



# Official Journal

Vol. 31

## of the Economic Community of West African States (ECOWAS)

English Edition

July 1996

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**FINAL COMMUNIQUE**

1. Nineteenth session of the Authority of Heads of State and Government, Accra 26-27, July 1996.

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## **A/P1/7/96 PROTOCOL ON CONDITIONS GOVERNING APPLICATION OF THE COMMUNITY LEVY**

### **THE HIGH CONTRACTING PARTIES**

MINDFUL of Article 7 of the Economic Community of West African States (ECOWAS) Revised Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

AND MINDFUL of Article 72 of the ECOWAS Revised Treaty introducing a Community levy to generate revenue for financing the activities of the community;

DESIROUS of concluding a Protocol defining the conditions for the application of the Community levy and the modalities for transfer of receipts and utilisation of resources:

### **HAVE HEREBY AGREED AS FOLLOWS:**

#### **I. DEFINITIONS**

##### **Article 1**

For the purposes of this Protocol:

"Treaty" means the Revised Treaty of the Economic Community of West African States signed in Cotonou on 24 July, 1993:

"Community" means the Economic Community of West African States whose establishment is reaffirmed by Article 2 of the Treaty.

"Member State" or "Member States" means a Member State or Member States of the Community

"Third country" means any non-Member State of the Community.

"Authority" means the Authority of Heads of State and Government of the Community established under Article 7 of the Treaty.

"Council" means the Council of Ministers of the Community established under Article 10 of the Treaty.

"Executive Secretariat" and "Executive Secretary" means the Executive Secretariat and Executive Secretary of the Community referred to under Article 17 of the Treaty.

"Fund" means the ECOWAS Fund for Cooperation, Compensation and development established under Article 21 of the Treaty.

"Administration and Finance Commission" (AFC) means the Commission established under Article 22(h) of the Treaty.

#### **II. TAX BASE, ASSESSMENT AND COLLECTION**

##### **Article 2**

This Protocol defines the conditions for the application of the Community levy instituted in Article 72 of the Treaty.

##### **Article 3**

The taxable base of the Community levy shall be the taxable value of goods, originating from third countries imported into the Community and released for home consumption.

##### **Article 4**

The following shall fall outside the scope of the Community levy:

- a) products of ECOWAS origin (approved industrial products, unprocessed goods and traditional handicrafts);
- b) goods manufactured or obtained in Member States but which do not satisfy ECOWAS rules of origin;
- c) goods originating from third countries cleared for home consumption in a Member State and re-exported to another Member State.

##### **Article 5**

The following shall be exempted from the Community Levy:

- a) aid, gifts and non-repayable grants received by a state or by legal entities constituted under public law and destined for charitable works recognised as being for the common good;
- b) goods originating from third countries, imported as part of financing agreements with foreign partners, subject to a clause expressly exempting the said goods from any fiscal or para-fiscal levy;
- c) goods imported by enterprises under a stabilised fiscal regime in force at the date of entry into force of this protocol;
- d) goods on which the Community levy has been paid under an earlier regime.

#### Article 6

The Community tax shall be levied on the basis of:

- a) the CIF value at the port of disembarkation for imports arriving by sea;
- b) the CIF value at the point of entry into the Community's Customs territory in the case of imports arriving by road;
- c) the Customs value at the airport of disembarkation for imports arriving by air;
- d) the market value for products featuring on the market price list.

#### Article 7

The rate of the Community levy shall be fixed at one half percent (0.5%) of the value of imports originating from third countries. This rate may be amended, as necessary, every three years by the Authority on the recommendation of the Council of Ministers.

#### Article 6

- 1. The national Customs Administrations of a Member State shall be responsible for assessment and collection of the Community levy.
- 2. Customs collectors or heads of Customs offices shall assess and collect all amounts receivable in respect of the Community Levy.
- 3. Such collectors or heads of Customs offices shall open an additional column in their ledgers to record a daily account of amounts received.

#### Article 9

- 1. The securities and privileges granted to States in the collection of State fiscal revenue shall also apply to the collection of dues paid as community levy.
- 2. The proceeds from Community levy shall enjoy, in all Member States, the privileges and immunities provided for in the Treaty, the General Convention on Privileges and Immunities of the Community, and the Headquarters Agreements.

### III. DECLARATION AND ALLOCATION OF RETURNS

#### Article 10

Amounts collected as Community levy shall be paid by the national Administration, within a period not exceeding one month from the date of collection, into an account opened by the Executive Secretary in the name of ECOWAS with the Central Bank of each Member State, for States which have their own Central Banks, and with the national office of the Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO) in the case of Member States of the Union Monétaire Ouest Africaine (UMOA).

#### Article 11

Amounts collected as Community levy shall be allocated as follows:

- a) the ordinary budgets of the

Community and of its institutions, with the exception of the budget of the Fund for Cooperation, Compensation and Development;

- b) the compensation budget for loss of revenue arising from trade liberalisation;
- c) the funding of development projects;
- d) any other uses as may be decided by the Authority or the Council including any increases to the capital of the ECOWAS Fund.

#### Article 12

The budgets and other uses referred to in Article 11 above shall be decided annually by the Council of Ministers as recommended by the Administration and Finance Commission.

### IV. SURPLUSES AND DEFICITS

#### Article 13

Any surplus recorded on the Community levy pursuant to authorised expenditure for a financial year shall be carried over into the accounts of the Executive Secretariat.

#### Article 14

1. Any deficits between total authorised expenditure and proceeds from the Community levy shall, on the decision of the Council of Ministers, be corrected using funds carried over from surpluses from previous years.
2. Where such deficits cannot be offset from the surpluses carried over, they shall be reversed by either of the following methods:
  - i) by deferring execution of certain activities which may be postponed or for which alternative funding may be obtained;
  - ii) by requesting additional funds from Member States. The deficit shall

then be spread between the different budgets according to their respective share within the entire budget. The additional contributions from Member States shall be determined on the basis of the different contribution quotas applied for the budgets of the Community.

#### Article 15

Where the deficit or surplus over three consecutive budget years exceeds 25% of the total vote, the Council of Ministers shall effect the necessary adjustments either by widening the tax base or, where there is a deficit, by raising the rate of the Community Levy or by reducing the rate in case of a surplus.

### V. ADMINISTRATION OF THE COMMUNITY LEVY

#### Article 16

In the Member States, regulations governing the management of disputes concerning Customs duties and taxes shall also apply to operations involving the tax base, assessment and collection of the Community levy. Proceeds from contentious cases shall, with the exception of the actual Community levy, be paid exclusively to the state.

#### Article 17

At the Community level, the Council of Ministers shall oversee all operations carried out by national Customs Administrations through the Executive Secretariat. The Administration and Finance Commission shall present an annual report to Council accordingly. Conditions governing this supervisory role shall be determined by Council.

#### Article 18

The Executive Secretariat shall, in its detailed annual report to Council on the application of the mechanism and subject to the provisions of Article 7, propose any amendments it may deem necessary or which may have been submitted by one or more Member States.

## VI. TRANSITIONAL PROVISIONS

### Article 19

During a transitional period of three years, commencing from the date of entry into force of this protocol:

1. Collection of the Community levy may be executed through channels other than those stipulated under article 8 of this protocol.

However, the proceeds of the Community levy shall be paid in the manner and within the time-limit provided under article 10 of this protocol.

2. Total annual withdrawals from the proceeds of the Community levy by the Executive Secretary in each Member State, shall not exceed the total of its dues in respect of contributions to all budgets and grants combined.
3. Contributions from Member States and their share of any eventual call for additional funds shall be determined in accordance with existing criteria and rules of procedure.
4. Where there is a shortfall between revenue generated by the Community levy and the contributions due from a Member State towards all budgets and grants, the Member State concerned shall pay the difference.
5. Any surplus shall be used to settle arrears of contributions and any balance therefrom shall revert to the Member States.

### Article 20

The Minister responsible for ECOWAS affairs in each Member State shall, on the 1st of January of each fiscal year, notify the bank in which the ECOWAS Community levy account has been opened, of the maximum amount which may be withdrawn from this account by the Executive Secretary of ECOWAS.

### Article 21

The Executive Secretariat shall, in collaboration with the Member States and the ECOWAS national units, present an evaluation report to the Council of Ministers on the mechanism of the Community levy before the expiration of the transition period.

Council shall, on the basis of this evaluation report, determine the arrangements necessary to ensure a smooth passage to the substantive regime.

## VII. FINAL PROVISIONS

### Article 22

#### Settlement of Disputes

1. Any dispute between a Member States and the Community with regard to the interpretation and application of this Protocol shall be settled amicably within a period of six months from the occurrence of the dispute.
2. Failing this, the dispute shall be referred to the Community Court of Justice whose decision shall be final and binding.

### Article 23

#### Sanctions

The sanctions specified in Article 77 of the Treaty shall be applicable to a Member State which fails to honour the obligations imposed on it by the provisions of this Protocol.

### Article 24

#### Amendment and Revision

1. Any Members State may propose any amendment or revision of this Protocol.
2. All proposals shall be submitted to the Executive Secretariat which shall transmit them to Member States within thirty (30) days of their receipt. The Authority shall examine all proposals for amendment and revision at the expiration of the three-month period granted to Member States.



**Article 25****Deposit and Entry into Force**

1. This Protocol shall enter into force upon ratification by at least nine (9) signatory States, in accordance with the constitutional regulations in force in each Member State.
2. This Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies thereof to all member States, notify them of the date of deposit of the instruments of ratification and register the Protocol with the Organisation of African Unity, the United Nations and all other

organisations as may be determined by the Council of Ministers.

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

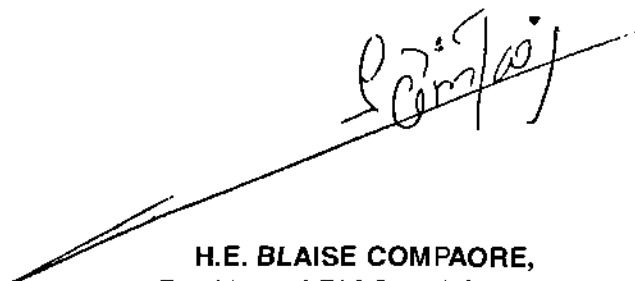
**IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS PROTOCOL.**

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**

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



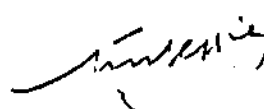
**H.E. MATHIEU KEREKOU**  
*President, Head of State, and Head of  
Government of the Republic of BENIN*



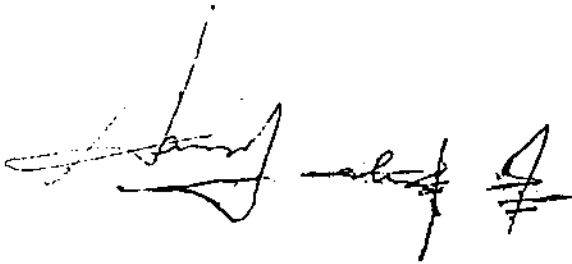
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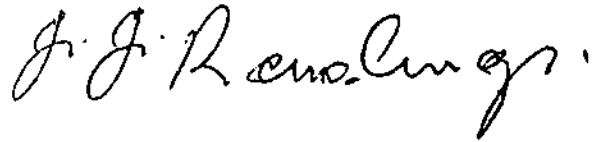
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Republic of CAPE VERDE*



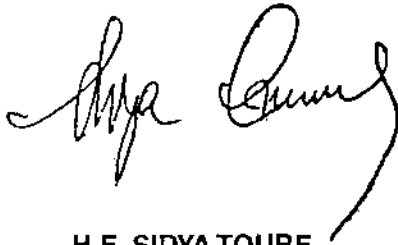
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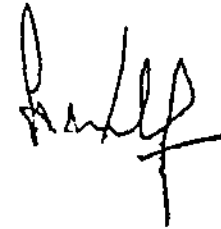
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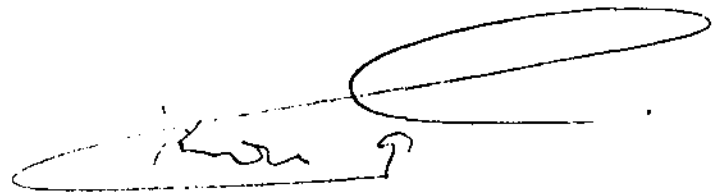
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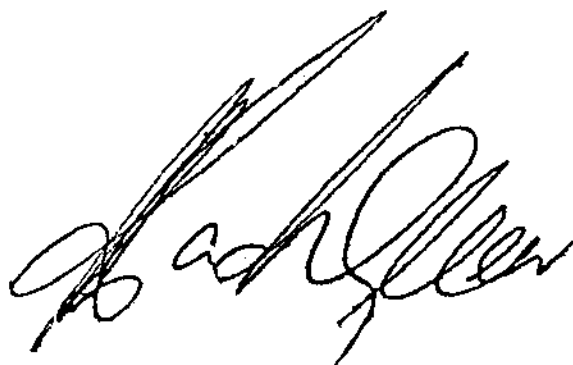


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**H.E. IBRAHIM MAINASSARA BARE**  
*President of the Republic of NIGER*

**HON. E. AHMED OULD MINNIH**  
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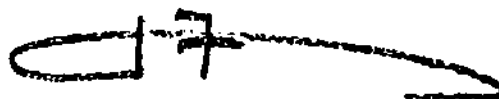
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*Minister of African Economic Integration, for and on behalf of the President of the Republic of SENEGAL*



**H.E. ALHAJI AHMAD TEJAN KABBAH**  
*President of the Republic of SIERRA LEONE*



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*President of the TOGOLESE Republic*

## A/P2/7/96 PROTOCOL ESTABLISHING VALUE ADDED TAX IN ECOWAS MEMBER STATES

### THE HIGH CONTRACTING PARTIES

MINDFUL of Article 7 of the Economic Community of West African States (ECOWAS) Treaty establishing the Authority of Heads of State and Government and defining its composition and functions;

CONSIDERING the need to introduce within the Community, a uniform indirect tax which might encourage increased intra-Community trade on a non-discriminatory basis;

CONSIDERING that the value-added tax, by virtue of its mode of operation and its scope, may assist Member States to achieve their set objectives within the Community;

DESIRING to conclude a Protocol establishing value added tax in ECOWAS Member States;

HAVE AGREED AS FOLLOWS:

### CHAPTER I

#### DEFINITIONS AND PURPOSE

#### 1. TAXABLE AND NON-TAXABLE OPERATIONS

##### Article 1

In this Protocol

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

"Community" means the Economic Community of West African States whose establishment is reaffirmed by Article 2 of the Treaty.

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

"Council" means the Council of Ministers established by Article 10 of the Treaty of the Economic Community of West African States.

"Executive Secretary" or "Executive Secretariat" means the Executive Secretary or the Executive Secretariat of the Economic Community of West African States referred to in Article 17 of the Treaty.

##### Article 2

1. There is hereby established within the Member States of the Economic Community of West African States (ECOWAS) a consumer tax known as "value-added tax" (VAT) which shall replace the other indirect taxes on turnover.
2. Taxes on certain products and services, particularly those which rely on banking or insurance operations, along with excise duties shall remain applicable.
3. The structure and application of this tax shall be as defined by Member States in this Protocol.

### CHAPTER II

#### SCOPE

##### Article 3

All operations shall be subject to value added tax which involve an economic activity carried out in exchange for payment within a Member State by any natural or legal person engaged habitually or occasionally in acts pertaining to an industrial, commercial, non-commercial or artisanal activity, with the exception of salaried activities.

Of particular importance are:

- a) **Imports** - by imports is meant the crossing of a customs area and the release for consumption of goods, in the customs;
- b) **Sales** - by sales is meant any operation involving the transfer of ownership of tangible goods to a third person, in return for payment;

- c) **Construction works** - by this is meant all works executed by the different lots involved in construction, maintenance and repair of buildings and all aspects of building, public works, heavy boiler work, metal construction works, demolition work and all secondary or preliminary works connected with construction works;
- d) Operations involving the transformation of agricultural and piscicultural produce and all other operations; even where undertaken by the farmers, fishermen or their cooperatives and which, by virtue of their importance, can be likened to activities undertaken by industrialists or traders, whether or not such activities are a continuation of agricultural or piscicultural activity;
- e) **Services** - covers all operations other than those referred to above carried out between two legally distinct persons and involving payment in cash or in kind.
- f) Deliveries by natural or legal persons of tangible goods, movable properties for their own use or for use by their enterprises or deliveries to be transferred free of charge to third parties;
- g) Generally, any lucrative activity other than salaried employment.
- registered seagoing vessels;
- registered river craft navigating in international waters;
3. Fuelling of ships and aircraft travelling abroad;
  4. sales, repairs, conversions and maintenance of aircraft for use by airlines operating international flight schedules;
  5. All goods under suspensory customs systems;
  6. Operations carried out by insurance companies and any other insurers, irrespective of the nature of the risks insured which are liable to insurance tax;
  7. Sales of fiscal stamps and stamped papers;
  8. Transfer of ownership or usufruct or registered fixed assets, goodwill or clientele.

## II. TAXPAYERS

### Article 5

Any natural or legal persons undertaking taxable activities as defined in Articles 3 above shall be subject to value-added tax, particularly:

1. Importers;
2. Producers.

By producers is meant:

- a) Natural or legal persons who undertake as their principal or secondary activity, the extraction, manufacture or transformation of goods, whether for the purpose of manufacturing other products or for final use;
- b) Natural or legal persons who in effect, act as manufacturers and carry out, within or outside their factories, all operations involving the manufacture or final

### Article 4

The following are exempt from VAT:

1. Direct export of products or goods;
2. Sales, repairs or conversion of:

commercial presentation of products whether or not such products are sold under the mark or name of the person carrying out these operations;

c) Natural or legal persons who engage the services of a third person to carry out the operations enumerated in subparagraph (a) and (b) above;

d) *Workmen*: persons who give a product its definitive shape and who are hired by an employer to work principally on or with movable assets which do not belong to them and to which they generally only apply their expertise.

3. Construction firms and any natural or legal persons engaged in construction works on their own account on behalf of others.

4. Leasing or credit leasing firms.

5. *Traders* - those persons who habitually buy for resale, movable or immovable property either unprocessed or after preparation.

6. Providers of services.

7. Natural or legal persons, irrespective of their official designation or obligations with regard to all other taxes who:

a) have been authorised to receive goods or services, duty-free or at preferential rates, where the conditions justifying such tax exemptions or reductions have ceased to be valid, thus rendering them liable for the tax or supplementary tax;

b) sell or deliver on behalf of other taxable persons;

c) undertake taxable transactions on behalf of foreign firms.

## CHAPTER III

### TERRITORIALITY

#### Article 6

A transaction shall be considered to have been carried out in a Member State:

- in respect of sales where the sale has taken place in accordance with the conditions governing delivery of goods in that Member State;
- in respect of any other transaction - where the service provided, the right transferred or the object leased are utilised in that Member State.

#### Article 7

Where a taxpayer is not resident in a Member State, he must appoint a resident representative who shall fulfil all obligations pertaining to value added tax on his behalf. Failing this, all such obligations shall be honoured by the person on whose account the operations are undertaken.

## CHAPTER IV

### TAXABLE STAGE AND TAX LIABILITY

#### Article 8

The following shall be considered taxable stages of VAT:

1. — in respect of sales, upon delivery of goods or products;
- in respect of imports, upon delivery of goods for home use;
- in respect of construction works, upon execution or handing over of the building or works;
- in respect of services, once the service has been provided;
- in respect of deliveries for own use, upon initial use of the goods.

2. Value added tax shall be payable during the month following that in which the taxable stage took place, under conditions to be determined by each Member State.

In case of importation, value added tax shall be liable for payment at the taxable stage.

#### Article 9

A taxable stage may only be assessed prior to total or partial invoicing.

In the case of operations other than importation, payment of an advance shall be the taxable event for VAT.

### CHAPTER V

#### TAXABLE BASE

#### Article 10

The taxable base shall be determined by the price demanded from the client to obtain a product or service and charges, inclusive of all taxes and exclusive of value added tax itself or the value of the object submitted for payment.

However, the taxable base shall be determined.

