borne by the Community budget.

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

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

RULE 13: FUNCTIONS OF THE RAPPORTEUR

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

**RULE 14:
FINANCING THE ACTIVITIES OF THE JUDICIAL
COUNCIL**

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

**CHAPTER 3
RECRUITMENT OF JUDGES:
ALLOCATION OF VACANT POSITIONS OF
JUDGE AND SELECTION PROCEDURE**

RULE 15: APPOINTMENT TO VACANT POSITIONS

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

RULE 16: VACANCY ADVERTISEMENT

1. Member States to which vacant posts of judge have been allocated shall ensure wide publicity of such positions as well as transparency and competitiveness with a view to enlisting candidates from their most qualified nationals.
2. Judges of the Court of Justice shall be chosen from among people of high morals, possessing

the requisite qualifications to occupy judicial positions in the Supreme Court or in a Court of similar category, or who are Legal Advisers of acclaimed competence in international law, especially in Community law or regional integration law. Furthermore, candidates for the position of judge in the Court of Justice must have had at least twenty (20) years professional experience.

RULE 17: SHORT LISTING OF CANDIDATES

1. The Judicial Council with membership as indicated in paragraph 1, Rule 6, of these Rules shall set up a Committee made up of three (3) of its members and chaired by the President of the Judicial Council to assess the candidates and short-list three (3) candidates by country, from the nationals of the Member States to which the positions of Judge have been allocated.
2. After the short-listing exercise, the aforesaid Committee shall prepare a report together with a summary document providing information on the identity of the candidates whose applications were received by the Judicial Council, their dates of birth, nationality, qualifications and experience. The candidates shall be listed in the summary sheet in alphabetical order by country. Also to be attached to the report shall be a copy of the vacancy advertisement made by the countries to which the positions have been allocated. The report shall also contain an analysis of the particulars of the candidates assessed and shall state the criteria used in justifying the short list made by the Committee.
3. The Judicial Council, composed of the Chief Justices of the Supreme Courts or their representatives, of the Member States to which no posts of judge of the Court of Justice has been allocated, shall consider the report of the Committee referred to in paragraph 1 of this rule, deliberate and short-list the candidates to be interviewed.
4. The Judicial Council may request for additional information on the candidates from the relevant agency/agencies in Member States which would be of assistance in the shortlisting process.

**RULES 18:
PREPARATIONS FOR INTERVIEW OF
CANDIDATES**

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

measures to ensure their effective presence, as well as that of the other members of the Judicial Council, at the interview.

**RULE 19:
ORDER OF APPEARANCE OF CANDIDATES**

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

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

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

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

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

RULE 22: SYSTEM OF RATING THE CANDIDATES

1. In evaluating the candidates during the interview,

the Judicial Council shall take due account of the following criteria and rating:

- i. Professional qualification - **30 points**
 - ii. Experience - **25 points**
 - iii. Performance during the interview - **40 points**
 - iv. Language - **5 points**
2. The qualification criterion shall be rated as follows:
 - i. Bachelor of Laws (LLB) degree or its equivalent - **20 points**
 - ii. Masters or equivalent degree - **22 points**
 - iii. Doctorate or equivalent degree - **27 points**
 - iv. Additional qualification in the speciality - **3 points**
 3. The experience criterion shall be rated as follows:
 - i. Candidate with the minimum years required in the relevant area - **20 points**
 - ii. Thereafter, one (1) point for every two (2) years of experience up to a maximum (twenty-five) **25 points**
 4. Periods of study courses shall be taken into account in the relevant area while the periods of study for a higher degree shall not be taken into account.
 5. The language criterion shall be rated as follows:
 - i. zero (0) - where the candidate has no knowledge of the two other working languages of the Community;
 - ii. From zero (0) to one (1) point – where the candidate is able to answer simple questions;
 - iii. From one (1) to three (3) points - where the candidate is able to express himself/herself, read and write without knowledge of the use of technical language;
 - iv. From three (3) to five (5) points - where the candidate is able to read, write and express himself/herself fluently.

RULE 23: AVERAGE REQUIRED

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

CHAPTER 4
DISCIPLINARY PROCEEDINGS:
PROCEDURES FOR THE IMPLEMENTATION,
ADDUCEMENT OF PROOF AND EXERCISE OF
THE RIGHT OF DEFENCE

RULE 24:
REFERRAL TO THE JUDICIAL COUNCIL IN
DISCIPLINARY MATTERS

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

RULE 25: DISCIPLINARY MISCONDUCT

1. Any breach, on the part of a judge, of the propriety of his profession, honour, discretion or dignity of the function, shall constitute a disciplinary offence liable to disciplinary proceedings against such judge.
2. Any of the following shall among others constitute a misconduct liable to application of the sanctions listed in Rule 33 paragraph 1 of these Rules, namely, where a judge:
 - i. makes insulting utterances, puts up an insulting behaviour or is guilty of immoderate language or insults in his/her writings to colleagues or to judicial officials;
 - ii. deliberately exceeds his/her jurisdiction as conferred on him/her in the texts relating to the Court or resulting from the organisational hierarchy of this Institution;
 - iii. incites colleagues and staff members to disobedience;
 - iv. absents himself/herself from duty despite

the refusal of the President of the Court to grant him/her permission;

- v. abstains without valid reasons, from setting the dates of hearings within a reasonable time-frame or unduly prolongs deliberations or neglects to write rulings.
3. The following shall amongst others constitute a misconduct liable to the sanctions prescribed under paragraph 2 of Rule 33 of these Rules where the judge:
 - i. divulges secrets of pre-judgement deliberations or other confidential information;
 - ii. makes communications to, or divulges confidential information to the media when these relate to on-going cases;
 - iii. is found wanting in his/her moral comportment, probity and obligation to be honest;
 - iv. accepts a favour or payment incompatible with his obligations and duties to the Community;
 - v. commits misappropriation, theft or abuse of trust or is found guilty of fraud or corruption harmful to the Community;
 - vi. assaults another judge, members of staff, judicial officials or other persons;
 - vii. deserts his/her post;
 - viii. commits a fresh offence within one year of the application against him/her of the sanctions stipulated in paragraph 1 of Rule 33 of these Rules.
 4. In case of desertion of post, the procedure laid down by the relevant provisions of the Staff Regulations of the Community Institutions shall be initiated, prior to any other action.
 5. The gravity of the offence shall be appraised in relation to the circumstances surrounding the acts, where they were committed, and the repetitive nature of the offence.

RULE 26:
IMMUNITY AND EXEMPTION FROM
PROCEEDINGS AGAINST THE JUDGE

1. Disciplinary proceedings shall not be instituted against a judge of the Court of Justice for reasons of the content of the judicial decisions taken within the purview of his/her authority.

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

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

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

**RULE 28:
INSTITUTION OF THE DISCIPLINARY
PROCEDURE**

1. Where disciplinary proceedings are to be instituted against a judge, the President of the Judicial Council shall designate a Rapporteur from among the members of the Judicial Council and shall charge him/her with commencing the process.
2. The President of the Judicial Council shall inform the Rapporteur in writing indicating the allegations to be proved, and instructing him/her to conduct investigations.
3. The Rapporteur shall conduct all the relevant investigations. Where necessary, he/she shall hear the complainants and witnesses and any other person he/she may deem necessary to hear. He/she shall issue deadlines to the parties to produce their evidence.
4. The Rapporteur shall prepare a report for submission to the Judicial Council.
5. The evidence of the witnesses shall be heard under oath by the Rapporteur who shall prepare a record of proceedings thereon.
6. The President of the Judicial Council shall immediately communicate to the defendant the reports on the record of proceedings by the Rapporteur.

7. Where the defendant does not make his/her observations in writing within thirty (30) days from the date of notification of the evidence of witnesses, the Rapporteur shall carry on notwithstanding.
8. The report shall analyze the grounds of action raised and set out the issues to be settled. The report shall be communicated to the President of the Judicial Council who shall ensure, in full confidentiality, that the report is translated and transmitted to the other members of the Council.
9. In carrying out its functions, the Judicial Council may consult the Financial Controller, the ECOWAS Audit Committee or any other body.

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

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

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

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

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

1. In any procedure before the Judicial Council hearing a disciplinary matter, the parties may seek legal assistance. The counsel may file statements signed by the parties concerned.
2. At least thirty (30) days before his appearance before the Judicial Council, the defendant judge shall be entitled to receive his case file, all documents relating to the investigation, and the report prepared by the Rapporteur.
3. In the event that the defendant Judge is unable to prepare his/her defence before the time he/she is required to appear, he/she may upon good cause shown and not later than 10 days prior to his/her appearance apply to the Judicial Council for extension of time within which to adequately prepare his/her defence.

4. The legal counsel of the defendant judge, as well as the other parties, shall also be entitled to receive the documents referred to in paragraph 2 of Rule 31.
5. At the date appointed for the appearance, after the report has been read, the defendant judge shall be called upon to provide explanations and his/her grounds of defence on the allegations made against him/her. If the judge is assisted by a legal counsel, the latter shall be invited to present his/her submissions.
6. For it to be valid, the complaint from a natural or legal person must comprise the full name and precise address and signature of the complainant.
7. In matters of discipline, the Parties shall have the right to cross examination. Debates and deliberations shall be held in camera.
8. The judge suspended by virtue of Rule 32, paragraph 1, of these Rules shall automatically resume office where on expiry of a three (3) month period, a definitive decision on him has not been reached. The re-instatement thus made shall however not interrupt the disciplinary procedure;
9. The suspension of the judge under Rule 32, paragraph 1, of these Rules shall not include the deprivation of the right to salary and may not be made public.

RULE 32: PRECAUTIONARY MEASURES

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

whose state of health has changed adversely. The Judicial Council shall then make the appropriate recommendation to the Authority as to reinstatement or otherwise. The Judicial Council may in that regard hear members of the Medical Board and the judge in question.

RULE 33: SCALE OF SANCTIONS

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

1. First degree sanctions
 - i. Reprimand;
 - ii. written warning;
 - iii. Suspension without salary for a period not exceeding thirty (30) days.
2. Second degree sanctions
 - i. Temporary suspension from work without salary for a period not exceeding three (3) months;
 - ii. Summary dismissal with payment of separation allowance only.

RULE 34: NON CUMULATION OF DISCIPLINARY SANCTIONS

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

CHAPTER 5 ACTS OF THE JUDICIAL COUNCIL: LEGAL SYSTEM AND ADOPTION

RULE 35: FORM OF THE ACTS OF THE JUDICIAL COUNCIL

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

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

**RULE 36:
PROCEDURE FOR ADOPTION OF
RECOMMENDATIONS AND REPORTS**

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

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

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

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

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

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

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

**CHAPTER 6
RELATIONS BETWEEN THE JUDICIAL COUNCIL
AND THE ECOWAS COMMISSION**

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

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

**CHAPTER 7
PROCEDURE FOR DELIBERATIONS**

RULE 41: QUORUM FOR PROCEEDINGS

1. For deliberations to be valid, the Judicial Council in each of its memberships mentioned in Rule 6 (1) and (2) of these Rules must comprise at least half the number of its members, plus one.

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

RULE 42 : POINTS OF ORDER

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

RULE 43: ORDER OF PROCEDURAL MOTIONS

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

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

RULE 44: LIST OF SPEAKERS AND TAKING OF THE FLOOR

1. During the debates, the President of the Judicial Council shall give the floor to speakers in the order in which they indicate their intention to speak.

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

RULE 45: CLOSURE OF DEBATES

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

RULE 46: ADJOURNMENT OF DEBATE

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

RULE 47: SUSPENSION OR ADJOURNMENT OF THE SESSION

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

RULE 48: VOTING RIGHTS

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

RULE 49: VOTING ON RECOMMENDATIONS AND REPORTS

After the closure of the debates, the President of the Judicial Council shall immediately put the recommendation or report to the vote, as well as all

related amendments. Voting may not be interrupted on a point of order concerning the manner of the voting.

RULE 50: VOTING ON AMENDMENTS

1. A proposal shall be considered as an amendment to a recommendation where it is aimed at adding to it or deleting some parts, or modifying the text.
2. Where a proposal is the subject of an amendment, it shall first be put to the vote. Where a proposal is the subject of two or more amendments, the Judicial Council shall first vote on the one that is most removed from the initial proposal as far as the substance is concerned, and then on the one which, after the first amendment, is next most removed from the proposal, and so on until all the amendments have been put to the vote.
3. Where one or several amendments are adopted, the proposal(s) thus adopted shall be put to the vote. If no amendment is adopted, the proposal shall be put to the vote in its initial form.

RULE 51: VOTING ON VARIOUS PARTS OF AN AMENDMENT

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

RULE 52: VOTING METHOD

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

RULE 53: WORKING LANGUAGES

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

CHAPTER 8 FINAL PROVISIONS

RULE 54: PRESERVATION OF FILES

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

RULE 55: AMENDMENT OF THE RULES

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

RULE 56: ADOPTION, PUBLICATION AND ENTRY INTO FORCE

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

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

THE COUNCIL OF THE MINISTERS,

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

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

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

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

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

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

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

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

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

CONSIDERING the need to respond to the objectives of the NEPAD Action Plan, to which the

Investment Programme of the Regional Policy on Access to Energy Services aims to contribute;

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

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

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

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

ENACTS

ARTICLE 1

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

ARTICLE 2

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

ARTICLE 3

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

ARTICLE 4

The ECOWAS Commission shall mobilise the necessary funds for the establishment of the

RAAES from development partners and regional financial institutions.

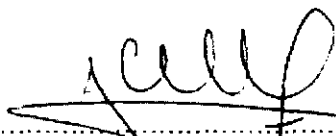
ARTICLE 5

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

ARTICLE 6

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

**DONE IN OUAGADOUGOU,
THIS 15TH DAY OF DECEMBER 2007**



**H.E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL**

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

ENACTS

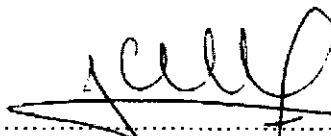
Article 1

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

Article 2

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

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



**H. E. Mme Minata SAMATE CESSOUMA
CHAIRPERSON, FOR THE COUNCIL**

REGULATION C/REG.26/12/07 APPOINTING DR. JEANETTA KOYA JOHNSON AS THE DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION (WAHO).

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

ENACTS

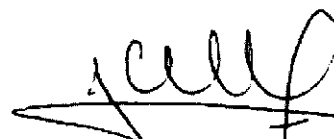
Article 1

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

Article 2

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

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



H.E. MME MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR THE COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

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

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

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

MINDFUL of Supplementary Act A/SA.2/01/07 establishing the ECOWAS Regional Electricity Regulatory Authority (ERERA);

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

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

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

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

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

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

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

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

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

ENACTS:

CHAPTER I: ORGANISATION OF ERERA

Article 1:

Composition of the Regulatory Council

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

Article 2: Governing Board of ERERA

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

Article 3:

Functions of the Regulatory Council

1. The Regulatory Council shall define the general policy of ERERA and take regulatory decisions. It shall have responsibility on the administration of ERERA and the supervision of its activities;
2. The Regulatory Council shall decide the development policy of ERERA;

3. The Regulatory Council shall adopt the annual programme of activities of EREERA and notifies the President of the Commission thereof;
4. The Regulatory Council shall carry out the exercise referred to in article 9 of this Regulation;
5. The Regulatory Council shall order and approve investigations, control measures and audits;
6. The Regulatory Council shall define and adopt the organogram, internal regulation of EREERA, its internal, financial, accounting, human resource management procedures, the remuneration and benefits of the staff of EREERA;
7. The Regulatory Council shall prepare and adopt the annual budget as well as the financial statements of EREERA in accordance with article 38 of this Regulation;
8. The Regulatory Council shall employ the personnel of EREERA, within the provisions of the ECOWAS Personnel Regulation, the laws of the host country and the powers vested in it,
9. The Regulatory Council shall recruit and dismiss all agents and employees of EREERA. It shall determine their remuneration, allowances and other employment and retirement conditions in accordance with these provisions of this Act and the internal regulations of EREERA. It shall assign staff members to the various technical and administrative positions of the Council. It shall be empowered with disciplinary powers over them.
10. The Regulatory Council shall approve purchases, contracts and conventions related to the operations of EREERA. It shall take loans strictly within budgetary limits and in accordance with the provisions of this Regulation;
11. The Regulatory Council shall not later than the month of May of each year, prepare an annual report of the activities of EREERA during the preceding year, and circulate as specify in article 18.7.g of this Regulation;
12. The Regulatory Council shall authorize the participation of EREERA in any association, group or professional organizations whose activities are related to its missions.

**Article 4:
Tenure of Regulatory Council Members**

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

**Article 5:
Appointment of Members of
the Regulatory Council**

1. The Regulatory Council Members shall be appointed based on their moral integrity, skill, expertise, legal, technical, economic and financial qualifications. They shall have at least ten (10) years of experience in electricity generation, transmission, distribution or sale and/or experience in the fields of regulation, law, accounting, economics, finance or administration.
2. The Chairman of the Regulatory Council shall have occupied a high level managerial position in his previous functions.
3. The Regulatory Council members shall be citizens of ECOWAS Member States, exercise their civil and political rights and shall have a clean criminal record.
4. The Regulatory Council Members shall be recruited under the supervision of the ECOWAS Commission, assisted by an independent and reputable recruitment agency.

Article 6: Dismissal- Resignation - Vacancies

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

Article 7:**Status of Members of the Regulatory Council**

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

Article 8:**Independence of Members of the Regulatory Council**

1. The Members of the Regulatory Council shall have full independence to exercise their mandate for the accomplishment of the missions entrusted to them. Consequently, they shall not solicit, accept or receive any instruction from any Government, company, public or private organization or any ECOWAS institution.
2. Member States and others institutions in the ECOWAS region shall respect their independence in the exercise of their duties.

Article 9: Professional confidentiality/secretcy

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

Article 10: Conflict of Interest

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

Article 11: Oath of Office

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

Article 12: Remuneration

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

**Article 13:
Chairmanship of the Regulatory Council**

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

**Article 14:
Functions of the Council Chairman**

1. The Chairman shall represent the Regulatory Council in all activities and shall represent EREDA in any case of law.
2. The Chairman shall organise and coordinate the activities of EREDA.
3. The Chairman shall set the agenda, convene and preside over Council sessions.
4. The Chairman of the Regulatory Council shall be the authorising officer of EREDA.

Article 15: Staff of EREDA

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

1. Categories of Staff

EREDA shall have two categories of staff:

- a) international staff composed of the Regulatory Council Members, professional technical staff made up of agents and experts recruited through a call for application organised by the Regulatory Council on the basis of an open and competitive selection process conducted by independent recruitment agency and supervised by the ECOWAS Commission. Without prejudice to the provisions of this Regulation, international staff shall be subjected to the Staff Regulation of ECOWAS.

- b) local administrative staff recruited and appointed by the Regulatory Council shall not benefit from any privilege and diplomatic immunity or tax and customs exemptions and shall be subject to the provisions of the work legislations of the country hosting the headquarters of EREDA and the regulations governing its staff.

2. Qualifications and Staff Management

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

3. Staff Obligations

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

**CHAPTER II:
MISSIONS, POWERS AND FUNCTIONS**

Article 16: Missions of EREDA

1. EREDA shall have the overall mission to:
 - a) regulate the cross-border power pooling among ECOWAS Member States,
 - b) oversee the implementation of the necessary conditions to ensure rationalization and reliability, and
 - c) contribute to setting up a regulatory and economic environment suitable for the development of the regional market.
2. EREDA shall also oversee compliance with the principle of freedom of electricity transit in accordance with the provisions of article 7 of the Energy Protocol and the establishment of a clear, transparent and predictable tariff setting methodology for regional power pooling.
3. EREDA shall be responsible for the technical regulation of regional power pooling and the monitoring of regional market operations such as:
 - a) respect of technical and commercial regulations and more especially the conditions for access to the interconnected transmission network, entry of operators into the market, and development of transmission infrastructure;
 - b) prevention and sanction for anti-

- competitive practices, abuse of dominant position and conditions that could affect the proper operation of the regional market;
- c) monitoring of technical, commercial and financial performances of electricity companies ;
 - d) determination and compliance to tariff rules on access, network utilization and ancillary services.
4. ERERA shall assist the ECOWAS Commission in defining the strategic direction of the regional policy and the harmonization of policies, legislations and regulation of national power sectors. It shall also give an opinion on draft acts of ECOWAS Commission relating to electricity sector.
 5. It shall establish effective dispute resolution procedures between regional power market players and control its proper application.
 6. ERERA shall maintain partnership relations with national regulatory authorities in Member States and provide them with technical advice and assistance at their request;
 7. ERERA shall ensure that there is proper communication among the various actors of the sector and shall advise those who so request.

Article 17: Powers of ERERA

1. ERERA shall have the power to:
 - a) enact, set, specify or interpret technical and commercial rules on cross-border power pooling, through the transmission network, between ECOWAS Member States, in accordance with the provisions of the Revised Treaty, the Energy Protocol, rules and directives given by competent ECOWAS institutions;
 - b) make any recommendation to various regional or national participants in the ECOWAS power sector, in pursuit of the objectives and missions assigned to it by this Regulation;
 - c) authorize, approve and control the activities of various participants in the regional power market in accordance with the provisions of article 10.2 of this Regulation ;
 - d) initiate investigations, carry out audits, and enforce any necessary injunction

or measure to conserve or safeguard and sanction breaches and violation of established rules on cross-border power pooling such defined in point a above; and

- e) resolve disputes between participants on any issues that have been submitted before it concerning litigation or behaviours affecting the organization or functioning of cross-border power pooling.
2. For the exercise of its prerogatives, ERERA shall have the powers to do the following:
 - a) Enact regulations having the aim of specifying community regulation on cross-border power pooling. These regulations shall have the same binding force as the executory acts from which they are derived. They shall apply to all players in the regional power market.
 - b) Give opinions or recommendations internally generated or requested by regional or national participants of the power market. Such recommendations shall only be an opinion.
 - c) Make decisions on mediation, conciliation or dispute resolutions submitted before it, observed defaults or violations in the case of sanction. Without prejudice to the provisions of articles 26 to 31 of this Regulation, these decisions shall be binding upon their subjects.

Article 18: Functions of ERERA

1. Within the framework of the ECOWAS power sector policy, ERERA shall, in regulating cross border power pooling within the region:
 - a) advice the ECOWAS Commission on all issues relating to the regional policy and structure of the regional market;
 - b) assist the ECOWAS Commission in the harmonisation of national policies and supervision of the application of the provisions of article 43 of the Energy Protocol relating to energy efficiency;
2. ***In the technical regulation of cross border power pooling***
ERERA shall:
 - a) oversee conformity of national rules and regulations with the community law, inform ECOWAS of deviation of Member States from community rules ;

- b) approve technical rules for the functioning and access to the regional power transmission network ;
- c) oversee the application and respect of technical rules and norms applicable to the regional power market;
- d) periodically evaluate the application of standards and propose their improvements to the Commission ;
- e) disseminate technical information on network management to all participants ;
- f) sanction defaulting operators in case of non-compliance with applicable regulation.
- j) prevent and/or sanction defaulters of anti competitive practices, abuse of dominant position and all other violations of market operation rules or license or authorization contracts, and possibly initiate a process to enforce compliance in case of non-execution of a sanction;
- k) request and access reports from network managers and make any recommendation within its area of competence;
- l) carry out periodical benchmarking of operators and an assessment of their technical and financial viability.

3. In the management of the regional market
ERERA shall:

- a) ensure the application of the provisions of article 7 of the Energy Protocol relating to power transit;
- b) ensure the application of community directives on the organization of the regional market ;
- c) supervise the drafting and approve the rules for the functioning of the regional market;
- d) draft and assist in the adoption by Member States, of harmonised criteria for the granting of licenses and authorisations for participants in the regional market;
- e) approve applications for authorizations or licenses to participate in the regional market, proposed by national regulatory authorities;
- f) ensure a non-discriminatory access to the regional electricity transmission network and approve network access protocols ;
- g) ensure the development of a suitable environment for the emergence of private regional operators ;
- h) ensure proper functioning of the market by enforcing compliance to technical and commercial rules ;
- i) supervise, in collaboration with national regulators, the application of the principles of accounts separation and transparency implemented by electricity companies; ERERA shall ensure that these rules, perimeters and principles do not permit any discrimination, cross subsidies or market distortion ;

4. In planning regional market development
ERERA shall:

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

5. In setting transmission and ancillary services tariffs
ERERA shall:

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

6. In dispute resolution

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

7. In information and audit

ERERA shall:

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

Article 19:**Principles governing regional market organisation**

1. In order to promote infrastructural development and attract investments, the Signatory States agree that the organisation of the regional market of ECOWAS shall be based on the following principles:
 - a) Unrestricted power pooling between Member States within a competitive framework;
 - b) Application of non discriminatory rules for power pooling and dispute resolution;
 - c) Protection and promotion of private investments;
 - d) Environmental protection and promotion of energy efficiency.
2. In the application of these principles and taking into account the uneven level of development and the diversity in the organization of the power systems of Member States, the Signatory States to this Regulation shall encourage:
 - a) interconnection of all Member States in the long run;
 - b) freedom of transit of electricity between Member States by ensuring non-discriminatory, transparent and fairly priced network access ;
 - c) gradual introduction of an open and competitive regional wholesale power market;
 - d) adaptation of operational, safety and tariff rules for transmission of cross-border power pooling ;
 - e) harmonization of national market organization rules in conformity with the rules and principles defined in this Regulation;
 - f) the implementation of the principles of national treatment and "Most-favoured-nation" treatment in cross-border power pooling
 - g) gradual elimination of technical, administrative and other barriers to power pooling ;
 - h) prevention of market distortions and hindrances to competition within the power sector.
3. The Signatory States shall ensure that electricity companies are operated in accordance with the principles and rules of the Energy Protocol and this Regulation. In addition, they shall be obliged to prohibit:
 - a) agreements, associations and concerted practices by and between companies, with the objective or having the effect of restricting or distorting competition within the Community;
 - b) any practices by one or several companies, resembling the abuse of a dominant position on the regional market or in a significant part thereof;
 - c) government assistance, which is likely to distort competition by favouring certain

companies or activities in the regional power sector.

