



of the Economic Community of West African States (ECOWAS)

English Edition

June 2007

• THIRTY SECOND SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT
ABUJA, NIGERIA, 18TH JUNE 2007.

• FIFTY-EIGHTH ORDINARY SESSION OF THE COUNCIL OF MINISTERS
OUAGADOUGOU, BURKINA FASO, 4 - 5 JUNE 2007.

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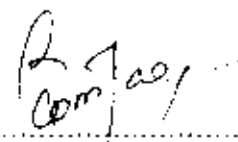
IN FAITH WHEREOF, WE, HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE AT ABUJA, THIS 15TH DAY OF JUNE 2007.

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

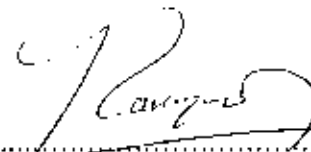


.....
H. E. Dr. Thomas Boni YAYI
President of the Republic of Benin,
Head of State and Government

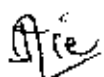


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H. E. M. Blaise COMPAORE
President of Faso, Chairman of the Authority
of Heads of State and Government of
ECOWAS

.....
President of the Republic of Cape Verde



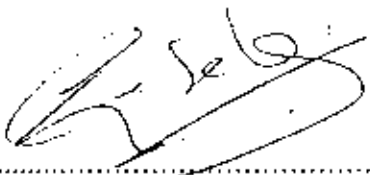
.....
Hon. Youssouf BAKAYOKO
Minister of Foreign Affairs,
For and on behalf of the President
of the Republic of Côte-d'Ivoire



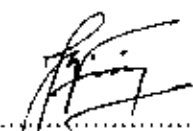
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H. E. Mrs. Aja Isatou NJIE-SAIDY
Vice President and Secretary of State for
Women's Affairs, For and on behalf of the
President of The Gambia



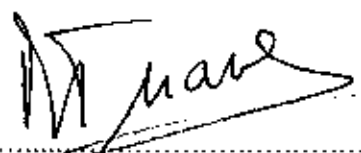




.....
H. E. Mr. John Agyekum KUFUOR,
Chairman of the African Union,
President of the Republic of GHANA



.....
Hon. Abdoul Kabélé CAMARA
Minister of Foreign Affairs, Cooperation,
Integration in Africa and Guineans in the
Exterior, For and on behalf of the
President of the Republic of Guinea



.....
General Joao Bernardo VIERA,
President of the Republic of Guinea Bissau


.....
H. E. Mrs. Ellen JOHNSON-SIRLEAF
President of the Republic of LIBERIA
.....
H. E. M. Mactar OUANE,
Minister of Foreign Affairs and
International Cooperation
For and on behalf of the President
of the Republic of Mali
.....
R. E. M. Mamadou TANDJA
President of the Republic of NIGER
.....
H. E. Alhaji Umaru Musa YAR'ADUA, GCFR,
President, Commander-in-Chief
of the Armed Forces of the Federal
Republic of Nigeria
.....
H. E. M. Abdoulaye WADE
President of the Republic of Senegal
.....
H. E. Dr. Mohamed Lamin KAMARA
Deputy Minister of Foreign Affairs and
International Cooperation, For and on behalf
of the President of the Republic of
SIERRA LEONE
.....
H. E. M. Faure Essozimna GNASSINGBE
President of the TOGOLESE Republic

**SUPPLEMENTARY ACT A/SA2/06/07
ALLOCATING THE POSTS OF DIRECTOR-
GENERAL AND DEPUTY DIRECTOR-GENERAL
OF THE WEST AFRICAN HEALTH ORGANIZATION
(WAHO) TO MEMBER STATES**

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.2/7/87 of 9 July 1987 on the establishment of a West African Health Organisation (WAHO);

MINDFUL of Article IX of the Protocol relating to the post of Director-General 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 the Community Institutions;

MINDFUL of Decision A/DEC.3/12/99 of 10 December 1999 allocating the post of Director-General of the West African Health Organisation to the Republic of the Gambia;

MINDFUL of Regulation C/REG.8/07/04 of 17 July 2004 renewing the terms of office of the Director-General and the Deputy Director-General of the West African Health Organisation (WAHO);

CONSIDERING that the second term of office of Dr. Kaba T. Joiner and that of Professor Moussa Adama, Director-General and Deputy Director-General of WAHO, expire on 24 February 2008 and 1st March 2008 respectively;

CONSIDERING the need to immediately set in motion the procedure leading to the appointment of the successors of Dr. Kaba T. Joiner and Professor Moussa Adama Maiga to the management of the West African Health Organisation, with a view to avoiding a vacuum at the end of their tenures and to ensure continuity in the administration and management of this Institution, as well as effective implementation of its programs;

WISHING, therefore to allocate the post of Director-General of the West African Health Organisation and that of Deputy-General of this Institution to Member States;

AGREE AS FOLLOWS:

Article 1

The post of Director-General of the West African Health Organisation is hereby allocated to the Republic of Guinea Bissau.

Article 2

The post of Deputy Director-General of the West African Health Organisation is hereby allocated to the Republic of Liberia.

Article 3

The posts referred to in Articles 1 and 2 of this Supplementary Act shall be allocated to the Member States concerned for a non-renewable period of four (4) years with effect from the date of assumption of office by the persons appointed to these posts

Article 4

The Director-General and the Deputy Director-General of the West African Health Organisation (WAHO) shall be selected and appointed from the Member States to which the positions have been allocated, in accordance with the relevant ECOWAS procedures;

Article 5

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

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 is attached as an Annex to the ECOWAS Treaty of which it is an integral part;


Article 7

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

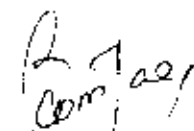
IN FAITH WHEREOF, WE, HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE AT ABUJA, THIS 15TH DAY OF JUNE 2007.

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

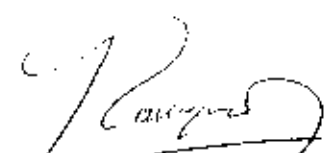


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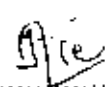


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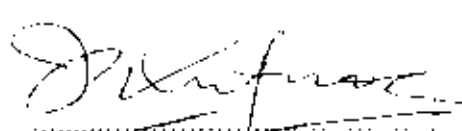
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My dear John Smith

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

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H. E. M. Moustar OUANE,
Minister of Foreign Affairs and
International Cooperation
For and on behalf of the President
of the Republic of Mali

[Signature]

H. E. M. Mamadou TANDJA
President of the Republic of NIGER

Walter B. Brown

H. E. Alhaji Umaru Musa YAR'ADUA, GCFR,
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Deputy Minister of Foreign Affairs and
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SIERRA LEONE

Quarante Eozima

H. E. M. Faure Essozimna GNASSINGBE
President of the TOGOLESE Republic

REGULATION C/REG.1/06/07 GRANTING RESPONSIBILITY ALLOWANCE TO THE PRESIDENT, VICE PRESIDENT AND COMMISSIONERS OF THE ECOWAS COMMISSION AND TO OTHER STATUTORY APPOINTEES 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 the directive contained in the Final Communiqué of the twenty-eighth ordinary session of the Authority of Heads of State and Government that the Management of the ECOWAS Secretariat should be restructured to adapt it to the international environment and to make it more effective in the discharge of its sub-regional integration mission;

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

MINDFUL of the responsibility of the Council with regard to the functioning and development of the Institutions of the Community, as provided for in the ECOWAS Treaty;

CONSIDERING the fact that there is no text regulating the conditions of service for Commissioners of the ECOWAS Commission;

CONSIDERING the need to grant ECOWAS Statutory Appointees remunerations and other allowances capable of not only serving as compensation for their competence and efficiency, but also encouraging and motivating them with a view to ensuring the achievement of the objectives of the Community;

CONVINCED however, of the need to carry out a study to facilitate the taking of appropriate decisions that factor in overall available resources, respect for the ratios between resources allocated to the funding of projects and programmes and those allocated to operating costs, as well as the experiences of other similar regional integration organisations;

DESIRING to grant the President, the Vice President and Commissioners, and other Statutory Appointees, a responsibility allowance pending the conduct of the afore-said study;

AFTER CONSIDERATION of the report of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007;

ENACTS

Article 1

1. Pending the conduct of a study and the taking of an appropriate decision thereon, concerning the conditions of service of ECOWAS Statutory Appointees, the following responsibility allowances are hereby granted to the President, the Vice President and Commissioners of the ECOWAS Commission and to other Statutory Appointees of the Community
 - i) President of the Commission
10% of basic salary
 - ii) Vice President and Heads of other Institutions
8% of basic salary
 - iii) Commissioners and other Statutory Appointees of The Community
5% of basic salary
2. The allowance mentioned in paragraph 1 of this article shall be payable monthly to the concerned officers of the Community

Article 2

With respect to the Commissioners, the conditions of service to be adopted shall take effect from the date of assumption of office.

Article 3

This Regulation 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 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 5TH DAY OF JUNE 2007



HON. YOUSSEUF OUEDRAOGO

CHAIRMAN,
FOR THE COUNCIL.

REGULATION C/REG 2/06/07 ADOPTING REVISED RATES OF DAILY SUBSISTENCE ALLOWANCE (PER DIEM) PAYABLE TO MINISTERS, PARLIAMENTARIANS, STAFF OF ECOWAS INSTITUTIONS, AND EXPERTS OF TECHNICAL COMMITTEES, DURING OFFICIAL MISSIONS UNDERTAKEN ON BEHALF 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 C/DEC.6/7/91 adopting per diem rates applicable in the Institutions of the Community;

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

CONSIDERING that the current per diem rates are inadequate due to inflation and exchange rate fluctuations,

AWARE of the need to grant staff of ECOWAS Institutions and personalities on missions for the Community, allowances that enable them to effectively meet their essential needs during such missions;

AWARE that as a result of efforts made towards the organisation and preparation of ECOWAS meetings that are held in their country, the Ministers and experts concerned incur substantial financial expenses;

ON THE RECOMMENDATION of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007.

ENACTS

Article 1

The rates of daily subsistence allowance applicable to staff of ECOWAS Institutions and to other representatives on official mission for the Institutions of the Community are revised as follows:

REVISED RATES OF DAILY SUBSISTENCE ALLOWANCE

Beneficiaries Zones	West Africa Latin America (US\$)	Other Parts of Africa and Middle East (US\$)	Japan South Korea Asia (US\$)	Europe North America (US\$)
Ministers, Parliamentarians Head of Institutions (including organising countries)	374	410	701	593
Other Statutory Appointees	340	380	650	551
Directors Experts of Technical Committees (including organising countries)	314	351	601	508
Professional Staff Consultants	262	293	500	423
G Category Staff	223	249	425	360
M Category Staff	146	205	360	306

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 Chairman of 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 5TH DAY OF JUNE 2007**

 
HON. YOUSSEUF QUEDRAGO

**CHAIRMAN,
FOR THE COUNCIL.**

**REGULATION C/REG.3/06/07 ON SPONSORSHIP
OF COST OF TRANSPORT AND PAYMENT OF
SITTING ALLOWANCE TO MEMBERS OF THE
ECOWAS COUNCIL OF MINISTERS**

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 new Articles 8 and 10, paragraph 2 of the ECOWAS Treaty, as amended by Supplementary Protocol A/SP1/06 and relating to the sessions and chairmanship of the Community, and to the composition of the Council of Ministers;

CONSIDERING that the frequency of the statutory sessions of the Council of Ministers and their organisation in the Member States on a rotational basis, involve huge financial costs for the Member States;

DESIRING to improve participation in the sessions of Council, guarantee the effective and regular attendance of its members and consequently adopt appropriate measures;

ON THE RECOMMENDATION of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007.

ENACTS

Article 1

When members of the Council of Ministers participate in the sessions of the Council, the Community shall bear the cost of their transportation (return trip) in business class from the capital city of their country to the venue of the meeting.

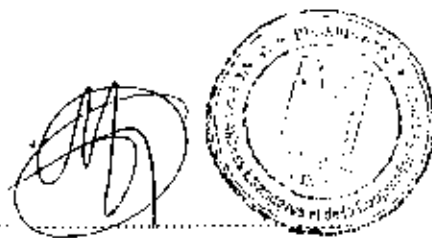
Article 2

1. The lump sum of one thousand three hundred and nineteen Units of Account (UA 1, 319) shall be allocated to each member of the Council per each session of Council.
2. The allowance referred to in paragraph 1 of this article shall be paid to the members of Council that effectively participate at the sessions.

Article 3

This Regulation 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 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 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL**

REGULATION C/REG.4/06/07 FIXING THE MILEAGE RATE PAYABLE DURING OFFICIAL MISSIONS FOR 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 the provisions of Article 52, paragraphs (a, e - (1) and (2), of the Staff Regulations relating to the conditions and modalities for travel by road;

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

MINDFUL of Regulation C/REG.3/06/07 on sponsorship of cost of transport and payment of sitting allowances to members of the ECOWAS Council of Ministers;

CONSIDERING that participants at meetings and on missions of the Institutions of the Community often use vehicles either belonging to them or rented, for which they incur expenses;

CONSIDERING that travels undertaken in this manner are undertaken in the interest of the Community, and that consequently, the Community should bear the costs thereof, provided that the itinerary followed shall be the most direct and the most economical;

DESIRING to fix a mileage rate payable to facilitate the reimbursement of the expenses incurred in respect of transportation of the afore-mentioned persons;

ON THE RECOMMENDATION of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007.

ENACTS

Article 1

1. The mileage rate of four hundred CFA Francs (400 Fr CFA) per kilometer is hereby fixed for persons who travel in their own vehicles or in rented vehicles in order to participate in

meetings or to undertake missions for Institutions of the Community;

2. The allowance referred to in paragraph 1 of this Article shall be calculated and applied to the distance (return trip) separating the capital city of the country of residence of the person concerned from the venue of the meeting or mission.

Article 2

Where several persons travel in the same private vehicle or rented vehicle, the mileage rate shall be payable to the owner of the vehicle or to the manager of the car rental agency.

Article 3

The Community shall not be responsible for the use of the private vehicle or of the rented vehicle in respect of any accident, damage to the vehicle, or claims emanating from a third party.

Article 4

This Regulation 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 Council of Ministers. It shall also be published within the same time in the Official Gazette of each Member State.

**DONE AT OUAGADOUGOU,
THIS 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

**REGULATION C/REG.5/06/07 GRANTING A
COMPENSATORY ALLOWANCE TO THREE (3)
COMMISSIONERS NOT PROVIDED WITH FREE
ACCOMMODATION**

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 directive contained in the Final Communiqué issued at the Twenty-eighth Session of the Authority of Heads of State and Government that the ECOWAS Executive Secretariat should be transformed to adapt it to the international environment and to render it more effective in the discharge of its regional integration mission;

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

MINDFUL of Council's responsibility with regard to the functioning and development of the Community Institutions, as provided in the ECOWAS Treaty;

CONSIDERING that Statutory Appointees are entitled to free furnished accommodation under Article 28 of the Staff Regulations of the Community Institutions;

CONSIDERING that three (3) Commissioners have not been provided with free accommodation by the Government of the State hosting the Headquarters of the ECOWAS Commission;

CONSIDERING the need for the Community to avoid incurring high costs as a result of a prolonged accommodation of the Commissioners at the hotels and to put an immediate end to the uncomfortable conditions under which the concerned Commissioners and their families are living;

CONSIDERING that, if the three (3) Commissioners concerned are not granted free, furnished accommodation, the Community is expected to provide a compensatory rent allowance to each of them to cover their rents, furniture, equipment and electricity and communication expenses;

ON THE RECOMMENDATION of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007;

ENACTS

Article 1

1. A compensatory rent allowance in the amount of two hundred and one thousand and eighteen Units of Account (UA 201 018) is hereby granted to three (3) Commissioners not granted free accommodation.
2. The allowance referred to in paragraph 1 of this article shall be used for paying two (2) year's rent, and for the acquisition of their furniture and equipment as well as their electricity and communication expenses.

Article 2

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

It shall also be published within the same time frame in the National Gazette of each Member State.

**DONE AT OUAGADOUGOU,
THIS 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

REGULATION C/REG.6/06/07 GRANTING FINANCIAL SUPPORT TO THE MEMBER STATE ORGANIZING A SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

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. 12/8/97 relating to the frequency and venues of ECOWAS meetings;

CONSIDERING the need to review Decision A/DEC.2.8/01/06 fixing amounts to be granted to support the activities of the country holding the chairmanship of ECOWAS;

RECALLING that, under Decision A/DEC.12/8/97 referred to above, the Authority meets in ordinary session twice (2) a year, one at the ECOWAS Headquarters, and the other in one of the other Member States on a rotational basis;

ACKNOWLEDGING that the organization of the sessions of the Authority entails high financial costs for the countries where they are held;

CONSIDERING the need for the Community to demonstrate its solidarity with Member States organizing sessions of the Authority and, therefore, assist in alleviating the financial burden of such States;

DESIROUS, therefore, of granting financial support to any Member State organizing sessions of the Authority;

ON THE RECOMMENDATION of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007;

ENACTS

Article 1

1. A financial support amounting to sixty six thousand six hundred units of account (UA 66.600) is hereby granted to any Member State organizing a session of the Authority.
2. The support referred to in paragraph 1 of this article is granted for the organization of each session.

Article 2


When the session of the Authority is organized by the Member State holding the chairmanship of the Authority, the State concerned shall be entitled to both the amounts granted to support its activities as current Chairman and the financial package provided under this Regulation.

Article 3

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

It shall also be published within the same time frame in the National Gazette of each Member State.

**DONE AT OUAGADOUGOU,
THIS 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

REGULATION C/REG.7/06/07 APPROVING THE ORGANISATIONAL STRUCTURE OF THE COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN 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 compositions and functions;

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

BEARING IN MIND the directive contained in the Final Communiqué issued at the twenty-eighth session of the Authority of Heads of State and Government, that the ECOWAS Executive Secretariat should be transformed with a view to adapting it to the international environment and to making it more effective in the accomplishment of its regional integration assignment,

CONVINCED that the Commission's productivity and efficiency will benefit from a clear definition of the technical areas that will be under the management of its members;

AWARE of the need to endow the Commission with functional structures that will allow for clear division of technical assignments and a definition of working relations with a view to avoid conflicts of interest and strengthen the Community spirit.

DETERMINED to adopt all necessary measures for the purpose of attaining the aforementioned objectives;

HAVING CONSIDERED THE PROPOSALS of the extraordinary meeting of the Administration and Finance Commission (AFC), held in Abuja from 20 to 22 March 2006,

RECALLING that based on the above-stated proposal by the AFC, Council adopted an organogram for the ECOWAS Commission under Regulation C/REG.1/06/06 in June 2006;

ALSO RECALLING that Council, at its fifty seventh Session in December 2006 at Ouagadougou, set up an ad hoc committee which was tasked with the responsibility of correcting errors identified in the organogram referred to in the preceding paragraph;

HAVING considered the report from the Adhoc Committee on the tasks assigned to it as well as a finalized organogram for the ECOWAS Commission;

DESIROUS therefore of formally adopting the finalized organogram for the continued and efficient functioning of the Commission.

ENACTS

Article 1

The provisions of this Regulation abrogate and render null & void the provisions contained under Article 5 of Regulation C/REG.1/06/06 relating to the organizational structure of the ECOWAS Commission as well as the organogram attached to the said Regulation C/REG. 1/06/06.

Article 2

The organogram of the Commission of the Economic Community of West African States, as attached hereto, is hereby approved.

Article 3

1. The Commissioners shall be under the authority of the President of the Commission and shall report to the President through the Vice-president.
2. In addition to their other responsibilities as provided by the relevant provisions of the ECOWAS Treaty as amended, the President and the Vice-president shall oversee the following departments, offices and units
 - a) The President
 - i. Office of the Director of Cabinet;
 - ii. Department of Legal Affairs;
 - iii. Department of Communications;
 - iv. Department of External Relations.
 - b) The Vice President
 - i. Community Computer Centre;
 - ii. Strategic Planning Unit;
 - iii. Monitoring and Evaluation Unit;
 - iv. Relations with other ECOWAS Institutions Unit.
3. Other Commissioners shall be responsible for the following technical areas and also oversee the following departments and structures.

- a) Commissioner for Administration and Finance:
 - i. Department of General Administration;
 - ii. Department of Human Resources;
 - iii. Department of Conference;
 - iv. Department of Finance.
- b) Commissioner for Agriculture, Environment and Water Resources:
 - i. Department of Agriculture and Rural Development;
 - ii. Department of Environment and Water Resources;
 - iii. The Water Resources Integrated Management Unit in Ouagadougou, Burkina Faso.
- c) Commissioner for Human Development and Gender:
 - i. Department of Education, Culture, Science and Technology;
 - ii. Department of Gender Development, Sports, Civil Society, Employment and Drug control;
 - iii. Department of Humanitarian and Social Affairs;
 - iv. ECOWAS Gender Development Centre in Dakar, Senegal;
 - v. Youth and Sports Development Centre in Ouagadougou, Burkina Faso.
- d) Commissioner for Infrastructure:
 - i. Department of Transport and Telecommunications;
 - ii. Department of Energy.
- e) Commissioner for Macroeconomic Policies:
 - i. Department of Multilateral Surveillance;
 - ii. Department of Research and Statistics;
 - iii. Private Sector Department.
- f) Commissioner for Political Affairs, Peace and Security:
 - i. Department of Political Affairs;
 - ii. Early Warning Department;
 - iii. Department of Peacekeeping Operations and Regional Security.

- g) Commissioner for Trade, Customs, Industry, Free Movement of persons and Goods:
 - i. Department of Trade, Customs and Tourism;
 - ii. Department of Free Movement of Persons and Goods;
 - iii. Department of Industry and Mines.

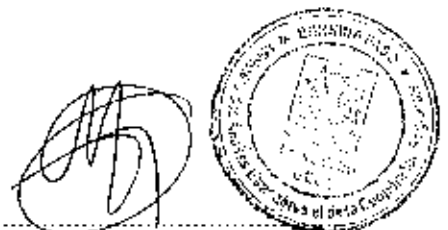
Article 4

The President of the Commission shall put in place the structure of the Commission as approved by this Regulation. However, the President may recommend to Council for approval, a reorganisation of the departments referred to in Article 3 above, or the creation of new ones, when this is deemed necessary.

Article 5

This Regulation 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 Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time frame.

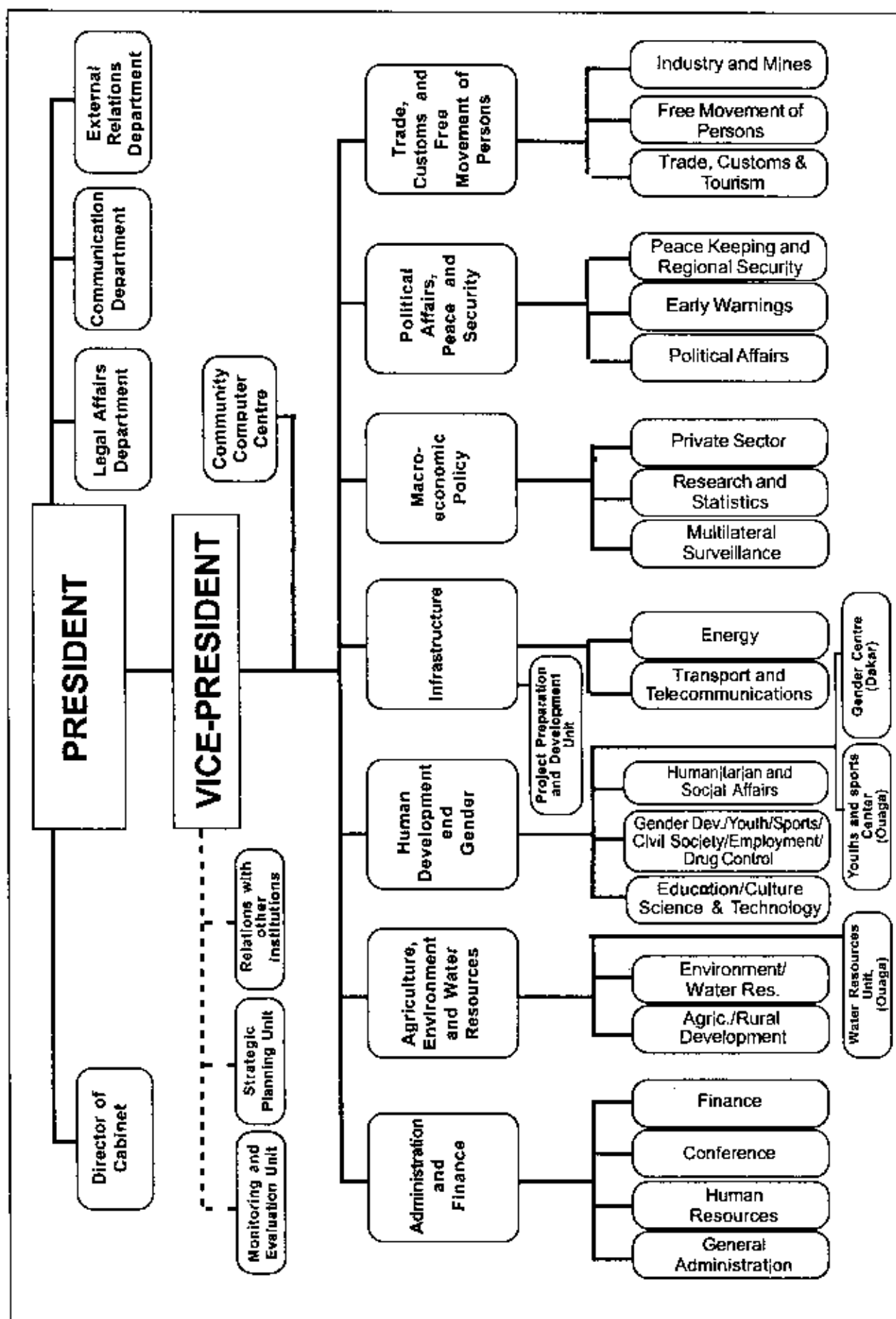
**DONE AT OUAGADOUGOU,
THIS 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

ORGANOGRAM OF THE COMMISSION



REGULATION C/REG.8/06/07 RELATING TO MODALITIES FOR IMPLEMENTING REGULATION C/REG.5/06/06 ALLOCATING THE POST OF SECRETARY-GENERAL OF THE ECOWAS PARLIAMENT TO THE REPUBLIC OF GUINEA AS AN EXCEPTIONAL CASE

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;

RECALLING that, at its fifty-sixth session, held in Abuja on 12 and 13 June 2006, the Council had agreed to allocate the post of Secretary-General of the **ECOWAS Parliament** to the Republic of Guinea, and that this Decision as contained in the report of the aforementioned session had been endorsed by the thirtieth session of the Authority of Heads of State and Government, also held in Abuja on 14 June 2006,

RECALLING also that the need to ensure continuity and the institutional memory of the Parliament, informed the decision of Council to allocate the post of Secretary-General to the Republic of Guinea;

NOTING that, to date, no Guinean national has been appointed to the Parliament to fill the post of Secretary-General of the Parliament;

AWARE of the need to depart from the provisions of Article 2, paragraph 6, of **Regulation C/REG.3/06/06 relating to the operations, structure, administrative and financial management of the ECOWAS Parliament**, which stipulates that the grade of the Secretary-General as professional officer D2 shall take effect at the expiration of the tenure of the incumbent,

ACKNOWLEDGING the need to set modalities to facilitate and accelerate the implementation of **Regulation C/REG.5/06/06** referred to above;

ENACTS

Article 1

1. The post of Secretary-General of the **ECOWAS Parliament** is hereby allocated to the candidate presented by the Republic of Guinea,
2. The Guinean candidate referred to in

paragraph 1 of this Article shall be appointed and classified under the statutory staff category, as an exceptional case, for a non-renewable term of four (4) years.

Article 2

At the expiration of the tenure of the Guinean candidate appointed as Secretary-General of the **ECOWAS Parliament**, the post shall be classified under the professional staff category D2. The vacant post shall be published in all Member States;

Article 3

The President, of the Commission shall notify the Speaker of the **ECOWAS Parliament** of this Regulation for its diligent implementation.

Article 4

This Regulation shall be published in the **Official Journal of the Community** by the **ECOWAS Commission** within (30) days of its signature by the Chairman 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 5TH DAY OF JUNE 2007**



HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

RECOMMENDATION C/REC.1/06/07 RELATING TO THE AMENDMENT OF ARTICLE 1 OF DECISION A/DEC.28/01/06 FIXING AMOUNTS TO BE USED TO SUPPORT THE ACTIVITIES OF THE CURRENT CHAIRMAN OF ECOWAS

THE COUNCIL OF MINISTERS,

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

MINDFUL of new Article 8 of the said Treaty under which the chairmanship is held each year by a Member State designated by the Authority according to a rotational system;

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

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

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

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

MINDFUL of Regulation C/REG. 4/12/95 fixing the rate of the Community Levy;

MINDFUL of Resolution A/RES. 1/8/97 relating to the application of the Community Levy as a matter of urgency;

CONSIDERING that the implementation of ECOWAS programmes and the preservation of a peaceful and secure environment necessary for the development of Member States and accelerated integration, place on the current Chairman, numerous responsibilities which attract huge expenses;

AWARE of the need to grant to the State elected to the Chairmanship of the Community, adequate support to enable it effectively discharge its responsibilities and also aware of the need to accurately determine the amount of the proceeds that should be allocated to it;



DESIROUS, therefore, of amending Article 1 of Decision A/DEC. 28/01/06 of 12 January 2006 fixing

amounts to be used to support the activities of the current Chairman of ECOWAS;

ON THE PROPOSAL of the first meeting of the Administration and Finance Committee, held in Abuja from 21 to 25 May 2007;

RECOMMENDS to the Authority of Heads of State and Government to adopt the draft Supplementary Act attached hereto amending Article 1 of Decision A/DEC.28/01/06 fixing amounts to be used to support the activities of the current Chairman of ECOWAS.

**DONE AT OUAGADOUGOU,
THIS 5TH DAY OF JUNE 2007**

 
HON. YOUSSEUF OUEDRAOGO

**CHAIRMAN,
FOR THE COUNCIL.**

THIRTY-SECOND ORDINARY SUMMIT OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Abuja, 15 June 2007

FINAL COMMUNIQUE

INTRODUCTION

The thirty-second ordinary session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) was held in Abuja, Nigeria on, 15 June 2007 under the Chairmanship of His Excellency, Blaise Compaoré, President of Burkina Faso and Chairman of the Authority of Heads of State and Government of ECOWAS.