- For imports, by the customs value of the goods, to which shall be added duties and taxes of all descriptions, except value added tax itself.
- For deliveries for own use by the cost price of goods or works carried out.
- For construction works — by the cost of statements, agreements, invoices or deposits.
- For second hand goods — by the difference between the sales price and the actual price at which the goods are purchased.

#### Article 11

The taxable base defined above shall exclude any rebate, reduction or discount granted to the client on an invoice, within reasonable limits.

### CHAPTER VI

#### RATES

#### Article 12

It shall be left to the discretion of each member State, provisionally, to determine the rates to be applied to goods and services subject to value added tax.

#### Article 13

The list of goods prepared in accordance with the ECOWAS Customs and Statistical Nomenclature, which are exempt from value added tax or subject to VAT rates other than the normal rate is annexed to the related text of each Member State.

The list of services which are exempt or which are subject to rates other than the normal rates is also annexed to the above text.

### CHAPTER VII

#### TAX DEDUCTIBILITY

##### I. PRINCIPLE

#### Article 14

Deductibility shall be granted to all VAT taxpayers.

#### Article 15

Tax deductibility is assessed from the point at which the tax becomes payable. Value added tax paid on individual components which go into the price of a taxable operation is deductible from the value added tax applicable to the entire operation.

#### Article 16

1. Tax on operations is deductible by the tax payer if value added tax has been calculated and paid upon the purchase or importation of the following:

- a. raw materials or similar items used in the manufacture of taxable products;

- b. goods for resale as part of a taxable operation;
  - c. services required as part of a taxable operation;
  - d. supplies of movable or immovable property acquired for the operation;
  - e. goods, products or merchandise exported.
2. The following are also tax deductible:
- a. value added tax on delivery for own use;
  - b. value added tax charged on leasing or hire-purchase on goods liable for deduction;
  - c. Value added on tax built into the ex-warehouse cost price or connected with the maintenance or preservation of tax deductible goods.
3. The above list is in no way exhaustive and may be amended during the transitional phase by legislation passed in Member States.

#### Article 17

To become eligible for deductions a tax payer must have in his possession:

- either invoices issued by his supplier, himself liable to tax; or
- a customs certificate of entry for home use showing that he is the genuine consignee.

#### Article 18

The total deductible amount shall be charged by the tax payer against all taxes due for the period covered by the declaration eligible for deduction and paid on goods and services.

#### Article 19

In the event of approved deductions exceeding the

amount due as taxes for the declared period, Member States may either carry over the surplus to the next year or may effect a refund according to modalities fixed by themselves.

### III. LIMITATIONS

#### Article 20

In determining deductibility, tax payers who do not engage solely in taxable activities shall adopt a pro-rata system, whether in respect of fixed or other assets and services. The pro-rata is the ratio of yearly earnings from tax deductible operations to the total annual proceeds from all operations combined, expressed as a percentage.

## CHAPTER VIII

### OBLIGATIONS OF THE TAXPAYER

#### Article 21

The taxpayer shall declare, within a time limit to be fixed by each Member State, the date of commencement, change and cessation of his/her activity

#### Article 22

The taxpayer shall maintain regular and complete accounts in order to justify taxable and non-taxable operations carried out by him.

#### Article 23

A taxpayer delivering goods or services to a client or making a claim from that client for a taxable advance payment shall be required to issue an invoice or equivalent document to the client a copy of which shall be kept by the taxpayer.

The invoice or equivalent document, duly dated, shall state clearly:

- 1. the identification of the supplier, specifically his name, company name, address, tax identification number, bank references;
- 2. The nature of business transacted;



3. the pre-tax cost of goods delivered, services rendered or works executed;
4. the rate applicable and the amount payable as tax;
5. identity of the client, specifically name or business name, address, and, if necessary, tax identification number.

#### **Article 24**

Any reference to value added tax on an invoice shall automatically render a person liable for VAT.

#### **Article 25**

All taxpayers shall submit a declaration on operations within a time-limit to be fixed by Member States. The frequency of declaration and content shall be supplied by each Member State.

### **CHAPTER IX**

#### **TRANSITIONAL PROVISIONS**

#### **Article 26**

Laws and regulations in force in Member States may continue to be applicable during a 3-year transition period from the date of entry into force of this protocol.

#### **Article 27**

At the end of the transitional period, the following areas shall be encapsulated within a harmonised text:

- liability, assessment and collection
- refund of value added tax
- sanctions and penalties;
- forfeit system;
- treatment applicable to small and medium scale enterprises;
- treatment applicable to agriculture;

- determination of rates;
- classification of goods and services;
- scope of tax deductibility;
- credit stock management;
- control;
- disputes.

### **CHAPTER X**

#### **FINAL PROVISIONS**

#### **Article 28**

##### **Settlement of disputes**

Any dispute among Member States regarding the interpretation or application of this Protocol shall be amicably settled by the Council of Ministers. In the event of failure to settle such disputes, the matter may be referred to the Community Court of Justice by one of the parties and the decision of the Court shall be binding and final.

#### **Article 29**

##### **Amendment and Revision**

Any Member State may propose any amendment or revision of this protocol.

All proposals shall be submitted to the Executive Secretariat which shall transmit them to Member State within thirty (30) days of receipt. The Authority of Heads of State and Government shall consider the proposals for amendment and revision at the expiration of the three-month period granted to Member States.

#### **Article 30**

##### **Deposit and Entry into Force**

1. This Protocol shall enter into force, provisionally, upon signature by the Heads of State and Government and, definitively, upon ratification by at least nine (9) signatory States, in accordance with the

constitutional procedure applicable in each Member State.

2. This Protocol and all instruments of ratification shall be deposited with the Executive Secretariat of the Community which shall transmit certified true copies thereof to all Member States and notify them of the dates of deposit of the instrument of ratification and shall register the Protocol with the Organisation of African Unity, the United Nations Organisations and such other Organisations as the Council of Ministers shall designate.
3. Each Member State shall inform the

Executive Secretariat of such provisions as it shall have made to ensure implementation of this Protocol. The Executive Secretariat shall convey this information to all other Member States.

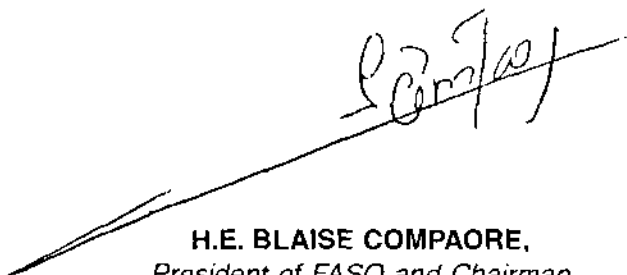
**IN FAITH WHEREOF, WE THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS PROTOCOL.**

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**

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



**H.E. MATHIEU KEREKOU**  
*President, Head of State, and Head of Government of the Republic of BENIN*



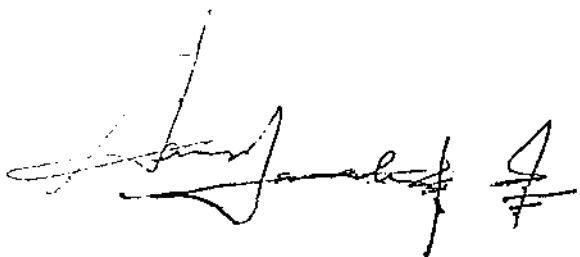
**H.E. BLAISE COMPAORE,**  
*President of FASO and Chairman of the Council of Ministers of BURKINA FASO*



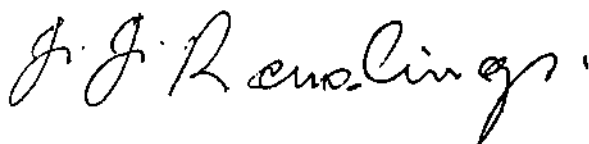
**H.E. CARLOS ALBERTO WAHANON DE CARVALHO VEIGA**  
*Prime Minister and Head of Government of the Republic of CAPE VERDE*



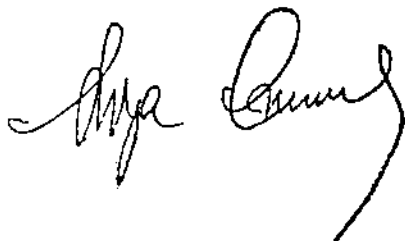
**H.E. HENRI KONAN BEDIE**  
*President of the Republic of COTE D'IVOIRE*



**H.E. CAPTAIN YAHYA A.J.J. JAMMEH**  
*Chairman of the Armed Forces Provisional  
Ruling Council and Head of State of the  
Republic of GAMBIA*



**H.E. FLT. LT. JERRY JOHN RAWLINGS**  
*President of the Republic of GHANA*



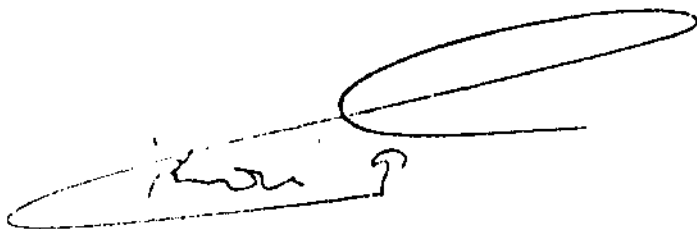
**H.E. SIDYA TOURE**  
*Prime Minister, and Minister of Economy,  
Finance and Planning of the Republic of Guinea,  
for and on behalf of the President of the  
Republic of GUINEA*



**HON. LUIS OLIVEIRA SANCA**  
*Minister of Trade of the Republic of Guinea  
Bissau, for and on behalf of the Head of State of  
the Republic of GUINEA BISSAU*



**H.E. WILTON SANKAWULO**  
*Chairman of the Council of State of  
the LIBERIA National Transitional Government*



**H.E. ALPHA OUMAR KONARE**  
*President of the Republic, Head of State of the  
Republic of MALI*



**H.E. IBRAHIM MAINASSARA BARE**  
*President of the Republic of NIGER*

**HON. E. AHMED OULD MINNIH**  
*Minister, Secretary-General of the Office of the President, for and on behalf of the President of the Islamic Republic of MAURITANIA*



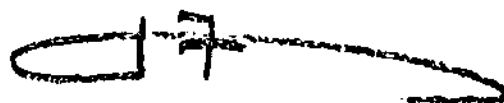
**H.E. GENERAL SANI ABACHA**  
*Head of State and Commander-in-Chief of the Armed Forces of the Federal Republic of NIGERIA*



**HON. E. MASSOKHNA KANE,**  
*Minister of African Economic Integration, for and on behalf of the President of the Republic of SENEGAL*



**H.E. ALHAJI AHMAD TEJAN KABBAH**  
*President of the Republic of SIERRA LEONE*



**H.E. GNASSINGBE EYADEMA**  
*President of the TOGOLESE Republic*

**DECISION A/DEC. 1/7/96 RELATING TO THE COMPLETION OF THE ECOWAS FUND HEADQUARTERS BUILDING IN LOME**

**THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 of the Authority of Heads of State and Government relating to the Construction of the Headquarters of the Institutions of the Community;

MINDFUL of its Decision A/DEC. 4/7/86 relating to the financing of the Headquarters of the ECOWAS Fund in Lome which fixed the total cost of the ECOWAS Fund Headquarters at Five billion CFA francs (CFAF 5,000,000,000);

CONSIDERING Decision A/DEC. 3/6/88 of the Authority of Head of State and Government relating to financing of extra works in respect of the construction of the Headquarters of the ECOWAS Fund in Lome;

**DECIDES**

**Article 1**

The Management of the ECOWAS Fund is authorised to complete the ECOWAS Fund Headquarters building.

**Article 2**

The completion of the building shall be financed through the payment of arrears of contribution to the construction of the Headquarters of the ECOWAS Fund.

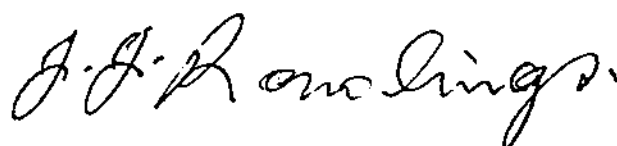
**Article 3**

This Decision 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 the Authority.

It shall also be published within the same time-

frame in the National Gazette of each Member State.

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**DECISION A/DEC. 2/7/96 RELATING TO THE RECOVERY OF THE AMOUNT OF UA 11,207,925 CONTRIBUTED BY THE ECOWAS FUND TOWARDS THE CONSTRUCTION OF THE ECOWAS EXECUTIVE SECRETARIAT HEADQUARTERS IN ABUJA, NIGERIA**

**THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 relating to

the construction of the Headquarters of the Institutions of the Community;

MINDFUL of Decision A/DEC. 5/7/87 relating to the financing of the construction of the Headquarters of the **ECOWAS Executive Secretariat**;

MINDFUL of Decision C/DEC. 6/11/82 of the Council of Ministers relating to the procedure for the construction of the Headquarters of Community Institutions;

On the RECOMMENDATION of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

### DECIDES

#### Article 1

The ECOWAS Fund's investment of UA 11,207,925 in the construction of the ECOWAS Secretariat Headquarters in Abuja, Nigeria, shall be treated as a concessionary long term loan to the Executive Secretariat on the following terms and conditions;

- a) **Purpose:**  
Recovery of amounts paid by the Fund to wards the construction of the Executive Secretariat Headquarters
- b) **Amount:**  
UA 11,207,925
- c) **Duration:**  
7 years
- d) **Repayment Period:**  
7 years with effect from the end of the settlement of rescheduled arrears of contributions (01/01/98)
- e) **Interest Rate:**  
NIL
- f) **Charges:**  
NIL
- f) **Frequency of Payments:**  
Semi-annually

- g) **Semi-Annual Amount:**  
UA 800,566.07

#### Article 2

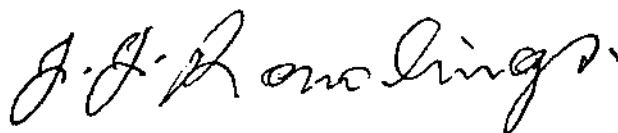
The loan granted to the Executive Secretariat shall be repaid through the payment of arrears of contribution.

#### Article 3

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of the signature of the Chairman of the Authority.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**DECISION A/DEC. 3/7/96 ESTABLISHING THE  
BASE RATE FOR THE TARIFF REDUCTION  
PROGRAMME ENVISAGED FOR UNDER THE  
ECOWAS TRADE LIBERALISATION SCHEME**

**THE AUTHORITY OF HEADS OF STATE AND  
GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 8/5/79 dated 29th May, 1979 of the Authority of Heads of State and Government consolidating customs duties and taxes of equivalent effect and non-tariff barriers;

CONSIDERING the different fiscal reforms introduced in Member States since 1979;

CONSIDERING Recommendation C/REC. 4/7/96 of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

**DECIDES**

**Article 1**

Customs duties and other taxes of equivalent effect levied on imports under the ECOWAS tariff structure, and serving as the base rate for the commencement of the tariff reduction programme envisaged under the ECOWAS trade liberalisation scheme shall be those rates applicable to goods imported from third countries by Member States and classified under the same heading in the ECOWAS Customs and Statistical Nomenclature, based on the harmonised Commodity Description and Coding System (H.S.)

**Article 2**

Member States and the Executive Secretariat shall take all necessary measures to ensure the implementation of this decision;

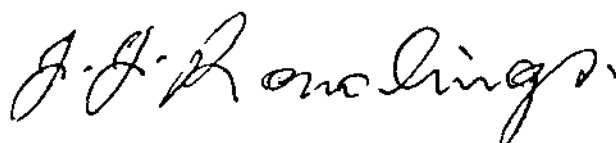
**Article 3**

This Decision shall be published by the Executive

Secretariat in the Official Journal of the Community not later than 30 days from the date of signature by the Chairman of the Authority.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**DECISION A/DEC. 4/7/96 ON THE  
CANCELLATION OF THE CRITERION  
RELATING TO THE LEVEL OF PARTICIPATION  
OF COMMUNITY NATIONALS IN THE EQUITY  
CAPITAL OF ENTERPRISES WISHING TO  
BENEFIT FROM THE ECOWAS TRADE  
LIBERALISATION SCHEME**

**THE AUTHORITY OF HEADS OF STATE AND  
GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the protocol signed on 5th November, 1975 relating to the definition of the concept of products originating from ECOWAS Member States and its subsequent amendments;

MINDFUL of Decision A/DEC. 6/7/92 amending Decision A/DEC. 1/5/85 relating to the adoption and implementation of a single trade liberalisation scheme for industrial products originating from ECOWAS Member States;

CONSIDERING the need to streamline the ECOWAS Trade Liberalisation Scheme with a view to accelerating its effective application;

CONSIDERING the constraining nature of the rules of origin, particularly as they relate to the level of participation of Community nationals in the equity capital of enterprises wishing to benefit from the ECOWAS Trade Liberalisation Scheme;

CONCERNED with the need to eliminate obstacles being faced by economic operators in the sub-region and to attract foreign investments into West Africa;

CONSIDERING Recommendation C/REC. 5/7/96 of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

#### DECIDES

##### Article 1

The criterion relating to the level of participation of Community nationals in the equity capital of enterprises wishing to benefit from the Community liberalisation scheme for industrial products is hereby cancelled.

##### Article 2

The provisions of Article 7 of Decision A/DEC. 6/7/92 of 29th July, 1992 fixing the level of participation of nationals of Member States in the equity capital of industrial enterprises whose products shall benefit from the trade liberalisation scheme at a single minimum rate of 25% are hereby repealed.

##### Article 3

The following criteria shall be taken into consideration to determine Community origin of industrial products eligible to benefit from the ECOWAS trade liberalisation scheme;

1. the quantity or value of raw materials used in the process of production;
2. the value added of the ex-factory price before tax of the finished product.

##### Article 4

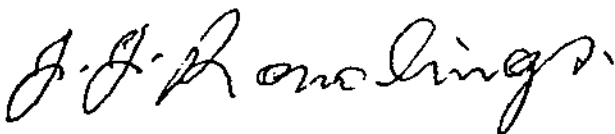
Member States and the Executive Secretariat shall take necessary measures to ensure the implementation of this Decision.

##### Article 5

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days after its signature by the Chairman of the Authority of Heads of State and Government.

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

DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996



H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY



**DECISION A/DEC. 5/7/96 GRANTING THE WEST AFRICAN ENTERPRISES NETWORK (WAEN) THE STATUS OF OBSERVER WITHIN THE INSTITUTIONS OF THE COMMUNITY**

**THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 9/8/94 dated 6th August, 1994 establishing regulations for the granting to non-governmental organisations (NGOs) the status of observer within the Institutions of the Community;

CONSIDERING that the West Africa Enterprise Network is an international non-governmental organisation comprising private sector entrepreneurs whose objective is to contribute to the improvement of the business climate in West Africa;

CONSIDERING the crucial role of the West Africa Enterprise Network (WAEN) in the development of cross-border trade and investment;

On the RECOMMENDATION of the thirty-ninth session of the Council of Ministers held at Abuja from 22nd to 25th July, 1996;

**DECIDES**

**Article 1**

The West African Enterprises Network (WAEN) is hereby granted the status of observer, in Category "A", within the Institutions of the Economic Community of West African States.

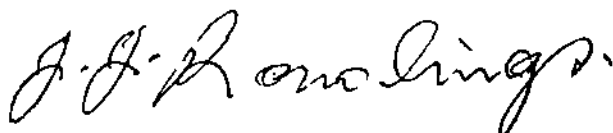
**Article 2**

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days after signature by the Chairman of the Authority.

It shall also be published within the same time-

frame in the National Gazette of each Member State.