4. The details of the foregoing principles of organization of the regional power market shall be enunciated by way of directives from the Council of Ministers.

**Article 20:
Principles of the Regional Market
Regulation**

1. The Signatory States of this Regulation affirm that regional regulation of the West African power sector shall be based on the following principles:
 - a) Independence from authorities, private interests and power sector participants;
 - b) Transparency in the regulatory process, through the drafting of rules and regulatory procedures according to a process involving institutional, national and regional participants;
 - c) Rationality, predictability, consistency and stability of the decisions and actions of ERERA;
 - d) Effectiveness and efficiency of regulatory actions through provision of adequate expertise to regional power sector participants and a quantitative and qualitative system of observation and information;
 - e) Collective decision-making by ERERA.
2. The Signatory States shall encourage regulation of the regional power market by establishing good contractual practices and cooperation among national regulatory authorities in cross-border power pooling.
3. A regional license allowing participants to operate on the regional market shall be created by a directive of the ECOWAS Commission harmonising the regional market.

**CHAPTER III:
OPERATION OF ERERA**

**Article 21:
Sessions of the Regulatory Council of
ERERA**

1. Convening of sessions
 - a) The Regulatory Council shall meet at least once every month on the summons of the Chairman by letter, telex, fax, or electronic

mail. The modalities of convening of sessions shall be defined in the rules of procedure.

- b) The Regulatory Council shall hold ordinary sessions at the end of the first quarter of the financial year to approve the accounts of the preceding year and in the third quarter to adopt the budget of the next financial year.
- c) The Regulatory Council may hold extraordinary sessions, either at the initiative of the Regulatory Council Chairman, or on the request of at least two (2) members, who shall specify the purpose of the meeting.
- d) The Secretary to the Regulatory Council meetings shall be a member of the technical or professional personnel designated by the Council for the performance of such duties.

2. Quorum

- a) The quorum for the Regulatory Council meetings shall be the presence of three (3) members. However, during the transitional period as defined by article 39 of this Regulation, this quorum shall be two (2) members.
- b) Where this quorum is not attained, the Council shall newly convene the same order of business within a maximum period of five (5) days. The Regulatory Council shall then validly deliberate with the members present.

3. Deliberations

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

**Article 22:
Consultative Committees and Public
Hearings**

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

Article 23: External Expertise

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

Article 24: Rules of Procedure

The internal organization and operational procedures of ERETA shall be defined in the rules of procedure, which shall be adopted by the Regulatory Council.

**Article 25:
Official Newsletter and Internet Website**

ERETA shall create an official newsletter and an Internet website on which it shall publish all non-confidential information concerning the regional market, such as its annual reports, regulations,

rules, decisions, recommendations, opinions or sanctions, on-going proceedings, requests for opinion and announcements.

**CHAPTER IV:
RULES FOR PROCEEDINGS**

Article 26: Referral to ERETA

1. ERETA may, on its own or at the request of any entity, individual or corporate body having legitimate interest, may instigate proceedings on any violation of the provisions of the Energy Protocol, this Regulation and any other Act relating to the operations of the regional market.
2. ERETA shall receive complaints and petitions in writing in the form prescribed by the Regulatory Council, specifically stating the names of the parties, their identities and addresses, the subject of the request, as well as the nature and full facts of the case.
3. ERETA shall not, on its own or at the request of any party, entertain investigations and/or proceedings on any violations that are beyond three (3) years if such violations have never been investigated or processed.
4. Upon receipt of a complaint or petition, ERETA shall, where necessary, take precautionary measures as specified by its Rules of Procedure and in conformity with article 27 of this Regulation as well as operators licenses, in order to temporarily halt the violations concerned while awaiting the final decision.

Article 27: Process of the Proceedings

1. ERETA shall establish, approve and publish its Rules of Procedure.
2. Upon receipt of a request, or information in respect of any violation within its area of competence of ERETA, the Chairman shall convene a meeting of the Regulatory Council for the purpose of determining the applicable procedure in accordance with its Rules of Procedure. The Regulatory Council shall, where necessary, publish the commencement of proceedings and notify directly the concerned parties and national regulators.
3. The Regulatory Council shall conduct the hearing for the parties and may solicit evidence or testimony from the public.
4. The Regulatory Council shall deliberate in closed-door sessions and make its decision.

5. The decision of the Regulatory Council shall be supported by appropriate evidence.
6. The deadline for decision making by the Regulatory Council on any case referred to it or initiated by it shall be prescribed in the rules of procedure.
7. Once a decision is made, interested parties shall immediately be notified of the decision, which shall be published in the Official Newsletter of ERECA and on its website.

**Article 28:
Enforcement of the Decisions of ERECA**

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

**CHAPTER VII:
DISPUTE RESOLUTION, POWERS OF
SANCTION AND APPEAL**

Article 29: Dispute resolution

ERERCA shall:

1. receive complaints on disputes concerning regional market operations and power pooling and shall investigate them;
2. organize the resolution of dispute relating thereto;
3. be vested with the mandate conferred on the ECOWAS Commission by article 7 of the Energy Protocol relating to power transit, and take all precautionary measures and/or settle any disputes relating to the application or interpretation of the said article;

4. without prejudice to the application of the provisions of the WAPP convention on settlement of dispute, receive disputes emanating from parties to these procedures, or other third parties whose rights, as recognized by the provisions of the applicable community regulation, were affected by these decisions;
5. establish rules for the public hearings and resolution of the disputes referred to it;
6. in accordance with the provisions of its rules of procedure, inform the ECOWAS Commission, WAPP, national regulators and any other interested participants having legitimate interest, of the disputes referred to it.

Article 30: Sanctions

1. Where the party in breach fails or refuses to comply with the decision of ERECA as duly notified, ERECA shall:
 - impose a fine; and/or
 - Suspend or revoke the operating licence or authorization of the defaulting operator.
2. ERECA shall, on its own or at the request of any actor in the power sector, impose sanction for any observed breaches or violations of community regulation on cross-border power pooling.
3. ERECA shall not take a decision unless notice has been given to the party in breach. The party shall have the right to consult the file and present its defence by making written or oral representation either by themselves or through their counsel.
4. After a decision has been made, ERECA shall issue a formal notice in writing to the party in breach to comply with the rules.
5. The sanction shall be proportional to the gravity of the breach, the extent of economic damage, the situation of the party or the group to which the party belongs and the possible repetition of the prohibited practices. The sanction shall be determined individually for each party and shall include detailed justifications in support thereof.
6. The magnitude of the fine shall be dependent upon the benefit derived by the offending party from the violation and the provisions contained in the licences or authorizations held by it. Such monetary penalty, for each violation, shall not

exceed 1% of the annual revenue realized by the perpetrator of the observed violation. This penalty shall be doubled in the event of recurrence.

7. The proceeds of such fines shall be deposited in a special fund. The Council of Ministers shall by regulation, specify the mode of management and utilisation of the fund within the regional sector.
8. The rules and levels of the sanctions shall be specified by a regulation of the Council of Ministers.

Article 31: Appeal

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

CHAPTER VI: ACCOUNTING AND FINANCIAL PROVISIONS

Article 32: Financing of ERETA

1. ERETA shall have ordinary and extraordinary sources of funds.
2. The following shall be considered as the ordinary sources of funds:
 - a) annual fees levied on cross-border power pooling by electricity companies operating under a license, convention or authorization regime of cross-border power pooling as defined by this Regulation, the ECOWAS Energy Protocol and provisions of the convention, license or authorization referred to herein; and

b) charges for processing cases, inspection and supervision as well as procedural charges paid by West African power sector operators by virtue of ERETA rules.

3. The following shall be considered as extraordinary sources of funds:
 - a) loans;
 - b) subsidies from States and grants from public or private, national or international organizations; and
 - c) gifts and legacies, subject to the approval of the Regulatory Council.
4. The initial budget of ERETA shall be exclusively financed by an extraordinary budgetary allocation provided by the ECOWAS Commission and any other subsidies received from development partners.
5. The method of calculation of the annual fee shall be set by the Council of Ministers through a regulation, following a proposal by ERETA.
6. All charges and fees shall be collected directly from market operators, and such payments shall be deposited into a current account opened in the name of ERETA at a banking establishment situated at the location of its headquarters.
7. The ECOWAS Commission shall mobilize the necessary financing for the speedy establishment of the ECOWAS Regional Electricity Regulatory Authority (ERETA) and for the effective commencement of its activities.

Article 34: Budget of ERETA

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

Article 35: Financial regulation of ERETA

1. Subject to the provisions of this Regulation,

ERERA shall establish and implement internal financial regulations, consistent with ECOWAS financial regulations and principles.

2. The financial year of ERERA shall be from 1st January to 31st December.
3. At the end of each financial year, the Chairman of the Regulatory Council shall:
 - a) close the books of accounts and cause the accounting and allied books to be prepared;
 - b) establish a financial statement of transactions carried out within the financial year.
4. In the event of an operating surplus, the Regulatory Council shall place such surplus in a reserve for the purpose of financing future deficits or others activities. However this reserve shall not exceed 25% of the income from ordinary resources of the financial year. Any excess above this amount shall oblige the Council to reduce regulatory fees/charges in the subsequent year so as to bring the reserve to the authorized limit.
5. The external auditor of ECOWAS Institutions shall be responsible for auditing the ERERA accounts and shall submit a report thereon to the Council of Ministers through the Audit Committee.
6. The financial documents of ERERA shall be submitted to the external auditor within two (2) months after the closing of the financial year.
7. He shall certify the truth and accuracy of the accounting records of the financial year.
8. The staff of ERERA shall, without restriction or delay, furnish the external auditor with any records required by him in the performance of his audit.
9. The external auditor shall be held responsible by ERERA and third parties, for all damages, errors or negligence committed by him in the performance of his duties.
10. The external auditor may, on the invitation of the Chairman of the Regulatory Council, attend Council Meeting and participate in an advisory role.

Article 36: Audit

1. ERERA shall, every three (3) years, undertake an independent audit of its accounts,

organization and procedures for the evaluation of its efficiency in relation to its missions. The ECOWAS Commission shall approve the terms of reference of such audit, proposed by the Regulatory Council. The audit shall be carried out by a reputable audit firm appointed by the Regulatory Council, after a transparent and competitive selection process, approved by the ECOWAS Commission.

2. The audit report shall be submitted through the ECOWAS Commission to the Council of Ministers.
3. The Authority of Heads of State and Government, the Council of Ministers or the Meeting of Energy Ministers shall have the power, at any moment, to investigate the administrative and financial management of the ERERA.

CHAPTER IX: FINAL PROVISIONS

Article 37:

Relations between ERERA and other regional and Sub-regional institutions

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

Article 38: Relations with Third Parties

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

Article 39: Transitional provisions

1. The Council of Ministers shall appoint the Chairman of the Regulatory Council pursuant to article 5 of this Regulation.

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

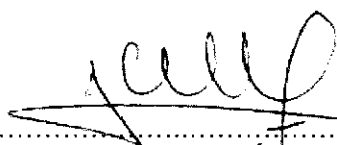
Article 40: Amendment and revision

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

Article 41: Publication

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

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



H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

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

ENACTS

Article 1

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

Article 2

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

Article 3

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

Article 4

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

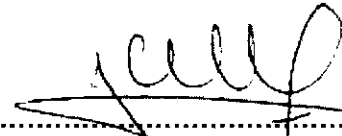
Article 5

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

Article 6

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

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

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

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

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

LEGAL FRAMEWORK AND POLICY DEVELOPMENT

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

Input: National Government

Success indicator: Conventions ratified

To be completed by: as soon as possible, but not later than December 2008

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

Input: National Government

Success indicator: Charter ratified

To be completed by: as soon as possible, but not later than December 2009

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

Input: National Government, ODCCP/CICP

Success indicator: Convention and Protocol ratified

To be completed by: as soon as possible, but not later than December 2011.

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

Input: National Government

Success indicator: Criminal Code amended

To be completed by: December 2010

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

Input: National Government

Success indicator: Criminal Code amended

To be completed by: December 2011

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

Input: National Government

Success indicator: Criminal and/or Civil Code and Procedures amended as appropriate

To be completed by: December 2009

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

Input: National Government

Success indicator: Criminal and/or Civil Code and Procedures amended as appropriate

To be completed by: December 2009

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

Input: National Government

Success indicator: Immigration code and regulations amended

To be completed by: December 2010

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

Input: National Government

Success indicator: Immigration and emigration regulations amended, system of repatriation established

To be completed by: December 2008

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

Input: National Government

Success indicator: Immigration and emigration regulations amended

To be completed by: December 2008

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

Input: National Government, Inter-Governmental Organizations, Non-Governmental Organizations and other representatives of civil society

Success indicator: National Task Force designated and operating

To be completed by: December 2008

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

Input: National Government, IGO'S, NGO'S and other groups

Success indicator: National Task Force completes preliminary draft of the national plan of action in 2002 and reports regularly to ECOWAS

To be completed by: December 2008/ongoing

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

Input: ECOWAS Secretariat and ECOWAS Member States

Success indicator: Unit operational, standards developed, capacity building activities held, cooperation fostered and monitoring and evaluation ongoing.

To be completed by: Unit operational and work ongoing

PROTECTION AND SUPPORT OF VICTIMS OF TRAFFICKING IN PERSONS

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

Input: National Government (Ministers of Justice/Social Affairs), and local NGO'S; IGO'S and NGO'S for material support and expertise, as required.

Success indicator: Reception centers open and receiving clients

To be completed by: At least one center open in each country by June 2008.

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

Input: National Government (Ministers of Justice/Social Affairs), NGO'S, and other civil society groups

Success indicator: Relevant codes amended. Victim/Witness protection available

To be completed by: Victim/Witness support program operational by June 2009

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

Input: ECOWAS Commission and National Government

Success indicator: ECOWAS fund for victims of trafficking established and minimum funding provided

To be completed by: June 2008

PREVENTION AND AWARENESS RAISING

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

Input: Government social service agencies; Government media and public education agencies, media outlets, local NGO'S, international NGO'S and IGO'S, particularly IOM, ILO and UNICEF

Success indicator: Various types of awareness raising undertaken, including radio spots, broadcasts, newspaper

To be completed by: December 2008/ongoing

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

Input: Government social service agencies; Government media and public education agencies; Government and private education systems, media outlets, NGO'S and IGO'S, particularly IOM, ILO and UNICEF

Success indicator: Radio spots broadcast, leaflets distributed in majority of schools, as well as information campaigns addressing local

communities and community leaders undertaken. Material support and expertise provided

To be completed by: December 2008/ongoing

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

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

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

To be completed by: December 2009

COLLECTION, EXCHANGE AND ANALYSIS OF INFORMATION

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

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

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

To be completed by: December 2009/ongoing till 2011

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

Input: ECOWAS Commission, Government immigration and border control agencies

Success indicator: Joint border control established and staff trained

To be completed by: December 2008/ongoing till 2011

SPECIALIZATION AND TRAINING

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

Input: Government law enforcement agencies; Government personnel and training agencies, ODCCP/CICP, Interpol, and other law enforcement agencies to provide material support and expertise

Success indicator: Specialized units created and operational

To be completed by: December 2008

2. States shall provide and strengthen training for law enforcement personnel, customs and immigration officials, prosecutors and judges, and other relevant officials, on the prevention of trafficking in persons. The training should focus on the methods used in preventing such trafficking, prosecuting the traffickers, and protecting the rights of victims, including protecting the victims from the traffickers. This training should also take into account the need to consider human rights and child- and gender-sensitive issues, and it should encourage cooperation with non-governmental organizations and other elements of civil society.

Input: Relevant government agencies, including their training centers; including ODCCP/CICP, relevant IGO'S, Interpol, bilateral support and relevant NGO'S

Success indicator: Training curricula formulated, training materials prepared and training sessions held

To be completed by: December 2008

3. States shall prepare training materials concerning trafficking in persons for embassy and consulate staff who deal with immigration and visa services. Materials will be developed in consultation with the ECOWAS Unit for the coordination of the efforts to combat trafficking in persons.

Input: Government diplomatic services and other relevant Government agencies

Success indicator: Training materials completed and training sessions underway

To be completed by: June 2009/ongoing till 2011

TRAVEL AND IDENTITY DOCUMENTS

1. States shall establish procedures to verify whether a person who is the victim of trafficking in persons is a national, or has the right of permanent residence in the State of origin, and to provide such travel documents or other authorization as may be necessary to enable a victim of trafficking in persons who is without proper documentation to travel to and re-enter its territory, on the request of a receiving State.

Input: National Government, Passport Offices and Immigration Agencies

Success indicator: Immigration regulations and code amended, procedures in place

To be completed by: December 2010

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

Input: National Government, Passport Offices Immigration Agencies

Success indicator: Immigration codes and regulations amended, procedures in place

To be completed by: January 2008/ongoing till 2011

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

Input: Government immigration services and document services, consular services, health services, law enforcement agencies, the agencies and services of other States, IGO'S, ODCCP/CICP, particularly Interpol and law enforcement and other relevant agencies of third countries

Success indicator: ECOWAS sub-regional meeting with relevant officials and experts held on ways to improve integrity and security of identity and travel documents

To be completed by: June 2008/ongoing till 2011

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

Input: Government transport regulation agencies, immigration services, border control agencies, law enforcement agencies, international IGO'S, particularly Interpol and ODCCP/CICP; other law enforcement agencies to provide material support and expertise

Success indicator: Amendment of relevant transport regulations

To be completed by: December 2008

MONITORING AND EVALUATION OF THE INITIAL PLAN OF ACTION

1. States, through their Task Force on Trafficking in Persons, shall coordinate and monitor the ongoing implementation of this Initial Plan of Action at the national level and report, on a bi-annual basis, to the ECOWAS Secretariat.

Input: Government agencies, reporting to the Government Task Force

Success indicator: Progress reports on the Initial Plan of Action provided to relevant Ministries, and to ECOWAS every 6 months

To be completed by: Every 12 months (from February 2008)

2. The ECOWAS Secretariat shall coordinate and monitor the implementation of this Initial Plan of Action and report on the progress achieved every 12 months to the Ministerial Meeting of the Mediation and Security Council.

Input: Government Task Force reporting through their State to the ECOWAS Unit or the coordination of the efforts to combat trafficking in persons

Success indicator: Annual reports prepared by Ministerial Meeting of the Mediation and Security Council and submitted to the ECOWAS Authority of Heads of State and Government

To be completed by: Every 12 months

3. The ECOWAS Secretariat shall organize an Expert Group Meeting for 2008 that shall evaluate the implementation of this Action Plan, and make recommendations for further actions to be taken against trafficking in persons.

Input: ECOWAS Commission and the ECOWAS Member States

Success indicator: Expert Group Meeting held in 2008

To be completed by: 3rd quarter, 2008

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

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

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

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

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

ENACTS

Article 1

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

Article 2

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

- measures taken against them, current repatriation sites and operations,
- Receiving and reviewing applications for being a party to the present Agreement,
 - Convening bi-annual inter-regional conference of all the stakeholders of the State parties on trafficking in persons on rotational basis,
 - Formulating views and recommendations.

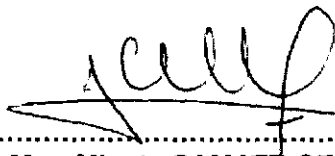
Article 3

At the end of the expiration of the tenure of the said States mentioned under Article 1, the Commission shall initiate processes for the selection of the next representative States on the Joint Permanent Regional Monitoring Commission.

Article 4

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

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



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

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

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

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

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

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

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

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

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

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

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

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

ENACTS

ARTICLE 1: Definitions

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

completion of the Excel tables, the validation consists in sending, through electronic channel or any other means, the completed tables to the relevant regional institution. In both cases, the validation is done by the relevant national administrator.

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

ARTICLE 2:

Creation and objective of the database for ECOWAS Multilateral Surveillance Mechanism

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

ARTICLE 3 : Content of ECOMAC

1. ECOMAC covers only economic, financial and monetary data on ECOWAS Member States, necessary for the monitoring of the convergence criteria as well as the economic performance analysis of the Member States.
2. More specifically, ECOMAC contains 13 tables, in Excel format :
 1. Table A: Government financial operations
 2. Table B: Accounts of the central bank

3. Table C: Accounts of deposit money banks
4. Table D: Consolidated accounts of the banking system
5. Table E: Foreign assets and liabilities of the banking system
6. Table F: Selected interest rates
7. Table G: Balance of payments
8. Table H: Exchange rates
9. Table I: Public debt stock
10. Table J: GDP at current prices
11. Table K: GDP at constant prices
12. Table L: Inflation rate
13. Table M: Consumption price index.

ARTICLE 4 :

Frequency of the updating exercise

1. The updating of the database shall be done on a quarterly basis, both by Member States and regional institutions. At each updating, the status of the information (forecast, provisional or final) shall be indicated and clearly reflected by the database.
2. Data updating for each quarter shall be completed by the end of the second week of the second month of the following quarter, for Member States, and by the end of the last week of the second month of the following quarter, for the regional institutions.
3. Between two updating operations, Members States shall communicate to regional institutions any updating that can occur. This communication shall be made through media other than the ECOMAC.

ARTICLE 5 : Role of regional institutions

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

3. The Joint WAMA/ECOWAS Technical Secretariat shall supervise the overall data updating exercise.

ARTICLE 6: Role of Member States

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

ARTICLE 7 :

Editing and dissemination format

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

ARTICLE 8 :

Exchange of data between institutions

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

ARTICLE 9 : Implementation

1. Member States undertake to update ECOMAC on a regular basis.
2. The Commission of ECOWAS, in collaboration with the other regional institutions, shall support Member States in the updating of ECOMAC, particularly through capacity-building (institutional assistance, training, equipment).
3. With a view to following-up the implementation of this Regulation, the regional institutions, under the coordination of the ECOWAS Commission, and as regularly as necessary, shall propose modifications relating to the list of indicators of the database and data formats,

as well as necessary arrangements relating to the functioning and adaptation of the ECOMAC updating mechanism. The proposals shall be discussed with Member States. The discussions shall take place within the framework of existing institutional meetings, or other meetings that the ECOWAS Commission shall organise.

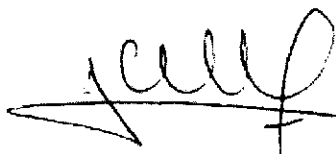
ARTICLE 10 : Monitoring of Implementation

The ECOWAS Commission shall monitor the implementation of this Regulation.

ARTICLE 11 : Final Provision

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

**DONE IN OUAGADOUGOU,
THIS 15TH DAY OF DECEMBER 2007**



H. E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS

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

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

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

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

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

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

RECALLING the Council Directives for a restructuring of the Special Fund for Telecommunications and the imposed embargo on the operations of the SFT;

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

DESIRING therefore to ensure the resumption of operations of the SFT;

ON THE RECOMMENDATION of the Board of Directors of the ECOWAS Bank for Investment and

Development (EBID) at its fourth Ordinary Meeting in May 18, 2006 and the Committee of ECOWAS Ministers responsible for Telecommunications;

E N A C T S

Article 1

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

Article 2

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

Article 3

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

Article 4

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

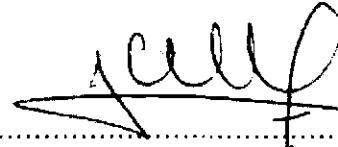
Article 5

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

Article 6

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

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



.....
H. E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

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

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/P1/06/06 amending Articles 17 and 18 of the ECOWAS Treaty and providing for the nomination of nine (9) Commissioners and defining the procedure for their nominations ;

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

MINDFUL of Regulation C/REG.1/06/06 on the approval of the organisational structure of the Commission and defining its areas/technical departments under the supervision of each Commissioner;

MINDFUL of Decision A/DEC.4/12/01 re-establishing the position of the Financial Controller of Community Institutions;

MINDFUL of Regulation C/REG.15/12/06 on the adoption of the Internal Audit Charter;

MINDFUL of Decision A/DEC.15/01/06 on the creation of the Audit Committee of ECOWAS and the adoption of its mandate and terms of reference;

CONSIDERING that the transformation of the Executive Secretariat into a Commission is aimed at, among other objectives adapting it to the international environment;

GIVEN that the establishment of the organisational structure of the Commission has consequently led to the creation of administrative positions and bodies operational activities that lead to the realisation of the objectives of integration ;

CONSCIOUS that the distribution or the clear definition of roles of each body or structure of the Commission would facilitate the realisation of coherence and synergy necessary for conducting the administration of the Commission for the attainment of integration objectives;

CONSCIOUS also that the orientation, management and effective control of financial and accounting activities is the guarantee for the good functioning of the Commission in the realisation of its economic development mission of the Community and functioning of its institutions;

NOTING that the involvement of the Financial Controller, Chief Internal Auditor and the Commissioner for Administration and Finance in the current financial and accounting activities of the Commission is in line with their functions;

DESIRING to define the role of each body for the avoidance of duplication and conflicts of competence detrimental to the good functioning of the Community;

ON THE RECOMMENDATION of the Eighth Meeting of the Audit Committee held in Ouagadougou on 13 December 2007;

ENACTS:

Article 1 :

Hierarchical order in the submission of activity reports

1. The Commissioner for Administration and Finance presents his/her activity report to the President of the Commission.
2. The Financial Controller reports directly to the Council of Ministers after informing the Administration and Finance Committee.
3. The Chief Internal Auditor reports to the Audit Committee. The Audit Committee submits the conclusions of the report of the Chief Internal Auditor to the Council of Ministers.