The following Heads of State and Government or their duly accredited representatives attended the meeting.

- His Excellency Thomas Boni Yayi,
President of the Republic of Benin;
- His Excellency Blaise Compaoré,
President of Faso;
- His Excellency John Agyekum Kufuor,
President of the Republic of Ghana;
- His Excellency Joao Bernardo Vieira,
President of the Republic of Guinea Bissau;
- Her Excellency Ellen Johnson-Sirleaf,
President of the Republic of Liberia;
- His Excellency Mamadou Tandja,
President of the Republic of Niger;
- His Excellency, Umaru Musa Yar'Adua,
President and , Commander-in-Chief of the
Armed Forces of the Federal Republic of
Nigeria;
- His Excellency Maitre Abdoulaye Wade,
President of the Republic of Senegal;
- His Excellency, Faure Essozimna Gnassingbe
President of the Togolese Republic;
- His Excellency, Yousouf Bakayoko,
Representing the President of Côte d'Ivoire;

- Her Excellency Aja Isatou Njie-Saidy,
Vice-President and Secretary of State for
Women's Affairs, Representing the President
of the Republic of The Gambia;
- His Excellency Abdoul Kabèlè Camara,
Minister of Foreign Affairs, Cooperation,
Integration in Africa and Guineans in the
Exterior, Representing the President of the
Republic of Guinea,
- His Excellency Moutar Ouane,
Minister of Foreign Affairs and International
Cooperation, Representing the President of
the Republic of Mali;
- His Excellency Dr. Mohamed Lamin Kamara,
Deputy Minister of Foreign Affairs and
International Cooperation
Representing the President of the Republic
of Sierra Leone.

The Secretary General of CENSAD also attended the 32nd session of the Authority of Heads of State and Government as an observer.

OPENING CEREMONY

The opening address was delivered by His Excellency Blaise Compaoré, President of Burkina Faso and Chairman of ECOWAS. There were responses by His Excellency, Umaru Musa Yar'Adua, President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria and His Excellency John Agyekum Kufuor, Chairman of the African Union and President of the Republic of Ghana. The Authority retained these addresses as working documents.

The Heads of State and Government reaffirmed their commitment to the consolidation of regional peace and security and to the regional integration process as a means of accelerating the development of the West African region.

SWEARING-IN OF THE PRESIDENT OF THE COMMISSION

The Summit witnessed the swearing in of the President of the Commission, Dr. Mohamed Ibn Chambas, by the President of the Community Court of Justice, Justice Aminata Malle Sanogo. In the oath, Dr. Chambas undertook "to execute in all loyalty, discretion and conscience, the duties assigned to him with the exclusive interests of the Community in view."

ECOWAS PROGRAMMES

Having commended the Commission for the quality of the documents presented, the Authority adopted the ECOWAS Strategic Vision Plan, the 2007 Interim Report as well as the reports of the 58th Ordinary Session of the Council of Ministers and the Meeting of the Mediation and Security Council. The reports covered the following areas:

- Overall vision, strategy and targets of ECOWAS;
- Trade Liberalization Scheme and Economic Partnership Agreement (EPA);
- Monetary Cooperation Programme;
- Administrative Matters;
- Regional Peace and Security

ECOWAS Strategic Vision

The ECOWAS Strategic Vision seeks to convert West Africa into a borderless region where the citizens can create and avail themselves of opportunities for sustainable production by harnessing West Africa's enormous resources.

The vision, which was presented by the President of the Commission, Dr. Mohamed Ibn Chambas, envisages the creation of a region-wide space for people to transact business and live in dignity and peace under the rule of law and good governance.

The envisaged zone, which will be based on the guiding principles of citizen ownership, service, transparency, partnership, subsidiarity, results-based management and sustainability, will ultimately enable the region to move by 2020 from an ECOWAS of states into an ECOWAS of people. It will also result in the transformation of existing integration structures at the regional and national levels into a single Regional Economic Community with coherent specialized agencies.

This will be realized in the short term through the enhancement of trade negotiation capacity, consolidation of peace and democracy, infrastructure development, poverty reduction, faithful implementation of the Common Agricultural Policy (ECOWAP), Community development programme and the finalization and operationalisation of the medium term strategic action plan.

Having regard to the fundamental place of energy

in the economy, the Heads of State and Government agreed to mobilize with a view to taking a common position on energy, particularly oil. Thus, given the vagaries of the global oil market and the need to combat the scourge of poverty, the leaders called on the oil-exporting Member States to sell at a discount to the oil-importing Member States. Observed that the high prices of petroleum products continue to threaten the economies of the region, especially their poverty reduction initiative. The Authority, therefore, called for a study of the international oil market with a view to making proposals on how to mitigate the adverse effects.

Concerning infrastructure, the Authority welcomed the priority given to the its development of infrastructure and called for special emphasis on the building of rail roads in the region. It noted that the strategic vision should be popularized so as to obtain the support of more stakeholders in the region. To this effect, specific regional projects should be costed and prosecuted in a community development plan designed to generate employment opportunities for West African youths.

While applauding the concept of a borderless West Africa as encapsulated in the strategic vision, the Authority agreed that the transformation would be a gradual process.

2007 ECOWAS Interim Report

The 32nd Ordinary Summit also adopted the interim report of the Commission for 2007 which is a synopsis of the achievements recorded by the Community and the recent challenges faced within the process of integration. The report showed that the region recorded a GDP growth rate of 6.1% in 2006, an increase over the 5.5% for the preceding year.

The Authority underscored the fact that the task of development remains the primary responsibility of the Community and its Member States. It therefore implored all the Member States to effectively tackle the challenge of a sound and sustainable economic environment through pursuit of the regional approach.

ECOWAS Trade Liberalization Scheme And Economic Partnership Agreements

The Heads of State and Government took note of the low level of implementation of the ECOWAS Trade Liberalization Scheme and of the need to strengthen the free trade area. In addition to the sensitization campaigns being undertaken in the Member States, they directed the Commission to

devise new strategies and approaches, including collaboration with development partners and the private sector.

In this vein, the World Bank was commended for pledging at the recent 2 and 3 June 2007 joint ECOWAS Ministerial Retreat of ECOWAS held in Ouagadougou, Burkina Faso, to commission a study aimed at facilitating the elimination of obstacles to the free movement of goods and persons in the region.

With regard to the negotiations for the Economic Partnership Agreement (EPA) with the European Union, the Heads of State reaffirmed their commitment not to enter into the agreement from a position of comparative disadvantage. They therefore called on the European Union to assist West Africa in the development of infrastructure and in the enhancement of industrial standards to ensure fair competition.

MONETARY COOPERATION PROGRAMME

On the common regional currency, the Heads of State and Government called for a review of the current two-stage approach with a view to having a single approach to the establishment of a single common eventual straight transition to a single currency for West Africa. They tasked the Commission to liaise with the Ministers of Finance and the Governors of Central Banks and make recommendations on the way forward.

The Authority also instructed the Ministers of Finance and the Governors of the Central Banks to formulate for consideration appropriate proposals on the location of the headquarters of the West African Central Bank.

ADMINISTRATIVE MATTERS

The Authority commended the Community Institutions for the diligence with which they implemented the restructuring of the institutions as approved by the decision-making organs.

The Heads of State and Government tasked the Commission to make recommendations on how to clear the arrears of contributions owed by some Member States.

REGIONAL PEACE AND SECURITY

After reviewing the security situation in the region, the Heads of State and Government expressed

satisfaction at the progress recorded in the implementation of the peace agreements in Côte d'Ivoire and Togo as well as the consolidation of peace in Liberia and Sierra Leone.

While noting the fragility of the peace process in some Member States, the Authority commended the efforts being made in the Member States to promote democracy and good governance in the region.

Consolidation of Democracy: Elections

The Heads of State and Government noted that elections were becoming the norm in Member States. It, therefore, directed the Commission to continue to promote the sharing of experiences in the reform of the electoral systems and processes, as well as ensure the promotion of electoral good practices in the sub-region.

Drug Trafficking

The Heads of State and Government discussed the drug menace in the region and pledged to work concertedly in the fight against drug trafficking and to provide support to Member States facing the scourge. They called for the support of the international community in enhancing the capacity of the Member States to deal with the menace of drug trafficking.

ECOWAS Common Approach to Migration

The Heads of State and Government endorsed the ECOWAS Common Approach to Migration aimed at linking migration and development based on the regional Protocol on Free Movement of Persons.

The Authority, therefore, directed the Commission to take measures to coordinate and implement the common approach to migration. The Heads of State and Government further directed that in managing regular emigration, ECOWAS Member States should create or reinforce pilot centres for information, orientation and support for potential migrants to ensure a triple-win situation for the countries of origin, transit and destination.

Finally, Member States were called upon to harmonize their policies in combating irregular migration and ensure that they are in conformity with Article 84 of the Revised Treaty and Protocol on Free Movement of Persons, Right of Residence and Establishment.

TRIBUTE TO PRESIDENT AHMAD TEJAN KABBAH

The Heads of State and Government paid tribute to His Excellency President Ahmed Tejan Kabbah, President of the Republic of Sierra Leone who hands over later in the year, for his role in the promotion of the ideals of the Community. They welcomed President Umaru Musa Yar'Adua of Nigeria who was attending his first summit.

VOTE OF THANKS

The Heads of State and Government expressed their gratitude to His Excellency Alhaji Umaru Musa Yar'Adua, President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria for the generous hospitality extended to them during their stay in Abuja. The Authority wished the people of Nigeria happiness and prosperity.

The Authority expressed its gratitude to all the Heads of State and Government who are taking part in the ECOWAS peace initiatives aimed at finding an acceptable and lasting solution to conflicts in the region.

DATE AND VENUE OF THE NEXT SUMMIT

The date and venue of the next summit are to be decided after consultations.

THE AUTHORITY

- 8 The Member States shall ensure that numbering plans and the associated procedures are implemented in a way that protects equality of treatment to all providers of telecommunication services available to the public. In particular, they shall ensure that companies to which a range of numbers is allocated do not engage in any discrimination against other telecommunication service providers as regards the sequences of numbers used to provide access to their services.

**Article 4:
Essential principles for
managing the numbering plan**

1. The Member States shall ensure that the management of their numbering plans respects the following essential points.
 - i) The plan must be long-term and balanced.
 - ii) The plan must take into account the need for short numbers and reserved special numbers for emergency, directory, operator, and user assistance services, and ensure that prefixes and numbers or number blocks are allocated to public telecommunication operators, under objective, transparent and non-discriminatory conditions.
 - iii) The plan must take into account the opinion of operators, users and the national regulatory authority.
 - iv) The plan must include a coherent, clear and published strategy.
 - v) The plan should take into account applicable international standards, in particular regarding access to international service, as well as the needs of neighbours, whether on the same continent or elsewhere in the world.
 - vi) The plan must not be anti-competitive for telecommunication operators.
 - vii) The plan must not be anti-competitive for users.
 - viii) The plan must be compatible with sound appropriate management practice.
 - ix) The plan must be open-ended and allow sufficient margins to meet any unexpected needs.
2. The numbers and blocks of numbers may not become the property of the applicants, or of the end-users. They may not be protected by means of industrial or intellectual property rights. They are allocated following reservation by the national regulatory authority for a limited duration of time, corresponding to the operational lifetime of the service or application. When an applicant gives up operation of its telecommunication service, for which numbering capacity has been allocated, that capacity can be allocated to a new assignee on condition that the latter is authorized to operate the service and that a declaration to this effect has previously been submitted to the national regulatory authority.
3. Information about the reservation, allocation and withdrawal of numbering capacity is public, and must be provided by the national regulatory authority on demand.

**Article 5:
General methods for
managing the numbering plan**

Member States shall put in place in the long term the following methods to harmonize management of numbering plans at the regional level.

- a) Use of common databases for the assignment of numbers.
- b) Adoption of a harmonized emergency codes for the region.
- b) Promotion of appropriate number portability.
- d) Assigning lower initial digits to fixed lines, and reserving the higher ones to mobile.
- e) Allocation of number blocks against a fee.
- f) Planning for direct allocation to end users.
- g) Number assignment using geographical, network or service codes.
- h) Allowing for migration to a closed plan.

**Article 6:
Cooperation and harmonization of
numbering resources**

1. Member States shall support the harmonization of numbering resources within ECOWAS wherever necessary to foster the development of services within the ECOWAS zone.

2. Member States shall ensure that their national numbering plans make it possible, subject to technical and economic feasibility, for users located in other ECOWAS Member States to have access to non-geographical numbers that are accessible throughout their national territory.
3. In order to ensure overall interoperability of services, the ECOWAS Member States shall, where appropriate, coordinate their positions within the international organizations and authorities in which decisions concerning issues related to numbering, naming and addressing for communication networks and services are taken.

**CHAPTER III:
FURTHER PRINCIPLES FOR
MANAGING THE NUMBERING PLAN**

**Article 7:
Reservation mechanisms**

1. The national regulatory authority shall examine all applications to reserve numbering capacities that meet the following conditions:
 - a) the application must be addressed to the national regulatory authority by registered letter or by any other legally recognized means, and must be dated and signed by, or on behalf of, the applicant wishing to operate the numbering capacity;
 - b) the applicant, who must be a natural person or legal entity, must provide details of position and credentials;
 - c) the application must give the name and complete address of the applicant, along with the business address in the ECOWAS country in question;
 - d) processing fees to cover the costs for processing the application must be paid in advance;
 - e) the application must contain all the information specified in the section following below.
2. To allow the national regulatory authority to process the application in accordance with the criteria in §3 below, the applicant must provide, free of charge, the following information, which will be considered as confidential:
 - a) a clear list of the type and amount of numbering capacity desired;
 - b) a detailed description of
 - a) the services and applications that use the numbering capacity,
 - b) technical network elements and their interrelationship,
 - c) routing principles to be implemented,
 - d) future numbering capacity needs,
 - e) charging principles, if the applicant considers it useful,
 - f) principles the applicant intends to follow in allocating the routing capacity obtained for the end-users,
 - c) the applicant must demonstrate that it has no viable technical or commercial alternative to operating its services and applications with the requested numbering capacity;
 - d) changes over time, for the information provided in point 2.2 above;
 - e) the applicant must demonstrate that it has complied with the provisions of the present Supplementary Act.
3. The application shall be evaluated by the national regulatory authority on the basis of the following criteria:
 - 1) sound management of numbering capacity, a finite resource;
 - 2) the need for sufficient numbering capacity to meet future needs;
 - 3) the work needed to achieve optimum compatibility between the numbering plans of different applicants;
 - 4) existing reservations;
 - 5) potential for satisfying developments in the ECOWAS zone and internationally;
 - 6) potential for satisfying the relevant international agreements, recommendations and standards;
 - 7) technical limitations and concrete implementation;

- 8) impact on the numbering plans of other applicants;
 - 9) fees, if any;
 - 10) routing questions;
 - 11) issues relating to tariffing principles;
 - 12) geographical issues;
 - 13) possible alternatives;
 - 14) end-user interests, including ease of use;
 - 15) specific needs of emergency services;
 - 16) commercial impact.
4. Numbering capacity may not be reserved for applicants unless the provisions of the present Supplementary Act are met.
 5. If the national regulatory authority approves a given application, then the numbering capacity is reserved. Therefore, numbering capacity may only be allocated to the initial applicant, and for the purposes specified in the application. The date on which the application becomes official is also considered as the date of reservation. A reservation may be cancelled by the applicant. A reservation shall automatically expire one year after the date of reservation, if no effective allocation or extension, pursuant to §7, has taken place in that time.
 6. If two or more applicants request the same numbering capacity, the first to file a valid application will have priority. If more than one valid application is filed on a given day for the same numbering capacity, the national regulatory authority shall organize mediation to allocate primary rights, secondary rights, tertiary rights and so on.
 7. A reservation may be renewed each year by submitting a valid new application at least one month before it expires. If the extension is accepted, then the original reservation date is maintained as the official reservation date.
 8. The national regulatory authority must notify the applicant of its decision no later than two months after receipt of the application.
 9. If the national regulatory authority considers that the application is incomplete, or wishes to have additional information or explanations, it must inform the applicant. The deadline for the national regulatory authority mentioned in the previous paragraph shall be extended by the length of time that the applicant needs to modify the application. Such an extension shall not exceed one month. If, at the end of this time, the applicant has not modified the application, it shall be annulled.
 10. If the national regulatory authority refuses to grant a reservation, it must provide reasons. There is no entitlement to be reimbursed in the event of a refusal.
 11. Any changes to the information provided pursuant to the present article shall be communicated to the national regulatory authority in good time.

ARTICLE 8:

Allocation Mechanisms

1. The national regulatory authority shall, under objective, transparent and non-discriminatory conditions, assign prefixes and numbers, or number blocks, to operators who have made an application, against a fee stipulated in the regulations to cover the costs of managing the numbering plan and controlling its utilization.
2. The national regulatory authority may select the type of mechanism to be used to allocate numbers: by block, case by case, or by auction. The authority may set aside special numbers, or blocks or ranges of numbers, upon request from the operators, against annual fees to cover the costs of managing the numbering plan and controlling its utilization.
3. Certain categories of numbers may be subject to a special allocation procedure in order to ensure that operators have access to the numbering resources in a transparent, objective and non-discriminatory manner. Thus, the national regulatory authority may:
 - make a resource allocation;
 - make a temporary resource allocation;
 - make an allocation covering only a portion of the resources requested;
 - refuse to make a resource allocation.
4. The national regulatory authority shall allocate to operators, under the same conditions, the codes used for routing communications.

5. The decision on allocation shall specify the applicable conditions. The decision binds the holder of the allocation to observe all of the conditions for utilization of the allocated resource.
6. In all cases, number allocations must be technology-neutral, non-discriminatory, and compatible with number portability.

Article 9: Deadlines

1. Numbering capacity is only allocated if, during the reservation period, numbering capacity is in fact put into service for the declared purpose. The date on which it is put into service must be communicated to the national regulatory authority at least 30 days in advance. The allocation of numbering capacity remains valid only for as long as all of the following conditions are respected:
 - a) the allocated numbering capacity is used exclusively for the purposes indicated in the initial application;
 - b) sub-allocation to end-users is controlled by the original applicant;
 - c) annual fees are paid pursuant to the provisions of Article 10 of the present Supplementary Act;
 - d) the applicant maintains statistics on the percentage of allocated capacity that is being used, and periodically provides them to the national regulatory authority in accordance with rules which it has established.
2. Applications for numbering capacity for six months or less shall be treated as having lower priority, and may not be extended. The annual fee described in Article 10 below is therefore to be reduced by one half.
3. While numbers are in principle allocated on a long-term basis, they may be changed or withdrawn for operational reasons.

Article 10: Reservation fees and allocation fees

1. Member States shall determine the size of processing fees charged for the reservation of numbering capacity pursuant to Article 7 of the present Supplementary Act, depending on the type of numbering requested, in a transparent and non-discriminatory manner, according to objective and published criteria.

2. Member States shall determine the annual fees for allocation of numbering capacity pursuant to Article 8 of the present Supplementary Act, depending on the type of numbering requested, in a transparent and non-discriminatory manner, according to objective and published criteria. If the numbering capacity is allocated in portions, the annual fee shall be reduced proportionately.
3. Member States shall set a deadline for the payment of the fees mentioned in paragraph 2 above in the year for which they are due. For the year in which the numbering capacity is allocated, fees shall be reduced to the same proportion as the number of complete months that remain in the calendar year on the date the allocation is made, and shall be paid within 30 days of that date.
4. Member States shall fix the penalty charged for overdue fees. The level of penalty is to be calculated on the basis of the number of days payment is overdue.
5. The sizes of the fees mentioned in the present decision shall be adjusted annually.
6. The withdrawal of numbering capacity that was previously reserved or allocated does not entail any entitlement to any indemnity or reimbursement of some or all of the fees mentioned in the present Supplementary Act.

Article 11: Delegation to outside operators

1. In some cases, the holder of a numbering resource may entrust an outside operator with the distribution of that resource to the final customer or customers. In such cases, a distinction is made between the operator holding the allocation for the resource and the delegated outside operator who distributes the resource to the end-clients.
2. An outside operator may only be involved in this way if the following conditions are met:
 - the delegated operator must have declared to the national regulatory authority the activity that is necessary for operation of the resource in question;
 - the operator holding the allocation must have notified the national regulatory authority by A/R registered mail, about the resource or resources to be put at the disposition of the delegated operator, along with a description of the service that is to be provided via said resource or

resources. Such notification must have been done before any legal provisions on delegation come into force between the operator holding the allocation and the delegated operator.

3. In the case of resources allocated by block, delegation may involve the entire resource or an entire portion thereof.
4. The operator holding the allocation remains responsible for compliance with all obligations associated with the allocation of the resource.
5. In addition, the operators involved in delegation must guarantee portability for the end-users.

Article 12: Transfer

1. Application for an allocated resource to be transferred must be submitted to the national regulatory authority by the final beneficiary of allocation, observing the form and the conditions stipulated in Article 7 and accompanied by the signed concurrence of the original operator holding the allocation.
2. The decision to allocate a resource to a new holder is studied and taken under the conditions stipulated in Article 8.

Article 13: Revocation and withdrawal of an allocation decision

1. An allocation decision may be revoked or withdrawn in the cases stipulated in §§2-4 below.
2. If revocation takes place at the request of the holder, the latter must inform the national regulatory authority by A/R registered letter, accompanied by a copy of the request for cancellation of the resource in the networks of other operators, of the fact that the service will be discontinued and the holder wishes to free the corresponding numbering resource. The resource will stop being subject to fees as of the day this letter is received. At that time, the holder is to be notified of the revocation of the decision to allocate the resource in question.
3. If resources are not used in a manner that conforms to the conditions of their allocation and utilization, or if a significant part of the resource remain unused, the national regulatory authority may withdraw the numbers.

4. A resource for which revocation or withdrawal has been pronounced becomes free again, but it may not be reallocated until at least six months have expired, except if it is requested by the former allocation holder. If the resource has been withdrawn for reason of unsatisfactory utilization, pursuant to §3 above, the resource may not be allocated again until at least six months have expired, regardless of the applicant.

Article 14: Time-frames for transposition

1. Member States shall take all necessary steps to adapt their national sectoral legislation to this Supplementary Act no later than two years following the date of its entry into force. They shall inform the Commission of those steps immediately.
2. The legal texts agreed to shall contain a reference to this Supplementary Act or shall have such a reference attached to them when they are officially published.

Article 15: Implementation

1. When, based on this Supplementary Act, national regulatory authorities take decisions that are liable to have an impact on exchanges between Member States and on the establishment of the single market, and:
 - a) concern the implementation of the tariff policy applicable to telecommunication services;
 - b) concern the implementation of the universal service development policy;
 - c) concern interconnection;
 - d) relate to the arrangements for authorizing the establishment, operation and/or provision of telecommunication services open to the public,

Member States shall ensure that the measures and substantiating arguments are communicated to the Commission one month prior to their implementation.

2. The national regulatory authority shall take into consideration the observations of the Commission.
3. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the national regulatory authority that they are incompatible with this Supplementary Act.

4. Under exceptional circumstances, where the national regulatory authority considers it urgent to take action to safeguard competition and protect users' interests, it may adopt proportionate measures immediately, applicable for a limited period only. Those measures shall be communicated without delay to the Commission for comment.
5. When Member States adopt transposition measures for this Supplementary Act, they shall ensure that the planned measures along with substantiating arguments are communicated to the Commission one month prior to implementation of the measures.
6. Member States shall take into consideration the observations of the Commission. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the Member States that the measures proposed are incompatible with this Supplementary Act.
7. Member States shall communicate to the Commission any provisions of domestic law which they adopt in the field governed by this Supplementary Act.

**Article 16:
Information report**

Member States shall, no later than six months following the date of entry into force of this Supplementary Act, communicate to the

Commission the steps taken or which are in the course of approval or implementation for the purpose of implementing this Supplementary Act.

**Article 17:
Publication**

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 Authority. It shall also be published by each Member State in its National Gazette within the same time frame.

**Article 18:
Entry into force**

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory States and ECOWAS Institutions pledge to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed to the ECOWAS Treaty of which it is an integral part.

**Article 19:
Depositary authority**

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

**IN WITNESS 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 19TH DAY OF JANUARY 2007

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

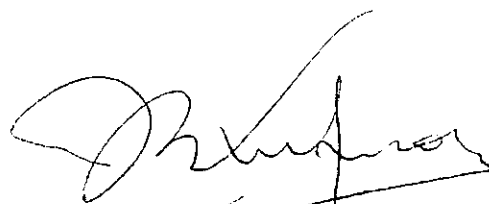
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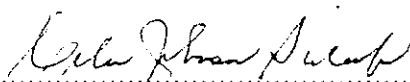
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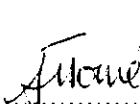
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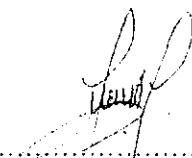
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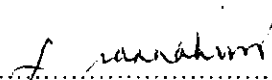
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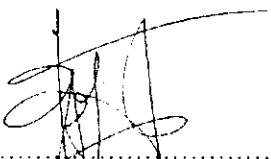
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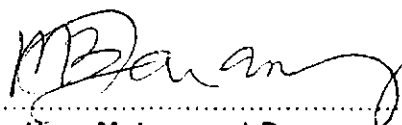
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President of the Republic of Niger



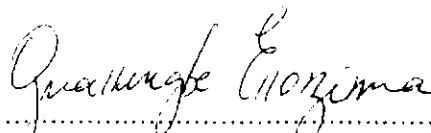
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Planning, for and on behalf of the President
of the Republic of Sierra Leone



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His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

SUPPLEMENTARY ACT A/SA.5/01/07 ON THE MANAGEMENT OF THE RADIO-FREQUENCY SPECTRUM

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 33 of the said treaty, which provides that Member States shall, in the area of telecommunications, develop, modernize, coordinate and standardize their national telecommunication networks in order to provide reliable interconnection among Member States, and shall coordinate their efforts with a view to mobilizing national and international financial resources through participation of the private sector in the provision of telecommunication services;

MINDFUL of Decision A/DEC.14/01/05 on the adoption of a regional telecommunication policy and development of GSM regional roaming in the ECOWAS Member States;

MINDFUL of Decision A/DEC.11/12/94 on the establishment of an ECOWAS technical advisory committee on telecommunication regulation;

MINDFUL of Decision A/DEC.12/12/94 on tariff-setting and telephone traffic in the area of telecommunications;

IN VIEW of Decision A/DEC.16/5/82 on the telecommunication program of ECOWAS;

CONSIDERING that the direct interconnection of modern telecommunication systems between Member States is a prerequisite for sub regional economic integration;

CONSIDERING that the Community has resolutely embarked upon a process of liberalizing telecommunication services and infrastructures by 2007;

CONSIDERING that this liberalization process is giving rise to flourishing markets calling for a framework that is conducive and attractive to investment;

NOTING that the strong growth in the number of users of ICT services is liable to lead to a serious shortfall in numbering resources;

WISHING, THEREFORE, to elaborate sub regional regulations in regard to optimum management of the radio-frequency spectrum;

ON THE PROPOSAL of the Meeting of Ministers in Charge of Telecommunication held in Abuja on 11th May 2006

ON THE RECOMMENDATION of the fifty-seventh session of the Council of Ministers held in Ouagadougou from 18 to 19 December, 2007.

AGREE AS FOLLOWS

CHAPTER I: DEFINITIONS, OBJECTIVES AND SCOPE

Article 1: Definitions

1. For the purposes of this Supplementary Act, the definitions contained in Supplementary Acts A/SA.1/01/07 shall apply.
2. The following additional definitions shall also apply:
radio frequencies or radio-frequency spectrum: frequencies or spectrum of electromagnetic waves propagated naturally in the 3 kHz to 300 GHz band, used for the transmission and reception of telecommunication signals.

frequency-spectrum management: all administrative and technical actions, taken as a whole, aimed at ensuring a rational use of the radio-frequency spectrum by users.

Article 2: Objectives and scope

1. The purpose of this Supplementary Act is to harmonize procedures for the management of the radio-frequency spectrum by ECOWAS Member States.
2. This Supplementary Act aims to establish a framework of guidelines and legal provisions within ECOWAS to assure policy coordination and, where applicable, the harmonization of conditions with respect to the availability and efficient use of the radio spectrum necessary for the establishment and functioning of the domestic ICT market in the ECOWAS zone.
3. To that end, this Supplementary Act establishes procedures with a view to the following:

- a) to facilitate the defining of policies in regard to strategic planning and harmonization of the use of the radio spectrum in the ECOWAS zone, taking into account in particular the economic, security, health, public-interest, freedom-of-expression, cultural, scientific, social and technical aspects of Community policy, as well as the different interests of communities of radio-spectrum users, with a view to optimizing the use of the radio spectrum and eliminating harmful interference;
- b) to assure the effective implementation of the radio-spectrum policy within ECOWAS, and, in particular, to establish a general methodology for assuring the harmonization of conditions relating to the availability and effective utilization of the radio spectrum;
- c) to assure the coordinated and timely dissemination of information on the allocation, availability and utilization of the radio spectrum within ECOWAS.

Article 3:

Objectives of radio-frequency spectrum management

1. The Member States shall assure coordinated management of the radio-frequency spectrum within the ECOWAS zone, on the basis of the following objectives:
 - a) economic efficiency: ensuring that the allocation of frequencies to users, having regard to the uses, results, on the market, in higher value being derived from the resource; ensuring that there is a swift, flexible response to changing markets and technologies, with new services being accommodated as they become technically and commercially viable; and minimizing transaction costs, barriers to entry and any other constraints on efficient economic activity;
 - b) technical efficiency: assuring intensive use of limited spectrum, and adherence to technical limitations based on interference considerations; and promoting the development and introduction of new spectrum-saving technologies where the cost of such technologies is justified by the value of the spectrum saved.

- c) general policy: ensuring that it is consistent with overall government policy; safeguarding certain areas of spectrum use for the efficient functioning of national defense, emergency services and other public services; and ensuring that any change in spectrum use in an ECOWAS Member State always remains consistent with Member States' international and regional obligations.

CHAPTER II: GENERAL PRINCIPLES

Article 4:

Definition of a common framework for spectrum management in the ECOWAS zone

Member States shall define a common framework for economically efficient spectrum management with a view to meeting the objective of liberalizing the ICT market within ECOWAS.

Article 5:

Principles of efficient spectrum management

Member States shall ensure that all classes of user are encouraged to make optimum use of the spectrum they occupy.