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**DECISION A/DEC. 6/7/96 ESTABLISHING STANDARDS FOR THE DESIGN OF COMMUNITY ROADS**

**THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 20/5/80 dated 28th May, 1980 of the Authority of Heads of State and Government relating to the ECOWAS transport programme;

**MINDFUL** of Resolution C/RES. 7/7/91 dated 3rd July, 1991 of the council of Ministers urging Member States to take into account ECOWAS decisions during negotiations for the financing of transport projects;

**CONSCIOUS** of safety considerations, given that heavy duty vehicles occupy up to 2.8 metres of the roadway;

**MINDFUL** of the fact that pavements less than 7 metres wide wear out more rapidly than those that exceed 7 metres, and therefore need more frequent maintenance;

**AWARE** of the higher maintenance cost of roads less than 7 metres wide;

**MINDFUL** of the increasingly heavy volume of traffic;

On the **RECOMMENDATION** of the thirty-ninth session of the Council of Ministers held in Abuja, from 22nd to 25th July, 1996;

### **DECIDES**

#### **Article 1**

The design standards below are hereby established for the construction of Community roads;

- a) the design speed for construction of interstate roads shall be 100 km/h;
- b) The maximum axle load for design shall be 13 tons and the permissible axle load for operation shall be 11.5 tons;
- c) The road width shall be at least 7 metres;
- d) The shoulders shall be at least 1.5 metres wide on both sides.

#### **Article 2**

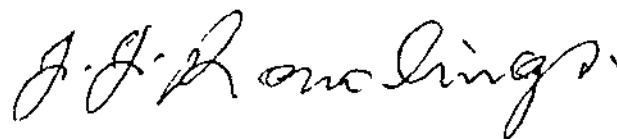
The **Executive Secretariat** shall monitor the implementation of this Decision.

#### **Article 3**

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community thirty (30) days after its signature by the Chairman of the Authority of Heads of State and Government.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

### **DECISION A/DEC. 7/7/96 ON THE CONCLUSION OF A MULTILATERAL AIR TRANSPORT AGREEMENT AMONG MEMBER STATES**

### **THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

**MINDFUL** of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the provisions of Article 32 of the Revised Treaty relating to cooperation in transport and communication;

MINDFUL of Decision A/DEC. 20/5/80 of the Authority of Heads of State and Government on the ECOWAS transport programme;

AWARE of the need to develop air Transport services within ECOWAS;

CONSIDERING the report of the thirty-ninth session of the Council of Ministers, held in Abuja from 22nd to 25th July, 1996;

### DECIDES

#### Article 1

ECOWAS Member States shall conclude among themselves a multilateral air transport agreement establishing a single air space within the Community.

#### Article 2

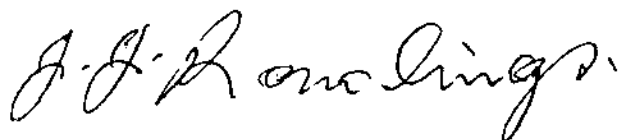
The Executive Secretariat shall monitor and also ensure the implementation of this decision in collaboration with the Member States coordinating the implementation of the Yamoussoukro Declaration in West Africa.

#### Article 3

This Decision 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 the Authority.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY J. RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

## DECISION A/DEC. 8/7/96 RELATING TO THE CREATION BY EACH MEMBER STATE OF AN AUTONOMOUS FUND FOR ROAD MAINTENANCE

### THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 20/5/80 of the Authority of Heads of State and Government dated 28th May, 1980 relating to the transport programme;

MINDFUL of Resolution C/RES. 7/7/91 of the Council of Ministers dated 3rd July, 1991 urging Member States to take into account ECOWAS decisions during negotiations for the financing of transport projects;

AWARE of the accelerated deterioration of roads in Member States; and the high costs of rehabilitating such roads;

AWARE of the difficulties encountered by ECOWAS Member States in funding the rehabilitation and maintenance of existing roads;

On the RECOMMENDATION of the thirty-ninth meeting of the Council of Ministers, held in Abuja from 22nd to 25th July, 1996;

### DECIDES

#### Article 1

Each Member State shall establish an autonomous fund for road maintenance. The fund shall be operated independently from the public treasury, and shall be called "*the Autonomous Fund for Road Maintenance*". The fund shall be financed from charges collected from road users.

#### Article 2

Each Member State shall establish a Board of Directors comprising road users and relevant

government representatives to administer the Fund.

### Article 3

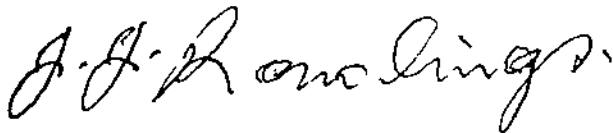
The Executive Secretariat shall monitor and shall also ensure the implementation by Member States of this Decision.

### Article 4

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community thirty (30) days after its signature by the Chairman of the Authority of Heads of State and Government.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

## **DECISION A/DEC. 9/7/96 AUTHORIZING THE EXECUTIVE SECRETARY TO SIGN A LOAN AGREEMENT WITH THE FEDERAL REPUBLIC OF NIGERIA FOR THE CONSTRUCTION OF RESIDENTIAL QUARTERS FOR STAFF OF THE EXECUTIVE SECRETARIAT IN ABUJA.**

### **THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the Decision of the Council of Ministers taken at its 28th session in Abuja on 13th December, 1990 reaffirming its earlier decision that the Community should construct residential quarters in Abuja for the staff of the Executive Secretariat;

AWARE that a large number of Member States are owing arrears of payment to the operational budget of the Executive Secretariat and are also yet to complete payment of their assessed contributions to the construction of the Headquarters of Community Institutions and to the capital of the FUND;

CONVINCED of the inability of most Member States to directly undertake the financing of the construction of staff quarters in Abuja because of the aforementioned outstanding financial obligations of the Community;

CONSIDERING that the Federal Republic of Nigeria had agreed to grant to the ECOWAS Secretariat an interest free loan;

ANXIOUS for the speedy relocation of the Executive Secretariat to Abuja in consonance of Decision C/DEC. 4/12/94 transferring the Executive Secretariat to Abuja;

On the RECOMMENDATION of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

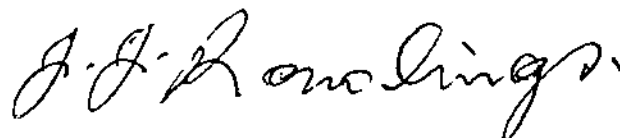
**DECIDES**

frame in the National Gazette of each Member State.

**Article 1**

The Executive Secretary is authorized to sign a loan Agreement between the ECOWAS Executive Secretariat and the Government of the Federal Republic of Nigeria for the construction of residential quarters for staff of the Executive Secretariat in Abuja for an amount of six million six hundred and fifty thousand (\$6,650,000) United States dollars only.

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**Article 2**

1. The Executive Secretary shall renegotiate the terms of the loan agreement with regard to obtaining a longer period of moratorium from the Nigerian Government to cover at least the construction period.
2. Considering that Member States will not be in a position to supplement the loan, the repayment of the loan shall take due account of the amounts to be deducted from salary deductions for housing professionals in accordance with the Staff Regulations, rents, and the recovery of arrears of contributions.
3. The Executive Secretariat is requested to review the design and the construction cost in order to build at least one hundred housing units with that amount.
4. The tender should be opened to all ECOWAS companies bearing in mind that the said companies should have fulfilled the local requirements.
5. To ensure speedy completion of the houses, the construction works may be awarded to a number of companies in lots.

**Article 3**

This Decision 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 the Authority of Heads of State and Government.

It shall also be published within the same time-

**DECISION A/DEC. 10/7/96 AUTHORIZING THE EXECUTIVE SECRETARY TO SIGN AN AGREEMENT\* BETWEEN THE COMMUNITY AND THE GOVERNMENT OF THE REPUBLIC OF LIBERIA ON THE STATUS OF THE ECOWAS CEASEFIRE MONITORING GROUP (ECOMOG) IN LIBERIA**

**THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of Decision A/DEC. 1/8/90 of 7th August, 1990 of the Community Standing Mediation Committee on the ceasefire and establishment of an ECOWAS Ceasefire Monitoring Group for Liberia;

MINDFUL of Decision A/DEC. 3/11/90 relating to the conclusion of an Agreement on the status of the ECOWAS Ceasefire Monitoring Group (ECOMOG) between the Community and the Interim Government of the Republic of Liberia;

CONSIDERING the various Peace Agreements brokered by the Community and signed by the Liberian warring factions;

DESIROUS of providing an appropriate framework that will define the privileges and immunities that the Liberian Government will accord ECOMOG taking into account the international composition of the ECOMOG troops and the ECOWAS General Convention on Privileges and Immunities;

DESIROUS also of granting the ECOMOG Command and its personnel the adequate protection and freedom needed for the execution of their mandate;

On the **RECOMMENDATION** of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

**DECIDES**

**Article 1**

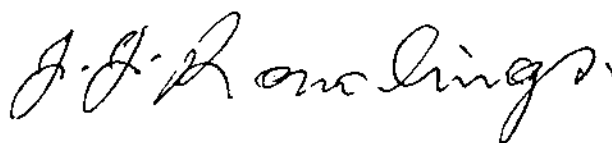
1. The Agreement relating to the status of ECOMOG in Liberia between the ECOWAS and the Government of Liberia attached to this Decision is hereby approved.
2. The Executive Secretary is hereby authorised to sign on behalf of the Community, the Agreement referred to in paragraph (1) above.

**Article 2**

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community thirty (30) days after its signature by the Chairman of the Authority of Heads of State and Government.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**



**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

\* This Agreement was not signed. It was subsequently amended, following the inauguration of an elected Government in Liberia. For the concluded version of the Agreement, please see Volume 35 of the Official Journal.

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**AGREEMENT RELATING TO  
STATUS OF ECOMOG IN LIBERIA  
BETWEEN  
THE ECONOMIC COMMUNITY  
OF WEST AFRICAN STATES, (ECOWAS),  
AND  
THE REPUBLIC OF LIBERIA.**

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**AGREEMENT RELATING TO STATUS OF ECOMOG IN LIBERIA BETWEEN THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, (ECOWAS), AND THE REPUBLIC OF LIBERIA.**

This Agreement is made this.....day of..... of 1996

BETWEEN the,

Economic Community of West African States, (hereinafter referred to as "ECOWAS"), of the one part,

AND

The Republic of Liberia, of the other part.

WHEREAS, the Republic of Liberia, since 1990, has been plunged into a state of civil war resulting in massive destruction of life and property and total breakdown of law and order;

CONSIDERING the pathetic plight of innocent civilians as a result of the civil war and its threat to international peace and security, particularly to neighbouring countries and the West African sub-region as a whole;

CONSCIOUS of the need for a stable and secure regional environment as an essential ingredient for effective regional cooperation;

CONSIDERING that the ECOWAS Standing Mediation Committee established by the Authority of Heads of State and Government of ECOWAS at its First Summit Meeting held in Banjul, The Gambia from 6th to 7th August 1990, decided to deploy an ECOWAS Ceasefire Monitoring Group (ECOMOG) to restore peace and stability to Liberia and to enforce a ceasefire amongst the warring factions;

AWARE that the ECOWAS Ceasefire Monitoring Group (ECOMOG) has since its deployment to Liberia, successfully restored to large measure of normalcy in the country and had also undertaken vital humanitarian activities to alleviate the hardship of the people of Liberia;

AWARE of the enormous effort and commitment of the Economic Community of West African States

towards the peaceful resolution of the Liberian conflict;

NOTING that a final resolution of the Liberian conflict requires the concerted effort and participation of the International Community particularly the UN and the OAU;

MINDFUL of the Peace Agreement (Cotonou Accord) signed in Cotonou, Republic of Benin, on 25th July 1993;

MINDFUL of the Akosombo Agreement signed on 12th September 1994;

MINDFUL of the Agreement on the Clarification of the Akosombo Agreement 1994 signed in Accra on 21st December 1994;

MINDFUL of the Acceptance and Accession Agreement signed in Accra on 21st December 1994;

MINDFUL of the Agreement to supplement the Cotonou and Akosombo Agreement as subsequently clarified by the Accra Agreement and signed in Abuja on 19th August 1995;

AWARE that ECOMOG is made up of military, paramilitary and police personnel contributed on a voluntary basis from ECOWAS Member States;

CONSCIOUS of the sovereignty of the Republic of Liberia and the need to define the status of ECOMOG, its Members and its operations within the Republic of Liberia;

**NOW THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:**

**Article 1**

**Definitions**

For the purpose of this Agreement, the following definitions shall apply:

1. "ECOMOG" OR "The Group" means the ECOWAS Ceasefire Monitoring Group (ECOMOG) established pursuant to the ECOWAS Authority Decision A/DEC.1/8/90, and includes troops contributed by other



- African States to assist in the peace-keeping mission. ECOMOG consists of:
- (a) "Special Representative of the Chairman" appointed by the Chairman of the Authority of Heads of State and Government to exercise such powers and functions as are entrusted to him.
  - (b) "Executive Secretary's Special Representative" appointed by the Executive Secretary of ECOWAS to exercise, under his authority, such powers and functions as are entrusted to him by the Authority;
  - (c) "The Field Commander" appointed as Chief of the ECOMOG operations by the Chairman of the Authority;
  - (d) "Joint Ceasefire Monitoring Committee" (JCMC) established pursuant to the Cotonou Accord and Security Council Resolution S/RES/866 (1993) dated 10th August, 1993;
  - (e) "Civilian Section" composed of ECOWAS officials and other persons assigned to assist any of the Special Representatives;
  - (f) A "Military Section" composed of military, paramilitary or civilian section, but unless specifically stated otherwise, does not include locally recruited personnel assigned by the participating states to serve as part of ECOMOG.
2. "Member of ECOMOG" means any member of the military, paramilitary or civilian section, but, unless specifically stated otherwise, does not include locally recruited personnel.
  3. "Participating State" means a member state that contributed personnel to ECOMOG. A "Participating Government" is the government of a Participating State.
  4. "Government" means the Government of the Republic of Liberia and includes all its officials and local authorities.
  5. "Territory" means Liberia.
  6. "Treaty" means the Revised Treaty of the Economic Community of West African States.
  7. "Community" means the Economic Community of West African States established pursuant to Article 2 of the Treaty.
  8. "Chairman" or "Chairman of the Authority" means the current Chairman of the Authority of Heads of State and Government of the Community.
  9. "Executive Secretary" means the Executive Secretary of the Community appointed under Article 18 of the Treaty.
  10. "Special Representative" means, as the case may be, either the Chairman's Special Representative or the ECOWAS Executive Secretary's Special Representative;
  11. "Cotonou Accord" means the Peace Agreement between the Interim Government of National Unity of Liberia (IGNU), the National Patriotic Front of Liberia (NPFL) and the United Liberation Movement of Liberia for Democracy (ULIMO) signed in Cotonou on 25th July, 1993.
  12. "Akosombo Agreement" means the agreement between the National Patriotic Front of Liberia (NPFL), the United Liberation Movement of Liberia for Democracy (ULIMO), and the Armed Forces of Liberia (AFL) in Akosombo, Republic of Ghana on 12th September, 1994 and includes the Agreement on the Clarification of the Akosombo Agreement and the Acceptance and Accession Agreement signed in Accra, Republic of Ghana on 21st December, 1994.
  13. "Abuja Agreement" means the agreement which incorporates the Akosombo and Accra Agreements and signed in Abuja on 19th August, 1995 between NPFL, ULIMO, LPC, AFL, ULIMO-J, LDF, NPFL, CRC AND LNC.
  14. "JCMC" means the Joint Ceasefire Monitoring Committee established pursuant to Paragraph 3, Article 3 of the Cotonou Accord.
  15. "Convention" means the Convention on

Privileges and Immunities of ECOWAS dated 22nd April, 1978.

## Article II

### Application of the Agreement

Unless specifically provided otherwise, the provisions of this Agreement and any obligation undertaken by the Government or any privileges, immunity, facility or concession granted to ECOMOG or any member thereof apply in the Territory only.

## Article III

### Privileges and Immunities of ECOMOG

1. The Convention shall apply to ECOMOG, subject to the special provisions specified in this Agreement.
2. Notwithstanding the application of the Convention, ECOMOG shall enjoy the most favourable of any privilege, immunity, facility or concession granted under the Convention as may be applicable to the parties concerned and the subject matter under consideration.
3. ECOMOG as a subsidiary organ of ECOWAS enjoys the status, privileges and immunities of ECOWAS in accordance with the Convention and as provided for in the present Agreement. The provision of Article 3 of the Convention shall also apply to the property, funds and assets of Participating States used in the Territory in connection with the national contingents serving in ECOMOG operations, as provided for in Article II of the present Agreement. The Government recognises the right of the ECOMOG operations in particular:
  - (a) To import, free of duty and taxes, equipment, provisions, supplies and other goods which are for the exclusive and official use of the ECOMOG operations or for resale in the commissaries provided for hereafter.
  - (b) To establish, maintain and operate commissaries at its headquarters,

camps and post for the benefit of the members of the ECOMOG operations, but not of locally recruited personnel.

- (c) To clear ex-customs and excise warehouse, free of duty and taxes, equipment, provisions, supplies and other goods which are for the exclusive use of the ECOMOG operations or for resale in the commissaries provided for above.
- (d) To re-export or otherwise dispose of such equipment free of duty and taxes, all provisions, supplies and other goods so imported or cleared ex-customs and excise warehouse;

To ensure that such importation, clearance, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between ECOMOG and the Government.

4. The Special Representative, the Field Commander and such other senior officials as the Special Representative or the Field Commander may designate, shall be entitled to diplomatic privileges, immunities and facilities in accordance with the provisions of the Convention.
5. Military personnel assigned to the military section of ECOMOG shall have the privileges and immunities specifically provided for in this Agreement.
6. Members of the ECOWAS assigned to the civilian section to serve with the ECOMOG operations remain officials of their respective organisations entitled to the privileges and immunities provided by the Convention.
7. Other persons assigned to the civilian section of ECOMOG as well as civilian personnel assigned to the military section whose names are for the purpose notified to the Government by any of the Special Representatives shall be considered as experts on mission within the meaning of the Convention.

8. Unless otherwise specified in this Agreement, locally recruited members of ECOMOG operations shall enjoy the immunities concerning official acts and exemption from taxation as provided for in this Agreement.

#### Article IV

##### Status of ECOMOG

1. Recognising the sovereignty of Liberia, members of ECOMOG shall refrain from any activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit of the present arrangements. They shall respect all local laws and regulations.
2. Without limiting the generality of paragraph 1 above, members of ECOMOG shall:
  - (i) refrain from any involvement in private civil disputes;
  - (ii) not engage in any private business activity within the Territory.

The Special Representative and the Field Commander shall take all appropriate measures to ensure the observance of these obligations.

3. ECOMOG shall collaborate with the Government as provided in the Akosombo Agreement and as clarified by the Accra Agreement, all of which are incorporated in the Abuja Accord.

The Above notwithstanding, nothing in this Agreement shall be interpreted to mean that the ECOMOG Operations, the Special Representative, the Field Commander or any member of ECOMOG shall be under the control or authority of the Government. They are under the command and authority of the ECOWAS Authority.

4. The Government undertakes to respect the exclusively international nature of ECOMOG.

##### Taxation

5. Members of ECOMOG shall be exempted

from taxation on the pay and emoluments received from their respective Organisations or from a Participating State and any income received from outside the Territory. They shall also be exempted from all other direct taxes and from all registration fees and charges.

##### Customs and Fiscal Regulations

6. Members of ECOMOG operations shall have the right to import free of duty their personal effects in connection with their arrival in the Territory. Special arrangements between the Field Commander and the Liberian authorities shall be made for the implementation of the foregoing provisions in the interests of the Liberian Government and Members of ECOMOG. The Field Commander shall take all necessary measures to prevent any abuse of the exception and to prevent the sale or resale of such goods to persons other than members of ECOMOG.
7. Special facilities for entry or exit shall be granted by the Liberian immigration authority to regularly constituted units of ECOMOG, provided that the authorities concerned have been duly notified. On the departure from the Territory, members of ECOMOG may take with them such funds as the Special Representative or the Field Commander certifies were received in pay and emoluments from the ECOWAS, UN, OAU or from a Participating State and are a reasonable residue thereof.

##### Entry, Residence and Departure

8. The Special Representative, the field Commander and members of ECOMOG, shall, wherever so required, have the right to enter into, reside in and depart from the Territory.
9. The Government of Liberia undertakes to facilitate the entry into and departure from the Territory, of the Special Representative, the Field Commander and members of ECOMOG. ECOMOG undertakes to keep the Government informed of such movements. For that purpose, the Special Representative, the Field Commander and

members of ECOMOG shall be exempt from passport and visa regulations and immigration inspection and restrictions on entering into or departing from the Territory. They shall also be exempt from any regulations governing the residence of aliens in the Territory including registration, but shall not be considered as acquiring the right to permanent residence or domicile in Liberia.