Article 2 :

Operational Staff for the office of the Financial Controller

The Financial Controller has his/her staff in the Community institutions and specialised agencies.

Article 3 :

Roles of the Commissioner for Administration and Finance

The Commissioner for Administration and Finance is charged with the following responsibilities:

- i) Initiate expenses in compliance with the Financial Regulations and Manual of Accounting Procedures of ECOWAS;
- ii) Ensure the recording of all transactions in the ledgers of the ECOWAS Commission and its related institutions.
- iii) Prepare and establish the annual financial statements of the ECOWAS Commission and its related institutions;
- iv) Ensure the financial statements are accurately established and submitted in time;
- v) Initiate and monitor the purchases of goods and services and ensure conformity with ECOWAS tender procedures;
- vi) Coordinate all administrative operations (preparation of meetings and workshops, management of human resources) of the ECOWAS Commission and its related institutions;

- vii) Ensure the correct collection and management of the Community levy;
- viii) Present periodically a report on the Community levy;
- ix) Collaborates and works in synergy with the other Commissioners;
- x) Represents the President and the Vice President whenever necessary;
- xi) Propose to the Administration and Finance Committee possible improvements on the administrative, financial and accounting procedures;
- xii) Prepare and monitor the implementation of the budget of the Commission and its Institutions;
- xiii) Develop training programmes for the staff of the ECOWAS Commission;
- xiv) Prepare performance evaluation reports for staff of the ECOWAS Commission and its Institutions.

Article 4 :
Roles of the Financial Controller

The Financial Controller is responsible for :

- i) Ensure that expenditure in the Community Institutions is in line with their approved budget and proper implementation of the Community's budgetary and accounting monitoring controls;
- ii) Endorse all commitments of expenditure in the institutions ;
- iii) Provide periodic activity reports on budgetary, financial and accounting monitoring of the Community for the consideration of the Council and information of the Administration and Finance Committee;
- iv) Participate in the preparation of regulations aimed at improving the financial and accounting management of the Institutions and make proposals on the improvement of financial and accounting procedures to the Council of Ministers;

- v) Develop and update the annual training plan incorporating skills gap noted for all levels of Financial Controller's staff;
- vi) Prepare a performance evaluation system for all Financial Controller's staff;
- vii) Any other responsibilities as stipulated in the Financial Regulation and Manual of Accounting Procedures which are in conformity with the provisions of this Regulation.

Article 5 :
Roles of the Chief Internal Auditor

The Chief Internal Auditor is responsible for:

- i) Management of the Internal Audit function;
- ii) Development of the Audit charter, policy and procedures;
- iii) Assessment of risk and control to be implemented;
- iv) Develop and execute the annual audit plan;
- v) Supervision of duties and development of training programmes for internal auditors;
- vi) Implementation of investigating and forensic audit;
- vii) Coordination of audit activities and external auditor's assignments;
- viii) Perform all special audit assignments requested by the Audit Committee, Council of Ministers or the Authority of Heads of State.

Article 6 : Implementation

Each body will execute this Regulation as it affects it.

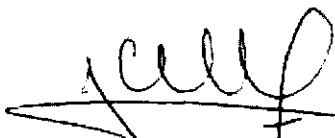
Article 7:

This Regulation repeals all pre-existing contrary provisions.

Article 8 :

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

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



H. E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON
FOR COUNCIL

**REGULATION C/REG.33/12/07 ON THE PAYMENT
OF SITTING ALLOWANCE TO MEMBERS OF THE
AUDIT COMMITTEE.**

THE COUNCIL OF MINISTERS,

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

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

CONSIDERING that the Audit Committee is essentially a ministerial sub-committee of the Council of Ministers whose members are chosen on the basis of their expertise in the financial sector;

ALSO CONSIDERING the need therefore to extend some of the privileges of the Council of Ministers to the Audit Committee.

DESIRING to improve participation in the meeting of the Audit Committee, facilitate the effective and regular attendance of its members and consequently adopt appropriate measures;

ON THE RECOMMENDATION of the Eighth Meeting of the Audit Committee held in Ouagadougou on the 13th December 2007;

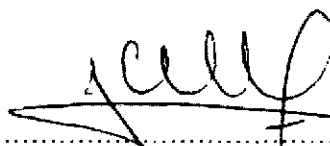
ENACTS**Article 1**

1. A lump sum of Two Thousand Dollars (\$2,000) shall be paid as sitting allowance to members of the Audit Committee at every meeting of the Committee.
2. The allowance referred to in paragraph 1 of this Article shall be paid to the members of the Committee that effectively participate at its meetings.

Article 2

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

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



H.E. MRS. SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

**REGULATION C/REG34/12/07 ADOPTING THE
2005 AUDITED FINANCIAL STATEMENTS OF THE
COMMUNITY COURT OF JUSTICE**

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

ENACTS

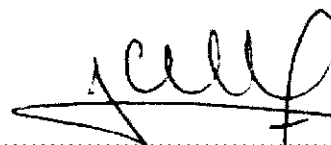
Article 1

The audited financial statements of the Community Court of Justice for 2005 is hereby adopted.

Article 2

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

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



.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON,
FOR COUNCIL

DECISION C/DEC.1/12/07 APPROVING THE PAYMENT OF SEPARATION ALLOWANCE TO THE FORMER SPEAKER OF THE ECOWAS PARLIAMENT, PROFESSOR ALI NOUHOUM DIALLO

THE COUNCIL OF MINISTERS

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

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

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

MINDFUL of Decision A/DEC.25/12/01 relating to allowances to be paid to the members of the Parliament;

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

MINDFUL of Article 35 (c) of the Staff Regulations which provides for an annual gratuity for Statutory Appointees and which is paid to them upon their separation from the service of the Community;

CONSIDERING that Professor Ali Nouhoum Diallo, has stopped functioning as Speaker of the ECOWAS Parliament by reason of the expiration of his tenure;

CONSIDERING that, during the period in which Professor Ali Nouhoum Diallo discharged his duties, the ECOWAS Parliament had set aside, on a quarterly basis, a sum equivalent to 25 % of the annual salary of its Speaker;

CONSIDERING that, in accordance with Article 35, paragraph (c), of the Staff Regulations, the amount of the separation allowance, which is also paid to Statutory Appointees, is determined by the Council of Ministers on the recommendation of the Administration and Finance Committee;

AFTER CONSIDERING THE RECOMMENDATION of the administration and Finance Committee, meeting in Abuja from 26 to 3 December 2007;

DECIDES

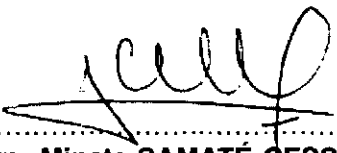
Article 1

The ECOWAS Parliament is hereby authorized to pay a separation allowance to Professor Ali Nouhoum Diallo, former Speaker of the ECOWAS Parliament as prescribed under Article 35 paragraph (c) of the ECOWAS 2005 Staff Regulations.

Article 2

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

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



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

DECISION C/DEC.2/12/07 ALLOCATING POSITIONS ON THE ECOWAS/ECCAS JOINT PERMANENT REGIONAL MONITORING COMMISSION ON THE FIGHT AGAINST TRAFFICKING IN PERSONS TO MEMBER STATES OF ECOWAS.

THE COUNCIL OF MINISTERS,

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

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

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

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

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

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

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

DEEPLY CONCERNED about the trafficking flow between West and Central Africa and the increase in incidence of trafficking between West and Central Africa;

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

ON THE RECOMMENDATION of the Mediation and Security Council held in Ouagadougou on 13th to 14th of November 2007

ENACTS

Article 1

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

Article 2

- i. The tenure of the Joint Permanent Regional Monitoring Commission shall be as stipulated in Article 23 of the ECOWAS/ECCAS Multilateral Agreement. Its tenure shall be for a period of two (2) years.
- ii. The Joint Permanent Regional Monitoring Commission shall be responsible for the following:-
 - Following up and evaluating the activities conducted by the Contracting Parties within the framework of the implementation of the Agreement on the basis of annual reports,
 - Proposing approaches to the solutions of problems with which State Agencies in charge of child trafficking control may be confronted,
 - Exchanging experiences regarding the care and reintegration as well as information on the identity of victims, traffickers and their accomplices, the measures taken against them, current repatriation sites and operations,
 - Receiving and reviewing applications for being a party to the present Agreement,
 - Convening bi-annual inter-regional conference of all the stakeholders of the

State parties on trafficking in persons on rotational basis,

- Formulating views and recommendations.

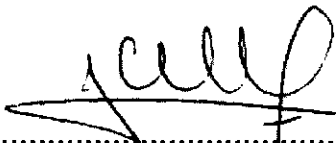
Article 3

At the end of the expiration of the tenure of the said States mentioned under Article 1, the Commission shall initiate processes for the selection of the next representative States on the Joint Permanent Regional Monitoring Commission.

Article 4

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

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



.....
**Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON
FOR COUNCIL**

REGULATION MSC/REG.1/01/08 ON THE ADOPTION OF THE ECOWAS CONFLICT PREVENTION FRAMEWORK

MEDIATION AND SECURITY COUNCIL,

MINDFUL of article 58 of the ECOWAS Treaty relating to regional security;

MINDFUL of articles 10, 11, 12, 13 and 14 of the Protocol relating to the Mechanism for Conflict Prevention, Peacekeeping and Security as amended by the Protocol A/P1/12/00;

MINDFUL of article 3 (d) of the Protocol relating to the Mechanism for Conflict Prevention, Peacekeeping and Security which prescribes enhancement of cooperation in the areas of conflict prevention, early warning, peacekeeping operations and control of cross-border criminality and international terrorism and the proliferation of small arms;

MINDFUL of the rules of procedure of the Mediation and Security Council;

CONSIDERING that according to the provisions of Article 10 paragraph 2 of the Protocol relating to the Mechanism for Conflict Prevention, Peacekeeping and Security, the Mediation and Security Council decides and implements conflict prevention policies;

CONSIDERING that the West African sub-region has been afflicted by conflicts and socio-political crises whose causes are multiple and were not detected or identified at the appropriate time for prevention;

OBSERVING that these conflicts and crises that broke out in the region were managed after their manifestation by means of missions of good offices and mediation undertaken by ECOWAS;

REALISING that these missions have been successful as a result of effective involvement of decision-making bodies of ECOWAS;

CONSCIOUS of the need to identify and itemize the efforts and actions, activities and programs likely to enhance the effective prevention of conflicts in the region for judicious use;

DESIROUS to this end to adopt a prevention framework encompassing all initiatives to enhance safety of life in the sub-region;

ON THE PROPOSAL of the Committee of Experts on Political Affairs, Peace and Security meeting held in Ouagadougou on the 14th and 15th of January 2008;

ENACTS

Article 1

An ECOWAS Framework for Conflict Prevention attached as annex is hereby adopted.

Article 2

The Framework referred to in Article 1 of this Regulation complements the conflict prevention strategies established by the ECOWAS Protocol relating to the Mechanism for Conflict Prevention; Management, Resolution, Peacekeeping and Security of 1999.

Article 3

This Regulation shall be published by the Commission in the Official Gazette of the Community within thirty (30) days of its signature by the Chairman of the Mediation and Security Council. It shall also be published by each Member State in its Official Journal within the same deadline.

Article 4

This Regulation shall enter into force upon its publication. Consequently, all ECOWAS Member States and Institutions shall commence the implementation of the conflict prevention framework upon the entry into force of the Regulation.

**DONE AT OUAGADOUGOU,
THE 16TH DAY OF JANUARY 2008**

FOR MEDIATION AND SECURITY COUNCIL



**H. E. MR. JIBRILL YIPENE BASSOLE
CHAIRMAN**

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

**THE ECOWAS CONFLICT
PREVENTION FRAMEWORK**

ECOWAS COMMISSION, ABUJA, NIGERIA

TABLE OF CONTENTS**ABBREVIATIONS****SECTIONS:**

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- VIII. COMPONENTS, ACTIVITIES AND BENCHMARKS OF THE ECPF
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 - COOPERATION
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ABBREVIATIONS

The abbreviations listed below shall be understood to mean as follows:

- ASF** means the Pan-African Stand-by Force of the African Union
- AU** means the African Union
- CEWS** means the Continental Early Warning System
- Commission** means the Commission of ECOWAS
- CSO** means Civil Society Organization
- DDR** means Disarmament, Demobilization and Reintegration
- DEW** means the ECOWAS Department of Early Warning
- ECOMICI** means the ECOMOG Mission in Côte d'Ivoire
- ECOMIL** means the ECOMOG Mission in Liberia
- ECOMOG** means the ECOWAS Ceasefire Monitoring Group
- ECOSAP** means the ECOWAS Small Arms Control Program
- ECOWARN** means the ECOWAS Early Warning and Response Network
- ECOWAS** means the Economic Community of West African States
- ECPF** means the ECOWAS Conflict Prevention Framework
- ESF** means the ECOWAS Standby Force
- EU** means the European Union
- FGM** means Female Genital Mutilation
- GBV** means Gender-Based Violence
- HIV/AIDS** means Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
- IFI** means International Financial Institution
- KPCS** means the Kimberly Process Certification Scheme
- M & E** means Monitoring and Evaluation
- MSC** means the Mediation and Security Council of ECOWAS
- NEPAD** means the New Partnership for Africa's Development
- NGO** means Non-Governmental Organization
- PAPS** means the ECOWAS Departments of Political Affairs, Peace and Security
- REC** means Regional Economic Community
- SALW** means Small Arms and Light Weapons
- SOP** means Standard Operating Procedure
- SSR** means Security System/Sector Reform
- STD** means Sexually Transmitted Disease
- UN (O)** means the United Nations (Organization)
- UNICEF** means the United Nations Children's Fund
- UNESCO** means the United Nations Educational, Scientific and Cultural Organization
- UNOWA** means the United Nations Regional Office for West Africa
- WACSOF** means the West African Civil Society Forum
- WAPCCO** means the West African Police Chiefs' Committee

SECTION I: ADOPTION

By Regulation MSC/REG.1/01/08, the ECOWAS Conflict Prevention Framework is hereby adopted as set forth in the following paragraphs.

SECTION II: INTRODUCTION

1. The Economic Community of West African States (ECOWAS) has, over the years, proven its capacity to undertake successful conflict prevention, peace-making and conflict resolution under the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10th December 1999 (hereafter referred to as the Mechanism). The Institution has achieved remarkable success in fulfilling its mandate by containing violent conflicts in the region and carrying out conflict prevention interventions through preventive diplomacy initiatives - fact-finding missions, quiet diplomacy, diplomatic pressure and mediation.
2. The institution has also established several promising conflict prevention organs to underpin its mandate, including the Early Warning System, the Mediation and Security Council, Offices of the Special Representative, the Council of the Wise and Special Mediators. However, the implementation of the preventive aspects of the Mechanism has at times, lacked a strategic approach. It has been characterized by weak internal coordination, underutilization and misdirection of existing human capacities as well as the deployment of limited instruments.
3. In particular, the distribution of roles and responsibilities between ECOWAS and Member States, between ECOWAS and civil society, as well as between ECOWAS and external partners is weak, resulting in the utilization of limited instruments, piecemeal interventions and late response to crises. The development of a strategic framework to underpin the preventive aspects of the Mechanism has, therefore, become imperative.
4. ECOWAS Member States bear primary responsibility for peace and security. However, as steps are taken under the new ECOWAS Strategic Vision to transform the region from an 'ECOWAS of States' into an 'ECOWAS of the Peoples', the tensions between sovereignty and supranationality, and between regime security and human security, shall be progressively resolved in favor of supranationality and human security respectively. Consequently, civil society shall play an increasingly critical role alongside Member States in the maintenance and promotion of peace and security. In this order of things, the principal role of ECOWAS shall be to facilitate creative conflict transformation interventions by Member States and civil society.
5. To this end, the purpose of the ECOWAS Conflict Prevention Framework (ECPF) is to serve as a reference for the ECOWAS system and Member States in their efforts to strengthen human security in the region. Achieving this objective requires effective and durable cooperative interventions to prevent violent conflicts within and between States, and to support peace-building in post-conflict environments.
6. For the purposes of the ECPF, human security refers to the creation of conditions to eliminate pervasive threats to people's and individual rights, livelihoods, safety and life; the protection of human and democratic rights and the promotion of human development to ensure freedom from fear and freedom from want.
7. The ECPF is intended as follows:
 - a. A comprehensive operational conflict prevention and peace-building strategy that enables the ECOWAS system and Member States to draw upon human and financial resources at the regional (including civil society and the private sector) and international levels in their efforts to creatively transform conflict.
 - b. A guide for enhancing cohesion and synergy between relevant ECOWAS departments on conflict prevention initiatives in order to maximize outcomes and ensure a more active and operational posture on conflict prevention and sustained post-conflict reconstruction from the ECOWAS system and its Member States. Within the ECOWAS Commission, it is primarily the Office of the Commissioner for Political Affairs, Peace and Security (PAPS) that bears primary responsibility for operational conflict prevention policy and initiatives. However, the crosscutting nature of conflict issues means that PAPS has to work in close collaboration with other departments, such as Human Development and Gender, Communication and Legal.
 - c. A reference for developing process-based cooperation with regional and international stakeholders, including the private sector, civil society, African RECs, the AU and UN systems, as well as development partners, on conflict prevention and peace-building around concrete interventions.

SECTION III: DEFINITIONS

8. **Conflict** refers to the contradictions inherent in power relations and which manifest themselves in individual and group interactions with one another and with nature in the pursuit of limited resources or opportunities. Conflict is the motor of transformation and is either positive or negative. It can be creatively transformed to ensure equity, progress and harmony; or destructively transformed to engender acute insecurity.
9. Human insecurity is driven by the negative transformation of structural factors through the exacerbation of conflict accelerators. The degeneration of conflict into open violence is often sparked by triggers.
10. **Structural factors** refer to systemic variables conditioned by decades and centuries of interactions with regard to external, regional and internal power relations (global and local governance); fault-lines in the architecture of the post-colonial African State; and the vulnerability of the continent to the vagaries of global processes and nature, such as the region's disadvantaged position in the world market and environmental degradation. The root causes of violent conflict, such as poverty, exclusion, gender and political/economic inequalities are traceable to these global and local fault lines. They have always constituted a time bomb under governance processes in West Africa, being the primary source of latent, indirect violence.
11. **Accelerators** refer to feedback events and processes that progressively worsen the impacts of structural factors, such as collapsed educational systems, repressive security apparatuses and curtailment of freedoms, corruption, religious/ethnic discrimination, and worsening cost of living.
12. **Triggers** refer to sudden events with catalytic effects on accelerators that spark a crisis, which could in turn lead to violent conflict, such as the sudden increase in the price of a staple, which could culminate in civil strife or a coup d'état,
13. Structural factors mask latent (indirect) violence, that is, harm perpetrated against the individual or group and which is embedded in the structure of our societies, such as the sources of illiteracy and innumeracy, unemployment and environmental degradation. Their possible degeneration into direct violence is a function of how, and in what direction, people interact with each other and with nature to transform them. For instance, a repressive regime may create a security racket to protect itself, crack down on the labor movement, muzzle the press, imprison opposition figures, and fill a voters' register with double entries and ghost names, all in the attempts to cling on to power. All these practices accelerate the negative transformation of structural factors and nudge society towards direct violence.
14. A step too far, such as the assassination of a popular opposition figure or the cancellation of unfavorable election results by the dictator, may just provide the trigger that tips the scales in favor of violence. Such violence causes immediate physical or psychological pain, which could be a consequence of armed insurgency, torture, ethnic cleansing, police brutality, banditry, robbery or domestic conflicts.
15. Both direct and structural forms of violence can be, and have often been, instrumentalized through culture. Cultural 'aggravators', that is, exacerbating factors that are premised on physical, social or spiritual differences – ideology, class, ethnicity, race, religion, patriarchy, gender and sex – are often given expression through art, music, education, the media and cinema. Cultural 'aggravators' are blind, emotive and potent, because they condition the mind to emphasize differences and reject tolerance for diversity through the agencies of deliberate discriminatory state, class or group policy and propaganda.
16. Unchecked, cultural 'aggravators' have the capacity to reinforce the foundations of structural factors, thus perpetuating the cycle of violence. Apartheid in South Africa could be considered as a structural cause, just as the entrenched and systematic discrimination against the natives by the Americo-Liberians widened the structural fault-lines and ultimately provoked violence in Liberia. It is not surprising, therefore, that in trying to explain the reasons for state inversion in the Mano River Union, Côte d'Ivoire, Guinea Bissau and elsewhere, the main causes have been cited as ethnicity, religion, civil-military relations and the conflict of generations.
17. The challenge facing policy makers and analysts alike is to make an informed choice between the competing demands of structural and direct sources of violence, between medium to long-term priorities and short-term preventive solutions, and recognizing the relationship between them.

SECTION IV: CONCEPT AND SCOPE OF CONFLICT PREVENTION

18. For the purposes of this framework document, the term *conflict prevention* refers to non-violent (or creative) conflict transformation and encompasses activities designed to defuse tensions and prevent the outbreak, escalation, spread or recurrence of violence. Conflict prevention strategies may distinguish between *operational prevention* (measures applicable in the face of imminent crisis) and *structural prevention* (measures to ensure that crises do not arise in the first place or, if they do, that they do not re-occur). The emphasis is not on preventing conflict *per se* (conflict being a natural consequence of change) but in halting its descent into violence.
19. Thus, conflict prevention comprises the following elements:
- a. *Operational prevention*, including early warning, mediation, conciliation, preventive disarmament and preventive deployment using interactive means, such as good offices and the ECOWAS Standby Force.
 - b. *Structural prevention*, often elaborated under peace-building initiatives and comprising political, institutional (governance) and developmental reforms, capacity enhancement and advocacy on the culture of peace. *Peace-building*, on the other hand, describes the development of the requisite multi-actor institutional capacity to design, implement and monitor initiatives aimed at checking the deterioration of social and economic conditions during hostilities, and strengthening the peace fabric of post-conflict countries over a long period of time in order to prevent a relapse into violent conflict. Aimed at operationalizing Chapter IX of the Mechanism, initiatives to this end include, but not limited to, humanitarian assistance, restoration and maintenance of economic and social infrastructure; restoration and reform of governance institutions (political, economic, socio-cultural and security); justice, rule of law, reconciliation and reintegration; and conflict-sensitive development.
20. The focus of this document is *operational and structural conflict prevention*. It takes into account the recognition that a comprehensive approach to prevention requires a coherent approach extending to all areas, and that not only should operational prevention measures entail working on

more structural issues, but they must also dovetail into long-term preventive initiatives. Also, in as far as peace-building interventions aim to prevent a relapse into violence, they may also fall under the broad umbrella of conflict prevention.

21. These distinctions and inter-relationships are particularly relevant to West Africa, which is concurrently one of the most impoverished regions of the world despite its rich natural endowment, and one of the regions prone to violence and civil strife. The region has witnessed positive developments recently, including a deepening of democratic processes in a number of countries and progress in resolving some of the worst conflicts. Nonetheless, political instability and low intensity conflicts remain major constraints on development in the region.
22. ECOWAS, with its wide political and economic mandate, has an obvious role in harnessing regional resources not only for sustainable development and promoting adherence to universal norms on the rule of law and basic human rights, but also to anticipate and eliminate in a predictable and targeted manner, conflict accelerators, including factors leading to humanitarian crises, which could undermine these efforts. In doing so, careful distinction must be drawn between the role of the ECOWAS system and that of Member States, who bear the primary responsibility, and own the process, for peace and security.

SECTION V: CONTEXT OF THE ECPF

23. With the easing of cold war tensions, Africa witnessed a fall in the instances of inter-state conflicts but a dramatic rise in violent internal power struggles that threatened state implosion across the continent. It became obvious that a nexus existed between violent internal conflicts, sparked largely by bad governance, identity crises and poor resource management on the one hand, and collective developmental efforts on the other. Barely a decade after the creation of ECOWAS, violent internal conflicts erupted in Liberia (1989) and Sierra Leone (1991) as a new phenomenon not confined to the borders of individual nation states, but with serious regional implications, both in their causes and effects. Later, ECOWAS was to be confronted with similar conflicts in Guinea Bissau and Côte d'Ivoire (2002). Starting off as internal struggles for power and control over resources, these devastating conflicts soon took on a regionalized character, fuelled by the proliferation of small arms and light weapons, as well as private armies of warlords, mercenaries,

dispossessed youths and bandits who fed off the illegal exploitation of natural resources. The ripples of these so-called internal conflicts were instantly felt far beyond national borders in the form of refugee flows, severe deterioration of livelihoods, health and nutrition standards, disrupted infrastructure, and the proliferation of weapons, violence and trans-national crime.