Article 6:

Spectrum pricing

1. Member States shall adopt a frequency pricing system in cases where demand is greater than supply and neither frequency auctioning nor frequency trading are used. Determination of the price calculation method, which is generally based on spectrum opportunity costs, may also take account of any objectives defined by the State.
2. Member States shall ensure that in the majority of frequency bands where demand is greater than supply, they follow the principle of a positive price for spectrum access where there are other potential uses for a given block of spectrum, i.e. where the opportunity cost is greater than zero. Where demand does not exceed supply, the price may be equal to the administrative costs or to a value consistent with government policy.

Article 7: Auctions

Where demand is greater than supply, Member States shall make preferential use of auctions as a means of assigning major spectrum licenses to competing applicants, in the interests of ensuring transparency, objectivity and impartiality in the transfer (or assignment) process.

Article 8: Service restrictions

Member States shall ensure that spectrum management bodies in the ECOWAS countries make every effort to keep license conditions to the minimum necessary for efficient spectrum use. To this end, existing licenses should be amended to remove restrictions not needed for reasons of international coordination or interference management, and new licenses should be issued with as few restrictions as possible.

Article 9: Generic licenses for spectrum use

In the interests of greater flexibility and as an aid to economic development, Member States may adopt a system of generic licenses for frequency usage within certain frequency ranges.

Article 10: Conformity with the global and regional regulatory framework

Member States shall manage spectrum in ways that promote flexibility while respecting the ITU international allocations.

CHAPTER III: PRINCIPLES OF SPECTRUM MANAGEMENT

Article 11: Coordinating spectrum management across civil and governmental

1. Member States shall establish a framework which permits the effective coordination of all spectrum use, at the national, regional and international levels.
2. Member States shall promote the merging of separate regulatory bodies dealing with spectrum use in the broadcasting and telecommunication spheres.
3. Where government requirements for a particular frequency band are zero or negligible, such spectrum may be permanently reallocated to civil uses, following a definitive renunciation by the government.

Article 12: Role of national regulatory authorities

In the interests of having a management regime that embraces the principle of technological neutrality, Member States shall ensure that radio spectrum management powers are vested in the national regulatory authority overseeing telecommunications by giving that entity a mandate covering ICT in the broadest sense.

Article 13: Radio spectrum coordination committee

1. Member States shall ensure that, in those countries of the ECOWAS zone that manage the radio spectrum according to the multi-jurisdictional model, an inter-departmental committee is established with the following rules of operation:
 - a) The committee shall in the first instance establish a policy agenda and guidelines for regulations.
 - b) The committee shall comprise members of key government agencies involved in spectrum management, as well as key non-governmental stakeholders.
 - c) Official records shall be kept of meetings of the committee and be made public, except where this may compromise national security interests.
 - d) Government representatives on the committee shall be appointed by a high-level member of government for a period not exceeding five years, renewable only once. They shall elect a chairman amongst themselves, who shall remain in that function for a period not exceeding two years.
2. Member States which establish such a committee shall ensure that it also includes members from the civil society, chosen from a list of applicants drawn up pursuant to an open public selection process. Their committee memberships shall not exceed three years.
3. The committee shall not exceed 12 persons, including the Chairman.
4. Member States shall ensure that the committee is required to publish an annual report, to be communicated to the government and published on the committee's website. The committee shall also publish all its work and all other relevant material, subject to a confidentiality clause, on a dedicated website. The website of each participating

governmental committee member's department should contain a link to the committee's website.

5. Two members of each national committee shall be nominated to sit on a regional committee comprising members from all the ECOWAS countries. The regional committee shall meet once a year, in one of the countries of the region, to discuss matters of international relevance in the context of spectrum management and matters of mutual interest.

**Article 14:
Regional Spectrum Management
Coordination Committee**

1. Member States shall establish a special ECOWAS committee comprising the spectrum management bodies of each ECOWAS Member State, with the task of defining a common approach to spectrum management.
2. The committee shall examine the spectrum assignments and allocations of the ECOWAS countries and recommend a harmonized policy for promoting broadband wireless access service provision across the region. The committee shall report its findings by the end of June 2007.

**CHAPTER IV:
HARMONIZATION OF DOCUMENTATION AND
MONITORING AT REGIONAL LEVEL**

**Article 15:
Common framework for documenting and
monitoring spectrum use**

Member States shall establish, possibly under the auspices of ECOWAS, a common methodology for documenting and monitoring spectrum, sharing as necessary the costs of developing a software tool for that purpose. Member States shall likewise promote the establishment, under the auspices of ECOWAS, of a forum bringing together those responsible for spectrum management for the purpose of:

- a) exchanging information and experiences to foster the harmonization of spectrum management rules;
- b) preparing common positions to be presented to regional, then global bodies;
- c) pooling existing expertise.

**Article 16:
Common framework for a public database
and establishment of a national allocation
table to enable interference management**

Member States shall:

- a) establish a common framework for developing a public database of technical and locational information about radio communication systems;
- b) in the near future, provide the data necessary to define a common template for the establishment of a national frequency table in each country.

**CHAPTER V:
FINAL PROVISIONS**

**Article 17:
Time-frames for transposition**

1. Member States shall take all necessary steps to adapt their national sectoral legislation to this Supplementary Act no later than two years following the date of its entry into force. They shall inform the ECOWAS Commission of those steps immediately.
2. The legal texts agreed to shall contain a reference to this Supplementary Act or shall have such a reference attached to them when they are officially published.

**Article 18:
Implementation**

1. When, based on this Supplementary Act, national regulatory authorities take decisions that are liable to have an impact on exchanges between Member States and on the establishment of the single market; and
 - a) concern the implementation of the tariff policy applicable to telecommunication services;
 - b) concern the implementation of the universal service development policy;
 - c) concern interconnection;
 - d) relate to the arrangements for authorizing the establishment, operation and/or provision of telecommunication services open to the public,

Member States shall ensure that the measures and substantiating arguments are communicated to the Commission of ECOWAS one month prior to their implementation.

2. The national regulatory authority shall take into consideration the observations of the Commission.
3. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the national regulatory authority that they are incompatible with this Supplementary Act.
4. Under exceptional circumstances, where the national regulatory authority considers it urgent to take action to safeguard competition and protect users' interests, it may adopt proportionate measures immediately, applicable for a limited period only. Those measures shall be communicated without delay to the Commission for comment.
5. When Member States adopt transposition measures for this Supplementary Act, they shall ensure that the planned measures along with substantiating arguments are communicated to the ECOWAS Commission one month prior to implementation of the measures.
6. Member States shall take into consideration the observations of the Commission. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the Member States that the measures proposed are incompatible with this Supplementary Act.
7. Member States shall communicate to the Commission any provisions of domestic law which they adopt in the field governed by this Supplementary Act.

Article 19: Information report

Member States shall, no later than six months following the date of entry into force of this Supplementary Act, communicate to the Commission the steps taken or which are in the course of approval or implementation for the purpose of implementing this Supplementary Act.

Article 20: Publication

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

Article 21: Entry into force

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory States and ECOWAS Institutions pledge to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed to the ECOWAS Treaty of which it is an integral part.

Article 22: Depositary Authority

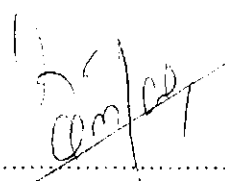
This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies thereof to all the Member States and shall register it with the African Union, the United Nations and such other organisations as Council may determine.

IN WITNESS 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 19TH DAY OF JANUARY 2007

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


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President of the Republic of Benin



His Excellency Blaise Compaore
Chairman of the Council of Ministers
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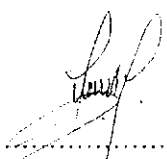

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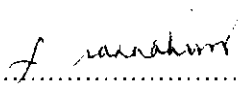

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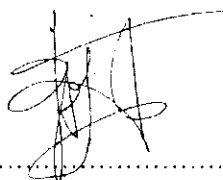

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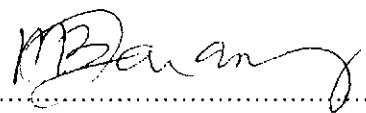

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of the Republic of Sierra Leone


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His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

SUPPLEMENTARY ACT A/SA.6/01/07 ON UNIVERSAL ACCESS/SERVICE

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 33 of the said treaty, which provides that Member States shall, in the area of telecommunications, develop, modernize, coordinate and standardize their national telecommunication networks in order to provide reliable interconnection among Member States, and shall coordinate their efforts with a view to mobilizing national and international financial resources through participation of the private sector in the provision of telecommunication services;

MINDFUL of Decision A/DEC. 14/01/05 on the adoption of a regional telecommunication policy and development of GSM regional roaming in the ECOWAS Member States;

MINDFUL of Decision A/DEC. 11/12/94 on the establishment of an ECOWAS technical advisory committee on telecommunication regulation;

MINDFUL of Decision A/DEC. 12/12/94 on tariff-setting and telephone traffic in the area of telecommunications;

MINDFUL of Decision A/DEC. 16/5/82 on the telecommunication program of ECOWAS;

CONSIDERING that the direct interconnection of modern telecommunication systems between Member States is a prerequisite for sub regional economic integration;

NOTING that the Community has resolutely embarked upon a process of liberalizing telecommunication services and infrastructures by 2007;

CONSIDERING that this liberalization process is giving rise to flourishing markets calling for a framework that is conducive and attractive to investment;

AWARE of the need to provide all of the Community's populations, regardless of geographic location, with a minimum set of high-quality and affordable telecommunication services;

RECOGNIZING that the concept of universal service is bound to evolve as a result of technological progress, market developments and user requirements;

WISHING to achieve, as rapidly as possible, the digital opening-up of the Member States;

ON THE PROPOSAL of the meeting of the Ministers in Charge of Telecommunication held in Abuja on 11th May 2006

ON THE RECOMMENDATION of the fifty-seventh session of the Council of Ministers held in Ouagadougou from 18 to 19 December 2006;

AGREE AS FOLLOWS

CHAPTER I: DEFINITIONS, OBJECTIVES AND SCOPE

Article 1: Definitions

1. For the purposes of this Supplementary Act, the definitions contained in Supplementary Act A/SA.1/01/07 shall apply.
2. The following additional definitions shall also apply:

Universal access/service: access to a basic group of services as defined in this Supplementary Act, within the territory of the Member States of ECOWAS, for all citizens, regardless of their geographic location, at affordable rates.

Public payphone: a telephone station made available to the public, for use against payment in the form of coins and/or credit or debit cards and/or prepayment cards, including cards used with numbering codes.

Public telephone network: a telecommunication network used to provide publicly accessible telephone services. Between network termination points, it permits the transmission not only of voice communication but also of other forms of communication such as facsimile and data transmission.

Publicly accessible telephone service: service made available to the public to enable people to make and receive domestic and

international calls, and to access emergency services by dialing one or more numbers established for that purpose in national or international numbering plans. It may also include the provision of one or more of the following services, where applicable: operator assistance; telephone and/or directory information; public payphones; other specialized services; special services for disabled persons or persons having specific social needs; and non-geographic services.

**Article 2:
Objectives and scope**

1. The purpose of this Supplementary Act is to harmonize conditions so as to enable all citizens to connect to communication networks accessible to everyone at affordable rates.
2. This Supplementary Act lays down the rules applicable to universal access/service within the countries of the ECOWAS zone, and sets out in particular the role of Member States in establishing and implementing rules in the following areas:
 - a) creating a regulatory and policy environment favorable to universal access/service;
 - b) designing and identifying regulatory reform measures;
 - c) promoting innovative regulatory policies;
 - d) assuring access to information and communication infrastructures;
 - e) providing subsidies for financing and managing universal access/service policy;
 - f) assuring cooperation in the provision of service;
 - g) assuring the oversight and review of policies;
 - h) establishing an obligation to put emergency services in place.

**CHAPTER II:
ROLE OF THE AUTHORITIES**

**Article 3:
Creation of a regulatory and policy
environment conducive to universal
access/service**

Member States shall take all necessary measures in order:

- a) at the highest possible political level, to identify ICT as a tool for socio-economic development, designating to that end a national focal point such as a ministry, government department or well-known individual to champion the cause of ICT development;
- b) to establish national regulatory authorities and provide them with the means to play a key role in implementing universal access policies, first by addressing the market efficiency gap (letting the market deliver universal access/service), and then by tackling the true access gap;
- c) to make national regulatory authorities responsible for implementing policies geared towards the provision of services that are of the highest possible quality, reliable and affordable, and which satisfy the needs of users both present and future;
- d) to develop their communications frameworks through telecommunication sector, institutional and legislative reform in line with international best practices but with due regard for local requirements;
- e) to include, in the definition of universal access/service policies, all citizens and elements of the population regardless of ethnic origin, socio-economic level or geographic location.

**Article 4:
Designing policies and determining
regulatory reform measures**

1. Member States shall take all necessary measures in order to:
 - a) formulate a national policy that identifies

- appropriate and realistic universal access/service objectives which take into account the differences between universal access (public access to ICTs) and universal service (private or household access to ICTs);
- b) as frequently as possible, conduct public consultations with stakeholders to identify their needs and modify universal access/service policies, regulations and practices accordingly;
 - c) design universal access/service policies, regulations and practices to create incentives for the private sector to extend universal access to communications services;
 - d) use a multi-pronged approach to addressing universal access/service challenges and opportunities, relying on complementary strategies to meet the targets that have been set;
 - e) establish a fair and transparent telecommunication regulatory framework that promotes universal access to ICTs while allowing the market to address universal access/service to the greatest extent possible, intervening only where the market has failed or seems likely to do so. This entails:
 - i) promoting technologically neutral licensing practices enabling service providers to use the most cost-effective technology to provide services for end users;
 - ii) adopting a transparent and non-discriminatory interconnection framework in which interconnection rates are linked to costs;
 - iii) reducing regulatory burdens to lower the costs of providing services to end users;
 - iv) promoting competition in the provision of a full range of ICT services to increase access, affordability, availability and use of ICTs.
- 2 Where it is necessary for regulators and policymakers to intervene to facilitate the delivery of universal access/service:
- a) public access strategies should be explored in addition to private universal service strategies;
 - b) both pay and play strategies should be employed, but where possible operators should be encouraged to invest in rural, remote and low-income populations and areas;
 - c) countries can use regulatory reform as the first step in achieving universal access, recognizing that further steps may be necessary to achieve ubiquitous access to ICTs, e.g. in rural areas or for users with special needs;
 - d) appropriate licensing schemes for rural service providers could be set up to meet the needs of unserved and underserved areas.

Article 5:

Promoting innovative regulatory policies

Member States shall:

- a) promote access to low-cost broadband interconnectivity from the local level to the international level, involving government authorities, companies and non-governmental organizations;
- b) adopt regulatory frameworks that support applications such as e-education and e-government;
- c) adopt policies aimed at increasing access to the internet and broadband services, based on their own market structure, such that the policies reflect diversity in culture, language and social interests;
- d) ensure that national regulatory authorities work with stakeholders to expand broadband coverage and use through multi-stakeholder partnerships, in parallel to government initiatives to promote financially sustainable programs, particularly with a view to bridging the market gap that may exist in some countries;
- e) adopt regulatory regimes that facilitate the use of all transport media, whether wire line, power line, cable, wireless or any other new technology;

- f) ensure that national regulatory authorities put forward initiatives for encouraging public access to broadband and internet services in schools, libraries and other community centers;
- g) ensure that national regulatory authorities implement harmonized spectrum allocations consistent with the ITU radio communication conference process and each country's national interest.

CHAPTER III: ACCESS TO INFORMATION AND COMMUNICATION INFRASTRUCTURES

Article 6: General principles

With a view to facilitating access to information and communication infrastructures, Member States shall:

- a) within a competitive framework, foster the introduction of innovative services using new technologies at an affordable level of pricing;
- b) promote affordable ICT equipment, which could include national manufacturing of ICT equipment, reduced customs tariffs and duties and end-user loans to make ICT equipment more affordable;
- c) develop a full range of public access options, including the creation of public telecenters and multipurpose community centers;
- d) develop local projects and input, including content that is useful for local populations, thereby increasing their relevance and hence their long-term financial sustainability;
- e) institute education and training programs to encourage the use of ICTs and their impact on local people, thereby increasing the long-term financial sustainability of ICT projects.

Article 7: Availability of universal access/service

Without prejudice to more generous domestic measures, Member States shall commit themselves to taking the necessary steps to ensure that, as a minimum, the entire population within their territories have access to the services listed in this chapter, regardless of their geographic location and at affordable prices.

Article 8:

Provision of the telecommunication service

Member States shall ensure that requests for connection to a telecommunication network are satisfied by at least one operator and may, if necessary, designate one or more operators to that effect, such that all parts of the national territory are covered. The connection provided must be such as to enable the user to make domestic and international calls, send and receive voice messages and fax and data transmissions, and connect to the internet with an adequate transfer rate.

Article 9:

Directories and telephone information services

1. Member States shall ensure that:
 - a) a directory, which may be printed or electronic or both, containing the credentials of all subscribers, including their fixed and mobile telephone numbers, is made available to users in a form approved by the national regulatory authority;
 - b) at least one telephone information service covering all listed subscribers is available to all users, including users of public telephone booths;
 - c) companies providing the above services apply the principles of non-discrimination to the processing and presentation of information provided to them by operators.
2. Member States shall undertake to give effect to these provisions with all due respect for the applicable legal and regulatory provisions in force in regard to personal data and privacy protection. In particular, where subscribers expressly so request, their information shall not be included in any directory.

Article 10:

Emergency services

Member States shall ensure that emergency calls can be made free of charge from any fixed or mobile telephone, including telephone booths.

Article 11:

Public access and public payphones

1. In order, among other things, to enable users

not subscribed to the telephone service to have access thereto, Member States undertake to ensure that public payphones are installed, under reasonable conditions, in terms of quantity and geographic distribution.

2. Without prejudice to more generous domestic legislation, Member States shall ensure that national regulatory authorities are in a position to impose schedules for the deployment of public payphones, with the aim of having at least one public payphone in each locality numbering 500 inhabitants or more by 31 December 2010. ECOWAS will monitor the implementation of this measure on an annual basis.

Article 12:
**Specific measures in favour of
certain social groups**

Where the need exists, Member States shall take specific measures to ensure that users with disabilities or special social needs have equivalent and affordable access to publicly available telephone services, including emergency and directory services at an affordable price.

Article 13:
**Reviewing the scope of
universal access/service**

1. With a view to monitoring and reviewing policies, Member States must, on the one hand, adopt measurable targets for improving connectivity and access to ICT use, which can be based on distance, population density or length of time needed to have access to ICTs, and, on the other hand, hold periodic reviews of universal access/service policies, regulations and practices in order to adapt to the evolving nature of ICT services and end-user needs.
2. Member States shall periodically review the scope of the universal service, in particular with a view to making proposals for its modification or redefinition. The first such review shall be held not later than two years following the date of entry into force of this Supplementary Act, and thereafter a review shall be held every three years.
3. The review shall take account of social, economic and technological developments, and shall have particular regard to data

mobility and transfer rates for the technologies most widely used by the majority of subscribers. Member States shall inform the Commission of any changes.

Article 14:
Mandatory additional services

ECOWAS Member States may decide to make additional services accessible to the public, within their national territory, beyond those services that already come under the heading of universal service obligations as defined in this chapter.

CHAPTER IV:
**IMPLEMENTATION AND MANAGEMENT OF
UNIVERSAL ACCESS/SERVICE**

Article 15:
**Cooperation and management of
universal access/service**

Cooperation in this area must be explored on several levels:

- a) between the private sector and communities, so that where possible the market can deliver universal access/service;
- b) between communities, government and the private sector, to ensure that the access gap is dealt with in a manner that is relevant to communities;
- c) within government, to reap the full benefits of ICTs, beyond infrastructure and technology, and extending to health, education, agriculture and other sectors.

Article 16:
Arrangements for implementation

1. Member States shall determine the most effective and appropriate approach for ensuring the implementation of universal service, with due respect for the principles of objectivity, transparency, non-discrimination and proportionality. They shall endeavour to keep market distortions to a minimum, particularly where they take the form of service provision at rates or under conditions which differ from those normally prevailing in a commercial operation, while protecting the public interest.
2. To these ends, Member States may, where

necessary, designate one or more companies to ensure the provision of universal service, as defined in Articles 7, 8, 9 and 10, such that all parts of the territory can be covered. Member States may designate companies or different groups of companies to provide different components of universal access/service and/or to cover different parts of the national territory.

3. Where Member States designate companies to fulfill universal service obligations over all or part of the national territory, they shall do so through a mechanism that is effective, objective, transparent and non-discriminatory, and which does not exclude any company a priori.

**Article 17:
Quality of the service provided by
designated companies**

1. Member States shall ensure that the companies entrusted with the task of providing users with the services referred to in Articles 7, 8, 9 and 10 of this Supplementary Act provide the national regulatory authority with a regular account of their activities and results achieved in that regard.
2. National regulatory authorities shall establish performance objectives for companies assuming universal service obligations pursuant to Articles 7, 8, 9 and 10 of this Supplementary Act, in accordance with the procedures described in the present article.
3. Pursuant to the Supplementary Act on the harmonization of regimes applicable to telecommunication network operators and service providers, individual licenses may specify results to be achieved for the provision of universal access/service.
4. An entity's persistent failure to achieve the performance objectives and quality levels specified for the implementation of Article 3 of this Supplementary Act may entail the application of sanctions by the national regulatory authority.
5. National regulatory authorities are entitled to require independent verification of an operator's performance of the obligations incumbent upon it pursuant to Articles 7, 8, 9 and 10 of this Supplementary Act.

**CHAPTER V:
FINANCING AND MANAGEMENT OF THE
UNIVERSAL ACCESS POLICY**

**Article 18:
Level and structure of prices**

1. National regulatory authorities shall ensure that the universal service is provided to everyone at affordable rates. They may, at the request of the minister in charge of the sector, require companies designated pursuant to Article 14 to make available to low-income or special-needs users prices, options or schemes that differ from those normally prevailing in a commercial operation, particularly with a view to ensuring universal service.
2. The conditions under which such facilities are granted must be proportional, transparent and non-discriminatory, and publicly promulgated.

**Article 19:
Calculating the cost of universal service**

1. To assist national regulatory authorities in determining whether provision of the universal service places an unjustified burden on the companies designated as providers, Member States undertake to provide for the adoption of a method for calculating the costs of the universal service, based on net costs.
2. The net cost corresponds to the difference between the investment and operational costs associated with provision of the universal service and the relevant revenues. Relevant revenues are the direct and indirect revenues generated by the universal service.
3. The net cost of any special price-scheme offers made by an operator to certain categories of subscribers to ensure their access to the universal service shall be deducted from that operator's contribution to the universal service fund.
4. The calculation of the net cost of the universal service obligations shall be submitted for auditing by an entity that is unconnected with the body responsible for managing the fund. The result of the net cost calculation and the audit conclusions shall be made publicly available.

Article 20:**Funding of universal access/service**

1. Funding and subsidies must be targeted, and are to be determined and delivered in a manner that is transparent, non-discriminatory, inexpensive and competitively neutral.
2. Subsidies can be provided using several means, including:
 - a) a universal service fund, which should be developed as a mechanism within a broader market-oriented approach to achieving universal access;
 - b) universal service funds can be financed by a broad range of market players, managed by neutral bodies such as regulators, and be used to kick-start public access projects that meet the needs of the local community;
 - c) governments may also consider a full range of other financing mechanisms;
 - d) competitive minimum subsidy auctions could be used, as an option, to reduce the amount of financing necessary for public access projects financed by a universal service fund;
 - e) public access projects can be designed to achieve long-term financial self-sustainability, especially where consideration is given to innovative low-cost technologies.

CHAPTER VI:**FINAL PROVISIONS****Article 21:****Time-frames for transposition**

1. Member States shall take all necessary steps to adapt their national sectoral legislation to this Supplementary Act no later than two years following the date of its entry into force. They shall inform the Commission of those steps immediately.
2. The legal texts agreed to shall contain a reference to this Supplementary Act or shall have such a reference attached to them when they are officially published.

Article 22:**Implementation**

1. When, based on this Supplementary Act, national regulatory authorities take decisions that are liable to have an impact on exchanges between Member States and on the establishment of the common market and concern implementation of the universal service development policy, Member States shall ensure that the measures and substantiating arguments are communicated to the Commission one month prior to their implementation.
2. The national regulatory authority shall take into consideration the observations of the Commission.
3. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the national regulatory authority that they are incompatible with this Supplementary Act.
4. Under exceptional circumstances, where the national regulatory authority considers it urgent to take action to safeguard competition and protect users' interests, it may adopt proportionate measures immediately, applicable for a limited period only. Those measures shall be communicated without delay to the Commission for comment.
5. When Member States adopt transposition measures for this Supplementary Act, they shall ensure that the planned measures along with substantiating arguments are communicated to the Commission one month prior to implementation of the measures.
6. Member States shall take into consideration the observations of the Commission. The measures shall take effect one month after the date on which they were communicated, unless the Commission informs the Member States that the measures proposed are incompatible with this Supplementary Act.
7. Member States shall communicate to the Commission any provisions of domestic law which they adopt in the field governed by this Supplementary Act.

**Article 23:
Information report**

Member States shall, no later than six months following the date of entry into force of this Supplementary Act, communicate to the Commission the steps taken or which are in the course of approval or implementation for the purpose of implementing this Supplementary Act.

**Article 24:
Publication**

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 Authority. It shall also be published by each Member State in its National Gazette within the same time frame.

**Article 25:
Entry into force**

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory States and ECOWAS Institutions pledge to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed to the ECOWAS Treaty of which it is an integral part.

**Article 26:
Depositary Authority**

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

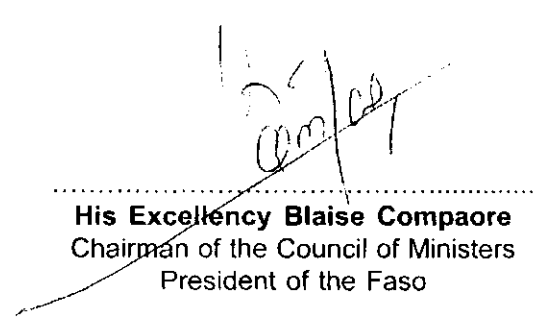
**IN WITNESS WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC
COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT**

DONE AT OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007

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

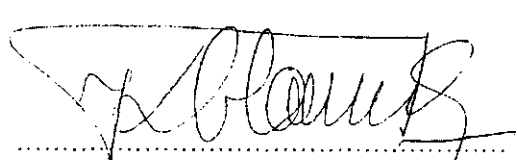


.....
His Excellency Thomas Boni Yayi
President of the Republic of Benin



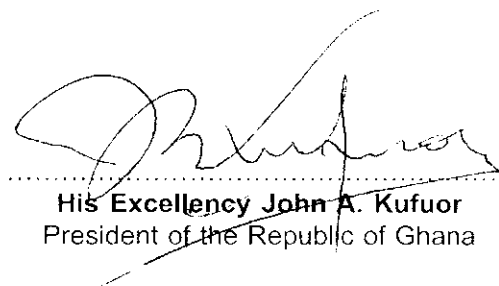
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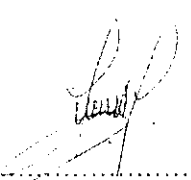

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President of the Republic of Ghana

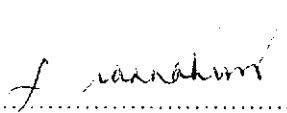

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Hon. Sidibe Fatoumata KABA
Minister of International Cooperation
For and on behalf of the President
of the Republic of Guinea

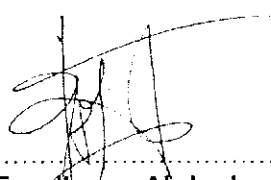

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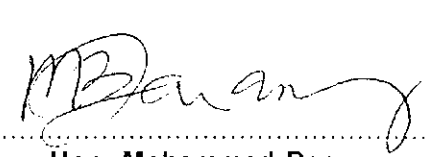

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President of the Republic of Liberia

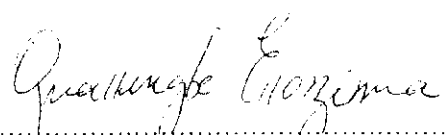

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His Excellency Faure Essozimna Gnassingbe
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SUPPLEMENTARY ACT A/SA.7/01/07 RELATING TO THE ADOPTION OF THE AMENDED VERSION OF THE ECOWAS ANTHEM AND THE HARMONIZED LYRICS IN THE FRENCH AND ENGLISH LANGUAGES

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 Decision A/DEC.2/5/2000 adopting the ECOWAS Anthem;

MINDFUL of the recommendation of the 55th Session of the Council of Ministers held in Niamey in January 2005 requesting the Executive Secretariat (Commission) to harmonize the French & English lyrics of the ECOWAS Anthem;

ON THE PROPOSAL of the meetings of the Panel of Experts in literature, Music, and linguistics, which took place in Dakar and Abuja from 2nd to 5th August 2006 and 31st September to 1st October, 2006 respectively, relating to the harmonization of the English and French Lyrics of the ECOWAS anthem.

ALSO ON THE RECOMMENDATION of the Council of Ministers held in Ouagadougou 18 and 19 December, 2006.

AGREE AS FOLLOWS:

ARTICLE 1

The amended version of the ECOWAS anthem is

hereby adopted. The musical scores are attached as annex 1 to this Supplementary Act.

ARTICLE 2

The harmonized French and English lyrics of the anthem are also hereby adopted and attached as annex 2 to this Supplementary Act.

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 Authority. It shall also be published by each Member State in its Official Gazette within the same time frame.

ARTICLE 4

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

ARTICLE 5

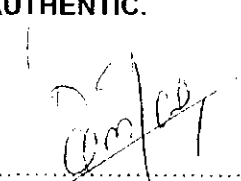
This Supplementary Act shall be deposited with the Commission which shall transmit certified true copies thereof to all Member States and shall register it with the African Union, the United Nations and such other organizations as Council may determine.

**IN WITNESS WHEREOF,
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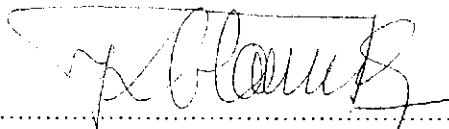
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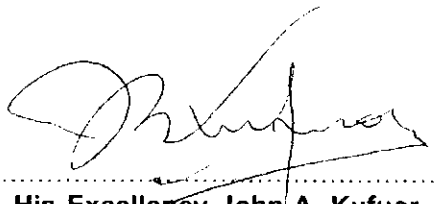

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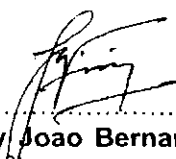
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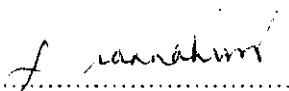

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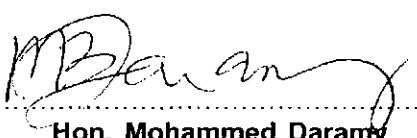

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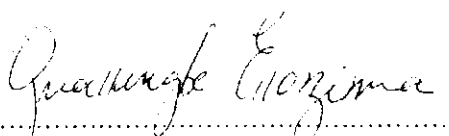

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ECOWAS ANTHEM

1.