10. For the purpose of such entry or departure, members of ECOMOG shall only be required to have:

- (a) an individual or collective movement order issued by or under the authority of the Special Representative or the Field Commander or any appropriate authority of a Participating State; and
- (b) a personal identity card issued in accordance with Article IV paragraph 10, of the present Agreement, except in the cases of first entry, when the personal identity card issued by the appropriate authorities of a Participating State shall be accepted in lieu of the said identity card.

11. The Special Representative or the Field Commander shall issue to each member of ECOMOG before or as soon as possible after such member's first entry into the Territory, as well as to all locally recruited personnel, a numbered ECOMOG identity card, which shall show full name, date of birth, title or rank, service (if appropriate) and photograph. Except as provided in Article IV, paragraph 9 of this Agreement, such identity card shall be the only document required of a member of ECOMOG.
12. Members of ECOMOG as well as locally recruited personnel shall be required to present, but not to surrender, their ECOMOG identity card upon demand by any such official of the Government.
13. If a member of ECOMOG leaves the service of the Participating State to which he belongs and is not repatriated, the Field Commander shall immediately inform the Government,

giving such particulars as may be required. The Field Commander shall similarly inform the Government of any member of ECOMOG who has absented himself for more than twenty-one days. In either of the above two instances, ECOMOG shall ensure, with the assistance of the Government, that such member of ECOMOG is apprehended and repatriated to the Participating State concerned, at the expense of ECOMOG. If an expulsion order against an ex-member of ECOMOG has been made, the Field Commander shall be responsible for ensuring that the person concerned shall be received within the territory of the Participating State concerned, at the expense of ECOMOG.

### ***Uniforms and Arms***

14. Military members of ECOMOG operations shall wear, while performing official duties, the national military or police uniform of their respective States with standard ECOWAS accoutrements. The wearing of civilian dress by the above mentioned members of ECOMOG may be authorised by any of the Special Representatives or the Field Commander at other times. Military members of ECOMOG and such other civilian personnel as may be designated by the Field Commander, may possess and carry arms while on duty in accordance with their functions. No civilian personnel of ECOMOG shall be allowed to carry arms except where authorised by the Field Commander.

### ***Permits and Licenses***

15. The Government agrees to accept as valid, without tax or fee, a permit or license issued by the Field Commander for any member of ECOMOG except locally recruited personnel, or any ECOMOG transport or communication equipment and for the practice of any profession or occupation in connection with the functions of ECOMOG operations; provided that no licence to drive a vehicle or pilot an aircraft shall be issued to any person who is not already in possession of an appropriate and valid licence.

### **Military Police, Arrest and Transfer of Custody and Mutual Assistance**

16. The Field Commander shall take all appropriate measures to ensure the maintenance of discipline and good order among members of ECOMOG as well as locally recruited personnel. To this end, personnel designated by the Field Commander shall police the premises of ECOMOG operations and such areas where its members are deployed. Elsewhere, such personnel shall be employed only subject to arrangements with the Government and in liaison with it insofar as such employment is necessary to maintain discipline and order among members of ECOMOG.
17. The military police of ECOMOG shall have the power of arrest over the military members of ECOMOG. Military personnel placed under arrest outside their own contingent areas shall be transferred to their contingent's Commander for appropriate disciplinary action. The personnel mentioned in paragraph 16 above may also take into custody any other person on the premises of ECOMOG. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.
18. Subject to the provisions of paragraphs 16 and 17 above, the Government may take into custody any member of ECOMOG:
  - (a) When so requested by the Field Commander; or
  - (b) When such a member of ECOMOG is apprehended in the commission or attempted commission of a criminal offence, such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative of ECOMOG whereafter the provisions of paragraph 25 of this Article shall apply *mutatis mutandis*.
19. When a person is taken into custody under paragraph 17 or paragraph 18 (b) of this

Article, ECOMOG or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation in the presence of a representative of the Field Commander.

20. ECOMOG and the Government shall assist each other in carrying out all necessary investigations into offences in respect of which either or both have an interest in the production of witnesses and in the collection and production of evidence, including the seizure of, and, if appropriate, the handing over of items connected with an offence. The handing over of any such items may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraph 17, 18, and 19 of this Article.
21. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to ECOMOG or its member which, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

### **Jurisdiction**

The following arrangements respecting criminal and civil jurisdiction are made having regard to the special functions of ECOMOG and to the interest of ECOWAS and not for the personal benefit of the members of ECOMOG.

22. All members of ECOMOG, including locally recruited personnel shall be immune from legal process in respect of all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of, or employed by ECOMOG and after the expiration of the other provisions of this Agreement.
23. Should the Government consider that any

member of ECOMOG has committed a criminal offence, it shall promptly inform the Commander and present to him any evidence available to it.

24. Subject to the provisions of paragraphs 18 and 25 (a), of this Article, members of ECOMOG shall be subject to the exclusive jurisdiction of their respective Participating States in respect of any criminal offences which may be committed by them in the Territory. They shall not be subject to the criminal jurisdiction of the Courts of Liberia.

25. If any member of ECOMOG is apprehended pursuant to paragraph 18 of this Article for violating the criminal laws of Liberia; or if the Government considers that any member of ECOMOG has committed a criminal offence, pursuant to paragraphs 23 and 24 of this Article, the Field Commander shall immediately:

- (a) Court-martial in the Territory such a member of ECOMOG in accordance with the criminal laws of the Participating State of origin of such a member; or
- (b) Repatriate such a member of ECOMOG to his state of origin for trial if the Field Commander determines that a court martial in the Territory would be prejudicial to the attainment of justice.

The member of ECOMOG so repatriated shall not be eligible to return to Liberia as a member of ECOMOG if convicted of the crime charge.

The Field Commander shall notify the Government of the outcome of the trial in both (a) and (b) above.

If any civil proceeding is instituted against a member of ECOMOG before any court of the Territory, the Special Representative shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member.

(a) If the Special Representative certifies that the proceeding is related to the official duties, such proceeding shall be discontinued and the provisions of paragraph 1 Article IX of this Agreement shall apply.

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. The Field Commander or Special Representative, as the case may be, shall ensure that such member of ECOMOG attends the trial, as assigned by the Court. If the Special Representative certifies that a member of ECOMOG is unable, because of official duties or authorised absence to protect his interests in the proceeding the court shall, at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. No personal property of the member of ECOMOG, including wages, shall be exempt from seizure for the satisfaction of judgement, except such property as shall be certified by the Special Representative to be needed by the defendant for the fulfilment of his official duties. The personal liberty of a member of ECOMOG shall not be restricted in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

#### **Deceased Members**

27. Any of the Special Representatives or the Field Commander shall have the right to take charge of and dispose of the body of a member of ECOMOG who dies in the Territory, and may dispose of his personal property in accordance with directives issued by the Executive Secretary.

#### **Article V**

##### **ECOWAS Flags and Vehicle Markings**

1. The Government recognises the right of the ECOMOG operations to display within the

Territory, the ECOWAS flag on its headquarters camps or other premises, vehicles or vessels as decided by the Executive Secretary. Other flags or Pennants may be displayed in exceptional cases subject to prior consultation with the Government.

2. Vehicles, vessels and aircraft of ECOMOG shall carry a distinctive ECOWAS identification, which shall be notified to the Government. All vehicles shall be conspicuously marked and numbered for the purpose of identification.

## Article VI

### Communications

1. ECOMOG shall enjoy the facilities in respect of communications provided for in the convention only for the purpose of executing its task. Issues with respect to communications which may arise and which are not specifically provided for in this Agreement shall be dealt with pursuant to the relevant provisions of the convention.
2. Subject to the provisions of paragraph 1 above:
  - (a) ECOMOG shall have authority to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points within the Territory with each other and with ECOWAS, UN and OAU offices in other countries, and to exchange traffic with their telecommunications network.

The telecommunications services shall be operated in accordance with the United Nations International Telecommunications Convention and Regulations and the frequencies on which any such station may be operated shall be decided upon in cooperation with the Government.

- (b) ECOMOG shall enjoy, within the Territory, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio),

telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between the premises of ECOMOG including the laying of cables and land lines and the repeater stations. The frequencies on which the radio will operate shall be decided upon in consultation with the Government. It is understood that connections with the local system of telegraphs, telex and telephones shall be made in consultation with the Government, it being further understood that the use of the local system of telegraphs, telex and telephones shall be at not cost to ECOMOG.

- (C) ECOMOG may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of ECOMOG. The Government shall be informed of the nature of such arrangements and may not interfere with or apply censorship to the mail of ECOMOG or its members.

ECOMOG shall inspect all non-mail parcels in order to ensure compliance with the provisions of paragraph 2 Article IV of this Agreement.

Subject to the provisions of this Agreement regarding privileges of ECOMOG and its personnel so specified, parcels entering the Territory through the regular mailing and courier systems may be subject to the postal laws and regulations of Liberia.

## Article VII

### Travel and Transport

1. ECOMOG and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement throughout the Territory. The Special Representative and the Field Commander may inform the Government of large

movements of personnel, stores or vehicles through airports, railways or roads used for general traffic within the Territory. The Government undertakes to supply ECOMOG, where necessary, with maps and other information that may be useful in facilitating its movements.

2. Vehicles, including all military vehicles, vessels and aircraft of ECOMOG shall not be subject to registration or licensing by the Government.
3. A mutually satisfactory mechanism for the funding and settlement of Third Party claims shall be agreed upon by the parties to this Agreement.
4. ECOMOG may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges, including wharfage charges, other than charges for service rendered.

## **Article VIII**

### **Facilities for the ECOMOG Operations**

#### ***Premises Required for Conducting the Operational and Administrative Activities of the ECOMOG Operations and for Accommodation of Members of the Peace-keeping Operation.***

- t. The Government of Liberia shall provide, without cost to ECOMOG and in agreement with the Special Representative and the Field Commander, such areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of ECOMOG and for the accommodation of its members. Without prejudice to the fact that all such premises remain Liberian territory, they shall be inviolable and shall be subject to the exclusive control and authority of ECOWAS. Where ECOMOG troops are co-located with any Liberian military personnel, a permanent, direct and immediate access by ECOMOG to those premises shall be guaranteed.
2. The Government undertakes to assist ECOMOG in obtaining and making available,

where applicable, water, electricity and other facilities free of charge and, in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to the needs of the Group as to essential government services. ECOMOG shall be responsible for the maintenance and up-keep of facilities so provided.

3. ECOMOG shall have the right, where necessary, to generate electricity for its use and may transmit and distribute such electricity outside its premises free of charge.
4. Only the Field Commander or a duly authorised official of ECOMOG may consent to the entry of any government officials or of any other person not a member of Group to such premises.

### ***Provisions, Supplies and Services and Sanitary Arrangements***

5. The Government undertakes to assist ECOMOG, as far as possible, in obtaining equipment, provisions, supplies and other goods and services from local sources required for its subsistence and operations. In making purchases on the local market, ECOMOG shall, on the basis of observations made and information provided by the Government in that respect, avoid any adverse effect on the local economy. Government shall exempt ECOMOG operations from general sales taxes in respect of all local purchases.
6. ECOMOG and the Government shall cooperate with respect to sanitary services and shall extend to each other the fullest cooperation in matters concerning health, particularly with respect to the control of communicable diseases, in accordance with International Conventions.

### ***Recruitment of local Personnel***

7. ECOMOG may recruit locally such personnel as it requires. Upon the request of the Special Representative or the Field Commander, the Government undertakes to



facilitate the recruitment of qualified local staff by ECOMOG and to accelerate the process of such recruitment.

### Currency

8. The Government undertakes to make available to ECOMOG against reimbursement in mutually acceptable currency, Liberian currency required for the use of ECOMOG, including the pay of its members, at the rate of exchange most favourable to ECOMOG.

### Article IX

#### Settlement of Disputes

1. Any dispute or claim of a private law character to which ECOMOG or any member thereof is a party and over which the courts of the Territory do not have jurisdiction because of any provision of this Agreement shall be settled by a Standing Claim Commission to be established for that purpose. One member of the commission shall be appointed by the Executive Secretary, one member by the Government, and a Chairman jointly appointed by the Executive Secretary and the Government. The Chairman shall be a jurist from an African country other than those contributing or which have contributed troops to ECOMOG. If no agreement as to the Chairman is reached within thirty days of the appointment of the first member of the Commission, the President of the International Court of Justice may, at the request of either the Executive Secretary or the Government, appoint the Chairman. Any vacancy on the Commission shall be filled by the same method prescribed for the original appointment, provided that the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the commission shall be final and binding. The awards of the Commission shall be notified

to the parties. The Executive Secretary shall use his best endeavours to ensure compliance.

2. Disputes concerning terms of employment and conditions of service of locally recruited staff personnel shall be settled by the administrative procedures to be established by the Field Commander in consultation with the Executive Secretary.
3. Subject to the agreement of the parties for the funding hereof, the Commission shall commence its activities within sixty days as of the date of execution of this Agreement.

### Article X

#### Supplementary Arrangements

1. The parties to this Agreement may conclude supplementary arrangements to this Agreement.

### Article XI

#### Liaison

1. The Special Representative, the Field Commander and the Government shall take appropriate measures to ensure close and reciprocal liaison at every appropriate level.

### Article XII

#### Duration

1. This Agreement shall enter into force on the date of signature, and shall remain in force until the departure of the final elements of ECOMOG, which shall be six (6) months after inauguration of the elected government, unless otherwise decided by the parties hereto.

### Article XIII

#### Miscellaneous Provisions

1. Wherever the present Agreement refers to the privileges, immunities and rights of ECOMOG and its members and to the facilities and territory to be provided to

**ECOMOG** and its members, the Government shall ensure the implementation and fulfilment of such privileges, immunities, rights and facilities.

2. This Agreement is concluded for the sole purpose of assisting in the implementation of the Abuja Agreement and has no bearing upon the respective positions of the signatories to the Abuja Agreement concerning the status of Liberia.
3. Notwithstanding the duration of this Agreement as provided in Article XII hereof, the following exceptions shall apply:
  - (a) The provisions of paragraph 23 Article IV, and Article X shall remain in force.

- (b) The provisions of paragraph 1, Article IX shall remain in force until all claims have been settled that arose prior to the termination of the present Agreement and were submitted prior to or within three months of such termination.

**IN WITNESS WHEREOF THE UNDERSIGNED, DULY AUTHORISED REPRESENTATIVES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES AND THE GOVERNMENT OF THE REPUBLIC OF LIBERIA RESPECTIVELY, HAVE SIGNED THIS AGREEMENT IN TWO ORIGINALS IN THE ENGLISH LANGUAGE.**

**DONE AT MONROVIA,  
THIS..... DAY OF ..... 1996**

**FOR:  
THE ECONOMIC COMMUNITY OF WEST  
AFRICAN STATES**

**FOR:  
THE GOVERNMENT OF THE REPUBLIC OF  
LIBERIA**

.....  
**EDOUARD BENJAMIN  
EXECUTIVE SECRETARY**

.....  
**MOMOLU V. SACKOR SIRLEAF  
MINISTER OF FOREIGN AFFAIRS**

## **DECISION A/DEC. 11/7/96 RELATING TO THE ADOPTION OF AN ECOWAS STATISTICS POLICY**

### **THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,**

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government 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 statistics on Member States;

DETERMINED to put in place a regional mechanism for the harmonious development of statistics in the region which would ensure the efficient collection, analysis, compilation and dissemination of data at both national and regional levels;

ON THE RECOMMENDATION of the thirty-ninth session of the Council of Ministers held in Abuja from 22nd to 25th July, 1996;

### **DECIDES**

#### **Article 1**

##### **Adoption of ECOWAS Statistics Policy**

There is hereby adopted the ECOWAS Statistics Policy for the development of statistics in West Africa.

#### **Article 2**

##### **Objectives of the Policy**

The objectives of the Policy mentioned in Article 1 above shall be to:

- a) employ standards, methods and organisational structures for

producing comparable, reliable, and good quality statistics throughout the Community;

- b) develop the requisite capacity to achieve regional self-sufficiency in the production of statistical information needed to implement, monitor and evaluate Community policies and programmes;
- c) promote constant interaction between producers and users of statistics;
- d) improve the dissemination of statistical information to government agencies, the business communities and the general public in all ECOWAS Member States;
- e) achieve increased public awareness of the importance of statistics in the region;
- f) facilitate the development of the statistical systems of the Member States.

### **Article 3**

#### **Establishment of ECOWAS Statistical System**

- 1) The Community shall ensure the establishment of an ECOWAS Statistical System as the basis for the implementation of the said policy.
- 2) This regional system shall be under the auspices of the ECOWAS Executive Secretariat to ensure the harmony needed to enhance the usefulness of statistics generated by individual Member States.
- 3) The ECOWAS Statistical System shall therefore consist, at the primary level, of the government coordinating agency in each Member State responsible for collecting, processing,

## Article 6

### Scope of Statistical Activities

The following shall be the major areas of coverage of the system:

- a) economic and financial statistics (such as national accounts, foreign trade, industrial, agricultural, financial and transport statistics);
- b) social and demographic statistics (such as education, health, employment, housing, crime, population and other demographic statistics);
- c) other areas such as environmental statistics and statistics on children, gender and development.

## Article 7

### Basic Principles of the System

- 1) The functioning of the system shall be based on the principles of objectivity, reliability, confidentiality, effectiveness and relevance.
- 2) The system shall operate on the basis of well-defined relationships. In the Member States, the system shall depend on national legislation on statistics which defines and governs the work of the National Statistical System (the organisation and coordination between the central and peripheral bodies, the government authorities and the general public, relations of the central body with other public bodies which collect and process statistical data, its right to act on its own initiative in conducting surveys, its relations with international organisations, etc.).
- 3) The ECOWAS Executive Secretariat shall evolve an appropriate regional mechanism for the establishment of

a cohesive, flexible and efficient regional statistical system, in line with the basic principles adopted in Member States. To facilitate this process the Executive Secretariat shall take necessary steps to ensure the harmonisation of the relevant national legislations.

## Article 8

### Resources requirements

- 1) Member States shall give priority attention to the development of statistics.
- 2) There shall be adequate and timely provision of the resources required by the Community statistics cooperation programme and the functioning of the ECOWAS Statistics System, at both national and regional levels, particularly concerning the modernisation, up-grading and general enhancement of the operations of the statistical services in the region. To this end, Member States shall grant the requisite autonomy to the national statistical services.
- 3) In order to develop and enhance the human resource capacity of national statistical services, Member States shall adopt appropriate staff training and remuneration policies.
- 4) The ECOWAS Executive Secretariat shall take all possible measures to mobilise financial, technical and material assistance from external sources, to complement the support of Member States.

## Article 9

### Implementation of the Policy

The Executive Secretariat shall have the overall responsibility for the implementation of the ECOWAS Statistics Policy and shall ensure an

effective coordination of all the related activities to be undertaken.

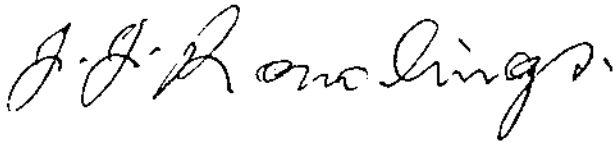
## **Article 10**

### **Publication**

This Decision shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days of its signature by the Chairman of the Authority of Heads of State and Government.

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

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**

A handwritten signature in black ink, reading "J. J. Rawlings". The signature is written in a cursive, flowing style.