24. The interventions of the ECOWAS Ceasefire Monitoring Group (ECOMOG) in Liberia (1990) and Sierra Leone (1997), and the ECOWAS Missions in Liberia (ECOMIL) in 2003 and Côte d'Ivoire (ECOMICI) in 2002 were classic military operations designed to stop wars or monitor cease-fires, thus creating space for peace negotiations and humanitarian operations. Indeed, ECOMOG interventions in West Africa have often created the bridgehead for the subsequent deployment of larger UN peacekeeping and international humanitarian missions. In the process, ECOWAS has always acted in concert with the African Union and UN.
25. ECOWAS has developed a comparative advantage in the area of peace-keeping and peace enforcement, and has become a model for the continent. Under the aegis of the African Union, a Pan-African Stand-by Force (ASF) is in the process of being established. Designed for rapid preventive deployment and peace-keeping, this force will comprise five brigades, one brigade to be provided by each of the five Regional Economic (Integration) Communities (RECs). ECOWAS is well placed to be the first REC to deliver its brigade and it is the lead organization in the development of the ASF Standard Operational Procedures (SOPs) designed to create harmonization and interoperability within ASF.
26. As the region repositions itself to prevent the recurrence of violent conflicts, ECOWAS Member States have a responsibility to ensure sustainable peace and security by implementing measures and initiatives that go beyond violence management. In other words, military intervention should constitute only a segment, and ideally a measure of last resort, within the broader peace and security architecture. Emphasis should now be placed on prevention and peace-building, including the strengthening of sustainable development, the promotion of region-wide humanitarian crisis prevention and preparedness strategy and the culture of democracy. This calls for the re-examination of the relationships between internal factors that provoke violence and the ECOWAS instruments, including its early warning and response mechanisms. The ECPF constitutes a response to this new challenge.

SECTION VI: AIM, OBJECTIVES AND OUTPUTS

27. The overall aim of the ECPF is to strengthen the human security architecture in West Africa. The intermediate purpose is to create space within the ECOWAS system and in Member States for cooperative interaction within the region and with external partners to push conflict prevention and peace-building up the political agenda of Member States in a manner that will trigger timely and targeted multi-actor and multi-dimensional action to defuse or eliminate potential and real threats to human security in a predictable and institutional manner.
28. The ECPF sets the following objectives:
 - a. Mainstream conflict prevention into ECOWAS' policies and programs as an operational mechanism.
 - b. Increase understanding of the conceptual basis of conflict prevention, and in so doing, interrelate conflict prevention activities with development and humanitarian crisis prevention and preparedness.
 - c. Build awareness and anticipation, and strengthen capacity within Member States and civil society to enhance their role as principal constituencies and actors in conflict prevention and peace-building.
 - d. Increase understanding of opportunities, tools and resources related to conflict prevention and peace-building at technical and political levels within Member States, the ECOWAS system and beyond.
 - e. Increase awareness and preparedness for cooperative ventures between ECOWAS, Member States, civil society and external constituencies (RECs, AU, EU, UN, International Financial Institutions (IFIs) and development/humanitarian agencies) in pursuit of conflict prevention and peace-building.
 - f. Strengthen capacity within ECOWAS to pursue concrete and integrated conflict prevention and peace-building facilitation, and concomitant activities such as development and humanitarian crisis prevention and preparedness, in Member States using existing resources, such as the Departments of the Commission; the Early Warning System; supporting organs of the Mechanism, including the Council of the Wise and Special Mediators; and other ECOWAS institutions.

- g. Enhance ECOWAS' anticipation and planning capabilities in relation to regional tensions.
- h. Extend opportunities for conflict prevention to post-conflict environments through targeted restructuring of political governance, conflict-sensitive reconstruction and development, as well as humanitarian crisis prevention and preparedness, and related peace-building initiatives.
- i. Generate a more pro-active and operational conflict prevention posture from Member States and the ECOWAS system.
- 29. OUTPUTS**
This framework document:
- a. sets practical guidelines on conflict prevention to which ECOWAS and Member States can refer in their cooperation and in their engagement with partners.
- b. sets practical guidelines for cross-departmental and cross-initiative cooperation and synergy within ECOWAS on conflict prevention.
- c. provides practical guidance for cooperative ventures between ECOWAS, Member States, civil society and external partners in pursuit of conflict prevention and peace-building.
- d. incorporates an ECOWAS strategy on resource mobilization, advocacy and communication to underpin the initiatives with respect to conflict prevention and peace-building.
- e. creates the necessary bridge linking everyday conflict prevention initiatives to structural (strategic) conflict prevention.
- f. shall be supplemented by a Plan of Action and Logical Framework with identified priority activities to be undertaken by ECOWAS, Member States, civil society, the private sector and external partners in the short, medium and long term.
- SECTION VII:
ECOWAS MANDATE AND LEGITIMACY FOR
CONFLICT PREVENTION**
30. ECOWAS draws its mandate and legitimacy to shape conflict prevention policies and practices in West Africa from diverse but related regional and international normative framework documents. These include foundation and related legal documents of ECOWAS, AU, NEPAD and UN.
31. Since the inception of ECOWAS (ECOWAS Treaty, 28th May 1975), the principles of cooperation, mutual assistance and non-aggression have provided the ethos for organizational behavior within the Community and with external partners. It is within this context that ECOWAS adopted the Protocol on Non-Aggression (1978) and the related Protocol on Mutual Assistance in Defense (1981). Building on these foundation documents, the Community has adopted groundbreaking instruments in response to the demands for conflict prevention, resolution and peace-building.
32. The Protocol on Free Movement of Persons, the Right of Residence and Establishment (1979) with its associated supplements sets out the principles, definitions, criteria, obligations and codes of movement and settlement, as well as citizenship within the Community. It sets out to create a borderless region with a common community citizenship of equal rights.
33. The Declaration of Political Principles (1981) reaffirmed the commitment of ECOWAS Member States to guarantee fundamental human rights, individual freedoms, the rule of law, and responsive and responsible governance to their citizens.
34. The Revised Treaty of ECOWAS (24th July, 1993) conferred the status of supranationality on ECOWAS. Paragraph 2 of Article 58 of the Revised Treaty on Regional Security 'commits Member States to cooperate with the Community for the purposes of reinforcing the appropriate mechanisms to ensure the timely prevention and resolution of inter and intra-state conflicts'.
35. The principal objective of the Declaration of the Moratorium on the Importation, Exportation and Manufacture of Light Weapons (31st October, 1998) was to facilitate conflict-sensitive development through preventive disarmament initiatives. The Moratorium has, since June 2006, been converted into a binding instrument – the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials.
36. The Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security (10 December 1999) constitutes the most comprehensive normative framework for confronting the threats to peace and security in the region on a more permanent basis by boosting the conflict prevention capabilities of ECOWAS to pre-empt potential outbreak of violence, resolve conflicts when they occur and to engage more effectively in post-conflict reconstruction in places, where peace has been

- restored. The Mechanism establishes inextricable links between the primordial *raison d'être* of the Community, i.e. the economic and social development of the peoples, and the security of the peoples and Member States [Article 2(a)]; and tasks ECOWAS Member States with the responsibility to manage and resolve internal and inter-State conflicts [Article 3(a)], as well as manage humanitarian, natural and environmental crises. Finally, the Mechanism identifies the institutions and supporting organs responsible for implementing its provisions and sets out the procedures in this regard.
37. The Supplementary Protocol on Democracy and Good Governance (21 December, 2001) was adopted to reinforce the Declaration of Political Principles and the Mechanism. It sets out the constitutional convergence criteria to be fulfilled by Community members based on the principles of good governance – respect for the rule of law, the separation of powers, the independence of the judiciary, the promotion of non-partisan and responsible press and the democratic control of the armed forces, It also commits Member States to ensure poverty alleviation, uphold, defend and promote international norms regarding basic human rights, including the rights of minorities, children, youth and women.
38. The Protocol on Democracy and Good Governance also advocates for the strict adherence to constitutional norms in electoral practices that reject unconstitutional accession to or maintenance of power and sets the parameters for the conduct of peaceful and credible elections that are free, fair and transparent. The Protocol further tasks ECOWAS to assist Member States in electoral matters.
39. Without prejudice to other regional and international legal Instruments, the Mechanism and the Supplementary Protocol on Democracy and Good Governance provide the principal basis and justification for the ECPF.
40. A firm legal basis underpins the relationship between ECOWAS, the African Union and the United Nations on the cardinal issue of peace and security. The African Union is a Regional Organization recognized by the UN, the guarantor of global peace and security, while ECOWAS constitutes one of the five Regional Economic Communities under the AU architecture. The three bodies cooperate on the issues of peace and security on the principles of subsidiarity and complementarity in accordance with the provisions of Chapter VIII of the UN Charter. Thus, key ECOWAS normative standards that speak to conflict prevention, resolution and peace-building broadly radiate from the Constitutive Act of AU and the UN Charter, and the related normative standards on peace and security as well as on specific issues relating to women, youth, children, the environment, terrorism and trans-national crime.
41. Beyond legal instruments and guidelines, however, the unacceptable levels of deprivation in West Africa, as well as the destructive nature and spill over effects of contemporary regionalized internal upheavals, place specific moral obligations on ECOWAS Member States to act. Thus, ECOWAS is imbued with the necessary supranational powers (acting on-behalf of and in conjunction with Member States, AU and UN), as well as the legitimacy to intervene to protect human security in three distinct ways, namely:
- The Responsibility to prevent – actions taken to address the direct and root causes of intra and inter-state conflicts that put populations at risk.
 - The Responsibility to react – actions taken in response to grave and compelling humanitarian disasters.
 - The Responsibility to rebuild – actions taken to ensure recovery, reconstruction, rehabilitation and reconciliation in the aftermath of violent conflicts, humanitarian or natural disasters.
- SECTION VIII:
COMPONENTS, ACTIVITIES
AND BENCHMARKS OF THE ECPF**
42. The ECPF comprises fourteen components that span the chain of initiatives designed to strengthen human security and incorporate conflict prevention activities (operational and structural) as well as aspects of peace-building. They are: [1] Early Warning; [2] Preventive Diplomacy; [3] Democracy and Political Governance; [4] Human Rights and the Rule of Law; [5] Media; [6] Natural Resource Governance; [7] Cross-Border Initiatives; [8] Security Governance; [9] Practical Disarmament; [10] Women, Peace and Security; [11] Youth Empowerment; [12] ECOWAS Standby Force; [13] Humanitarian Assistance; and [14] Peace Education (The Culture of Peace).
43. Given the interconnectedness of the initiatives, components and activities under conflict prevention may be replicated in peace-building interventions.
44. **EARLY WARNING:** To facilitate the realization of

Articles 3(d), 19, 23 and 24 of the Mechanism, the Early Warning component sets the objective to furnish incident and trend reports on peace and security, as well as real-time preventive response options, to ECOWAS policy makers to ensure predictability and facilitate interventions to avert, defuse or creatively transform acute situations of conflict, instability, disruptions and disasters.

45. To achieve the objective of Early Warning, activities shall be undertaken in the following areas:

- a. The Department of Early Warning (DEW) shall refine the ECOWAS Early Warning and Response Network (ECOWARN) into a more convivial, integrated and operational instrument to guide the zonal bureaux and focal points in their data collection and processing efforts.
- b. The Department of Early Warning shall prioritize effective collaboration with the Department of Political Affairs, the Department of Human Development and Gender, and other departments of the Commission as may be necessary, in the analysis of data and the preparation of reports and briefings for policy makers. The Department of Early Warning shall ensure the coordination of information flow on crisis among ECOWAS field missions including feedback between field missions and ECOWAS Commission desk officers.
- c. The Department of Early Warning shall harmonize and coordinate the development of ECOWARN and coordinate its operations with the African Union and the United Nations in order to generate the necessary synergy within the framework of the operationalization of the Continental Early Warning System (CEWS).
- d. The Zonal Bureaux for Early Warning shall adopt a participatory regional approach in data gathering by building and strengthening cooperation with Member States and civil society, including but not limited to NGOs, traditional groups, diverse interest groups, women and youth organizations.
- e. The Zonal Bureaux, under the authority of the Department of Early Warning, shall work closely with members of the ECOWAS Council of the Wise and ECOWAS National Units in their respective zones, as well as with local peace constituencies in the design and implementation of initiatives to resolve local disputes arising from gathered data.
- f. Member States and civil society shall

actively cooperate with the Zonal Bureaux in the collection and processing of data, and actively engage in local conflict prevention, resolution and peace-building initiatives.

46. The benchmarks for assessing progress and success in Early Warning shall include the following:

- a. The elaboration of an effective strategy for information gathering and analysis, including a format for relevant indicators and reporting.
- b. Well resourced Department of Early Warning and its Zonal Bureaux with sufficient numbers of field agents, analysts and volunteers equipped with modern information gathering, processing, storage and transmission capability.
- c. The establishment of operational focal points within Governments, civil society and research institutions as well as effective links with ECOWAS resources in the zones.
- d. The production, analysis and appropriate dissemination of incident and situation reports, as well as the articulation of policy and crisis response options and assessment criteria
- e. The creation of effective links with the continental early warning system and collaboration with AU, other RECs, the United Nations system and development partners on early warning.
- f. The elaboration of annual needs assessments and concise training plans for efficient and evolving human capacity building.
- g. The production of periodic early warning reports.

47. To facilitate the achievement of the Early Warning objective, the following capacity requirements shall be met:

- a. Recruitment of the full complement of staff, including researchers, analysts and advisers, in the Office and departments of the Commissioner of Political Affairs, Peace and Security.
- b. Provision of information gathering, processing and communication equipment to the Department of Early Warning and the Zonal Bureaux.
- c. Training of the staff of the Department of Early Warning and Zonal Bureaux and focal points in information gathering, data

- management, research and analysis and mediation techniques.
- d. Training of local peace constituencies in conflict analysis and management and provision of resources and equipment for grassroots peace initiatives with the assistance of development partners and regional resources.
48. **PREVENTIVE DIPLOMACY:** Aimed at operationalizing the relevant provisions of Article 58 of the Revised Treaty; Articles 3, 8-27, 31-32 of the Mechanism; and Article 36 of the Supplementary Protocol on Democracy and Good Governance; the objective of Preventive Diplomacy shall be to defuse tensions and ensure the peaceful resolution of disputes within and between Member States by means of good offices, mediation, conciliation and facilitation based on dialogue, negotiation and arbitration. Usually applied in the face of imminent crisis, preventive diplomacy shall also be applicable in the management, resolution and peace-building phases of conflict.
49. To achieve the objective of Preventive Diplomacy, the following activities shall be undertaken:
- a. The Offices of the Special Representative and Envoys of the ECOWAS President as well as the Zonal Bureaux through the Department of Early Warning shall regularly update the President on tensions that may threaten peace and security in Member States and offer options to defuse them.
- b. Members of the Council of the Wise shall alert the President of the Commission on looming crises in their States of origin and propose measures for containing such threats
- c. The Mediation and Security Council may appoint one or more of its members or eminent personalities for high-level mediation and arbitration within and between States.
- d. The Mediation and Security Council may authorize the preventive deployment of ESF to the territory of a Member State for the purpose of preventing the degeneration of conflict into violence or to serve as buffer between belligerents during periods of high tension, mediation or peace-keeping operations as stipulated by Article 27 of the Mechanism.
- e. The President of the Commission, in consultation with the Chairperson, shall
- deploy a Special Mediator, Special Envoy or Member(s) of the Council of the Wise to any Member State in a situation of potential crisis on a fact finding mission for the purposes of studying the situation on the ground and advising the President on options for defusing any tensions.
- f. ECOWAS shall build a database of potential mediators and resources in the region and beyond.
- g. ECOWAS and Member States, taking account of gender equity, shall facilitate the active involvement of former Heads of State, Eminent and high-profile personalities in mediation, conciliation and facilitation as ECOWAS Special Envoys and Ambassadors.
- h. ECOWAS shall build a mediation facilitation capacity within the Commission to promote preventive diplomacy interventions in the region through competence and skills enhancement of mediators, information sharing and logistical support.
- i. ECOWAS may either establish or shall facilitate capacity enhancement of relevant institutions of the Community to undertake mediation and arbitration activities within and between Member States.
- j. ECOWAS shall facilitate the enhancement of the competence and skills of the appropriate state institutions and civil society institutions within Member States to undertake mediation, conciliation and arbitration activities.
- k. Member States shall cooperate with and facilitate the work of fact-finding missions, special envoys, mediators and any such entities as may be deployed in their territory for the purposes of mediation, conciliation and facilitation.
- l. Member States shall work closely with the Zonal Bureaux, the Council of the Wise and the Offices of the Special Representative through the ECOWAS National Units to mobilize local resources, including eminent persons, traditional rulers, religious leaders, community groups, women's organizations, other civil society organizations, the private sector and any such actors as may be necessary, for the purposes of mediation, conciliation and facilitation to resolve local disputes.

50. Progress and success in Preventive Diplomacy shall be assessed with the help of the following yardsticks:
- a. Measurable reduction in the incidence of violent conflicts at the national and local levels within Member States.
 - b. The establishment of functioning mediation facilitation capabilities within the ECOWAS Commission and institutions.
 - c. The setting up and regular updating of resources in the region and beyond on mediation, facilitation and arbitration.
 - d. Regular interactions between ECOWAS National Units and other State authorities, decentralized ECOWAS institutions and local peace constituencies.
 - e. Greater predisposition to creative conflict transformation and expanded base of conflict management resources at the regional, national, local and community levels.
 - f. Peaceful resolution of disputes becomes a norm in the region.
51. The following capacity needs shall be met to facilitate the achievement of the objective of Preventive Diplomacy:
- a. Recruitment of political, legal and security analysts and the provision of equipment for the Offices of the Special Representatives.
 - b. Provision of secretariat services and operational allowance for the members of the Council of the Wise and Special Mediators.
 - c. Retreats for Special Mediators, Special Representatives of the President, Council of the Wise and high ranking officials of Member States in the techniques of conflict analysis and diagnosis; and the generation of options.
 - d. Capacity-building workshops (and equipment) for ECOWAS institutions and other relevant institutions in mediation, facilitation, and provision of resources and know-how for the establishment of a database of mediation resources
 - e. Training in conflict analysis and mediation skills for relevant state institutions in Member States
 - f. Capacity-building workshops and seminars on mediation and alternative dispute resolution for local peace constituencies, particularly traditional rulers, religious leaders, women groups, youth groups and other civil society organizations
52. **DEMOCRACY AND POLITICAL GOVERNANCE:** Without prejudice to other Protocols and Decisions of Heads of State and Government, this component shall set the objective of facilitating the realization of the relevant provisions of Article 58 of the Revised Treaty; the relevant provisions of the Protocol on Free Movement of Persons, the Right of Residence and Establishment; The Declaration of Political Principles (1991); Articles 2(A), 42-1, 44 (B) and 45 of the Mechanism; and in particular, the provisions of the Supplementary Protocol on Democracy and Good Governance. To this end, the objectives of Democracy and Political Governance shall be: [i] to create space and conditions for fair and equitable distribution and exercise of power and the establishment and reinforcement of governance institutions; [ii] to ensure the active participation by all citizens in the political life of Member States under common democratic, human rights and constitutional principles articulated in ECOWAS Protocols, the African Charter on Human and People's Rights, NEPAD principles and other international instruments.
53. To achieve the objectives of Democracy and Political Governance, the following activities shall be undertaken:
- a. ECOWAS shall facilitate, and Member States shall ensure, the strengthening of the Executive, Legislature and the Judiciary of Member States to promote efficient delivery, the enhancement of separation of powers and oversight responsibilities in governance.
 - b. ECOWAS shall assist Member States to promote the professionalization of governance institutions by building and strengthening transparent, nonpartisan, efficient and accountable national and local institutions, in particular the civil service.
 - c. Member States, in cooperation with ECOWAS and with the full participation of

- civil society organizations, shall assist political parties with financial resources and know-how to strengthen internal party democracy and participation, and to mobilize resources to assist political parties in the crafting of manifestos that promote national cohesion, consensus, participatory democracy and sustainable development.
- d. ECOWAS shall facilitate, and Member States shall adopt and implement targeted programs to enhance the active involvement of women in decision making, seeking elective offices and participating in the electoral process.
 - e. In post-conflict environments, ECOWAS shall facilitate the creation of mechanisms to help former guerrilla movements and other non-state armed groups to make the transition to exclusively peaceful means of political contest, including the creation, capacity enhancement and financing of political parties.
 - f. ECOWAS shall facilitate the provision of assistance to Member States and local constituencies in the preparations for credible elections, including technical and financial support for the conduct of census, voter education, enactment of credible electoral codes, compilation of voters' registers and training of electoral officials, monitors and observers.
 - g. ECOWAS shall facilitate the enactment and enforcement of statutes in Member States to strengthen the capacity of all political parties to effectively compete in elections and minimize the impact of the incumbency factor in elections.
 - h. Member States shall establish and ensure the functioning of mechanisms and processes for power decentralization, including the strengthening of local government structures and assisting traditional rulers to effectively oversee community development and engage in mediation and alternative dispute resolution. They shall undertake to assign specific self-governance roles to local government authorities.
 - i. Member States shall encourage the establishment of permanent platforms that bring together electoral management bodies, political parties, security services, the media and civil society for the exchange of views, formulation of electoral codes of conduct and modalities for the peaceful resolution of election-related disagreements.
 - j. Member States shall facilitate the active involvement of civil society organizations, including NGOs, traditional structures and community-based organizations in electoral and governance processes.
 - k. Civil society organizations shall carry out activities to promote credible and transparent electoral and governance processes, including awareness-raising, training workshops for political parties, electoral management bodies, the media, security services, election monitors and observers.
 - l. Civil society organizations shall assist Member States to establish mechanisms to strengthen the capacity of the media, security services and the judiciary to deliver efficient electoral oversight, security and arbitration.
 - m. ECOWAS and Member States shall develop after-office roles for out-going incumbents and former Heads of State
 - n. Member States shall allocate resources and training to enhance the effectiveness and fairness of traditional courts to complement the work of the justice system.
 - o. Member States and civil society organizations shall undertake to popularize and educate citizens on ECOWAS Protocols relating to Democracy and Good Governance.
54. The benchmarks for assessing progress in the promotion of Democracy and Political Governance shall include the following:
- a. Adoption and/or enforcement of national constitutions that reflect the constitutional convergence principles contained in the Supplementary Protocol on Democracy and Good Governance, the African Charter on People's and Human Rights, and international norms and standards.
 - b. Grassroots awareness of supranational and international norms and standards of democracy and good governance, and the determination of national stakeholders to defend and promote democratic gains.
 - c. Public confidence in governance structures at all levels.
 - d. Adoption and/or enforcement of anti-corruption policies and enhanced transparency and accountability in the public sector.
 - e. Adoption and/or enforcement of policies and

- mechanisms to enhance participation at all levels in the governance process.
- f. Availability and application of affirmative policies on minorities, women, youth and the marginalized, including quota systems and waivers for women, as well as incentives for pro-women parties.
 - g. Minimum regional norms and standards set and applied for elections and electoral administration.
 - h. Vibrant political party activity during non-electoral periods.
 - i. The existence of a reliable and credible voters' register
 - j. Increased confidence in the electoral management bodies.
 - k. Increased vibrancy and non-partisanship of the media that do not propagate hatred.
 - l. The holding of predictable and credible elections to determine the accession to, retention and exercise of power.
 - m. Reduced incidence of electoral fraud, disputes and violence.
 - n. Increased willingness to accept electoral verdicts and relinquish power peacefully.
55. Stakeholders shall meet the following capacity needs under the Democracy and Political Governance component:
- a. Recruit staff and governance experts for the Department of Political Affairs, and equip the Department with tools to facilitate interventions in the area of democracy and political governance.
 - b. Strengthen the conflict prevention capacity of the Office of the Commissioner for Political Affairs, Peace and Security as well as the capacity of the Electoral Assistance Unit with personnel, financial support and relevant equipment to lead interventions in electoral processes across the region.
 - c. Develop training packages and organize workshops for the legislature to enhance their capacity in following and analyzing developments and know-how in parliamentary procedures, the art of motion passing, parliamentary debate, law enactment and oversight.
 - d. Organize targeted refresher and reorientation courses for the leadership of the civil service, state administration and local government in modern administration and management techniques.
- e. Equip the leadership of local government structures, traditional structures and community groups with training and tools in decentralization.
 - f. Provide established networks of regional electoral management bodies with resources and expert support.
 - g. Organize training programmes to enhance the capacity of political parties to promote internal democracy, self-organization, sustainability and elaboration of manifestos.
 - h. Organize capacity-building workshops for political parties and women organizations, and provide them with resources to enhance the participation of women at all levels of politics.
 - i. Leverage resources for national and community programmes targeting the promotion of common citizenship and ethnic harmony.
 - j. Identify and fund roles in mediation and advocacy for former Heads of State and Government.
56. **HUMAN RIGHTS AND RULE OF LAW:** Drawing inspiration from the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, the Human Rights and Rule of Law component sets out to facilitate the implementation of the relevant provisions of Article 58 of the Revised ECOWAS Treaty; the relevant provisions of the Protocol on Free Movement of Persons, Right of Residence and Establishment; Articles 2(D, E), 31-1, 25(D) and 45 of the Mechanism; and Articles 29-39 of the Supplementary Protocol on Democracy and Good Governance. The objective shall be to ensure equal protection and access to justice and social services for all before the law, and strengthen the institutions of human rights and justice in the region to this end.
57. To achieve the objective of Human Rights and Rule of Law, ECOWAS and Member States shall undertake the following activities:
- a. ECOWAS shall facilitate the harmonization of policy and practice with regard to human rights, the rule of law and access to justice across the region through networking and sharing of best practices among national human rights and judicial institutions based on regional and international norms.