*West African States, of historic solidarity,
Come, unite and built a buoyant Economic Community!
Free from the bondage of the past,
Rich, strong our new bond ever shall last!
It is no mystery,
We will make history.
From the ocean, to rain forests and the Savannahs;
Working hand in hand,
Each and every land,
We shall progress happily in ECOWAS§*

2.

*Peace and unity and social justice everywhere,
Cultural integration and liberty we declare!
Together, with our resources and might,
We will keep our health, wealth and future all bright!
It is no mystery,
We have made history.
From the sea shores to the desert, through the Savannahs:
Each and every land,
All will, hand in hand,
Ever progress happily in ECOWAS!*

**SUPPLEMENTARY ACT A/SA.8/01/07 ADOPTING
THE ECOWAS POLICY ON DISASTER
REDUCTION****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 29 of the said Treaty relating to the environment, which commits member States to cooperate in the event of natural disasters, adopt policies, strategies and programmes at national and regional levels and establish appropriate institutions to protect and enhance the environment;

MINDFUL of Article 3, paragraphs (f) and (j) of the Protocol relating to the Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security, which set for ECOWAS the objective, among others, of creating implementing institutions for appropriate policies capable of facilitating the coordination of humanitarian and rescue missions as well as adopting environmental protection and rehabilitation measures;

RECALLING the achievements of the International Decade for Natural Disaster Reduction (1990 – 2000);

RECALLING further the Yokohama International Strategy for Disaster reduction (ISDR) launched in 2000;

RECALLING also the "Hyogo Framework of Action 2005 – 2015", which defines the orientations and the five measures for expanding and deepening local and/or international actions for minimising disaster risks;

TAKING ACCOUNT of the regional initiatives of the African Union in collaboration with the NEPAD Secretariat, which led to the formulation of an African strategy for disaster risk reduction (the African Strategy) with the support of the Secretariat of the United Nations International Strategy for Disaster Reduction and the African Development Bank;

TAKING FURTHER ACCOUNT of the recommendations of the 10th African Ministerial

Meeting on the environment, which led to the endorsement of the "African Strategy";

BEARING IN MIND the recommendations of the African Union Summit held in 2004, which prescribed the formulation of a programme of action for the implementation of the 2005 – 2010 "African Strategy";

CONSIDERING that the operational mandate granted ECOWAS by Article 29 afore-said, empowers it to integrate disaster risk reduction into its sub-regional disaster risk reduction programme and into its sub-regional programme for the reduction of poverty and the promotion of security and sustainable development;

NOTING that in that regard, ECOWAS adopted disaster risk reduction as one of its operational themes and consequently took part in appraisal meetings and seminars on disaster risk reduction organised by the UN/ISDR;

CONSIDERING that the fifty-first session of the Council of Ministers held in Accra in 2003 instituted a technical committee, which it charged with defining a mechanism for disaster management and formulating a policy for the reduction of such disasters;

DETERMINED to provide the sub-region with a disaster reduction policy;

UPON THE RECOMMENDATION of the fifty-seventh session of the Council of Ministers, held in Ouagadougou from 18 to 19 December 2006;

AGREE AS FOLLOWS:**ARTICLE 1**

The ECOWAS Policy on Disaster Reduction, attached hereto, is hereby adopted.

ARTICLE 2

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 also be published within the same time frame by each Member State in its National Gazette.

ARTICLE 3

1. This Supplementary Act shall enter into force upon its publication. Consequently, member signatory States and ECOWAS Institutions pledge to commence the implementation of its provisions on 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 4

This Supplementary Act shall be deposited with the Commission, which shall submit certified true copies thereof to all the Member States, and shall register the Supplementary Act with the African Union, the United Nations Organisation and with any organisation as may be determined by Council.

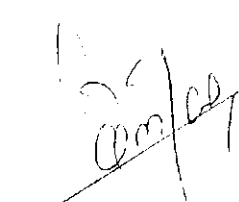
IN WITNESS WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT

DONE AT OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007


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



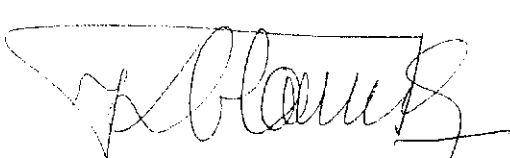
.....
His Excellency Thomas Boni Yayi
President of the Republic of Benin




.....
His Excellency Blaise Compaore
Chairman of the Council of Ministers
President of the Faso



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President of the Republic of Cabo Verde



.....
His Excellency Laurent Gbagbo
President of the Republic of Cote D'Ivoire



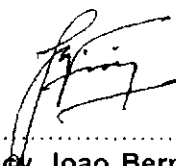
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President of the Republic of The Gambia



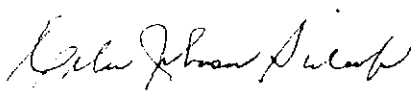
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His Excellency John A. Kufuor
President of the Republic of Ghana



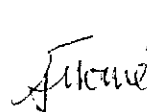
Hon. Sidibe Fatoumata KABA
Minister of International Cooperation
For and on behalf of the President
of the Republic of Guinea



His Excellency Joao Bernardo Vieira
President of the Republic of Guinea Bissau



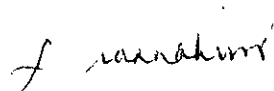
Her Excellency Ellen Johnson-Sirleaf
President of the Republic of Liberia



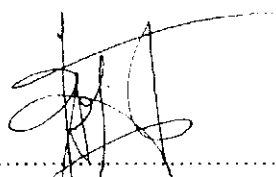
His Excellency Toumani Toure
President of the Republic of Mali



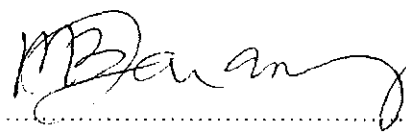
His Excellency Mamadou Tandja
President of the Republic of Niger



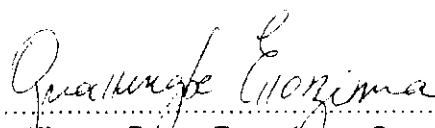
His Excellency Olusegun Obasanjo
President, Commander in Chief of the Armed
Forces of the Federal Republic of Nigeria



His Excellency Abdoulaye Wade
President of the Republic of Senegal



Hon. Mohammed Daramy
Minister of Development and Economic
Planning, for and on behalf of the President
of the Republic of Sierra Leone



His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

Annexe

**Thirty-first Ordinary Summit of the
Authority of Heads of State and Government**

**ECOWAS POLICY FOR
DISASTER RISK REDUCTION**

**ECOWAS COMMISSION,
OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007**

ABBREVIATIONS AND ACRONYMS

ACMAD	African Centre of Meteorological Applications for Development
AMCEN	African Ministerial Conference on the Environment
AU	The African Union
DES-PADS	Deputy Executive Secretary - Political Affairs, Defence and Security
DM	Disaster Management
DHA	Department of Humanitarian Affairs
DMOs	Disaster Management Organisation
ECOMOG	ECOWAS Ceasefire Monitoring Group
EEERT ECOWAS	Emergency Response Team
EPF ECOWAS	Peace Fund
IACPs	Inter Agency Contingency Plans
ECOWAP	ECOWAS Agricultural Policy
ECOWAS	Economic Community of West African States
HFA	Hyogo Framework for Action
HIV/AIDS	Human Immuno Virus/Acquired Immune Deficiency Syndrome
IDPs	International Development Partners
ISDR	International Strategy for Disaster Reduction
NEPAD	New Partnership for African Development
OCHA	Office for the Coordination of Humanitarian Affairs
OMC	Observation and Monitoring Centre
PADEP	Peace and Development Programme
PRSPs	Poverty Reduction Strategy Papers
SEAF	Special Emergency Assistance Fund
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	United Nations International Children Educational Fund
UNHCR	United Nations High Commission for Refugees
UN/ISDR	United Nations Inter-Agency Secretariat of ISDR
WSSD	World Summit on Sustainable Development

EXECUTIVE SUMMARY

In general, disasters triggered by natural hazard event have increased in occurrence and severity in the sub-region, particularly the Sahelian zone, since the last three decades. Furthermore, disasters and conflict are linked and are mutually reinforcing. Consequently, the increasing interest of ECOWAS in disaster risk reduction has mainly been driven by efforts to fulfil its peace and security mandate, including the management of humanitarian outcomes of conflicts. The focused attention on disaster issues culminated in the establishment of disaster reduction as an operational theme. The ECOWAS Council of Ministers 51st Session in December 2003 in Accra established a Technical Committee on Disaster Management to recommend ways to operationalize a disaster prevention and reduction capacity.

This Policy document is presented in two parts. Part I provides the background to the Policy in an

introduction, a summary of reviews of disaster management practise and capacities in West Africa, including key challenges, and, justification for the policy for disaster risk reduction for West Africa. Part II covers the policy vision, statement, objectives, scope and principles, in addition to the focus areas, strategies and priorities for action under the policy.

The key principles of the policy include: (a) playing a catalytic role in enhancing self-protection by people and communities, (b) providing material, financial and other emergency management assistance to member states, and (c) adopting multi-stakeholder participatory approaches that are gender and cultural sensitive.

The objectives of the Policy are to:

- advocate for and raising awareness on disaster risk reduction
- integrate disaster risk reduction into development policies, planning and programmes.
- develop and strengthen institutions, mechanisms and capacities to build resilience to hazards
- incorporate risk reduction approaches in emergency preparedness, rehabilitation and recovery

- enhance the contribution of the disaster reduction to peace and security of the sub-region.

The Policy focuses on reducing disaster risk through development interventions by looking at reducing risk as a development challenge. Hence, the recommendations cover actions in sustainable development aimed at strengthening the sub-region capacity for disaster risk management. The Policy addresses disasters triggered by natural hazards that may be exacerbated by conflict but will not contain explicit interventions on conflicts.

Priorities for actions under the Policy include:

- supporting development and sub-regional networking of national platforms for disaster reduction
- promoting expansion of the various early warning system in operation and facilitating their coordination and harmonisation
- supporting public awareness and advocacy of disaster reduction
- integrating disaster risk reduction principles in the harmonisation programme and Agriculture Policy of ECOWAS and in national development policies
- developing sub-regional disaster response capability based on the ECOWAS Standby Force and the ECOWAS Emergency Response Team (EERT)

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1. Introduction

Disasters arise from the interaction of hazard with vulnerability. In West Africa, several natural hazards constitute disaster threats. These include geological events (such as earthquakes), hydro meteorological phenomena (such as flood, drought and windstorms) and biological factors (such as disease epidemics). Due to the high vulnerability of individuals and communities, the occurrence of these natural hazards often results in disasters that destroy life, property and the environment and undermine West Africa's development. Disasters also jeopardise achievement of the Millennium Development Goals and slow down the process towards sustainable development. However, efforts are underway at all levels to address the problem.

At the international level, the International Decade for Natural Disaster Reduction (1990 - 1999), Yokohama Strategy for a Safer World and the International Strategy for Disaster Reduction (ISDR) launched in 2000 focused global attention on the need to address the issue of disaster reduction. The 2000 World Summit on Sustainable Development (WSSD) addressed disaster reduction as a key issue of sustainable development. Consequently, the Hyogo Framework for Action 2005 - 2015 provides strategic directions and set five areas of priority for further expanding, deepening and strengthening local, national, regional and international actions to reduce disaster risks.

At the regional level, the African Union has, together with the NEPAD Secretariat, developed the African Regional Strategy for Disaster (the African strategy), with the support of the UN Inter-agency Secretariat of ISDR (UN/ISDR), in cooperation with the United Nations Development Programme (UNDP) and the African Development Bank. The Strategy was endorsed by the 10th Meeting of Africa Ministerial Conference on the Environment (AMCEN) and was favourably noted by the 2004 African Union Summit which called for the formulation of the Programme of Action for the Implementation of the Africa Strategy (2005-2010). Implementation of the strategy rests at the sub-regional and national levels.

The organization mandate and programme mix of ECOWAS allow its Secretariat to coordinate the development of a sub-regional strategy and programme that integrates disaster risk reduction into the sub-regional poverty reduction, security and sustainable development agenda. Articles 22 and 29 of the Revised Treaty of ECOWAS provided for cooperation by members to strengthen existing institutions to manage natural calamities, provide food aid in the event of serious food shortage and to establish early warning systems. The Protocol

Relating to the Mechanism for conflict Prevention, Management, Resolution, Peacekeeping and Security mandated the development of effective policies that will help alleviate the suffering of the population and restore life to normalcy after complex humanitarian emergency and disasters.

Consequently, over the last couple of years, ECOWAS has increasingly focused its attention on disaster issues culminating in the establishment of disaster risk reduction as an operational theme. The Secretariat participated in reviews of disaster risk reduction by the UN/ISDR in 2002, for the Africa Strategy in 2003 and in some workshops. Then, the ECOWAS Council of Ministers 51st Session in December 2003 in Accra established a Technical committee on Disaster Management to recommend ways to operationalize a disaster prevention and reduction capacity. A meeting of the Committee in March 2005 outlined the scope of the ECOWAS mechanism for disaster management into this Policy.

2. Review of disaster reduction and management in West Africa; status and major challenges

2.1. The disaster problem in West Africa

Disasters triggered by natural events have increased in occurrence and severity in the sub-region, particularly the Sahelian zone, since the last decades. However, both the incidence of droughts and the number of people affected have declined. Other significant hazards include diseases, pest (particularly locust invasions), deforestation, forest degradation, flooding, sea erosion, sea level rise, coastal wetlands degradation, invasive alien species, and wildland fire. Lower and more variable rainfall levels during the last three to four decades have contributed to worsening desertification, food security, natural resource degradation and coastal vulnerability. Climate change factors are likely to worsen drought conditions and coastal erosion, change vegetation patterns, and increase tidal waves and storm surges. Large-scale seismic activity is rare but active fault areas experience earthquake swarms involving minor tremors. Other hazards include transportation, industrial and chemical accidents and technological systems failure.

The extent of vulnerability to hazards determines the extent of the impact of disasters. Vulnerability to natural hazards in the sub-region will likely worsen due to several factors, including the high poverty level, negative population and demographic trends, development generated factors, such as inadequate public investment to maintain and enhance resilience, fragile environment, conflict, and HIV/AIDS.

2.2. Status and major challenges of disaster reduction in West Africa

Recent reviewsⁱⁱⁱ done by the UN/ISDR have identified gaps in five areas of disaster risk reduction in West Africa.

2.2.1. Prioritizing disaster risk management and developing institutional base

Status: National authorities recognize the need to develop and strengthen institutions required to build resilience to hazards. Consequently, political commitment to disaster risk reduction is increasing in the sub-region. Countries are establishing and developing national platforms for promoting disaster risk reduction in the context development, including Mali, Nigeria and Senegal. The effort in developing the ECOWAS disaster management mechanism with a financing facility is further evidence of this. However, many countries are yet to develop national policies, legislation, or plan for disaster risk reduction. Some countries recognize grassroots disaster volunteers^v and community level structures of civil protection organizations, but national policies and plans have not explicitly focused on either risk reduction or strengthening local coping strategies.

Major challenges: the major challenge is to how to make disaster risk reduction a priority development concern, including strengthening the capacity of the ECOWAS Secretariat to support disaster risk reduction in the sub-region.

2.2.2. Developing and strengthening disaster risk assessment and early warning

Status: Disaster risk assessment is weak in the sub-region: data collection on hazards, particularly small-scale hazards and impacts is not common or systematized, risk indexing is yet to begin, risk maps are generally unavailable and land use capacity maps do not indicate natural hazard risks. Early warning systems covering food security, drought and climatic factors operate in the sub-region^v. However, mechanisms for warnings on desertification and other major hazards are largely undeveloped or are limited to risk surveillance and monitoring. The emerging ECOWAS Peace and Security Observation and Monitoring System is yet to be integrated in disaster early warning systems. National early warning institutions are weakening but improved networking and partnering arrangement with external partners have helped to alleviate the constraint of weak data collection and analysis capabilities. The capacities of several sub-regional institutions^{vi} that provide vital services for risk assessment and early warning need to be strengthened and their output made more people-centered.

Major challenges: (a) promoting the practice of hazard and vulnerability assessment, monitoring and early warning; (b) strengthening all elements of famine and food security early warning systems in operation in the sub-region and harmonizing the various systems; (c) monitoring desertification and climate impacts.

2.2.3. Enhancing use of knowledge and innovation to reduce disaster risks

Status: National information systems are not geared towards generating, analyzing and disseminating information on disasters. There does not exist a sub-regional disaster information clearing house. On the demand side, the capacity within disaster management organizations (DMOs) to analyze available data is often weak. Some countries have made public information more easily available through press pluralism that bodes well for disaster mitigation and response but public access to disaster information is generally inadequate.

ACMAD initiated an innovative approach to disseminating weather information to farmers in the Sahel through solar rechargeable radios but expansion is hampered by the relatively high cost of the radios. Education and training systems do not incorporate instruction in disaster risk reduction while research and analysis on risk behaviours in the sub-region is relatively lacking. Various means are utilized to create public awareness of disaster risk reduction, including official events and the media but the language and mode of media presentations are often not people-centered.

Major challenges: (a) expanding and enhancing generation and dissemination of disaster risk information (b) integrating disaster risk reduction informal and informal education, (c) enhancing research and innovation in disaster management.

2.2.4. Reducing development risk factors

Status: Rain-dependent agrarian and primary-commodity based economies and poverty contribute to the high vulnerability to natural hazards in the sub-region. Countries have pursued pro-poor growth policies but some policies have not enhanced the resilience status of the sub-region while food insecurity persists. The ECOWAP Agriculture Policy (ECOWAS) is aimed at sustainable food security and poverty reduction partly by reducing famine and other disasters triggered by natural hazards through interventions in early warning, hazard management, post-conflict food crises and other areas. National disaster management frameworks also emphasize food security as a requirement for disaster risk reduction through several interventions^{vii}. To further manage

natural hazards and environmental degradation, countries have implemented interventions to protect and better safeguard the natural capital base but many factors, including lack of effective legislation, hamper compliance.

National authorities have developed policies to regulate and ensure integrated land resource use but physical planning and economic planning are not integrated. Consequently, the regulatory framework for land use planning and physical development is weak while compliance with settlement planning and development policies, controls, and standards is low. This is partly because national disaster management policies do not clearly aim to integrate disaster risk reduction in national development policies, planning and implementation processes. Also, many national poverty reduction strategies do not directly link with disaster risk reduction.

Major challenges: These include: (a) improving the design and enforcement of public regulations on physical development; (b) meeting food security challenges with existing drought and desertification management programmes; (c) addressing regional, trans-boundary and emerging risks, such as crop pest infestation, migratory livestock herding, and invasive alien species; (d) coordination and ensuring complementarities between disaster risk reduction and conflict management; (e) expand public-private partnerships; (f) enhance and expand measure for social protection.

2.2.5. Strengthening preparedness and response

Status: preparedness planning involves contingency planning, early warning and evacuation. Countries have developed national contingency and evacuation plans but the quality varies^{viii}. Also, countries are unable to rehearse contingency plans^{ix}. Several countries, including Benin, Burkina Faso, Cote d'Ivoire, Ghana, Guinea Bissau, Mali, Niger and Togo have competed Inter Agency contingency Plans (IACPs) with OCHA, UNHCR, UNICEF and other agencies of the United Nations system to coordinate the assistance of development agencies to national response efforts but the institutional and physical infrastructure for emergency management remains limited. For example, most countries lack central facilities for coordination, command and control response interventions in emergencies. The recent development of a mission control centre for emergency management by Nigeria offers an example of good practice. Early warning systems contribute positively to emergency preparation and response in the sub-region but the integration of early warning into emergency management planning

is limited and, disaster management information systems do not adequately distinguish between localized crises and acute emergency situations.

Developing partners provide humanitarian assistance in times of disasters but are increasingly focusing their assistance on long-term development while the ability of countries in the sub-region to adequately finance disaster response requirements is limited. Logistics problems persist in the management of emergency assistance, targeting commodity distribution can be inadequate, and there are sometimes imbalances between the mix of food and non-food assistance. However increasingly innovative approaches to emergency response linking relief to development are emerging, including cash-for relief, instead of food, small-scale water harvesting, integration of food, health and functional education programmes.

Major challenges: (a) enhancing the capacity for sub-regional emergency response and contingency planning; (b) integrating early warning into disaster management; (c) harmonizing national emergency systems; (d) strengthening interaction between disaster managers and development practitioners; (e) developing voluntarism in emergency managements.

3. Justification for a policy disaster reduction in West Africa

There are several reasons for designing and implementing a common policy for disaster reduction in West Africa, including the following:

- a) Increasing disasters in the sub-region, due partly to increasing vulnerability and emerging hazards, can only be addressed effectively through disaster reduction interventions at both national and sub-regional levels.
- b) There is growing recognition that globally investment in disaster reduction saves far more expenditures on response.
- c) Resources spent on responding to disasters that recur frequently need to be reallocated to development interventions that help reduce the risk of future disasters.
- d) There is the need to utilize post-disasters recover and reconstruction opportunities to reduce disaster risks through risk-sensitive development interventions.
- e) There is a global move towards balancing disaster response with disaster reduction in managing disasters.
- f) Disaster reduction is a development challenge

that should be addressed through development interventions that help prevent and reduce disaster risk.

- g) Countries in the sub-region are developing frameworks for disasters risk reduction; there is the need for a sub-regional policy framework to support national efforts in this direction.
- h) ECOWAS has increasingly focused its attention on disaster issues in accordance with the Revised Treaty; it requires a policy framework for disaster reduction to guide its actions in moving forward.
- i) The policy fulfils mandatory requirements of ECOWAS under the Revised Treaty and the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, peace-keeping and Security.
- j) Regional Economic Communities are required to design disaster reduction policies and programmes under the Africa Strategy for disaster Risk Reduction.

4. The ECOWAS Policy for Disaster Risk Reduction

4.1. Vision

The vision of the Policy is a sub-region of resilient countries and communities in which natural hazards do not negatively impact development and where development processes do not lead to accumulation of disaster risks from natural hazards.

4.2. Policy statement

The policy for disaster reduction of ECOWAS is to facilitate sustainable integration and development of West Africa states through promoting and supporting effective disaster risk management that helps create safer and resilient communities and countries in social, economic and environmental terms.

4.3. Objectives

The objectives of the ECOWAS Policy for Disaster Risk Reduction Policy are to:

- Advocate for and raise awareness on disaster risk reduction
- Integration disaster risk reduction into development policies, planning and programmes
- Development and strengthen institutions, mechanism and capacities to build resilience to hazards

- Incorporate risk reduction approaches in emergency preparedness, rehabilitation and recovery interventions
- Enhance the contribution of disaster reduction to peace, security and sustainable development of the sub-region.

4.4 Scope of the Policy

This document presents the ECOWAS policy framework for disaster risk reduction in the sub-region. The policy would focus on areas of importance to the West African situation under the guidance of the Hyogo Framework for Action.

The Policy focuses on reducing disaster risks through development interventions. Hence, the Policy would look at reducing disaster risks as a development challenge. Recommendation under the Policy would not narrowly focus on disaster management, but cover actions in sustainable development aimed at strengthening the sub-regional capacity for disaster risk management.

Issues of conflict and their humanitarian implications are at the centre of ECOWAS interventions currently and are providing the impetus for developing sub-regional capacities in disaster risk reduction. There exists a two-way relationship between disasters and conflicts: not only do conflicts affect disaster outcomes but type, onset and intensity of conflicts are also influenced by environmental factors and circumstances. Because both natural and conflict disaster situations result in humanitarian crises that undermine individual, country, regional and ecosystem security, both will be addressed in a complementary manner under the peace and security mechanism of ECOWAS. Thus, the Policy will address disasters triggered by natural hazards exacerbated by conflict but will not contain explicit interventions on conflicts, except in areas of collaboration under the EPF Peace and Development Programme (PADEP). Furthermore, achieving the objectives of the Policy will contribute to reduction of conflict.

The Policy is not a detailed prescription or blueprint for national action but it is an expression of agreed principles, objectives, priorities and institutional aspects of developing effective, efficient and sustainable disaster risk management in the sub-region. Consequently, the Policy would not contain details on operational matters or detail descriptions of components of priority actions. The latter would be the covered in two follow-on documents:

- (a) The Mechanism for Disaster Reduction, and
- (b) The Programme of Action for the Implementation of the ECOWAS Policy and Mechanism for Disaster Reduction.

4.5. Principles of the Policy

The Policy will be guided by the following principles:

- 1) Recognizing that effective disaster reduction involves empowering people and local communities to act to protect their lives, property and the environment, ECOWAS will play a catalytic role in enhancing self-protection by promoting adoption of effective coping capacities at the national and local level.
- 2) Mindful of the inter-connectedness of livelihood, technological, political and other threats and hazards, ECOWAS will adopt a multi-hazard approach that addresses small recurrent and localized disasters and large infrequent disasters triggered by natural, technological and other threats.
- 3) In the event that the capabilities and resources of member states are unable to cope with impending, occurring or past disasters, ECOWAS will provide material, financial and other emergency management assistance to member states upon their request to develop emergency preparedness and response activities.
- 4) Aware of the need to utilize existing disaster management capabilities, ECOWAS will address disaster issues by supporting and supplementing local, national and international capacities and efforts in disaster reduction and management.
- 5) Recognizing that the effects of emergencies last after the physical manifestation of hazards end, and recognizing that risk reduction as a key objective of rehabilitation and recovery in policy and in practice, ECOWAS will adopt a continuum, long approach involving the simultaneous delivery of relief, rehabilitation and development services.
- 6) Aware that disaster reduction is not a stand-alone sector but that it requires integrating capacities across stakeholders, ECOWAS will adopt multi-stakeholder participatory approaches, including community and volunteer participation, in designing and implementing programmes and activities under the Policy.
- 7) The Policy will also pay attention to the gender perspective and the cultural diversity of the sub-region.
- 8) The development and implementation of programmes under the Policy will emphasize cost-sharing by all partners.

- 9) To ensure effectiveness of sub-regional disaster management, the Policy will promote support partnerships at three levels:

- (a) Between different role players, including civil society, within countries,
- (b) Among member states, and
- (c) Between countries, ECOWAS and the international community.

- 10) Recognizing the need to ensure sustainability of interventions under the Policy, the Technical Committee and member states will agree on what conditions will trigger the ECOWAS assistance under the Policy and the terms which member nations can access that assistance.

Issues to consider will include: (a) eligibility criteria (b) the quantum of support to be provided under each access, (c) number of times a country can access support under the facility, (d) expected cost-sharing and other complementary inputs by accessing countries.

5. Policy focus areas, strategies and priority actions

The policy comprises five areas of focus and associated strategies and priority actions as follow:

5.1 Focus area 1: Enhancing disaster reduction by making it a development priority with the requisite institutional capacities

Strategy 5.1.1:

Making disaster risk reduction a priority in ECOWAS requires incorporating disaster risk reduction principles in the development agenda and programmes of the Community. To emphasize priority status of disaster reduction in the agenda of ECOWAS, the Authority of the Heads of State and Government will take a Decision to adopt the policy. To further demonstrate strong and committed leadership, the Authority will dedicate a portion of the ECOWAS Peace Fund to financing the Policy and facilitate co-financing of the Policy by all stakeholders.

Priority of Action:

- Promote integration of DRR into the ECOWAS development agenda and programmes, including agreeing a Programme of Action for the Implementation of the Policy.

Strategy 5.1.2:

Committed leadership empowers those at risk to achieve protection from disaster impacts by

discharging its governance responsibilities. A major responsibility is the development of conducive institutional conditions for disaster risk reduction. The Policy will contribute to the development of national framework for disaster risk reduction by promoting the establishment or strengthening of national platforms for disaster risk reduction.

Priorities for Action:

- Support creation, strengthening and sub-regional networking of national platforms for disaster reduction with strong policy, legislation and resource base, and, community and volunteer participation.

Strategy 5.1.3:

Disaster risk reduction systems can play significant catalytic roles in enhancing self-protection by safeguarding and strengthening local coping mechanisms, capacities and institutions. This requires that local survival strategies inform national and sub-regional disaster assistance interventions. The Policy proposes to facilitate strengthening of sub-regional capacity for disaster reduction, including through increased use of local consultants and service providers in the sub-region.

Priorities for Action:

- Develop and strengthen special sub-regional institutions for disaster risk management services
- Develop database on and strengthen disaster risk management capacity, including local expert capacity and coping strategies, in the sub-region, particularly as part of the ECOWAS Emergency Response Team (EERT), and in Africa.

Strategy 5.1.4:

ECOWAS recognizes that it can best meet its responsibilities in humanitarian assistance if it builds the internal capacity to support disaster risk reduction. The Policy will, consequently, focus on progressively enhancing the capacity of the Executive Secretariat in disaster risk reduction, including through institutional structuring, human resource development and technical assistance. A major component of this capacity is a mechanism for concerted sub-regional action to support efforts to reduce disasters in the long run and meet emergency needs in the immediate aftermath of disasters.

Priorities for Action:

- Develop disaster risk reduction capacity of the ECOWAS Secretariat, including creation of a sub-regional Mechanism for Disaster Risk Reduction with a financing facility

5.2. Focus Area 2: Reducing disasters by improving identification, assessment, monitoring and early warning of risks

Strategy 5.2.1:

West Africa is beset with a multitude of hazards and threats; consequently, the risk setting changes frequently. Therefore, reducing disasters effectively requires a multiple risk approach underpinned by comprehensive and continuous monitoring of hazard and vulnerability threats. Such a monitoring system has to foster understanding of disaster risk trends and be useful for normal development planning and for disaster early warning during times of crises. It should also contribute to learning, adaptation and accountability. The Policy will support the development of standard risk assessment and monitoring instruments based on participatory approaches for the sub-region. It will also achieve this by coordinating agreement on a common set of risk data collection formats and analysis methodologies, indicators and presentation guidelines.

Priorities for Action;

- Promote the understanding and practice of risk identification and assessment, including through development and supporting use of guidelines, standard procedures, operational manuals, handbooks, maps, training modules and similar tools;

Strategy 5.2.2:

The policy will also support strengthening of the technological capacities for risk data collection, storage and exchange. In addition, it will develop the seasonal climate outlook forums scheme as a useful model for seasonal forecasting of climate-related hazards, and, strengthen sub-regional disaster management service institutions.