**H.E. JERRY JOHN RAWLINGS  
CHAIRMAN  
FOR THE AUTHORITY**

**REGULATION C/REG. 1/7/96 RELATING TO THE  
ADDITIONAL BUDGET FOR THE  
COMPUTERISATION OF THE ECOWAS FUND**

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**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decisions A/DEC. 2/6/88 and A/DEC. 10/6/89 of the Authority of Heads of State and Government relating to the study on the Restructuring of the Fund and establishing the Ad Hoc Ministerial Committee on the Enhancement of the Financial Resources of the Fund;

CONSIDERING the Report of the Ad Hoc Ministerial Committee on the Enhancement of the Financial Resources of the Fund;

**ENACTS**

**Article 1**

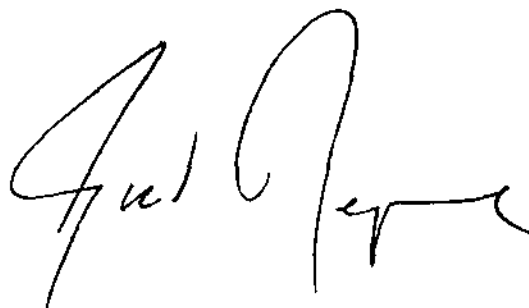
The Additional Budget amounting to three hundred and thirty-nine thousand two hundred United States dollars (US\$ 339,200) for the computerisation of the ECOWAS Fund is hereby approved.

**Article 2**

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

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

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**REGULATION C/REG 2/7/96 RELATING TO THE  
REPORT OF COMMISSION OF ENQUIRY INTO  
THE MANAGEMENT OF THE FINANCIAL  
RESOURCES OF THE FUND ESTABLISHED  
UNDER DECISION C/DEC. 3/7/95**

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**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the ECOWAS Fund's equity investment in ECOBANK Transnational Incorporated (ETI);

MINDFUL of the placement policies of the ECOWAS Fund culminating in the near losses of

deposits with BCCI and MIBL and the measures taken by the Management of the Fund to recover same;

MINDFUL of Decision C/DEC. 3/7/95 which established the Commission of enquiry into the management of the financial resources of the ECOWAS Fund;

On the RECOMMENDATION of the Commission of Enquiry comprising Governors of BCEAO and Bank of Ghana;

### ENACTS

#### Article 1

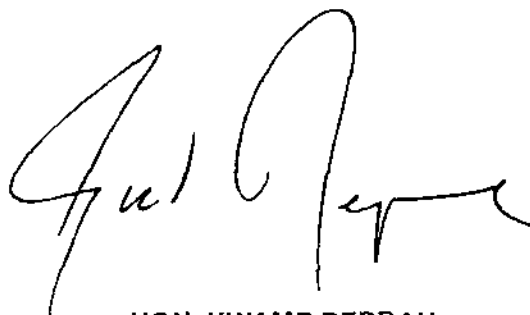
The Management of the Fund is authorised to implement the recommendations of the Commission of Enquiry established under Decision C/DEC. 3/7/95 relating to the management of the financial resources of the ECOWAS Fund attached to this Regulation.

#### Article 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of the signature of 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 ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

### RECOMMENDATION OF THE COMMISSION OF ENQUIRY INTO THE MANAGEMENT OF THE FINANCIAL RESOURCES OF THE FUND.

There is need for a comprehensive policy document on placements to include amongst others the following:

- a. Criteria for the selection of counterpart/banks and groups. These are to include benchmarks against which any institution considered will be measured;
- b. the setting of single counterpart/group exposure limits taking into consideration its net-worth rating, performance and market standing. Such limits should be related to both the Fund's investment resources and the counterpart's net-worth;
- c. the setting of single currency/country/region exposure limits;
- d. preferred maturity mix of investment portfolios;
- e. the maximum acceptable margin above and under market rates;
- f. The composition of the Investment Committee and minimum meeting standards of at least once a week and provisions making the decisions of the Committee final;
- g. Where ad-hoc decisions on placement are to be taken, there is the need to have proposals circulated among committee members;
- h. All senior staff of the Treasury Department, who are on the Investment committee should be taken through a structural training programme, both classroom base and by attachment to larger development institutions and banks to ensure the inculcation of skills in modern treasury management techniques. The attachment of a treasury specialist to

the department for a short period will be of immense benefit;

- i. All other members of the Investment Committee should have some local lecture-based exposure to the rudiments of Funds placement to enhance their effectiveness on the Committee;
- j. Sanctions should be introduced for non-implementation of committee decisions and strictly enforced. Where there are mitigating circumstances, these may be immediately brought to the notice of committee members for their adoption before any decision is suspended or reversed;
- k. In order to enhance the market orientation of Treasury Staff, it is recommended that priority should be given to subscription to international rating agencies, periodicals on treasury and electronic media;
- l. There should be periodic internal audit of the systems and management of the Treasury function. In this regard, the external auditors may be consulted for any help and training they can give. Failing this, some other external auditors from banks or development institutions with large Treasury capacities may be accessed;
- m. There is a need to modify the provisions of Article 27 of the Financial Regulations and Manual of Accounting Procedures to emphasise post-audit as well as system and management audits as part of the internal control functions;
- n. Reporting formats are to be introduced for reporting on treasury activities to the Investment Committee and Management. The format should include essentials such as placements with each bank, new investible Funds, and the prescribed benchmarks. Instances where limits set have been exceeded should be clearly

highlighted. The maturity and interest rate profile of placements should be given as well as any other information that the Treasury Department has that could contribute to the construction of an efficient portfolio;

- o. The Fund should consider the review of the levels of placements with banks outside the ECOWAS sub-region compared to placements with banks inside the sub-region, without necessarily putting the funds at risk;
- p. The council should consider the adoption of measures to allow the management of the Fund a greater involvement in the selection and control of Staff of the Fund;
- q. The non-payment of contributions, arrears and loan instalments on a timely basis resulted in the Fund having inadequate resources. This had led to the imprudent pursuit of high interest rates for placements by the Fund in order to generate enough income to meet operational expenses. Member States should seriously consider meeting their obligations to the Fund on a timely basis, to avoid such practices;
- r. To ensure the correct implementation of decisions concerning the Fund made by Council and the Board of Directors, procedures should be put in place to facilitate effective monitoring and follow-up of decisions.



## **REGULATION C/REG. 3/7/96 RELATING TO THE PROCEDURE FOR EVALUATION OF ECOWAS STATUTORY APPOINTEES**

### **THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**MINDFUL** of Article 19(1) of the Revised Treaty which stipulates that the Executive Secretary shall be the chief executive officer of the Community and its institutions;

**MINDFUL** of Decision A/DEC. 3/7/91 on the selection and evaluation of statutory appointees;

**CONSIDERING** that there is no specific definition of the functions of individual statutory officers;

**CONSIDERING** that the procedure adopted by the Council of Ministers in 1991 is inappropriate;

**CONSIDERING** that there is no precedent for the evaluation of statutory appointees in ECOWAS or in any other similar organisation;

**CONVINCED** that it is not realistic to carry out an evaluation of the statutory appointees on the basis of information provided by the officers themselves;

**AWARE** that the offices of statutory appointees, particularly the office of Executive Secretary, is more political than technical in nature;

**DESIROUS** of adopting an effective but objective procedure for the evaluation of statutory appointees;

On the **RECOMMENDATION** of the Ad Hoc Ministerial Sub-Committee on Selection and Evaluation of Statutory Appointees which met in Abuja on 22nd July, 1996;

### **ENACTS**

#### **Article 1**

The evaluation procedure shall replicate the

hierarchy of the statutory appointees;

- i) The Executive Secretary shall assess the other statutory appointees, including the Managing Director and the Deputy Managing Director of the Fund, according to established procedure which requires that his remarks shall be discussed with the interested parties;
- ii) Successive chairmen of the Board of Directors shall give their observations on the performance of the Managing Director of the Fund, commencing from the date of his assumption of duty;
- iii) Successive chairmen of the Council of Ministers shall give their observations on the performance of the Executive Secretary, commencing from the date of his assumption of office.

#### **Article 2**

The Member States on the ad hoc ministerial sub-committee for the selection and evaluation of statutory appointees shall assist in defining the evaluation criteria and procedure for statutory appointees on the basis of the observations provided for in Article 1 paragraph 1, 2 and 3 of this Regulation. These observations shall previously have been transmitted as privileged information to member Ministers of the sub-committee.

#### **Article 3**

- i) A meeting of the sub-committee of experts shall be convened in October, 1996, a few days prior to the statutory budget meetings, to define evaluation criteria and procedure for submission to the Council of Ministers for approval.
- ii) The transportation costs of participating experts shall be borne by Member States and their per diem paid by the Executive Secretariat for the duration of the meeting on the definition of the evaluation criteria and procedure for statutory appointees.

**Article 4**

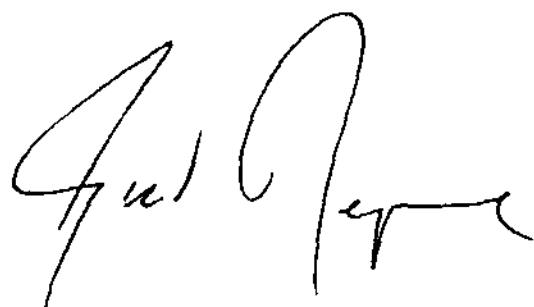
Member Ministers of the ad hoc ministerial committee for the selection and evaluation of statutory appointees shall present the evaluation report prepared during the second quarter of 1997 to the June/July, 1997 session of the Council of Ministers.

**Article 5**

This Regulation 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 the Council of Ministers.

It shall also be published in the National Gazette of each Member State by the same deadline.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**REGULATION C/REG. 4/7/96 ON THE LIST OF INDUSTRIAL ENTERPRISES AND PRODUCTS APPROVED TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME****THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the Protocol dated 5th November, 1976 defining the concept of products originating from ECOWAS Member States and its subsequent amendments acts;

MINDFUL of Decisions C/DEC. 3/6/88 and C/DEC. 4/7/92 dated 21st June, 1988 and 25th July, 1992 of the Council of Ministers defining the procedure for approval of industrial enterprises and products under the ECOWAS Trade Liberalisation Scheme;

MINDFUL of Decision A/DEC. 6/7/92 dated 29th July, 1992 of the Authority of Heads of State and Government of ECOWAS on the adoption and implementation of a single trade liberalisation scheme for products originating from Member States of the Community;

On the RECOMMENDATION of the thirty-sixth meeting of the Trade, Customs, Immigration, Money and Payments Commission, held in Lagos from 22nd to 24th May, 1996;

**ENACTS****Article 1**

Industrial enterprises and products fulfilling the ECOWAS rules of origin and approved as being eligible for preferential treatment under the ECOWAS Trade Liberalisation Scheme are those contained in the list attached as an annex to this Regulation.

**Article 2**

The Executive Secretariat shall give each enterprise concerned, an approval number which must feature on the certificate of origin and on the

ECOWAS customs declaration form and inform Member States accordingly.

### **Article 3**

Member States and the Executive Secretariat shall take all necessary measures to ensure the implementation of this Regulation.

### **Article 4**

This Regulation 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 the Council of Ministers.

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

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**

A handwritten signature in black ink, appearing to read 'Kwame Peprah', written in a cursive style.

**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

<b>LIST OF INDUSTRIAL PRODUCTS AND ENTERPRISES PROPOSED FOR APPROVAL</b> <b>LISTE DES PRODUITS ET ENTREPRISES INDUSTRIELS PROPOSES A L'AGREMENT</b>		
<b>Identity of enterprises by Membre State</b> <i>Identité des entreprises par Etat Membre</i>	<b>Tariff No</b> <i>Position tarifaire</i>	<b>Products</b> <i>Produits</i>
<b>I. MAURITANIE</b> <b>1. INDUSTRIE DE PÂTES ALIMENTAIRES ET COUSCOUS</b> (FAMO — Mauritanie) BP 677, Noukachott  <b>2. SOCIÉTÉ ARABE DES INDUSTRIES MÉTALLURGIQUES (SAMIA)</b> BP 6247 Nouakchott	1902.19  19002.40  2520.20	Pasta Couscous/ Couscous <i>Pâtes alimentaires</i>  <b>PLASTERS</b> <i>Plâtres</i>
<b>II. NIGERIA</b> <b>1. WEST AFRICAN BATTERIES</b> PMB 5299, Ibadan Oyo State	8507.10	Electric Accumulators <i>Accumulateurs électriques</i>
<b>III. TOGO</b> <b>1. CEMENTS DU TOGO (CIMTOGO)</b> BR 1687	2523.29	Portland cement <i>Ciment hydraulique</i>

**REGULATION C/REG. 5/7/96 RELATING TO THE  
HOSTING OF THE FIRST ECOWAS TOURISM  
AND LEISURE FAIR**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision C/DEC. 1/7/91 dated 3rd July, 1991 of the Council of Ministers adopting the Executive Secretariat Programme of Action for Tourism;

MINDFUL of Decision C/DEC. 2/7/91 dated 3rd July, 1991 of the Council of Ministers institutionalising the ECOWAS Tourism and Leisure Fair;

**AWARE** of the importance of a Tourism Fair and similar events to the development of tourism;

On the **RECOMMENDATION** of the 36th meeting of the Trade, Customs, Immigration, Money and Payments Commission, held in Lagos from 22nd to 24th May, 1996;

**ENACTS**

**Article 1**

The Republic of Côte d'Ivoire is hereby selected to host the First ECOWAS Tourism and Leisure Fair.

The Fair shall be organised in the first half of 1997.

The theme of the fair shall be "**Enhancing Promotion of tourist Destinations in West Africa**".

**Article 2**

There is hereby established a tripartite coordination committee comprising representatives of the ECOWAS Executive Secretariat, representatives of the host country and the consultant who prepared the study.

The committee shall be responsible for coordinating the organisation of the Fair.

The Committee may co-opt any persons or bodies with the requisite competence to assist it in the successful accomplishment of its assignment.

**Article 3**

The Executive Secretariat shall be responsible for the implementation of this Regulation.

**Article 4**

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community thirty (30) days after 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 ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

## **REGULATION C/REG. 6/7/96 RELATING TO THE HOSTING OF THE SECOND ECOWAS TRADE FAIR**

### **THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

CONSIDERING Decision C/DEC. 5/5/82 dated 26th May, 1982 of the Council of Ministers relating to the programming of trade fairs;

MINDFUL of Decision C/DEC. 7/5/85 dated 3rd May, 1985 of the Council of Ministers establishing a Consultation and Coordination Committee between ECOWAS States for the programming of trade fairs and similar commercial events in ECOWAS States;

CONSCIOUS of the importance of trade fairs and exhibitions in the development of trade between Member States of the Community;

On the RECOMMENDATION of the Trade, Customs, Immigration, Money and Payments Commission which met in Lagos from 22nd to 24th May, 1996;

### **ENACTS**

#### **Article 1**

The Republic of Ghana is hereby selected to host the Second ECOWAS Trade Fair.

#### **Article 2**

The second ECOWAS Trade Fair shall be held from 26th February to 7th March, 1999 on the theme, *"Economic Cooperation through Trade"*.

The fair shall be multi-sectorial, in concept with priority given to professional meetings and organisation of buyers/sellers meetings.

#### **Article 3**

There is hereby established a regional Organising

Committee which shall be responsible for the organisation of the second ECOWAS Trade Fair.

The Committee is constituted as follows:

- one representative from each of the four Member States with permanent trade fair facilities (Ghana, Nigeria, Senegal and Togo);
- one representative from the Federation of the West African Manufacturers Association;
- one representative from the Federation of West African Chambers of Commerce;
- one representative from the West African Women's Association;
- Representatives of the ECOWAS Secretariat and the ECOWAS Fund

#### **Article 4**

The Regional organising committee of the second ECOWAS Trade Fair shall:

- (i) supervise all activities relating to the preparation and organisation of the fair;
- (ii) generally, assist the Executive Secretariat, in all measures taken by the latter with regard to sub-paragraph (i) above.

#### **Article 5**

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

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

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**REGULATION C/REG. 7/7/96 RELATING TO THE  
ADOPTION OF THE REGIONAL FLOATING  
WEED CONTROL PROJECT IN ECOWAS  
MEMBER STATES**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision C/DEC. 6/11/87 relating to the adoption of a regional floating weed control programme;

CONSIDERING the alarming proliferation of

floating weeds in the major river basins in the sub-region and the impact on socio-economic activities in ECOWAS countries;

AWARE of the need to promote appropriate methods of controlling floating weeds and to foster cooperation between the affected countries;

**ENACTS**

**Article 1**

The sub-regional floating weed control project attached to this Regulations are hereby adopted.

**Article 2**

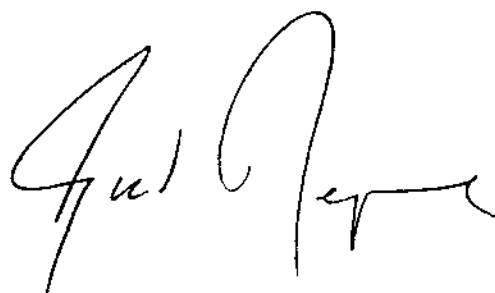
The Executive Secretariat and the ECOWAS Fund shall take all necessary measures to mobilise the funds needed for executing these projects.

**Article 3**

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

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

**DONE AT ABUJA  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

## REGIONAL FLOATING WEEDS CONTROL PROGRAMME

### Introduction

The presence of floating weeds (or aquatic plants) was first observed in the region at the beginning of the nineties, and reached alarming proportions in certain ECOWAS Member States from 1985. Harmful species such as water hyacinth, water lettuce and water fern began to proliferate in the lagoon systems of Nigeria, Benin, Côte d'Ivoire and Ghana. In 1987, in response to this situation, the ECOWAS Council of Ministers adopted a regional floating weed control programme with the following objectives in view:

- i) to support the individual efforts of Member States in floating weed control;
- ii) to encourage consultation between countries in order to enhance policy and programme coordination;
- iii) to enlighten governments, the public and the international community on the consequences of floating weed proliferation;
- iv) to develop an exchange of information and experience on the scourge, and the methods for its control;
- v) to mobilise necessary funds for the realisation of the objectives of the regional programme.

As a result of the meeting of minds during the two seminars organised by the ECOWAS Executive Secretariat in 1988 and 1989, it was possible to define an approach to the problem, and present an application for assistance to donor agencies.

In 1992, the ADB made a grant of 2 million units of account to ECOWAS for the conduct of a feasibility study aimed at:

- i) assessing the spread of the infestation and its economic consequences;

- ii) outlining an integrated control project which would include public enlightenment and training programmes.

The feasibility study was to identify regional projects for floating weed control in order to contain the harmful effects of their proliferation in the major waterways and lakes of the region, thereby improving the living conditions of its peoples. It was conducted by EUROCONSULT/KIT in a 3-phase exercise, covering a period of 18 months, from June, 1994. The phases were as follows:

- a 3-month preparatory phase to set up the implementation unit at the Executive Secretariat and prepare a schedule of activities for the consideration of the steering committee comprising the representatives of ECOWAS Member States. The inaugural meeting of the steering committee and the regional seminar to launch the study were both held in Abidjan from 16th to 21st February, 1995. These meetings achieved the twin objectives of closely involving Member States in the conduct of the study, and enlightening public opinion on the spread of the scourge, and methods for its control;
- a 12 months phase for the collection and processing of data from the 16 Member States, during which national consultants were involved in assessing the spread of the infestation, and inventorying the different species of harmful water plants. Collection of data on the socioeconomic impact of the infestation was carried out with the collaboration of the Executive Secretariat;
- a 3-month project planning phase during which the data collected in the field was used to draw up project proposals.



## 1. Findings of the study

It was observed that the proliferation of water hyacinth was not confined to coastal countries such as Benin, Cote d'Ivoire, Ghana and Nigeria. It had spread to the river basins of the Niger, The Gambia and the Volta, and affected countries such as Mali, Niger and Burkina-Faso. Other species including water lettuce, had invaded the delta of the Senegal and The Gambia.

Many other species of water plant are to be found in the waterways of the region. The most widespread are reeds (*Phragmites Australis*) and *Typha*, which cause great havoc in irrigation systems. The most harmful species of floating weed are water hyacinth water lettuce and water fern.

Factors conducive to the proliferation of water plants are the following:

- Interdependence of water systems;
- use of the weeds as ornamental plants and their commercialisation in urban centres;
- public ignorance of the risks involved in the utilisation of these plants, and the absence of regulations in this matter.

The countries affected - Benin, Cote d'Ivoire, Ghana and Nigeria have adopted very limited and desperate control methods, Cote d'Ivoire and Nigeria have adopted physical and manual methods while Benin and Ghana have adopted biological and surveillance tactics.