- b. ECOWAS shall facilitate the adoption, reform and enforcement of national constitutions and human rights instruments to promote human rights, access to justice and social services for all, and shall monitor compliance by Member States.
 - c. ECOWAS shall facilitate the adoption and enforcement of human rights policies in favor of the marginalized, including ethnic and religious minorities, women and youth, particularly in the areas of popular participation, and political, inheritance and property rights.
 - d. Member States shall create space and structures to address issues of past and present justice to promote reconciliation and unity, especially in post-conflict and post-authoritarian settings.
 - e. Member States shall adopt and implement specific policies to promote child rights, including the right to education, measures against human trafficking and child labor.
 - f. Member States shall pass, reform and enforce legislation against outmoded and discriminatory practices, including forced marriage, modern slavery and caste discrimination.
 - g. Member States shall adopt and implement specific measures to ensure girl child education, including the promotion of girls' schools and compulsory primary education for all.
 - h. Member States shall respect and enforce constitutional provisions that guarantee the independence, transparency and fairness of the Judiciary and human rights institutions.
 - i. Member States shall adopt and implement security governance reforms to ensure that the practices of security agencies and prison services are in strict conformity with the requirements of human rights and the rule of law, and are subject to democratic control.
 - j. Member States shall adopt, reform and implement Constitutions and related instruments to promote human rights and guarantee access to justice for all citizens.
 - k. Member States shall ensure that criteria for citizenship are fair, equitable and in conformity with ECOWAS instruments, including criteria for registration of deaths and births, naturalization, inheritance rights and the right of residence and establishment.
 - l. Member States shall implement measures to guarantee access to justice for all, including the recognition, assistance to and modernization of the traditional, religious and community justice delivery systems, and shall ensure their conformity with the Constitution and other national statutes.
 - m. Member States shall prioritize infrastructure development and job creation in partnership with the private sector and implement measures to increase the population's access to social services such as education, health, water and energy.
 - n. Member States shall adopt and implement freedom of information legislation and media policies that promote inclusiveness and sanction hate media.
 - o. Civil society organizations shall actively participate in the adoption, reform, implementation and evaluation of human rights policies and practices in Member States.
 - p. Civil society organizations shall monitor Member States' compliance with human rights instruments, and shall popularize and raise awareness about ECOWAS Protocols, regional and international instruments relating to human rights and the rule of law.
58. The benchmarks for assessing progress in the promotion of Human Rights and Rule of Law shall include the following:
- a. Establishment of a functioning and accountable regional network of human rights institutions and measurable compliance of Member States with regional norms on human rights and rule of law
 - b. Capacity and action within the ECOWAS Commission, including PAPS, the Legal Department and the Department of Human Development and Gender to facilitate the promotion and protection of human rights and the rule of law in Member States
 - c. Active role of the Community Parliament, Community Court of Justice and the Arbitration Tribunal in monitoring compliance of Member States' with human rights and rule of law instruments.
 - d. Existence of transparent and affordable avenues at regional level and in Member States for airing and seeking redress to grievances and injustice.
 - e. Absence of or measurable reduction in

- tensions relating to citizenship and ethnicity.
- f. Positive public perception and confidence in the formal and traditional judicial and arbitration systems.
 - g. Reduction in the cost of access to justice.
 - h. High public awareness of ECOWAS and international legal instruments and active civil society involvement in judicial matters and debates.
59. The capacity requirements for the promotion and protection of Human Rights and Rule of Law shall include the following:
- a. Training workshops for the ECOWAS Legal and Political Affairs Departments, the Human Rights Committee of the Community Parliament, as well as the ECOWAS National Units in the elaboration of 'model' Human Rights legislation for adoption, modification and application by Member States; and also in judicial reform and interpretation of statutes.
 - b. Training of the ECOWAS Legal and Political Affairs Departments, in tracking compliance
 - c. Training of the Community Parliament and the Arbitration Tribunal in tracking compliance and making rulings on human rights cases.
 - d. Training workshops for national parliaments and national human rights commissions in harmonization of instruments and oversight functions.
 - e. Workshops and seminars for officials of the traditional justice system on the penal code, marital laws, the customary code, the land tenure system and related legislation.
 - f. Human Rights training for security forces and services, including the military, police, military police, gendarmerie and prison service officials.
60. **MEDIA:** In the efforts to operationalize the provisions of Articles 65 and 66 of the Revised ECOWAS Treaty and Articles 1 (K), 32 and 37 of the Supplementary Protocol on Democracy and Good Governance, the objective of the Media component of the ECPF shall be to forge an enabling West African information landscape of freedom, transparency and accountability, where the electronic and print media shall become veritable watch dogs of human security, and platforms for mobilization and discourse on the processes to promote human rights and the rule of law, common citizenry, social cohesion and integration, social harmony, democracy and development.
61. Towards the attainment of this objective, the following activities shall be undertaken:
- a. ECOWAS shall facilitate the emergence of a network of media practitioners in the region, including the Media Commissions, journalists associations, media owners and oversight bodies as a vehicle for the establishment of ECOWAS minimum norms and standards for media practice and the promotion of interaction and cooperation among journalists and media practitioners in the region.
 - b. ECOWAS shall conduct feasibility studies with a view to promoting the establishment of a region-wide news channel "ECOTV" and "ECORADIO" in cooperation with regional media houses and with the active support of the private sector.
 - c. ECOWAS shall promote and defend media practice by facilitating the enactment, enforcement and propagation of freedom of information laws and codes of conduct for media practitioners across the region.
 - d. ECOWAS shall enhance the capacity of West African media to lend visibility to ECOWAS activities and interventions. To this end, ECOWAS shall develop a scheme to invite journalists and media houses on a rotational basis to be part of ECOWAS missions and activities.
 - e. ECOWAS shall facilitate workshops for journalists through Regional and National Journalists Associations to enhance their capacity to interpret and inform about ECOWAS policies and activities in regional integration, democracy, peace and security.
 - f. ECOWAS shall, with the active involvement of Member States, promote the establishment of 'EcoPeace' Community Radios along sensitive borders to promote community spirit, regional integration and combat cross-border crime.
 - g. Member States shall adopt, apply and ensure respect for freedom of information laws and discourage the persecution of media practitioners by ensuring strict adherence to the independence of the judiciary, the rule of law and due process.

- h. Member States shall facilitate the acquisition of media equipment, newsprint and other relevant materials by media houses.
- i. Member States shall adopt and enforce targeted laws to combat hate media and shall promote programmes in support of national reconciliation and regional integration based on common citizenship and justice, particularly in post-conflict settings.
- j. Member States shall facilitate the creation of regulatory and ethical bodies to oversee and monitor compliance with codes of conduct and other laws relating to media practice
62. In assessing progress in the media landscape with respect to peace and security, the following yardsticks shall be employed:
- a. The availability of and adherence to an ECOWAS Code of Conduct for the Media in Member States and freedom of information laws in Member States.
 - b. The existence of a diverse and vibrant media landscape where responsibility, fairness and objectivity, as well as the promotion of national unity and regional integration, guide media practice.
 - c. Reduced incidence of persecution of journalists.
 - d. Greater popular awareness within the Community about ECOWAS protocols and interventions to promote regional integration, peace and security.
63. Stakeholders in the ECPF shall endeavor to meet the capacity needs of the Media component with all available means, including the following:
- a. Financial support and expertise for the creation and functioning of networks of National and Regional media practitioners.
 - b. Financial and expert support to organize targeted workshops and monitor media practice in the region.
 - c. provide appropriate support to the disadvantaged media to encourage pluralism, particularly in post conflict environments so that they can be used to promote national reconciliation.
 - d. Funding the establishment and provision of expertise and training for 'EcoPeace' community radios in sensitive border communities.
64. **NATURAL RESOURCE GOVERNANCE:** Designed to facilitate the implementation of Articles 25 and 29-31 of the Revised ECOWAS Treaty and Article 3 (i), (j) of the Mechanism, the objective of Natural Resource Governance shall be to ensure that the management processes for natural resources, including the identification (exploration), contract award and exploitation, as well as the disbursement and use of benefits accruing from such resources, are transparent, equitable, environmental-friendly and ensure balanced and sustainable development, social cohesion and stability. For the purposes of the ECPF, natural resources refer to land, water, the environment and all material objects, natural or synthetic, found on and below the land, in and beneath water masses and in the atmosphere, and which can be transformed to produce value.
65. Stakeholders shall carry out the following activities in the efforts to achieve the objective set under the Natural Resource Governance component:
- a. ECOWAS shall facilitate the establishment of a network of relevant governmental institutions, the private sector, resource-monitoring NGOs and community structures to develop and apply regional norms and standards in natural resource governance, and which shall draw from existing national, regional and international regulatory mechanisms such as the Kimberly Process Certification Scheme (KPCS) and other transparency and responsibility pacts.
 - b. ECOWAS shall facilitate, and Member States shall undertake, the mapping of resource endowments in Member States and in the region through an audit of current reserves and projections into the future by Member States.
 - c. ECOWAS shall facilitate the audit of current legal and legislative frameworks underpinning resource governance policies and practices in the region with the view to ascertaining their level of transparency, response to social justice and equity.
 - d. ECOWAS shall develop a regional strategy to address the management and monitoring of shared resources between States, forest and marine resources, pastoral activities and land tenure.
 - e. ECOWAS shall facilitate, and Member States shall carry out, the study of environmental hazards and risks associated with the exploitation of natural resources with a view to adopting and implementing risk reduction strategies resulting thereof.

- f. ECOWAS and Member States shall establish transparent mechanisms, such as arbitration panels, for the peaceful resolution of disputes and the clash between local claims, national interests and regional concerns with regard to natural resources.
- g. Member States shall, with the cooperation of civil society organizations, develop, capitalize and apply government and corporate social responsibility pacts to underpin resource exploitation in the extractive sector.
- h. With the active involvement of civil society, Member States shall undertake to establish community resource governance committees, particularly in sensitive internal enclaves and common border areas, to promote the transparent, equitable and environmentally friendly use of land, water and forest resources, and enhance inter-communal harmony.
- i. ECOWAS shall promote, and Member States shall establish community projects, including community peace radios, social, health and educational centers, to serve as rallying points for inter-communal and cross border communities on resource governance.
- j. ECOWAS shall promote value addition to natural resources in the region.
- k. Member States shall undertake to prioritize adding as much value as possible to natural resources for local consumption and export.
- l. Member States, with the facilitation of ECOWAS, shall adopt and strictly apply measures against the dumping of goods, toxic waste and other dangerous products in the Community.
- m. To this end, ECOWAS shall facilitate the establishment and proper functioning of 'Dump-Watch' within the framework of cross-border initiatives to monitor Community entry points and space as a safeguard against the dumping of goods and hazardous materials.
66. The following benchmarks shall be employed to assess progress in the assurance of good Natural Resource Governance:
- a. The adoption/reform, capitalization and application of regional and national norms and standards in relation to natural resource governance.
 - b. Increased transparency in natural resource governance through regular parliamentary, national and media debates, regular publication of terms of contracts, receipts and disbursement of proceeds from natural resources in the media.
 - c. Progressive expansion of infrastructure, employment opportunities, social amenities and visible signs of improved living standards.
 - d. Reduction of national and communal tensions emanating from the scramble for resources.
 - e. Visible reduction in environmental pollution, deforestation and desertification.
 - f. Greater public awareness about, and involvement in, decision-making and implementation in the sphere of natural resource management.
 - g. Enhanced food security at the regional, national and community levels.
 - h. Disaster risk reduction and response strategies developed and implemented.
67. The capacity requirements for the Natural Resource Governance component shall include the following:
- a. Establishment of an Advisory Board at ECOWAS level to guide interventions in natural resource governance.
 - b. Equipment, expert and financial support to facilitate the work of stakeholders' forums on natural resource governance.
 - c. Training in business (contract) transactions, oversight functions and budgetary processes for relevant stakeholders from the national level (legislature) to the community levels (local government and community groups).
 - d. Financing of 'rallying projects', including land tenure training projects, disaster prevention and preparedness projects, community radios, community and youth centers to support local initiatives in resource governance.
 - e. Buying air-time and newspaper space to publish contract details, receipts, royalties and disbursement of proceeds from natural resource contracts.
 - f. Financial and technical support to train personnel and sustain the work of 'Dump-Watch'.

68. **CROSS-BORDER INITIATIVES:** The objectives of Cross-Border Initiatives shall be to reduce tensions, fight cross-border crime and enhance communal welfare and harmony, as well as Community citizenship as espoused by relevant ECOWAS Protocols, including the Revised Treaty, the Mechanism, the Supplementary Protocol on Democracy and Good Governance and the Protocol on Free Movement of Persons and Goods, Right of Residence and Establishment. These objectives are intrinsically intertwined with initiatives regarding natural resource governance, gender equality, humanitarian crisis prevention and preparedness, youth empowerment, and the fight against money laundering, drug and human trafficking and weapons proliferation.
69. ECOWAS and partners shall undertake the following activities under the Cross-Border Initiatives component:
- a. ECOWAS shall set up an inter-departmental committee within the Commission to map out the challenges at sensitive borders and identify specific threats to peace, security and human well-being at different cross-border zones in the region, with special attention to the situation in island and landlocked Member States, criminality and threats to women's livelihoods.
 - b. ECOWAS shall actively cooperate with the UN system and other institutions working on cross-border issues in the region for the purposes of harmonization and capitalization.
 - c. ECOWAS shall facilitate the strengthening and smooth functioning of the West African Police Chiefs' Committee (WAPCCO) and other networks of security agencies as platforms for effective cooperation between the police, the gendarmerie, the intelligence services and other institutions working on security, and shall facilitate the harmonization and coordination of interventions to fight cross-border crime.
 - d. ECOWAS shall actively involve decentralized ECOWAS institutions and resources (the Zonal Bureaux, Council of the Wise, National Units, Offices of the Special Representative and specialized agencies), as well as community groups in the design, implementation and monitoring of cross-border initiatives.
 - e. ECOWAS shall promote the establishment of model 'common border settlements' built around quick impact employment opportunities for the youth, citizenship forums, and health, recreational and information centers.
 - f. ECOWAS shall facilitate the study of specific threats to island and landlocked Member States with a view to adopting measures to counter criminality in island States and facilitate free movement of persons, goods and services to and from landlocked States.
 - g. ECOWAS shall prioritize and facilitate infrastructure development, including intra-regional trunk roads, rail networks and telecommunication as conflict prevention tools, with the cooperation of Member States and resources from the private sector and development partners.
 - h. ECOWAS shall promote the establishment of 'EcoPeace' community Radio Stations at sensitive borders to serve as rallying points for cultural exchanges, communal harmony, information sharing and combating cross-border crime.
 - i. ECOWAS shall assist Member States to take steps to protect their territorial integrity from external threats, secure their borders against criminality and aggression, and promote good neighborliness with countries bordering ECOWAS territory.
 - j. Member States shall promote cross-border cooperation, facility and intelligence sharing, as well as joint operations, between security forces (border guards, police, custom officials, gendarmeries) along common borders.
 - k. Member States shall enforce compliance with the Protocol on Free Movement of Persons, the Right of Residence and Establishment among security and custom agencies, and shall sanction extortion and erection of illegal check points along regional routes and at crossing points.
 - l. Civil society organizations shall promote awareness about regional integration and peace enhancement processes through 'EcoPeace' Radio stations, workshops, seminars, sporting activities and other such platforms.
 - m. Civil society organizations shall undertake conflict prevention and peace building activities in sensitive border areas, including civil-military cooperation; initiatives against human trafficking, drug trafficking, banditry

- and other cross-border crimes; promotion of the harmonious distribution and use of land, forest and water resources; promotion of ethnic harmony; youth empowerment and the fight against HIV/AIDS and STDs.
- n. Civil society organizations shall undertake advocacy and mass awareness campaigns around the Protocol on Free Movement, against roadblocks and extortion at crossing points.
70. The following benchmarks shall be used to assess progress in the implementation of Cross-Border Initiatives:
- a. Elimination of, or reduction in, 'no man's lands' or border zones considered as safe havens for lawlessness and crime.
 - b. Measurable reduction in money laundering, weapons and human trafficking and other criminal activities in the border areas within the Community, particularly in vulnerable border areas.
 - c. Increased security of the external borders of the Community
 - d. Enhanced inter-communal harmony and cooperation, as well as greater opportunities and better livelihoods for all, in multi-ethnic environments.
 - e. Increased safety at crossing points and the elimination or reduction of roadblocks and extortion.
 - f. Increased awareness about ECOWAS values, particularly with regard to regional integration and Community citizenship.
 - g. Agreed cross-border arrangements to support humanitarian crisis prevention and preparedness as part of comprehensive approach to foster communal welfare and harmony.
71. The underlisted capacity requirements shall facilitate the attainment of the goals set under Cross-Border Initiatives:
- a. Financial and expert support for the study and capitalization of challenges facing sensitive internal and external borders.
 - b. Transfer of expertise and financial support to the West African Police Chiefs' Committee (WAPCCO) and other security networks for the coordination of information sharing, cooperation and networking between the police, gendarmerie, the intelligence services and other security agencies.
 - c. Training, financial and equipment support, including X-ray technology, night vision equipment, detectors and transport to facilitate joint cross-border cooperation by security agencies.
 - d. Resources and training to support community policing initiatives in sensitive border areas.
 - e. Capacity-building workshops for decentralized ECOWAS institutions, traditional/community leaders and NGOs on land tenure, community development and alternative/traditional dispute resolution.
 - f. Provision of funds and equipment as well as training to support advocacy and quick impact projects, including EcoPeace Radios; entrepreneurial training for youth; micro-credit facilities; recreational, health and educational centers.
 - g. Resources and expertise for cross-border humanitarian crisis prevention and preparedness strategies and activities.
72. **SECURITY GOVERNANCE:** The objectives of Security Governance shall be: [i] to eliminate threats to individual and group rights, safety, life, livelihoods, and property, and the protection of the institutions and values of democratic governance, human rights and the rule of law under a human security umbrella; [ii] to orient the focus and capacities of individuals, groups and institutions engaged in the security system to make them responsive and responsible to democratic control and adhere to basic human rights and the rule of law; [iii] to ensure the emergence and consolidation of accountable, transparent and participatory security systems in Member States. The purpose of this component is to facilitate the implementation of the relevant provisions of Article 58 of the Revised ECOWAS Treaty; the relevant provisions of the Mechanism and Protocol on Free Movement; and particularly Articles 1 (C, E) and 19-24 of the Supplementary Protocol on Democracy and Good Governance.
73. Target groups for Security Governance shall include the following:
- a. Statutory institutions legally mandated to stock, manage and apply the instruments of coercion, such as the armed forces, police, gendarmerie, intelligence units, border guards, custom and immigration services, paramilitaries and forest rangers.
 - b. Statutory and non-statutory institutions responsible for the administration of justice

- and the penal code, such as the judiciary and the prison service, as well as customary and traditional justice systems.
- c. Statutory and non-statutory bodies and organizations responsible for security sector policy, financing, regulation and oversight, such as the executive and advisory bodies on national security, the Legislature, the Ombudsman, relevant ministries and civil society organizations.
 - d. Legal and informal non-statutory security sector actors, such as militias, vigilantes and neighborhood watch outfits.
 - e. Private security providers, arms brokers and suppliers (local and foreign).
 - f. Local, foreign and international institutions implementing or supporting Security System Reform in the region.
74. To achieve the objectives set under Security Governance, the following activities shall be undertaken by stakeholders:
- a. ECOWAS shall develop a security governance framework with a Plan of Action that takes into account peculiarities of the region to feed into continental and global processes on Security System Reform. Towards this objective, an expert group composed of relevant ECOWAS departments, experts and NGOs shall be established by the Commission.
 - b. ECOWAS shall facilitate the conduct of a study into the military and security agencies as part of SSR needs analysis for West Africa to identify and define areas of intervention.
 - c. ECOWAS shall develop, adopt and facilitate the implementation of a regulatory framework with a sanctions regime on non-statutory armed groups, including militias, vigilantes, and private security outfits.
 - d. ECOWAS shall develop, adopt and enforce prohibition legislation on mercenary and terrorist activities, and other cross-border criminal activities.
 - e. ECOWAS shall develop and promote the implementation and monitoring of a set of practical guidelines to govern the activities of all actors implementing or supporting SSR initiatives in the region.
 - f. ECOWAS shall facilitate the mainstreaming of security governance into relevant conflict-sensitive initiatives, including DDR, practical-disarmament, cross-border programmes, youth empowerment and the promotion of human rights and the rule of law.
- g. Member States shall launch initiatives to restructure and right-size national security agencies in post-conflict environments with the facilitation of ECOWAS and the support of UN agencies and specialist NGOs.
 - h. Member States shall ensure that demobilized combatants and retrenched or retired soldiers and officers are adequately retrained, reintegrated, rehabilitated or compensated under restructuring and DDR exercises.
 - i. Member States shall develop, reform and implement policies on prisons, spelling out minimum acceptable conditions for detention camps, prisons and rehabilitation centers, access to legal aid and corrective programmes, gender sensitivity in prisons, and all other rights of prisoners and detainees, as well as the responsibilities of prison guards and wardens.
 - j. Member States shall adopt or reform policies to ensure that the recruitment, promotion and entitlements of members of the armed forces and other security agencies are transparent, equitable and on merit, and that reflect ethnic balance and gender sensitivity.
 - k. Member States shall guarantee competitive emoluments and ensure the supply of adequate equipment to the security forces and services.
 - l. Member States shall adopt and implement policies to discourage the use of the military in policing activities.
 - m. Member States shall promote the holding of workshops on the rights and responsibilities of security agencies, with the active cooperation of specialized civil society and research institutions.
 - n. Member States, in cooperation with specialized civil society organizations and research institutions, shall organize capacity-building workshops on the command structure, military ethics and the functioning of the security apparatuses for oversight bodies, including the parliamentary committees on security and defense budgeting, justice and other security-related ministries.
 - o. Member States shall develop, with the

- assistance of the private sector and civil society, youth empowerment schemes designed to engage the youth in gainful endeavors, community and national development.
- p. Specialized NGOs and research institutions shall develop or adapt training packages and organize workshops on civil-military/security cooperation, community policing and practical-disarmament for community leaders, the youth, the police, the military and related security agencies.
- q. Relevant ECOWAS Bodies, specialized NGOs and research institutions shall promote dialogue, exchanges and other joint activities between security agencies and communities to enhance confidence-building and mutual trust.
75. The following shall constitute the benchmarks for assessing progress in Security Governance:
- a. The existence of an operational ECOWAS security governance framework.
 - b. The existence of transparent and competent oversight institutions, policies and procedures on security.
 - c. Increased predisposition of the armed forces towards democratic control.
 - d. Increased confidence and trust between oversight bodies and the military/security hierarchy.
 - e. The elimination of the incidence of military incursions into politics and drastic reduction in armed brutality or recourse to arms to resolve disputes.
 - f. Positive public perception of, and increased confidence in, the security agencies.
 - g. Increased mutual trust and respect between the community and security agencies.
 - h. Reduced crime in the community.
 - i. Reduced incidence of prison congestion, detention without trial and second time offenders.
 - j. Frequency of national dialogues on SSR, which are consultative and predicated on participation of all critical stakeholders including security providers (both statutory and non-statutory) and oversight bodies including civil society and vulnerable groups.
 - k. Armed forces and security services whose composition reflects ethnic, geographic and gender balance.
76. The following capacity needs shall be met in undertaking the activities outlined under Security Governance:
- a. Training and recruitment of DDR and SSR experts to build expertise on security governance facilitation within the ECOWAS Commission.
 - b. Expertise and equipment support to build a database of SSR resources in the region and beyond.
 - c. Provision of a package of resource materials, incentives and tools to accompany SSR and DDR initiatives in Member States.
 - d. Extension of financial and legal aid to underpin judicial and prison reforms.
 - e. Provision of financial and technical support for community policing and practical-disarmament initiatives.
77. **PRACTICAL-DISARMAMENT:** The aim of the Practical Disarmament component of the ECPF is to facilitate further implementation of Articles 50-51 of the Mechanism and, particularly, the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials (2006). Consequently, the component sets the objective to drain the region of illegal small arms and light weapons (SALW) and other related materials, and to prevent the excessive and/or illegal accumulation of SALW, ammunitions and related materials in the region.
78. To ensure successful practical disarmament in the region, stakeholders shall undertake the following activities:
- a. ECOWAS shall, through the Small Arms Unit, facilitate the development of programmes to enhance the capacity of National Commissions and Focal Points on SALW in Member States to underpin national initiatives in practical disarmament.
 - b. ECOWAS shall ensure capacity within the Small Arms Unit to monitor and enforce the ECOWAS regulatory framework on brokering and the acquisition of SALW by State and non-state actors.
 - c. Member States shall, through the National Commissions on SALW, broaden the base of the campaign against the proliferation and misuse of SALW by actively involving the police, private road transport unions, fishermen/boat operators, the media, militias, blacksmiths and other civil society groups.