Priorities for Action:

- support strengthening hazard monitoring capacities, particularly:
- disaster risk information capacity, including national statistical records, collection and management
- development of systems of indicators of disaster risk and vulnerability at national and sub-regional levels
- the technological base (equipment and systems) for risk surveillance and monitoring
- regional disaster management service institutions;

Strategy 5.2.3:

For risk reduction to be effective, improved risk knowledge and strengthened technical monitoring need to feed into people-centered systems^x. This will ensure timely and accurate dissemination of informative et comprehensible warnings and other information on all hazards targeted at those at risk. This depends on strengthening the institutional base of warnings. Consequently, the policy will facilitate balanced and coordinated development of the major international drought and food security warning systems in operation in the sub-region, emphasizing the dissemination and preparedness elements. The policy will also support interventions to directly link risk assessment process and early warning systems, and, to develop risk databases, including indicators of complex humanitarian emergencies.

Priorities for Action:

- promote understanding of the concept of and requirements for early warning, involving risks knowledge, technical monitoring and warning service, dissemination and preparedness;
- promote expansion of the scope of hazards coverage, timeliness of warnings, accessibility to people of various early warning systems in operation and facilitating their coordination and harmonization.
- develop gender-sensitive disaster and humanitarian indicators for integration in the early warning system of the ECOWAS Observation and Monitoring Centre (OMC) and in the PADEP.

5.3 Focus Area 3: Building safe and resilient societies by enhancing the use of knowledge**Strategy 5.3.1:**

The policy believes that disasters can be substantially reduced if people are well informed, guided and motivated to develop a culture of disaster prevention and resilience through improved access to knowledge, information and communication on disaster risk reduction. This requires the development and strengthening of capacities to transform risk information and knowledge (from education, training and tradition) into sound disaster risk reduction judgment and action at all levels. The policy will adopt various approaches to help enhance public awareness of disaster reduction including: (a) supporting increased interactions between disaster managers and the public through the media, (b) promoting integration of disaster education in formal and non-formal education systems, and, (c) disseminating good practices.

Priorities for Action:

- support public awareness and advocacy of disaster reduction

Strategy 5.3.2:

To further help enhance access to information and expand information dissemination, the Policy will support a pilot regional disaster risk reduction information service based on networking of national information services and the general strengthening of public communication mechanism.

The policy will promote public-private partnerships that increase the availability and adaptive use of modern information and communication technologies, including space technology and geographical information system, for disaster reduction. These partnerships will stress the integration of these modern technologies with local and traditional modes.

Priorities for Action:

- develop and strengthen disaster information systems and networks, including development of pilot sub-regional disaster information
- develop disaster education, training, research and technology programmes

Strategy 5.3.3:

To enhance research and innovation in disaster reduction, support for the development of training programmes in disaster reduction will be tied to the strengthening of sub-regional disaster service institutions under the policy. Priority issues to research include: the risk, implications of development interventions, cost-benefit of disaster risk reduction interventions, development constraints to disaster risk reduction, prospects for risk sharing instruments as disaster management tools, and climate change effect in West Africa.

Priorities for Action:

- support programmes to monitor and review national progress in disaster risk management, including undertaking and publishing sub-regional and national baseline assessments

5.4 Focus Area 4: Reducing underlying risk factors by addressing priority development concerns through disaster reduction interventions**Strategy 5.4.1:**

Reducing risk factors require mainstreaming disaster risk reduction in development policies, planning and implementation. This should start with a fundamental attitudinal change: both development and disaster communities need to recognize that disaster risk reduction is a development challenge. Meeting this challenge depends on promoting risk-

sensitive development and development-oriented risk reduction. Towards this end, Policy interventions in Focus Area 3 above to enhance dialogue and collaboration between disaster management practitioners, and development policy makers and planners will directly contribute to mainstreaming disaster risk reduction in development.

Priorities for Action:

- Integrate disaster risk reduction principles in the economic and financial policy harmonizing programme of ECOWAS and national development policies

Strategy 5.4.2:

In addition, the Policy will promote the integration of disaster reduction in national sustainable development strategies, as the PRSP and UNDAF. Also, the Policy will be coordinated with the ECOWAS to facilitate achievement of food security, stable agricultural incomes and integrated land and water management. Given the very strong linkages between the environment, vulnerability and poverty in Africa, the Policy will encourage the integrated and sustainable use and management of environment and natural resources, including management of effects of climate variability and change.

Priorities for Action:

- promote integration of disaster reduction in the implementation of the ECOWAS Agriculture policy, emphasizing gender aspects, to ensure food security for resilience
- support integration of disaster reduction strategies with climate adaptation, particularly drought management and desertification control
- facilitate sustainable ecosystems and environmental management

Strategy 5.4.3:

The Policy will emphasize disaster risk reduction through interventions to address sources of vulnerability including the major health challenges in the sub-region. Epidemics of malaria and communicable diseases such as HIV/AIDS, cholera and cerebrospinal meningitis (CSM) either constitute, or predispose people to, disaster. Also, disaster from natural hazards can create favourable environmental and other conditions for disease epidemic. Consequently, the Policy will support mainstreaming disaster risk reduction in health interventions and promote utilization of the health and human resources development programmes of ECOWAS to address the complex factors driving these health challenges in the sub-region.

Priorities for Action:

- support mainstreaming of disaster risk reduction into health sector development interventions.

Strategy 5.4.4:

It is essential that physical planning integrates socio-economic and spatial planning to promote sustainable land use. Settlement development, critical infrastructure protection, and public safety. The Policy will encourage national authorities to strengthen regulatory interventions, provide incentive to those who apply such measures, and, show the way through demonstration of good practice. In addition, the policy will work with construction of professional associations to promote increased compliance by their members with these standards and codes while encouraging the private sector and other role players to ensure universal compliance.

Priorities for Action:

- collaborate with appropriate authorities and groups to enhance public regulation on land use, physical development and infrastructure protection

Strategy 5.4.5:

Financial tools endow individuals and communities with the financial wherewithal to strengthen their prevention and coping capabilities. The Policy will encourage initiatives that promote effective financial intermediation to widen access to affordable financing, and risk spreading and transfer, such as through micro-finance and insurance schemes.

Priorities for Action:

- support identification of viable financial instruments for disaster risk reduction

5.5 Focus Area 5: Improving effectiveness of response through stronger disaster preparedness

Strategy 5.5.1:

Enhancing response through more effective preparedness requires developing strong and efficient response preparedness with disaster risk reduction focus. Disaster management can be strengthened and re-oriented towards the disaster risk reduction approach by ensuring complementarities between disaster mitigation and disaster response. The Policy will linkage between hazard risk management, response capability and long-term recovery by supporting measures to strengthen preparedness for effective response. Ensuring this linkage also requires integration of disaster risk reduction into post-disaster relief, rehabilitation and reconstruction processes through risk-reducing interventions during the response phase.

Priorities for Action:

- support strengthening of national disaster response capacities and their re-orientation towards a disaster risk management focus
- develop programmes for information sharing and cooperation between disaster managers and the development community

Strategy 5.5.2

Minimizing the divergence between emergency management and development requires adequate and prompt financing of post-disaster development activities. Integrating emergency management and development also depends on local capacity of national disaster authorities to manage comprehensive recovery programme involving rehabilitation and reconstruction with international assistance. The Policy will adopt and encourage strategies that develop response capacity and balance immediate emergency needs with measures to bridge the relief-rehabilitation gap. A key ECOWAS tool for fostering post-disaster development is the Peace and Development Programme (PADEP) of the ECOWAS Peace Fund (EPF).

The policy will promote integrated post-disaster development by supporting implementation of gender-sensitive interventions under or linked to PADEP, particularly those that promote economic recovery of local economies in post-emergency periods. The Policy will also strengthen the process of developing zonal bureaus for emergency monitoring by implementing recovery and rehabilitation interventions through the bureaus.

Priorities for Action:

- enhance sub-regional contingency planning through preparation of a Sub-regional Emergency Management Plan that links the disaster mechanism to relevant programmes such as the OMC and PADEP.

Strategy 5.5.3:

The ability of member States to respond effectively to disasters depends on their internal response capabilities, both civil and non-civilian, and the ability to rapidly deploy such response mechanisms in emergencies before external assistance arrives. A crucial component of this internal response capacity is the complement of trained civilian experts, including volunteers, in relevant multi-disciplinary fields of humanitarian assistance management who are located in situ in member States and are available for rapid deployment, either alone or together with security and agencies, in times of emergencies. Thus a key strategy will be to nurture the spirit of volunteerism, particularly from civil society at community levels, and to support development of effective civilian-military

cooperation in emergency management. The existence of such capability in member States will facilitate sub-regional coordination of emergency response interventions.

A key tool for achieving these objectives is the planned ECOWAS Emergency Response Team (EERT) which will constitute civil deployment along emergency and peacekeeping missions. The EERT will be used to develop capabilities of first responders to emergencies (such as the fire, police, military and medical services) at the national level. The EERT will also provide the basis for national emergency planning and for coordinating sub-regional response, particularly to managing cross-border emergencies.

Consequently, the Policy will promote development of the EERT and its integration in the both disaster emergency and peace support operations of ECOWAS.

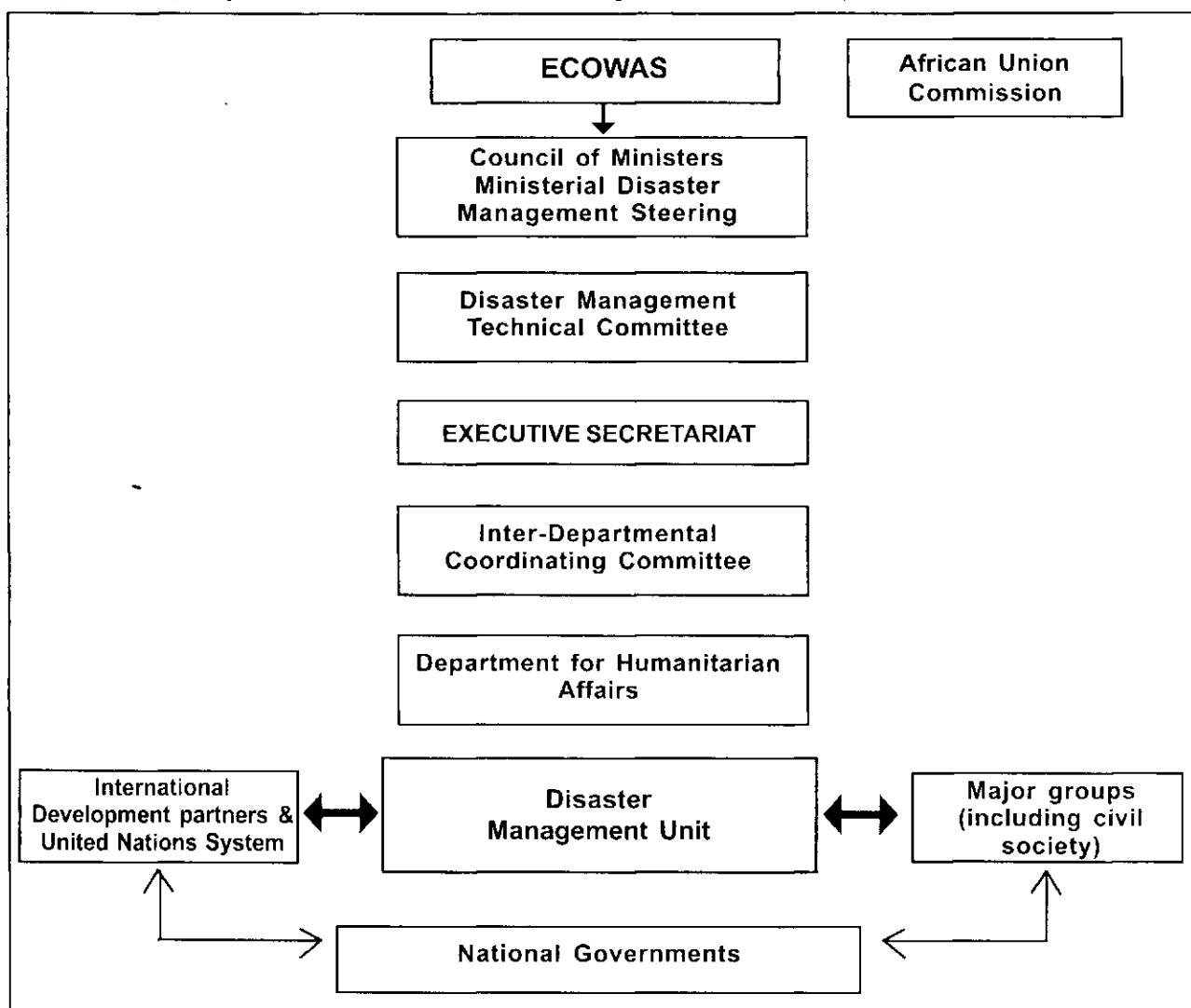
Priorities for Action:

- develop sub-regional disaster response capability, including the EERT, as part of the sub-regional mechanism for disaster management
- coordinate and support review and rehearsal of sub-regional preparedness and contingency plans for major hazards

6. Operational arrangements for implementing the Policy**6.1. Implementing structures****6.1.1. Existing institutions and structures**

Various institutional actors have key roles to play in implementing the Policy. These are:

- ECOWAS Council of ministers
- ECOWAS Disaster Management Technical Committee
- ECOWAS Executive Secretariat
- National Governments
- Major groups, including civil society, private sector and the scientific community
- African Union Commission
- National Governments, including National Platform for Disaster Risk and national chapters of the ECOWAS Emergency Response Team
- United Nations System
- International Development partners

Figure 1: *Organogram of structures for implementing the ECOWAS Policy for Disaster Risk Reduction*

6.1.2. *Proposed new structures*

All the above institutions and structures already exist but, to ensure effective management of the Policy, three new structures will be created within ECOWAS. These are as follows:

- a) A committee of ECOWAS Council of Ministers to be called the Ministerial Disaster Management Steering committee;
- b) An Inter-Departmental Coordinating committee within the ECOWAS Secretariat to be composed of Directors of the Departments of Humanitarian Affairs, Defence and Security, Observation and Monitoring Center (OMC), Political Affairs, Agriculture and Environment, and Human Resource Development. The Committee will be coordinated out of the office of the Deputy Executive Secretary for Political Affairs, Defence and Security (DES-PADS);
- c) A Disaster Management Unit within the Humanitarian Affairs Department of the ECOWAS Secretariat.

The links between all these structures is shown in an organogram in **figure 1**.

6.2 *Implementation responsibilities and functions*

The respective responsibilities of the key structures in implementing the Policy are as follows:

6.2.1. *ECOWAS*

6.2.2. *ECOWAS Ministerial Disaster Management Steering Committee*

- a) Provide overall oversight of the Policy.
- b) Act on behalf of and report to the Council of ministers.

Reduction

6.2.3. *ECOWAS Disaster Management Technical Committee*

- a) Provide technical oversight of the Policy;
- b) Provide consultations platform for the review of the Policy;
- c) Report to the Council of Ministers.

6.2.4. *ECOWAS Executive Secretariat*

- a) Coordinate the implementation of the Policy within ECOWAS, between ECOWAS and member states and between ECOWAS and other Regional Economic Communities (RECs), the African Union Commission and International Development partners;
- b) Provide guidance on implementation of the Policy to states;

- c) Coordinate states initiatives under the Policy at the sub-regional level;
- d) Facilitate provision of vital sub-regional information services for disaster risk reduction, such as early warning and research that support disaster management;
- e) Facilitate and coordinate sub-regional financial resource mobilization to supplement national efforts;
- f) Facilitate, support and coordinate sub-regional capacity development initiatives under the Policy;
- g) Development of sub-regional and national indicators and prepare period reporting on progress towards achieving the Africa Regional Strategy for the Disaster Risk Reduction objectives to assist countries measure their progress towards achieving Millennium Development Goals (MDGs).

These responsibilities of the Executive Secretariat will be met through the functions of the Inter Departmental Coordinating Committee and the Disaster Management Unit as indicated below.

6.2.5. *Inter-Departmental Coordinating Committee*

- a) Coordinate operational programmes of ECOWAS Departments that bear on disaster reduction particularly those of Agriculture and Environment, Human Development, Infrastructure and Industry, Defence and Security, and, OMC;
- b) Provide management oversight of ECOWAS response actions under the Policy during regional disasters and national disasters with sub-regional impacts;
- c) Recommend initiation of sub-regional emergency management procedures during emergencies to the Executive Secretary;
- d) Promote incorporation of disaster risk reduction approaches in ECOWAS programmes;
- e) Report to the Deputy Executive Secretary for Political Affairs, Defence and Security (DES-PADS).

6.2.6. *Disaster Management Unit*

- a) Facilitate incorporation of disaster risk reduction approaches in ongoing thematic ECOWAS programmes;
- b) Provide secretarial and other support services to the inter-Department Coordinating Committee;
- c) Support coordination and harmonization of national disaster risk reduction practices and

- capacities based on a framework for inter-country cooperation in disaster operations;
- d) Initiate and coordinate financial resource mobilization to support activities under the Policy;
- e) Support capacity building at the national level in disaster risk reduction and management;
- f) Operate as a central point of call for emergency assistance to states in the sub-region;
- g) Process requests from member states for emergency assistance under the Policy for review by the Inter-Department Coordination committee;
- h) Coordinate multi-country disaster assistance requests to international development partners in cases of multi-country disasters or national disasters with sub-regional impact;
- i) Undertake joint risk assessment and disaster management information in the sub-region;
- j) Operate as a clearing house of disaster management information in the sub-region;
- k) Manage sub-regional monitoring of disaster reduction interventions at country level.

6.2.7. National Governments

- a) Exercise primary responsibility for implementing the Policy at national and community levels;
- b) Create conducive environment for disaster reduction interventions all local and national levels;
- c) Provide strategic guidance to major groups and partners in implementing disaster reduction initiatives;
- d) Monitor implementation of the Policy at local and national levels.

6.2.8. Major Groups

- a) Participate in developing the Policy;
- b) Partner governments to design and implement disaster risk reduction initiatives at local, national and sub-regional levels.

6.2.9. The African Union (AU) commission

- a) Provide guidance on sub-regional implementation of regional initiatives in disaster risk reduction;
- b) Coordinate implementation of the Policy with the ARSDRR, other sub-regional strategies and international frameworks;

- c) Facilitate and manage ECOWAS access to financing under the Special Emergency Assistance Fund (SEAF) for sub-regional emergencies;
- d) Coordinate sub-regional impact into regional reporting on progress in achieving the ARSDRR and HFA objectives.

6.2.10. International development partners

- a) Provide assistance and resources for sub-regional initiatives;
- b) Encourage increased commitment from national leaders for disaster risk reduction;
- c) Advocate for support for sub-regional disaster reduction programmes at international level;
- d) Support integrated and coordinated disaster reduction by harmonizing their assistance for disaster management at the country level.

6.2.11. The United nations and its programmes and specialized agencies

- a) Incorporate the Policy in country development assistance programming;
- b) Provide assistance and resources for sub-regional initiatives in disaster reduction;
- c) Develop global and regional indicators and prepare periodic reporting on progress towards achieving the Hyogo Framework objectives to assist countries and ECOWAS measures their progress.

7.0. Financing the Policy

7.1. Sources of financing

Experience has shown that inadequate financial resources undermine the efficient and sustainable operation of disaster management mechanism, particularly during emergencies. Consequently, the Policy establishes a disaster management window under the ECOWAS Peace Fund to provide core financial resources for implementing its programmes and activities. Thus, the fund would serve as a principal source of financing the Policy and as seed funding to attract donor support.

Other sources of financing the Policy will include complementary co-financing of related areas, such as conflict monitoring, desertification and, agriculture and new funding from states, development partners and the private sector. Regarding major groups, the Policy will encourage innovative approaches that allow citizen contribution to risk reduction services. These

include participatory approaches that promote inter-group partnerships implementing the Policy at the national and community levels.

7.2. Resource mobilization and partnership issues

The Policy will pursue an active strategy of resource mobilization and partnerships with role players, particularly the private sector, civil society and international development partners (IDPs). Priority areas for action will include the organization of a forum for IDPs, as part of the process of finalizing the Policy. This Forum will agree on a financing framework for the Policy and reporting arrangements between the ECOWAS Secretariat and IDPs on partner resources. Partnership principles and arrangements for North-South and South-South, as well as intra-ECOWAS cooperation.

8.0 Monitoring and review

Disaster risk reduction policy-making needs to be evidence-based.

Effective tracking of movement towards disaster reduction objectives at community, national and sub-regional levels and beyond depends on monitoring information on disaster risks.

8.1. Institutional responsibilities

The ECOWAS Secretariat, acting through the Disaster Management Unit, is responsible for devising sub-regional indicators for national authorities to report on. These indicators will represent milestones in implementing the Policy and in achieving agreed outcomes and impacts. The Secretariat will report on progress towards achieving the Policy and the objectives of the Africa Regional Strategy for Disaster Risk Reduction to member countries and development partners.

National governments will have primary responsibility for monitoring the Policy at the country level, using participatory approaches. Sub-regional disaster management service institutions will provide scientific and specialized data and information to facilitate identification, assessment and monitoring of hazards.

8.2. Monitoring indicators

At the sub-regional level, several indicators will be utilized to monitor the implementation outcomes, and impact of disaster reduction interventions under the Policy, including the following:

- Adoption of the Policy and its Programme of Action by the Council of Ministers.

- Number of countries with national platforms for disaster risk reduction.
- Availability of financing for emergency assistance under the ECOWAS Peace Fund.
- Number of counties undertaking risk mapping
- Number of countries operating early warning system.
- Extent of public awareness of early warning.
- Number of countries introducing disaster management as part of school curricula.
- Number of research programmes in disaster risk management in sub-regional institutions.
- Number of countries including disaster reduction included in Poverty Reduction Strategy Papers (PRSPs) or other development strategy frameworks.
- Adoption of disaster safe principles by professional associations of engineers.
- Adoption of guidelines for mainstreaming disaster risk reduction in development by national disaster management authorities and major groups.
- Number of countries revising their emergency management plan to include disaster risk reduction principles.
- Number of countries instituting EERT structures.

8.3. Sources of monitoring information

Existing national statistical systems and relevant international database will provide the means to verify evidence on movement towards meeting disaster reduction objectives monitoring formats and protocols to be agreed will be consistent with the Hyogo Framework for Action and feed into monitoring requirements of the African Regional Strategy.

8.4. Country progress reporting arrangements

Countries will report periodically to ECOWAS on progress in implementing the Policy. The Disaster Management Unit and states will agree the scope and frequency of reporting, reporting formats, feedback arrangements and validation procedures.

8.5. Policy review process

It is important that the experience gained from monitoring should inform the management of the Policy through effective learning from monitoring. This would lead to effective review of the Policy. The Policy will be reviewed every five years within established ECOWAS procedures for reviewing its policies.

West Africa accounted for 15 percent of cumulative disaster events in Africa 1975 and 2002 but the number of disasters in the sub-region rose by 94 percent from the 1970s to the 1990s. Already 154 disasters have occurred during the first five years of this decade, compared to 136 during the past two decades.

"Epidemics accounted for 40% of disasters in the sub-region during 1975 to 2003, compared to 20% by flood and drought, and cause most human fatalities and debilitation. However, the most pervasive disasters in terms of the numbers of people affected and disruption to livelihood support systems are those due to flood, drought and famine.

"These include: (1) the global review of the International Strategy for Disaster Reduction Risk (ISDR) in 2002; (2) sub-regional review of early warning for the Second International Early warning Conference in 2003; (3) review of disaster risk management in Africa for developing the Africa Regional Strategy for Disaster Risk Reduction in 2003; (4) national reporting by some ECOWAS countries for the World conference on Disaster Reduction in 2005.

"Volunteers are persons and institutions that chose to assist in providing disaster management services, are registered in a volunteer's register and trained to be part of emergency management teams at the local levels. Legal frameworks need to cover developing the capacity, command structures, activation and deployment, indemnity and compensation of the volunteers. Major international drought and food security warning systems in the Sub-region are the Famine Early Warning System Information Network (FEWSNET), Food Insecurity and Vulnerability Information and Mapping Systems (FIVIMS), Global Information and Early Warning System on Food and Agriculture (OIEWS).

Vulnerability Analysis and Mapping (VAM) and the Early Warning and Agricultural production Forecast Project (AP3A) of CUSS

"These include the Africa Centre for Meteorological Applications to Development (AGRHYMET), and the Regional Remote Sensing Centre (CRTO), Centre de Suivi Ecologique (CSE) in Senegal, and the Centre for Remote Sensing and Geographical Information Systems (CERGIS).

These include as support for small-holder production, minimization of on-farm risks, land and environmental resource conservation, community productive capacity development, early warning to ensure safety of food stocks. Vulnerability assessment for planning mitigating interventions and relief interventions.

"in terms of coverage of key response interventions scope of national and hazard coverage, integration of sectoral contingency plans, coordination of various role players in emergencies and incorporation of risk-reduction practices in relief assistance.

"Simulation pays off in enhancing response. The authorities the Gambia simulated a transportation disaster in 1999 that revealed critical issues, including: confusion among the actors as to their roles, inadequate materials for response, long-lead time in assembling members of tasks forces, inadequate recognition of the key role of local people, and inadequate public awareness and readiness. When the Jola boat disaster occurred in the Senegal a neighbouring country soon after, the lessons of the simulation became incalculable in shaping the Gambia's response to the disaster.

"Early warning systems should comprise four components for: (a) hazard detection, observation and forecasting, (b) warning formulation, (c) warning dissemination (d) response to warnings.

SUPPLEMENTARY ACT A/SA.9/01/07 AMENDING ARTICLES 1, 3, 6, AND 21 OF THE REVISED 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 Decision A/DEC.4/12/99 transforming the ECOWAS Fund into a Regional Holding Company;

MINDFUL of new Article 21 of the ECOWAS Treaty establishing the ECOWAS Bank for Investment and Development (EBID) and its subsidiaries, namely, the ECOWAS Regional Investment Bank (ERIB) and the ECOWAS Regional Development Fund (ERDF);

MINDFUL of new Article 1 of the ECOWAS Treaty defining EBID, ERIB and ERDF;

MINDFUL of Article 3, new paragraph 2(n), of the ECOWAS Treaty making the establishment of EBID, ERIB and ERDF a first step towards the realisation of the objectives of the Community;

MINDFUL of Article 6, new paragraph 1(g), of the ECOWAS Treaty making EBID, ERIB and ERDF Community institutions;

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

MINDFUL the Supplementary Protocol A/SP1/06/06 amending the revised Treaty;

MINDFUL of Decision A/DEC.3/06/06 reorganising the ECOWAS Bank for Investment and Development Group;

CONSIDERING that the realisation of the objectives of EBID requires that the institution's current organisational structure be modified;

CONVINCED that a reorganised EBID that brings its management under one umbrella and enhances the centralisation of its activities can minimise its operational costs and render its management structures more efficient;

DESIROUS of ensuring that the provisions of Protocols A/P1/12/01 amending Articles 1, 3, 6 and 21 of the revised Treaty and A/P2/12/01 relating to the ECOWAS Bank for Investment and Development are consistent with the provisions on the reorganisation of EBID as prescribed in Decision A/DEC.3/06/06;

AGREE AS FOLLOWS:

ARTICLE 1:

Protocols A/P1/12/01 amending Articles 1, 3, 6 and 21 of the Revised Treaty and A/P2/12/01 relating to the ECOWAS Bank for Investment and Development are hereby repealed.

ARTICLE 2:

Articles 1, 3 paragraph 2(n), 6, paragraph 1(g) and 21 of the ECOWAS Revised Treaty are amended as follows:

New Article 1:

For the purpose of this Treaty:

1. "Arbitration Tribunal" shall mean the Arbitration Tribunal of the Community established under Article 16 of this Treaty;
2. "Authority" shall mean the Authority of Heads of State and Government of the Community established under Article 7 of this Treaty;
3. "Chairman of the Authority" shall mean the current Chairman of the Authority of Heads of State and Government of the Community, elected in accordance with the provisions of Article 8(2) of this Treaty;
4. "Council" shall mean the Council of Ministers of the Community established under Article 10 of this Treaty;
5. "Commission" shall mean the Specialised Technical Commissions established under new Article 22 of this Treaty;
6. "Community" shall mean the Economic Community of West African States referred to under Article 2 of this Treaty;
7. "Community citizen or citizens" shall mean any national(s) of Member States who satisfy the conditions stipulated in the protocol defining Community citizenship;

8. "Court of Justice" shall mean the Court of Justice of the Community established under Article 15 of this Treaty;
9. "Import duties" shall mean customs duties and taxes of equivalent effect, levied on goods by virtue of their importation;
10. "President of the Commission" shall mean the President of the Commission appointed in accordance with the provisions of new Article 18 of this Treaty;
11. "Economic and Social Council" shall mean the Economic and Social Council established under Article 14 of this Treaty;
12. "Commission" shall mean the Commission established under new Article 17 of this Treaty;
13. "Commissioners" shall mean the Commissioners appointed in accordance with the provisions of new Article 18 of this Treaty;
14. "Export duties" shall mean all customs duties and taxes of equivalent effect levied on goods by virtue of their exportation;
15. "EBID" shall mean ECOWAS Bank for Investment and Development established under new Article 21 of the Treaty;
16. "Member State" or "Member States" shall mean a Member State or Member States of the Community as defined under Article 2, paragraph 2;
17. "Non-tariff barriers" shall mean barriers which hamper trade and which are caused by obstacles other than fiscal obstacles;
18. "Community Parliament" shall mean the Parliament established under Article 13 of this Treaty;
19. "Protocol" shall mean an instrument of implementation of the Treaty having the same legal force as the latter;
20. "Region" shall mean the geographical zone known as West Africa as defined by Resolution CM/RES.464 (XXVI) of the OAU Council of Ministers;
21. "Third country" shall mean any State other than a Member State;
22. "Treaty" shall mean this Treaty;
23. "Statutory Appointees" shall mean the President of the Commission, the Commissioners, the President of ECOWAS Bank for Investment and Development, the Judges of the Community Court of Justice, the Director-General of the West African Health Organisation (WAHO), the Deputy Director-General of WAHO, the Administrative Secretary of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), the Deputy Administrative Secretary of GIABA, the Financial Controller and any other high official of the Community appointed by the Authority or Council;
24. "Board of Governors", the EBID Board of Governors composed of regional and non-regional members. Regional members shall comprise Ministers of Finance or Ministers of Regional Integration. Regional members shall consist of one full-fledged member and one alternate member. Each Member State shall appoint its full-fledged and alternate members and notify the EBID President thereof. Non-Regional members shall consist of representatives of all other economic blocs appointed for this purpose by each member.