Threatened countries like Mali, Niger, Senegal and Burkina-Faso, have not as yet resorted to control methods. Public and government enlightenment campaigns need to be conducted as a matter of urgency.

The negative economic impact of floating weed infestation is considerable in the agricultural, environmental, fishery, transport and energy sectors.

## 2. Recommendations of the study

To combat floating weed infestation, the study proposes adoption of an integrated approach to control, incorporating both biological and physical methods, in conjunction with enlightenment and training programmes. These actions cover the major river basins shared by two or more countries, and seek to encourage;

- i) consultation between riverine countries in the implementation of control programmes;
- ii) extension of integrated and mutually approved control methods between countries;
- iii) coordination of enlightenment and training programmes.

Five integrated pilot control projects are proposed in the study. These projects are in line with ECOWAS objectives on environmental protection and management based on public involvement, and programmes coordination and harmonisation.

The proposed projects are as follows:

1. Integrated control project for the lagoon systems of Benin and Nigeria. Priority will be given to biological control, training and public enlightenment;
2. Integrated control project for the lagoon systems of Cote d'Ivoire and Ghana. Priority will be given to biological control and public enlightenment;
3. Integrated control project for the Middle Niger Valley. This project covers Niger and the northern part of Nigeria. Priority will be given to biological control and public enlightenment;
4. Integrated control project for the Upper Niger Valley, covering Mali, in which priority will be given to public enlightenment, prevention and training;

5. Integrated control project for the Senegal delta, covering Senegal and Mauritania, priority will be given to biological control, training and public enlightenment;
6. A regional coordinating unit will be set up at the Executive Secretariat to assist affected Member States in the areas of enlightenment training and prevention.

Total estimated cost of the programme is US\$ 14,119,380.

The final report of the study was adopted at the meeting of the Steering Committee on the study held in Dakar, in November, 1995.

## **REGULATION C/REG. 8/7/96 RELATING TO THE ADOPTION OF THE REGIONAL METEOROLOGICAL PROJECT**

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### **THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision C/DEC. 8/7/94 relating to the adoption of an ECOWAS meteorological programme;

AWARE of the need to strengthen cooperation between Member States in the exchange of meteorological information and management training;

### **ENACTS**

#### **Article 1**

The attached regional meteorological project on "*contribution of meteorology to sustained development of ECOWAS countries*", is hereby adopted.

#### **Article 2**

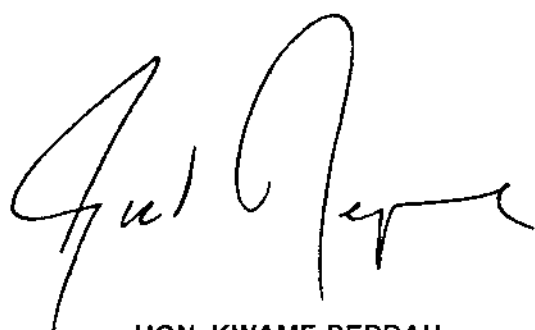
The Executive Secretariat and the ECOWAS Fund shall take appropriate measures to mobilise the necessary funds for the realisation of the project.

#### **Article 3**

This Regulation 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 Council of Ministers.

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

DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996



HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.

## METEOROLOGICAL REGIONAL PROJECT

### CONTRIBUTION OF METEOROLOGICAL SERVICES TO SUSTAINABLE DEVELOPMENT IN ECOWAS MEMBER STATES

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#### Introduction

1. The ECOWAS Council of Ministers, meeting in Cotonou, Benin, in July, 1993, adopted Decision C/Dec.1/7/93 containing the regional meteorological programme for the coordination of meteorological activities in the sub-region and for the promotion of meteorological applications in the various sectors of economic activity (agriculture, environment, transport, energy, water resources, etc.)
2. As part of the implementation of this programme, the Executive Secretariat, with financial assistance from the World Meteorological Organisation (WMO), conducted an identification study under a project entitled "*Contribution of Meteorological Services to sustainable Development in ECOWAS Member States*". The study was adopted by the Directors of Meteorological Services at their meeting held in Abidjan from 15th to 17th November, 1995.
3. The project aims to ensure food security by improving the quality and quantity of agricultural production, natural resources management, environmental protection, climatic changes and desertification. It also seeks to monitor and achieve more effective use of agrometeorological and hydrological information.
4. The regional project has been conceived in five parts as follows:
  - a) Establishment and operation of an operational regional centre in charge of meteorological applications. Its role will be to monitor agricultural and climatological activities, drought and desertification;

The CILSS Agrometeorological and

Hydrological Centre in Niamey, which has considerable technological training and data collection facilities could provide training for all ECOWAS Member States. Its meteorological data bank currently limited to CILSS Member countries will thus be accessible to the other Member States of ECOWAS;

- b) Assistance from the regional meteorological system established in ECOWAS Member States to the operational regional centre responsible for meteorological applications;

Each ECOWAS Member State has a network of synoptic observation stations within the regional network which is part of the WMO Global Climate observing System for the African region. The various networks need to be rehabilitated by replacing defective equipment with new ones and by installing automatic synoptic observation stations;

- c) Establishment of an operational regional centre to meet the needs of Member States with regard to maintenance, calibration and development of observation instruments;

The difficulties encountered in maintaining the surface and upper air observation stations (synoptic, agrometeorological, climatological and rainfall stations) to ensure proper functioning are due to inadequate staff and lack of spare parts for instruments;

The Oshodi maintenance training centre in Nigeria will be up-graded to assist ECOWAS Member States in the instrument maintenance, calibration and development. The centre could ensure transfer of technology between the meteorological services of ECOWAS Member States;

- d) An operational regional telecommunications network making use of existing national and regional networks and available new technologies.

The regional telecommunications network will operate at the national and regional levels:

- At the national level, it will collect data from national synoptic, climatological and agrometeorological observation stations, using Single Side Band (SSBs) and data collection platforms (DCPs). Solar panels will be used to generate power for the SSBs and DCPs;
  - At the regional level, ECOWAS Member States have three regional telecommunications hubs (RTH) located in Dakar, Lagos and Niamey. CILSS member countries have been provided with new telecommunications equipment which have improved data collection at national level and ensure a rapid exchange of data and information. In order to unify the regional telecommunications system, it has been proposed that similar reinforcement measures be adopted for the other ECOWAS Member States;
- e) Strengthening of national meteorological services and regional centres through the provision of skilled personnel;

A number of establishments offering training and further training have gained a certain amount of reputation in their area of specialisation (Aghrymet, EAMAC (Ecole Africaine de Météorologie et de l'Aviation Civile), CRFM (Centre Régional de Formation en Météorologie), ERNAM (Ecole Régionale de la

Navigation Aérienne et de Météorologie). However, the training courses are not meant for all categories of staff.

In order to improve and strengthen training activities within the sub-region, existing centres and universities in the sub-region must be strengthened to meet identified requirements. Further training in developed countries will be provided to instructors at the sub-regional centres.

The scheduled activities will help improve agricultural production, ensure more effective monitoring of drought and desertification and strengthen national capability to implement programmes.

The duration of the project which is expected to cost US\$ 12,505,440 is four-years.

## **REGULATION C/REG. 9/7/96 ON THE INTEGRATED INFORMATION PROGRAMME FOR THE AGRICULTURAL DEVELOPMENT OF WEST AFRICA.**

### **THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 4/5/82 on the adoption of the ECOWAS regional agricultural development strategy;

MINDFUL of Decision C/DEC. 1/6/86 on the adoption of the short and medium term programmes of action for the development of agricultural and natural resources;

MINDFUL of Decision C/DEC. 11/12/90 on the adoption of an agricultural research cooperation programme in the sub-region;

CONSIDERING the importance of agricultural information in the promotion of agricultural development;

CONSIDERING the time limitation on the availability of funds under the fourth cycle of the Lomé Convention funding programme for regional development;

REALISING the failure of the Agriculture Commission to meet on two occasions to consider the programme and make appropriate recommendations to Council;

BEARING IN MIND the concern of Member States and the international organisations over protracted delays in the implementation of the programme as a result of the failure of the Commission to meet;

HAVING STUDIED the special memorandum of the Executive Secretariat presenting, inter-alia, the Integrated Information Programme for the Agricultural Development of West Africa;

## ENACTS

### Article 1

The attached Integrated Information Programme for the Agricultural Development of West Africa is hereby adopted.

### Article 2

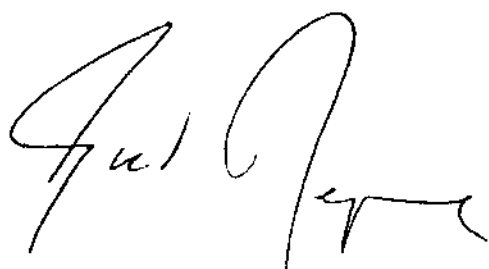
1. The Executive Secretariat shall take appropriate measure to implement this programme as a regional project.
2. The Executive Secretariat shall take necessary measures to ensure that the project document is presented at a donors conference as a means of securing adequate funding for implementation of the programme.

### Article 3

This Regulations shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of the signature by the Chairman of the Council of Ministers.

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

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

## INTEGRATED INFORMATION PROGRAMME FOR THE AGRICULTURAL DEVELOPMENT OF WEST AFRICA

### 1. Introduction

The thirty-fifth Session of Council held in Abuja from 25 to 28 July, by Decision No. C/Dec. 8/7/94 adopted the Agricultural Information Strategy as the basis for the formulation of a regional information programme for the agricultural development of West Africa. The Decision followed a study conducted in 1992 to ascertain the agricultural information needs of the West Africa sub-region.

The Decision also recognised the Regional Evaluation, Planning and Monitoring Committee (CREPS), created at the request of a regional workshop held in Banjul in 1993 to review the study, as an advisory body to ECOWAS on agricultural information matters.

The regional agricultural information programme is aimed at ameliorating deficiencies existing in the information delivery system in the agricultural sector. The programme is conceived as a regional project for West Africa under the Lome Convention. All 16 Member States as well as sub-regional organisations in West Africa are implicated.

Technical and financial support for this programme was provided by CTA. The CTA is involved in this ECOWAS project, in collaboration with national, regional and international institutions in the Member States, to promote the use of information as a vehicle for the agricultural development of the sub-region.

### II. Resume of the programme

The programme objectives aim at regional integration, and seeks to ensure improved organisation and management of information for the agricultural development of the West African sub-region, based on the priority areas defined and adopted by ECOWAS and other organisations working towards regional integration.

More specifically, the objectives of the programme seek to achieve the following:

- To enhance the capacity for producing, processing and disseminating information;
- To make information available to different categories of users;
- To encourage the use of information as a factor of development;
- To create effective information exchange facilities at the local, national and regional levels.

Four projects have been identified and developed into detailed project proposals; an additional two projects have been identified for further study. The four projects identified and developed, briefly, are as follows:

#### **PROJECT 1**

##### **TRAINING OF AGRICULTURAL RESEARCHERS IN SCIENTIFIC COMMUNICATION.**

###### **Justification**

The ability of researchers to communicate their research findings and the technologies they generate to the end users has remained a major constraint to agricultural development in the sub-region.

This is partly because scientists do not receive formal training in communication and are therefore deficient in this skill.

###### **Objective**

The purpose of this project is to:

- Enhance agricultural and scientific production;
- Improve publication of agricultural research results;
- Better adopt communication to the target audience.

###### **Activities**

To achieve these objectives, the following activities are envisaged:

- Training researchers in scientific writing;
- Training in the communication of agricultural research results;
- Individual training in special techniques.

#### **Implementation**

The project will be managed by the West Africa Rice Development Association (WARDA), a regional institution with mandate for rice science, jointly owned by 17 West African countries (15 of which are members of ECOWAS). WARDA which has vast experience in, and excellent facilities for organising courses of this nature, will use its efficient institutional, administrative and financial mechanism, to manage the project.

#### **PROJECT 2**

##### **STRENGTHENING AGRICULTURAL EXTENSION SYSTEMS.**

###### **Justification**

Agricultural extension forms an indispensable link between agricultural research and its end users. In West Africa, extension remains weak and is unable to properly play its role in the agricultural development process. At a time when regional groupings are striving for integration, information on the various extension approaches employed by countries of West Africa is scanty and not universally available; therefore, countries are not able to benefit from experiences generated elsewhere.

###### **Objective**

The overall objective of this project is to strengthen extension system of Member States thereby making them more responsive to the agricultural development needs.

The specific objectives of this project are to:

- Identify the various extension approaches in West Africa;
- Share information on the various

agricultural extension approaches practised in the sub-region;

- Train, in a workshop situation, extension specialist in the success factors;
- Organise study tours or participants to observe extension approaches practised in various West African countries;
- Establish informal channels for the adoption of success factors into existing country programmes.

### Activities

There are four components under this project:

- A regional survey of extension approaches;
- Regional workshops for extensionists;
- Study-tours;
- In-country training activities.

### Implementation

The project will be jointly managed by three related institutions in Nigeria, deeply involved with agricultural extension and management training for the Anglophone countries. These are the National Agricultural and Research Liaison Services (NAERLS), the Federal Agricultural Coordinating unit (FACU) and the Agricultural & Rural Management Training Institute (ARMTI).

ANADER and BDPA will be responsible for project implementation in the Francophone countries.

## PROJECT 3

### PRODUCTION AND EXCHANGE OF AGRICULTURAL RADIO AND TELEVISION PROGRAMMES.

#### Justification

The importance of radio and television in reaching the general population, even in the remotest parts

of a country, is now generally recognised. As a tool of sensitisation and mobilisation, radio is usually the first, and often the only, means of conveying information in the national and official language to populations. Radio and television are presently also used as efficient tools for supporting development initiatives such as training and information. Unfortunately, many good programmes that have been developed for extension are inadvertently restricted to the areas where they are produced.

Although the West African radio landscape has evolved rather rapidly with different kinds of radio networks, there is, however, a shortage of qualified, trained radio and television journalists and, in particular, specialists in agricultural broadcasting.

#### Objective

This project aims at encouraging the countries in West Africa to develop good radio and television programmes for distribution and exchange across national boundaries. Those countries lacking the capability to do so will be assisted. The project also aims to produce a directory of agricultural radio and television journalists with the view to upgrading their competence, through training programmes.

#### Activities

Activities planned under this project include the following:

- The production and distribution of radio and television programmes;
- The preparation of a directory of agricultural radio and television journalists;
- Training of agricultural radio and television journalists.

#### Implementation

Project implementation and management will be undertaken by NAERLS for English speaking countries and by CIERRO for French speaking countries. The Union of National Radio and Television Organisations of Africa (URTNA), an



organisation committed to the development of all aspects of broadcasting in Africa, and to which all countries in the sub-region belong, will provide technical and logistical support for the project.

## **PROJECT 4**

### **THE ESTABLISHMENT OF AN INTEGRATED AGRICULTURAL INFORMATION SYSTEM**

#### **Justification**

This project is an attempt to establish and maintain an integrated information system for agricultural research, training and extension for the West African sub-region. The project is conceived against the current uneven development of scientific and technical information systems in the countries of the sub-region and the presence of a number of independent structures, each covering a rather restricted area of agriculture. The success of this project will lead to storage of information from a massive inventory, thus avoiding duplication of efforts and to the enhancement of agricultural and rural development.

#### **Objective**

The purpose of this project is to facilitate sharing of information from research, extension or training in order to contribute to agricultural development in the following ways:

- Enhancing the organisation of agricultural information and its efficient use to support agricultural development in the sub-region through better integration of information and development strategies;
- Strengthening the production, collection and processing of information capacities of each Member State;
- Creating the conditions necessary to institutionalise the use of information as a factor of development thereby enabling national institution to attain an acceptable level of growth;
- Improving internal planning

programming, monitoring and valuation of research.

#### **Activities**

The main activities to be undertaken in this project are the following:

- Assess existing reservoir of agricultural information in Member States;
- Diagnose strategy in use, evaluate efficiency and methodology;
- Assess national capabilities in terms of resources and personnel to assemble agricultural information;
- Develop guidelines of general methodology for universal application for collecting, processing, disseminating and retrieving information.

#### **Implementation**

WARDA will be assigned responsibility to coordinate this project and to provide the vital link to the CGIAR system. The project implementing agencies will be ISRA, GHASTINET and REDACI, in association with INSAH. Technical assistance for the project will be provided by ISNAR, CIRAD, CABI, BDPA and GTZ.

The two additional projects identified for further study are as follows:

## **PROJECT 5**

### **REGIONAL PROGRAMME TO FOSTER FUNCTIONAL LITERACY**

#### **Justification**

The ability to read and write is essential for human development. Illiteracy constitutes a major problem for agricultural and rural development in the sub-region. Illiterate farmers are handicapped because they are unable to take full advantage of agricultural information in print. Literate farmers, on the other hand, can easily obtain information from published extension materials and thus benefit from reading

about and adopting advances in agriculture.

The importance of literacy is recognised in many states which have established such programmes. A few countries have embarked on a primary education programme in which every child is expected to go to school and attain a certain minimum level of education. Many countries have adult functional literacy programmes which provide non-formal education to their populations. All these programmes are geared at increasing the usability of the print media for promoting development.

### **Objective**

This project is aimed at strengthening functional literacy programmes of the countries of West Africa with a view to enhance the utilisation of agricultural information at the grassroots. The purpose of this project is to make a significant contribution to the agricultural and rural development of the sub-region.

### **Activities**

A study shall be undertaken to develop a detailed project proposal. Consultants will be commissioned to undertake the study and harmonise their findings and recommendations. Their report shall be used as the basis for the preparation of a detailed project document.

The study shall be carried out during the first year of this regional programme for implementation starting during the second and successive years of the five year project.

## **PROJECT 6**

### **WEST AFRICAN AGRICULTURAL SCIENCE JOURNAL**

#### **Justification**

In order to gain recognition and advancement in their careers, most agricultural scientists in West Africa must use foreign journals to publish their results. While there exist national publications, none is rated highly as compared to those published overseas. Consequently, there is need for the creation of a medium, recognised by all, for use by scientists in West Africa.

### **Objective**

The objective of this project is to establish a medium through which agricultural scientists can publish without having to resort to overseas options. In particular, the project is intended to cater to the needs of scientists in the sub-region.

### **Activities**

A feasibility study will be commissioned to examine all aspects of establishing a West African Agricultural Science Journal. The study will be conducted by consultants.

It will determine the procedure and mechanism for establishing and managing a West African regional journal for agricultural sciences; consider the possibility of starting from an existing national or regional journal that has achieved some degree of regional or international recognition.

The study is recommended to be undertaken during the first year of this regional programme for subsequent implementation during the ensuing years.

## **PROGRAMME FINANCING AND OVERALL COORDINATION**

Financial support for the various components of the proposed programme is to be borne on a cost sharing basis by the donor and the beneficiaries (ECOWAS and other implementing institutions).

The total cost of the five year programme is US\$ 34,145,384 of which US\$30,687,987 is being requested of the donor. The remaining US\$3,457,396 shall be provided from resources of the beneficiary (calculated on the basis of costs for operating existing programmes implicated in the programme, costs which will be borne by those institutions with or without the project).

ECOWAS shall play the role of lead institution for the programme and shall coordinate project activities through a project Coordination Unit to be created.

**REGULATION C/REG 10/7/96 APPROVING THE  
ECOWAS STAFF PROVIDENT FUND  
MANAGEMENT RULES**

frame in the National Gazette of each Member State.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 58 of the ECOWAS Staff Regulations directing the Heads of Institutions to establish a Provident Fund for the staff of the Community Institutions;

NOTING that there had been put in place a Provident Fund for the staff of the Community Institutions;

DESIRING to involve staff in the Management of their Provident Fund and to put in place adequate modalities for the operations of the Provident Fund;

On the RECOMMENDATION of the eighteenth meeting of the Administration and Finance Commission held in Abuja from 15th to 18th July, 1996;

**ENACTS**

**Article 1**

The Staff Provident Fund Management Committee Rules attached to this Regulation are hereby approved.

**Article 2**

All other contrary rules, regulations and decisions relating to the Management of Staff Provident Fund are hereby abrogated.