- d. Member States shall promote 'weapons-for-development' projects in collaboration with the ECOWAS Small Arms Project (ECOSAP), development partners and with the active participation of community-based organizations and security agencies.
 - e. Member States shall promote the collection, registration and destruction of illegal and excessive weapons at community and national levels.
 - f. In post-conflict environments, Member States, peacekeeping missions and civil society organizations shall prioritize SALW collection, registration and destruction in DDR processes.
 - g. Member States shall, with the assistance of the Small Arms Unit and ECOSAP, develop and implement disarmament initiatives in cross-border communities that incorporate quick impact 'weapons-for-development' projects.
 - h. National Commissions and civil society organizations shall launch and sustain awareness campaigns around the ECOWAS Convention on Small Arms and Light Weapons.
79. The benchmarks to measure the progress and success of Practical Disarmament shall include the following:
- a. Functioning national and local structures, including state and civil society institutions, dedicated to the fight against SALW proliferation.
 - b. Increasing awareness within the Community about the harmful effects of SALW proliferation and commitment to prevent it.
 - c. Greater transparency in the acquisition of SALW between ECOWAS, Member States and SALW exporting countries and other suppliers.
 - d. Reduction in the number of SALW in circulation and in unauthorized possession.
80. To enhance the capacities of stakeholders to undertake effective practical disarmament, the following needs shall be met:
- a. Financial and technical support to the Small Arms Unit to set up a monitoring capability, including databases for the verification of end user certificates, marking and tracing.
 - b. Financial and technical support to communities for quick impact projects to underpin community arms collection and destruction.
 - c. Functional detectors (on vehicles, animals and persons), night vision equipment and training to cross-border security agencies to protect the external borders of the Community from illegal weapons proliferation.
 - d. Resources and technical support for registration and destruction of weapons.
 - e. Resources for the production, dissemination and use of educational materials within the framework of awareness enhancement.
81. **WOMEN, PEACE AND SECURITY:** This component aims to facilitate the realization of the provisions of UN Security Council Resolution 1325; the relevant provisions of the Revised ECOWAS Treaty, in particular Article 63; the relevant provisions of the Mechanism; and the provisions of Articles 40 - 43 of the Supplementary Protocol on Democracy and Good Governance. The objective of the Women, Peace and Security component of ECPF shall be to propel and consolidate women's role and contribution to centre stage in the design, elaboration, implementation and evaluation of conflict prevention, resolution, peace-building and humanitarian initiatives while strengthening regional and national mechanisms for the protection and advancement of women.
82. To enhance the role, visibility and impact of women in peace and security, the following activities shall be prioritized:
- a. ECOWAS shall, through the Department of Human Development and Gender and the Gender Development Center, and in collaboration with identifiable networks of women organizations in West Africa, conduct an evaluation of literature and focused study on the gendered impact of violent conflicts on women and map out their role in the emerging ECOWAS security architecture. The study shall take into consideration the contribution and positive roles played by women in peace processes and peace-building, and the need to include women in the leadership of peace missions and negotiations, and mainstream gender in all aspects of the ECOWAS peace and security architecture.

- b. ECOWAS shall facilitate the development and implementation of targeted programs to enhance the leadership, negotiation and dispute resolution skills within women organizations.
 - c. ECOWAS shall take practical steps to increase the number of women in senior decision making positions on peace and security matters within the Commission and other ECOWAS institutions.
 - d. ECOWAS shall adopt a regional policy to combat discrimination against women in all its forms, including inheritance, property rights, dehumanizing cultural practices, pay differentials, female genital mutilation (FGM), arranged and forced marriages, and child labor.
 - e. ECOWAS shall facilitate the development of a regional strategy to combat gender-based violence (GBV) and the strengthening of legislative and judiciary measures, awareness and training on GBV in Member States.
 - f. ECOWAS shall facilitate the adoption and implementation in Member States of affirmative policies to enhance girl-child education and female literacy and numeracy.
 - g. ECOWAS shall facilitate the establishment of 'Young Women's Fellowship' programmes with the collaboration of institutions of higher learning and the private sector within the ECOWAS region and other regions working on peace and security.
 - h. Member States shall take practical steps to increase the number of women in senior positions on peace and security matters within Government institutions at all levels.
 - i. Member States shall develop, enhance and build on existing programmes to strengthen the capacity of women organizations in project design and implementation, and support them with targeted financial packages and equipment.
 - j. Member States shall take practical steps, including legislative reform and affirmative measures, to promote the recruitment of women into the armed forces and other security agencies, and their active participation in the military and civilian components of ESF.
 - k. Member States shall adopt practical measures to put women organizations at the forefront of community and cross-border initiatives, including programmes to combat human trafficking, HIV/AIDS and STDs.
 - l. Civil society organizations shall develop and implement pro-women programmes in Member States, including capacity building for women, awareness raising and advocacy on women empowerment.
83. The following shall constitute benchmarks for assessing progress under the Women, Peace and Security component:
- a. Adoption and implementation of affirmative policies in favor of women at the regional and national levels.
 - b. Greater visibility of women and their organizations at regional, national and local levels of peace and security activities.
 - c. Special emphasis on the adoption and practical implementation of measures to prosecute violence against women in national and regional penal codes.
 - d. Progressive reduction in gender-based discriminatory practices.
 - e. Greater self reliance and independence of women in the social and economic spheres.
 - f. Narrowing of the parity gap between boy and girl child school enrolment.
84. To promote interventions in favor of women in the peace and security domain, stakeholders shall provide capacity in the following priority areas:
- a. Expertise, financial and equipment support to ECOWAS departments and agencies working on gender to enable them spearhead regional interventions.
 - b. Financial and expert support to women organizations for capacity building workshops.
 - c. Facilitation of access to micro-credits and equipment for women in the region.
 - d. Creation of a special fund to support girl-child education and fellowships through advocacy and the establishment of pilot model girl schools in select vulnerable settings.
85. **YOUTH EMPOWERMENT:** The aim of Youth Empowerment is to realize the goals of the relevant provisions of the Revised ECOWAS Treaty and the Mechanism, and in particular Articles 41 - 43 of the Supplementary Protocol on Democracy and Good Governance. The objective is to develop self-reliant, responsible and socially accountable role players and to discourage behavior, actions and ventures that engender violence and insecurity

in communities and within the region by adding value and building the capacities of young people (Age bracket 15 - 35).

86. To achieve the objective set under the Youth Empowerment component, ECOWAS, Member States and partners shall undertake the following activities:
- a. ECOWAS, in collaboration with the UN Regional Office for West Africa (UNOWA) and other partners, shall adopt appropriate and targeted policies on the status of the youth in the region.
 - b. ECOWAS shall equip its Youth and Sports Development Centre in Ouagadougou to facilitate targeted interventions in the region in favor of the youth, drawing from recommendations from the ECOWAS Youth Policy, UNOWA Report on Youth Unemployment and Insecurity and related resources.
 - c. ECOWAS and Member States shall promote investment in labor-intensive and medium to long term agricultural and infrastructure programmes as a sustainable avenue for skill development and employment for young people.
 - d. ECOWAS shall facilitate the establishment of Joint ECOWAS /UNOWA-EU in-country pro-youth initiatives in partnership with Ministries responsible for youth and sports, institutions of higher learning and the private sector.
 - e. ECOWAS shall facilitate the establishment of a youth volunteer program to actively engage young people in infrastructure development, environmental initiatives and other local development activities, and to serve as a forum for youth mobilization in times of crises and emergencies.
 - f. Member States shall establish and strengthen national youth councils to serve as forums for youth-youth interaction and platforms for channeling youth-specific concerns into national and regional policy.
 - g. Member States shall promote projects aimed at skills development, particularly in Information and Communication Technology, sports, music, art, micro-enterprise; employment/placement referrals; peace education; and leadership/citizenship training.
 - h. Member States shall promote, with the cooperation of civil society organizations
- and the full participation of the youth, awareness campaigns around 'Youth and Violence' with a special focus on irregular migration and dissuading the youth from creating or joining non-state armed groups.
- i. ECOWAS and Member States shall mainstream youth involvement in conflict mediation, resolution and peace-building strategies, and shall actively target the youth as facilitators and subject of sustainable DDR initiatives in post-conflict reconstruction strategy.
 - j. Member States shall strengthen the mandate, capacity and resource base of youth ministries for the design and implementation of youth empowerment policies, and for effective cooperation and coordination with other ministries on youth issues.
87. Progress and success under the Youth Empowerment component shall be assessed with the help of benchmarks that include the following:
- a. The adoption and application of a regional policy framework on youth empowerment and orientation.
 - b. Focus on job creation for the youth as a central feature of contractual obligations of the private sector, particularly in the extractive and construction industries.
 - c. Diversification of educational curriculums in West Africa to incorporate nontraditional syllabuses for quick-impact training in entrepreneurship.
 - d. Visible waning of interest among the youth in enterprises of violence.
 - e. Reduction in banditry, armed violence and criminality in the communities.
 - f. Reduction in irregular youth migration within and outside the region.
88. ECOWAS and partners shall mobilize resources to provide needed capacities in the following areas to empower and motivate the youth for productive ventures:
- a. Strengthen the capacity of the Department of Human Development and Gender as well as the Youth and Sports Development Centre with expertise, equipment and financial resources to facilitate regional interventions in youth empowerment.
 - b. Financial, equipment and expert support to ECOWAS and Member States to create

and update databases on the state of youth unemployment, job opportunities, regional resources for youth empowerment, including institutions and persons from civil society organizations, eminent persons and celebrities, to underpin interventions.

- c. Training, financial and equipment support targeting youth-related institutions in Member States.
 - d. Leveraging resources from the private sector to fund targeted interventions in sustainable job creation and employment.
 - e. Materials and literature to underpin the ECOWAS awareness drive on youth empowerment.
89. **ECOWAS STANDBY FORCE (ESF):** The ECOWAS Standby Force component aims to facilitate the implementation of the relevant provisions of Article 58 of the Revised ECOWAS Treaty; the provisions of the Mechanism, in particular those set out under Article 21 and Chapters V – IX; and the provisions under Section IV of the Supplementary Protocol. The objective of ESF under the ECPF is to guarantee peace and security in situations of conflict and disaster through effective observation and monitoring, preventive deployment and humanitarian intervention, and to train and equip multi-purpose composite standby units made up of military and civilian components in Member States within the framework of the African Standby Force arrangement.
90. To achieve the objective set under the ESF component, ECOWAS Member States and partners shall undertake the following activities:
- a. ECOWAS shall reinforce the capacities of the Departments of Peacekeeping and Regional Security and Humanitarian Affairs with personnel, funds, equipment and training to spearhead the elaboration and implementation of an ECOWAS strategy on the rapid development of the civilian component of ESF and the modalities for preventive and humanitarian deployment, with the assistance of ECOWAS' centers of excellence in Ghana, Nigeria and Mali.
 - b. ECOWAS shall coordinate ESF strategy with the African Union, promote exchanges between the two institutions and other RECs, and ensure that ESF activities in the region are in harmony with those of the African Standby Force.
 - c. ECOWAS shall strengthen its Mission Planning and Management Cell (MPMC) with trained civilian elements to facilitate strategic planning and infusing the principle of democratic control, humanitarian and human rights laws into ESF strategy.
 - d. ECOWAS shall reinforce the capacities of the Offices of the Special Representatives and Special Mediators through retreats and workshops on peacekeeping operations, mission planning and oversight and the military and humanitarian law, to improve their oversight functions.
 - e. ECOWAS shall facilitate the rapid development of the civilian component of ESF in Member States by earmarking, training and preparing civilian standby elements for deployment. The target groups shall include the police, experts from relevant government ministries, medical personnel, engineers, construction workers, logisticians, information and media practitioners, legal experts, social workers, humanitarian experts drawn from NGOs, and any other groups that may be identified.
 - f. ECOWAS shall utilize the collective expertise of specialized institutions and think tanks in the region to facilitate the training of military components of the ESF on key civilian concerns relevant to the operational environment, including child protection, HIV/AIDS, malaria, gender and human rights, among others.
 - g. ECOWAS shall facilitate the holding of refresher workshops and the development of a package of incentives for the standby units in-between missions.
 - h. ECOWAS shall facilitate the stocking of the ECOWAS Logistics Facilities with equipment, relief supplies, medicaments and other humanitarian needs.
 - i. Member States shall actively promote the enlistment of their citizens into the civilian component of the ESF.
 - j. Member States and development partners shall support the ESF with financial, technical and logistical resources to enhance the humanitarian capability of the region.
 - k. Civil society organizations shall promote the ESF concept through awareness-raising programs and campaigns to solicit enlistment.
 - l. The UNHCR, regional, local and international

humanitarian and human rights organizations shall facilitate the preparedness of ESF units by promoting capacity-building workshops on relevant deployment matters, including mission planning, civil-military cooperation, field assistance, disaster management, humanitarian and human rights law, communication, and HIV/AIDS and STDs.

91. Progress and success in developing the ESF shall be assessed with the help of benchmarks that include the following:

- a. The availability and application of an ECOWAS strategy and plan of action on ESF, particularly in relation to recruitment, the logistical and training needs, as well as the modalities for deployment of the civilian component.
- b. The existence of well-stocked logistics facilities in the region.
- c. Community awareness of the ESF concept and popular participation in its activities.
- d. Willingness of Member States, local and international organizations and development partners to cooperate with ECOWAS on the ESF.
- e. Verifiable preparedness of the civilian units for rapid deployment.

92. In the efforts to develop the ESF with emphasis on its civilian component and prepare standby units for rapid deployment, stakeholders shall provide capacity in the following priority areas:

- a. Recruitment of civilian peace-keeping and humanitarian experts, as well as funds and technical support for the Department of Humanitarian Affairs and the Mission Planning and Management Cell (MPMC) to lead strategic planning and the preparation of training manuals for ESF.
- b. Financial resources and expertise to develop a database of resources for the civilian component of ESF
- c. Transport facilities, financial and equipment support for the ECOWAS humanitarian facilities.
- d. Resources for developing training manuals and incentive packages for the ESF program.

93. **HUMANITARIAN ASSISTANCE:** Intended as an operational tool in the implementation of the

relevant provisions of the Mechanism, in particular the provisions set out under Article 31 and Chapters VIII and IX, the Humanitarian Assistance component of the ECPF sets the following objectives: [i] Mitigate the impact of humanitarian disasters and emergencies that could result in social and political upheaval; [ii] Serve as a bridge between relief/emergency assistance and medium term rehabilitation and reconstruction efforts in post-conflict and disaster settings; [iii] Protect sustainable development, including individual and community livelihoods, through effective crisis prevention and preparedness activities; and [iv] Foster interregional harmony and security through cooperative arrangements to ensure effective humanitarian crisis prevention and preparedness programs.

94. To fulfill the objectives set under Humanitarian Assistance, ECOWAS and partners shall undertake the following activities:

- a. ECOWAS shall build up the humanitarian crisis capacities of the Departments of Humanitarian Affairs, Political Affairs, Peace-keeping and Regional Security, as well as the capacities of ESF and decentralized agencies with personnel and technical assistance for strategic planning and engagement with Member States on humanitarian matters.
- b. ECOWAS shall enhance the capacity of the Early Warning System to enable it to relate political, socio-economic and geo-physical trends to humanitarian crisis propensities in the region.
- c. ECOWAS shall mainstream essential humanitarian crisis prevention, preparedness and response activities into the ECOWAS peace and security architecture.
- d. ECOWAS shall prioritize the establishment and stockpiling of a humanitarian depot as an integral part of the ECOWAS Logistics Facilities to support humanitarian interventions, including relief and quick-impact projects.
- e. ECOWAS shall facilitate the training and equipping of ESF standby units, particularly the civilian component, in Member States in humanitarian relief and sanitation, as well as the design and implementation of quick-impact and reconstruction projects, for their incorporation into missions wherever and whenever required.
- f. ECOWAS and Member States shall

- facilitate the emergence of a regional humanitarian capability by leveraging resources to promote the emergence of humanitarian NGOs in the region.
- g. Member States shall take practical steps to support regional humanitarian crisis prevention and mitigation efforts with all available resources, including personnel, finances, transport and logistics.
 - h. Member States shall promote the incorporation of humanitarian crisis prevention, preparedness and response initiatives into community and cross-border cooperation programmes.
 - i. In post-conflict and disaster settings, Member States shall actively encourage institutions and citizens to take ownership of regional humanitarian crisis response initiatives to ensure sustainability.
 - j. Civil society organizations shall actively engage in regional humanitarian crisis prevention, preparedness and response initiatives by raising awareness, promoting volunteering and holding training workshops.
95. The benchmarks for assessing progress in the achievement of the objectives set under the Humanitarian Assistance component shall include the following:
- a. ECOWAS policy and regional strategy for humanitarian crisis prevention, preparedness and response systems.
 - b. ECOWAS Early Warning System configured to deal with multi-sectoral approach and analysis pertaining to short and longer-term humanitarian threats, including relevant EWS training capacities.
 - c. ECOWAS anticipatory and response capacities to perform humanitarian functions, including the preparedness of standby units in Member States, contingency planning, training packages, systems and logistical back-up.
 - d. Protection of civilians, livelihoods and property as an operational constant in ECOWAS interventions in crises.
 - e. Awareness about humanitarian imperatives within the region and humanitarian assistance capability in Member States.
 - f. Willingness of Member States, development partners and humanitarian institutions to cooperate with ECOWAS on humanitarian and disaster response, particularly in capacity building and resource mobilization.
96. The capacity needs of the Humanitarian Assistance component shall include the following:
- a. Assistance from bilateral and multilateral partners as well as international humanitarian agencies in undertaking capacity assessments, strengthening the human resource base in ECOWAS, preparing relevant strategies and arrangements for regional and national humanitarian activities and for training systems.
 - b. Transfer of skills from the UN system and international humanitarian agencies to ECOWAS institutions engaged in humanitarian matters, including the Departments and ESF, as well as to Member States, regional and national humanitarian-related institutions and organizations.
 - c. Financial and logistical support from bilateral and multilateral partners to establish and develop the ECOWAS Logistics Facilities.
97. **PEACE EDUCATION (CULTURE OF PEACE):** Guided by the provisions of Articles 58 and 62 of the Revised ECOWAS Treaty, Article 51(A) of the Mechanism and Articles 29-31 of the Supplementary Protocol on Democracy and Good Governance, the objective of Peace Education shall be to transform the psyche, orientation and behavioral pattern of the population, particularly those of children, the youth and policy makers, decisively in favor of exclusively peaceful means of thought, action and interaction.
98. In the efforts to achieve the Peace Education objective, ECOWAS and partners shall undertake the following activities:
- a. ECOWAS shall facilitate the elaboration and adoption of modules on Regional Integration, Conflict Analysis and Peace Education to be incorporated into the curriculum of primary, secondary and tertiary institutions, with the cooperation of Community educationists, UNESCO and UNICEF.
 - b. ECOWAS shall mainstream citizenship awareness in all reconciliation and reintegration programmes.
 - c. ECOWAS and Member States shall facilitate the propagation of the ideals of regional integration and Community citizenship in the media.
 - d. ECOWAS shall facilitate cultural and educational exchanges among the youth in Member States to promote peer learning and a Community spirit in the youth.

- e. Member States shall promote leadership and citizenship training in formal and informal educational settings and youth institutions.
 - f. ECOWAS and Member States shall promote the involvement of eminent persons, intellectuals and celebrities as role models in leadership and citizenship training.
 - g. Member States shall promote mediation and reconciliation committees at community, district and national levels, with the active cooperation of community and civil society organizations.
 - h. Educational institutions and the Media shall expose the youth to the rich cultural diversity of different ethnic and religious groups of Member States.
 - i. Civil society organizations shall carry out awareness raising and peace education activities through workshops on national reconciliation, interethnic/religious harmony, identity and citizenship.
99. Progress in promoting a culture of peace in the region shall be assessed using yardsticks that include the following:
- a. Peace and citizenship training as an integral part of formal and informal upbringing.
 - b. Reduction in prejudices and stereotyping against different ethnic/religious groups and nationalities in Member States.
 - c. Greater disposition towards peaceful dispute resolution among the youth.
 - d. Reduced violence, particularly against women and children, cultism, bullying and gun culture on school compounds, campuses and neighborhoods.
100. To support activities under the Culture of Peace component, the following capacity needs shall be met by stakeholders:
- a. Financial resources and expertise to develop and customize peace education manuals.
 - b. Financial resources, expertise and incentives to educational establishments to embrace peace education in curriculums.
 - c. Financial resources to facilitate cultural exchanges among the youth.
 - d. Incentives to attract role models.

SECTION IX: ENABLING MECHANISMS OF THE ECPF

101. The enabling mechanisms of the ECPF shall include Advocacy and Communication; Resource Mobilization; Cooperation; and Monitoring and Evaluation.
102. **ADVOCACY AND COMMUNICATION:** Since inception and particularly since 1990, ECOWAS has achieved measurable and commendable success in peace and security, both at the normative level (adopting appropriate protocols) and at the operational level (multi-faceted interventions to prevent violence, restore peace where violent conflict has broken out and to stabilize the political situation in post-conflict environments). Laudable and impressive as its track-record is, ECOWAS has, nonetheless, not been able to capitalize sufficiently on its successes by selling its achievements to the wider public in Member States and within the international community.
103. To correct this imbalance, ECOWAS shall develop an aggressive advocacy and communication strategy, including initiatives already outlined under the Media component. In addition, ECOWAS shall promote the following activities:
- a. **Awareness promotion:** ECOWAS shall launch a mass awareness drive around concrete ECOWAS protocols and activities in collaboration with the media, eminent persons and celebrities drawn from the region. In this exercise, ECOWAS shall work with local authorities, civil society organizations, youth and women's associations and FM Radio Stations.
 - b. **Branding the ECOWAS product:** ECOWAS shall ensure the production and wide distribution of ECOWAS-related audio-visual material, including documentaries on ground-breaking initiatives, posters, slogans, face-caps, T-Shirts, CDs, songs, jingles, calendars, pens, radio, and TV jingles and advertisements.
 - c. **Selling the ECOWAS product:** [i]. ECOWAS shall secure the cooperation of regional and national news networks to ensure that speeches, interventions and appearances by the Chairperson, President and the hierarchy of ECOWAS secure prime time news slots in the major channels across the region. [ii]. ECOWAS shall broaden 'ECOWAS Day' activities to include greater media coverage, sponsored polls on policy issues, cultural and school

- activities in Member States. [iii]. ECOWAS shall facilitate the incorporation of 'Regional Integration' as a compulsory read in the school curriculum during the first two years of secondary education and in the first year of University education in Member States.
- d. **Documentation and Publication:** ECOWAS shall take immediate steps to produce, publish and disseminate an annual analytical journal '*Human Security in West Africa* (conflict analysis in West African Clusters corresponding to the Zonal Bureaux demarcations) and '*Conflict Prevention & Peace-building in West Africa*' (Report of ECOWAS interventions, partnerships, tools, perspectives).
 - e. **Partnerships:** ECOWAS shall maintain and reinforce partnerships with development partners, research institutions and civil society organizations with a view to sharing and selling views and best practices as well as reinforcing mutual capacities in advocacy and communication.
104. The benchmarks for assessing progress in Advocacy and Communication shall include the following:
- a. Well-stocked libraries (physical and electronic) and documentation centers with up-to-date information on all aspects of ECOWAS activities at the Commission, decentralized structures and other institutions of ECOWAS.
 - b. Up-to-date literature on ECOWAS in schools and institutions of higher learning in Member States.
 - c. The emergence of the ECOWAS brand as a reference point and recurrent theme in the press and in international discourse.
 - d. The emergence of an ECOWAS-friendly population in West Africa.
 - e. Greater international interest in ECOWAS and greater goodwill of development partners towards the institution.
105. To achieve the goals set under Advocacy and Communication, stakeholders shall undertake to provide capacity in the following areas and form:
- a. Strengthen the capacities of the Communication and Documentation Departments with experts, particularly in public relations, editing, production and translation, and with state of the art audio-visual and documentation equipment.
 - b. Reinforce the capacities of PAPS, the Departments of Communication and Human Development and Gender, and other relevant units to produce publications on ECOWAS interventions in peace and security.
 - c. Capacity-building workshops on publication and documentation for relevant departments.
 - d. Media and publicity consultants to assist in documentation and advocacy.
 - e. Financial resources to ensure regular and timely distribution of ECOWAS products to client institutions.
 - f. Financial support to civil society organizations in Member States for the production, dissemination and popularization of abridged versions of ECOWAS Protocols, Conventions and related legal and policy documents.
106. **RESOURCE MOBILIZATION:** Securing adequate funding from internal, regional and international sources is a sine qua non for sustainable peace and security interventions and the success of the ECPF. ECOWAS has demonstrated its capacity to leverage financial resources and has applied innovative approaches to attract resources to finance interventions, including the mechanisms of the Community Levy, bilateral and multilateral donations. ECOWAS shall adopt all necessary measures to expand its resource base and establish a dedicated fund for conflict prevention and peace-building, including for unforeseen interventions. ECOWAS shall source enhanced funding for interventions through the following channels:
- a. Allocations from the ECOWAS Core Budget and Community Levy.
 - b. Allocations from the Peace Fund and Pool Fund.
 - c. Supplementary bilateral and multilateral assistance from non-traditional partnerships by exploring South-South cooperation and Asian sources.
 - d. Facilitating resource mobilization by Member States and promoting intra-ECOWAS assistance to post-conflict Member States.
 - e. Fundraising from the private sector and individual donations.
 - f. Fundraising activities, including fanfares, raffles, dinners and appeals, as well as the sale of ECOWAS products.