New Article 3 paragraph 2(n):

The establishment of the ECOWAS Bank for Investment and Development.

New Article 6 – paragraph 1 (g):

The ECOWAS Bank for Investment and Development and all the subsidiaries which the Board of Governors may subsequently establish;

New Article 21:

1. An ECOWAS Bank for Investment and Development (EBID) is hereby established.
2. EBID shall be governed by Articles of Association adopted by its Board of Governors.
3. All activities previously assigned to EBID, as well as those of ECOWAS Regional Investment Bank (ERIB) and ECOWAS Regional Development Fund (ERDF) are absorbed by ECOWAS Bank for Investment and Development. EBID is hereby substituted for

these entities in respect of their rights and obligations.

4. In the protocols, decisions, resolutions and other Community instruments adopted since 1975, the terms "ECOWAS Fund for Cooperation, Compensation and Development" and "ECOWAS Bank for Investment and Development and its subsidiaries" are hereby replaced with the term "ECOWAS Bank for Investment and Development".

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 also be published within the same time frame by each Member State in its National Gazette.

ARTICLE 4:

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory Member States and the Institutions of ECOWAS undertake to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed 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 thereof to all Member States and shall register it with the African Union, the United Nations and such other organisations as Council may determine.

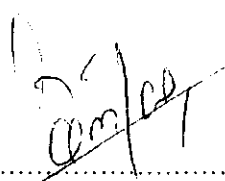
IN WITNESS WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT

DONE AT OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007

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



.....
His Excellency Thomas Boni Yayi
President of the Republic of Benin



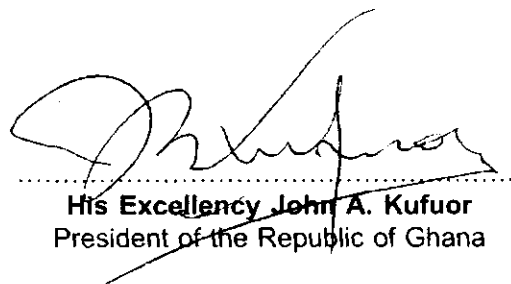
.....
His Excellency Blaise Compaore
Chairman of the Council of Ministers
President of the Faso


.....
President of the Republic of Cabo Verde




.....
His Excellency Laurent Gbagbo
President of the Republic of Cote D'Ivoire

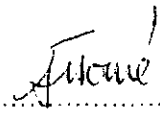
.....
President of the Republic of The Gambia


.....
His Excellency John A. Kufuor
President of the Republic of Ghana

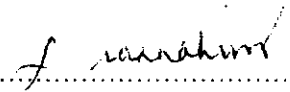

.....
Hon. Sidibe Fatoumata KABA
Minister of International Cooperation
For and on behalf of the President
of the Republic of Guinea

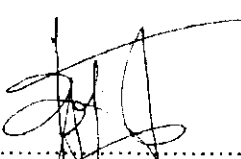

.....
His Excellency Joao Bernardo Vieira
President of the Republic of Guinea Bissau

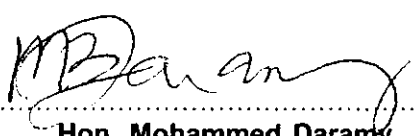

.....
Her Excellency Ellen Johnson-Sirleaf
President of the Republic of Liberia

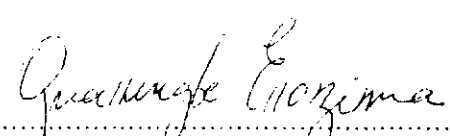

.....
His Excellency Toumani Toure
President of the Republic of Mali


.....
His Excellency Mamadou Tandja
President of the Republic of Niger


.....
His Excellency Olusegun Obasanjo
President, Commander in Chief of the Armed
Forces of the Federal Republic of Nigeria


.....
His Excellency Abdoulaye Wade
President of the Republic of Senegal


.....
Hon. Mohammed Daramy
Minister of Development and Economic
Planning, for and on behalf of the President
of the Republic of Sierra Leone


.....
His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

SUPPLEMENTARY ACT A/SA.10/01/07 RELATING TO THE ADOPTION OF SELECTION CRITERIA FOR DETERMINING MEMBERSHIP OF ECOWAS MEMBER STATES ON THE AFRICAN UNION PEACE AND SECURITY COUNCIL

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Articles 41 and 52 of the ECOWAS Protocol relating to the Mechanism on Conflict Prevention Management Resolution Peacekeeping and Security of 1999 which mandates ECOWAS cooperation with other International Organizations and with the African Union Mechanism for Conflict Prevention, Management and Resolution;

RECOGNIZING the primary responsibility of the African Union for the maintenance of peace and security within the African Continent;

CONSIDERING the Protocol establishing the African Union Peace and Security Council adopted in Durban, South Africa on 9th July 2002;

HAVING noted that four (4) seats has been allocated to the West African Sub-Region by the African Union on its Peace and Security Council;

MINDFUL of the need to ensure ECOWAS membership on the African Union Peace and Security Council thereby ensuring West African involvement in the decision-making process at the level of that Council;

DESIROUS therefore of adopting a formula to be applied in determining ECOWAS membership on the African Union Peace and Security Council;

ON THE RECOMMENDATION of the meeting of the Mediation and Security Council which held in Ouagadougou on 20th December 2006.

AGREE AS FOLLOWS:

ARTICLE 1

The selection criteria for determining membership of ECOWAS Member States on the African Union Peace and Security Council to encumber the four (4) Seats allocated to West Africa is hereby adopted as follows:

- Appointment of the Member State holding the chairmanship of ECOWAS in the year when appointment is due;
- Appointment of two (2) other Member States on a rotational basis in alphabetical order for the seats reserved for ECOWAS within the Council;
- Appointment of Nigeria to occupy the fourth seat on a permanent basis ;
- re-enlisting; at the bottom of the list during the selection process, Member States that have already occupied seats.

ARTICLE 2

This selection criteria shall be applied by the Mediation and Security Council at the Ministerial level, in determining ECOWAS representation at the African Union Peace and Security Council.

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 Authority. It shall also be published by each Member State in its National Gazette within the same time frame.

ARTICLE 4

1. This Supplementary Act shall enter into force upon its publication. Consequently, signatory States and ECOWAS Institutions pledge to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed 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 thereof to all the Member States and shall register it with the African Union, the United Nations and such other organisations as Council may determine.

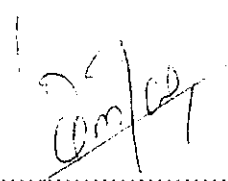
IN WITNESS WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT

DONE AT OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007

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




.....
His Excellency Thomas Boni Yayi
President of the Republic of Benin



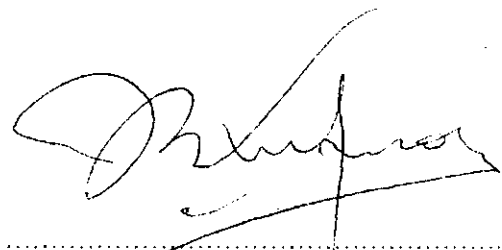
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His Excellency Blaise Compaore
Chairman of the Council of Ministers
President of the Faso

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President of the Republic of Cabo Verde




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His Excellency Laurent Gbagbo
President of the Republic of Cote D'Ivoire

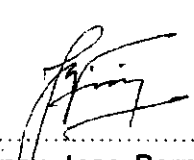
.....
President of the Republic of The Gambia



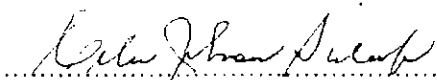
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His Excellency John A. Kufuor
President of the Republic of Ghana



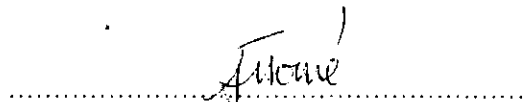
.....
Hon. Sidibe Fatoumata KABA
Minister of International Cooperation
For and on behalf of the President
of the Republic of Guinea



.....
His Excellency Joao Bernardo Vieira
President of the Republic of Guinea Bissau



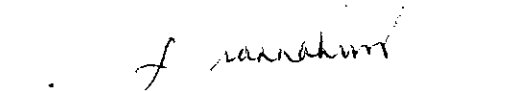
Her Excellency Ellen Johnson-Sirleaf
President of the Republic of Liberia




His Excellency Toumani Toure
President of the Republic of Mali



His Excellency Mamadou Tandja
President of the Republic of Niger



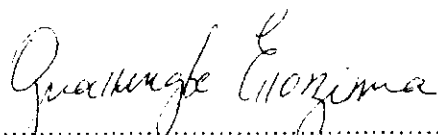
His Excellency Olusegun Obasanjo
President, Commander in Chief of the Armed
Forces of the Federal Republic of Nigeria



His Excellency Abdoulaye Wade
President of the Republic of Senegal



Hon. Mohammed Daramy
Minister of Development and Economic
Planning, for and on behalf of the President
of the Republic of Sierra Leone



His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

**SUPPLEMENTARY ACT A/SA.11/01/07
CHANGING THE NAME "COUNCIL OF ELDERS"
IN THE ENGLISH VERSION OF THE 1999
PROTOCOL RELATING TO THE MECHANISM
FOR CONFLICT PREVENTION AND EXTENDING
THE TENURE OF THE SAID COUNCIL FROM ONE
TO THREE YEARS**

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 19 (3c) of the said Treaty under which sectoral meetings shall be convened by the President of the Commission with a view to examining sectoral issues which promote the achievement of the objectives of the Community;

MINDFUL of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, adopted in Lome on 10 December 1999;

MINDFUL of Articles 15 and 20 of the said Protocol relating, on the one hand, to the functions of the President of the Commission, and on the other, to the composition and mandate of the Council of Elders;

MINDFUL of Decision A/DEC. 26/01/06 approving the appointment of new members of the Council of Elders;

CONCERNED about the various conflicts that still affect a number of States of the sub-region;

CONSIDERING that the conciliation, mediation and facilitation roles of the Council members call for proven experience, wisdom and talent on the part of such members;

CONSIDERING that the aforementioned qualities are not necessarily reflected in the concept used in the English version of the 1999 Protocol relating to the Mechanism for Conflict Prevention;

CONSIDERING the satisfactory manner in which the appointed mediators accomplish their mission;

NOTING, however, that the brevity of the tenure of the Council of Elders, which is one year, makes it impossible for the Council members to carry through their activities, notwithstanding their satisfactory performances;

CONVINCED that a longer tenure will ensure effective accomplishment of their missions;

WISHING to adopt a more appropriate title for the Council of Elders in the English version of the 1999 Protocol relating to the Mechanism for Conflict Prevention and to extend its tenure to three (3) years;

On the RECOMMENDATION of the meeting of the Mediation and Security Council, held in Ouagadougou on 20th December 2006;

AGREE AS FOLLOWS:

Article 1:

In the English version of the 1999 Protocol relating to the Mechanism for Conflict Prevention, the ECOWAS Council of Elders shall henceforth assume the title "Council of the Wise."

Article 2:

The tenure of the ECOWAS Council of the Wise is hereby extended from one (1) to three (3) years.

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 also be published within the same time frame by each Member State in its National Gazette.

Article 3:

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

Article 4:

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

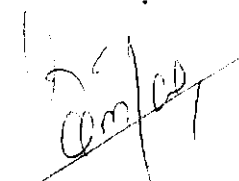
IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS), HAVE SIGNED THIS SUPPLEMENTARY ACT.

DONE AT OUAGADOUGOU, THIS 19TH DAY OF JANUARY 2007

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



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President of the Republic of Benin



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President of the Republic of Cabo Verde




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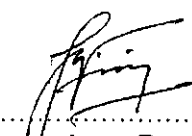
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President of the Republic of The Gambia



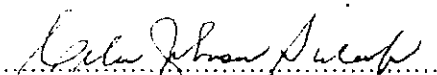
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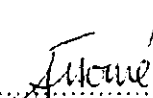
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Minister of International Cooperation
For and on behalf of the President
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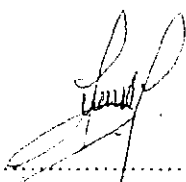
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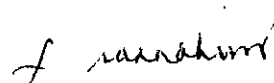
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President of the Republic of Liberia



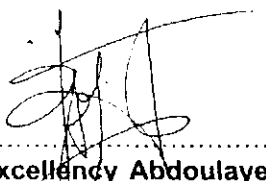
His Excellency Toumani Toure
President of the Republic of Mali



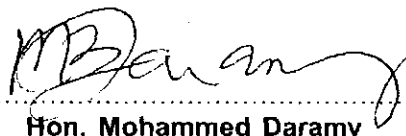
His Excellency Mamadou Tandja
President of the Republic of Niger



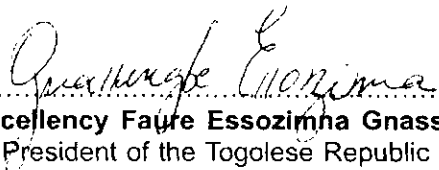
His Excellency Olusegun Obasanjo
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His Excellency Abdoulaye Wade
President of the Republic of Senegal



Hon. Mohammed Daramy
Minister of Development and Economic
Planning, for and on behalf of the President
of the Republic of Sierra Leone



His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

**SUPPLEMENTARY ACT A/SA.12/01/07
ESTABLISHING THE SUB-REGIONAL
MECHANISM FOR COORDINATION OF BIRD FLU
ERADICATION AND CONTROL IN WEST AFRICA**

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 25 of the Treaty relating to Agricultural Development and Food Security;

MINDFUL of Decision /DEC. 11/01/05 adopting the ECOWAS Agricultural Policy;

MINDFUL of the recommendations made at international and regional meetings on bird flu, particularly those of Nairobi of September 2005, Geneva of November 2005, Brazzaville, Beijing and Bamako of January 2006 and Ouagadougou of February 2006;

APPRECIATING the initiatives and support of development partners to the efforts being made by Member States to map out and implement concerted and coordinated strategies with a view to effectively eradicating and controlling bird flu;

TAKING into account the Dakar Declaration adopted at the ministerial meeting on bird flu eradication and control, held in Dakar (Senegal) on 22 and 23 February 2006;

UPON THE PROPOSAL of the meeting of Ministers in charge of Animal Husbandry, Health and Integration from ECOWAS Member States, the Islamic Republic of Mauritania, Cameroon and Chad, held in Abuja on 12 May 2006, and

ON THE RECOMMENDATION of the fifty-seventh session of the Council of Ministers, held in Ouagadougou on 18 and 19 December 2006;

AGREE AS FOLLOWS:

ARTICLE 1

A sub-regional mechanism for coordinating bird flu eradication and control in ECOWAS Member States is hereby established.

The objectives, the organization, the tasks, the financing and operating modalities of the

mechanism are outlined in the annexes attached to this Supplementary Act.

ARTICLE 2

The ECOWAS Commission shall ensure the effective implementation of this Supplementary Act and in particular provide support for the establishment of the mechanism's organs, namely, the Ministerial Steering Committee and the Technical Secretariat.

ARTICLE 3

Member States shall support and facilitate solidarity and partnership activities undertaken within the framework of the sub-regional mechanism.

ARTICLE 4

1. The Commission shall undertake necessary cooperation missions to the relevant authorities of ECOWAS border countries, with a view to ensuring the effective implementation of the sub-regional mechanism referred to in Article 1 of this Supplementary Act.
2. The Commission shall, in conjunction with donor agencies, on the one hand, take necessary measures with a view to establishing, as a matter of urgency, a fund to facilitate effective control of bird flu, and, with development partners, on the other, in order to secure their support for the implementation of the Sub-regional Mechanism for Coordination of Bird Flu Eradication and Control.

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 Chairman of the Authority.

It shall also be published within the same time frame by each Member State in its National Gazette.

ARTICLE 6

1. This Supplementary Act shall enter into force upon publication. Consequently, Signatory Member States and the Institutions of ECOWAS 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

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 it with the African Union, the United Nations Organization and any organization that the Council of Ministers may determine.

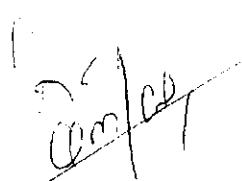
**IN FAITH WHEREOF, WE, HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY
OF WEST AFRICAN STATES HAVE
SIGNED THIS SUPPLEMENTARY ACT.**

DONE AT OUGADOUGOU, THIS 19TH DAY OF JANUARY 2007.

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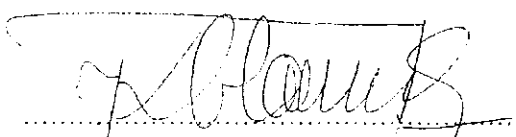


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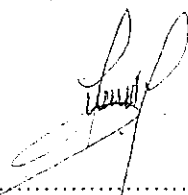
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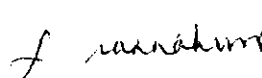
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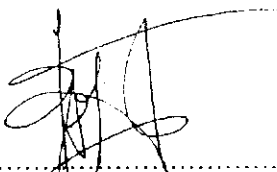
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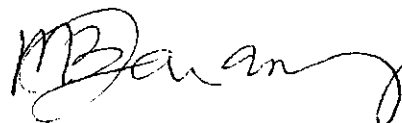
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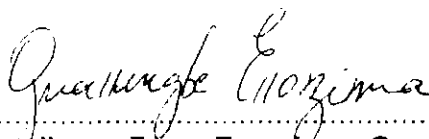
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Hon. Mohammed Daramy
Minister of Development and Economic
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of the Republic of Sierra Leone



His Excellency Faure Essozimna Gnassingbe
President of the Togolese Republic

REGULATION C/REG.1/12/06 APPROVING THE BUDGET OF THE ECOWAS COMMISSION FOR THE 2007 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 the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95 of 13th December 1995;

HAVING CONSIDERED the budget of the ECOWAS Commission proposed by the thirty-sixth meeting of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The budget of the ECOWAS Commission for the 2007 financial year, balanced in income and expenditure at the sum of seventy million, seventy seven thousand three hundred and seventy six units of account (70,077,376 UA) is hereby approved.

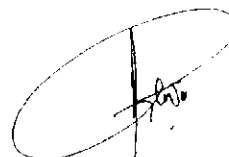
ARTICLE 2

1. An amount of sixty one million five hundred and fifty two thousand two hundred and eighty eight units of account (61,552,288 UA) shall be derived from resources obtained from the Community Levy.
2. An amount of six million two hundred and sixty two thousand, eighty one Units of Account (6,262,081 UA) shall be derived from external funding.
3. An amount in the sum of two million, three thousand, two hundred and seventy-one Units of Account (2,003,271 UA) shall be derived from arrears of contributions.
4. An amount in the sum of two hundred and fifty nine thousand seven hundred and thirty six Units of Account (259,736 UA) 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.2/12/06 APPROVING THE BUDGET OF THE COMMUNITY PARLIAMENT FOR THE 2007 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 Article 13 of the ECOWAS Treaty establishing the Community Parliament;

MINDFUL of Protocol A/P.2/8/94 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 of 13th December 1995;

HAVING CONSIDERED the budget of the Community Parliament proposed by the thirty-sixth meeting of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The budget of the Community Parliament for the 2007 financial year, balanced in income and expenditure at the sum of seven million eight hundred and seventeen thousand and thirty seven Units of Account (7,817,037 UA) is hereby approved.

ARTICLE 2

- 1 An amount of six million eight hundred and forty seven thousand and thirty seven Units of Account (6,847,037 UA) shall be derived from resources obtained from the Community Levy.
- 2 An amount in the sum of six hundred thousand Units of Account (600,000 UA) shall be derived from excess funds.
- 3 A sum of two hundred and fifty thousand Units of Account (250,000 UA) shall be derived from arrears of contributions.
- 4 An amount of one hundred and twenty thousand units of account (120,000 UA) 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.3/12/06 APPROVING THE BUDGET OF THE COMMUNITY COURT OF JUSTICE FOR THE 2007 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 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 of 13th December 1995;

HAVING CONSIDERED the budget of the Community Court of Justice proposed by the thirty-sixth meeting of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The budget of the Community Court of Justice for the 2007 financial year, balanced in income and expenditure at the sum of six million two hundred and ninety four thousand seven hundred and seventy five Units of Account (6,294,775 UA) is hereby approved.

ARTICLE 2

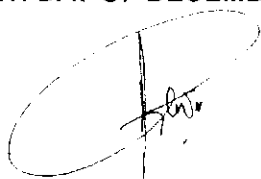
- 1 An amount of six million one hundred and twenty seven thousand, one hundred and ninety nine Units of Account (6,127,199 UA) shall be derived from resources obtained from the Community Levy.
- 2 An amount in the sum of one hundred thousand Units of Account (100,000 UA) shall be derived from arrears of contributions.

3. An amount of sixty seven thousand five hundred and seventy six units of account (67,576 UA) 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.4/12/06 APPROVING THE BUDGET OF THE WEST AFRICAN HEALTH ORGANISATION (WAHO) FOR THE 2007 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 of 13th December 1995;

HAVING CONSIDERED the budget of the West African Health Organisation proposed by the thirty-sixth meeting of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The budget of the West African Health Organisation for the 2007 financial year, balanced in income and expenditure at the sum of seven million five hundred and thirty one thousand three hundred and twenty eight Units of Account (7,531,328 UA) is hereby approved.

ARTICLE 2


1. An amount of three million three hundred and ninety five thousand five hundred and forty eight Units of Account (3,395,548 UA) shall be derived from resources obtained from the Community Levy.
2. An amount of two million five hundred thousand Units of Account (2,500,000 UA) shall be derived from excess funds.
3. An amount of one million three hundred and sixty seven thousand eight hundred and ninety eight Units of Account (1,367,898 UA) shall be derived from external funding.
4. An amount in the sum of one hundred and sixty seven thousand eight hundred and eighty two Units of Account (167,882 UA) shall be derived from other sources.
5. An amount in the sum of one hundred thousand Units of Account (100,000 UA) shall be derived from arrears of contributions

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL**

**REGULATION C/REG.5/12/06 APPROVING THE
BUDGET OF THE INTERGOVERNMENTAL
ACTION GROUP AGAINST MONEY
LAUNDERING IN WEST AFRICA FOR THE 2007
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 of 13th December 1995;

HAVING CONSIDERED the budget of the Intergovernmental Action Group Against Money Laundering in West Africa proposed by the thirty-sixth meeting of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The budget of the Intergovernmental Action Group Against Money Laundering in West Africa for the 2007 financial year, balanced in income and expenditure at the sum of three million three hundred and ninety eight thousand six hundred and seventy two Units of Account (3,398,672 UA) is hereby approved.

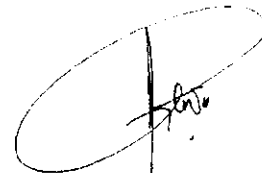
ARTICLE 2

1. An amount of one million seven hundred and ninety three thousand three hundred and seventy seven Units of Account (1,793,377 UA) shall be derived from resources obtained from the Community Levy.
2. An amount in the sum of one million five hundred and ninety seven thousand and seventy five Units of Account (1,597,075 UA) shall be derived from external funding.
3. An amount in the sum of eight thousand two hundred and twenty Units of Account (8,220 UA) 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.6/12/06 APPROVING THE AUDITED FINANCIAL STATEMENTS OF THE EXECUTIVE SECRETARIAT FOR THE 2004 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 Article 75 of the said Treaty relating to the appointment of the External Auditor of the Institutions of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95 of 13th December 1995;

HAVING EXAMINED the report of the External Auditors on the Financial Statements of the Executive Secretariat for 2004 Financial Year;

ON THE RECOMMENDATION of the sixth meeting of the Audit Committee held in Dakar, 16-17 October, 2006;

ENACTS

ARTICLE 1

The Audited Statements of the ECOWAS Commission for the 2004 financial year are hereby adopted.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.7/12/06 APPROVING THE AUDITED FINANCIAL STATEMENTS OF THE COMMUNITY COURT OF JUSTICE FOR THE 2004 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 Article 75 of the said Treaty relating to the appointment of the External Auditor of the Institutions of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS amended by Regulation C/REG.2/12/95 of 13th December 1995;

HAVING EXAMINED the report of the External Auditors on the Financial Statements of the Community Court of Justice for 2004 Financial Year;

ON THE RECOMMENDATION of the sixth meeting of the Audit Committee held in Dakar, 16-17 October, 2006;

ENACTS

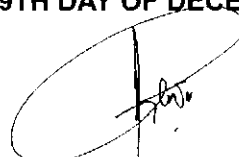
ARTICLE 1

The Audited Statements of the Community Court of Justice for the 2004 financial year are hereby adopted.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.8/12/06 ADOPTION OF A RATE FOR THE DAILY SUBSISTENCE ALLOWANCE AND TRAVEL FARES FOR EMINENT PERSONS ON OFFICIAL MISSION FOR THE COMMUNITY INSTITUTIONS

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 Regulation C/REG. 15/01/05 relating to the adoption of revised rates for the daily subsistence allowance for staff and other ECOWAS representatives on mission for the Community institutions;

CONSIDERING that the Regulation referred to above has not made any provision for daily subsistence allowance rates for eminent persons undertaking official missions for the Community institutions at the expense of the said institutions;

CONSIDERING that the success of some activities requires the services of eminent persons and, in view of the need to dispatch them on mission for the Community institutions;

CONSIDERING that, on account of the prominent roles they played, the precedence conferred on them by their status and the privileges generally granted them, eminent persons are in a category that is superior to the highest category of persons for which daily subsistence allowance rates have been provided in the Regulation referred to above;

DESIROUS of fixing a rate for the daily subsistence allowance as well as travel fares applicable to eminent persons on official mission for the Community institutions;

ON THE RECOMMENDATION of the thirty-sixth meeting of the Administration and Finance Committee, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

1. The rate for daily subsistence allowance applicable to former Presidents/Heads of State

and former Prime Ministers is seven hundred United States dollars (US\$700).

2. A lump sum of one thousand United States dollars (US\$1,000) shall also be paid to them whilst on mission for the Community.

ARTICLE 2

The former Speakers/President (Senate and House of Representatives), former Vice Presidents and the former Chief Justices of Supreme Courts of Member States shall be paid a daily subsistence allowance of five hundred United States dollars (US\$500).

ARTICLE 3

The eminent persons refer to in articles 1 and 2 of this Regulation shall travel first class.

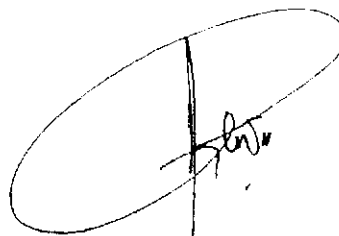
ARTICLE 4

The rates indicated under Articles 1 & 2 of this Regulation shall be applied irrespective of the area where such missions are conducted.

ARTICLE 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.9/12/06 CREATING A SALARY SCALE AND OTHER EMOLUMENTS FOR PROFESSIONAL STAFF GRADE D2

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 69 of the said Treaty relating to the budget of the Institutions of the Community;

MINDFUL of Decision C/DEC 2/11/89 relating to the adoption of a salary scale with elongated grade levels for staff of the Community;

MINDFUL of Regulation C/REG./12/01/05 increasing the salaries of staff members of the Institutions of the Community;

CONSIDERING that the restructuring of some Institutions of the Community and the transformation of the Executive Secretariat into a Commission led to the creation of a new Professional Staff category of Director D2 with 10 grade levels;

CONSIDERING that Staff in the proposed D2 category operate as administrative heads of their institutions and discharge managerial functions;

CONSIDERING the need to fix a salary scale and determine the benefits attached to this category;

UPON THE RECOMMENDATION of the thirty-sixth session of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

The salary scale, expressed in Units of Account, in respect of the professional Staff category D2 with 10 grade levels is fixed as follows:

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
D2	38814	39808	40803	41798	42801	43871	44964	46077	47137	48222

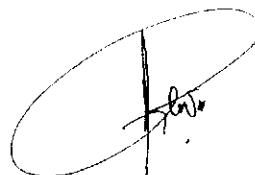
ARTICLE 2

An Officer in category D2 shall be entitled to an official vehicle and driver and free telephone service at his/her residence up to a ceiling of one hundred and seventy dollars (\$170) a month.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG. 10/12/06 RELATING TO PAYMENT OF COMPENSATORY HOUSING ALLOWANCE TO THE PROFESSIONAL STAFF OF THE COMMUNITY

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 69 of the Treaty relating to the budgets of the Community Institutions;

MINDFUL of Article 32(a) of the ECOWAS Staff Regulations of 2005 relating to housing allowances for the professional staff members of the Community Institutions;

CONSIDERING that the Community has to provide residential accommodation for staff members in Member States where ECOWAS Institutions and Agencies are located;

ON THE RECOMMENDATION of the thirty-sixth session of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

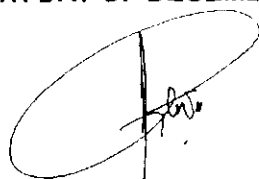
ARTICLE 1

1. Compensatory housing allowances, calculated on the basis of current costs of rented property in the duty stations of staff of the Community are hereby granted for staff to whom residential accommodation is not provided for.
2. The approved housing allowances are as follows:
 - a) **Abuja:**
 - Professional staff UA 9,194
 - Directors UA 13,520
 - b) **Cotonou, Lome, Qyagadougou and Bobo-Dioulasso:**
 - Professional staff UA 4,436
 - Directors UA 6,971
 - c) **Dakar:**
 - Professional staff UA 7,605
 - Directors UA 10,140
 - d) **Banjul:**
 - Professional staff UA 4,869
 - Directors UA 6,261

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG.11/12/06 APPROVING A BUDGETARY ALLOCATION FOR THE MANAGEMENT OF THE ECOWAS LOGISTICS DEPOT IN SIERRA LEONE

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 function;

MINDFUL of Article 58 of the ECOWAS Treaty relating to Regional Security;

MINDFUL of Decision A/DEC.17/01/05 establishing the ECOWAS Logistics Depots in Mali and Sierra Leone;

RECALLING that the Government of Sierra Leone has granted to ECOWAS, the Hastings Airfield Complex in Freetown for use as the ECOWAS Logistics Depot for stocking and maintaining ECOWAS peace support equipment and supplies;

ALSO RECALLING the Headquarters Agreement for the logistics Depot between ECOWAS and the Government of Sierra Leone of 9th January 2006 which was later amended on 29th August 2006;

AWARE of the donation of a large supply of Peace Support equipment by the Government of the United States of America to ECOWAS which will be transferred from the USA Murray Town Depot in Freetown to the Hastings Airfield Complex;

DESIROUS of providing counterpart funding for the management of the depot in Sierra Leone;

ON THE RECOMMENDATION of the Thirty sixth Meeting of Administration and Finance Commission which held in Abuja from 22 - 27 November 2006 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

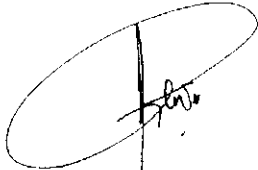
ARTICLE 1

1. A lump sum of one million, one hundred and thirty one thousand nine hundred United States dollars (\$1,131,900:00) is hereby approved as ECOWAS counterpart funding for the management of the logistics depot in Sierra Leone.
2. The amount stated in paragraph 1 of this article which will be sourced from the ECOWAS Peace Fund shall represent the 2007 budgetary allocation for the said depot.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL**

REGULATION C/REG. 12/12/06 FORMALLY ESTABLISHING A COMMUNITY LEVY MANAGEMENT COMMITTEE AT THE ECOWAS COMMISSION

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 72 of the ECOWAS Treaty introducing a Community Levy to generate revenue for financing the activities of the Community;

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

MINDFUL of Regulation C/Reg. 1/9/03 as amended by C/Reg.9/07/04 adopting measures to facilitate and accelerate effective implementation of the Community Levy;

ACKNOWLEDGING THAT compliance with the Community Levy requirements by Member States has improved considerably;

DESIRING however to improve on the existing mechanism for the collection and disbursement of the proceeds of the Levy;

ON THE RECOMMENDATION of the Thirty-Sixth Meeting of the Administration and Finance Committee which was held in Abuja, from 22 - 27 November 2007 and in Ouagadougou on 15 and 16 December 2006;

ENACTS

ARTICLE 1

A Community Levy Management Committee is hereby formally established at the ECOWAS Commission.