**Article 3**

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

It shall also be published within the same time-



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

## RULES FOR THE MANAGEMENT OF THE ECOWAS STAFF PROVIDENT FUND

### Article 1

#### Definitions

For the purposes of these Rules, the following words and expressions shall have the following meanings:

- (a) "Treaty" means the Revised Treaty of the Economic Community of West African States signed in Cotonou on 24th July, 1993;
- (b) "ECOWAS" means the Economic Community of West African States established in Article 2 of the Treaty;
- (c) "Staff member" means the permanent employee of an ECOWAS Institution;
- (d) "The Provident Fund" means the special fund constituted from the contributions of an ECOWAS Institution and its staff, as well as the interests generated from placement of these monies;
- (e) "Salary" means the basic salary of the staff member at each time of contribution to the Provident Fund;
- (f) "Employer" means any institution of ECOWAS whose employees are members of the Provident Fund;
- (g) "Beneficiary" means the spouse(s), direct ascendants and descendants legally entitled to receive the benefits accruing to a staff member;
- (h) "Management Committee" means the persons designated and elected in accordance with the provisions of Article 8 of these rules.

### Article 2

#### Establishment and Name

A Management Committee to be called "ECOWAS Staff Provident Fund Management Committee" is hereby established.

### Article 3

#### Composition of Management Committee

The Management Committee of the ECOWAS Staff Provident Fund shall be made up as follows:

- Deputy Managing Director, ECOWAS Fund -  
**Member, Alternate Chairman**
- Deputy Executive Secretary, Administration and Finance -  
**Member, Alternate Chairman**
- Director of Finance, Secretariat -  
**Member**
- Treasurer, ECOWAS Fund -  
**Member**
- Two (2) elected professional staff representatives (one from the Secretariat and one from the Fund) -  
**Members**
- Two (2) elected G and M staff representatives (one from the Fund and one from the Secretariat -  
**Members**
- One (1) representative of the insurance company, without voting rights -  
**Observer**
- (b) The Deputy Managing Director of the Fund and the Deputy Executive Secretary for Administration and Finance in the Executive Secretariat shall alternate the chairmanship of the committee every year.
- (c) An elected staff representative automatically ceases to be a member

of the Management Committee immediately he/she ceases to be the staff representative.

- (d) A representative from the insurance company shall attend meetings of the Committee but shall have no voting rights.

#### **Article 4**

##### **Functions of the Management Committee**

The Management Committee shall define a management policy concerning the Provident Fund and shall oversee its implementation. The Committee shall monitor, in particular,

- recovery of contribution;
- placement of the funds in the Provident Fund;
- payment of partial or total withdrawals.

The Committee may take any measure it deems necessary to ensure proper management of the Provident Fund.

#### **Article 5**

##### **Meeting of the Management Committee**

- (a) The Management Committee shall meet as and when necessary and, at least, once every year, to adopt the audited accounts;
- (b) At all meetings of the Management Committee, the quorum shall be constituted by a simple majority of members, amongst whom must be the Chairman, the Director of Finance and at least, one (1) elected representative of each category of staff;
- (c) All decisions of the Management Committee shall be taken by simple majority of voting members present, each member being entitled to one vote.

#### **Article 6**

##### **Eligibility**

- (a) All professional and locally recruited staff members of ECOWAS are automatically eligible and obliged to participate in the Provident Fund from the date of assumption of duty with ECOWAS;
- (b) Each staff member thus admitted is automatically bound by these rules and shall be given a copy thereof upon assumption of duty;
- (c) Each staff member shall submit to the Administration Department of the institution concerned and update on a regular basis, a list of beneficiaries, as well as the name of the agent entitled to receive the benefits to which a staff member is entitled.

#### **Article 7**

##### **Resources of the Provident Fund**

The resources of the Provident Fund shall be derived from:

- (a) a monthly contribution of 17.50% of the staff member's basic salary. Of this contribution, 12.50% shall be paid by the employer and 5% by the employee;
- (b) interests and other incomes accruing from placement of contributions.

#### **Article 8**

##### **Contribution to the Provident Fund**

- (a) Contributions shall become due from the date of admission of the staff member to the Provident Fund;
- (b) admission shall cease on the date on which the staff member, for any reason, leaves the service of the Community;

- (c) contribution shall continue to be paid even when the staff member is on paid leave. Where a staff member is on approved unpaid leave of absence, contribution to the Provident Fund shall cease until the staff member resumes duty. However, where the staff member does not wish the payment of his contributions to be interrupted, he shall pay the 17.50% representing both the employees' and the employers' contributions;
- (d) all contributions shall be paid in convertible currency and shall be paid at the end of each quarter into a special fund held by an institution designated by the Management Committee after consultations with staff members.

#### Article 9

##### Payment from the Provident Fund

- (a)
  - (i) Staff members are entitled to make a partial withdrawal from the Provident Fund,
  - (ii) The frequency and modalities of partial withdrawal shall be determined by the Management Committee;
- (b) Upon cessation of service through resignation, recall to home country, dismissal, termination or retirement, the staff member shall be paid the total amount in his credit after settlement of his obligations in respect of loans, guarantees, damages or any other financial prejudice caused to ECOWAS;
- (c) All payment to staff members from the provident Fund shall be in convertible currency.

#### Article 10

##### Benefits in Case of Death

Where a staff member dies while in active service

or, in the case of permanent and total disability of the staff member, the Management Committee shall pay the total amount standing to his credit to the representative designated by him or to the representative designated by his beneficiaries as stipulated in Article 3(c).

#### Article 11

##### Accounts and Audit

- (a) The financial year of the Provident Fund shall commence on 1st January and end on 31st December of each year;
- (b) The accounts of the Provident Fund shall be kept separately from the other accounts of the institution by the Director of Finance in each institution;
- (c) The accounts shall be kept in such form as to show the amounts received, investments and payments effected by the Provident Fund as well as each staff member's credit balance;
- (d) The Director of Finance shall prepare, annually, a balance sheet and a statement of income and expenditure as well as an individual statement of account of each staff member;
- (e) The annual budget sheet and the statement of income and expenditure must be duly audited by the External Auditor of ECOWAS.

#### Article 12

##### Settlement of Differences

- (a) Where differences arise as to the interpretation or application of these Rules, such differences shall be settled by the Management Committee constituted as set forth in Article 5 (b). Decisions on the matter in question shall be adopted by unanimous vote of all members present;

- (b) The decision thus arrived at shall be binding on all members of the Provident Fund and shall be immediately enforceable.

### Article 13

#### Amendment of Rules

- (a) The Management Committee may submit any proposals for an amendment to these rules to the Council of Ministers through the Head of Institution;
- (b) No amendment of these rules shall have the effect of permitting the payment or transfer of any part of the Provident Fund monies or investment to ECOWAS;
- (c) Such amendments shall enter into force upon approval by the Council of Ministers.

### Article 14

#### Entry into Force

These rules shall enter into force upon adoption by the Council of Ministers.

**DONE AT ABUJA  
THIS 25TH DAY OF JULY, 1996.**

### **REGULATION C/REG. 11/7/96 AUTHORISING ECOWAS STAFF MEMBERS TO SUBSCRIBE TO THE BANQUE CENTRALE DES ETATS DE L'AFRIQUE DE L'OUEST (BCEAO) PENSION SCHEMES**

#### **THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**MINDFUL** of Article 58 of the ECOWAS Staff Regulations relating to the establishment of a superannuation scheme for the staff of community Institutions;

**CONSIDERING** the advantages of a pension scheme to staff proceeding on retirement;

**AWARE** that the Banque Centrale des Etats de l'Afrique de l'Ouest (BCEAO) has established the (BCEAO) Senior Staff Pension Fund (CRAAE) for its professional staff and the BCEAO supplementary pension scheme (RCPNC) for its non-professional staff;

**AWARE** also that the BCEAO had expressed its willingness to admit staff of the Community Institutions to its pension schemes;

#### **ENACTS**

#### **Article 1**

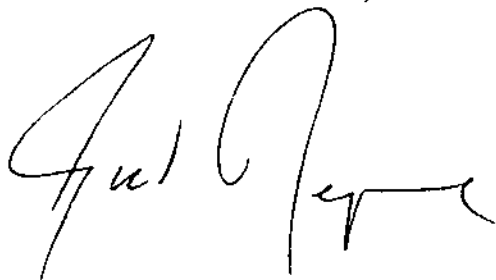
1. Pending the establishment of an ECOWAS Pension scheme, staff of the Community, who wish to do so may join any of the two BCEAO pension schemes i.e., the BCEAO Senior Staff pension Fund (CRAAE) for professional staff and the BCEAO non-professional staff supplementary pension scheme (RCPNC) for general service and auxiliary staff.
2. The Executive Secretariat and the Fund shall negotiate with the BCEAO the modalities for subscription to the two pension schemes.

**Article 2**

The Regulation shall be published by the Executive Secretariat in the Official Journal of the Community thirty (30) days after its signature by the Chairman of Council.

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

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**REGULATION C/REG. 12/7/96 AMENDING  
REGULATION C/REG. 14/12/95 RELATING TO  
WEST AFRICA'S REPRESENTATION ON THE  
BOARD OF DIRECTORS OF THE GLOBAL  
ENVIRONMENT FACILITY**

**THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**CONSIDERING** that it would be difficult to implement immediately the provisions of Regulations C/REG. 14/12/95;

**DESIROUS** of accommodating all countries concerned;

**ENACTS****Article 1**

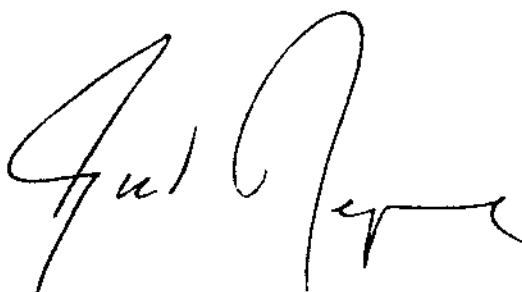
The implementation of Regulation C/REG. 14/12/95 adopted by the Council of Ministers at its thirty-eight Session held in Abuja from 11th to 13th December, 1995 is hereby deferred until the expiration of Mauritania's mandate in June, 1997.

**Article 2**

This Regulation shall be communicated by the Executive Secretariat to the Board of Directors of the Global Environment Facility and shall also publish it in the Official Journal of the Community thirty (30) days after 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 ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**



**RESOLUTION C/RES. 1/7/96 RELATING TO THE  
LIBERIAN CRISIS****THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

DEPLORING the continued intransigence of the Liberian warring factions in implementing the Abuja Agreement;

REGRETTING the fact that no progress has been made by the Liberian warring factions in returning the Liberian peace process to track;

DESIROUS of bringing a speedy end to the Liberian crisis in accordance with the Abuja Agreement,

**HEREBY:**

AFFIRMS that the Abuja Agreement remains the only workable framework for restoring durable and permanent peace to Liberia;

WELCOMES the Accra Mechanism aimed at returning the Liberia peace process to the Abuja Agreement which was adopted by the seventh meeting of Ministers of Foreign Affairs of the Committee of Nine on Liberia held in Accra, Ghana on 8th May, 1996;

APPROVES the provisions of the draft status of Forces Agreement negotiated between the Executive Secretariat and the Government of Liberia;

AGREES that elections would be the final step in returning Liberia to democratic governance;

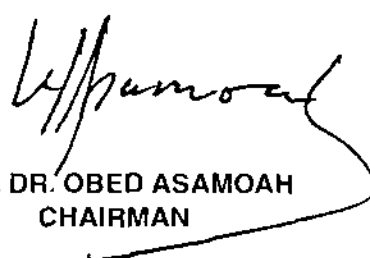
DIRECTS the ECOWAS to work in collaboration with the United Nations to hold democratic elections in Liberia within the shortest possible time;

CALLS on the Committee of Nine on Liberia to consider, at its next meeting, a regime of sanctions as a means of putting pressure on the Liberian

factional leaders, their families, supporters and sympathisers to sue for peace;

AGREES also that a meeting of the Committee of Nine on Liberia should be held as soon as possible, at the latest by 18th August, 1996, to consider all outstanding issues on the Liberian peace process.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



HON. DR. OBED ASAMOAH  
CHAIRMAN

**RESOLUTION C/RES. 2/7/96 EXPRESSING  
APPRECIATION TO THE GOVERNMENT OF THE  
FEDERAL REPUBLIC OF NIGERIA FOR THE  
GRANT OF A LOAN FOR THE CONSTRUCTION  
OF STAFF QUARTERS FOR THE EXECUTIVE  
SECRETARIAT IN ABUJA.****THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

CONSIDERING the pressing need for the ECOWAS Executive Secretary to move into its new headquarters in Abuja;

AWARE of the difficulty of finding accommodation in Abuja for the staff of the Executive Secretariat;

RECOGNISING that effective occupation of the Executive Secretariat headquarters is contingent upon the availability of accommodation for the staff of the Secretariat;

ACCEPTS WITH APPRECIATION the offer of the government of the Federal Republic of Nigeria to grant an interest-free loan of not more than twenty-one million United States dollars to the Executive Secretariat for the construction of staff quarters;

WELCOMES this gesture which will solve the problem of the non-occupancy of the headquarters of the Executive Secretariat and the lack of staff accommodation;

THANKS the Federal Republic of Nigeria for its generous offer which constitutes a positive contribution to the construction and consolidation of economic integration in Africa.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**

A handwritten signature in black ink, appearing to read 'Kwame Peprah', written in a cursive style.

**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 1/7/96 RELATING  
TO THE COMPLETION OF THE ECOWAS FUND  
HEADQUARTERS BUILDING IN LOME**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 of the Authority of Heads of State and Government relating to the construction of the Headquarters of the Institutions of the Community;

MINDFUL of Decision A/DEC. 3/6/88 of the Authority of Heads of State and Government relating to financing of extra works in respect of the Construction of the Headquarters of the ECOWAS Fund in Lome;

**RECOMMENDS** to the Authority of Heads of State and Government, the approval and adoption of the attached Draft Decision relating to the completion of the ECOWAS Fund Headquarters building in Lome.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 2/7/96 RELATING  
TO THE RECOVERY OF THE AMOUNT OF UA 11  
207 925 CONTRIBUTED BY THE FUND  
TOWARDS THE CONSTRUCTION OF THE  
ECOWAS EXECUTIVE SECRETARIAT  
HEADQUARTERS IN ABUJA, NIGERIA**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 17/5/82 and A/DEC. 5/7/87 of the Authority of Heads of State and Government relating to the construction of the Headquarters of the Community Institutions;

MINDFUL of Decisions A/DEC. 2/6/88 and A/DEC. 10/6/89 of the Authority of Heads of State and Government relating to the Study on Enhancing the Financial Resources of the ECOWAS Fund;

MINDFUL of Decision C/DEC. 1/7/95 relating to the Enhancement of the Financial Resources of the ECOWAS Fund;

CONSIDERING the Report of the Ad-Hoc Ministerial Committee on the Enhancement of the Financial Resources of the ECOWAS Fund;

**RECOMMENDS** to the Authority of Heads of State and Government;

The adoption of the attached Draft Decision relating to the recovery of the amount of UA 11 207 925 contributed by the Fund towards the construction of the ECOWAS Executive Secretariat in Abuja, Nigeria.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

granting to Non-Governmental Organisations (NGOs) the status of observer within the Institutions of the Community;

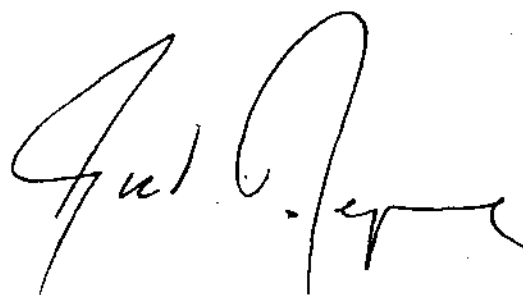
CONSIDERING that the West African Enterprise Network is an international non-governmental organisation comprising private sector entrepreneurs whose objective is to contribute to the improvement of the business climate in West Africa;

CONSIDERING the crucial role of the West African Enterprise Network (WAEN) in the development of cross-border trade and investment;

CONSIDERING the final Report of the thirty-eighth meeting of the Trade, Customs, Immigration, Money and Payments Commission held in Lagos from 22nd to 24th May, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached draft decision granting the West African Enterprise Network (WAEN) the status of observer within the institutions of the Community.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 3/7/96 RELATING  
TO THE GRANTING OF THE STATUS OF  
OBSERVER WITHIN THE INSTITUTIONS OF THE  
COMMUNITY TO THE WEST AFRICAN  
ENTERPRISES NETWORK (WAEN)**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 9/8/94 dated 6th August, 1994 establishing Regulations for the

**RECOMMENDATION C/REC. 4/7/96 RELATING TO THE ESTABLISHING OF THE BASE RATE FOR THE TARIFF REDUCTION PROGRAMME ENVISAGED FOR UNDER THE ECOWAS TRADE LIBERALISATION SCHEME**

**THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**MINDFUL** of Decision A/DEC. 8/5/79 dated 29th May, 1979 of the Authority of Heads of State and Government consolidating customs duties and taxes of equivalent effect and non-tariff barriers;

**CONSIDERING** the different fiscal reforms introduced in Member States since 1979;

**CONSIDERING** the thirty-sixth meeting of the Trade, Customs, Immigration, Money and Payments Commission held in Lagos from 22nd to 24th May, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached draft Decision establishing the base rate for the tariff reduction programme envisaged for under the ECOWAS Trade Liberalisation Scheme.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 5/7/96 ON THE CANCELLATION OF THE CRITERION RELATING TO THE LEVEL OF PARTICIPATION OF COMMUNITY NATIONALS IN THE EQUITY CAPITAL OF ENTERPRISES WISHING TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME**

**THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**MINDFUL** of the Protocol signed on 5th November, 1975 relating to the definition of the concept of products originating from ECOWAS Member States and its subsequent amendments;

**MINDFUL** of Decision A/DEC. 6/7/92 amending Decision A/DEC. 1/5/83 relating to the adoption and implementation of a single trade liberalisation scheme for industrial products originating from ECOWAS Member States;

**CONSIDERING** the need to streamline the ECOWAS Trade Liberalisation Scheme with a view to accelerating its effective application;

**CONSIDERING** the constraining nature of the rules of origin, particularly as they relate to the level of participation of Community nationals in the equity capital of enterprises wishing to benefit from the ECOWAS Trade Liberalisation Scheme;

**CONCERNED** with the need to eliminate obstacles being faced by economic operators in the sub-region and to attract foreign investments into West Africa;

**ON THE RECOMMENDATION** of the thirty-sixth meeting of the Trade Customs, Immigration, Money and Payments Commission held in Lagos from 22nd to 24th May, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached draft Decision on the cancellation of the criterion relating to the level of participation of nationals of Member

States in the equity capital of enterprises wishing to benefit from the ECOWAS Trade Liberalisation Scheme.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 6/7/96 RELATING  
TO THE AUTHORIZING OF THE EXECUTIVE  
SECRETARY TO SIGN A LOAN AGREEMENT  
WITH THE FEDERAL REPUBLIC OF NIGERIA  
FOR THE CONSTRUCTION OF RESIDENTIAL  
QUARTERS FOR STAFF OF THE EXECUTIVE  
SECRETARIAT IN ABUJA**

**THE COUNCIL OF MINISTERS,**

**MINDFUL** of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

**MINDFUL** of the Decision of the Council of Ministers taken at its 28th session in Abuja on 13th December, 1990 reaffirming its earlier decision that the Community should construct residential quarters in Abuja for the staff of the Executive Secretariat;

**AWARE** that a large number of Member States are owing arrears of payment to the operational budget of the Executive Secretariat and are also yet to complete payment of their assessed contributions to the construction of the Headquarters of Community Institutions and to the capital of the FUND;

**CONVINCED** of the inability of most Member States to directly undertake the financing of the construction of staff quarters in Abuja because of the aforementioned outstanding financial obligations of the Community;

**CONSIDERING** that the Federal Republic of Nigeria had agreed to grant to the ECOWAS Secretariat an interest-free loan;