107. Towards this end, ECOWAS shall take the following measures:
- a. Reinforce capacities within the Commission, including the capacity of the Monitoring and Evaluation and Peace Fund units to enhance the absorptive capacity of ECOWAS and reinforce coordination with development partners.
 - b. Seek the cooperation of the African Union, the NEPAD Secretariat and the African Development Bank in resource mobilization for conflict prevention and peace-building interventions at the regional level and in Member States.
 - c. Facilitate intra-regional assistance to post-conflict Member States for capacity enhancement and technical support.
 - d. Facilitate the convening of conferences with the participation of development partners to mobilize resources for peace-building in post-conflict Member States, and apply pressure on partners to honor pledges made at conferences.
108. Member States shall undertake the following activities:
- a. Develop and implement national strategies for the mobilization of internal human, financial and material resources for conflict prevention and peace -building, including for unforeseen interventions, through the creative utilization of proceeds from national endowment and engagement with the private sector, bilateral and multilateral partners.
 - b. Incorporate resource mobilization strategies into poverty reduction and security system reform strategies, peace agreements and post-conflict reconstruction and reconciliation strategies.
109. **COOPERATION:** Cooperation under the ECPF shall be premised on the provisions of Chapter XX of the Revised ECOWAS Treaty on relations with third-party States and Organizations as well as the provisions of Chapter XX of the Mechanism relating to cooperation with the African Union, the United Nations and other International Organizations.
110. Cooperation among stakeholders of the ECPF shall be underpinned by the following considerations:
- a. The core value of the ECPF is human security.
 - b. The central purpose of the ECPF is to create space and the conditions within Member States and the region for the promotion and consolidation of human security.
- c. Priority-driven programming.
 - d. Subsidiarity and complementarity.
 - e. Local ownership, local context and sound analysis.
 - f. Sustainability.
 - g. Transparency, accountability, mutual respect and trust.
111. Cooperation between stakeholders shall aim at building synergies for coordinated interventions in conflict prevention and peace-building, taking into account the comparative advantage of each partner and the need for division of labor to add value to the collective efforts of all stakeholders.
112. Within the framework of the principles set out in Paragraphs 109 - 111, any stakeholder may initiate cooperation with partners under the ECPF.
113. **Intra-ECOWAS Cooperation**
- Cooperation within the ECOWAS system is a *sine qua non* for effective cooperation with other partners and for the success of the ECPF. To achieve the necessary synergy within the Commission and with other ECOWAS Institutions, the following actions shall be taken:
- a. ECOWAS shall raise awareness within all departments and institutions of the ECOWAS system about the cross-cutting essence of conflict prevention, peace-building and the ECPF as a strategic document which derives from the peace and security imperatives of the ECOWAS Vision.
 - b. All Departments, Centers, Units, decentralized and autonomous institutions of ECOWAS shall take ownership of the ECPF and the Plan of Action that shall derive from it as a framework for intra-ECOWAS cooperation on peace and security in the region.
 - c. The Strategic Planning, Monitoring and Evaluation Units as well as the Department of External Relations of ECOWAS in the Office of the ECOWAS Vice-President shall ensure the capitalization of the ECPF and its Plan of Action as a point of reference in strategic planning and relations with Member States and other partners with regard to conflict prevention and peace-building.
 - d. ECOWAS shall take practical steps, including information sharing, joint planning

and delegation of responsibilities, to involve the Community Parliament and Court of Justice more actively in the interactions between ECOWAS and the Community population, notably in electoral and democratic processes and human rights and justice matters.

114. ECOWAS – Civil Society Cooperation

Cooperation between ECOWAS and civil society shall take the following roles and responsibilities into consideration:

- a. Member States and civil society within them shall bear the principal responsibility for peace and security. To this end, civil society organizations and the private sector shall constitute valued and bona fide partners at the regional (ECOWAS), national (Member State) and local (community) levels in the implementation and evaluation of the ECPF and in cooperation arrangements with external partners.
- b. ECOWAS shall facilitate [i] the periodic evaluation of the West African Civil Society Forum (WACSOF) and other partner civil society networks in the region with a view to strengthening internal democracy, inclusiveness, programming and oversight; [ii] the establishment of a mechanism similar to the UN ECOSOC with modalities for Memorandums of Understanding and different levels of accreditation to serve as an interface with civil society networks; [iii] Information sharing with civil society networks and setting up of communication channels for civil society inputs into ECOWAS policies and programmes.
- c. Civil society organizations shall [i] contribute to the conceptualization, development, implementation and monitoring of ECOWAS policies and programs on peace and security; [ii] mobilize and channel civil society concerns and findings into ECOWAS initiatives; [iii] lead advocacy in Member States through awareness raising, lobbying and campaigns around ECOWAS resources, including the Community Court and Parliament, policies and interventions; [iv] spearhead conflict prevention and peace-building activities in Member States, especially at the national policy and community levels; [v] provide, alongside the private sector, technical and financial support for the implementation of activities within the ECPF.

115. ECOWAS – Member State Cooperation

Cooperation between ECOWAS and Member States shall be based on the principles of supranationality, complementarity and the division of labour. Consequently, Member States shall:

- a. be the principal implementing agencies of conflict prevention and peace building initiatives. To this end, they shall take the lead in the identification of priorities and create conditions for the full and active participation of all citizens and their organizations, particularly women, the youth and community groups, in the conception, elaboration, implementation, monitoring and evaluation of conflict prevention and peace-building initiatives;
- b. take active steps to incorporate regional and international statutes on peace and security into national legislation and ensure that the communities and institutions at the national and decentralized levels are abreast with developments at the regional level;
- c. take regional dimensions of peace and security and ECOWAS instruments into account in the design and implementation of national programs, as well as in bilateral and multilateral relations;
- d. promote the active participation of ministers of Member States in the ECOWAS policy-making process;
- e. Strengthen the capacities of ECOWAS National Units to serve as the conduit for permanent dialogue and interaction between the Commission and Member States;
- f. Prioritize the capitalization of internal financial, human and technical resources as the first step in the mobilization of resources for conflict prevention and peace-building interventions.

116. In its cooperation with Member States, ECOWAS shall:

- a. be responsible for facilitation, the crafting of overarching regional policies, monitoring and evaluation;
- b. facilitate the mobilization of financial and technical resources from regional sources, bilateral and multilateral partners to support interventions under the ECPF in Member States;
- c. act in partnership and cooperation with the AU, UN and other partners to identify entry points, leverage resources for capacity

- building to facilitate in-country and cross-border activities, and enhance the visibility and legitimacy of ECPF initiatives.
117. **Cooperation with the African Union and United Nations**
- ECOWAS initiatives under the ECPF take into account the realities of the region but constitute a building block and integral part of the continental and global security architecture defined under the relevant provisions and derivative statutes of the Constitutive Act of AU and the UN Charter. Consequently, cooperation between ECOWAS, AU and the UN shall be informed by the following considerations:
118. Within the overall framework of AU-ECOWAS cooperation, the African Union shall:
- a. work in partnership with ECOWAS to identify conflict prevention and peace-building opportunities for cooperative action with ECOWAS and Member States;
 - b. work in partnership with ECOWAS to create space and facilitate resource mobilization for capacity-building and the implementation of the ECPF in Member States;
 - c. facilitate the enhancement of ECOWAS capacity for the implementation of the ECPF.
119. Within the overall framework of UN-ECOWAS cooperation, the United Nations shall:
- a. provide political legitimacy for the realization of ECOWAS goals within the framework of the ECPF;
 - b. cooperate with ECOWAS in creating space and mobilizing financial and technical support to implement the priority areas of human security in the region;
 - c. render support for capacity-building of ECOWAS, Member States and civil society to undertake conflict prevention and peace-building activities.
120. **Cooperation with Development Partners:** The financial and technical support from development partners has contributed significantly to the sustainability of peace and security in the region. To build on the successes of this contribution, both parties shall:
- a. work towards the harmonization of practices and procedures of engagement in conformity with the provisions of the Paris Declaration on Aid Efficacy.
 - b. hold regular coordination meetings to harmonize diverse interventions by development partners to maximize outcomes;
 - c. ensure that financial and technical support for conflict prevention and peace-building is made within the framework of the ECPF and its Plan of Action.
 - d. shall take practical steps to ensure the efficient disbursement of financial assistance and enhance the absorptive capacity of ECOWAS.
121. ECOWAS shall encourage development partners to release funds pledged at donor conferences to support peace building

**SECTION X:
PLAN OF ACTION, MONITORING AND
EVALUATION**

122. **PLAN OF ACTION:** The ECPF shall be accompanied by a four-year Plan of Action to be developed by the Commission. The Plan shall be supported by performance indicators and a reporting plan. It shall be elaborated in a logical framework that shows detailed activities to be carried out, the actors and target groups involved, inputs, expected outcomes and impacts, and the time frame for the activities.
123. **MONITORING AND EVALUATION (M&E):** The purpose of the Monitoring and Evaluation process shall be to assess the progress of all aspects of the ECPF on a regular basis with a view to gauging impacts on the conflict landscape in West Africa and applying corrective, incremental or reinforcing measures, wherever and whenever necessary, to maximize outcomes. The following measures shall be undertaken in the M&E process:
- a. The Commission shall make an annual report on the level of implementation of the ECPF at the end of year summit of the Authority of Heads of State and Government.
 - b. M&E shall become an integral part of the ECOWAS peace and security strategy.
 - c. M&E shall be continuous, participative and transparent.
 - d. M&E shall be carried out on components as well as the totality of the Framework.
 - e. The M&E Department of ECOWAS shall oversee the monitoring and evaluation process with the active participation of all stakeholders.

- f. M&E shall be carried out at the grassroots (community), national and regional levels.
- g. The processes and outcomes of the M&E exercise shall be made available to all stakeholders and shall constitute the subject of lessons learned and capacity enhancement workshops for the stakeholders of the ECPF, including the ECOWAS system, Member States, civil society organizations, other Regional Economic (Integration) Communities, the UN system, the AU Commission and development partners.

**SECTION XI:
OBLIGATIONS BY MEMBER STATES**

- 124. This Regulation shall be published by the Commission in the Official Gazette of the Community within 30 days of its signature by the Chairman of the Mediation and Security Council. It shall also be published by each Member State in its Official Gazette within the same deadline.
- 125. This Regulation shall enter into force upon its publication. Consequently, all ECOWAS Member States and Institutions shall commence the implementation of the Conflict Prevention Framework upon the entry into force of this regulation.

**DONE AT OUAGADOUGOU,
THIS 16th DAY OF JANUARY, 2008**



.....
H.E. Djibrill Yipènè BASSOLE

*Minister of Foreign Affairs and Regional Cooperation
of FASO, Chairman of the Mediation and Security
Council.*

**For and on behalf of the Mediation and Security
Council**

REGULATION MSC/REG.2/01/08 RELATING TO THE ESTABLISHMENT OF THE ECOWAS EMERGENCY RESPONSE TEAM (EERT) MECHANISM WITHIN THE ECOWAS COMMISSION

MEDIATION AND SECURITY COUNCIL,

MINDFUL of Articles 4, 8 and 10 of the Protocol relating to the Mechanism on Conflict Prevention, Management Resolution Peace Keeping and Security of 10th December 1999 as amended establishing the Mediation and Security Council and defining its composition and functions;

MINDFUL of Article 58 of the Treaty on Regional Security;

RECALLING that the aforesaid Protocol of 10 December 1999 provides mechanisms for attaining collective security and maintaining and consolidating peace and security within the sub-region;

CONSIDERING that ECOWAS by reason of the aforementioned Protocol, has the responsibility of undertaking specific measures in the event of conflicts, in terms of prevention, management, resolution and peace keeping for the maintenance of peace, security and stability in the region;

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

RECALLING ECOWAS, obligation as provided by the 1999 Protocol, to develop the capacity to efficiently undertake humanitarian actions that would alleviate the sufferings of the populations who are victims of natural and man-made disasters;

ALSO RECALLING the establishment of a Humanitarian and Social Affairs Department within the Commission of ECOWAS through which the Commission would initiate and organize humanitarian activities;

HAVING NOTED the development in 2006, of an ECOWAS emergency response team (EERT)

mechanism by the Commission that is gradually building both regional and national capacity for responding to humanitarian crises within the region;

DESIROUS of formalising the creation of an EERT unit, to ensure its full development, and operationalization in order to serve the purposes outlined in the Articles 3 (f), 40 and 41 of the aforesaid 1999 Protocol on Conflict Prevention;

ON THE RECOMMENDATION of the meeting of the Experts of Political Affairs Peace and Security held in Ouagadougou on 14th – 15th January 2008;

ENACTS

Article 1

The establishment of the ECOWAS Emergency Response Team (EERT) mechanism is hereby approved and formalized.

Article 2

The Commission shall ensure the full development and operationalization of an EERT unit within its Humanitarian and Social Affairs Department, which would have the responsibility of initiating and undertaking humanitarian missions within the region, in response to humanitarian crises arising out of man-made or natural disasters.

Article 3

A mission planning, management and deployment cell shall be established within the EERT unit which shall perform crises assessments and also plan, coordinate and manage all humanitarian missions in accordance with the Protocol relating to the mechanism for Conflict Prevention, Management, Resolution Peacekeeping and Security.

Article 4

1. The Commission shall assess the capacity framework of the EERT mechanism in order to determine the financial implications of the project
2. It shall submit the outcome of its assessment to the Council of Ministers for approval, prior to the establishment of the operational structures for the EERT Unit.

Article 5

Member States shall undertake to collaborate with the Commission and put in place the necessary measures to facilitate the implementation of the humanitarian delivery capacity of the ECOWAS Commission.

Article 6

This Regulation shall be published by the President of the Commission in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Ministerial Meeting of the Mediation and Security Council. It shall also be published in the National Gazette of each Member State within the same timeframe.

**DONE AT OUAGADOUGOU,
THE 16TH DAY OF JANUARY 2008**



.....
**H. E. MR. JIBRILL YIPENE BASSOLE
CHAIRMAN
FOR THE COUNCIL**

RECOMMENDATION C/REC.1/12/07 RELATING TO THE ALLOCATION OF THREE POSTS OF JUDGE OF THE COMMUNITY COURT OF JUSTICE TO MEMBER STATES

THE COUNCIL OF MINISTERS,

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

MINDFUL of Articles 6 and 15 of the said ECOWAS Treaty establishing the Community Court of Justice as an institution of the Community;

MINDFUL of Protocol A/P1/7/91 defining the status, composition, powers, procedures and other issues concerning the Community Court of Justice;

MINDFUL of Article 3 of the said Protocol relating to the composition of the Court and the appointment of judges;

MINDFUL of Article 4(1) of the Court's Protocol defining, among other things, the tenure of the judges, its renewal on the basis of eligibility for another period of five (5) years;

MINDFUL of Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice and which provides for a non-renewable four (4) year tenure for Judges of the Court;

MINDFUL of Decision A/DEC. 4/12/03 renewing the tenure of three (3) judges of the Community Court of Justice;

MINDFUL of Decision A/DEC. 02/06/06 establishing a Community Judicial Council;

CONSIDERING that the second tenure of three (3) judges of the Community Court of Justice expires on 29 January 2009;

RECALLING that the judges are now appointed on a competitive basis under the management of the Community Judicial Council, which, after interviewing candidates from countries to which the posts have been allocated, makes recommendations to the Authority of Heads of State and Government to appoint the judges;

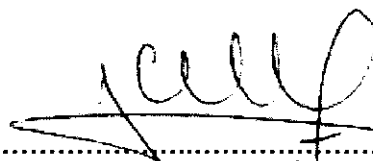
CONSIDERING the need to commence henceforth, the procedure for appointing judges to replace the

three (3) judges whose tenures expire on 29 January 2009, in order to avoid a vacuum and to ensure continuity in the functioning of the Community Court of Justice with all its judges;

WISHING, in this context, to allocate three (3) posts of judge of the Community Court of Justice to Member States;

RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the draft Supplementary Act attached hereto, allocating three (3) posts of judge of the Community Court of Justice to Member States.

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



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

RECOMMENDATION C/REC.2/12/07 RELATING TO THE ESTABLISHMENT OF THE ECOWAS REGIONAL ELECTRICITY REGULATORY AUTHORITY

THE COUNCIL OF MINISTERS,

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

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

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

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government relative to the energy policy of ECOWAS;

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

MINDFUL of Decision A/DEC. 6/01/05 of the Authority of Heads of State and Government of 19 January 2005 relating to the development of a regional regulatory framework for the power sector within ECOWAS as a prelude to the establishment of a Regional Regulatory Body;

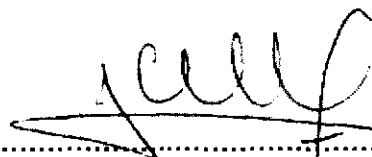
CONSIDERING that the Supplementary Act relating to the regional regulation of ECOWAS Electricity sector seeks to institute a Regulatory Authority for the West African Electricity Sector in order to foster open and transparent cross-border electricity exchanges within the ECOWAS sub-region, to ensure improved efficiency of power supply in ECOWAS Member States and increased access to energy for its citizens;

DESIROUS to endow the Community with a mechanism for cooperation between National Regulatory Authorities and to this end, to establish a Regional Electricity Regulatory Authority with a view to entrenching best practices in contractual trans boundary electric energy transactions;

FOLLOWING the opinion of the ECOWAS Parliament,

RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to adopt the attached draft Supplementary Act relating to the Establishment of the ECOWAS Regional Electricity Regulatory Authority.

**DONE IN OUAGADOUGOU,
ON THE 15TH DAY DECEMBER 2007**



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

**RECOMMENDATION C/REC.3/12/07 ADOPTING
THE WAPP TRANSMISSION LINE
IMPLEMENTATION STRATEGY**

THE ECOWAS COUNCIL OF MINISTERS

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government on the ECOWAS Energy Policy

MINDFUL of Decision A/DEC.5/12/99 of the 22nd Session of the Authority of ECOWAS Heads of State and Government held in Lome on 10 December 1999 relating to the establishment of a West African Power Pool (WAPP);

MINDFUL of Decision 18/01/06 of the 29th Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 relating to the organization and operation of WAPP;

MINDFUL of Decision A/DEC.20/01/06 of the 29th

Session of the Authority of ECOWAS Heads of State and Government held in Niamey on 12 January 2006 granting the WAPP General Secretariat the status of specialized ECOWAS institution;

CONSIDERING that the WAPP priority projects constitute an energy trade cooperative mechanism for the integration of national electric power grids in a unified regional electricity market for ensuring, in the medium and long-term, the supply of stable and dependable electric power to West African citizens at affordable rates;

OBSERVING that the energy trade between Ghana, Cote d'Ivoire and Nigeria requires high capacity transmission interconnection from Cote d'Ivoire through Togo/Benin to Nigeria, known as the Coastal Transmission Backbone (CTB);

CONSIDERING that in the ECOWAS Revised Master plan for the Generation and Transmission of Electric power adopted at the 28th Session of the Authority of ECOWAS Heads of State and Government held in Accra on 19 January 2005, through Decision/DEC.7/01/05, identified the 330 kV CTB as being indispensable and critical to the development of the WAPP.

NOTING that the WAPP General Secretariat, the Volta River Authority of Ghana (VRA), the Power Holding Company of Nigeria (PHCN), and the Community Electrique du Bénin (CEB) of Togo/Benin intend to undertake a project that will comprise the construction of a 330 kV transmission line from the Volta in Ghana through Mome Hagou in Togo, up to Sakété in Benin, as a component of the CTB to facilitate the energy trade among the Member States of the West Africa sub-region;

AWARE of the need to implement the project in the most favourable conditions, and having regard to the increasing cooperation between electricity companies in the realization of the projects, the VRA, CEB, and PHCN, through a Memorandum of Understanding, agreed to determine the most advantageous ways and means of implementing the 330-kV Volta-Mome-Hagou-Sakete Interconnection Project and, on that basis, agreed to sign Energy Trade Agreements to take advantage of it;

CONSIDERING that the WAPP has undertaken a fast-track study and recommended the implementation of the CTB through a special purpose company in the framework of a public/private partnership

CONSIDERING that the WAPP has received assistance from the Public Private Infrastructure Advisory Facility (PPIAF) to develop a template for WAPP Transmission Line Implementation Strategy comprising Special Purpose Companies in the framework of public/private partnerships;

CONSIDERING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, adopted the concept of implementing WAPP Transmission Line Projects through a special purpose company in the form of public/private partnerships, if necessary, as a WAPP Transmission Line implementation Strategy;

RECALLING that the WAPP General Assembly, by Decision WAPP/19/DEC.26/10/07 of 26 October 2007, requested the ECOWAS Energy Ministers meeting to adopt the WAPP Transmission Line Implementation Strategy for submission to the Council of Ministers and subsequent adoption by the Authority of ECOWAS Heads of State and Government;

ON THE PROPOSAL of the eighth meeting of ECOWAS Energy Ministers held in Lome on 16 November 2007;

RECOMMENDS to the authority of heads of state and government to adopt the attached draft Supplementary Act adopting the WAPP Transmission Line Implementation Strategy.

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


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

RECOMMENDATION C/REC4/12/07 ADOPTING THE EMERGENCY POWER SUPPLY SECURITY PLAN (EPSSP)

THE COUNCIL OF MINISTERS;

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

MINDFUL of Decision A/DEC.3/5/82 of the Authority of Heads of State and Government on the ECOWAS Energy Policy

MINDFUL Decision A/DEC.5/12/99 of the 22nd Session of the Authority of Heads of State and Government of ECOWAS, held in Lomé on 10 December 1999 relating to the establishment of the West African Power Pool (WAPP);

MINDFUL of Decision A/DEC. 7/01/05 of the 28th Session of the Authority of Heads of State and Government, held in Accra on 19 January 2005, relating to the ECOWAS revised Master Plan for the generation and transmission of electrical power;

MINDFUL of Decision A/DEC. 18/01/06 of the 29th Session of the Authority of Heads of State and Government of ECOWAS, held in Niamey on 12 January 2006, relating to the Articles of Agreement for the establishment and functioning of the WAPP;

MINDFUL of Decision A/DEC. 20/01/06 of the 29th Session of the Authority of Heads of State and Government, held in Niamey on 12 January 2006, granting the status of specialized institution of ECOWAS to the WAPP Secretariat;

CONSIDERING that the WAPP Priority Projects are in various stages of implementation and when commissioned, shall result in a cooperative power pooling mechanism for integrating national power system operations into a unified regional electricity market with the expectation that such mechanism would, over the medium to long term, assure the citizens of West Africa a stable and reliable electricity supply at affordable costs;

CONSIDERING that all ECOWAS Member States, excluding Côte d'Ivoire, have been experiencing a serious power shortage which recently transformed into a major crisis and engaged the attention of electricity companies and Governments of ECOWAS Member States;

CONSIDERING that the most effective and efficient solutions for addressing the power shortages should be sought within the regional context;

CONSIDERING that, in response to this undesirable situation, the WAPP Executive Board at its ordinary session on 27 April 2007, and the ECOWAS Commission in its correspondence dated 3 May 2007 referenced ECW/INST/EEEEOA/Commint/4/2007 requested the WAPP Secretariat to conduct a study for the formulation of an Emergency Supply Plan from the sub-regional perspective for member utilities;

CONSIDERING that the General Assembly of WAPP, during its Second Session held in Abuja on 26 October, 2007, adopted the WAPP Emergency Power Supply Security Plan (EPSSP) through Decision WAPP/18/DEC.26/10/07 and requested the ECOWAS Ministers of Energy to adopt the WAPP EPSSP and Action Plan with a view to submitting it to the ECOWAS Council of Ministers for endorsement and subsequent submission to the Authority of ECOWAS Heads of State and Government of ECOWAS for adoption;

CONSIDERING that the aforementioned General Assembly of WAPP also recommended accelerated development of the electricity sub-sector in West Africa through, among others, re-structuring of utilities, demand-side management, implementation of cost-reflective tariffs, transfer of best practices among Member Utilities of WAPP, and enhanced capacity-building for the Member Utilities of WAPP;

DESIROUS of seeking an urgent solution to the energy crisis affecting the sub-region;

ON THE PROPOSAL OF THE EIGHTH (8TH) meeting of ECOWAS Ministers of Energy held in Lomé on 16 November 2007;

RECOMMENDS TO THE HEADS OF STATE AND GOVERNMENT

TO ADOPT the WAAP Emergency Power Supply Security Plan (EPSSP) and its action plan attached as an annex.