ARTICLE 2

Members of the Community Levy Management Committee are as follows:

1. The Vice President - **Chairman**
2. The Financial Controller - **Member**
3. The Commissioner for Administration & Finance - **Member**
4. The Commissioner for Trade & Customs, Industry, mines, free movement of persons & goods - **Member**
5. Heads of ECOWAS Institutions - **Members**

ARTICLE 3

The functions of the Committee shall include:

- taking measures to ensure full implementation of the provisions of the Protocol on the Conditions for the Application of the Community levy;
- recommending political measures to address the difficulties encountered by Member States in the application of the Community levy;
- allocating the proceeds of the Community levy;
- making proposals for the allocation of sectoral and structural funds;
- taking necessary performance-enhancing measures;

- exploring avenues for the funding of the Community and
- preparing the annual report.

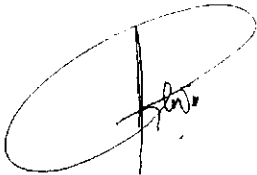
ARTICLE 4

1. A sub-committee shall support the Community Levy Management Committee in its work and shall be composed of one representative each from the departments of Audit, Trade and Customs and Finance;
2. The sub-committee referred to in paragraph 1 shall carry out monitoring missions in Member States in collaboration with the ECOWAS National Units and the National Committees for the Management of the Community Levy, based on terms of reference to be defined by the Community Levy Management Committee;
3. The Sub-committee shall prepare an annual report on behalf of the Community Levy Management Committee which will endorse it for submission to the Council of Ministers through the Administration and Finance Committee.

ARTICLE 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

REGULATION C/REG.13/12/06 ALLOCATING A LUMP SUM GRANT FOR LOCAL SUPPORT SERVICES FOR THE OFFICE OF THE SPEAKER OF THE COMMUNITY PARLIAMENT IN THE HOME STATE

THE COUNCIL OF MINISTERS,

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

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

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

RECALLING especially Article 15 of Protocol A/P2/8/94 which provides for a non-residency status for the Speaker at the Headquarters of the Community parliament;

AWARE that the Speaker of the Parliament is responsible for giving the necessary orientations, providing leadership and guaranteeing the efficient conduct of the affairs of the Parliament, even while being outside the headquarters of the Community Parliament;

ASLO AWARE that to achieve the above mentioned activities, the Speaker will operate mostly from this home State;

DESIRING therefore, to grant the Speaker, resources for local support services to maintain an office;

UPON THE RECOMMENDATION of the thirty-sixth session of the Administration and Finance Commission, held in Abuja from 22 to 27 November 2006.

ENACTS

ARTICLE 1

A monthly lump sum allowance of two thousand US dollars (US\$2000) is hereby granted for local support services for the office of the Speaker of the Community Parliament in his home State.

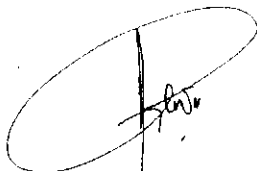
ARTICLE 2

The monthly lump sum allowance shall be paid to the Speaker of the Parliament during his tenure for the purpose indicated in Article 1 of this Regulation.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.

**REGULATION C/REG.14/12/06 GRANTING A
RESPONSIBILITY ALLOWANCE TO THE VICE
PRESIDENT OF THE ECOWAS COMMISSION**

THE COUNCIL OF MINISTERS,

MINDFUL of articles 10, 11, and 12 of the ECOWAS Treaty as amended in June 2006 establishing their composition and functions,

MINDFUL of Decision A/DEC. 16/01/06 transforming the Executive Secretariat into a Commission and establishing the positions of the President, the Vice President and Seven (7) other Commissioners for the Commission.

MINDFUL of the Supplementary Protocol A/SP.1/06/06 Amending the Revised ECOWAS Treaty which re-affirms the creation of the above stated statutory positions within the Commission.

CONSIDERING the responsibilities attached to the position of Vice President.

HAVING noted the special benefits provided for Statutory Appointees under Article 28(b) of the ECOWAS Staff Regulations of 2005.

DESIRING to provide the Vice President with additional benefits in order to ensure that he/she discharges the responsibilities allotted to the position efficiently

ON THE RECOMMENDATION of the Thirty-Sixth meeting of the Administration and Finance Commission held in Abuja from 22 - 27 November 2006 and in Ouagadougou from the 15 - 16 December 2006.

ENACTS**ARTICLE 1**

The Vice President of the ECOWAS Commission is hereby granted an additional benefit in the form of a responsibility allowance to facilitate a more efficient discharge of the responsibilities attached to the position.

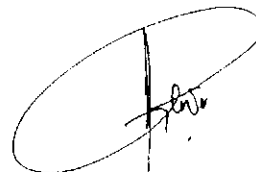
ARTICLE 2

5% of the basic salary of the Vice President shall be paid to him/her as responsibility allowance.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.

REGULATION C/REG. 15/12/06 ADOPTING AN ECOWAS INTERNAL AUDIT CHARTER

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 Decision C/DE.2/11/91 of the Council of Ministers on the adoption of the Scheme of Service for the Staff of the Institutions of Community which established the position of Internal Auditors for Community Institutions;

RECOGNISING that the purpose of internal auditing is to assist ECOWAS Institutions attain their objective through the provision of independent, objective assurance and consulting services designed to add value and improve the institutions' operations and programme administration;

DESIROUS of adopting guidelines that govern the internal audit function in ECOWAS Institutions;

ON THE RECOMMENDATION of the Third Meeting of the ECOWAS Audit Committee which took place in Abuja, 23-25 February 2006;

ENACTS

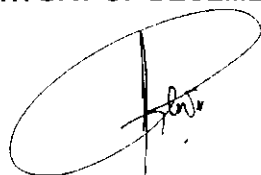
ARTICLE 1

An ECOWAS Internal Audit Charter is hereby adopted as attached.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

THIRD MEETING OF THE AUDIT COMMITTEE EXECUTIVE SECRETARIAT, ABUJA

23 - 25 FEBRUARY, 2006

ECOWAS INTERNAL AUDIT CHARTER

ECOWAS INTERNAL AUDIT CHARTER

1.0. Purpose

1.1. This Charter formally defines the mission, scope and responsibilities independence, and authority of the internal audit function in ECOWAS Institutions.

2.0. Mission

2.1. The mission of internal audit is to assist ECOWAS Institutions to achieve their objectives by providing independent, objective assurance and consulting services designed to add value and improve the organisation's operations and programme administration.

3.0. Scope and responsibilities

3.1. The general scope of audit coverage is organization-wide and no function, activity, or unit of ECOWAS institutions or related organisation is exempt from audit and review. No officer or staff member or contractor of ECOWAS may interfere with or prohibit internal auditors from examining any organisational records or interviewing any employee or contractor that the internal auditors believe is necessary to carry out their duties.

3.2. Internal audit shall prepare audit reports for submission to the Audit Committee and the Head of Institution on the extent to which operations and programme administration are in conformity with Community texts, provisions and procedures, and assure that the controls, risk management and governance processes and procedures in force at the Institution are effective, efficient and are cost effective. It shall assist managers to realise the objectives set for the organisation and improve performance by providing relevant and appropriate information, analyses, evaluation reports and recommendations. To this effect Internal Audit Office shall:

3.2.1. In consultation with the Head of ECOWAS Institutions develop a medium-term audit plan covering all the activities undertaken by the institution taking into account significant risks the institution is facing to be submitted for approval by the Audit Committee.

3.2.2. In consultation with the Head of ECOWAS Institutions prepare a flexible annual audit plan and programme using an appropriate risk-based methodology, including any risks or control concerns

identified by management, indicating missions to be undertaken and the objectives and scope of such missions to be submitted for approval by the Audit Committee.

3.2.3. Give adequate notice to the Head of ECOWAS Institutions prior to the commencement of an audit assignment. An entrance conference will be held which will discuss the objectives and scope of the audit assignment taking into account the views and concerns of the HOI in determining the audit objectives, resources and timeframe. In addition to regular communication with the official in charge of the activities audited during the course of the audit assignment, an audit exit conference will be held for the purpose of discussing the audit findings and recommendations. A final report shall be sent to the management for their comments on the audit findings and recommendations reflecting, where necessary, the comments received and corrective measures taken and feedback on the plans for implementation of agreed recommendations.

3.2.4. Examine and evaluate the adequacy and effectiveness of internal controls and risk management processes.

3.2.5. Audit and report on the administration of ECOWAS operations and programmes, including the performance of services by outside contractors and consultants. The internal audits will also include the identification of opportunities for cost reduction and performance improvement. Such activities of the Internal Auditors will also include giving assurance that operations and programmes are managed in a reasonable, responsive and consistent manner, and utilise integrated, cost effective, secure and competent service standards.

3.2.6. Evaluate management plans for action and their implementation, designed to correct reported conditions, for satisfactory resolution of audit findings. If the action for resolution is considered unsatisfactory, the Internal Auditors will seek further discussions with the HOI to achieve a satisfactory resolution. In exceptional cases, the Internal Auditors may report the matter to the Audit Committee.

3.2.7. Review and follow up, from time to time, on the implementation of audit recommendations of previous audits conducted.

3.2.8. Respond to any specific requests for special audits by the HOI and the Audit Committee.

3.2.9. Submit an annual report to the Audit Committee. The report will include a summary of the main conclusions and recommendations formulated at the end of audit engagement and changes to the annual internal audit plan, including appropriate justifications for such changes. The report will also highlight the efficiency and effectiveness of the institutions' internal control, risk management and governance Systems, and evaluate the situation of the staff of the office of Internal Audit.

3.2.10. Ensure that the activities of the Internal Audit Office are in conformity with professional internal audit standards.

3.2.11. Work in close collaboration with external auditors to ensure that the institutions get the best audit services at reasonable cost.

3.3. Internal Auditors may also offer consultancy services at management request. In this role, however, it is important for management to understand that the internal auditor only offers advice and does not undertake the task on behalf of, or as a substitute for, management.

Acceptance by management of the advice offered by the internal auditor does not transfer or reduce management's accountability for their own areas of responsibility. Conversely, management's retention of accountability does not allow the internal auditor to be any less diligent in exercising due professional care in developing the advice which they will offer. The consultancy role may include:

3.3.1. Facilitating management activities. This may include advice in "emergency situations" and serving as facilitators for workshop to brainstorm risks, controls and governance issues to inspire and provoke management into effective identification and analysis of - these issues.

3.3.2. Undertaking an educational role. Internal Auditors may be asked to support management by imparting appropriate risk and control skills and techniques so that managers are better equipped to undertake their own role effectively. This provides long term added value by improving skills in risk and control issues.

3.3.3. Offering specific advice on particular risk and control issues (including areas of development of new Systems or redevelopment of existing Systems). This may be at any level of the organisation, ranging from the corporate risk register and strategic governance System to detailed control of particular and low level risks relating to specific individual activities.

3.4. The consultancy service offered by internal audit is inextricably linked to the assurance role.

3.5. The Internal Audit Office shall develop and maintain a quality assurance programme designed to achieve compliance with internal auditing standards. The programme shall provide assurance that the internal auditing activity adds value and improves the organisation's operations and program administration. The quality assurance programme shall be monitored to determine its effectiveness. This shall be done through internal assessments and independent reviews.

3.6. Internal assessments shall include ongoing monitoring and periodic reviews. The internal audit office

shall be evaluated at least once every three years by a qualified, independent, outside reviewer, using appropriate guidelines to be determined by the Audit Committee and standards promulgated by the Institute of Internal Auditors and modified to take into account the needs of ECOWAS. At the completion of the quality assessments and reviews, the results shall be communicated to the Council of Ministers, through the Audit Committee.

4.0. Independence

4.1. The Internal Audit Office is headed by the Chief Audit Executive who reports to the Council of Ministers through the Audit Committee. This level of reporting allows the Internal Audit Office to accomplish its responsibilities, and ensure that the independence and objectivity of internal auditors is not impaired. Internal Auditors in performing their work shall not;

4.1.1. Have direct authority or responsibility for any of the activities reviewed.

4.1.2. Develop and install administrative and financial procedures, prepare records, or make management decisions or engage in any other activity that could be reasonably construed to compromise their independence or impair their objectivity.

4.1.3. Evaluate staff, with the exception of staff of the Internal Audit Office.

4.1.4. Take or implement decisions on risk management or account for it.

5.0. Authority

5.1. Authority is granted for full, free, and unrestricted access to any and all of ECOWAS records, physical properties, and personnel relevant to any function under review. All employees are requested to assist Internal Auditing in fulfilling their staff function. Internal Auditing shall also have free and unrestricted access to the Head of ECOWAS Institutions, the Audit Committee and the Chairman of Council of Ministers.

5.2. Documents and information given to Internal Auditing during a periodic review will be handled in the same prudent and confidential manner as by those employees normally accountable for them.

6.0. Amendment

6.1. Any proposed amendments to this Charter shall be approved by the Council of Ministers upon the recommendation of the Audit Committee.

Chairman ECOWAS Council of Ministers

REGULATION C/REG. 16/11/06 APPOINTING MR. JEAN DE DIEU SOMDAAS THE VICE PRESIDENT OF THE ECOWAS COMMISSION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Vice President was allocated to Burkina Faso;

RECALLING Regulation C/REG.1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

ON THE RECOMMENDATION of the Tenth Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Accra from 13th - 17th November, 2006.

ENACTS

ARTICLE 1

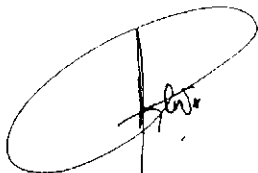
Mr. Jean de Dieu Somda is hereby appointed as the Vice- President of the ECOWAS Commission for a non-renewable term of four (4) years with effect from the date he assumes duty.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.

**REGULATION C/REG.17/11/06 APPOINTING DR.
(MRS.) ADAOHA C. OKWUOSA AS THE
COMMISSIONER FOR ADMINISTRATION AND
FINANCE OF THE ECOWAS COMMISSION**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Commissioner for Administration and Finance was allocated to the Federal Republic of Nigeria;

RECALLING Regulation C/REG. 1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

ON THE RECOMMENDATION of the Tenth Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Accra from 13th - 17th November, 2006.

ENACTS

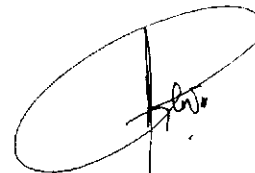
ARTICLE 1

Dr. (Mrs.) Adaoha C. Okwuosa is hereby appointed as the **Commissioner for Administration and Finance of the ECOWAS Commission** for a non-renewable term of four (4) years with effect from the date she assumes 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.

REGULATION C/REG. 18/11/06 APPOINTING MR. OUSSEINI SALIFOU AS THE COMMISSIONER FOR AGRICULTURE, ENVIRONMENT & WATER RESOURCES OF THE ECOWAS COMMISSION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of the Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Commissioner for Agriculture, Environment & Water Resources was allocated to the Republic of Niger;

RECALLING Regulation C/REG.1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

ON THE RECOMMENDATION of the Tenth Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Accra from 13th - 17th November, 2006.

ENACTS

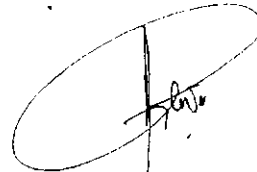
ARTICLE 1

Mr. Ousseini Salifou is hereby appointed as the **Commissioner for Agriculture, Environment and Water Resources of the ECOWAS Commission** for a non-renewable term of four (4) years with effect from the date he assumes 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

REGULATION C/REG. 19/11/06 APPOINTING MR. COMLA KADJE AS THE COMMISSIONER FOR INFRASTRUCTURE OF THE ECOWAS COMMISSION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Commissioner for Infrastructure was allocated to the Republic of Togo;

RECALLING Regulation C/REG.1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

ON THE RECOMMENDATION of the Tenth Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Accra from 13th - 17th November, 2006.

ENACTS

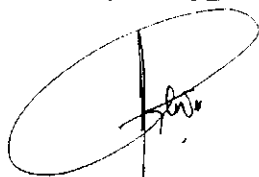
ARTICLE 1

Mr. Comla Kadje is hereby appointed as the **Commissioner for Infrastructure of the ECOWAS Commission** for a non-renewable term of four (4) years with effect from the date he assumes 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.

REGULATION C/REG.20/11/06 APPOINTING MR. MOHAMMED DARAMY AS THE COMMISSIONER FOR TRADE, CUSTOMS, INDUSTRY, MINES AND FREE MOVEMENT OF PERSONS AND GOODS OF THE ECOWAS COMMISSION

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Commissioner for Trade, Customs, Industry, Mines and Free Movement of Persons and Goods was allocated to the Republic of Sierra Leone;

RECALLING Regulation C/REG.1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

ON THE RECOMMENDATION of the Tenth Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of the Performance of Statutory Appointees held in Accra from 13th - 17th November, 2006.

ENACTS

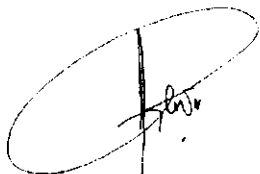
ARTICLE 1

Mr. Mohammed Daramy is hereby appointed as the **Commissioner for Trade, Customs, Industry, Mines and Free Movement of Persons and Goods of the ECOWAS Commission** for a non-renewable term of four (4) years with effect from the date he assumes 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.21/11/06 APPOINTING DR.
LAMBERT N'GALADJO BAMBA AS THE
COMMISSIONER FOR MACROECONOMIC
POLICY OF THE ECOWAS COMMISSION**

THE COUNCIL OF MINISTERS,

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

MINDFUL of Article 2 of the Supplementary Protocol A/SP.1/06./06 amending articles 17 and 18 of the ECOWAS Revised Treaty of 1993 and which provides for the appointment of nine (9) Commissioners for the ECOWAS Commission and the procedure for appointing them;

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

MINDFUL of Decision A/DEC.5/06/06 allocating to Member States the positions of Commissioners within the ECOWAS Commission;

BEARING IN MIND that the position of Commissioner for Macroeconomic Policy was allocated to the Republic of Cote d'Ivoire;

RECALLING Regulation C/REG.1/06/06 approving the Organizational Structure of the Commission and determining the technical Areas/Departments to be supervised by each Commissioner;

ALSO RECALLING Decision A/DEC.3/7/91 relating to the Selection and Evaluation of the Performance of Statutory Appointees of the Community;

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 on 19th December, 2006.

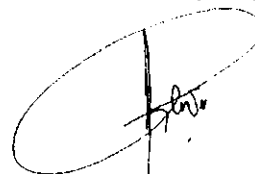
ENACTS**ARTICLE 1**

Dr. Lambert N'galadjo Bamba is hereby appointed as the **Commissioner for Macroeconomic Policy of the ECOWAS Commission** for a non-renewable term of four (4) years with effect from the date he assumes 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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION REG.22/12/06 ON THE ADOPTION
OF A CODE OF CONDUCT FOR INTERNAL
AUDITORS OF COMMUNITY INSTITUTIONS****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 their composition and functions;

RECOGNISING the need to promote a culture of ethical conduct among internal auditors in Community Institutions;

HAVING NOTED that internal auditing is an independent, objective assurance and consulting activity that helps an organisation accomplish its objectives by bringing a systematic disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes;

DESIRING therefore to adopt a code of conduct for internal Auditors that would enable them discharge the function of internal auditing which will in turn add value and improve the operations of Community Institutions;

ON THE RECOMMENDATION of the Third meeting of the Audit Committee which held in Abuja 23 - 25 February 2006.

ENACTS**ARTICLE 1**

A Code of conduct applicable to all internal Auditors working in Institutions of ECOWAS is hereby adopted as attached.

ARTICLE 2

The Code defines and prescribes conduct expected of the internal auditors as well as fundamental principles governing the professional practice of internal auditing.

ARTICLE 3

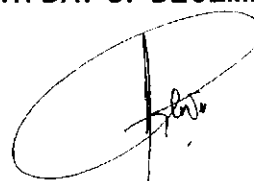
1. Any contravention of the Code of Conduct shall be reported to the Audit Committee which shall make appropriate recommendations to the Council of Ministers,

2. Appropriate disciplinary measures may be imposed in accordance with existing Community Regulations.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.**

CODE OF CONDUCT FOR ECOWAS INTERNAL AUDITORS

THIRD MEETING OF THE AUDIT COMMITTEE EXECUTIVE SECRETARIAT, ABUJA

FEBRUARY 2006

Introduction

The Code of Conduct has been prepared with the aim of promoting a culture of ethical conduct among internal auditors in ECOWAS institutions.

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes.

ECOWAS needs to adopt a Code of Conduct for internal auditors because only such a code can provide an objective assurance on risk management, control and governance processes.

The Code of Conduct goes beyond the definition of the internal audit function and extends to the following two essential components:

1. Fundamental Principles governing the professional practice of internal auditing;
2. Rules of Conduct that describe the behaviour expected of internal auditors. The Principles can assist in the application of the fundamental Principles and are aimed at promoting an ethical culture in the professional practice of internal auditing.

The Code of Conduct and the other two reference documents, namely the Internal Audit Charter and the Internal Audit Guidelines, spell out rules governing the conduct of internal auditors in ECOWAS Institutions.

Scope of application and compulsory nature of the Code of Ethics

The ECOWAS Code of Conduct applies to internal auditors working in the Community institutions. Any contravention of the Code of Conduct will be evaluated and treated in accordance with existing regulations by competent authorities such as the Audit Committee and the Council of Ministers. The fact that a particular form of behaviour is not specifically mentioned in the Code of Conduct will

not make it less unacceptable or less honourable. Any contravention of the code will attract appropriate disciplinary action.

Internal Auditors in ECOWAS institutions are expected to apply and uphold the following principles and rules:

1.0. INTEGRITY

PRINCIPLES

The integrity of internal auditors establishes trust and thus provides the basis for reliance on their judgement.

RULES

Internal auditors:

- 1.1. Shall perform their work with honesty, diligence, and objectivity.
- 1.2. Shall observe the law and make disclosures expected by the law and the profession.
- 1.3. Shall not knowingly be a party to any illegal activity, or engage in acts that are discreditable to ECOWAS institutions;
- 1.4. Shall respect and contribute to the legitimate and ethical objectives of ECOWAS institutions;
- 1.5. Shall behave in such a way that their integrity and good name will never be in doubt.

2.0 OBJECTIVITY

PRINCIPLES

Internal auditors exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined.

RULES

Internal auditors:

- 2.1. Shall not participate in any activity or relationship that may impair or be presumed to impair the impartiality of their judgement.
- 2.2. Shall not accept anything that may impair or be presumed to impair their professional judgement.
- 2.3. Shall disclose all material facts known to them that, if not disclosed, may distort the reporting on audit activities undertaken.
- 2.4. Shall conduct their investigations without

any bias. In their conclusions, they should display a high sense of objectivity, neutrality and honesty.

- 2.5 Shall make a balanced assessment of all the relevant circumstances and shall not be unduly influenced by their own interests or by others in forming judgments.

3.0 CONFIDENTIALITY

PRINCIPLES

Internal auditors shall not disclose any information, facts or acts known to them in the course of their professional duties.

RULES

Internal auditors

- 3.1. Shall be prudent in the use and protection of information acquired in the course of their duties.
- 3.2. Shall not use information for any personal gain or in any manner that would be contrary to the legal provisions or jeopardize the ethical objectives of ECOWAS institutions.
- 3.3. Shall not reveal the content of audit reports to third parties, with the exception of those parts of the reports used by other professionals who are equally bound to protect professional secrets.
- 3.4. Shall respect the value and ownership of information they receive and do not disclose information without appropriate authority unless there is a legal or professional obligation to do so.

4.0. COMPETENCY

PRINCIPLES

Internal auditors shall engage only in those services for which they have the necessary knowledge, skill and experience.

- 4.1. Shall engage only in those services for which they have the necessary knowledge, skill and experience.
- 4.2. Shall perform internal auditing services in accordance with the standards for the Professional Practice of Internal Auditing.
- 4.3. Shall continually improve their proficiency and effectiveness and quality of their services.

- 4.4. Shall have sufficient knowledge to identify the indicators of fraud but are not expected to have the expertise of persons whose primary responsibility is detecting and investigating fraud. Where any irregularity or fraud is detected, the internal auditors shall inform their supervisory authorities immediately and examine with the authorities the best ways and means of conducting investigations with the necessary tact and discretion.

- 4.5. Shall, upon production of necessary evidence and after consultation with their supervisory authorities, refuse to participate in an audit exercise for which they lack the necessary competence or required resources, a situation that may impair the credibility of the results of the exercise.

5.0. INDEPENDENCE PRINCIPLES

The laws, regulations, and code of ethics require internal auditors to maintain and be seen to maintain their independence which is one of the fundamental basis for the reliability of their opinion.

RULES

Internal auditors:

- 5.1. Shall be honest and sincere in the performance of their functions. They shall ensure fairness and not allow any bias or preconceived ideas to impair their independence. They shall remain neutral and their operations shall be free of any influence, actual or perceived, which may be considered, no matter the facts of the situation, as incompatible with the principles of integrity and objectivity.
- 5.2. Shall be free to establish their audit plan and work programme, define the scope of their intervention, prepare and communicate the results of their audit activity.
- 5.3. Shall ensure that the collaborators and third parties assisting them in their work observe the principles of independence.
- 5.4. Shall be able to act independently so as to maintain their integrity and objectivity. They shall also avoid any act that may be interpreted as impairments to their independence and objectivity.

6. DUE PROFESSIONAL CARE

PRINCIPLES

In the course of their professional duties, Internal Auditors should perform their work with professional care.

RULES

Internal auditors:

- 6.1. Shall apply the professional care and skill expected of a reasonably prudent and competent internal auditor. Due professional care does not apply infallibility.
- 6.2. Shall exercise due professional care by considering the:
 - expectations of the audited, including the nature, schedule and communication of the results of the audit;
 - extent of work needed to achieve the objectives of the audit activity;
 - complexity, materiality, or significance of matters to which assurance procedures are applied during each audit exercise;
 - adequacy and effectiveness of risk management, control and governance processes;
 - probability of significant errors, irregularities, and non-compliance.
- 6.1. Shall, in exercising due professional care, consider the use of computer-assisted audit tools and other data analysis techniques.

7. PERFORMANCE STANDARD

PRINCIPLES

Internal auditors should apply professional care and skill so as to ensure that the quality of each audit meets professional standards.

RULES

Internal auditors:

- 7.1. Shall, with the assistance of the relevant authorities, ensure that all the conditions for the success of their missions are met.

- 7.2. Shall apply appropriate techniques and seek to obtain all relevant information pertaining to the operations of the units being audited, with a view to ensuring the quality of their work.

- 7.3. Shall develop and maintain a quality assurance and improvement programme that covers all aspects of the internal audit activity and continuously monitors its effectiveness. This programme shall include periodic internal and external quality assessments and ongoing internal monitoring. Each part of the programme shall be designed to help the internal auditing activity add value and improve ECOWAS operations and to provide assurance that the internal audit activity is in conformity with the international standards and the present Code of Ethics.

8. CONFLICT OF INTERESTS

PRINCIPLES

Internal auditors must avoid being placed in situations which might create conflicts of interest.

RULES

Internal auditors:

- 8.1. Shall refrain from assessing specific operations for which they were previously responsible.
- 8.2. Shall not audit the activities of persons with whom they have close relations. Close relations as defined in Article 14 (a) of ECOWAS Staff Regulation.
- 8.3. Shall not audit the activities of institutions or agencies where they may come across situations that might create conflicts of interest.
- 8.4. Shall not participate in activities or enter into relations that might create conflicts of interest with ECOWAS institutions.
- 8.5. Shall refuse any mission which their conscience tells them might create conflicts of interest, thereby impairing their independence, integrity and objectivity.

9. AUDIT TECHNIQUE AND INFORMATION TECHNOLOGY

PRINCIPLES

Internal auditors should be able to gather, analyse, and communicate information relating to the activity

or process being audited using audit techniques based on appropriate new information and communication technologies (NICTs).

RULES

Internal auditors:

- 9.1. Shall have knowledge of key information technology risks and controls and available technology-based audit techniques to perform their assigned work. However, not all internal auditors are expected to have the expertise of an internal auditor whose primary responsibility is computer auditing or information Systems auditing.
- 9.2. Shall use appropriate new information and communication technologies in the performance of their duties.

10. PREPARATION AND DISSEMINATION OF REPORTS

PRINCIPLES

The internal auditor must prepare a report on any audit activity undertaken. All reports must comply with the format adopted by ECOWAS and hard or electronic copies should be communicated to the appropriate parties.