**ANXIOUS** for the speedy relocation of the Executive Secretariat to Abuja in consonance of Decision C/DEC. 4/12/94 transferring the Executive Secretariat to Abuja;

**ON THE PROPOSAL** of the Eighteenth meeting of the Administration and Finance Commission held in Abuja from 15th to 18th July, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached Draft Decision authorizing the Executive Secretary to sign a loan agreement with the Federal Republic of Nigeria for the construction of residential quarters for staff of the Executive Secretariat in Abuja.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

account ECOWAS decisions during negotiations for the financing of transport projects;

CONSCIOUS of safety considerations given that heavy duty vehicles occupy up to 2.8 metres of the roadway;

MINDFUL of the fact that pavements less than 7 metres wide wear out more rapidly than those that exceed 7 metres and therefore need more frequent maintenance;

AWARE of the higher maintenance costs of roads less than 7 metres wide;

MINDFUL of the increasingly heavy volume of traffic;

CONSIDERING the thirty-eight meeting of the Transport, Communication and Energy Commission, held in Lagos from 16th to 18th May, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached Decision establishing standards for the design of Community roads.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**

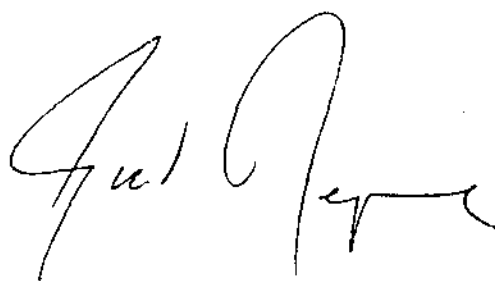
**RECOMMENDATION C/REC. 7/7/96 RELATING  
TO THE ESTABLISHMENT OF STANDARDS FOR  
THE DESIGN OF COMMUNITY ROADS**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 20/5/80 dated 28th May, 1980 of the Authority of Heads of State and Government relating to the ECOWAS transport programme;

MINDFUL of Resolution C/RES. 7/7/91 dated 3rd July, 1991 urging Member States to take into



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 8/7/96 RELATING  
TO THE CONCLUSION OF A MULTILATERAL  
AIR TRANSPORT AGREEMENT AMONG  
MEMBER STATES**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 32 of the Revised Treaty relating to cooperation in Transport;

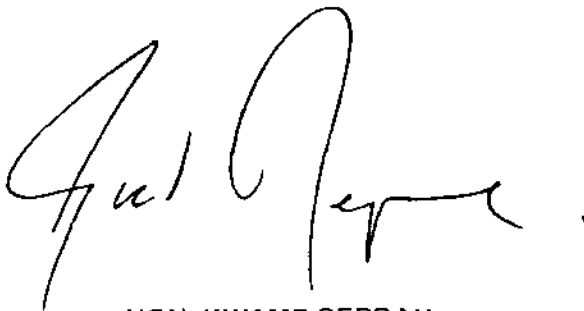
MINDFUL of Decision A/DEC. 20/5/80 of the Authority of Heads of State and Government on the ECOWAS transport programme;

AWARE of the need to develop air transport services within ECOWAS;

On the RECOMMENDATION of the thirty-eighth meeting of the Transport, Communications, and Energy Commission held in Lagos from 16th to 18th May, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached draft Decision on the Conclusion of a multilateral air-transport Agreement among Member States.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 9/7/96 RELATING  
TO THE CREATION BY EACH MEMBER STATE  
OF AN AUTONOMOUS FUND FOR ROAD  
MAINTENANCE**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 20/5/80 of the Authority of Heads of State and Government relating to the transport programme;

MINDFUL of Resolution C/RES. 7/7/91 of the Council of Ministers urging Member States to take into account ECOWAS decisions during negotiations for the financing of transport projects;

AWARE of the accelerated deterioration of roads in Member States and the high costs of rehabilitating such roads;

AWARE also of the difficulties encountered by Member States in funding the rehabilitation and maintenance of existing roads;

CONSIDERING the report of the thirty-eighth meeting of the Transport, Communications and Energy Commission held in Lagos, from 16th to 18th May, 1996.

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached Decision on the establishment by each Member State of an autonomous fund for road maintenance.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**



**RECOMMENDATION C/REC. 10/7/96 RELATING TO THE AUTHORISATION OF THE EXECUTIVE SECRETARY TO SIGN THE AGREEMENT BETWEEN THE COMMUNITY AND THE LIBERIAN NATIONAL TRANSITIONAL GOVERNMENT ON THE STATUS OF THE ECOWAS CEASEFIRE MONITORING GROUP (ECOMOG) IN LIBERIA**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC. 1/8/90 dated 7th August, 1990 of the Community Standing Mediation Committee on the ceasefire and the institution of an ECOWAS Ceasefire Monitoring Group (ECOMOG) in Liberia;

MINDFUL of Decision A/DEC. 3/11/90 relating to the conclusion of an Agreement on the status of the Ceasefire Monitoring Group (ECOMOG) between the Community and the Interim Government of the Republic of Liberia;

CONSIDERING the various Peace Agreements brokered by the Community and entered into by the Liberian warring factions;

CONSIDERING the report of the Technical Meeting between ECOWAS and the Liberian National Transition Government on the Status of Forces Agreement held in Monrovia from 5th to 8th February, 1996;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached draft Decision authorizing the Executive Secretary to sign the Agreement between the Community and the Liberian National Transitional Government of the Republic of Liberia on the status of the Ceasefire Monitoring Group (ECOMOG) in Liberia.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**RECOMMENDATION C/REC. 11/7/96 RELATING TO THE ADOPTION OF AN ECOWAS STATISTICS POLICY**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) 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 statistics on **Member States**;

**DETERMINED** to put in place a regional mechanism for the harmonious development of statistics in the region which would ensure the efficient collection, analysis, compilation and dissemination of data at both national and regional levels;

On the **PROPOSAL** of the fourth meeting of the ECOWAS Directors of Statistics held on 29th and 30th June, 1995 in Lome;

**RECOMMENDS** to the Authority of Heads of State and Government to adopt the attached Decision relating to the adoption of an ECOWAS **STATISTICS POLICY**

**DONE AT ABUJA,  
THIS 26TH DAY OF JULY, 1996**

A handwritten signature in black ink, appearing to read 'Kwame Peprah', is written over a large, faint, stylized watermark of a map of West Africa.

**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

## NINETEENTH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

ABUJA, 26TH - 27TH JULY, 1996

### FINAL COMMUNIQUE

1. The Nineteenth Ordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) was held in Abuja, Federal Republic of Nigeria, on 26th and 27th July, 1996 under the Chairmanship of His Excellency, Flight-Lieutenant Jerry John Rawlings, President of the Republic of Ghana.
2. Present at the session were the following Heads of State and Government or their duly accredited representatives:
  - His Excellency, Mathieu KEREKOU, President of the Republic of BENIN, Head of State, Head of Government;
  - His Excellency, Blaise CAMPAORE, President of BURKINA FASO, Chairman of the Council of Ministers;
  - His Excellency, Henri Konan BÉDIÉ, President of the Republic of CÔTE D'IVOIRE;
  - His Excellency, Captain Yahya A.J.J. JAMMEH, Chairman of the Armed Forces Provisional Ruling Council (AFPRC), and Head of State of the Republic of The GAMBIA;
  - His Excellency, Flt.-Lt. Jerry John RAWLINGS, President of the Republic of GHANA;
  - His Excellency, Professor Wilton SANKAWULO, Chairman of the Council of State of the LIBERIA National Transitional Government;
  - His Excellency, Alpha Oumar Konaré President, Head of State of the Republic of MALI;
  - His Excellency, Ibrahim Mainassara BARE, President of the Republic of NIGER;
  - His Excellency, General Sani ABACHA, Head of State and Commander-in-Chief of the Armed Forces of the Federal Republic of NIGERIA;
  - His Excellency, Athaji Ahmad Tejan KABBAH, President of the Republic of SIERRA LEONE;
  - His Excellency, Gnassingbe EYADEMA, President of the TOGOLESE Republic;
  - Honourable Carlos Alberto Wahanon de Carvalho VEIGA, Prime Minister and Head of Government of the Republic of CABO VERDE;
  - Honourable Sidaya TOURÉ, Prime Minister, Minister of Economy, Finance and Planning of Guinea representing the President of the Republic of GUINEA;
  - Honourable Luis Oliveira SANCA, Minister of Trade of the Republic of Guinea Bissau representing the President of the Republic of GUINEA BISSAU;
  - Honourable Ahmed Ould MINIH, Minister, Secretary-General Office of the President representing the President of the Islamic Republic of MAURITANIA;
  - Honourable Massokhna KANE, Minister of African Economic Integration Head of the Senegalese Delegation representing the President of the Republic of SENEGAL.
3. Attending the Session as Observers were:
  - The Secretary-General of the Organisation of African Unity (OAU);
  - The Secretary-General of the World Meteorological Organisation (WMO);

- The United Nations Secretary-General's Special Envoy to Liberia;
- The Vice-President of the African Development Bank (ADB);
- The Assistant Director-General, Regional Representative for Africa of the UN Food and Agriculture Organisation (FAO);
- The Deputy Secretary-General of the Organisation of the Islamic Conference (OIC);
- The Director-General of the West African Monetary Agency (WAMA);
- The President of the Federation of West African Chambers of Commerce (FWACC);
- The President of the West African Road Transporters Union (UTRAO);
- The Secretary-General of the West African Women's Association (WAWA);
- The Executive Director of the West African Health Community (WAHC);
- The Representative of the Executive Secretary of the Economic Commission for Africa (ECA);
- The Representative of the Governor of BCEAO;
- The Representative of the United Nations Development Programme (UNDP);
- The Representative of the United Nations Industrial Development Organisation (UNIDO);
- The Representative of the United Nations Educational, Scientific and Cultural Organisation (UNESCO);
- The Representative of the United Nations Fund for Women in Development (UNIFEM);
- The Representative of the Pan-African News Agency (PANA);
- The Representative of the United Nations High Commissioner for Refugees (UNHCR);
- The Representative of the West African Development Bank (BOAD);
- The Representative of ECOBANK Transnational Incorporated;
- and a large number of High Commissioners and Ambassadors accredited to the Federal Republic of Nigeria.

#### EVALUATION OF THE WEST AFRICAN ECONOMIC ENVIRONMENT

4. Against the background of the estimated growth rate of 3.7% of the global economy in 1995, the Heads of State and Government expressed satisfaction with the performance of the West Africa economy during the past year. The authority was particularly satisfied that the better performance recorded was attributable in part to the economic reforms that Member States had been undertaking over the years. Heads of State and Government therefore urged Member States to sustain the momentum of their economic reforms. The Executive Secretary was called upon to intensify the contribution of the Community to the economic liberalisation programmes of Member States.
5. The Heads of State and Government discussed at length the debt service obligations of Member States and the ever-increasing size of their external debts. While welcoming the definite progress made during the year about the possibility of subjecting multilateral debts of developing countries to a favourable treatment, the Authority expressed disappointment at the outcome of the recent Lyon meeting of the Group of 7. The Authority made a strong appeal to the creditor countries for

unqualified support for the World Bank's debt initiative for the heavily indebted less developed countries.

## **PRIORITY ATTENTION TO REGIONAL INTEGRATION PROGRAMMES**

6. Heads of State and Government reviewed the West African integration process and the very modest achievements of ECOWAS. The Authority affirmed its conviction that the success of economic development in Member States depended on regional integration and committed itself to give priority attention to the regional integration process. The Authority stressed the need for an effective implementation of the ECOWAS Minimum Agenda for Action, to ensure the free movement of Community citizens throughout the region. To this end, The Authority urged all Member States to show greater commitment to the implementation of this important Community programme. The Authority decided to focus attention on the other Community programmes as follows.

### **7. Community levy**

The Authority expressed deep concern at high arrears of financial contributions owed by Member States to the different budgets of the Community institutions. In order to provide the institutions with an autonomous source of funds, The Authority adopted the protocol on conditions governing application of the Community levy. The protocol imposes a 0.5% tax on the value of imports from third countries. The Authority appealed to all Member States to ratify the protocol on the Community levy before 31st December, 1996 and to commence its application on 1st January, 1997.

### **8. Protocol instituting the Value Added Tax**

The Authority stressed the need to introduce within the Community, a uniform indirect tax which would encourage increased intra-Community trade on a non-discriminatory basis. Heads of State and

Government therefore decided to establish value added tax in Member States, as part of measures leading to the harmonisation of indirect taxation. To this end, the Authority adopted the protocol instituting within ECOWAS Member States, a consumer tax known as "value added tax" which replaces the other indirect taxes on turnover.

### **9. Harmonisation of economic policies of Member States**

The Heads of State and Government welcomed the increasing role being played by the ECOWAS Consultative Forum of Ministers of Finance and Planning and Governors in the harmonisation of national economic policies. The Authority endorsed the Council decision on the limitation of government borrowing from the central bank to 0-10% of fiscal revenue of 2-3% of GDP. The Authority directed the Executive Secretary to expedite action on the harmonisation of these policies and the formulation of a regional development programme. The Authority called on the relevant international institutions to continue giving support to these ECOWAS initiatives.

### **10. Trade Liberalisation Scheme**

The Authority took note of the fact that the ECOWAS trade liberalisation scheme had got off to a slow but encouraging start. In order to accelerate implementation of the scheme and encourage direct foreign investment in the region, it was decided that the 25% minimum indigenous participation in the equity capital of companies should be removed as a condition for eligibility under the scheme.

11. The Authority also decided, for practical reasons, and bearing in mind the various fiscal reforms introduced in Member States, that the rates transcribed into the ECOWAS Harmonised System should be used as the rates for the commencement of the tariff programme.

## 12. **Second ECOWAS Trade Fair at Accra in 1999**

The Authority endorsed the decision of Council to organise the second trade fair at Accra from 26th February to 7th March, 1999 on the theme "Economic cooperation through trade". The Authority directed the Executive Secretary to ensure the effective preparation of the proposed fair by involving Member States, the different private sector organisations, and the appropriate international organisations and institutions.

## 13. **ECOWAS Statistics Policy**

The Heads of State and Government adopted an ECOWAS Statistics Policy to facilitate the accelerate development of statistics in Member States. The Executive Secretary was directed to work closely with ECA, the United Nations Statistics Department and other appropriate international agencies in the implementation of the ECOWAS Statistics Policy.

## 14. **Regional food security**

The Heads of State and Government reviewed the current situation of agricultural development and environmental protection within the region. The Authority directed the Executive Secretary to expedite action on the formulation of a regional food security programme. The Authority welcomed the Council decision to adopt the following projects:

Integrated Information Programme for the Agricultural Development of West Africa;

Regional Floating Weeds Control Projects; and

Regional Meteorological Project.

5. The Authority noted with satisfaction the interest that international organisation have been showing in these projects. The Authority directed the Executive Secretary to continue to work closely with the African

Development Bank, the World Meteorological Organisation and European Union, and encourage their contribution to the financing of these projects. The Authority urged Member States to participate in the proposed World Food Summit conference in Rome in November, 1996.

## **INVOLVEMENT OF THE PRIVATE SECTOR AND WOMEN IN THE INTEGRATION PROGRESS**

16. The Heads of State and Government expressed their commitment to the promotion of the private sector and urged all Member States to continue the implementation of the relevant policies. The Authority agreed that a coordinated approach at the regional level would enhance the chances of success. The Authority therefore directed the Executive Secretary to take specific measures to promote the participation of the private sector in the regional integration progress.
17. Considering the particular role played by women in the socioeconomic sector, especially in education, agriculture, handicrafts, and trade, the Authority decided to support the activities of the West Africa Women's Association aimed at ensuring greater involvement of women in development.

## **POLITICAL LIBERALISATION IN WEST AFRICA**

18. The Heads of State and Government, recalling the Declaration of ECOWAS Political Principles, reviewed the political liberalisation process in West Africa. The Authority expressed satisfaction with the steady progress that is being made and, particularly, the peaceful change of government through the electoral process in a number of Member States. The Authority stressed the importance of promoting the establishment of nation democratic institution and political education geared towards fostering popular participation in the political process. The Authority reaffirmed its commitment to the transformation of West Africa into a region

of strong democratic principles and practices.

19. The Authority took due note of the cases during the year where the expression of political aspiration led to the disruption of normal social life and political strife.

The Authority deplored the incidence of political violence and urged Member States not to accept such developments as a normal occurrence in the democratisation process. To this end, the Authority called upon the political class in each Member State to imbibe and practice the principles of tolerance and accommodation, accountability and transparency, integrity and statesmanship.

#### REGIONAL PEACE AND SECURITY

20. Heads of State and Government reviewed the Liberian crisis within the context of regional peace and security. The Authority lauded the patient and persistent efforts of its Chairman and the Committee of Nine at the implementation of the ECOWAS Peace Plan for Liberia. Heads of State and Government expressed regrets that the hopes raised by the Abuja Agreement in August, 1995 were dashed through the failure of the leaders of the Liberian warring factions to honour their pledge to submit their troops to disarmament and demobilisation.
21. The Authority condemned the outbreak in April, 1996 of hostilities in Monrovia, which involved all the warring factions, thus ending the ceasefire and depriving the city of Monrovia of its safe haven status. Heads of State and Government deplored the loss of life and property, the reign of terror while the fighting lasted, and above all the severe blow to the peace process. The Authority praised the ECOMOG Field Commander and his forces for ending the mayhem and re-establishing Monrovia as a safe haven and relative calm to Liberia. Particular mention was made of the Accra Mechanism which seeks a return to the implementation of the Abuja Agreement.

22. Heads of State and Government authorised the Executive Secretary to sign the status of ECOMOG forces agreement between ECOWAS and the government of Liberia, once the Council of State has been restructured.

23. Heads of State and Government took note of the increased interest that the international community has been taking in recent months in the Liberian civil war. The Authority noted the establishment of the Contact Group on Liberia at the initiative of the United States government. The Authority expressed its appreciation for the pledges so far made by Western governments of support to ECOMOG operations and humanitarian aspects of the Liberia peace process and urged the redemption of the pledges.

24. Heads of State and Government requested that a meeting of the Committee of Nine should be convened by the new Chairman of the Authority not later than 18th August, 1996 to consider the various issues on the Liberian peace process as contained in the Abuja Agreement.

#### DRUG CONTROL

25. Heads of State and Government expressed grave concern over the increase in drug trafficking, and the attendant rise in the crime rate, the upsurge in the use of psychotropic substances within the region and the resultant negative effects on the youth.
26. Responding to the invitation of the government of the Republic of Cabo Verde, the Authority decided that a ministerial meeting be held in Praia during the first quarter of 1997, to discuss the issue in all its ramifications.

#### THE SITUATION IN BURUNDI

27. Heads of State and Government expressed grave concern at the recent developments in the Republic of Burundi. The Authority

made an urgent appeal to all the parties involved to exercise moderation in the interest of the people of Burundi.

**DONE AT ABUJA,  
THIS 27TH DAY OF JULY, 1996**

#### **ELECTION OF CHAIRMAN**

28. Heads of State and Government unanimously elected the Federal Republic of Nigeria as Chairman of the Community for 1996/1997.

#### **THE AUTHORITY**

#### **DATE AND VENUE OF NEXT SUMMIT**

29. At the invitation of the Head of State of the Federal Republic of Nigeria, the Authority decided to hold its twentieth session in Abuja, at a date to be determined later.

#### **VOTE OF THANKS**

30. Heads of State and Government paid glowing tribute to His Excellency, Flight-Lieutenant Jerry John Rawlings, President of the Republic of Ghana, for the diligence and dedication with which he directed the affairs of the community during the past two years. The Authority was particularly appreciative of the untiring efforts of its outgoing Chairman to secure peace in Liberia.
31. Heads of State and Government further expressed gratitude to His Excellency, General Sani Abacha, Head of State, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, his government and the people of Nigeria for the genuine fraternal welcome extended to all delegations and for the excellent facilities made available to ensure the success of the 1996 Annual Statutory Meetings of the Community.
32. The Authority expressed its deep appreciation of the generous offer of an interest-free loan by the government of the Federal Republic of Nigeria to the Community for the construction of residential accommodation in Abuja for the staff of the Executive Secretariat.