**DONE AT OUAGADOUGOU,
THIS 15 DAY OF DECEMBER 2007**


.....
H.E. MRS. MINATA SAMATE CESSOUMA
CHAIRPERSON
FOR COUNCIL

RECOMMENDATION C/REC.5/12/07 RELATING TO THE RENEWAL OF THE MANDATE OF THE FIRM OF DELOITTE ET TOUCHE, COTE D'IVOIRE AS THE EXTERNAL AUDITORS OF THE INSTITUTIONS OF THE COMMUNITY

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 75 of the Treaty relating to the Auditors;

MINDFUL of Decision A/DEC.19/01/06 appointing the firm of Deloitte et Touche as the auditors of the Institutions of the Community;

MINDFUL of the contract between ECOWAS and the firm of Deloitte et Touche of 1st April 2006, relating to the conditions for the provision of services by the Auditors of the Institutions of the Community;

CONSIDERING that according to Article 75 of the Treaty afore-mentioned, the auditors shall be appointed for a period of two years renewable twice only, for subsequent terms of two (2) years;

CONSIDERING that the initial term of two (2) years of service of the firm of Deloitte et Touche as the auditors of the Institutions of the Community ends on 30th March 2008;

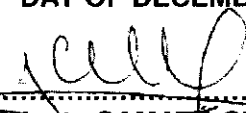
CONSIDERING that during the afore-mentioned period, the firm of Deloitte et Touche carried out its task competently and efficiently;

ON THE RECOMMENDATION of the Fifty Ninth Session of the Council of Ministers held in Ouagadougou on the 13th December 2007,

RECOMMENDS to the Authority of Heads of State and Government

TO ADOPT the attached Decision relating to the renewal of the mandate of the firm of Deloitte et Touche, Côte d'Ivoire, as the external auditors of the Institutions of the Community.

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


.....
H.E. Mrs. Minata SAMATE CESSOUMA
CHAIRPERSON, FOR COUNCIL

RECOMMENDATION C/REC.6/12/07 RELATING TO THE AMENDMENT OF ARTICLES 19, NEW PARAGRAPH 3, AND 89 OF THE ECOWAS TREATY

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 90 of the ECOWAS Treaty relating to the amendment and revision of the Revised Treaty of the Economic Community of West African States;

MINDFUL of Protocol AP 1/12/01 amending Articles 1, 3, 6 and 21 of the Revised Treaty of the Economic Community of West African States;

MINDFUL of Supplementary Protocol A/SP1/06/06 amending the Revised ECOWAS Treaty;

MINDFUL of Regulation C/REG. 15/01/03 establishing an Ad Hoc Committee on the Harmonisation of the legislative Texts of the Community, particularly Article 2 directing the committee to critically review the Revised ECOWAS Treaty, as well as the protocols and conventions, with a view to providing the Community with appropriate and modern legal instruments that, when implemented, will promote the acceleration of the integration process;

MINDFUL of Article 19, paragraph 3c, of the ECOWAS Treaty under which the President of the Commission may convene meetings of sectoral ministers, as and when necessary, to consider sectoral issues which promote the achievement of the objectives of the Community;

MINDFUL of Article 89 of the ECOWAS Treaty which states that ECOWAS protocols shall enter into force upon ratification by nine (9) signatory States;

CONSIDERING the existence in Member States, of high institutions, such as national parliaments, constitutional courts, supreme courts, economic and social councils, audiovisual and communication high authorities, which are in charge of special areas and whose action can promote the attainment of the objectives of the Community;

CONSIDERING that it is useful and beneficial for

the Community to consult the aforementioned institutions on issues within their areas of competence and that, to this end, it may be necessary for the President of the Commission to invite their representatives to attend ECOWAS meetings;

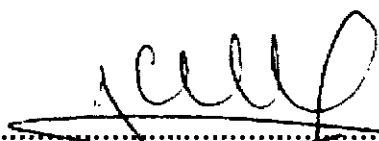
CONSIDERING that ECOWAS comprised sixteen (16) Member States at the time the treaty was formulated and signed and that this state of affairs explained why its protocols entered into force upon ratification by nine (9) signatory States;

CONSIDERING however that the Community has been composed of not more than fifteen (15) Member States since the withdrawal of the Islamic Republic of Mauritania from ECOWAS in December 1999 and that, consequently, it would be necessary to reduce to eight (8) the number of ratifications required for ECOWAS protocols to become enforceable;

WISHING, on the one hand, to enable the President of the Commission to convene meetings of representatives of Member States' high institutions, and on the other, to ensure that ECOWAS Protocols become enforceable upon ratification by eight (8) Member States and, to this end, to amend Articles 19, paragraph 3, and 89 of the ECOWAS Treaty;

RECOMMENDS to the Authority of Heads of State and Government to **adopt the draft Supplementary Act attached hereto amending Articles 19, new paragraph 3, and 89 of the ECOWAS Treaty.**

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



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

RECOMMENDATION C/REC.7/12/07 AMENDING DECISION A/DEC.29/01/06 ALLOCATING THE PROCEEDS OF THE COMMUNITY LEVY WITHIN ECOWAS INSTITUTIONS

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 69 of the said Treaty relating to the Budget of the Community;

MINDFUL of Article 72 of the Revised Treaty of ECOWAS, which instituted the community Levy to finance the activities of the Community;

MINDFUL of Protocol A/P1/7/96 relating to the application procedures of the Community Levy;

MINDFUL of Decision A/DEC.10/11/03 relating to the postponement until 1st July 2003, of the date of entry into force of the substantive regime of the Community Levy;

MINDFUL of Regulation C/REG.12/95 determining the level of the Community Levy;

MINDFUL of Resolution A/RES.1/8/97 relating to the urgent implementation of the Community Levy;

RECALLING that in accordance with article 10 paragraph 3 (g) of the ECOWAS Treaty, council is responsible for the functioning and development of the Community and approves the work programmes, budgets of the Community and its Institutions;

RECALLING also that the new legal regime of the Community empowers Council to enact legal texts that are binding on Member States;


ANXIOUS to guarantee the execution of regional programmes and projects through a better management of Community resources;

DESIRING to achieve these objectives by reviewing the ratio used in allocating resources between programme and project financing and operating expenditure;

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

RECOMMENDS to the Authority of Heads of State and Government to **adopt the attached Supplementary Act Amending Decision A/Dec.29/01/06 Allocating the Proceeds of The Community Levy within ECOWAS Institutions.**

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



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

FINAL COMMUNIQUE

THIRTY-THIRD ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Ouagadougou, 18 January 2008

INTRODUCTION

The thirty-third ordinary session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) was held in Ouagadougou, Burkina Faso, on 18 January 2008 under the chairmanship of His Excellency Blaise Campaoré, President of Faso and current ECOWAS Chairman.

Present at the session were the following Heads of State and Government and duly-accredited representatives:

- His Excellency **Blaise COMPAORE**
President of Faso
- His Excellency **Laurent GBAGBO**
President of the Republic of Côte d'Ivoire
- His Excellency **John Agyekum KUFUOR**
President of the Republic of Ghana
- Her Excellency **Ellen Johnson SIRLEAF**
President of the Republic of Liberia
- His Excellency **Amadou Toumani TOURE**
President of the Republic of Mali
- His Excellency Maître **Abdoulaye WADE**
President of the Republic of Senegal
- His Excellency **Ernest Bai KOROMA**
President of the Republic of Sierra Leone
- Her Excellency **Mme Aja Isatou NJIE-SAIDY** Vice President of the Republic of The Gambia
- His Excellency **Dr Goodluck JONATHAN**, Vice President of the Federal Republic of Nigeria
- His Excellency, Mr. **Martinho DAFA KABI** Prime Minister of the Republic of Guinea Bissau
- His Excellency, Mr. **Seini OUMAROU** Prime Minister of the Republic of Niger

- His Excellency Mr. **Komlan MALY** Prime Minister of the Togolese Republic
- His Excellency Mr. **Pascal Irenée KOUPAKI** Minister in charge of Development and Research
- Her Excellency, Mrs. **Abdoul Kabélé CAMARA** Minister of Foreign Affairs, Cooperation, African Integration and Guineans in the Diaspora
- His Excellency, **Mr. José BRITO** Minister of Economic Growth and Competitiveness in the Republic of Cape Verde

The Supreme Guide of the Libyan Arab Jamahiriya, Brother Leader Muammar Khadafi, participated in this thirty-third session as a Special Guest.

The following dignitaries also attended the session as Observers:

- His Excellency **Abou MOUSSA**, Special Deputy representative of the Secretary-General of the United Nations Organization
- Sir **John Kaputin**, Secretary General of the ACP Group
- Mr. **Soumaïla CISSE**, President of the UEMOA Commission
- Mr. **Damo Justin BARO**, Interim Governor of BCEAO
- Mr. **Issa COULIBALY**, Interim President of BOAD
- The Representative of the President of the African Development Bank
- The Representative of the President of the AU Commission
- The Representative of the Secretary General of the International Organisation of Francophonie

OPENING CEREMONY

The opening ceremony was marked by an address by His Excellency Blaise COMPAORE, President of Faso and current ECOWAS Chairman, keynote address by His Excellency John A. KUFUOR, President of the Republic of Ghana and current Chairman of the African Union, an address by the

Special Guest, the Guide of the Libyan Revolution, Brother Leader Muammar Khadafi, and an ECOWAS Youth message delivered by Miss ECOWAS Madame Aminata Diallo, followed by an address delivered by the ECOWAS Commission President, Dr Mohamed Ibn CHAMBAS.

The Heads of State and Government decided to use the statements as working documents, and reaffirmed their commitment to the economic and integrated development of the West African region within the scope of the strategic vision adopted at Abuja on 15 June 2007.

ECOWAS PROGRAMMES

The Conference adopted the annual report of the ECOWAS Commission President as well as the reports of the 59th ordinary session of the Council of Ministers and the Mediation Council, the substantial elements of which mainly relate to on the Community Integration and development programmes, the EPAs, institutional issues, and regional peace and security.

A. PERFORMANCE OF THE WEST AFRICAN ECONOMY AND MACRO-ECONOMIC CONVERGENCE

Taking cognizance of the economic situation in West Africa, the Authority welcomed the positive trend of economic growth recorded during the year. It however expressed concern over the repercussions of the constant rise in the price of oil on the Member states' economic performance, especially the budget balance of their public finances.

Consequently, the Heads of State and Government emphasized the need for a collective approach in the quest for sustainable solutions to cushion the effects of the energy crisis.

In order to consolidate sustained growth in the region leading to poverty reduction, the Heads of State and Government urged the Member States to strengthen the structural management and reforms of their economies as well as the regional integration process.

Reiterating its will to strengthen economic governance in all Member States, the Authority took note of the progress made in the strengthening of monetary cooperation through the deepening of macroeconomic convergence, and urged the Commission to speed up the realization of the

feasibility study commissioned in that regard, so that its conclusions could be used to lay down clear guidelines and procedures for the effective implementation of the ECOWAS monetary cooperation programme.

B. REGIONAL POVERTY REDUCTION STRATEGY

The Authority reiterated its commitment to the attainment of the Millennium Development Goals (MDG). Judging by the scale of poverty in West Africa and the repercussions linked to the transnationality of development challenges, the Authority once again expressed its will to make regional integration a real catalyst of growth acceleration and poverty reduction in the sub-region. The Authority therefore adopted the Regional Poverty Reduction Strategy Paper (RPRSP) and welcomed the participatory approach adopted for the preparation of the paper with the cooperation of the UEMOA Commission, ADB and the World Bank.

C. NEGOTIATION OF AN ECONOMIC PARTNERSHIP AGREEMENT WITH THE EUROPEAN UNION

The Heads of State and Government reaffirmed their common position for the conclusion of a development-oriented agreement that serves the interests of West African populations. They therefore underpinned the urgent need to finalize the principal tasks outstanding, prior to the conclusion of a fair and balanced Agreement mutually beneficial to the two parties.

Examining the challenges and stakes in the EPA, the Authority requested West African countries to remain committed in the participatory and single approach to ensure a successful completion through the conclusion of a sustainable Agreement.

Thus reaffirming the principle of a Regional Agreement covering all West African countries, the Authority called on the countries that initialled the interim Agreements to ensure that they were consistent with the commitments they had made in the framework of regional integration.

The Heads of State and Government consequently appealed for joint responsibility in the implementation of regional integration programmes and the reforms, which are a *sine qua non* for preparing national economies for EPA implementation.

They therefore instructed the Chief Negotiators and the Ministerial Monitoring Committee (MMC) to convene an experts meeting to be followed by ministerial, no later than the end of February, 2008, to formulate comprehensive regional framework on the EPA.

Following the proposal of President BARROSO of the European Commission to field a working visit to West Africa to meet the region's Heads of State, the Authority welcomed the Federal Republic of Nigeria's offer to host the meeting.

To enable the EPA attain its objectives of poverty reduction and promotion of the region's development, the Authority stressed the need to strengthen the regional integration process through the application of the CET, free movement of persons and goods, as well as the interconnection of physical infrastructural networks, such as energy and railways.

D. COMMON EXTERNAL TARIFF

The Authority reaffirmed Member States' desire to conclude an EPA as a single customs territory within ECOWAS. In that context, it called on the Committee responsible for harmonising various Member States' positions on the CET to expedite the activities, including the reclassification of products (Type B exceptions) and the creation of a fifth tariff band, if possible.

E. TRANSPORT FACILITATION

The Authority noted with regret the continued existence of numerous roadblocks along the West African highways and the extortion of money from peace-loving travellers. It urged Member States to take all necessary measures to ensure that such roadblocks are removed.

F. TRANSPORT PROGRAMMES – DEVELOPMENT OF RAILWAYS

Stressing the importance of infrastructures in the integration and improvement of competitiveness, the Heads of State and Government expressed appreciation to the ADB for its financial assistance and to China and India for the desire to support the study on the interconnection of the region's railway networks. In particular, they welcomed the desire of the United Arab Emirates (UAE) to finance the AFRICARAIL project to link Benin, Niger, Burkina Faso and Togo, and enjoined Member States to mobilise additional resources for the implementation

of the project. The Authority recommended that efforts be made at all levels to mobilise effectively the financial resources required for implementation of the regional infrastructure programme.

G. ENERGY PROGRAMMES

The Authority expressed satisfaction with the considerable progress made in the implementation of the West African Gas Pipeline project. Encouraging the Commission to maintain the momentum to ensure that the first deliveries are made in the first quarter of 2008, and to demonstrate their commitment to resolving the energy crisis facing the region, the Heads of State and Government adopted the Emergency Power Supply Security Plan (EPSSP). In a desire to increase Community citizens' access to energy, the Authority further endorsed the establishment of a West African Power Regulatory Authority and an ECOWAS Regional Energy Access Agency.

It further directed the Commission to explore ways of using alternative sources of energy. In the desire to broaden the possibilities of securing financing for some WAPP (West African Power Pool) projects, the Heads of State and Government urged the WAPP member utilities to establish strategic/public-private partnerships with a view to accelerating the implementation of the regional projects in the sector.

H. COMMON AGRICULTURAL POLICY

The Authority took note of the adoption by the Council of Ministers of the different draft texts relating to the action plans for the development of biotechnology and biosafety, harmonisation of quality control rules, approval and marketing of seeds, among others.

Affirming the relevance of these texts in the improvement of this key sector's competitiveness, the Heads of State and Government encouraged Member States to implement the ECOWAS Common Agricultural Policy, particularly through the on-going national investment programmes, with a view to ensuring food security in the region. It therefore stressed the need for effective water resources management through integrated management of the region's catchment areas in order to develop a competitive agricultural sector, reduce poverty and control desertification. To this end, the Authority expressed satisfaction with the adoption, by the Council of Ministers, of the West African Water Resources Policy and the Regional Environment Policy.

I. PRIVATE SECTOR DEVELOPMENT

Considering the increasing role that the private sector could play in the region's economic development, the Heads of State and Government commended the recent initiatives taken by the Commission to strengthen the framework for cooperation with economic operators and mobilise the private sector for involvement in the regional integration process. They urge it to strengthen the necessary strategic partnerships and Member States to pursue the establishment of a conducive environment for the development of a dynamic private sector in West Africa. The Authority expressed its support to the region's businessmen associations and welcomed their involvement in the region's Community construction process.

J. ECOWAS COMMON APPROACH ON MIGRATION

Considering the scope of the regional development challenges and the importance of migration issues, the Authority underscored the need for free movement within the region to reduce migration pressures on borders external to ECOWAS, as well as the need for the development of departure points, especially through a regional territorial planning.

In view of these priorities, and in order to establish an intervention and cooperation framework, the Heads of State and Government adopted the ECOWAS Common Approach on Migration and Development. They further welcomed the participatory process leading to the definition of this approach whose main components are focused on enhanced free movement within the Community, regular migration management promotion, policy harmonisation, protection of the rights of migrants, irregular migration and trafficking in persons, and the consideration of the gender dimension.

In its guidelines, the Authority called on Member States to take concrete measures to remove all barriers to free movement of persons within the Community.

K. DRUG TRAFFICKING

The Authority welcomed the measures taken by the Commission to formulate a plan of action against the drug scourge. Expressing its concern over the resurgence of this scourge and the threat it poses to regional stability, the Heads of State and Government directed the Commission to take

prompt action to map out a coherent and effective drug control strategy. They further urged Member States to remain vigilant to prevent their territories from being used as transit points. The Authority further appealed to the international community, particularly the United Nations, to support the fight against this scourge.

L. INSTITUTIONAL AND ADMINISTRATIVE ISSUES

The Heads of State and Government took note of the effective commencement of the activities of the newly restructured ECOWAS Institutions and expressed satisfaction with the initiatives taken by the Commission to enthrone a management culture change to ensure the effectiveness of its action in the realisation of ECOWAS objectives and programmes. Invited ECOWAS institutions to strengthen their Administration and financial management while giving priority to regional integration programmes vis-à-vis administrative costs.

The Authority also noted the adoption by the Council of Ministers, of the Rules of Procedure of the Community Judicial Council aimed at ensuring the effectiveness of the Commission.

Furthermore, within the framework of the renewal of the tenure of the members of the Community Court of Justice, the Authority allocated three (3) posts of judge to the Republics of Benin, Cape Verde and Cote d'Ivoire.

Regarding the West African Health Organisation (WAHO), the Heads of State and Government endorsed the appointment by the Council of Ministers, of:

- **Dr Cadoso Placido MONTEIRO** (Guinea Bissau) to the post of Director-General of WAHO;
- **Dr Johnson KOYAH** (Liberia) to post of Deputy Director- General of WAHO.

Furthermore, the Authority approved the creation of the West African Integration Institute in Cape Verde, the main objective of which is to support integration through research as well as facilitate social dialogue within the framework of the preparation and evaluation of regional integration policies.

REGIONAL PEACE AND SECURITY

A. SECURITY SITUATION IN THE REGION

After a brief appraisal of the security situation in the region in 2007, the Heads of State and Government took note of the significant progress made in the consolidation of the fragile post-conflict peace and reconstruction processes, particularly in Liberia, and in the successful conclusion, under appropriate conditions, of the electoral processes in post-conflict countries, such as Sierra Leone.

Côte d'Ivoire

The Authority took due note of the Final Communiqué of the third meeting of the Evaluation and Support Committee (ESC) of the inter-Ivorian direct dialogue, held in Ouagadougou on 14 January 2008. Stressing the need to consolidate the implementation of the Ouagadougou Agreement, the Heads of State and Government endorsed the appeal made in that regard, aimed at reinforcing measures to secure the peace process. They also endorsed the appeal made to all the parties to provide the Integrated Command Centre (ICC) with the personnel provided for under the third Complementary Agreement.

The Authority invited all the stakeholders to be involved in the conduct of credible, free and transparent elections.

It also congratulated the Facilitator for convening a meeting of the Permanent Consultation Framework (PCF) scheduled to take place on 24 January 2008, and appealed to the international community and the countries of the region to be actively involved in guaranteeing the security of the peace process.

Guinea

The Authority expressed concern over the recent developments in the Republic of Guinea, but remained confident that the negotiations would be concluded successfully. It commended the establishment of the Independent Electoral Commission (IEC), and urged all stakeholders to work together towards ensuring the conduct of credible, free and transparent legislative elections.

Guinea Bissau

The Heads of State and Government expressed satisfaction with the efforts made by the

Government to restore economic balance and the confidence of partners. In that perspective and to avoid compromising the reconstruction efforts of that country, the Authority urged the Government to implement major reforms such as the reform of the security sector, as well as the Drug Control Action Plan. To that end, the Heads of State and Government expressed satisfaction with the commitment of the international community to supporting that Action Plan. With the view to supporting the socio-economic development in Guinea Bissau, the Authority requested that a joint needs assessment be carried out in order to find a lasting solution for that sister country.

B. SECURITY SITUATION IN THE SAHEL-SAHARABELT

Expressing serious concern about the persistence of crime in the Sahel-Sahara belt, the Authority reaffirmed its unflinching support for the defence of the territorial integrity of Mali and Niger. Thus, as part of efforts to halt the instability affecting that zone, the Heads of State and Government endorsed the organisation of a sub-regional conference on peace, stability, security and development in the Sahel. While expressing appreciation to Presidents Amadou Toumani Toure of the Republic of Mali and Mamadou Tandja of the Republic of Niger for the welcome initiative, the Authority directed the Commission to take prompt and appropriate measures, in collaboration with United Nations, for the organisation of the said regional conference. Initiatives towards supporting Mali and Niger in the resolution of this crisis.

C. CONSOLIDATION OF DEMOCRACY AND GOOD GOVERNANCE

The Heads of State and Government noted with satisfaction, the holding of peaceful elections in many member States. In that regard, the Authority congratulated all the Heads of State elected or re-elected in 2007, urging them not to relent in their efforts to correct the observed structural and/or organisational deficiencies, while strictly respecting the spirit and letter of the relevant provisions of the Supplementary Protocol on Democracy and Good Governance.

The Authority further congratulated the Republics of Ghana and Benin on successfully implementing the African Peer review Mechanism (APRM). While pledging their active support for countries that have commenced the process, the Heads of State and Government invited the other member States to

subscribe to the mechanism. They further directed all ECOWAS Institutions to take necessary measures to support and assist the said States.

D. MECHANISM FOR CONFLICT PREVENTION, MANAGEMENT, RESOLUTION, PEACE-KEEPING AND SECURITY

To enable ECOWAS and its Member States react promptly to crisis situations, the Authority adopted the ECOWAS Strategic Conflict Prevention Framework, which makes it possible not only to identify the root causes of tensions, crises and indeed conflicts, but also to provide a concerted and appropriate solution in close collaboration with the other decentralised early warning mechanisms and the traditional local mechanisms for resolving conflicts. Furthermore, within the framework of building national disaster prevention and management capacities, the Heads of State and Government approved the establishment of the ECOWAS Rapid Response Team. They also invited the ECOWAS Commission to operationalise, within the shortest possible time, the ECOWAS Standby Force and its indispensable logistics support depot, in conformity with the Vision 2010 of the Union.

INTERNATIONAL COOPERATION

The Authority expressed its gratitude to all development partners of ECOWAS for their support towards the realisation of Community objectives and programmes, as well as for enhancing peace and security in the region.

The Authority, in its bid to diversify its partners, welcomed the holding of the first ECOWAS-CHINA Forum scheduled to take place in Beijing on 25 and 26 March 2008. To that end, the Heads of State looked forward to high level participation at the forum.

SITUATION IN KENYA

The Authority praised the initiative taken by His Excellency Mr. John Agyekum Kufuor, President of the Republic of Ghana and current Chairman of the African Union, to restore peace to Kenya. It urged all the parties concerned to demonstrate their willingness to preserve peace and stability in that country.

ELECTION OF THE CHAIRMAN OF THE AUTHORITY

The Heads of State and Government re-elected His Excellency Blaise Compaore, President of Faso, as Chairman of the Authority of ECOWAS Heads of State and Government for another term of one year.

DATE AND VENUE OF THE NEXT SUMMIT

The next ordinary session of the Authority of Heads of State and Government will be held in the second half of June 2008 in Abuja.

TRIBUTE TO THE GUIDE OF THE LIBYAN REVOLUTION

The Authority commended the very important message delivered by Brother Leader Muamar Al Khadafi for the benefit of the fundamental ambitions and aspirations of the African peoples. It expressed profound appreciation to this illustrious Panafricanist. The Authority reiterated its commitment to a united and prosperous continent.

TRIBUTE TO PRESIDENT BLAISE COMPAORE

The Authority expressed its warm felicitations to His Excellency, Blaise Compaore, President of Faso for his brilliant re-election as Chairman of ECOWAS. It seized the opportunity to renew to him its profound gratitude for the decisive impetus that he gave to the integration process during his first tenure and for his informed and wise leadership in improving the security situation in the region.

VOTE OF THANKS

The Heads of State and Government expressed their deep gratitude to His Excellency Blaise Compaore, President of Faso and re-elected Chairman of the Authority for the warm and African hospitality extended to them during their stay in Ouagadougou. They congratulated him warmly for the quality of the organisation of their session and for the relevance of his highly West African integration-oriented address to the session. The Authority wished the Burkinabe people happiness and prosperity.

**DONE IN OUAGADOUGOU,
THIS 18TH DAY OF JANUARY 2008**

CHAIRMAN OF THE AUTHORITY