RULES

Internal auditors:

- 10.1 Shall submit written reports to the supervisory authorities and or auditee, highlighting their findings which should reflect the observations made by the officials in charge of the sectors audited from whom comments would have been received.
- 10.2 Shall prepare their reports using the format adopted by ECOWAS, sign the reports and communicate them in the form required.
- 10.3 Shall include in their report the comments of the management of the audited entity.
- 10.4 Shall have the obligation to follow up regularly the implementation of the recommendations they make.
- 10.5 Shall include in their report the objectives, scope, findings, conclusion and recommendations that result from the works they did.

REGULATION C/REG.23/12/06 ADOPTING THE FRAMEWORK FOR STRENGTHENING CAPACITY IN THE DEVELOPMENT AND INSTITUTIONALIZATION OF ENERGY STATISTICS IN THE ECOWAS REGION

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;

CONVINCED of the importance of statistical information in the development and integration of the West African region;

AWARE of the inadequacies of the national statistical systems with regard to the production of accurate and up-to-date energy statistics on Member States;

DESIROUS of putting in place a regional mechanism for the harmonious development of energy statistics in the region which would ensure the efficient collection, analysis, compilation and dissemination of energy data at both national and regional levels;

CONSIDERING the conclusions of the experts group meeting on energy statistics held in Abuja from 7 to 9 August 2006;

ON THE RECOMMENDATION of the meeting of the Commission on Trade, Customs, Taxation, Statistics, Money and Payments, held in Abuja on 13 and 14 November 2006.

ENACTS

ARTICLE 1

The framework for strengthening capacity in the development and institutionalization of energy statistics in the ECOWAS region is hereby adopted and attached as an annex which is an integral part of this Regulation.

ARTICLE 2

The objective of the framework is to strengthen the capacity to develop and institutionalize the production of energy statistics at the regional level and in the national statistical systems of the Member States, within the context of the National Strategies for the Development of Statistics (NSDS), in order to build a sound base of energy statistics.

or process being audited using audit techniques based on appropriate new information and communication technologies (NICTs).

RULES

Internal auditors:

- 9.1. Shall have knowledge of key information technology risks and controls and available technology-based audit techniques to perform their assigned work. However, not all internal auditors are expected to have the expertise of an internal auditor whose primary responsibility is computer auditing or information Systems auditing.
- 9.2. Shall use appropriate new information and communication technologies in the performance of their duties.

10. PREPARATION AND DISSEMINATION OF REPORTS

PRINCIPLES

The internal auditor must prepare a report on any audit activity undertaken. All reports must comply with the format adopted by ECOWAS and hard or electronic copies should be communicated to the appropriate parties.

RULES

Internal auditors:

- 10.1 Shall submit written reports to the supervisory authorities and or auditee, highlighting their findings which should reflect the observations made by the officials in charge of the sectors audited from whom comments would have been received.
- 10.2 Shall prepare their reports using the format adopted by ECOWAS, sign the reports and communicate them in the form required.
- 10.3 Shall include in their report the comments of the management of the audited entity.
- 10.4 Shall have the obligation to follow up regularly the implementation of the recommendations they make.
- 10.5 Shall include in their report the objectives, scope, findings, conclusion and recommendations that result from the works they did.

REGULATION C/REG.23/12/06 ADOPTING THE FRAMEWORK FOR STRENGTHENING CAPACITY IN THE DEVELOPMENT AND INSTITUTIONALIZATION OF ENERGY STATISTICS IN THE ECOWAS REGION

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;

CONVINCED of the importance of statistical information in the development and integration of the West African region;

AWARE of the inadequacies of the national statistical systems with regard to the production of accurate and up-to-date energy statistics on Member States;

DESIROUS of putting in place a regional mechanism for the harmonious development of energy statistics in the region which would ensure the efficient collection, analysis, compilation and dissemination of energy data at both national and regional levels;

CONSIDERING the conclusions of the experts group meeting on energy statistics held in Abuja from 7 to 9 August 2006;

ON THE RECOMMENDATION of the meeting of the Commission on Trade, Customs, Taxation, Statistics, Money and Payments, held in Abuja on 13 and 14 November 2006.

ENACTS

ARTICLE 1

The framework for strengthening capacity in the development and institutionalization of energy statistics in the ECOWAS region is hereby adopted and attached as an annex which is an integral part of this Regulation.

ARTICLE 2

The objective of the framework is to strengthen the capacity to develop and institutionalize the production of energy statistics at the regional level and in the national statistical systems of the Member States, within the context of the National Strategies for the Development of Statistics (NSDS), in order to build a sound base of energy statistics.

ARTICLE 3

The Regional Committee on energy and environment statistics shall amongst other duties, monitor the development of energy statistics at both the national and regional levels.

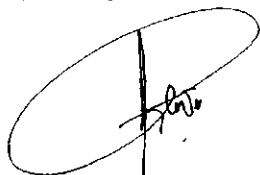
ARTICLE 4

The Commission shall take appropriate measures to implement the framework, in close collaboration with Member States and the other sub-regional organisations.

ARTICLE 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.24/12/06 ADOPTING THE
FRAMEWORK FOR STRENGTHENING
CAPACITY IN THE DEVELOPMENT AND
INSTITUTIONALIZATION OF ENVIRONMENT
STATISTICS IN THE ECOWAS REGION**

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;

CONVINCED of the importance of statistical information in the development and integration of the West African region;

AWARE of the inadequacies of the existing national statistical systems with regard to the production of accurate and up-to-date environment statistics on Member States;

DESIROUS of putting in place a regional mechanism for the harmonious development of environment statistics in the region which would ensure the efficient collection, analysis, compilation and dissemination of environment data at both national and regional levels;

CONSIDERING the conclusions of the experts group meeting on environment statistics held in Abuja from 7 to 9 August 2006;

ON THE RECOMMENDATION of the meeting of the Commission on Trade, Customs, Taxation, Statistics, Money and Payments, held in Abuja on 13 and 14 November 2006;

ENACTS**ARTICLE 1**

The framework for strengthening capacity in the development and institutionalization of environment statistics in the ECOWAS region is hereby adopted and attached as an integral part of this Regulation.

ARTICLE 2

The objective of the framework is to strengthen capacity and institutionalize the production of environment statistics at the regional level and in the national statistical systems of the Member States, within the context of the National Strategies for the Development of Statistics (NSDS), in order to build a sound base of environment statistics.

ARTICLE 3

A Regional Committee on energy and environment statistics is hereby established to monitor the development of energy and environment statistics.

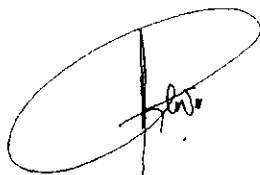
ARTICLE 4

The Commission shall take appropriate measures to implement the framework, in close collaboration with Member States and the other sub-regional organisations.

ARTICLE 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.25/12/06 ESTABLISHING A
REGIONAL COMMITTEE ON POVERTY
STATISTICS AND MILLENNIUM DEVELOPMENT
GOALS INDICATORS OF THE ECOWAS REGION****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;

CONVINCED of the importance of statistical information in the development and integration of the West African region;

AWARE of the inadequacies of the national statistical systems with regard to the production of accurate and up-to-date poverty statistics and Millennium Development Goals Indicators in Member States;

DESIROUS of putting in place a regional mechanism for the harmonious development of poverty statistics and Millennium Development Goals Indicators in the region which would ensure the efficient collection, analysis, compilation and dissemination of data at national and regional levels;

CONSIDERING the conclusions of the experts group meeting on ECOWAS Poverty Profile held in Abuja on 10 and 11 August 2006;

ON THE RECOMMENDATION of the meeting of the Commission on Trade, Customs, Taxation, Statistics, Money and Payments, held in Abuja on 13 and 14 November 2006

ENACTS**ARTICLE 1**

A Regional Committee is hereby established to monitor the development of poverty statistics and Millennium Development Goals indicators.

ARTICLE 2

The objective of the Committee is to strengthen the capacity to develop and institutionalize the production of poverty statistics and Millennium Development Goals indicators at the regional level and in the national statistical systems of the Member States, within the context of the National Strategies for the Development of Statistics (NSDS), in order to build a sound base of poverty statistics.

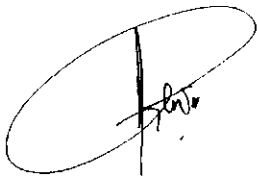
ARTICLE 3

The Commission shall take appropriate measures to ensure the effective functioning of the Committee, in close collaboration with Member States and the other sub-regional organisations.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.26/12/06 RELATING TO THE
RESTRUCTURING OF THE INTERNAL AUDIT
FUNCTION IN COMMUNITY INSTITUTIONS AND
THE ESTABLISHMENT OF THE POSITION/
OFFICE OF THE CHIEF INTERNAL AUDITOR OF
THE COMMUNITY**

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 Decision A/DEC.2/11/91 on the adoption of the Scheme of service of Staff of the Institutions of the Community establishing the position of Internal Auditor for all Institutions;

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 function of maintaining good financial control principles in the Community;

MINDFUL of the need to assist ECOWAS Institutions improve on budget management, funds control and institutional management thereby promoting transparency, accountability and probity in the overall management of the resources of the Community;

ALSO CONSIDERING the need to separate the control functions from those of Internal Audit to ensure the independence and objectivity of Internal Auditors;

DESIRING therefore to achieve the above stated objectives by restructuring the Internal Audit function within Community Institutions, strengthen the Internal Audit function and ensure compliance of internal control with ECOWAS Protocols, Supplementary Acts, Regulations, Decisions and Directives of the ECOWAS Authority of Heads of State and Government and the Council of Ministers;

ON THE RECOMMENDATION of the Sixth Meeting of the Audit Committee which was held in Dakar from 16-17 October 2006;

ENACTS**ARTICLE 1**

The position of Chief Internal Auditor is hereby established at a D1 Professional Category to manage the Internal Audit functions of all Community Institutions.

ARTICLE 2

The Chief Internal Auditor shall be located within the ECOWAS Commission and will report to the Council of Ministers through the ECOWAS Audit Committee.

ARTICLE 3

The President of the Commission shall appoint staff of the Office of the Chief Internal Auditor in accordance with the ECOWAS Staff Regulations. This staff shall subsequently be appropriately deployed by the Chief Internal Auditor. The Chief Internal Auditor shall manage the budget of his/her office. The Internal Auditor shall report to the Chief Internal Auditor.

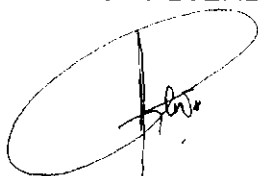
ARTICLE 4

The attached organisation chart indicating the structure for Financial Control and the Internal Audit is hereby adopted.

ARTICLE 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.27/12/06 RELATING TO THE
RE-ORGANISATION OF THE OFFICE OF THE
FINANCIAL CONTROLLER OF THE COMMUNITY
INSTITUTIONS**

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 Decision A/DEC.4/12/2001 reinstating the post of the Financial Controller of the Community;

MINDFUL of the provisions of the Financial Regulations and Manual of Accounting Procedures of the Institutions of the Community of 1989 as amended, establishing the functions of the Financial Controller;

MINDFUL of the need to assist ECOWAS Institutions improve on budget management, funds control and institutional management thereby promoting transparency, accountability and probity in the overall management of the resources of the Community;

ALSO CONSIDERING the need to separate the control functions from those of Internal Audit to ensure the independence and objectivity of Internal Auditors;

DESIRING therefore to achieve the above stated objectives by re-organising this office and through such re-organisation, also strengthen the performance of their duty of the Financial Controller and ensure compliance of internal controls with ECOWAS Protocols, Supplementary Acts, Regulations, Decisions and Directives of the ECOWAS Authority of Heads of State and Government and the Council of Ministers;

ON THE RECOMMENDATION of the Sixth Meeting of the Audit Committee which was held in Dakar from 16-17 October 2006;

ENACTS

ARTICLE 1

The Financial Controller shall be responsible for all the financial control functions within Community Institutions.

ARTICLE 2

The Financial controller shall continue to report to the Council of Ministers and also avail the Administration and Finance Commission with information relating to the budget and financial status of the Community.

ARTICLE 3

The office of the Financial Controller shall be located at the Commission. The Financial Controller shall manage the budget of his/her office.

ARTICLE 4

The President of the Commission shall appoint staff of the office of the Financial Controller in

accordance with the ECOWAS Staff Regulations, and this staff shall subsequently be appropriately deployed by the Financial Controller. The Staff shall report directly to the Financial Controller.

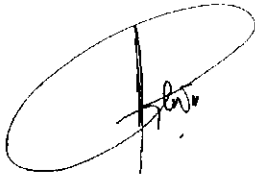
ARTICLE 5

The attached organisation chart indicating the structure for the Offices of the Financial Controller and the Internal Auditor is hereby adopted.

ARTICLE 6

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

REGULATION REG.28/12/06 ESTABLISHING NATIONAL MONITORING STRUCTURES ON FREE MOVEMENT OF PERSONS ON THE HIGHWAYS AND AT THE BORDERS WITH ECOWAS REGION

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 59 of the Treaty committing Member States to take measures to ensure that community citizens fully enjoy their rights in the area of free movement within ECOWAS;

MINDFUL of Protocol A/P1/5/79 of 29 May 1979 on free movement of persons, right to residence and establishment;

MINDFUL of Decision A/DEC.2/7/85 of 6 July 1985 establishing an ECOWAS Travel Certificate

MINDFUL of Decision A/DEC. 1/5/2000 adopting the ECOWAS Passport

MINDFUL of the Final Communiqué of the twenty-seventh session of the Authority of Heads of State and Government deploring the existence of numerous roadblocks which impede free movement of persons, the right of residence and establishment;

NOTING that harassments still exist on the highways and at the borders, in spite of the 30 years of awareness raising campaigns directed at border security agents and the citizenry;

CONSIDERING that fact-finding missions undertaken along the highways and at the borders of Member States have confirmed that the protocols on free movement of persons are not effectively implemented;

WISHING to address the concerns of Community citizens and to promote trade and investments in the sub-region;

DESIROUS therefore of creating monitoring structures on free movement of persons on the highways and at the borders of crucial importance in ECOWAS, as well as the coordination bureau with a view to attaining the objective of free movement of persons;

ON THE RECOMMENDATION of the meeting of Heads of Immigration Services of Member States held in Abuja, 26 - 27 October, 2006;

HAVING CONSIDERED the report relating to the sensitization mission on free movement of persons and good, undertaken in the Member States in November and December 2006 by the representative of the Chairperson of Council.

ENACTS

ARTICLE 1: ESTABLISHMENT OF UNITS: PILOT PHASE

- Member States shall establish Monitoring Units on free movement of persons at the border posts.
- A two-year pilot programme (2007 and 2009) covering the Lagos-Cotonou-Lome-Accra-Abidjan-Ouagadougou-Bamako-Conakry corridors is hereby adopted.

ARTICLE 2: COMPOSITION

The monitoring units on free movement of persons shall comprise the following:

- Three (3) civil society representatives
- Three (3) private sector representatives
- National Members of the ECOWAS Parliament
- A government Lawyer
- One (1) representative of the ECOWAS National Unit

ARTICLE 3: MISSION

The monitoring units on free movement of persons shall:

- compile a list of all ECOWAS basic texts on free movement of persons, right to residence and establishment and make them available to people from all walks of life;
- Popularize among police officers, gendarmes, customs and immigration officers and judicial officers, orders, degrees, laws, protocols and all other instruments relating to free movement of persons;
- determine the type of checks carried out;
- identify existing forms of harassment;
- note, denounce and prepare reports on breaches to free movement and expose those

responsible so that appropriate sanctions can be imposed on them;

- monitor the application of sanctions;
- nominate for reward the best security agents who respect the right of citizens in the area of free movement
- plan and organize at border posts public awareness programmes on rights and duties relating to free movement of persons, right to residence and establishment;

ARTICLE 4: MONITORING AND APPLICATION OF SANCTIONS

The monitoring units on free movement of persons shall ensure the application of the sanctions imposed and report to the Commissioner for Trade, Customs and Free Movement of Persons who shall inform the Council of Ministers and the Authority of Heads of State and Government.

ARTICLE 5: ESTABLISHMENT OF A COORDINATION BUREAU

To enable the pilot units located along the Cotonou-Lome-Accra-Abidjan, Ouagadougou-Bamako-Conakry corridors to effectively pursue their objective, a co-ordination bureau for the pilot units is hereby established.

ARTICLE 6: OBJECTIVES OF THE COORDINATION BUREAU

The coordination bureau shall:

- ensure that the pilot units strictly comply with their terms of reference;
- carry out periodic evaluation of the performance of the pilot units;
- provide basic training for the members of the pilot units on the community law on free movement of persons, right to residence and establishment;
- provide pilot units with documentation or and other tool necessary for the realization of their activities;
- prepare consultative meetings to enable the various units to exchange good practices so as to identify problems and find solutions to them.

ON THE RECOMMENDATION of the meeting of Heads of Immigration Services of Member States held in Abuja, 26 - 27 October, 2006;

HAVING CONSIDERED the report relating to the sensitization mission on free movement of persons and good, undertaken in the Member States in November and December 2006 by the representative of the Chairperson of Council.

ENACTS

ARTICLE 1: ESTABLISHMENT OF UNITS: PILOT PHASE

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- ensure that the pilot units strictly comply with their terms of reference;
- carry out periodic evaluation of the performance of the pilot units;
- provide basic training for the members of the pilot units on the community law on free movement of persons, right to residence and establishment;
- provide pilot units with documentation or and other tool necessary for the realization of their activities;
- prepare consultative meetings to enable the various units to exchange good practices so as to identify problems and find solutions to them.

**ARTICLE 7:
RESOURCES OF THE PILOT UNITS AND THE
COORDINATION BUREAU**

The Commission shall provide the pilot units and the coordination bureau with human, financial and material resources to enable them to attain their objectives.

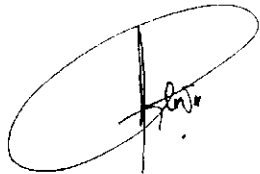
ARTICLE 8: EXTENSION OF THE UNITS

At the end of the 2007-2009 pilot phase, and after evaluation of progress, the Council of Ministers shall replicate the monitoring units on the free movement of persons at other major borders.

ARTICLE 9:

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.29/12/06 AUTHORIZING
THE EXECUTIVE SECRETARY TO TERMINATE
THE APPOINTMENT OF MRS. TOKUNBO LIJADU-
OYEMADE, FORMER DIRECTOR OF
ADMINISTRATION, AND TO REPLACE HER WITH
A NIGERIAN NATIONAL**

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;

CONSIDERING that dismissal of an officer of the Community is an administrative affair and that the procedure and appeals are provided for in the Staff Rules and Regulations of the institutions of the Community;

NOTING that the memorandum of the staff representatives is very critical of the former Director of Administration;

RECALLING, however, the willingness of Council to give a human face to the resolution of the issue relating to the dismissal of Mrs. Tokunbo Lijadu-Oyemade, and noting the initiatives already taken in this direction by the ECOWAS Executive Secretary;

CONSIDERING the need to put an end to the issue relating to the dismissal of Mrs. Tokunbo Lijadu-Oyemade, which has dragged on for three (3) years;

DESIROUS of providing the Institutions of the Community with highly qualified, competent staff, committed to the duties and obligations as prescribed by the Staff Regulations of the Institutions of the Community;

REAFFIRMING its commitment to abolish the quota system with regard to the appointment of professional staff;

DESIROUS however of maintaining the current equitable geographical distribution of professional staff posts among all the Member States;

ENACTS

ARTICLE 1

1. The Executive Secretary is hereby authorised to terminate the appointment of Mrs. Tokunbo

Lijadu-Oyemade, former Director of Administration of the ECOWAS Executive Secretariat.

2. The afore-mentioned officer shall be paid the benefits due her.

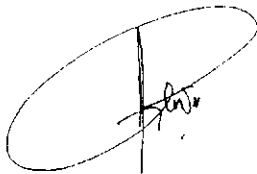
ARTICLE 2

As an exceptional measure, the recruitment of a Nigerian national is hereby authorised to fill the vacancy created by the dismissal of Mrs. Tokunbo Lijadu-Oyemade.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

REGULATION C/REG.30/12/06 ADOPTING THE GIABA STRATEGIC ACTION PLAN

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the E COWAS Revised Treaty as amended in June 2006, establishing the Council of Ministers and defining its compositions and functions;

MINDFUL of Decision A/DEC.9/12/99 relating to the establishment of GIABA;

MINDFUL of the Revised Statutes of GIABA expanding its mandate to the fight against the financing of terrorism;

CONSIDERING that the fifty-fifth Session of the Council of Ministers, held in Niamey adopted a biennial strategic action plan for GIABA;

NOTING that the meeting of Experts, held from 20 to 21 November 2006, evaluated the said action plan and proposed a triennial (2007 - 2008 - 2009) strategic action plan for GIABA activities;

AWARE of the need for GIABA to fully carry out its operational activities;

DESIROUS of providing this Institution with a Strategic Action Plan;

UPON THE RECOMMENDATION of the meeting of Experts, held in Niamey from 20 to 21 November, 2006;

ENACTS

ARTICLE 1

The GIABA Strategic Action Plan 2007 - 2008 - 2009 is hereby adopted.

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 Chairman 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 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOUDOU,
CHAIRPERSON,
FOR THE COUNCIL.**

FINAL COMMUNIQUE

THIRTY-FIRST SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Ouagadougou, 19 January 2007

INTRODUCTION

The thirty-first 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 19 January 2007 under the chairmanship of His Excellency, Mamadou Tandja, President of the Republic of Niger and current Chairman of ECOWAS.

The following Heads of State and Government or their duly accredited representatives attended the meeting:

- His Excellency Thomas Boni Yayi, President of the Republic of Benin;
- His Excellency Blaise Compaoré, President of Burkina Faso;
- His Excellency Laurent Gbagbo, President of the Republic of Côte d'Ivoire;
- His Excellency John Agyekum Kufuor, President of the Republic of Ghana;
- His Excellency Jao Bernado Viera, President of the Republic of Guinea Bissau;
- Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia;
- His Excellency Amadou Toumani Touré, President of the Republic of Mali;
- His Excellency Mamadou Tandja, President of the Republic of Niger;
- His Excellency, Chief Olusegun Obasanjo, President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria;
- His Excellency Maître Abdoulaye Wade, President of the Republic of Senegal;
- His Excellency, Faure Essozimna Gnassingbe, President of the Togolese Republic;
- Honourable Mrs Fatoumata Sidibé Kaba, Minister of International Cooperation, Representing the President of the Republic of Guinea;

- Honourable Alhaji Mohammed Daramy, Minister of Development and Economic Planning, Representing the President of the Republic of Sierra Leone;
- The Prime Minister of the Republic of Côte d'Ivoire, His Excellency Charles Konan Banny participated in this session.

The following personalities also attended the thirty-first session as observers:

- Mr. Ahmedou Ould Abdallah, Representative of the Secretary-General of the United Nations Organisation
- His Excellency Rodolphe Adadah, Minister of Foreign Affairs and Francophonie of the Republic of Congo, representing the President of the African Union
- Mr Soumaïla Cissé, President of the UEMOA Commission
- Mr. Justin Baro, Acting Governor of the BCEAO
- Mr Ablassé Ouédraogo Representing the ADB President
- And several members of the diplomatic corps, representatives of regional and international institutions.

OPENING CEREMONY

The opening ceremony was marked by the welcome statement of H.E. Blaise Compaore, President of Burkina Faso, the opening address of His Excellency, Mamadou Tandja, President of the Republic of Niger, and current Chairman of ECOWAS and the UEMOA, the congratulatory speech of the Heads of State and Government, delivered by His Excellency Chief Olusegun Obasanjo, President of the Federal Republic of Nigeria and Her Excellency Mrs Ellen Johnson-Sirleaf, the address of the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas, as well as the messages of the Chairman of the Authority of Heads of State and Government of the African Union and the United Nations Secretary-General.

The Authority adopted these addresses as working documents of the summit. The Heads of State and Government reaffirmed their commitment to the development of the national economies of West Africa through the regional approach by making ECOWAS an effective instrument for promoting the integration process.

TRANSFORMATION OF THE ECOWAS COMMISSION INTO A COMMISSION AND RESTRUCTURING OF ECOWAS INSTITUTIONS

The Authority commended the transformation of the ECOWAS Commission into a Commission as well as the restructuring of the ECOWAS Institutions aimed at making the Institutions more efficient, with a view to enabling them fully play their role in the integration and development process of the region and to better adapt to the international environment.

They urged the in-coming Chairman of ECOWAS to convene a meeting of ECOWAS Ministers of Finance and of the new Commissioners to set clear priority areas for the Commission that will give impetus to an action-oriented focus on a few sectors such as energy, transport, information and communication technology as well as trade facilitation.

THE ECOWAS COMMISSION

The Authority took note of the nomination of the following Commissioners by the Council of Ministers:

- Vice Président,
Jean de Dieu SOMDA - (Burkina Faso)
- Commissioner for Administration and Finance,
Dr. (Mrs.) Adaoha C. OKWUOSA - (Nigeria)
- Commissioner for Trade, Customs,
Industry and Free Movement of Persons,
Mr. Mohamed Daramy - (Sierra Leone)
- Commissioner for Agriculture,
Environment and Water Resources,
Ouseini Salifou - (Niger)
- Commissioner for Infrastructure,
Comla Kadje - (Togo)
- Commissioner for Macro-economic Policy,
Lambert N'galadjo Bamba - (Côte d'Ivoire)
- Commissioner for Political Affairs,
Peace and Security,
Col. Mahamane Toure - (Mali)

The Authority took note of the acceptance of the Republic of Senegal to present three candidates for selection to the post of Commissioner for Human Development and Gender.

ECOWAS BANK FOR INVESTMENT AND DEVELOPMENT (EBID)

Following the restructuring of EBID, the Authority

adopted a Supplementary Protocol relating to the amendment of Articles 1, 3, 6 and 21 of the revised Treaty as recommended by the Council of Ministers, to turn EBID into a single management structure with two windows (for concessional and private sector operations).

ECOWAS PROGRAMMES

The Authority adopted the 2006 ECOWAS Annual Report presented by the President of the ECOWAS Commission, the reports of the two sessions of the Council of Ministers and of the meeting of the ECOWAS Mediation and Security Council (at ministerial level). The reports focused on the ECOWAS regional integration and cooperation programmes, institutional issues as well as regional peace and security.

REGIONAL POVERTY REDUCTION STRATEGY

The Authority expressed serious concern over the slow progress toward the achievement of the Millennium Development Goals (MDGs) by 2015. The Heads of State and Government urged all Member States to improve upon economic governance through the adoption of appropriate macro-economic policies and enhanced structural reforms that will generate the level of economic growth required for attaining the MDGs, especially the halving of the incidence of poverty in the region by 2015.

The Authority welcomed the collaboration the ECOWAS Commission has established with the UEMOA Commission and the World Bank for the formulation of a regional approach to complement national poverty reduction programmes. All Member States were invited to take the regional dimension of poverty into account in their national PRSPs.

EXTERNAL INDEBTEDNESS AND WEST AFRICAN DEVELOPMENT

The Authority stressed that the high external indebtedness of ECOWAS countries hinders development efforts and the achievement of the Millennium Development Goals (MDGs).

The Authority however expressed satisfaction at the commitments made by the development partners to cancel the external debts of many developing countries including some ECOWAS countries. It invited the West African development partners to extend these measures taken under the highly indebted poor countries (HIPC) and the multilateral debt relief initiatives (MDRI), to all ECOWAS countries, while making eligibility conditions less stringent.

MONETARY COOPERATION PROGRAMME

The Authority stressed the need to deepen macro-economic convergence and to enhance the performance of Member States to give greater credibility to the second monetary zone and the ECOWAS single currency. In this regard, it urged all the Member States to redouble efforts to comply with the macro-economic convergence criteria through strict budgetary discipline and structural reforms aimed at expanding the production base.

FREE MOVEMENT OF PERSONS

The Authority expressed concern over the numerous obstacles still existing along West African highways and at the borders of ECOWAS Member States, which lead to undue delays in administrative formalities and extortion of travellers. The Authority congratulated Burkina Faso on the removal of all unofficial check points along its international highways. It urged all the other Member States to emulate this measure in order to eliminate obstacles to the free movement of travellers.

Desiring to enable ordinary citizens of ECOWAS take full advantage of their membership of the Community, the Authority urged Member States to take all necessary measures to implement the Protocol on Free Movement of Persons, the Right of Residence and Establishment.

The Authority expressed satisfaction at the decision of the Council of Ministers to establish pilot units for the free movement of persons along the Lagos-Cotonou, Lomé-Accra, Abidjan-Ouagadougou and Bamako-Coriakry axes, create a central coordination and monitoring bureau, grant an incentive allowance to the best security officers at border posts and apply severe sanctions on erring officers.

ECOWAS PASSPORT

The Heads of State and Government praised the Republics of Benin, Guinea and Senegal for effectively putting into circulation the ECOWAS Passport which confers Community citizenship on the peoples of the region. They urged the other Member States to take the necessary measures to print and put into circulation, this important travel document, without further delay.

INTERNATIONAL MIGRATION

The Authority recognised that the issue of migration had become a major pre-occupation for the West

Africa region, particularly since it involves youths, the most active members of a country, and also because ECOWAS countries are the main source of transit for migration from Africa to Europe.

The Authority further agreed that while the security dimensions of the migration phenomenon do not have easy solutions, urgent attention must be given to the development dimension in order to resolve the problem of poverty which encourages emigration. It was decided that one of the regional strategies would be the establishment of an adequate fund to meet the development needs of Member States, and a better facilitation of the transfer of the savings of migrants.

WEST AFRICA – E. U. ECONOMIC PARTNERSHIP AGREEMENT (EPA)

The Authority stressed that the EPA currently being negotiated between West Africa and the European Commission should help to achieve the objective of reducing poverty. In this regard, the agreement must take into account the development dimension, notably in building supply capacities, improving the competitiveness and up-grading of West African economies.

Concerning the end of the 2007 deadline for the signing of the agreement, the Heads of State and Government urged the negotiators to be flexible in their approach, with a view to concluding an EPA that serves the interests of the peoples of West Africa.

MULTILATERAL TRADE NEGOTIATIONS

The Authority deplored the fact that the suspension of the Doha round led to the reluctance of the World Trade Organisation (WTO) to take into account some of the concerns of the West Africa region, notably the cotton issue.

The Authority underscored the importance of an efficient multilateral trade regime founded on fair, equitable and transparent rules. It therefore urged all the members of the WTO to translate into action their declared commitment towards the successful completion of the on-going negotiations, in line with the mandate of the Doha development round.

The Authority also invited the development partners to go beyond the commitments made in Hong Kong in order to eliminate all domestic subsidies on agriculture, notably cotton.

The Heads of State and Government particularly